



Livermore Area
Recreation and Park District
An independent special district

LIVERMORE AREA RECREATION AND PARK DISTRICT
REGULAR MEETING of the BOARD OF DIRECTORS
MINUTES

WEDNESDAY, MAY 8, 2024

5:00 P.M.

ROBERT LIVERMORE COMMUNITY CENTER
4444 EAST AVENUE, LIVERMORE, CALIFORNIA
SYCAMORE ROOM

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

DIRECTORS ABSENT: None.

STAFF MEMBERS PRESENT: David Weisgerber, Community Outreach Supervisor (COS)
Linda VanBuskirk, Executive Assistant (EA)
Mathew Fuzie, General Manager (GM)
Rene Venus Dalusong, Executive Assistant (EA)

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

- 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.
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 April 24, 2024;
- 3.2 General Manager’s Monthly Update to the Board on Issues and Projects – May 2024.

MOTION:

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

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

4. DISCUSSION AND ACTION ITEMS:

4.1 Discussion and Direction Regarding Amendments to Ordinance No. 8 (Establishing Rules and Regulations Concerning Use of District Facilities and Parks).

The Board received an update from DC Shen regarding the proposed amendments to Ordinance No. 8, establishing rules and regulations regarding the use of District parks and facilities. The first discussion was about the regulation of drones.

DC Shen provided information on the FAA’s guidelines on the use of drones in the areas of permissible regulations. Moreover, options and alternatives were provided for discussion as listed:

- the flight of drones within 200 feet of any District facility or park;
- the use of drones to capture images or video of any person on District property, without that person’s written permission; and
- using any District property as takeoff and landing areas for drones.

Director Comments/Questions:

- a) Director Palajac requested clarification on the first bullet, “the flight of drones within 200 feet of any District facility or park”. *[DC Shen confirmed it’s the vertical distance – from the ground and up].*
- b) Director Pierpoint noted his concerns regarding the complexity of regulating drones at LARPD parks and facilities.
- c) Director Boswell vocalized his concerns about policing drone use and suggested having a written policy regarding drone use in parks.
- d) Director Palajac reiterated the flight distance matter and agreed with Director Boswell regarding policing drone use. However, an updated written policy should be in place.
- e) Director Palajac questioned the FAA’s guidelines on who regulates privacy of the use of drones. *[DC Shen – FAA states Local government can regulate privacy interest. FAA does not regulate privacy issues with the use of drones].*
- f) Director Palajac is in favor of drone users following the FAA rules and guidelines.

- g) The Board Members requested clarification regarding the first bullet item about elevation.
- h) Director Faltings questioned which governing bodies rules take precedence in regulating drones. *[DC Shen – After a search, there were no rules or municipal code on who takes precedence].*
- i) Director Furst asked if the size of the drones should be regulated. *[All drones of any size will follow the same regulations].*
- j) The Board Members agreed with the 200 feet regulation and the remaining bulleted suggestions provided by DC Shen.

NEXT STEPS:

- The Board agreed with DC Shen’s three bullet options and alternatives regarding use of drones in District facilities and parks. Alternatively, the Board confirmed DC Shen received enough suggestions on the first review of Ordinance 8, drone use.
- DC Shen will present the second draft ordinance at a future board meeting which will include flight elevation (include horizontal) information; privacy: taking photos and videos; using take-off and landing in District parks and facilities; incorporating the FAA rules and guidelines; and exempting drone use for staff and other agents such as law enforcement.

DC Shen continued with the second discussion regarding Penalties for Violations. The current version of Ordinance 8 identified violations as infractions only, and the Board could keep that approach or consider other options. DC Shen provided an example of one option to specifically identify provisions that may be prosecuted as a misdemeanor or mirror State law by treating violations as “wobblers” that could be either misdemeanors or infractions.

Director Comments/Questions:

- a) GM Fuzie suggested the reason why the District should mirror State law because it’s a product that already exists and successfully works.
- b) Director Palajac favors the “wobbler” option.
- c) DC Shen pointed out the reference “wobbler” will not be used in the ordinance.
- d) Director Pierpont is on board with mirroring State law when treating violations.
- e) Director Palajac questioned Attachment 1, page 2, item 103(f); that the Police Department would be enforcing the rules and regulations not uniformed District Rangers. *[GM Fuzie – Correct. Item will be updated to reflect the change].*
- f) Director Palajac requested confirmation on Attachment 1, page 2, item 104(g) will be revised. *[DC Shen – yes, will update the language].*
- g) Director Palajac commented on Attachment 1, page 5, Section 311 - Control of Animals due to the fact that the District has dog parks. *[Will include “with the exception of dog parks].*
- h) Director Furst questioned the term “unit” used and whether that was referred to campgrounds. *[GM Fuzie – the term “unit” refers to a specific designated area].*
- i) Director Palajac pointed out misspellings on Attachment 1, page 3, 103(k) – Constitutes should be constitute. *[DC Shen will revise].*

NEXT STEPS:

- The Board will provide DC Shen with comments, edits, and or corrections. The draft Ordinance 8 will return to a future meeting for a second review.

