



Regular Meeting of the Board of Directors

MINUTES

Wednesday, March 11, 2026

5:00 p.m.

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

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

Directors Absent: None.

Staff Members Present: Mathew Fuzie, General Manager (GM)
Linda VanBuskirk, Executive Assistant
Rene Venus Dalusong, Executive Assistant
Jill Kirk, Community Services Manager

District Counsel: Gary Bell, Esq. with Colantuono, Highsmith & Whatley, PC
Meghan A. Wharton, Esq. with Colantuono, Highsmith & Whatley, PC

Others Present: Julien Avilla, David Madsen, Sondra Tosky, Paul Hodges,
Pat Hodges, Kathy Lake

1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE: Chair Pierpont called the meeting to order at 5:02 p.m. All Directors were present. Chair Pierpont led the Pledge of Allegiance.

2. PUBLIC COMMENT: Chair Pierpont opened the public comment period.

- a) Julien Avilla shared his experience coordinating a 5K run and suggested more guidance on park use, permits, and timelines.
- b) David Madsen proposed a Veterans Benefit Concert Series at Robertson Park (Supplemental Item 2b).
- c) Sondra Tosky requested consideration of native plants for landscaping at the Sunken Gardens Pump Track project.

Chair Pierpont referred the request to the Facilities Committee and invited Sondra Tosky to attend a future Facilities Committee meeting for further discussion.

There were no further speakers. The public comment period was closed.

3. RECOGNITION:

3.1 RESOLUTION OF COMMENDATION – LINDA VAN BUSKIRK

The Board presented Linda Van Buskirk a resolution commending her on her retirement and a years of service certificate. (Supplemental Item 3.1)

RESOLUTION:

Moved by Director Faltings, seconded by Director Boswell, approved Resolution No. 2838, commending Linda Van Buskirk on the occasion of her retirement from the District, by the following voice vote:

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

4. CONSENT AGENDA (Motion):

- 4.1 Approval of the Minutes of the Regular Board Meeting on February 11, 2026.
- 4.2 General Manager’s Monthly Update to the Board on Issues and Projects: March 2026.

MOTION:

Moved by Director Palajac, seconded by Director Faltings, approved the Consent Agenda Items 4.1 and 4.2, by the following voice vote:

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

5. DISCUSSION AND ACTION ITEMS:

5.1 CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) BOARD OF DIRECTORS CALL FOR NOMINATIONS – BAY AREA NETWORK, SEAT C

The Board discussed the call for nominations and nominated Chair Pierpont for election to the CSDA Board of Directors – Bay Area Network, Seat C, for the 2027-2029 term.

RESOLUTION:

Moved by Director Faltings, seconded by Director Boswell, approved Resolution No. 2839, nominating Director Philip Pierpont for election to the CSDA Board of Directors – Bay Area Network, Seat C, for the 2027-2029 term, by the following roll call vote:

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

5.2 RODEO GROUNDS – EVENT GUIDELINES

The Board discussed past events and expanding programming at the Rodeo Grounds. Director Palajac suggested continuing the discussion at a special Board meeting.

Public Comment: Chair Pierpont opened the public comment period.

- a) David Madsen spoke about the need for more use of the Rodeo Grounds and shared additional information on his proposed Veterans Benefit Concert Series.

Director Furst asked about the event date. *[David Madsen said he is planning for summer 2026.]*

There were no further speakers. The public comment period was closed.

- **ACTION:** The Board directed staff to schedule a special meeting to continue discussion about event guidelines at the Rodeo Grounds.

