



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, JUNE 30, 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 James Boswell, David Furst, Jan Palajac, Vice Chair Maryalice Faltings, and Chair Philip Pierpont

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mathew Fuzie, Allie Ikeda, Fred Haldeman, Jeffrey Schneider, Jill Kirk, David Weisgerber, Jessie Masingale, Julie Dreher, Linda VanBuskirk, Lynn Loucks, Michelle Newbould, Nancy Blair, Patrick Lucky, Robert Sanchez

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

**OTHERS PRESENT:** Melinda Chinn

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

Chair Pierpont called the meeting to order at 2:02 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 June 9, 2021.

**3.2** Resolution No. 2718, authorizing the funding of the 401(h) Sub-Account for Retirees' Medical with the Alameda County Employees' Retirement Association (ACERA) in the amount of \$326,604.49 for the 2021-22 Fiscal Year.

**3.3** Resolution No. 2719, establishing the FY 21-22 Annual Appropriations Limit at \$25,417,558.

Director Furst asked to pull Items 3.1 and 3.3 for further discussion:

Item 3.1 Approval of the Minutes of the Regular Board Meeting of June 9, 2021:

On page 4 of the Draft Minutes at item 4.4 Renew Special Tax 97-1 at the bullet point where it stated

- “Board members expressed consensus with placing this item on the Consent Agenda during *future* board meetings.”

Director Furst stated this sentence was confusing because the current Board then voted on the matter during the June 9, 2021 meeting, and Chair Pierpont agreed that the current board should not determine which future items are placed on a Consent Agenda under a different Board – that will be for them to decide at that time. The Board Chair directed staff to strike the statement from the minutes.

Item 3.3 Resolution No. 2719 establishing the FY 21-22 Annual Appropriations Limit at \$25,417,558:

Director Furst asked for clarification on Attachment A - “Fiscal Year 2021-22 Appropriations Limit Calculator” - “Total City Population”. He stated the District’s population is different from the City’s. Business Services Manager Jeffrey Schneider clarified that for this calculation LARPD may use either the City’s population growth or the County’s in performing this calculation. The data comes to us from the State of California’s Department of Finance. We use the City’s population.

- Director Furst suggested the addition of an asterisk (\*) next to “Total City Population” with a footnote added to clarify that by law or ordinance LARPD is instructed to use the City’s or the County’s population numbers. Those are our choices.
- GM Fuzie suggested staff consult District Counsel on whether LARPD is exempt from this calculation as a special district.

**MOTION:**

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

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

**4. DISCUSSION AND ACTION ITEMS**

**4.1 APPOINTMENTS TO THE PERSONNEL COMMISSION**

Chair Pierpont stated the Board would consider making appointments to the Personnel Commission.

Personnel Committee Chair David Furst reviewed the procedure used to fill the Personnel Commission vacancies. He stated there were five applicants for the two

open seats. After multiple discussions by the Personnel Committee, the Committee recommends Heidi Kaseff and Melinda Chinn as the two candidates best qualified with a combination of Human Resources + Park and Recreation experience.

Chair Pierpont opened public comment. Melinda Chinn stated that she would be proud to serve on the Personnel Commission and she hopes the Board recommends her. No further public comments were received. Chair Pierpont closed the public comment period.

Director Boswell stated that the issues brought up previously about the Personnel Commission itself is still on the table. Chair Pierpont supported that the Board needs to evaluate the Personnel Commission as a whole.

Moved by Director Palajac, seconded by Director Furst, appointing Heidi Kaseff and Melinda Chinn to the Personnel Commission for the 2021-2025 term, by the following roll call vote:

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

#### 4.2 OFFICIAL ASSESSMENT BALLOT – TREVARNO ROAD SEWER AND WATER IMPROVEMENTS

Chair Pierpont stated the Board would review and consider its position on the Certificate of Entitlement statement shown on the Assessment Ballot regarding the City of Livermore Assessment District 2021-1 Trevarno Road Sewer and Water Improvements and authorize the General Manager to complete and submit the Assessment Ballot.

GM Fuzie gave a verbal report that highlighted the Assessment Ballot procedures and general assessment information. He stated this Official Assessment Ballot is the culmination of discussions held during the past two years regarding sewer and water improvements needed on Trevarno Road. Staff recommends LARPD become a part of the assessment district in order to receive these city services.

**Recommendation:** Staff recommends the Board authorize the General Manager to complete and submit the Official Assessment Ballot in favor of the City of Livermore Assessment District 2021-1 Trevarno Road Sewer and Water Improvements to the City of Livermore prior to its Public Hearing on July 26, 2021.

A question-and-answer session was conducted in which GM Fuzie and management staff responded to Board member questions. Board members expressed reluctance to approve the proposed resolution and instructed staff to bring back a detailed staff report addressing what is the problem with the current sewer and water system plus future costs associated with delivering the sewer and water system to LARPD and the Trevarno residents. GM Fuzie asked Board member to provide him an email with any further questions on this item so that Staff may provide clarification via a detailed staff report at the next Board meeting. No Board action was taken.

#### **4.3 REVISIONS TO 2021 BOARD MEETING SCHEDULE**

The Board reviewed and considered the status of the 2021 Board Meeting Schedule regarding the dates of summer Public Meetings in the Park in addition to the two regularly scheduled Board meetings during the months of July, August, and September because of easing COVID-19 restrictions currently in place.

Discussion ensued and Board members expressed consensus to maintain two regularly scheduled board meetings separate from the Public Meeting in the Park set during the summer months. Ravenswood Historic Site and the newly renovated May Nissen Pool were suggested venues for the Public Meetings in the Parks. Generally, the Public Meetings in the Parks are designed to connect with the public and to focus on feedback from residents near the parks. Board members stated they are ready to meet with the public in person beginning in July, should state restrictions continue to allow this. At this time, no revisions to the 2021 Board Meeting Schedule will be made. No Board action was taken.

