



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 25, 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, Vicki Wiedenfeld, David Weisgerber, Joseph Benjamin, Julie Dreher, Nancy Blair, Linda VanBuskirk, Lynn Loucks, Jill Kirk, Pamela Healy

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

**OTHERS PRESENT:** (Public Members) . . . . . Steve Goodman, Bob Kratochvil, Susan Wagoner, Jim Greene, Jeff Wagoner, Amanda Wagoner, Stacy Kenison, Robert Schord, Dan Truax, Diane Schord

- 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:** Chair Faltings opened public comment.

Member of the Public **Jeff Wagoner** asked if he and the other members of the public were visible to others on the Zoom screen. Names are visible but not individual video.

There was no additional public comment and Chair Faltings closed the public comment period.

### 3. CONSENT ITEMS

**3.1** Resolution No. 2749 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 Regular Board Meeting of May 11, 2022.

- Director Furst asked for clarification on Item 3.2, Approval of the Minutes of the Regular Board Meeting of May 11, 2022:

On page 3, item 4.2, Fixed Asset Review, it reads as follows:

” ...a copy of the District’s Asset Management Program by Kayuga Solutions will be made available.”

Director Furst asked if the report was ever made available. GM Fuzie clarified that the report is available and will be sent out at the pleasure of the Board. Director Furst requested a correction to the minutes to read:

” ...a copy of the District’s Asset Management Program by Kayuga Solutions will be made available **upon request.**”

#### **MOTION:**

Moved by Director Pierpont, seconded by Director Palajac, approved the Consent Agenda Items 3.1 and 3.2, by the following roll call vote:

AYES:	<i>Directors Boswell, Pierpont, Furst, Palajac, and Chair Faltings (5)</i>
NOES:	<i>None (0)</i>
ABSTENTIONS:	<i>None (0)</i>
ABSENT:	<i>None (0)</i>

### 4. PRESENTATION

#### 4.1 LARPD FOUNDATION ANNUAL REPORT

The Board received a presentation on the LARPD Foundation Annual Report. Mr. Steve Goodman, Foundation President began the presentation, thanking the Board Members, GM Fuzie and staff.

The current Board of Trustees for the LARPD Foundation includes: Steve Goodman, Jamie Lewis, Jill Fracisco, Nicole Martinez, Stacey Kenison, Bill Whalen and Evan Branning. Chair Faltings serves as the Board Liaison, Community Outreach Supervisor (COS) David

Weisgerber as the LARPD Staff Liaison. Mr. Goodman expressed the hope that more people join the foundation soon.

The “Wine Down in the Grove” event that took place the previous weekend was discussed. Mr. Goodman expressed thanks to the LARPD Board, GM Fuzie, Community Services Manager (CSM) Jill Kirk, COS David Weisgerber and the LARPD Ranger staff for their support and work on behalf of the event. He also acknowledged the contributions from Director Furst and Director Boswell through sponsorship and donations, adding, this was the first time the event was held and it was very successful. The purpose was to increase awareness for the LARPD Foundation and its Mission. Funds were raised through ticket sales, sponsorship, and silent auction. The event included a combination of wine tasting, food pairings and Ranger-led activities.

Mr. Goodman shared that he is moving to the East Coast at the end of July and will be leaving the Foundation. The Foundation is actively seeking to recruit members and increase membership overall. He then went on to discuss the following topics:

- Car Easy Car Donation Program: The Foundation, through its partnership with the non-profit Car Easy, can now accept vehicle donations to help raise funds.
- Updated logo: The Foundation recently updated their logo, with the help of Trustee Stacy Kenison.
- Amazon Smile: This is a charitable donation option available to everyone on the [Amazon Smile](#) website. By using the LARPD Foundation link, a portion of Amazon purchases will be donated to benefit the Foundation.
- Community Health and Education Foundation (CHEF) Fundraiser: the Foundation has partnered with CHEF for donations. They match dollar for dollar up to \$5k in donations. One member donated \$10k, the Foundation received \$5k additional for total of \$15k donations from this source.
- PayPal donations: making charitable donations to the Foundation via PayPal is now possible by using the [link on the Foundation website](#).
- Commemorative Memorials: The Commemorative Memorials program has resumed- community members can honor a loved one with a memorial tree, park bench, or table at a park or open space.
- Review of Projects Funded: Community Support Scholarship Program and Banners, ESS Air Purifiers, Bike Repair Station at Sunken Gardens, Senior Holiday Concert and Drive-Thru Activities During Pandemic, LARPD Virtual Programming Gear, Cookies for LARPD Staff, Partial Funding of the Bill Clark Park Basketball Court Refurbishing
- 2023 Goals: Goals for the next year include growing the Signature Fundraiser, recruiting additional Trustees and building increased awareness of the Foundation and its Mission through increased visibility in the community.

