



Livermore Area
Recreation and Park District
An independent special district

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

DRAFT MINUTES

WEDNESDAY, FEBRUARY 24, 2021

2:00 P.M.

NOTICE: Coronavirus COVID-19

In accordance with Governor Newsom's Executive Orders, members of the Livermore Area Recreation and Park District Board of Directors and staff participated in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public also participated in this meeting electronically.

DIRECTORS PRESENT: Directors Boswell, Faltings, Furst, Palajac, and Chair Pierpont

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Mat Fuzie, Alexandra Ikeda, Fred Haldeman, Jeffrey Schneider, Jill Kirk, David Weisgerber, Jessie Masingale, Joseph Benjamin, Julie Dreher, Linda VanBuskirk, Lynn Loucks, Megan Shannon, Michelle Newbould, Natalie Kaaiawahia, Patrick Lucky, Vicki Wiedenfeld,

COUNSEL: Rod Attebery, Allison Felkins, Neumiller & Beardslee

OTHERS PRESENT: Stacey Kenison, David Wetherell

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: There were no public comments.

3. CONSENT ITEMS: (Motion)

3.1 Approval of the Minutes of the Regular Board Meeting of January 27, 2021

3.2 Approval of the Minutes of the Regular Board Meeting of February 10, 2021

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

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

4. DISCUSSION AND ACTION ITEMS

4.1 WORKERS' COMPENSATION COVERAGE FOR VOLUNTEERS

Chair Pierpont stated that the Board would consider approving a resolution declaring that Governing Body members and volunteers shall be deemed to be employees of the District for the purpose of providing workers' compensation coverage for said certain individuals while providing their services.

General Manager Fuzie presented the staff report which documented the request by California Association for Park and Recreation Indemnity (CAPRI) for its members to adopt a resolution to ensure that they adhere to the governing Labor Code § 3363.5 which states ". . . a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a Resolution by the Governing Body of the agency so declaring, be deemed to be an employee for workers' compensation purposes."

In response to a question from Director Furst regarding whether passing this resolution makes the Board members employees in order to be eligible for the District's 457 match (4%), GM Fuzie stated he will ask District Counsel to look into this matter further.

Chair Pierpont opened public comment. No public comments were received. Public comment was closed.

Moved by Director Palajac, seconded by Director Furst, adopted Resolution No. 2708, declaring that Governing Body members and volunteers shall be deemed to be employees of the District for the purpose of providing workers' compensation coverage for said certain individuals while providing their services, by the following roll call vote:

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

4.2 AMENDMENT TO THE MEMORIAL AND COMMEMORATIVE POLICY

Chair Pierpont stated the Board would review and consider approving revisions to the Memorial and Commemorative Policy, Policy No. FAC-86-1007.

Community Services Manager Jill Kirk presented the staff report which documented the proposed pricing increases and duration limits (10 years vs. in perpetuity) pertaining to donations made for commemorative or memorial gifts to be placed in/on District facilities or made available for program use. Amendments to the policy were

reviewed and recommended for approval by the Ad Hoc Committee re: Memorial and Commemorative Program as a result of its meetings held on January 21, 2020, May 5, 2020 and June 29, 2020.

Chair Pierpont opened public comment. No public comments were received. Public comment was closed.

Moved by Director Palajac, seconded by Director Boswell, adopted Resolution No. 2709, approving revisions to the Memorial and Commemorative Policy, Policy No. FAC-86-1007, by the following roll call vote:

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

5. INFORMATIONAL ITEMS (No Action Required)

5.1 GENERAL FINANCIAL UPDATE

GM Fuzie and ASM Schneider gave a brief report regarding the current view of the District finances. Results through January will be presented to the Finance Committee on March 1st along with an 18-month operating plan for review. The District remains better than last year in terms of the operating contribution revenue less expenses, and continues to be ahead of projections for cash. The Board will conduct a Budget Workshop prior to the regular Board meeting on March 10th.

5.2 COVID-19 PROGRAM UPDATES

GM Fuzie announced that Alameda County remains in the purple tier with 8+ cases per 100,000 residents. The average must be below seven (7) in order for the County to be moved into the red tier in three weeks. A county must remain in a tier for a minimum of three weeks before being able to advance to a less restrictive tier. Moving from purple to red or red to orange or orange to yellow tiers may take 12 weeks minimum before we are anywhere near back to regular restrictions. As we move forward, unless there is a variant that makes us revert to the more restrictive tier, we will plan to progress toward having a somewhat normal summer.