6. COMMITTEE REPORTS:

- a) Director Palajac reported on her and Chair Pierpont's attendance at the February 17, 2026, Facilities Committee meeting. The Committee reviewed its 2025 recap and discussed the 2026 Facilities Committee goals and objectives. The agenda was included in the Board agenda packet.
- b) Director Boswell reported on his and Director Palajac's attendance at the March 2, 2026, Finance Committee meeting. The Committee discussed the 2026 Finance Committee goals and objectives, reviewed the Reserve and Pension Obligation Bond balances, preliminary January 2026 financials, and financial policies. Director Boswell requested staff provide the Reserve and Pension Obligation Bond balances to the full Board. The agenda was included in the Board agenda packet.
- c) Director Furst reported on his and Director Boswell's attendance at the March 9, 2026, Personnel Committee meeting. The Committee received an update on the Health Reimbursement Account and reviewed the Cost-of-Living Adjustment (COLA). The agenda was included in the Board agenda packet.
- d) Vice Chair Faltings reported on her and Director Furst's attendance at the March 11, 2026, Program Committee meeting. The Committee discussed its 2026 goals and objectives and future programming at Ravenswood Historic Site. The agenda was included in the Board agenda packet.
- e) Director Furst reported on his attendance at the March 4, 2026, Chamber of Commerce Business Alliance meeting. David Kent of Darcie Kent and Concannon Vineyard spoke about the impact of economic conditions on the Livermore Valley vineyards.
- f) Director Palajac reported on her attendance at the March 2, 2026, LARPD Foundation meeting. The Committee discussed updating Trustee bios and website photos, membership and outreach events, and funding priorities.

7. FUTURE AGENDA ITEMS/MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS:

- a) Director Furst inquired about the date and time for the Sunken Gardens Pump Track opening ceremony. *[GM Fuzie: No date has been set, but staff is coordinating the event.]*
- b) Director Palajac reported completing the Senate Bill 827 Fiscal & Financial Training.
- c) Director Furst stated that the LARPD Foundation Giving Tree needs updating, including more legible name plates and information on the Giving Tree and how to donate. *[Director Palajac said she will inform the LARPD Foundation.]*
- d) Director Furst noted that the Former Board Members photo wall appears incomplete, with some former members' photos missing. He requested staff to verify whether the photo wall is complete.
- e) Vice Chair Faltings announced that the CSDA publication, Volume 21, Issue 1 (January–February 2026), included an article titled *“Responding to Disrupted Meetings: What the Brown Act Requires.”* She suggested comparing the article with the Board Policy Manual (Supplemental Item 7e).

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

MANAGER: GM Fuzie informed the Board that he is tracking an unusual February property tax payment from the Alameda County Assessor's Office to see if it's a catch-up or a sign of what's coming with the April taxes.

9. OPEN SESSION DISCLOSURE REGARDING CLOSED SESSION ITEMS 10.1 PURSUANT TO GOVERNMENT CODE SECTION 54957.7

Chair Pierpont announced that the LARPD Board of Directors would convene a Closed Session to discuss item 10.1. Open Session was adjourned at 6:20 p.m.

10. CLOSED SESSION

**10.1 CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION
(Gov. Code, § 54956.9(d)(1).)**

The Board of Directors finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the District in the litigation.

Name of Case: Livermore Area Recreation and Park District v. East Bay Regional Park District

Names of Parties: Livermore Area Recreation and Park District; East Bay Regional Park District; Melissa Wilk, in her capacity as the Alameda County Auditor-Controller

Case No.: San Francisco Superior Court Case No.: CPF-25-519308

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

The Board of Directors returned from Closed Session at 7:01 p.m. Chair Pierpont stated that no reportable action was taken.


12. ADJOURNMENT: The meeting was adjourned at 7:02 p.m.

APPROVED,



Philip Pierpont
Chair, Board of Directors

ATTEST:



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

MF/Rvd

Veterans Benefit Concert Series

Event Proposal

Location
Robertson Park

Event Concept

Attendance
10,000-12,000

A family-friendly outdoor concert bringing together veterans, residents, local businesses, and community organizations.

Purpose

The Veterans Benefit Concert Series is a community-focused outdoor concert event designed to raise funds and awareness for organizations supporting:

Military veterans

Veteran families

Youth leadership programs

Youth safety initiatives
(Safer Schools Foundation)

Highlights

Live Music

Country, rock, and Americana

Community Event

Family-friendly activities
Veteran recognition ceremony

Local Vendors

Food trucks / restaurants
Breweries and wineries
Veteran nonprofit and resource booths

Request

Seeking Board approval to proceed with the Veterans Benefit Concert Series at Robertson Park.

