



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

TUESDAY, JUNE 7, 2022

3:00 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, David Furst, Philip Pierpont,
and Chair Maryalice Faltings

DIRECTORS ABSENT: Vice Chair James Boswell

STAFF MEMBERS PRESENT: Mathew Fuzie, Fred Haldeman, Jeffrey Schneider, Julie
Dreher, David Weisgerber, Nancy Blair, Lynn Loucks, Jill
Kirk, Pamela Healy

GENERAL COUNSEL: Rod Attebery with Neumiller & Beardslee

OTHERS PRESENT: (Public Members) David Lunn

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

Chair Faltings called the meeting to order at 3:00 p.m. Directors Pierpont, Furst Palajac, and Chair Faltings were present via Zoom. Director Boswell was absent. Chair Faltings led the Pledge of Allegiance.

2. PUBLIC COMMENT: Chair Faltings opened public comment.

David Lunn addressed the Board regarding trails. He suggested that the General Manager’s Monthly Update to the Board of Directors on Issues and Projects include a segment on the status of trail progress, as a routine item, to increase both Board and Public awareness.

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

3. CONSENT ITEMS

- 3.1 Resolution No. 2750 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 Special Meeting: Board Retreat of April 20, 2022
- 3.3 Approval of the Minutes of the Special Meeting: Budget Workshop of May 25, 2022
- 3.4 Approval of the Minutes of the Regular Board Meeting of May 25, 2022
- 3.5 General Manager's Monthly Update to the Board – June 2022

MOTION:

Moved by Director Palajac, seconded by Director Furst, approved the Consent Agenda Items by the following roll call vote: 4-0 with one absentee.

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

4. DISCUSSION AND ACTION ITEMS

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

4.1 PUBLIC HEARING: FISCAL YEAR 2022-23 FINAL OPERATING BUDGET

The Board considered approving the District's FY 22-23 Final Operating Budget. A public hearing was held to receive public comment. (Public Hearing and Resolution).

Recommendation: Staff recommended that the Board of Directors approve the District's FY 22-23 Final Operating Budget.

Business Services Manager Jeffrey Schneider commented that we have gone through several reviews of this information to get to this point, including the Personnel, Facilities and Finance Committees in May, as well as a Board Workshop on May 25th. He shared his screen for a detailed review and presentation on the FY 22-23 Final Operating Budget (See attachment to these minutes) that included the following:

- The District's on-going operations will result in positive net operating contributions (Revenue less Expense) of \$2.5 million in FY21-22 (the approved Mid-Year Budget) and \$1.1 million in FY22-23 (the Proposed Budget). Operational strides in the form of creative and popular program offerings and organizational changes that are driving more resources to service delivery are contributing to these results, as are significant increases in property tax income (confirmed by Alameda County Assessor's office). The one-time receipt of \$1.2 million CA Covid Relief money in FY21-22 is a major contributor to the current year's significant Net Operating Contribution.
- As discussed with the Board earlier this year, the CA Covid Relief funds will contribute two-thirds of the General Fund monies required to complete the replacement of synthetic turf fields at Robertson Park in early FY22-23. The attached Summary Level

View: General Fund FY21-22 – FY22-23 schedule (page 8 of the attachment) illustrates the impact of expected Net Operating Contributions and planned CIP use of the General Fund. Also on this schedule is staff's proposed use of projected additions to Reserves in FY21-22: staff proposes adding to the Budget Contingency Reserve and the Deferred Maintenance Reserve in FY21-22 and using the Deferred Maintenance Reserve to help fund the CIP plans for FY22-23 (largely associated with the Robertson Park turf project).

Pages 9 and 10 provide details into the District's use of Property and Parcel Tax income and outline the contribution to the District's Net Operating Contribution for FY21-22 and FY22-23 from each of the District's operating units. The remainder of the presentation includes notes, charts, and schedules that provide insights into the proposed Operating Budget.

