



Livermore Area
Recreation and Park District
An independent special district

REGULAR MEETING of the BOARD OF DIRECTORS

MINUTES

WEDNESDAY, NOVEMBER 8, 2023

5:00 P.M.

ROBERT LIVERMORE COMMUNITY CENTER
4444 East Avenue, Livermore, California
Sycamore Room

DIRECTORS PRESENT: Directors Maryalice Faltings, Jan Palajac, Philip Pierpont,
Vice Chair David Furst, Chair James Boswell

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Mathew Fuzie, Linda VanBuskirk

DISTRICT COUNSEL: Gary Bell, Esq. with Colantuono, Highsmith & Whatley, PC

OTHERS PRESENT: None

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

Chair Boswell called the meeting to order at 5:00 p.m. All Directors were present. Chair Boswell led the Pledge of Allegiance.

2. PUBLIC COMMENT: None.

3. CONSENT AGENDA:

3.1 BOARD MINUTES

3.1.1 Approval of the Minutes of the Regular Board Meeting on September 27, 2023.

3.1.2 Approval of the Minutes of the Regular Board Meeting on October 25, 2023.

3.2 COMMUNICATIONS

3.2.1 General Manager's Monthly Update to the Board on Issues and Projects – November 2023

MOTION:

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

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

4. CONSENT AGENDA RESOLUTIONS

- 4.1 Moved by Director Pierpont, seconded by Director Faltings, adopted Resolution No. 2801, approving revisions to Board Policy 5020: Board Meeting Agenda, by the following roll call vote:

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

- 4.2 Moved by Director Pierpont, seconded by Director Faltings, adopted Resolution No. 2802, approving a District Values Statement, by the following roll call vote:

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

5. DISCUSSION AND ACTION ITEMS

5.1 BOARD MEETING SCHEDULE

The Board reviewed and discussed the draft 2024 Board Meeting Schedule, offering insights and direction for potential revisions.

General Manager (GM) Fuzie suggested two proposed changes:

No meetings in July:

- Aligning with the City of Livermore (COL) and the Livermore Valley Joint Unified School District (LVJUSD) by going "dark" in July.
- Director Furst sought clarification on committee meetings and Public Meetings in the Park during July. GM Fuzie emphasized the need for the Board and/or committee chairs to decide whether to hold those meetings in July.
- Director Pierpont disagreed with going dark, emphasizing public convenience and the potential preference for July meetings.

Employee-Dedicated Board Meeting:

- GM Fuzie proposed holding a meeting during the day dedicated to employees, providing them a platform to share ideas and foster participation.
- Director Boswell supported recognizing employees in a less intimidating setting, suggesting a change in the formula to encourage employee engagement.

Board Comments/Questions:

- Director Furst questioned the uncertainty in February's Special Board Meetings and Board Retreat dates. Fuzie clarified that the "?" indicates a decision yet to be made by the Board.

- Director Furst recommended not going dark in July, but canceling meetings as needed. He also raised the possibility of changing the meeting time from 5:00 p.m. to 6:00 p.m. or 7:00 p.m.
- Director Pierpont opposed going dark, emphasizing the importance of scheduled meetings for public engagement. He supported an earlier meeting time to accommodate staff and community members.
- Director Faltings shared the sentiment of maintaining the regular schedule to fulfill the Board's obligations.
- Director Palajac agreed with Pierpont and Faltings, advocating for the ease of canceling unnecessary meetings rather than reducing commitments.
- Boswell suggested maintaining the schedule while incorporating employee-focused meetings twice a year. He supported the idea of a Board Retreat and emphasized enhancing communication about Public Meetings in the Park.
- Director Fuzie withdrew the suggestion to go dark in July based on the Board's feedback. He acknowledged the challenges of evening meetings for staff and expressed a preference for the 5:00 p.m. start time.

Consensus:

- The Board unanimously agreed to maintain the regular meeting schedule with meetings to begin at 5:00 p.m. without going dark in July.
- The Board supported having a Board Retreat early in the year and 1-2 employee-focused meetings, recognizing the value of early meeting times for staff.
- GM Fuzie outlined changes to the Budget Workshops, proposing a mid-year update in January, a Budget Workshop in March, and a follow-up in May to review the proposed budget, which the Board accepted.

In conclusion, the Board emphasized the importance of consistent public engagement, employee recognition, and efficient budget planning, reflecting a commitment to fulfilling their responsibilities and enhancing community involvement.

ACTION:

The Board directed Staff to make the discussed revisions to the draft schedule and bring the final version back to the Board at its Annual Organizational Meeting on December 13, 2023 under the Consent Agenda items.

5.2 CHANGE TO AGENDA ITEM TOPIC

The Board discussed the topic of renaming the standing agenda item "Matters Initiated/Announcements by the Directors." GM Fuzie highlighted some confusion from the last meeting, with discussions revolving around the purpose of this agenda item and considerations for future ones. General Counsel Gary Bell clarified that the Board consensus leaned towards establishing a process for proposing future agenda items. The proposed mechanism involves presenting an item, gaining majority support, directing it to staff, and subsequently placing it on a future agenda. To align with this, Counsel Bell recommended changing "Matters Initiated" to "Future Agenda Items" to clearly signal to the public that discussions are limited to whether an item should be on the agenda, not its substance.