SUPPLEMENTAL ITEM 2b
March 11, 2026

Community Impact & Planning



Community Partners

Cobalt Equipment
Planet Interactive
Veterans of Foreign Wars (VFW)
American Legion
Los Positas College Veterans Program

Venue Coordination

Event layout and staging areas
Parking and traffic coordination
ADA accessibility planning
Noise ordinance compliance
Coordination with park staff

Community Impact

Funds raised will support veteran-focused programs and organizations including:

Los Positas College - Veterans First Program
VeteransHealthCareUSA.org
VeteransForever.us
SaferSchoolsFondation.org
Goodness Village
Camp Parks Reserve Forces
Training Area

Event Operations

The event will be supported by an experienced operations team.

Planning includes:

Stage, sound, and lighting production
Security and crowd management
On-site medical support
Vendor coordination
Ticketing and guest services
Required permits and event compliance
SUPPLEMENTAL ITEM 2b
March 11, 2026

LIVERMORE AREA RECREATION AND PARK DISTRICT

RESOLUTION NO. 2838

**A RESOLUTION COMMENDING LINDA VAN BUSKIRK
FOR HER YEARS OF SERVICE TO THE LIVERMORE AREA RECREATION AND PARK DISTRICT
ON THE OCCASION OF HER RETIREMENT**

WHEREAS, Linda Van Buskirk joined LARPD in March 2018 as Executive Assistant to the General Manager, and quickly became a trusted and indispensable member of the District’s leadership support team, serving as a key liaison between District leadership, staff, legal counsel, partner agencies, and the public; and

WHEREAS, Linda skillfully managed the scheduling, logistics, and documentation of hundreds of Board and committee meetings, preparing agendas, minutes, and resolutions in compliance with the Brown Act and ensuring the accurate preservation of the District’s official actions and institutional history; and

WHEREAS, Linda has written, edited, and proofread thousands of staff reports and official communications—often managing complex timelines with calm efficiency and good humor, maintaining the high standards of professionalism and accuracy expected by the Board, staff, and community; and

WHEREAS, Linda diligently administered District elections by serving as the primary liaison with the Alameda County Registrar of Voters, coordinating required filings, candidate information, and public notices while assisting candidates and members of the community with professionalism and patience; and has built a stellar reputation among partner agencies including the City of Livermore, Livermore Valley Joint Unified School District, Tri-Valley Conservancy, East Bay Regional Park District, Livermore Valley Chamber of Commerce, California Special Districts Association, and the Alameda County Special Districts Association; and

WHEREAS, Linda has demonstrated thoughtfulness and kindness toward her fellow coworkers and volunteers, often sharing her home-grown organic lemons and oranges – and the occasional lemon bars reportedly made with healthy, calorie-free ingredients; and

WHEREAS, Linda has fostered a supportive workplace by mentoring administrative staff, sharing her knowledge generously, and improving office procedures within the General Manager’s Office; and

WHEREAS, Linda has maintained a wonderful sense of humor and sincere dedication to serving the community, proving to be indispensable to the General Manager and the entire LARPD Board and staff, serving with grace, selflessness, and humility; and

WHEREAS, Linda will be greatly missed by the Board, volunteers, co-workers, and community partners, and especially the General Manager, living her life according to this quote from 1 Peter 4:10: “Each of you should use whatever gift you have received to serve others, as faithful stewards of God’s grace in its various forms.”

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Livermore Area Recreation and Park District hereby commends Linda Van Buskirk for eight years of service to the District and expresses its sincere appreciation, on the occasion of her retirement, for the outstanding professionalism, integrity, and good humor she brought to her work each day.

BE IT FURTHER RESOLVED that the Board extends its best wishes to Linda for many years of health, happiness, and fulfillment in retirement, confident that her legacy of service will continue to benefit the District and the community for years to come.

ON MOTION of Director Faltings, seconded by Director Boswell, the foregoing resolution was unanimously passed and adopted this 11th day of March, 2026.

Philip Pierpont
Chair, Board of Directors

ATTEST:

Mathew Fuzie, General Manager



CERTIFICATE OF RECOGNITION

presented to

Linda Van Buskirk

In recognition of eight years of devoted public service, exemplary professionalism, integrity, and good humor, and for leaving a lasting and meaningful impact on the Livermore Area Recreation and Park District and the Livermore community.

March 11, 2026

*Philip Pierpont
Board Chair*

*Mathew L. Fuzie
General Manager*

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SUPPLEMENTAL ITEM
7e March 11, 2026



Legal Brief

Responding to Disrupted Meetings: What the Brown Act Requires

By Chelsea Downes, Associate, Richards, Watson & Gershon

Public meetings do not always go as planned. Sometimes members of the public are passionate, loud, or downright disruptive. When disruption makes it impossible to continue a meeting, the Brown Act specifies how a legislative body may respond.

