



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, DECEMBER 8, 2021**

2:00 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 James Boswell, David Furst, Jan Palajac  
Vice Chair Maryalice Faltings, and Chair Philip Pierpont

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mathew Fuzie, Fred Haldeman, Jeffrey Schneider, Jill Kirk,  
Jessie Masingale, Julie Dreher, Linda VanBuskirk, Lynn  
Loucks, Megan Shannon, Michelle Newbould, Nancy Blair,  
Pamela Healy, Robert Sanchez

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

**OTHERS PRESENT:** Tony Kukulich

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

Chair Pierpont called the meeting to order at 2:00 p.m. All Directors were present via Zoom.  
Chair Pierpont led the Pledge of Allegiance.

**2. PUBLIC COMMENT:** None.

**3. CONSENT ITEMS:**

- 3.1** Approval of the Minutes of the Regular Board Meeting of October 27, 2021
- 3.2** Approval of the Minutes of the Regular Board Meeting of November 10, 2021
- 3.3** General Manager's Update to the Board of Directors on Issues and Projects –  
December 2021

- 3.4** Resolution No. 2729 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 December 8, 2021 to January 7, 2022.

**MOTION:**

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

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

**4. DISCUSSION AND ACTION ITEMS:**

**4.1 ROBERTSON PARK SPORTS FIELDS SYNTHETIC TURF REPLACEMENT**

The Board reviewed and discussed the Robertson Park Sports Fields Synthetic Turf project. General Manager Mathew Fuzie provided the staff report and led the group on a discussion regarding two formal quotes received from manufacturers through a California Multiple Award Schedules (CMAS) agreement. The quotes received ranged from \$1,378,698 to \$1,542,464 for the replacement of both fields, including the installation of the pad layer. Parks and Facilities Manager Fred Haldeman, along with Business Services Manager Jeffrey Schneider were present to respond to any questions from the Board.

**RECOMMENDATION:** Staff recommends the Board review the quotes and approve moving the Robertson Park Sports Fields Turf Replacement Project forward for fiscal year 2021-2022.

**DIRECTION:**

Discussion ensued regarding Exhibits A, B, and C, with the following suggestions made:

- This item was reviewed by the Facilities Committee at its November 4, 2021 meeting with a recommendation to move forward to the full Board;
- Safety/environmental concerns relating to infill materials must be considered before placing this order;
- It makes financial sense to go with a better-quality product with a longer life span/warranty;
- Cap the budget at \$1.75million for replacement of the two sports fields;
- Keep the Board informed of any unforeseen changes or need for improvements.

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

**MOTION:**

Moved by Chair Pierpont, seconded by Director Palajac, approved moving the Robertson Park Sports Fields Turf Replacement Project forward for fiscal year 2021-2022 forward, with the above direction, by the following roll call vote:

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

#### **4.2 PER CAPITA GRANT PROGRAM**

The Board reviewed and discussed authorizing the transfer of grant monies, potentially available to the District from the State of California's Office of Grants and Local Services (OGALS) to the City of Livermore in support of the Arroyo Trail Project to close the gap between the existing trail at Wetmore Road and the Arroyo Del Valle Trail at the easterly entrance of Sycamore Grove Park.

General Manager Mathew Fuzie provided the staff report. In response to a question from Director Palajac, GM Fuzie stated that a staff member could show the intended alignment to any interested Board Members.

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

#### **RESOLUTION:**

Moved by Director Palajac, seconded by Director Furst, approved Resolution No. 2730, authorizing the General Manager to execute Amendments to Contract Numbers C9801138 and C9802012 with the State of California for the Per Capita Grant Program under the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, by the following roll call vote:

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

#### **4.3 BOARD MEETING SCHEDULE FOR 2022**

The Board reviewed and discussed a draft of the 2022 Board Meeting Schedule pursuant to Board Policy No. 5010.

#### **DIRECTION:**

- a) Discussion ensued and Board consensus was to return to the 7:00 p.m. start time for Board meetings beginning in January, 2022. The 7:00 p.m. start time applies to both the second and last Wednesdays of the month, with the exception of November and December when there is only one meeting.
- b) During the months of July, August, and September, the Board will add a Public Meeting in the Park to begin at 6:00 p.m. Location will be determined closer to those months.
- c) The start time for the regular meeting of the Board set for June 8, 2022 will be determined in May. It will remain "TBD" on the schedule due to the potential conflict with the Rodeo Mixer event also set for June 8<sup>th</sup>.

**MOTION:**

Moved by Director Palajac, seconded by Director Faltings, approved the 2022 Board Meeting Schedule, with revisions as discussed, by the following roll call vote:

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

\*Director Boswell left the meeting at 3:01 p.m.

**4.4 ANNUAL BOARD POLICY MANUAL REVIEW**

The Board reviewed policy changes made throughout 2021. Chair Pierpont asked if the Board wished to make any further revisions to the Board Policy Manual. No revisions were suggested.

**DIRECTION:**

Board members thanked support staff for their efforts to make policy changes throughout the year as issues arise and stated they favored this method as opposed to strictly during an annual review.

**4.5 ELECTION OF BOARD OFFICERS FOR 2022**

Chair Pierpont stated the Board will elect a Chair and Vice Chair of the Board of Directors for calendar year 2022 pursuant to Board Policy 4040 which stipulates who the incoming Chair and Vice Chair will be according to a set of criteria.

