



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, MAY 11, 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, Linda VanBuskirk, Lynn Loucks

GENERAL COUNSEL: Rod Attebery with Neumiller & Beardslee

OTHERS PRESENT: (Public Member) David Lunn

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:
David Lunn addressed the Board regarding trails. He suggested that the General Manager’s Monthly Update to the Board of Directors on Issues and Projects include information on the status of the Patterson Ranch Trail along with other trail opportunities. He also encouraged Board Members to attend the upcoming ribbon cutting ceremony of the Iron Horse Trail along the Arroyo Mocho Trail on the Stanley Reach.

3. CONSENT ITEMS

- 3.1 Resolution No. 2748 determining to conduct meetings of the LARPD Board of Directors using teleconferencing pursuant to Government Code 54953 as amended by AB 361
- 3.2 Approval of the Minutes of the Special Meeting: Board Retreat on April 20, 2022.
- 3.3 Approval of the Minutes of the Regular Board Meeting of April 27, 2022.
- 3.4 General Manager's Monthly Update to the Board – May 2022.

MOTION:

Moved by Director Palajac, seconded by Director Furst, approved the Consent Agenda Items 3.1, 3.3, and 3.4, by the following roll call vote:

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

Chair Faltings pulled Item 3.2 Approval of the Minutes of the Special Meeting: Board Retreat on April 20, 2022 and asked for clarification on two items:

On page 2, at Item 2.4 "Property Acquisition" the last sentence of the paragraph says, "Facilities committee to discuss the BOD position on acquisition of future assets." Chair Faltings asked if this means that the Board is handing over the authority for future acquisitions to the Facilities Committee? GM Fuzie responded that no, this section says that as opportunities to acquire properties arises on a case-by-case basis, the Board would like a discussion of those opportunities to first start with the Facilities Committee, and then go to the full Board.

- Chair Faltings suggested the language be revised so that it is stated more clearly.

At Item 2.6 "Return to In-Person Meetings," the sentence that reads, "Get a legal answer on process and current authority of individual BOD vs. the board vote."

- Chair Faltings suggested the language be revised so that it is stated more clearly.

Direction:

The Draft Minutes of the Special Meeting: Board Retreat on April 20, 2022 will be revised, as discussed, and brought back to the June 7, 2022 Board Meet for approval.

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 **MEMBERSHIP RENEWAL WITH CALIFORNIA ASSOCIATION OF PARK & RECREATION COMMISSIONERS & BOARD MEMBERS (CAPRCBM)**

The Board reviewed and discussed a request from the CAPRCBM for the Board to renew its membership for the period from July 1, 2022 through June 30, 2023 for the sum of \$250.00. GM Fuzie will respond to the CAPRCBM as the Board directs.

Board discussion ensued regarding the pros and cons of continuing its membership with the CAPRCBM. A majority of Board members agreed that \$250 is cost effective when considering the membership benefits received such as education, advocacy, and networking opportunities.

Direction:

In response to a question from General Counsel Attebery, no Board members were opposed to giving direction to GM Fuzie to pay the membership dues of \$250.

- GM Fuzie will submit the CAPRCBM membership invoice for payment.

4.2 FIXED ASSET REVIEW

GM Fuzie presented and the Board discussed the need to perform a fixed asset review of the District's assets on a regular basis. Director Boswell asked to bring this issue up for Board discussion and a systematic review of the District's fixed assets, their value, how they are insured, and the deferred maintenance involved.

Recommendation: Staff recommended that the Board of Directors conduct a general discussion of the District's fixed assets and determine how the Board wants to address the topic.

Direction:

No Board action was taken; however, the following suggestions were made:

- Bring the topic back to a future Board meeting for further discussion and review with appropriate documentation attached.
- In response to a question from Director Palajac, GM Fuzie confirmed that a copy of the District's Asset Management Program by Kayuga Solutions will be made available, upon request.
- Chair Faltings suggested that if her fellow Board members are interested, elected officials may run for the CAPRI Board.