#### **Questions and comments from the Board:**

1. Director Faltings asked Mr. Goodman to discuss Foundation membership. He explained that community members may join the Foundation and become Members with a nominal fee. In return, there are various perks, including discounts and Member Only events.
2. Director Boswell thanked Mr. Goodman and his wife Cheryl Goodman for their exceptional work with the Foundation throughout the years.

3. Director Furst echoed these sentiments. He then mentioned that Darcy Kent, from the Darcy Kent winery was pouring wine at the event. She mentioned the winery picks up certain organizations for charitable contributions from a portion of their sales. They are planning to list the LARPD on their website as one of the non-profit organizations they support, via donations to the LARPD Foundation.

Mr. Steve Goodman concluded his presentation by thanking and commending LARPD staff for their help supporting the Foundation.

## **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 HORSESHOE PITS RELOCATION PROJECT AT ROBERTSON PARK**

The Board reviewed and discussed a cost estimate proposal for relocating the horseshoe pits at Robertson Park.

Parks and Facilities Manager (PFM) Fred Haldeman gave a recap of the issue to date. Residents along Chateau Way requested the pits be relocated to a different area in Robertson Park due to excessive noise coming from the horseshoe pits. The issue was brought previously to the Board; Staff were directed to do research and bring a cost estimate for the relocation of the pits back to the Board. Research was done to identify a new proposed location and associated costs for labor and materials to construct the new pits. He noted that the proposal reduced the total number of courts from 8 to 4 and the cost estimates were now 30-60 days old, so were subject to change based on current market conditions. At this time, the total cost estimate for labor and materials is projected to be between \$30-35k, using staff and contract labor.

### **Director Questions and Comments:**

- Director Pierpont asked PFM Haldeman to review the information on the design of pits. PFM Haldeman explained LARPD uses standards for horseshoe pits. The proposed new design is based on these standards. The proposed location is directly adjacent to dog park, so safety not a significant concern. GM Fuzie added, the existing pits have more concrete, and are not to our current design standards. With regards to parking, the current lot at the MSC, or gravel parking lot north of soccer field 3 can be used.
- Director Boswell asked if, given all of things we have going on, do we have time and resources to take this on right now? GM Fuzie responded that this issue would not have come to us except that it is a significant concern of the community; we determined the benefit to the community and benefit of better design are present, it is up to Board if they want to commit resources. PFM Haldeman indicated this does not qualify for AB 1600 and funding would come out of the operating budget, which we are not budgeted for through FY 22/23.
- Director Furst- Thanked PFM Haldeman for presentation. There is no line item for Destruction costs. Is there a cost estimate for this? PFM Haldeman confirmed that is correct, destruction costs are not included. At this time, plans only include removal of the steel stakes and filling in of the resulting holes in the ground with aggregate or

similar. He added that we need to discuss what to do with space after the horseshoe pits are removed. Director Furst noted that if the primary goal is decreasing noise, we need to discuss alternatives for the space left once the pits are relocated, to help prevent the ability to drive up and congregate. GM Fuzie commented the goal is to comply with request to move the identified horseshoe activity out of that area to reduce noise.

Chair Faltings opened the Public Comment Period.

The following **Members of the Public** provided comments:

1. **Amanda Wagoner** resident of Chateau Way. Commented that noise is constant, parking is dangerous, playground is too close. Feels that moving the pits is in the best interest of surrounding neighborhood.
2. **Bob Kratochvil** COL resident, wanted to express support for moving horseshoe pit to another area and associated costs.

There were no further public comments. The Public Comment period was closed.

#### **Board Discussion/Deliberation:**

- Director Furst commented that he understands the community concerns over noise but has a concern that even after we move the horseshoe pits, there may still be an issue with noise from people congregating in that area and we won't have solved the problem even after spending unbudgeted funds. We need to discuss/consider both the relocation of the horseshoe pits and a plan to address continued noise in the area.
- Director Palajac commented that this should be added to the upcoming Facilities Committee meeting agenda to further discuss the issue, to include what will replace the existing pits and to identify where the money is going to come from.
- Director Boswell agreed, adding that we need to add removal costs and make sure we address the noise issue.
- Director Pierpont agreed with the need to address costs, adding we need to also bear in mind that the new proposed location is better for recreational activity, with improvements for playing horseshoes and parking.
- Director Faltings expressed the opinion that there are two different subjects to address: the first is the existing horseshoe pits need to be updated and moved, the second issue is the need to address noise and enforcement. She requested that GM Fuzie remand this discussion to the Facilities Committee meeting for further discussion, adding that when this is added to the Facilities meeting agenda, make sure to advertise the time and place of Committee meeting is well advertised to the local neighborhood surrounding Robertson Park.

