



Livermore Area
Recreation and Park District
An independent special district

REGULAR MEETING of the BOARD OF DIRECTORS

MINUTES

WEDNESDAY, JANUARY 31, 2024

5:00 P.M.

Robert Livermore Community Center
4444 East Avenue, Livermore, California
Sycamore Room

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

DIRECTORS ABSENT: Maryalice Summers Faltings

STAFF MEMBERS PRESENT: Mathew Fuzie, Linda VanBuskirk, David Weisgerber, Jill
Kirk, Julie Dreher

DISTRICT COUNSEL: Andrew Shen, Esq. with Renne Public Law Group

OTHERS PRESENT: Boomer Bowers (Ambassadorog), Kelly Bowers
Melanie Sadek with Valley Human Society,
Penelope Tamm with Valley Humane Society,
Spencer Blanda with James Marta & Company LLP

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

Chair Furst called the meeting to order at 5:00 p.m. All Directors were present, except Director Faltings. Chair Furst led the Pledge of Allegiance.

2. **PUBLIC COMMENT:** Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

3. PROCLAMATION AND PRESENTATION

3.1 2024 LIVERMORE AMBASSADOG

General Manager (GM) Fuzie along with Community Outreach Supervisor (COS) David Weisgerber presented a staff report to the Board of Directors regarding the Ambassadorog Program, which is a partnership opportunity with the Valley Humane Society (VHS). The program aims to raise funds for the Valley Humane Society while providing a positive public-facing opportunity for the Livermore Area Recreation and Park District (LARPD). The program is promoted through marketing efforts by both organizations, including LARPD's website and throughout Livermore through marketing that VHS already provides.

Melanie Sadek from the VHS spoke about the program and thanked the Bowers family and Boomer for their support of the VHS and is looking forward to a productive 2024 of canine activities with LARPD and the Livermore Ambassador dog.

Public Comment: Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

Chair Furst presented Boomer Bowers with the Proclamation, a certificate, and a leash, officially designating him as the 2024 Livermore Ambassador dog. Following the presentation, the Board of Directors extended their congratulations to Boomer and his family, participating in a photo opportunity to commemorate the moment.

4. CONSENT ITEMS:

- 4.1 Approval of the Minutes of the Regular Board Meeting on January 10, 2024.

Public Comment: Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

MOTION:

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

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

5. DISCUSSION AND ACTION ITEMS

5.1 **DISTRICT AUDIT FOR FISCAL YEAR 2022-2023**

General Manager Mathew Fuzie introduced the item, and Finance Officer (FO) Julie Dreher presented the staff report on the completed District Audit for Fiscal Year 2022-2023. She introduced Spencer Blanda, Staff Accountant with James Marta & Company LLP, District auditors, who conducted the annual audit of the District's financial reporting and control processes for FY 2022-2023. Mr. Blanda gave a detailed presentation to the Board which provided an overview of the Communication with Those Charged with Governance, Independent Auditor's Report, Management's Discussion and Analysis, Basic Financial Statements, and concluded that no control deficiencies were identified nor were any instances of noncompliance identified. The District received a clean, **unmodified audit opinion** which is the best opinion an auditor can provide. He recognized Finance Officer Julie Dreher and her team plus the Core Managers for a job well done and a smooth audit process.

Recommendation: Staff recommends the Board accept the Fiscal Year 2022-2023 District Audit Report.

This presentation was initially discussed at the Finance Committee on January 22, 2024. The Committee members had no stated objections and suggested this item be brought before the full Board.

Board Questions/Comments:

Director Pierpont inquired about the Expense number in the Statement of Activities, noting a significant increase of approximately \$4 million compared to the previous year. The ensuing discussion only shed light on \$1.1 million increased in Services and Supplies, Salaries, and a few other aspects related to Elections, leaving a remaining unexplained amount of \$2.5 million. [FO Dreher clarified that the unaccounted \$2.5 million pertained to Capital Improvement Projects, and specifically the \$1.6 million allocated for the synthetic turf fields.]

Public Comment: Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

MOTION:

Moved by Director Palajac, seconded by Director Pierpont, accepted the District Audit for Fiscal Year 2022-2023 as presented, by the following voice vote:

AYES: *Directors Boswell, Palajac, Pierpont, and Chair Furst (4)*

NOES: *None (0)*

ABSTENTIONS: *None (0)*

ABSENT: *Director Faltings (0)*

6. INFORMATION ITEMS (No Action Required)

6.1 MID-YEAR ACTUALS

The Board of Directors received a report from General Manager (GM) Fuzie on the summary view of the FY-23-24 Mid-Year with Actuals through December (see attached.) The bottom line for FY23-24 through December is \$559k better than budget. Staff anticipates that the Board will have some decision points to make at the upcoming Board Budget Workshop on March 13th regarding where to put the \$559k, the compensation study, and other high-level financial goals for the District.

Public Comment: Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

This was an informational item only. No Board action was taken.

7. COMMITTEE REPORTS

- a) Director Pierpont reported on his attendance at the January 22, 2024 Finance Committee meeting. Its agenda was included in the Board agenda packet and included the FY22-23 Audit Review prior to coming to the full Board tonight.
- b) Director Pierpont reported that he did not attend the January 16, 2024 Livermore Downtown, Inc. meeting, but noted it was a Board retreat that liaisons are not invited to attend.

- c) Director Palajac reported on her attendance at the January 22, 2024 Alameda County Agricultural Subcommittee on Trails meeting. Someone from the Tri-Valley Conservancy and someone from the LARPD Foundation were invited to this meeting. The main topic was updates on trails provided by the City of Livermore.
- d) Chair Furst requested that if a Board Member cannot attend an LARPD Committee meeting or a Liaison meeting, please let Executive Assistant Linda VanBuskirk know with enough time to contact the alternate member to fill in.

Public Comment: Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

8. FUTURE AGENDA ITEMS/MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

None.

9. FUTURE AGENDA ITEMS/MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) He will be meeting with the General Manager of Zone 7 on February 8, 2024 to discuss the Patterson Ranch.
- b) Staff attended the City of Livermore's Park Impact Fee Update Study kick-off meeting today. Consultant Willdan Financial Services is onboard. They are pushing for all of the studies to be done and to the City Council by June 2024.
- c) David Weisgerber has advised that the LARPD website has been updated to include a translation button, allowing the website to be translated into 130+ languages.

Public Comment: Chair Furst opened the public comment period. There were no speakers, and the public comment period was closed.

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

Chair Furst announced that the LARPD Board of Directors would be convening into Closed Session to discuss the item listed as 11.1 on the agenda. District Counsel Andrew Shen added that the item is in reference to a claim filed subsequent to the July 4, 2023 incident at the May Nissen Swim Center. (see attached.) Open Session was adjourned at 5:40 p.m.

11. CLOSED SESSION

- 11.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code Section 54956.9: one (1) potential case

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

The Board came out of Closed Session at 6:25 p.m. District Counsel Andrew Shen announced that the Board voted (4-0) to deny the claim submitted by Ms. Guadalupe Vega Villalvazo, dated December 21, 2023.

13. ADJOURNMENT: The meeting was adjourned at 6:25 p.m.

APPROVED,



David Furst
Chair, Board of Directors

ATTEST:



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

/Lvb