



Livermore Area
Recreation and Park District
An independent special district

REGULAR MEETING OF THE BOARD OF DIRECTORS

MINUTES

WEDNESDAY, JANUARY 8, 2025

5:00 P.M.

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

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

DIRECTORS ABSENT: None.

STAFF MEMBERS PRESENT: Mathew Fuzie, General Manager (GM)
Linda VanBuskirk, Executive Assistant
Rene Venus Dalusong, Executive Assistant

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

OTHERS PRESENT: None.

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

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

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

3. CONSENT ITEMS:

- 3.1 Approval of the Minutes of the Regular Board Meeting on December 11, 2024.
- 3.2 General Manager's Monthly Update to the Board on Issues and Projects – January 2025.

Chair Palajac deferred item 3.1 to the next meeting.

MOTION:

Moved by Director Furst, seconded by Director Faltings, approved the Consent Agenda Item 3.2, by the following voice vote:

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

4. DISCUSSION AND ACTION ITEMS:

4.1 Director Attendance at 2025 Conferences

The Board reviewed the 2025 conference schedule and requested staff to email reminders about upcoming conferences to secure early bird pricing.

Board Questions/Comments:

- a) Director Boswell mentioned it is too early to confirm his attendance at any of the conferences.

DIRECTION: Staff to send email reminders to the Board about upcoming conferences and trainings.

4.2 2025 Committee Appointments

The Board reviewed and discussed the 2025 Committee Assignments. Chair Palajac requested notification of any conflicts with Community Liaison assignments to allow for adjustments. No changes were made to the assignments.

Board Questions/Comments:

- a) Director Boswell inquired about the date and time of the Alameda County Ag Subcommittee on Trails meetings. *[The Committee meets the third Monday of each month from 4:00 p.m. – 5:30 p.m., in the Sycamore Room. The January meeting may be rescheduled due to Martin Luther King, Jr. Day.]*

4.3 Review of Community Liaison Committees

Director Boswell shared his experience at the liaison meetings with the Livermore Cultural Arts Council (LCAC), noting inconsistent dates and locations of meetings, duplicative information, and questioning the value of the meetings for advancing the District's support of the arts.

The Board discussed exploring other committees and organizations that may better align with the District's goals, such as the City of Livermore's Commission for the Arts, Visit Tri-Valley, Tri-Valley Conservancy, and Tri-Valley Marketing Group.

Board Questions/Comments:

- a) The Board expressed continued support for community arts and acknowledged Director Boswell's feedback on LCAC's structure and alignment with District goals.
- b) GM Fuzie and Director Furst provided a brief history of LCAC, noting LARPD's role in founding the committee.
- c) Vice Chair Pierpont suggested the possibility of serving on both the LCAC and the City's Commission for the Arts.
- d) Director Furst, having attended prior LCAC meetings, observed a lack of clear goals and suggested exploring representation with the Commission for the Arts. If welcomed, the District could transition from LCAC to the Commission for the Arts.
- e) Directors Faltings and Pierpont supported Director Furst's recommendation.
- f) Director Furst asked if Community Gardens met last year and if a staff liaison should be assigned to the committee. *[They met once last year, and Director Faltings receives updates as needed from Parks and Facilities Manager Fred Haldeman. A Board Member liaison will remain assigned to the Community Gardens.]*
- g) Chair Palajac asked who would contact Visit Tri-Valley.

- h) Director Boswell suggested joining Tri-Valley Marketing Group. GM Fuzie provided a brief background about the group's current goals and mission.

DIRECTION: The Board directed staff to include the Community Liaison Committees on the agenda for the Intergovernmental Committee meeting. GM Fuzie will contact the City regarding participation in the Commission for the Arts; Chair Palajac will reach out to Tri-Valley Conservancy; and Director Boswell will contact Tri-Valley Marketing Group and report back at the next meeting.

4.4 **Proposed Conflict of Interest Waiver for Renne Public Law Group (RPLG)**

DC Shen informed the Board of a potential conflict of interest regarding East Bay Regional Park District's (EBRPD) request to represent EBRPD on a labor relations matter unrelated to his current duties as General Counsel for LARPD. EBRPD will be handled by another colleague at RPLG, and DC Shen will not be involved in any way. DC Shen requested that the Board consent and waive RPLG's conflict of interest.