Community Services Manager Jill Kirk provided an update as to the status of the ESS, Open Space and Senior Services programs as they work under the framework of the current Health Order. They continue to monitor the situation with County Health and the school district, and are anticipating what programs will look like when schools potentially reopen next month for Hybrid learning.

Recreation Department Manager Alexandra Ikeda gave a brief report regarding Youth Sports, Facility Rentals, minimonies, and Aquatics offerings. She announced that on Friday, February 19th, the State of California updated their guidelines for Outdoor and Indoor Youth and Recreational Adults Sports to take effect on Friday, February 26, 2021. District staff is currently working with our Livermore based youth sports organization leagues on securing sports facility rental space to conduct their league practices and games. Each organization will be required to submit a Site Safety Plan that is compliant with the current Health Order and will be required to

ensure that all organizational participants and spectators follow the State's guidelines while participating in their organizations sports field rental with the District.

6. COMMITTEE REPORTS

- a) Director Palajac reported her attendance at the February 17, 2021 Program Committee meeting. The agenda was included in the board agenda packet.
- b) Director Palajac reported her attendance at the February 16, 2021 Livermore Downtown, Inc. meeting.
- c) Director Faltings reported her attendance at the February 18, 2021 Intergovernmental Liaison Committee meeting, along with Chair Pierpont.
- d) Chair Pierpont reported his attendance at the February 18, 2021 Intergovernmental Liaison Committee meeting.

7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Faltings advised GM Fuzie that she would contact him about Ravenswood issues brought to her attention by the president of the Ravenswood Progress League.
- b) Director Furst reported that he [and the other Board members] received a letter from the Superior Court of California, County of Alameda, regarding the Alameda County Civil Grand Jury Nominations for the 2021-2022 Term. The Court seeks assistance in publicizing the Grand Jury recruitment effort. Board members asked staff to announce the opportunity on the LARPD webpage, with a link back to the Grand Jury's website at <http://grandjury.acgov.org/index.page>.
- c) Director Palajac announced that she and Director Faltings attended the CARPD Board Member Orientation. During the training they covered a new social media rule, AB 992, which went into effect as of January 2021. This is part of the Brown Act. She encouraged all Board members to educate themselves on this bill. She emailed a copy of the training presentation entitled "The Ins, Outs, & In-Betweens of Serving Your Community" presented by Matthew Duarte, Esq., CARPD & CAPRI Executive Director, and asked staff to forward the email to all Board members.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

The GM Fuzie made the following announcements:

- a) The next Board meeting will be held on Wednesday, March 10th at 2:00 p.m. A Board Budget Workshop will be scheduled prior to that at 1:00 p.m. This will be an early opportunity to hold a budget workshop prior to the Board being asked to approve the final budget in June.
- b) The second Board meeting in March is set for March 31st at 2:00 p.m. We would like to hold a CIP Workshop at 1:00 p.m. on this date. At this workshop, Board members will discuss the CIP concept papers with project flow. This will be a working session, no voting will be necessary.
- c) The June 10th Board meeting had been scheduled for a Thursday to accommodate a Wednesday, June 9th rodeo mixer. However, the rodeo has been cancelled again this year. Prior to this regular Board meeting, staff will schedule another Board Budget Workshop to prepare for the final budget to be presented to the Board on June 30th. Board consensus was to move the first June Board meeting back to its

- normal Wednesday date. Staff will reschedule the Board meeting to Wednesday, June 9th.
- d) An email was sent out to all Board members regarding the upcoming CARPD Annual Conference, to be held live in Monterey June 23-26. If interested, please return your Attendee Registration Form to Linda VanBuskirk.
 - e) The pool replastering at May Nissen has a slightly extended schedule because the contractor cannot start until May. Anticipated pool opening will follow six weeks after that, in June/July.
 - f) District Counsel Rod Attebery introduced a new associate, Allison Felkins, to the Board.

9. ADJOURNMENT: The meeting was adjourned at 3:37 p.m.

APPROVED,

Philip Pierpont
Chair, Board of Directors

ATTEST:

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