4.2 Discussion and Direction Regarding a District Policy on Artificial Intelligence.

COS Weisberger provided context on how staff are currently using artificial intelligence to help the Board determine if a policy is needed. Currently there is no written policy regarding the use of artificial intelligence. Listed below is a list of the types of AI and uses:

- Generative AI
- ChatGPT
- Content assistance for social media, newsletter, Constant Contact – first draft only followed by several human reviews.
- Research
- Summarization of information

Director Comments/Questions:

- a) Director Pierpont believed it was too early to create an outward AI policy.
- b) Director Palajac reiterated the item was brought to the Board to have a discussion and get ideas.
- c) Director Furst queried if there is a written policy in place regarding review of work using AI intelligence. *[COS Weisberger – no written procedures. The AI is only used as a first draft or starting point].*
- d) Director Faltings questioned the dangers of AI intelligence and the need for a policy. *[COS Weisberger – the risks are sole reliance on AI tools and providing information that's not public which is entered into the AI database].*
- e) Director Faltings noted to remedy the risk is having multiple human reviews. *[COS Weisberger – Yes].*
- f) Director Furst reiterated if there should be a formal process to use the IA intelligence. *[GM Fuzie – agreed; and recommended having a simple statement indicating we do not use AI for decision making].*

ACTION:

- The Board agreed to have the Discussion and Direction Regarding a District Policy on Artificial Intelligence item return to a future Board Meeting within six months.

4.3 Recap of Community Service Day

The Board received an update from COS Weisberger on Community Service Day, originally scheduled for Saturday, May 4, 2024.

The event was postponed due to wet weather. The event is to be rescheduled in September; however, a date has not been finalized by the team (LARPD, school district, and City).

An LARPD project, the spreading of mulch, was part of the Community Service Day event. The Parks and Facilities Manager, Fred Haldeman, will be working on finding a new date and volunteers.

Director Comments/Questions:

- a) Director Furst asked for clarification of the postponement – Fall possibly or September specifically. *[COS Weisberger – identifying a few dates in September, but nothing has been finalized yet].*

ACTION: This was a discussion only, no Board action was requested or taken.

4.4 Playground Replacement Program Update

GM Fuzie gave an update on the playground replacement program, including progress at Jack William Park, Bill Clark Park, and Ida Holm Park. The updates are as follows:

- The playground portion of all three parks has been dismantled.
- Two crews will be working on the project and should be completed by the end of May 2024.
- The District was able to update all three parks because the funding source for half of two parks was from reserves plus standing funding sources.

GM Fuzie mentioned that the staff is currently working on the budget and should be available for initial review tomorrow morning by the Finance Committee. Next year's budget will be tight; however, this year will have a surplus. The district anticipates paying for the Cayetano Park project with the surplus funds which means staff will be recommending the Board to designate reserves for two more parks next year. GM Fuzie assumes the Board wants to continue the playground replacement program.

ACTION: This was a discussion only, no Board action was requested or taken.

4.5 2024 Public Meetings in the Park

The Board reviewed and discussed the staff's recommended list of public meetings in the park locations.

GM Fuzie discussed the following proposed park locations and reason for each one:

- Bruno Canziani – unique design that includes a retention basin and dog park
- Ravenswood Park – not the Ravenswood historic site, but the neighborhood park. Proposed twice but never selected due to the COVID pandemic.
- Vista Meadows – has never been visited for a Meeting in the Park.

There were no other proposals or recommendations for locations.

GM Fuzie reminded the Board some of the reasons park locations are not considered because of the following:

- a) updated parks are pending a ribbon cutting event; and
- b) parks that have not been updated.

Director Comments/Questions:

- a) Director Faltings and Palajac reiterated and clarified that Ravenswood Park is the neighborhood park, not the historic site to the east of the park.

ACTION:

- The Board approved the 2024 list of locations for public meetings in the park.

5. INFORMATIONAL ITEMS (No Action Required)

None.

6. COMMITTEE REPORTS

- a) Director Pierpont reported on his attendance, along with Director Boswell, at the May 6, 2024, Program Committee meeting. Its agenda was included in the Board agenda packet. The Extended Learning Opportunities Program (ELO-P) Program, an after-school enrichment program for underserved students was discussed at that meeting.
- b) Director Boswell reported on his attendance, along with Director Faltings, at the May 8, 2024, Facilities Committee meeting. Its agenda was included in the Board agenda packet. The Bothwell Center uses were discussed during that meeting, and the Committee suggested this item be presented to the full Board for discussion and direction.
- c) Chair Furst reported on his attendance, along with GM Fuzie, at the May 8, 2024, Alameda County Special Districts Association meeting. Its agenda was included in the Board agenda packet. The new construction of the Castro Valley Sanitary District (CVSan) building was discussed at that meeting.
- d) Director Pierpont reported his attendance at the May 1, 2024, Chamber of Commerce Business Alliance meeting on behalf of Chair Furst who was unable to attend the meeting. At that meeting, California Water and Zone 7 gave a presentation on water conservation; capture/storage; and current projects.
- e) Director Palajac reported her attendance at the May 6, 2024, LARPD Foundation meeting. Its agenda was included in the Board agenda packet. The 2024 Wine Down in The Grove event scheduled on June 21, 2024, was discussed at that meeting.

7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Boswell asked if the Bothwell Center item will be added to the upcoming agenda or postpone to a future meeting. *[GM Fuzie – postponed to a future meeting]*.
- b) Director Furst reported his attendance at the Annual California Trails and Greenways Conference on April 30 – May 3, 2024. One of the interesting topics was illegal bootlegged trails.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) Reminded the Board of the May 29th Board meeting focused on Budget. The two board meetings in June will provide time to make budget adjustments, if needed, before June 30, 2024.
- b) Also, during the May 29th Board meeting, the City of Livermore will be presenting an update on the Springtown Open Space Improvements Plan to ask the board to accept the project once completed and at what level would LARPD be willing to maintain it.

9. **ADJOURNMENT:** The meeting was adjourned at 6:35 p.m.

APPROVED,



David Furst
Chair, Board of Directors

ATTEST:



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

Lvb/rvd