



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

WEDNESDAY, OCTOBER 26, 2022

7:00 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 David Furst, Jan Palajac, Philip Pierpont, Vice Chair James Boswell, Chair Maryalice Faltings

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Mathew Fuzie, Fred Haldeman, Jeffrey Schneider, Jill Kirk, Michelle Kleman, Amber Maugeri, David Weisgerber, Julie Dreher, Linda VanBuskirk, Lynn Loucks, Pamela Healy

DISTRICT COUNSEL: Rod Attebery and Tom Terpstra, Jr. with Neumiller & Beardslee

OTHERS PRESENT: Bill Whalen, Colleen McCarty, Kathy, Sheryl Goodman, Steve Goodman, Stacey Kenison

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

Chair Faltings called the meeting to order at 7:00 p.m. All Directors were present via Zoom, except Director Philip Pierpont, who arrived at 7:01 p.m. Chair Faltings led the Pledge of Allegiance.

2. PUBLIC COMMENT: None.

3. RECOGNITION:

3.1 RESOLUTION OF COMMENDATION FOR SHERYL GOODMAN

The Board presented a resolution commending Sheryl Goodman for her years of service on the District's Personnel Commission. Mrs. Goodman served on the Personnel Commission from 2020-2022. Mrs. Goodman was present at the meeting and shared that it was an honor to serve on the Commission during some very challenging times during the pandemic.

Chair Faltings opened public comment. Business Services Manager (BSM) Jeffrey Schneider and General Manager (GM) Mathew Fuzie spoke on the pleasure of working with Mrs. Goodman and thanked her for the many contributions she has made while serving her term on the Commission, and expressed their sincere appreciation for her outstanding dedication and professionalism. Chair Faltings closed the public comment period.

RESOLUTION:

Moved by Director Faltings, seconded by Director Palajac, approved Resolution No. 2765, commending Sheryl Goodman for her years of service on the District Personnel Commission, by the following roll call vote:

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

3.2 RESOLUTION OF COMMENDATION FOR STEVE GOODMAN

The Board presented a resolution commending Steve Goodman for his years of service to the District. Mr. Goodman served as President of the LARPD Foundation from 2016 to 2022; served as an elected Board Member from 2004 to 2016; worked as a Senior Recreation Supervisor from 1985 to 2002, and more. Mr. Goodman was present at the meeting and shared that it was a pleasure to work in the community he grew up in and to provide quality programs – it was a labor of love. The high-quality and standard that LARPD held is something that he will always value.

Chair Faltings opened public comment and began by sharing that Mr. Goodman was a real asset to LARPD while serving on two roles for the park district and later on the LARPD Foundation. She expressed her appreciation to Mr. Goodman for his cheerful demeanor and quick-wittedness. GM Fuzie added that Mr. Goodman inspired him to a higher level of service. Community Outreach Supervisor David Weisgerber shared that it has been a true pleasure working with Mr. Goodman on the Foundation, which is thriving due to his outstanding leadership. BSM Schneider thanked Mr. Goodman for everything he's done for the community and for the kindness and warm reception shown to his daughter as she presented fundraising ideas to the Foundation. Director Boswell thanked Mr. Goodman for his service, dedication and long-term commitment to parks and recreation in Livermore which made a difference in the lives of many people.

Chair Faltings closed the public comment period.

RESOLUTION:

Moved by Director Faltings, seconded by Director Furst, approved Resolution No. 2766, commending Steve Goodman for his years of service on the District Board of Directors and the LARPD Foundation, by the following roll call vote:

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

4. CONSENT ITEMS

- 4.1** Resolution No. 2767 determining to conduct meetings of the LARPD Board of Directors using teleconferencing pursuant to Government Code 54953 as amended by AB 361;

District Counsel Rod Attebery advised the Board that there is new legislation with respect to virtual meetings which will drastically change how special districts may conduct these meetings as the Brown Act has been amended. February 28, 2023 is the date in which California's State of Emergency is due to expire. After that, there will be a limited number of virtual meetings that you may attend as a Board member, and if you decide to take that path, there are additional provisions within the new legislation that will require you to make it virtually available for individuals of the public that are not attending live. For the most part, after February 28, 2023, the Board will be back in person with at least a quorum present. Neumiller & Beardslee is working on a memorandum to all its public agency clients to identify what can and cannot be done in terms of virtual attendance at meetings.

