



Livermore Area
Recreation and Park District
An independent special district

REGULAR MEETING of the BOARD OF DIRECTORS

MINUTES

WEDNESDAY, OCTOBER 25, 2023

5:00 P.M.

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

DIRECTORS ABSENT: Director Maryalice Summers Faltings

STAFF MEMBERS PRESENT: Mathew Fuzie, Jill Kirk, Linda VanBuskirk, Pamela Healy

DISTRICT COUNSEL: Gary Bell, Esq., with Colantuono, Highsmith and 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, except Director Maryalice Summers Faltings, who was absent. Chair Boswell led the Pledge of Allegiance.

2. **PUBLIC COMMENT:** None. [General Manager (GM) Fuzie noted, he has been informed that Members of the Arts community plan to attend a future meeting].

3. CONSENT ITEMS:

- 3.1 Approval of the Minutes of the Special Board Meeting on September 20, 2023;
- 3.2 General Manager's Monthly Update to the Board – October 2023

MOTION:

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

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

4. PRESENTATION:

In the interest of time, and the absence of Director Faltings, Chair Boswell pulled this item “2023 Summer Recap” from the agenda, to be continued to the next Board meeting.

5. DISCUSSION AND ACTION ITEMS:

It was noted at the outset that the Board “agreed in principle” to these items at a previous meeting (however, no vote was taken).

5.1 DISTRICT MISSION STATEMENT

The Board approved a revised District Mission Statement. Board members present had no comments on this item.

Moved by Director Palajac, seconded by Director Pierpont, approved, and adopted Resolution No. 2796, approving a revised District Mission Statement.

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

5.2 DISTRICT VISION STATEMENT

The Board discussed and approved a revised District Vision Statement. A revision was suggested on page 2, Attachment A, Proposed Vision Statement. Board members agreed with this suggestion and the following revision was made:

Revised Draft Verbiage: “To be a ~~fully-funded fully-staffed~~ fully-funded, fully-staffed and user-friendly recreation and park district known for high quality, innovative programs and excellent facilities”

Moved by Director Pierpont, seconded by Director Furst, approved, and adopted Resolution No. 2797, approving a revised District Vision Statement as amended.

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

5.3 DISTRICT VALUES STATEMENT

Board Members discussed the proposed District Values Statement at length and made several suggested edits. The District Values Statement was deferred to the next Regular Board Meeting on November 8th to review suggested amendments on the Consent Agenda.

Suggested amendments are as follows:

“In our actions and decisions, we prioritize:

Integrity: ~~Servicing the public is the reason we exist~~ The District exists to serve the public. ~~Therefore it is critical that we have~~ integrity is critical in guiding our actions and decisions with unwavering honesty, transparency, and ethical behavior.

Diversity: ~~Diversity is a cherished value in the District~~ We value diversity. We celebrate and respect the unique perspectives, backgrounds, and abilities of our community members, fostering an inclusive environment that promotes collaboration, equity, and unity. The District will continue to consider programs and services that support all the citizens in the Livermore Area Recreation and Park District's service area.

Quality: Our services exceed our constituents' expectations. When people talk about the programs at LARPD, they are delighted. ~~Our customer service is impeccable in every way, from the front desk to our open space~~

Adaptability: We embrace change, ~~and respond to new needs and~~ We address challenges with a focus on continuous improvement. Flexibility is essential to address the evolving needs of our service area. ~~This includes~~ including being open to new ideas, approaches, and technologies to enhance the District's reach and impact.

Collaboration: We work with our community partners to enrich the lives of the people of the Livermore Area Recreation and Park District's service area. We establish partnerships with various stakeholders, including community members, businesses, government agencies, and other relevant organizations. Working together, we provide vital services, expertise, and enrichment to the community.”

Action: This item will be brought back to the next Regular Board Meeting on November 8th to review suggested amendments on the Consent Agenda.

**5.4 AMENDMENT TO BOARD POLICY NO 4025:
TERM OF OFFICE: MEMBER, BOARD OF DIRECTORS**

Board Member discussion ensued as to whether or not there should be some kind of term limit placed on the next election ballot, and if doing so would result in additional costs. GM Fuzie will confirm cost information.

Legal Counsel Gary Bell informed the Board that tonight, the policy, and what it will include, may be discussed and revised, but it will require further action at a later date to put this item on the ballot. He noted, term limits take at least two different forms: an overall cap on the total number of terms, or a cap on the number of successive terms. He added, 114 days prior to the election, the District needs to be ready if we want to add this to next year's ballot.

Board Members agreed on the need to gather more data as to what the public wants (including sharing this idea on social media to gather public feedback), to approve the revisions to the policy tonight and at a future meeting, determine any further action desired.

Moved by Director Palajac, seconded by Director Furst, approved, and adopted Resolution No. 2798, approving revisions to Board Policy 4025: Term of Office: Member, Board of Directors.