Director Questions/Comments:

1. Chair Faltings asked that review and discussion of the CIP Budget information be held until the next item, as it is subject to approval under a separate Resolution number.
2. Director Furst commented on a labeling difference on the charts on page 12 noting that Professional Services should not be combined with Legal. BSM Schneider responded these two categories will be separated with updated labels. The FY 22-23 increase in Professional Services is largely due to the addition of 4 temporary employees to the Parks team to assist with entry level park maintenance, and for IT services provided for additional security-related needs that were outlined for the Board at its April 27, 2022 meeting.

Public Comment: Chair Faltings opened public comment.

David Lunn had the following questions and comments:

- On page 5, Structures and Grounds: Does this include trails? Where is the maintenance budget for trails? Are we spending any money on trails? Specifically, the Arroyo Mocho Trail needs repairs.
- On page 24, it shows \$44k for the Patterson Ranch Trail. Is that enough funding?
- He suggested adding a line item for paving for Arroyo Mocho trail.
- PG 49 Living Arroyos shows funds here, but we won't have the program next year.
- He suggested that as water rates are increasing, LARPD should be tracking increased costs.

GM Fuzie explained that the \$44k Patterson Ranch Trail spend is an estimate but should be plenty for signage and fencing. If not, we will come back to the Board with a request for additional funding.

BSM Schneider explained that there is a difference in the magnitude of line items in the CIP budget versus the operating budget which is why trail-specific spending is reported in the CIP Budget but not specifically called out in the Operating Budget schedules. He added that there are funds for repairs (such as paving) included in the Facilities and Grounds maintenance budget in the Operating Budget.. He added, we plan to track and report our spend and revenue by location and that the management team will assess the location-level reporting that will be both actionable and feasible.

In response to Mr. Lunn’s question about Living Arroyos, BSM Schneider commented that the financial schedules include multi-year trends and as such the Living Arroyo revenues and expenses for prior years are reflected even though no financials will be reported for FY22-23.

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

RESOLUTION:

Moved by Director Furst, seconded by Director Palajac, adopted **Resolution No. 2751**, calling for the approval of the District’s FY 22-23 Final Operating Budget, by the following roll call vote: 4-0 with one absentee.

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

GM Fuzie complimented the Board for considerable efforts throughout the pandemic and prior, placing the District in such a good financial position.

4.2 PUBLIC HEARING: FISCAL YEAR 2022-23 FINAL CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

The Board considered approving the District’s FY22-23 Final Capital Improvement Program (CIP) Budget. A public hearing was held to receive public comment. (Public Hearing and Resolution)

Recommendation: Staff recommended that the Board of Directors consider approving the District’s FY22-23 Final Capital Improvement Program (CIP) Budget.

Business Services Manager (BSM) Jeff Schneider again shared his screen and gave a presentation on the FY 2022-2023 Final Capital Improvement Program (CIP) Budget.

- Page 24- CIP Project Financials – Project Spending View: This focuses on current and next year spend. The largest spend is \$1.6 million for the Board-approved CIP project to replace two synthetic turf fields at Robertson Park in early FY22-23 (this is deferred maintenance and thus not AB1600 eligible); the next largest GF spend is \$335k for Rodeo Stadium Infrastructure Improvements. This was pushed to FY22-23 so that project work would not conflict with or create disruption for this year’s Rodeo. AB1600 funding is constrained and uncertain at the moment and we have thus not added to our AB1600 project . Current AB1600 planned spend includes \$350k for the Sycamore Grove restroom and \$817k for Bike Pump Track.
- Only one change to the FY22-23 CIP Budget was proposed versus the Board Workshop: moving the timing of the \$817k pump track spend to FY 22-23.

Director Questions/Comments:

- Chair Faltings thanked BSM Schneider for adding the status column to the report.
- Director Furst asked for clarification related to FY22-23 spend: which of these projects are Board approved?

- ESS Building- Remodel - approved
 - Sycamore Restrooms- approved in concept but no final design as of yet
 - Pump Track- approved but no final estimate
 - Everything else- approved
- Director Furst asked if project 004 - Resurface/Restriping of May Nissen Tennis Court, is for pickleball. GM Fuzie explained that in the process of repairing the courts, they were restriped to accommodate both tennis and pickleball..

Public Comment: Chair Faltings opened public comment. No public comments were received. Chair Faltings closed the public comment period.

