



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, DECEMBER 9, 2020

2:00 P.M.

NOTICE: Coronavirus COVID-19

In accordance with Governor Newsom's Executive Orders, members of the Livermore Area Recreation and Park District Board of Directors and staff participated in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public also participated in this meeting electronically.

DIRECTORS PRESENT: Directors Boswell, Furst, Pierpont, Faltings and Chair Palajac

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Mat Fuzie, Alexandra Ikeda, Fred Haldeman, Jeffrey Schneider, Jill Kirk, David Weisgerber, Jessie Masingale, Joseph Benjamin, Julie Dreher, Lesley Shaw, Linda VanBuskirk, Lynn Loucks, Marilyn Youngman, Megan Shannon, Michelle Newbould, Nancy Blair, Natalie Kaaiawahia, Patrick Lucky, Rachel Karkazis, Robert Sanchez, Tracy Castro, Vicki Wiedenfeld, Rod Attebery

OTHERS PRESENT: Allison Finkes, David Becker, Stacey Swanson

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

Chair Palajac called the meeting to order at 2:02 p.m. All Directors were present, via Zoom, except Director Faltings who was experiencing technical difficulties and joined the meeting at 2:20 p.m. Chair Palajac led the Pledge of Allegiance.

Chair Palajac reordered the Agenda to hear [Item 3] Oath of Office for Directors of the Board before taking [Item 2] Public Comment.

2. OATH OF OFFICE FOR DIRECTORS OF THE BOARD:

General Manager Mathew Fuzie administered the Oath of Office to Chair Jan Palajac and Director James E. Boswell, who were elected to the Board on November 3, 2020.

3. PUBLIC COMMENT: There were no public comments.

4. CONSENT ITEMS: (Motion)

- 4.1 Approval of the Minutes of the Regular Board Meeting of November 18, 2020
- 4.2 General Manager's Monthly Update to the Board – December 2020

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

AYES: *Directors Boswell, Pierpont, Furst, and Chair Palajac*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *Director Faltings*

5. DISCUSSION AND ACTION ITEMS

5.1 DISTRICT AUDIT FOR FISCAL YEAR 2019-2020

General Manager Mathew Fuzie introduced the item, and Administrative Services Manager Jeffrey Schneider presented the staff report on the completed District Audit for Fiscal Year 2019-2020. He reported the District received a clean unmodified audit opinion. Staff recommended the Board conduct a review of the Audit Report and consider acceptance.

ASM Schneider introduced David Becker, CPA and Partner with James Marta & Company LLP, District auditors, who conducted the annual audit of the District's financial reporting and processes for FY 2019-2020. Mr. Becker gave a presentation to the Board which provided an overview of the audit results and concluded that no control deficiencies were identified. He stated the fund balance looks very strong at \$8.3M which represents 39% of current year operating expenses. Discussion ensued and Mr. Becker responded to Board questions relating to the net pension liability decrease by \$2.1M and the net OPEB (other post-employment benefits) liability decrease by \$455k.

Director Pierpont moved to accept the Fiscal Year 2019-2020 District Audit, seconded by Director Faltings. The motion carried unanimously, by the following roll call vote:

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

5.2 DISTRICT NOTICE 0001 – PERSONNEL RULES AND REGULATIONS – HOLIDAY PAY

GM Fuzie introduced the item and ASM Schneider presented the staff report which highlighted the four primary purposes associated with revisions made to District Notice 0001 which will supersede DN 0001 – Personnel Rules and Regulations: Holiday Pay, published on November 27, 2018. This revised District Notice was

reviewed by both the Personnel Commission on December 1, 2020 and the Personnel Committee on November 10 and December 2, 2020, and the instant staff report reflects their input and recommendations. Staff, along with both the Personnel Commission and the Personnel Committee, recommend Board approval of the proposed revisions regarding Holiday Pay.

Board members expressed support of the District Notice as presented.