- 4.2** Approval of the Minutes of the Regular Board Meeting of October 12, 2022;

MOTION:

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

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

5. DISCUSSION AND ACTION ITEMS

5.1 LARPD INTRANET

The Board received a presentation from staff on implementation of the LARPD intranet. General Manager (GM) Fuzie reported that one of the District goals for this fiscal year was to get an intranet up and running. Thanks to staff and IT consultants, this has been implemented, and went live as of Wednesday, October 19th. Staff will continue efforts to create content to populate the intranet site. This is a work in progress. Business Services Manager (BSM) Jeffrey Schneider shared his screen to explain what an intranet is and how staff will be utilizing the new cloud-based Microsoft SharePoint platform along with OneDrive and Teams instead of the

previous environment of on-premise servers. Human Resources Officer (HRO) Michelle Kleman added that the intranet will facilitate employee engagement. For example, we may be able to leverage the intranet rather than sending out newsletters via email. She introduced Human Resources Analyst (HRA) Amber Maugeri, who shared a sample homepage on the SharePoint sight with key features that each department may apply to their own news pages. HRA Maugeri then provided a tour of the live Human Resources site, highlighting information provided on 2022 Benefits & Open Enrollment, forms, upcoming events, contact information, and other important links.

Director Questions/Comments:

- Will the public have the right to access anything and everything that staff has published on the intranet through a public records request? [*This will make it easier for staff to find and organize what the PRA is asking for in a more efficient way.*]
- The intranet system is basically a public system that is accessed by staff, so comments that they don't want in public should not be put down in writing.
- Does the Board of Directors have access to this information? Director Furst requested this topic be added to a future Board agenda. [*GM Fuzie advised that at this time the Directors are not included in the permissions in this staff platform. We can discuss this further at a future meeting regarding what level of access the Board would want to have. Access controls and various permissions can be established.*]
- When she first became a Board member, Director Palajac was surprised that LARPD did not have an intranet, having come from the City of San Jose, and knowing how valuable it was to store documents and be able to access items. The intranet there was for staff, a working place to get things done. There were a few places where City Council members did have access, but for the most part it was for staff only and there was a reason for that. This does deserve more of a discussion. She is happy to see that this is up and running and hopes that staff finds it as valuable as she did.
- Kudos to staff. This is a foundational item that must be put in place before you can move forward.

The Board had no further comments or questions. This was discussion only and no Board action was taken.

6. INFORMATIONAL ITEMS (No Action Required)

6.1 GENERAL FINANCIAL UPDATE

GM Fuzie reported that the District continues to do well financially.

BSM Schneider summarized results through September, 2022 (Month three of the new Fiscal Year) which remain favorable across the board, but not as favorable as was the case in July and August. Year-to-date, Revenues from Operations are \$264k, or 15%, above Budget, Salaries and Benefits are \$251k (8%) below Budget, and Services and Supplies plus Capital Equipment are \$132k below budget (some, but not the majority, of which is timing vs Budget assumptions). Off to a very solid start (Net Operating Contribution is \$695k favorable). Cash is on forecast at \$6.4 million. The District is now investing its reserves in 90-day CDs (\$3.5 million) and in

CAMP, the California Asset Management Program (\$1.0 million, to increase to \$1.4 million on October 28th).

BSM Schneider reported on the Fixed Asset Audit. Staff's efforts to audit all buildings and fixture asset values are nearly complete, and no material issues have arisen. The overall audit process is going well, and Staff hopes to be done and able to present an audit report to the Board this calendar year.

The Board of Directors had no further comments or questions. This was information only and no Board action was taken.

6.2 COVID-19 PROGRAM UPDATES

GM Fuzie reiterated that California's COVID-19 State of Emergency will terminate as of February 2023. There have been no changes in COVID-19 programmatically. LARPD continues to comply with the Health Agency's mandates and reporting. Cases have slowed down as we move into quasi-normalcy. Future Board Meeting Protocols and Processes will be a topic of discussion at the next Board meeting so that we may prepare for the State of Emergency termination in February 2023.