Board Comments/Questions:

- Director Pierpont emphasized the need for a mechanism to get items on the agenda even if the Chair or GM is hesitant. He supported the term change to "Future Agenda Items" to match the substance of the Board's actions.
- Director Faltings expressed the view that neither the Chair nor GM should suppress a Board member, but acknowledged potential disruptions caused by persistent topics in the past.
- Director Palajac proposed a combined title: "Future Agenda Items/Matters Initiated/Announcements by the Directors."

Consensus:

- The consensus among Board members was to support changing the title to "Future Agenda Items," aligning with the proposed procedural shift.

MOTION:

Moved by Director Furst, seconded by Director Pierpont, agreeing to add "Future Agenda Items" to the already-written title that is Matters Initiated/Announcements by the Directors, (all three to appear), by the following roll call vote:

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

6. COMMITTEE REPORTS

- a) Director Palajac reported on her attendance, along with Director Furst, at the November 2, 2023 Facilities Committee meeting. The committee's agenda was part of the broader Board agenda packet. Held at Sycamore Grove Park's proposed amphitheater site where the Ledford House once stood, the meeting aimed to visualize the amphitheater's positioning. The committee also deliberated on optimizing LARPD-owned facilities, putting forth recommendations for Board discussion in increments. Additionally, they requested the initiation of a feasibility study for the May Nissen Swim Center. In response to Chair Boswell's inquiry about the pools' lifespan, it was noted that, following recent renovations, the expected duration is 5-10 years, with 2-3 years already elapsed.
- b) Chair Boswell stated that neither he nor Director Furst were able to attend the ACSDA meeting held this morning.
- c) Director Furst reported on his attendance at the November 1, 2023 Livermore Valley Chamber of Commerce Business Alliance meeting. The guest speaker was Andy Ross, Economic Development Manager, City of Livermore (COL). Mr. Ross spoke on the General Plan Update. The next meeting on the General Plan Update will be November 15th. For more information on the General Plan Update, visit the COL website at [About the General Plan Update | imaginelivermore2045.org](https://www.livermore.org/About-the-General-Plan-Update)
- d) Director Palajac reported on her attendance at the November 6, 2023 LARPD Foundation Trustees' Meeting. Its agenda was included in the Board agenda packet. During the meeting, Ruby Moppin was welcomed as a new Trustee, and discussions centered around the renewal of board member terms. Trustee Jill Fracisco's resignation, prompted by a new job and scheduling conflicts, was noted. Evan Branning will step

down as a Trustee due to other commitments but will continue as an inaugural Champion for the LARPD Foundation. The Foundation addressed funding requests from LARPD for a magician at an upcoming community event/carnival and the Senior Holiday Luncheon. There was also a fund matching discussion regarding Park Communication Boards. GM Fuzie added that Rotary selected Park Communication Boards as their community grant for the year, pledging close to \$14,000 for these alternative communication tools. Rotary offered their grants, and LARPD committed to matching the funds, potentially allowing for the installation of these boards in all parks. Furthermore, it was announced that the 2024 Wine Down In The Grove event is scheduled for Friday, June 21, 2024, from 5:30-8 pm at Ravenswood Historic Site.

7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Palajac reported that in October there was a guided hike on the Patterson Ranch Trail. There is a plan to have another one this coming Friday, November 10th. David Lunn has been the guide, and it is his intention to do one guided hike per month. He is getting approval from Zone 7 Water Agency. They want notice two weeks ahead of time and from LARPD. Although she does not know the number of people who attended the hike in October, she heard it was very well-received and the hikers really enjoyed the hike.
- b) Director Palajac proposed exploring opportunities to attend LARPD activities without causing disruptions. The aim is to gain insight into various operations, such as participating in a Zumba class or similar events. The intent is not to divert attention but to observe and understand the valuable work being done. Director Palajac cited a positive experience while attending an ESS staff's gingerbread house making night when she first became a director. She found it enjoyable and insightful, providing a chance to witness their interactions with the public. The idea is to foster a connection with different activities without drawing focus away from the employees.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) Today you should have received an email, which included General Counsel, on some items that you will see in Closed Session in the future.
- b) Recently, David Lunn led a couple of hikes on the Patterson Ranch Trail, sparking some contention with Zone 7. They assert that LARPD grants the authority for people to participate in hikes there, requesting a two-week advance notice. To address this, we're putting together a program with specific requirements, which will be presented to the Program Committee once approved by Zone 7. The plan is to establish a regular program for organized hikes on the trail, but with limitations and prerequisites. Participants will need advance approvals, and everyone must sign up through Active to maintain an updated participant list. This approach not only ensures compliance but also provides us with the ability to analyze ongoing demand for these hikes.

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

District Counsel Gary Bell announced that the LARPD Board of Directors would be convening into Closed Session to discuss the item listed at 10.1 on the agenda. Open Session was adjourned at 6:07 p.m.

10. CLOSED SESSION

10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

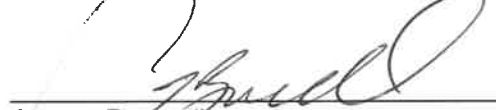
Pursuant to Government Code Section 54957
Title: General Manager

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

The Board of Directors returned from Closed Session at 6:40 p.m. and Chair Boswell announced that there was no reportable action. Chair Boswell then adjourned the meeting without a vote and by unanimous consent.

12. ADJOURNMENT: The meeting was adjourned at 6:40 p.m.

APPROVED,



James Boswell
Chair, Board of Directors

ATTEST:



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

/Lvb