



Livermore Area  
Recreation and Park District  
*An independent special district*

## REGULAR MEETING of the BOARD OF DIRECTORS

### MINUTES

WEDNESDAY, JULY 31, 2024

5:00 P.M.

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

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

DIRECTORS ABSENT: Director James Boswell

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

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

OTHERS PRESENT: None

#### 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 Boswell. 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. CONSENT ITEMS:

3.1 Approval of the Minutes of the Regular Board Meeting on July 10, 2024

3.2 Approval of the Minutes of the Public Meeting in Ravenswood Park on July 17, 2024

#### MOTION:

Moved by Director Faltings, seconded by Director Palajac, approved the Consent Agenda Items 3.1 and 3.2, by the following voice vote:

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

NOES: *None (0)*

ABSTENTIONS: *None (0)*

ABSENT: *Director Boswell (1)*

#### 4. DISCUSSION AND ACTION ITEMS

##### 4.1 CONTRACT BETWEEN ZONE 7 OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE LIVERMORE AREA RECREATION AND PARK DISTRICT FOR A TREATED WATER SUPPLY, FOR A 30-YEAR TERM

GM Fuzie commented that the agreement was brought forth to the Facilities Committee on July 10, 2024 meeting for review and the committee suggested the agreement move forward to the full Board.

DC Shen reviewed the agreement and found minor discrepancies in the indemnification provisions. He suggested the California Association for Park & Recreation Indemnity (CAPRI) Legal Counsel review the indemnification provisions for any edits, changes, or feedback prior to signing the agreement.

GM Fuzie agreed with DC Shen's suggestion with the caveat that the agreement is not signed until CAPRI's review is completed.

##### Board Comments/Questions:

- The Board agreed with the suggestion to have CAPRI review the agreement's indemnification provision and not sign the agreement until it has been vetted.
- Director Faltings asked the name of CAPRI's Legal Counsel. *[GM Fuzie: Matt Duarte who is also its Executive Director].*
- Director Furst provided edits as follows:
  - Attachment 1, Page 4, Number 8 Notices, Customer Information Box: change "Livermore Area Recreation & Park District" to "Livermore Area Recreation and Park District".
  - Attachment 1, Page 5, Livermore Area Recreation and Park District signature block: change "Chairman, Board of Directors" to "General Manager".
- Chair Furst requested clarification regarding who signs the agreement. He noted that the customer information (page 4) states the "General Manager, and the signature block (page 5) states "Chairman, Board of Directors". *[The Board discussed the item and agreed to have the General Manager sign page 5].*
- The Board agreed with all the minor edits from Chair Furst.

##### RESOLUTION:

Moved by Director Pierpont, seconded by Director Faltings, adopted Resolution No. 2813, authorizing the General Manager to execute the Contract Between Zone 7 of Alameda County Flood Control and Water Conservation District and Livermore Area Recreation and Park District for a Treated Water Supply, as amended and subject to CAPRI legal counsel review of the indemnification clause, by the following roll call vote:

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

## 5. INFORMATION ITEMS (No Action Required)

### 5.1 Arroyo Trail Crossing

The Board of Directors received an update from GM Fuzie on the status of the Arroyo Trail Crossing project. GM Fuzie reported that the Arroyo Trail Crossing project has seen positive developments. The city has revised its plan, adding approximately \$2.5 million in county-funded improvements for a 100-foot bridge from the Wentz property to LARPD. The change will not increase costs for LARPD and is independent of a county project that has been shelved for the next five years. The Board will need to approve the final plans before moving forward, with some minor adjustments agreed upon with Wentz, such as the location and operation of a gate on their property.

GM Fuzie emphasized that the most challenging part of the project will be installing the bridge, which involves significant grading and the use of heavy equipment. Once the bridge is in place, paving can proceed, ensuring the trail is consistent with the rest of the path and suitable for all weather conditions. The project is expected to be completed by 2025. GM Fuzie also noted that Wentz has been cooperative, although they prefer to wait until the project is fully ready before opening any sections to the public. The city has been convinced to make necessary adjustments, and both LARPD and Wentz are satisfied with the current direction of the project.

This was informational only and no Board action was taken. However, the following items were suggested:

- Bring a Google Earth map to the Facilities Committee so that the exact location of the bridge can be noted.
- GM Fuzie to check if Tri-Valley Conservancy has an easement on the property.

### 5.2 Grazing Pilot Program

GM Fuzie provided an update on the Grazing Pilot Program, which is set to begin on Upper Sycamore Grove in collaboration with the Faglianos. The program aims to use cattle grazing as a land management tool, following a grazing policy adopted by the Board years ago. The pilot will last five years during which the District will learn the best practices for grazing on public land, including fencing and cattle management. The initial cost is estimated at \$26,000 for fencing, and while there is no cost recovery planned at this stage, future grazing could potentially include a fee structure.

GM Fuzie emphasized that the program's primary benefits include reducing invasive species, improving fire prevention, and maintaining native vegetation, which aligns with the historical use of the land. Although the District lacks expertise in cattle grazing, they have recently hired someone with relevant experience to oversee the project. The pilot will also involve educating the public, ensuring access to trails, and installing cow-proof gates.

This was informational only and no Board action was taken. However, the following was suggested:

- The Board discussed the need for transparency and regular updates as the program progresses. While the board has already approved the grazing policy, GM Fuzie agreed to keep the board informed, especially during key

milestones like signing of the agreement with the Faglianos, fence installation, etc.

**6. COMMITTEE REPORTS**

- a) Director Pierpont reported that the July 16, 2024 Livermore Downtown Inc. meeting was cancelled.
- b) Director Palajac reported on her attendance at the July 15, 2024 Alameda County Agricultural Subcommittee for Trails meeting. The subcommittee focused on polishing up a presentation to the Alameda County Agricultural Committee for approval. The presentation would be used to present to other entities to gain support for the South Bay Aqueduct Trail. Vice Chair Palajac mentioned that Chair Furst pointed out a mistake in a slide regarding partnerships that included LARPD--which should be changed to "potential" partnerships.

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

- a) Director Pierpont shared that he will be throwing the first pitch at one of the Little League Intermediate World Series games. GM Fuzie added that the fields were in excellent condition. Moreover, bark was added outside the fence which was well used by ESPN by placing jumbotrons for the event.
- b) Vice Chair Palajac shared her experience working with city staff in assisting with a resident's suggestion about a native garden on city property next to Big Trees Park.

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

GM Fuzie made the following announcements:

- a) Good news about a new budget tool which tracks changes, sets goals, and creates budget forecasts.
- b) The 2025 California Association of Recreation and Park Districts (CARPD) Conference is scheduled for May 20 – 24, 2025 in San Diego. More information will follow as details are released.
- c) Noted the District and City are working together regarding Bruno Canziani Park and the Wente water issue there. More information will be coming to the Board with an expenditure at some point for hooking up to City water or some other source then partnering with the City.
- d) The Employee Picnic is scheduled for August 9, 2024 from 12:30 p.m. to 3:30 p.m. The Board is welcome to join us.
- e) DC Shen provided a brief update on amendments to Ordinance 8. GM Fuzie has been instrumental in coordinating with the police chief, who suggested a minor tweak that we are happy to implement. He will work with EA VanBuskirk on public noticing requirements, and then the final version will be presented for approval at the next board meeting.

**9. ADJOURNMENT:** The meeting was adjourned at 5:56 p.m.

APPROVED,



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David Furst  
Chair, Board of Directors

ATTEST:



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

LVB/rvd