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

#### **5.1 GENERAL FINANCIAL UPDATE**

GM Fuzie reported that the District's pension obligation bond is complete and ACERA has received the funds. BSM Schneider added that this has been a very rewarding experience. He reported the District will save a little bit less than \$900,000 in the fiscal year; annualized it will be over \$1M in savings for the ACERA contribution. This will be offset by the debt service, but the debt service will be a couple hundred thousand less than the savings we'll see in our ACERA contribution rate. He thanked the Board and GM Fuzie for their support during this relatively unique project.

BSM Schneider reported that in the normal course of business, we continue to plug along with excellent financial results, staying within budget. The Finance team is working with the Recreation Team to effect some revenue deferrals, and we have confirmed with our audit partners that we are on track. There was a little bit of a drop in May's revenue, but that will be recognized in June and July because what we are simply doing is matching the revenue to when the services will be delivered. That is the one unique thing that is reflected in our May results; otherwise, we are on track. Executive Assistant VanBuskirk has sent out a packet to the Board members regarding the May financial summary.

Director Furst asked GM Fuzie to relay information regarding the bond rating the District received from Standard and Poor plus what the interest rate was. GM Fuzie reported that the District's Standard and Poor bond rating was an AA, which is highly unusual for a park and recreation district, and is higher than anticipated. It was noted that this was due to the management of the District, and its response to COVID-19, plus LARPD's financial steadiness during this time. The interest rate across the board on average was 2.50 – much better than the 3.1 that was estimated and anticipated. GM Fuzie will forward the report to all Board members.

This was information only and no action was taken.

## 5.2 COVID-19 PROGRAM UPDATES

GM Fuzie reported that LARPD is coming out of the restrictions from the state, and it is affecting our programs in many ways, mostly positive – attendance is higher than we would have expected, and programs are roaring back due to demand. As programs come back, parents have many questions and concerns such as our youth in our camps wearing masks if we can't make them socially distance. We are following recommendations from the state.

Chair Pierpont inquired about the status of the May Nissen Pool. GM Fuzie replied that the replastering is scheduled to be done mid to the end of July. Additionally, we have upgraded the lighting, both in the pool and on the pool deck, to be able to use that facility more, even potentially year-round if the programming calls for it. He added there is a lot of demand for pool space right now. Absent any issues, May Nissen Pool should be up and being used by August.

Board members suggested that May Nissen Pool could be one of the next Public Meeting in the Park locations this summer.

This was information only and no action was taken.

## 6. COMMITTEE REPORTS:

- a) Director Faltings reported her attendance, along with Director Palajac, at the June 10, 2021 Facilities Committee meeting.
- b) Director Palajac reported her attendance at the June 17, 2021 Program Committee meeting.
- c) Director Palajac reported her attendance at the June 15, 2021 Livermore Downtown, Inc. meeting.
- d) Director Palajac reported her attendance at the June 24, 2021 virtual State of the City Address by Mayor Bob Woerner.
- e) Director Furst reported his attendance at the June 9, 2021 Livermore Cultural Arts Council meeting.
- f) Chair Pierpont reported his attendance, along with Director Boswell, at the June 21, 2021 Finance Committee meeting.

## 7. DIRECTORS' ANNOUNCEMENTS:

- a) Director Faltings reported that she attended the California Association of Recreation and Park Districts (CARPD) Annual Conference in Monterey from June 23 – June 25, 2021. There was a great group of speakers and session topics at the Conference this year. Some of the presentation materials from the conference sessions are posted on the CARPD website and are available to download for a limited time at <https://www.caparkdistricts.org/carpd-conference-2021-speaker-materials>
- b) Director Faltings stated that quite a few years ago among the District's five standing committees, there was a Budget Committee, and the Board had a robust discussion about whether that was the most appropriate title. It was at that time that the Board decided to change the title from "Budget Committee" to "Finance Committee". She suggested the District could apply the same criteria and look at our Personnel Committee and/or Commission and think about changing it to "Human Resources" because that is a more contemporary term.

**8. ANNOUNCEMENTS BY THE GENERAL MANAGER:**

GM Fuzie made the following announcements:

- a) He attended the California Association of Recreation and Park Districts (CARPD) Annual Conference in Monterey from June 23 – June 25, 2021 along with Director Faltings. An award was presented on behalf of CARPD Board Members Maryalice Faltings and David Furst. (Neither Director Faltings nor GM Fuzie knew this was coming.) CARPD gave a glowing description of Director Faltings' and Director Furst's participation over the years and thanked them publicly for their service. He also attended the California Special Districts Association's General Manager's Summit in Squaw Valley.
- b) GM Fuzie reported on a conflict between the OSHA guidelines and HIPAA (The Health Insurance Portability and Accountability Act) regarding the requirement that employers ask all employees whether they are vaccinated or not and that employers maintain those records. OSHA has the authority to take action against us if we do not do what they say. This item will come before the Board at a future meeting.
- c) After the State of the City Address, GM Fuzie received a call from Mayor Bob Woerner. Both agreed that enough has changed over time that the Master Lease Agreement needs to be reviewed and discussed. GM Fuzie recommends the creation of an ad hoc committee to address this item at a high level. He will discuss this with Chair Pierpont. Hashing out details via the ad hoc committee could save time before discussing the Master Lease Agreement with the full Board, such as at the next Board Retreat.
- d) Director Faltings asked if there is a committee that can look at her suggestion regarding changing the Personnel Committee to the Human Resources Committee and come back with a recommendation. GM Fuzie will discuss this with Chair Pierpont.

**9. ADJOURNMENT:** The meeting was adjourned at 3:42 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