A recent California Court of Appeal decision in *Berkeley People's Alliance v. City of Berkeley* (2025) underscores the strict requirements of Government Code Section 54957.9 when a public meeting is willfully disrupted.

At a series of Berkeley city council meetings, the mayor determined that business could not continue because of ongoing disruption from audience members. In response, the city council recessed and reconvened the meetings in a smaller room. Press representatives were permitted to attend the reconvened sessions in person, but the public was allowed to attend only by video. The Berkeley People's Alliance alleged that the city violated the Brown Act by relocating the meetings rather than clearing the room and

continuing in the original space, and by failing to attempt to remove the individuals causing the disruption before taking broader action.

The Statutory Framework

The Brown Act guarantees public access to meetings of local legislative bodies, including city councils and special district boards. The statute's open meeting provisions ensure transparency in government decision-making and facilitate public participation.

However, the promise of open and accessible meetings is not absolute. Government Code Section 54957.9 recognizes that public meetings can sometimes be disrupted. Section 54957.9 provides that if a meeting "is willfully interrupted by... group(s) of persons" so that orderly conduct is rendered "unfeasible" and if order cannot be restored by removing the disruptive individuals, a legislative body may "order the meeting room cleared and continue in session." The statute further declares that press representatives

may remain in the room unless they were part of the disturbance. Finally, the statute allows a legislative body to adopt a procedure for readmitting individuals who did not participate in the disruption.

Before the Berkeley decision, some local agencies had interpreted Section 54957.9 as allowing a meeting to be recessed and reconvened in a different location if disruption made continuing in the original space impractical. The Berkeley city council took precisely that approach.

What the Court Decided

The court of appeal strictly interpreted Section 54957.9 and ruled against the city. Examining the plain text, the court emphasized that the statute requires that the "meeting room" be "cleared" and that the meeting continue "in session" in the same room. The court interpreted the phrase "order the meeting room cleared" to mean that a legislative body can empty the same room of its occupants, but cannot move the meeting elsewhere.

The court reasoned that, instead of authorizing relocation, the Legislature prioritized clear, consistent notice of a meeting's physical location to ensure the people's access to public business. In the court's view, relocating the meeting effectively denies non-disruptive members of the public their right to attend in-person, a right that the Brown Act was designed to protect. Therefore, recessing the meeting and reconvening elsewhere does not satisfy the statutory obligation.

What the Court Did Not Decide

The court of appeal did not address the claim that the city violated the Section 54957.9 by failing to attempt to remove disruptive individuals before relocating to a different room. The statutory text implies a sequence in which a legislative body first tries to remove the disruptive individuals before turning to the broader remedy of clearing the room entirely. However, the court did not resolve whether such action is a prerequisite for a

legislative body to clear the room of a disrupted meeting. Nor did the court address what efforts, if any, a legislative body must make to identify and remove disruptive individuals before ordering a full clearing of the room. These omissions leave local agencies without appellate guidance on how rigorous their initial steps must be before clearing the room.

What This Means for Districts

The Berkeley decision carries important implications for special districts and other local agencies.

- When a meeting becomes unmanageable due to willful disruption, recessing and reconvening in a different room is not an option.
- The proper procedure is to clear the original room and continue the meeting in the same space. Clearing the room requires removing all attendees except non-disruptive press representatives. Agencies may adopt a procedure for readmission of non-disruptive individuals after order is restored.
- Agencies should review their meeting rules and procedures to ensure compliance with the court's interpretation of Section 54957.9. This includes training presiding officers and staff on the correct steps to take when facing disruptive behavior.

Bottom Line

The Berkeley decision reinforces the fundamental purpose of the Brown Act to guarantee public access, transparency, and accountability in local government decision-making. By strictly interpreting the statutory options available to local agencies responding to willful disruptions, the court underscored that exceptions to access and openness must be narrowly construed.

Chelsea Downes is an associate in the Public Law Department at Richards, Watson & Gershon. She advises local governments and other public agencies on a wide range of municipal law issues, including governance, regulatory compliance, and public policy.