



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, APRIL 27, 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 Jan Palajac, Philip Pierpont,  
Vice Chair James Boswell, and Chair Maryalice Faltings

DIRECTORS ABSENT: Director David Furst

STAFF MEMBERS PRESENT: Mathew Fuzie, Fred Haldeman, Jeffrey Schneider, Jill Kirk,  
Julie Dreher, Linda VanBuskirk, Pamela Healy

GENERAL COUNSEL: Rod Attebery with Neumiller & Beardslee

OTHERS PRESENT: All Covered . . . . .Maureen Sullivan  
David Helms  
(Public Members) . . . . . David Jen,  
Paula Orrell, Robert Beanland, Stanton “Kirby” Wong

- 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, except Director Furst who was attending the California Trails & Greenways Conference. Chair Faltings led the Pledge of Allegiance.
- 2. PUBLIC COMMENT:** Two members of the public addressed the Board:  
**Robert Beanland** announced that he, along with **Mr. Kirby Wong** and **Ms. Paula Orrell**, are board members of the newly formed Tri-Valley Pickleball Club.

**Kirby Wong**, a Livermore resident, is the President of the Tri-Valley Pickleball Club which represents pickleball in Livermore, Pleasanton, Dublin, and parts of San Ramon. He spoke regarding their continued support for growth of the sport.

**Robert Beanland** provided additional comment regarding the Tri-Valley Pickleball Club's goal of partnering with LARPD to provide additional pickleball programs such as introductory classes for newbies, player development, and to increase the quality of the facilities available in support the game.

In response to a question from **Chair Faltings**, **General Manager Mathew Fuzie** confirmed that the club has been working directly with **Recreation Supervisor Vicki Wiedenfeld**. **Chair Faltings** thanked the club members for their introduction of the club and encouraged them to continue to work with **Ms. Wiedenfeld**.

### 3. PRESENTATIONS

#### 3.1 IT SECURITY PROGRAM UPDATE

The Board received a presentation on its IT Security Initiative from **Business Services Manager Jeffrey Schneider** and LARPD consultants **All-Covered**. **BSM Schneider** reintroduced All-Covered consultants, **Maureen Sullivan and David Helms**, who were present, and **David Traube**, who was not present at the meeting. **Ms. Sullivan** provided a PowerPoint presentation to the Board which was a follow-up to the previous presentation given to the Board on October 27, 2021. Today's presentation highlighted technology projects/security enhancements completed plus security solutions in place and further recommendations for technology initiatives. **Mr. Helms** reiterated that he is available seven days a week if the Board/staff has an issue or question about the District's cyber security.

#### 3.2 OPEN SPACE INTERPRETIVE PROGRAM

The Board received a presentation on the LARPD Open Space Interpretive Program from **Community Services Manager Jill Kirk**. The video was created by Open Space staff and highlighted how the department has bounced back from COVID-19 and shared information about future programs staff is working on. **CSM Kirk** added that LARPD hopes to produce more presentations like this regarding other Recreation programs to help get the word out about LARPD and its programs available to the public. This video was presented to the Program Committee at its March 16, 2022 meeting. The Program Committee strongly recommended the video be presented to the full Board and public.

### 4. CONSENT ITEMS

- 4.1 Resolution No. 2746 determining to conduct meetings of the LARPD Board of Directors using teleconferencing pursuant to Government Code 54953 as amended by AB 361
- 4.2 Approval of the Minutes of the Regular Board Meeting on April 13, 2022

#### MOTION:

Moved by Director Palajac, seconded by Director Pierpont, approved the Consent Agenda, by the following roll call vote:

AYES: *Directors Boswell, Pierpont, Palajac, and Chair Faltings (4)*  
NOES: *None (0)*

ABSTENTIONS: *None (0)*  
ABSENT: *Director Furst (1)*

## 5. DISCUSSION AND ACTION ITEMS:

The LARPD Board of Directors reviewed and discussed taking appropriate action or inaction with respect to the following matters:

### 5.1 COMMUNITY GARDENS

The Board reviewed and discussed a list of potential locations for additional Community Gardens. **GM Fuzie** introduced the item by stating that **Parks and Facilities Manager Fred Haldeman** has been working closely with **Chair Faltings** to identify locations for a future satellite Community Garden. **PFM Haldeman** shared his screen and led a discussion on the following locations with Google Earth images:

- 1) Max Baer Park.
- 2) Pleasure Island Park.
- 3) Big Trees extension.
- 4) Livermore Downs.
- 5) Mocho Park.

This topic was presented to the Program Committee at its April 20, 2022 meeting. The Program Committee recommended the concept be presented to the full Board for discussion and direction to narrow down the search to those sites **PFM Haldeman** has chosen as the first and second most viable sites. **PFM Haldeman** could then proceed to put together a cost estimate and go through the Project Evaluation Form (PEF) process.