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

5.5 AMENDMENT TO BOARD POLICY NO 5020: BOARD MEETING AGENDA

The Board reviewed and considered approving revisions to Board Policy 5020: Board Meeting Agenda.

Questions/Comments:

- Director Palajac asked legal counsel for clarification on his comments as shown on the revised policy.
- Director Boswell commented, the policy as written was already fine, except there is a need to allow Directors to add to the agenda in a timely fashion.
- Director Furst expressed that he strongly disagreed with the verbiage “if the General Manager approves” and would like to strike that language. He added, he would like the Chair to have final approval of the agenda and can discuss it with the GM.
- Director Pierpont indicated he appreciated the GM providing this to legal counsel without the background, for an unbiased analysis. The existing policy has functioned based on respect and deference towards others. He agreed, the Chair should be able to review and have final approval. He suggested it would be better to have a mechanism for Board Members to add an agenda item.
- Chair Boswell agreed with Director Furst and Director Pierpont.
- GM Fuzie commented that he agreed as well but needs direction from the Board in order to direct staff.

Action: This draft will be further revised and reviewed with legal counsel and this item will be brought back to the next meeting as a consent item.

5.6 AMENDMENT TO BOARD POLICY NO 5070: RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

The Board reviewed and approved revisions to Board Policy 5070: Rules of Order for Board and Committee Meetings.

Questions/Comments:

- Will a change to Rosenberg’s Rules of Order affect any of our existing policies? Legal Counsel *Gary Bell commented, no, a change to Rosenberg’s Rules of Order should not affect other policies.*
- Director Furst commented, Board members need to follow the “Sequence When Considering an Agenda Item”, as outlined in #2 in this policy.

- Board Members requested to remove item 5 “Secondary Motions” (blue highlighted section in the draft) from the policy. The draft policy was approved with this change.

Moved by Director Palajac, seconded by Director Pierpont, approved, and adopted Resolution No. 2799, approving revisions as amended to Board Policy 5070: Rules of Order for Board and Committee Meetings.

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

5.7 AMENDMENT TO BOARD POLICY NO 5030: BOARD MEETING PROCEDURE

The Board reviewed and approved revisions to Board Policy 5030: Board Meeting Procedure.

Director Furst asked legal counsel for clarification of item 3b. Legal Counsel Gary Bell confirmed the item is okay as written, however, after further discussion, Board Member consensus was to change the word “boisterous” in item 3b to “disruptive” and the policy revision was approved with this change.

Moved by Director Furst, seconded by Director Pierpont, approved, and adopted Resolution No. 2800, approving revisions as amended to Board Policy 5030: Board Meeting Procedure.

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

6. COMMITTEE REPORTS:

- a) Director Pierpont reported on his attendance at the October 10, 2023 Program Committee meeting. The Committee agenda was included in the Board agenda packet.
- b) Director Palajac requested and was provided with a brief update on the community gardens at the Arroyo Mocho, as she was not in attendance at the October 8th Program Committee meeting.
- c) Chair Boswell reported on his attendance at the October 12, 2023 Intergovernmental meeting. The Bond issue was discussed and is still being reviewed.
- d) Chair Boswell reported on his attendance at the October 10, 2023 Personnel Committee meeting. The Committee agenda was included in the Board agenda packet.
- e) Director Furst was not in attendance for the October 4, 2023 Livermore Cultural Arts Council (LCAC) meeting and Chamber of Commerce Business Alliance meeting as he was on vacation.
- f) Director Pierpont reported on his attendance at the at the October 2, 2023 LARPD Foundation meeting. The Foundation agenda was included in the Board agenda packet. The main discussion was focused on Wine Down in the Grove.

- g) Director Pierpont reported on his attendance at the October 17, 2023 Livermore Downtown, Inc. meeting. The meeting focused on the draft of the General Plan.
- h) Director Palajac did not attend the October 16, 2023 Alameda County Agricultural Subcommittee for Trails, as she was on vacation.
- i) Director Pierpont reported on his attendance at the October 25, 2023 Visit Tri-Valley Destination Strategic Planning Steering Committee meeting. The Steering Committee's draft plan is to be finalized; he will share a link to the final version when available.

7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS:

None.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER:

GM Fuzie made the following announcements:

- a) He attended the first CARPD in person meeting in Sacramento last week. He believes we will see more action from CARPD.
- b) With the impending departure of our Business Services Manager, we do not foresee any disruptions in our deliverables.
- c) We received all packets for our legal services RFP. Packets will be provided to our subcommittee tonight. The review process and timeline are included in the packet.

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 6:55 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 returned from closed session at 7:46 p.m. and Chair Boswell announced that there was no reportable action. Chair Boswell then adjourned the meeting at 7:47 p.m. without vote and by unanimous consent.

12. ADJOURNMENT: The meeting was adjourned at 7:47 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/ph