**MOTION:**

Moved by Director Furst, seconded by Director Palajac, accepted the policy rotation so that Vice Chair Faltings will serve as Chair of the Board of Directors for 2022, and that Director Boswell will serve as Vice Chair of the Board of Directors for 2022, by the following unanimous roll call vote:

AYES: *Directors Palajac, Furst, Faltings and Chair Pierpont*  
NOES: *None*  
ABSTENTIONS: *None*  
ABSENT: *Director Boswell*

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

**5.1 GENERAL FINANCIAL UPDATE**

Business Services Manager Jeffrey Schneider advised the Board that financial results through October were delivered to the Board prior to the meeting. He further reported that the District continues to operate at better than budget year-to-date. The mid-year budget process is underway, and the management team has established an 18-month calendar. This update will be presented to the board formally in early March. This will be a first pass at the next fiscal year as well as a revised view of this current year. The team is also developing a plan to establish a 5-year financial plan, and a cash flow projection in relation to that plan will be presented to the Board at that time as well.

BSM Schneider added that the District expects to hear from the state and county regarding COVID Relief Fund monies in early January. LARPD submitted \$5.7M in relief funding and is anxiously awaiting results as to how much it will receive.

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

- In response to a question from GM Fuzie, the Board responded that they wish to have this item remain as a standing agenda item.

## **5.2 COVID-19 PROGRAM UPDATES**

GM Fuzie reported that LARPD is waiting for the COVID-19 numbers to improve to the point where people will no longer be required to wear masks inside its facilities. In the meantime, the District continues to serve in different ways. Many programs are offered outside. Open Heart Kitchen has been serving meals outside and they intend to stay outside. LARPD is looking to add outdoor facilities that will improve our ability to continue offering outdoor programming. The Livermore Rotary is a solid partner and meets here at the RLCC each Wednesday. Facility bookings are continuing upward. Our approach has been innovated but moderate to very careful in our risk taking. The governor did extend the emergency into March 2022. Cal OSHA and the federal restrictions that have been put into place are currently in litigation, which means they are no longer enforcing any of the rules that have been put into place, pending the outcome of litigation. This translates into a commonsense approach for us. In preparation for any orders that come out requiring that employees be tested on a weekly basis, we have found a no-cost to us program that is funded by the federal and state governments and employees' insurance. If we have employees that need to be tested on a weekly basis, we will have do-it-yourself test kits. The employee will have to administer the test with a proctor watching. These are the PCR tests. The employee will submit the test into a shipping kit, we send it off and the employee gets the results back within a couple of days, and therefore their week has been cleared. There is no cost to the employee or the organization.

GM Fuzie added that LARPD continues its weekly meetings with the city, and with its partnership with the school district on large-scale vaccinations. The last vaccination clinic at the RLCC was held today. We do not intend to host any more unless something dramatic changes or booster shots become a need for employees.

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

## **6. COMMITTEE REPORTS:**

- a) Director Faltings reported her attendance, along with Director Palajac, at the December 2, 2021 Facilities Committee meeting. The agenda was included in the Board meeting agenda packet.
- b) Director Palajac reported her attendance, along with Director Furst, at the November 18, 2021 Program Committee meeting. The agenda was included in the Board meeting agenda packet.

- c) Director Palajac reported her attendance at the November 16, 2021 Livermore Downtown, Inc. meeting. She announced the LDI's upcoming December events.
- d) Director Furst reported his attendance at the December 1, 2021 Livermore Chamber of Commerce Business Alliance meeting.
- e) Director Furst reported his attendance at the December 1, 2021 Livermore Cultural Arts Council meeting.
- f) Chair Pierpont reported his attendance, along with Director Boswell, at the November 15, 2021 Finance Committee meeting. The agenda was included in the Board meeting agenda packet.

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

- a) Director Faltings announced that the Ravenswood Victorian Yuletide will be on Sunday, December 12, 2021 at the Ravenswood Historic Site.
- b) Chair Pierpont mentioned that volunteers made significant progress on the new Patterson Ranch Trail on the Zone 7 property located behind Sycamore Grove Park. Another trail building opportunity will take place in December. He encouraged anyone interested to check out the LARPD website for more volunteer information.

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

GM Fuzie made the following announcements:

- a) LARPD has been providing a lot of programming at the Ravenswood Historic Site in addition to weddings and/or ceremonies, i.e., senior and other programming there has been very well-received.
- b) The preliminary theme for 2022 after speaking with Director Faltings yesterday is going to be "No messes, lots of successes."

**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 Items 10.1, 10.2 and 10.3 listed below. Open Session was adjourned at 3:30 p.m.

**10. CLOSED SESSION**

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

Significant exposure to litigation pursuant to Government Code Section 54956.9(b):  
1 case

**10.2 CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6  
Agency Designated Representative: Rod A. Attebery/Philip Pierpont  
Unrepresented Employee: General Manager

**10.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

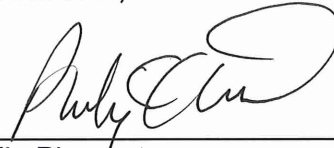
Pursuant to Government Code Section 54957  
Title: General Counsel

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

The Board came out of Closed Session at 4:59 p.m. and GM Fuzie announced that no reportable action had been taken in Closed Session.

**12. ADJOURNMENT:** The meeting was adjourned at 4:59 p.m.

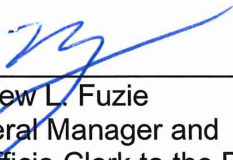
APPROVED,



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Philip Pierpont  
Chair, Board of Directors

ATTEST:



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

/lvb