RESOLUTION:

Moved by Director Palajac, seconded by Director Pierpont, adopted **Resolution No. 2752**, calling for the approval of the District's FY22-23 Final Capital Improvement Program (CIP) Budget, by the following roll call vote: 4-0, 1 absentee

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

4.3 2022 PUBLIC MEETINGS IN THE PARKS

The Board reviewed and discussed potential locations to hold its 2022 series of Public Meetings in the Parks.

GM Fuzie referred to the list of previous meeting locations included in the agenda packet. Meetings will be held in July, August, and September. Director Palajac and GM Fuzie will each be out of the office during July and unable to attend that meeting.

Questions and comments from the Board:

The Board discussed the following potential meeting locations, and the pros and cons of each one:

- Robertson Park, to further the discussion of the horseshoe pits and playground
- Bothwell Park, to discuss the building, our role and the mission of the LVPAC
- Mocho Park, site of new Community Garden
- Sunset Park, consider holding short dedication in lieu of meeting.

Action: The Board selected Robertson Park, Bothwell Park and Mocho Park for the 2022 Meeting in the Parks locations. The Board also agreed to hold a separate brief public park dedication ceremony at Sunset Park. GM Fuzie will make a proposal for the Board as to specific dates for each park.

5. INFORMATIONAL ITEMS (No Action Required)

5.1 GENERAL FINANCIAL UPDATE

GM Fuzie reported that this topic was already covered in detail by BSM Schneider. The Board of Directors had no comments or questions.

This was information only and no Board action was taken.

5.2 COVID-19 PROGRAM UPDATES

GM Fuzie reported that the recent re-institution of the mask mandate indoors has been causing issues with the public. The LARPD is taking a position of compliance with the County but not policing the issue.

This was information only and no Board action was taken.

6. COMMITTEE REPORTS

- a) Director Furst reported on his attendance at the June 2, 2022 Facilities Committee meeting. The agenda was included in the Board agenda packet. Items of note included a discussion of the Horseshoe Pits, and Future Trails and Connectors.
- b) Director Furst reported on his attendance at the Chamber of Commerce Business Alliance. One topic of note was that Embarcadero Media now publishes the Livermore Vine digital news (daily).
- c) Director Palajac reported her attendance at the June 1, 2022 Livermore Cultural Arts Council (LCAC) meeting. Items of note included a short presentation given by the parent of someone who is neurodiverse. The individual received a grant from the LCAC and wrote a handbook of neurodiversity and is the first neurodiverse person to become an Eagle Scout. There will be copies of the handbook made available to LCAC members and LARPD staff. She also reported that Tuesday Tunes are back starting next week from 6:45-8:15 p.m. in front of Bankhead.
- d) Chair Faltings reported her attendance at the June 6, 2022 LARPD Foundation meeting. The major topics of discussion included a wrap-up of the Wine Down in the Grove fundraiser event, the election of Bill Whalen as the new President of the Board of Trustees, and an announcement that the 2023 Foundation fundraiser will be held on Saturday, May 20, 2023 at Ravenswood. BSM Jeff Schneider asked if the Foundation had the opportunity to discuss Estate Planning. Chair Faltings informed him it was not discussed but will be at future meeting.

7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

The were no matters initiated or announcements made.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) We have a tentative meeting scheduled on June 30, 2022 with Zone 7 to do field work at Patterson Ranch Trail.
- b) He will be speaking with the Real Estate Alliance of Livermore on August 11, 2022.
- c) Met with LVPAC Executive Director Chris Carter to open discussion on working collaboratively.

There was a general reminder that the Rodeo is this weekend, gates open at 11:00 a.m., Grand Entry is at 3:00 p.m. Kick-off meeting for Rotary tomorrow, mixer in the evening.

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

District Legal Counsel Rod Attebery joined the meeting and stated that there would be no closed session.

10. CLOSED SESSION:

- 10.1 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)

There was no closed session.

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

12. ADJOURNMENT: The meeting was adjourned at 4:16 p.m.

APPROVED,

Maryalice Summers Faltings
Chair, Board of Directors

ATTEST:

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

/ph