**Director Questions/Comments** included: How many additional spaces would this create? [Tentative design has 22 spaces of varying size, i.e., 15x20, 10x15, and some 10x10s. Will provide 1-2 accessible spaces with elevated planters or with configured planters that allow for access from 360 degrees around. This is approximately ¼ the size of the current garden at the RLCC.] Is there any concern of security around this location? [That is a concern wherever we go. This is better than some of the other locations.] Have you spoken to any residents? [**PFM Haldeman** has not, but as part of the CEQA process, neighbors will have an opportunity to voice their thoughts.] Do gardeners have unlimited use of water? [Water is monitored so there is not waste of water.] There are approximately 30 people on the waiting list for the Community Garden at RLCC, so the need is great to be able to offer more garden plots to the community. The challenge is finding the right spot.

#### **Direction:**

The Board agreed to allow **PFM Haldeman** to proceed with his investigation of first choice Mocho Park along with a second choice location for the future community garden location.

### 5.2 EXTENSION OF AGREEMENT WITH JAMES MARTA & COMPANY

GM Fuzie reported that the District has been very satisfied with the results of the work James Marta & Company has provided. BSM Schneider presented the staff report.

**Recommendation:** Staff recommended that the Board of Directors authorize GM Fuzie to execute an agreement with James Marta & Company to extend their involvement with the District.

The item was presented to the Finance Committee during its April 18, 2022 meeting, and the Committee was in favor of moving forward with Marta, with the caveat that the Board discuss term – perhaps thinking about a two-year agreement vs. a three-year agreement with the idea that we don't have time to transition now to another provider as we are at the onset of the audit year for FY 21-22, but that we send out an RFP and consider alternative providers. The agreement attached to the staff report does not lock the District in to using James Marta & Company. What it does is establish pricing for three years. We could migrate to another provider midstream if we so choose. The District has been pleased with the services obtained from James Marta & Company through engagement lead Jefferson Gamir and Jesse Deol.

**Director Questions/Comments:** When looking for information regarding what other park districts have done, CARPD is a valuable resource for comparative information. The District has been very satisfied with the results of the work James Marta & Company has provided, but it is customary to continue to review a company that provides these types of services and not continue with the same organization indefinitely to ensure that there are no anomalies that occur.

**RESOLUTION:**

Moved by Director Boswell, seconded by Director Palajac, adopted Resolution No. 2747, approving a three-year extension of the District's contract with James Marta & Company, Certified Public Accountants as the District's Auditor, effective FY 2021-22 through FY 2023-24, and authorizing the General Manager, Mathew Fuzie, to execute the new contract, by the following roll call vote:

AYES: *Directors Pierpont, Palajac, Boswell, and Chair Faltings (4)*  
NOES: *None (0)*  
ABSTENTIONS: *None (0)*  
ABSENT: *Director Furst (1)*

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

6.1 **GENERAL FINANCIAL UPDATE**

GM Fuzie reported that over the past few months the District has been reporting that it has been better than expected regarding its financial results. Business Services Manager shared his screen and reported on financial results through March 2022: The District's net operating result through March is \$289k better than Budget, which is largely the result of the timing of reporting related to the annual \$200k East Bay Regional Park District (EBRPD) open space grant, which hit in March while the Budget assumed the timing would be in April. Aside from the EPRPD timing issue, Revenue from Operations is \$73k above Budget, with positive variances across the board and led by Open Space (\$43k). Property and Parcel tax revenues are right on Budget through March. Spending remains under control and on Budget.

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

**6.2 COVID-19 PROGRAM UPDATES**

GM Fuzie reported that Dr. Anthony Fauci announced today that we should consider ourselves out of the pandemic. Locally, the City of Livermore has removed its Emergency Declaration. LARPD has very few restrictions remaining, some within Education, some within Youth Services, and will continue to operate within best practices. Staff continues to monitor and pay attention to all data and will continue to report appropriately.

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

**7. COMMITTEE REPORTS**

- a) Director Boswell reported his attendance, along with Director Pierpont, at the April 18, 2022 Finance Committee meeting. The output of that meeting – the Proposed Extension of Audit Agreement – was presented to the full Board during today’s Board meeting for approval. The Fixed Assets will be discussed at a future Board meeting.
- b) Director Pierpont reported his attendance at the April 19, 2022 Livermore Downtown, Inc. meeting.
- c) Director Palajac reported her attendance, along with Chair Faltings, at the April 20 2022 Program Committee meeting. The agenda was included in the Board agenda packet. The Committee discussed Community Gardens, which was then reviewed at today’s Board meeting as well.
- d) Chair Faltings attended the Intergovernmental Liaison Committee (LVJUSD/COL/LARPD), along with GM Fuzie, on April 21, 2022. GM Fuzie provided the report. The agenda was included in the Board agenda packet.

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

None.

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

GM Fuzie made the following announcements:

- a) LARPD will be participating in the Rodeo Parade on the morning of Saturday, June 11<sup>th</sup>. Chair Faltings added that Executive Assistant Linda VanBuskirk provided a list of Rodeo Events to the Board Members. Please respond to her with those events you would like to participate in.
- b) GM Fuzie has been in discussion with Neumiller & Beardslee regarding the item the Board heard in closed session. Another closed session item will be scheduled for May 11, 2022.

**10. ADJOURNMENT:** The meeting was adjourned at 8:39 p.m.

APPROVED,

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Maryalice Summers Faltings  
Chair, Board of Directors

ATTEST:

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

/lvb