Director Palajac then noted that a Member of the Public, **Jeff Wagoner**, wrote the following comments in the chat window:

*“The noise coming from the pits is from the horseshoes hitting the metal stakes, the cement pads, and the backboards. There is very little noise from anything else. Late night parties is not an issue in this part of the park.”*

These comments were read aloud for the benefit of the Board.

Director Faltings acknowledged the comments but reiterated the need for further discussion at the upcoming Facilities meeting agenda and the need to notify the local neighborhood about the meeting.

GM Fuzie commented there was one additional related issue, the decommission of the existing horseshoe pits.

Director Furst, who is also Chair of the Facilities Committee, asked to have this topic on the June 2<sup>nd</sup> meeting agenda and to get that meeting information out to the residents. GM Fuzie expressed the concern that staff won't have enough time to research new or substantive information prior to meeting, that we will likely only extend this discussion and share information.

**Action and Direction:** Director Furst and GM Fuzie to discuss moving this discussion to the June 2<sup>nd</sup> Facilities Committee Meeting agenda.

District Counsel Rod Attebery asked GM Fuzie to confirm he had clear direction on this issue, as it is an Action Item. GM Fuzie confirmed he had clear direction: to move and continue this discussion over to the Facilities Committee meeting.

## 6. INFORMATIONAL ITEMS (No Action Required)

### 6.1 GENERAL FINANCIAL UPDATE

GM Fuzie reported that we are doing great. 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 we are doing very well in our programming, however, we are also watching this latest COVID-19 surge to see if there are any restrictions placed on the District by the Health Department; so far there are none.

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

## 7. COMMITTEE REPORTS

- Director Furst reported on the May 12<sup>th</sup> Facilities Committee meeting. This included a discussion on the Patterson Ranch Trail status and the Drought Policy for parks and buildings.
- Director Furst reported his attendance at Trails and Greenways Conference on April 27-29. He noted there were two groups present who were very vocal in support of mountain bikes on trails. He attended the popular E-Bikes on Trails session; discussion focused on those who feel E-Bikes are motorized vehicles that don't belong on trails, and those who believe they are non-motorized and should be allowed.

- Director Boswell noted his and Director Pierpont's contributions to, and staff work done for the proposed FY 22-23 Operating Budget and FY 21-22 and FY 22-23 CIP Budget. He noted the format changes and the overall exceptional staff work done, adding the Finance Committee recommended approval of both to the Board. Director Pierpont concurred.
- Director Palajac reported on the May 17<sup>th</sup> Program meeting. She mentioned that she was very excited to learn May Nissen swim lessons would be available for kids at Marilyn and Junction.
- Director Pierpont reported on the May 24, 2022 Livermore Downtown, Inc. meeting. There was a very positive review of the Street Fest, including favorable participant and business owner feedback, favorable revenue and almost no alcohol incidents from a law enforcement perspective. Very well attended. He also reiterated that July 4<sup>th</sup> fireworks will be in the downtown again, however, there will not be any parking in the area for viewing fireworks. The new COL City Manager, Marianna Marysheva was in attendance, she introduced herself and extended the invitation to schedule time to meet with her.

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

The were no matters initiated or announcements made.

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

GM Fuzie made the following announcements:

- a) Regarding the Patterson Ranch Trail: The LARPD letter to Zone 7 has been accepted without any requested edits or concerns. The next step is to go out on site and develop the final plan.

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

District Counsel Rod Attebery announced the Board would adjourn to Closed Session pursuant to Item 11.1 listed below. Open Session was adjourned at 8:05 p.m.

**11. CLOSED SESSION:**

- 11.1 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)

The Board came out of Closed Session at 9:00 p.m. and District Legal Counsel Rod Attebery announced that no reportable action had been taken in Closed Session.

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

- 13. ADJOURNMENT:** The meeting was adjourned at 9:02 p.m.

APPROVED,

DocuSigned by:

MARVALICE SUMMERS FALTINGS

Marvalice Summers Faltings  
Chair, Board of Directors

ATTEST:

DocuSigned by:

Mathew Fuzie

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

/ph