5. INFORMATIONAL ITEMS (No Action Required)

5.1 GENERAL FINANCIAL UPDATE

GM Fuzie reported that the District's financial results are better than pre-COVID pandemic levels. Business Services Manager Jeffrey Schneider provided a *Quick Financial View of the Updated Cash Balance and ACERA Contribution Rates*. (See attachment to these minutes.) The report demonstrated that the District has a cash balance at present that is unprecedented by comparison to the last five years. Part of this is due to the receipt of the \$1.2 million in COVID relief funds in response to the challenges that the District faced during the pandemic, and part is due to the uptick in property taxes received in April.

April financials will be presented at the May 25th Budget Workshop, including an updated retirement number that reflects the lower District Contribution Rates for ACERA. Of note, the District has saved about \$140k vs. what was presented in March by virtue of incorporating these contribution rates. GM Fuzie added this will present some opportunities for LARPD as well as some concerns. The economy is potentially going into a recession, but interest rates are going up,

which allows LARPD the opportunity to invest in ways that we have not invested before.

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

5.2 COVID-19 PROGRAM UPDATES

GM Fuzie reported that, in essence, COVID-19 is no longer having the impact on programming that it once did. LARPD's programs have evolved through the pandemic to become better programs. Safety protocols will remain in place. People now have the option to wear masks. Dr. Fauci has stated that we are no longer in a pandemic. This could change, but as far as our programming, there will be little to report unless there is some dramatic change. It is up to the Board to determine if this shall remain as a standing item on future agendas,

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

6. COMMITTEE REPORTS

- a) Director Furst reported his attendance as the Board liaison at the May 3, 2022 Personnel Commission meeting. The agenda was included in the Board agenda packet. One major topic was the resignation of Personnel Commission Chair Sheryl Goodman who has moved to North Carolina.
- b) Director Furst reported his attendance, along with Director Boswell, at the May 10, 2022 Personnel Committee meeting. The agenda was included in the Board agenda packet.
- c) Chair Faltings reported her attendance, along with Director Furst, at the May 11, 2022 Alameda County Special Districts Association membership meeting. Guest speakers were from the East Bay Regional Park District.
- d) Chair Faltings reported that although she did not attend, the LARPD Foundation held a meeting on May 2, 2022 and discussed the upcoming fundraiser – Wine Down in the Grove at Sycamore Grove Park to be held on Saturday, May 21, 2022.

7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Palajac reported that she attended the Ravenswood Victorian Tea along with Chair Faltings, Former Director Beth Wilson, and Executive Assistant Linda Van Buskirk on May 1, 2022. It was her first time enjoying the Victorian Tea event and encouraged anyone who has never been before to go. She thanked Chair Faltings for the invitation.
- b) Chair Faltings reiterated that the LARPD Foundation will be hosting its fundraiser Wine Down in the Grove at the group picnic area of Veteran's Park [in Sycamore Grove Park] on Saturday, May 21, 2022.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) He and the Core Management Staff conducted interviews this morning for the Human Resources Officer position. Five candidates were interviewed, none inhouse, with good results. Reference checks are underway. He will be making an offer to the selected candidate tomorrow or Friday. The reason we had no inhouse candidate is that our Human Resources Analyst Robert Sanchez has accepted an

opportunity with the Contra Costa Water District and will be starting a new position as an HR Analyst II.

- b) Regarding the Patterson Ranch Trail: We are in good working order with Zone 7 Water Agency. LARPD will provide Zone 7 with information on how we intend to conduct the permitting for the hikes in a more controlled fashion than what we had set forth in the original documents. We need to be able to ascertain who is on the trail, as well as provide information on who had been up there, if in fact there is any sort of incident and after the fact we need to conduct an investigation. Once we have provided details on the proposed permitting process and trail use plan to Zone 7, and they agree to the processes, we will resume construction on the trail.

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

General Counsel Rod Attebery announced that Items 9, 10 and 11 were pulled from this agenda and continued to the next meeting, on May 25, 2022.

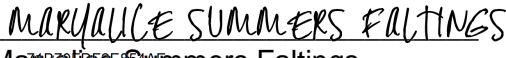
10. CLOSED SESSION:

- 10.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraphs (2) and (4) of subdivision (d) of Section 54956.9 of the California Government Code. (1 Potential Case)

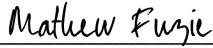
11. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTION 54957.1

12. ADJOURNMENT: The meeting was adjourned at 7:55 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