HRO Kleman reported the District currently has zero COVID-19 cases.

The Board of Directors had no further comments or questions. This was information only and no Board action was taken.

7. COMMITTEE REPORTS

- a) Director Palajac reported her attendance, along with Chair Faltings, at the October 19, 2022 Program Committee meeting. The Agenda was included in the Board's Agenda packet.
**The Committee recommended that Community Service Manager Jill Kirk bring the presentation given on Library/LARPD Programs to the full Board.
- b) Director Boswell reported his attendance, along with Director Pierpont, at the October 17, 2022 Finance Committee meeting. The Agenda was included in the Board's Agenda packet. Financial results through September were reviewed, as BSM Schneider just summarized. Director Boswell expressed his appreciation to BSM Schneider and his team for their efforts on the Fixed Asset and Annual Audit.
- c) Chair Faltings reported her attendance, along with GM Fuzie, at the October 20, 2022 Intergovernmental Committee meeting. The Agenda was included in the Board's Agenda packet. (Chair Faltings and GM Fuzie attended virtually, while others attended live. Due to this hybrid format, audio quality issues made it difficult to hear.) Topics discussed included a summary of the COL/LARPD Master Property Agreement, and the School Bond Project.
- d) Director Pierpont reported his attendance at the October 18, 2022 Livermore Downtown, Inc. meeting. He encouraged everyone to visit the website to get more information on who they are, what they do, and upcoming events
<https://www.livermoredowntown.com/events/calendar>

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Pierpont invited everyone to come join several Livermore Downtown retailers plus Alden Lane Nursery for the 31st Annual Holiday Open House on Friday, Saturday, and Sunday November 11, 12 and 13, 2022. This event is designed to celebrate the beginning of gift giving season with some great discounts and gives you a chance to win \$200 in gift cards. Get 25% OFF* one item from each participating retailer!

How To Participate:

- 1) Pick up a Passport from any participating location
- 2) Use coupon for your shopping needs!
- 3) Collected a stamp** from each location
- 4) Leave your completed passport at any participating retailer for you to have a chance to win \$200 in gift cards

**no purchase necessary to collect stamp

Participating Retailers Include:

Alden Lane Nursery, 981 Alden Lane, Livermore, CA 94550, (925) 447-0280
Bodega Boheme, 2080 1st Street (Downtown), (925) 583-5158
Therapy, 2200 1st Street, (925) 583-8573 (Downtown)
Main Street Designs, 2196 1st Street, (925) 449-8573 (Downtown)
Sunrise Mountain Sports, 2184 1st Street (Downtown), (925) 447-8330
Mozart Einstein & Me, 2156 1st Street (Downtown), (925) 443-1244
The Holiday, 2323 1st Street (Downtown), (925) 583-5225
The Olive Oil Pantry #2, 2053 1st Street (Downtown), (925) 583-5976

9. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) On October 18, 2022, California Assemblymember Rebecca Bauer-Kahan visited the Livermore Area Recreation and Park District. Director Furst, GM Fuzie, and Community Services Manager Jill Kirk took her around to various sites, including the RLCC, Sycamore Grove Park, and Jane Adams Preschool. As a result, she became better acquainted with the District and what it does. GM Fuzie added that they spent time talking about deferred maintenance, parks that are aging, the inclusivity of parks, and where we are going in the future.

She asked that we provide her office with some needs for funding for the upcoming budget cycle. It was a very good visit.

- b) GM Fuzie attended the Livermore Rotary earlier today. He will be sending the Board an email asking its opinion on his membership application – whether he should or should not join.
- c) LARPD has received a map from Zone 7 with a proposed fence line and gates. This will be moved to the Facilities Committee for discussion.
- d) Yesterday was the final day of CEQA comments for the Pump Track at Sunken Gardens project. We have not received any comments to date. This will move forward to the full Board for an affirmation or denial of the spend for this project pursuant to our process.

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

Chair Faltings announced that there would be no Closed Session item for this meeting.

11. CLOSED SESSION

11.1 ~~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)~~

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

13. ADJOURNMENT: The meeting was adjourned at 8:13 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

/lvb