Board Questions/Comments:

- a) Is this common practice and does it happen often? *[Yes, due to the nature of their work.]*
- b) How do we proceed if the Board does not consent and waive the conflict of interest? *[DC Shen's colleague will decline the work for EBRPD.]*
- c) Has this issue been brought to the attention of EBRPD? *[Yes, and EBRPD indicated they were comfortable with the conflict of interest.]*
- d) Can you provide an estimate of how many conflict waivers RPLG has? *[There's no specific number, but perhaps a dozen.]*
- e) Director Boswell is confident in DC Shen's work and understands the commonality of the procedure. However, he is concerned about the possible breach of information in light of the current situation with the EBRPD.
- f) Based on his experience, Vice Chair Pierpont understands that the procedure is common and is confident with the work at hand.

RESOLUTION:

Moved by Director Pierpont, seconded by Director Boswell, approved Resolution No. 2820, authorizing the Board Chair to execute a Consent and Waiver of the conflict of interest identified by the Renne Public Law Group on January 8, 2025.

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

5. COMMITTEE REPORTS:

- a) Vice Chair Pierpont reported on his attendance, along with Chair Palajac, at the December 16, 2024 Finance Committee meeting. Its agenda was included in the Board agenda packet. Financial Analyst Kendahl Hettick gave a demonstration on the new budget tool, Vena.
- b) Director Furst was unable to attend the January 8, 2025 Alameda County Special Districts Association (ACSDA) meeting due to a conflict with the Chamber of Commerce Business Alliance meeting which was on the same day and time.

- c) Director Furst reported on his attendance at the January 8, 2025 Chamber of Commerce Business Alliance meeting. Senior Coordinator of Ava Community Energy Juan Cortez gave a presentation on energy services to Alameda County and three cities in the San Joaquin County.
- d) Chair Palajac reported on her attendance at the January 6, 2025 LARPD Foundation meeting. Its agenda was included in the Board agenda packet. The Foundation discussed the Champion Program and membership outreach efforts.

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

- a) Chair Palajac announced she would be participating in the California Association of Recreation and Park Districts (CARPD) Legislative Committee meetings in a non-capacity level and providing the Board with updates.

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

GM Fuzie made the following comments/announcements:

- a) The ACSDA Membership Annual Dinner will be held on Thursday, March 13, two days before the Livermore Rotary's Crab Feed event. The buffet dinner costs \$45 per person, and registration is due by February 14th. Chair Palajac added that Brian Copeland will be the guest speaker.
- b) The Employee Handbook item has been removed from the current agenda and moved to the next meeting due to the complexity and significant impact of the changes. DC Shen briefly discussed the policy change procedures.
- c) Tomorrow Chair Palajac will be participating in the Parks Master Plan Update consultant interviews. The results will be presented to the Board at the next meeting for discussion and action.

8. OPEN SESSION DISCLOSURE REGARDING CLOSED SESSION ITEMS 9.1 AND 9.2, PURSUANT TO GOVERNMENT CODE SECTION 54957.7

Chair Palajac announced that the LARPD Board of Directors would be convening into Closed Session to discuss the items listed at 9.1 and 9.2 on the agenda. Open Session was adjourned at 5:54 p.m.

9. CLOSED SESSION

- 9.1 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
- 9.2 Public Employee Performance Evaluation
Pursuant to Government Code Section 54957
Title: General Counsel

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

The Board of Directors returned from Closed Session at 7:40 p.m. and Chair Palajac announced that there was no reportable action. Chair Palajac then adjourned the meeting without a vote and by unanimous consent.

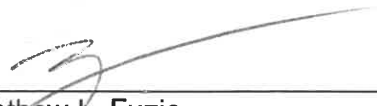
11. ADJOURNMENT: The meeting was adjourned at 7:40 p.m.

APPROVED,



Jan Palajac
Chair, Board of Directors

ATTEST:



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

Lvb/rvd