Moved by Director Furst, seconded by Director Pierpont, adopted Resolution No. 2705, approving District Notice 0001, Personnel Rules and Regulations – Holiday Pay (Revised), by the following roll call vote:

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

5.3 DISTRICT NOTICE 0007 – ELIMINATION OF ADMINISTRATIVE LEAVE FOR EXEMPT EMPLOYEES

GM Fuzie introduced the item and ASM Schneider presented the staff report. This District Notice (DN) supersedes the current Administrative Leave Policy HR-14-2455 with a more flexible system in which the Management Team can directly manage the effectiveness of their exempt staff in achieving goals and objectives while supporting their ability to achieve a healthy work-life balance. District Notice 0007 – Elimination of Administrative Leave for Exempt Employees was reviewed by both the Personnel Commission on December 1, 2020 and the Personnel Committee on December 2, 2020, and the instant staff report reflects their input and recommendations. Staff, along with both the Personnel Commission and the Personnel Committee, recommend Board approval of District Notice 0007.

Board members expressed support of the District Notice as presented.

Moved by Director Faltings, seconded by Director Furst, adopted Resolution No. 2706, approving District Notice 0007, Elimination of Administrative Leave for Exempt Employees, by the following roll call vote:

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

5.4 BOARD MEETING SCHEDULE FOR 2021

Pursuant to Board Policy 5010-Board Meetings, the Board of Directors shall set the date, time and place of regular Board meetings at the annual organization meeting held in December. Staff recommended that the Board review and discuss the proposed draft 2021 Board Meeting Schedule included in the agenda packet.

Chair Palajac stated that in the past LARPD Board meetings have normally been held on the second and last Wednesdays of the month at 7:00 p.m. at the Robert Livermore Community Center, and there has been only one Board meeting in the

months of November and December. [Due to the current COVID-19 pandemic, the Board approved a revised schedule as of June 9, 2020 in order to hold meetings at 2:00 p.m. virtually, currently via Zoom.] She posed the possibility of changing the second meeting of the month to a workshop meeting as opposed to a regular board meeting. This would accommodate the two CIP workshops normally held each year plus two (or more) budget workshops. The possibility exists that several workshops to discuss District policies will also be needed this year to address necessary policy revisions and/or additions. District Counsel Rod Attebery confirmed that the second regularly scheduled meeting could be held as a workshop without violating the Brown Act as long as public notice **requirements are followed.**

Discussion ensued with Board consensus to maintain the schedule of meetings held on the second and last Wednesday of each month, with the exception of November and December, when there is only one meeting scheduled. The Draft 2021 Board Meeting Schedule should be corrected to show the first meeting in June to be held on Thursday June 10th, as Wednesday June 9th will be the Rodeo Mixer, and to correct the last meeting in June to be held on June 30th, not June 23rd. A caveat should be added so that the public is aware that current meeting times are temporary due to the COVID-19 pandemic, and the Board may adjust meeting time and place back to a later time at the RLCC once the COVID-19 emergency situation and resulting Health Order restrictions have been lifted.

Moved by Director Pierpont, seconded by Director Furst, set the time and place for Board meetings and adopted the 2021 Board Meeting Schedule, as amended, by the following roll call vote:

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

5.5 ANNUAL BOARD POLICY MANUAL REVIEW

Chair Palajac stated the Board would discuss whether it wishes to make any revisions to the Board Policy Manual.

Chair Palajac opened public comment. No public comments were received. Public comment was closed.

Discussion ensued and the Board consensus was to hold a Board Policy Manual Review Workshop. The following potential changes to policies were suggested:

- Addition of what day and time board meetings will be held to Board Policy 5010 which discusses how often the Board meets.
- Adjust Board Policy 4020 to make sure that the language does not confuse TERM OF OFFICE with ATTENDANCE AT MEETINGS:
- Create a Term of Office policy pursuant to Public Resources Code § 5784.3, which should be the standard by which the District operates.
- Term of office should take into account situations when board members are appointed to the Board. District Counsel Rod Attebery recommended citing the Elections Code.

- A policy on Term of Office should simply reference that the District follows statute.

5.6 ELECTION OF BOARD OFFICERS FOR 2021

Chair Palajac stated the Board will elect a Chair and Vice Chair of the Board of Directors for calendar year 2021. She added that Board Policy 4040 stipulates who the incoming Chair and Vice Chair will be according to a set of criteria.

Moved by Chair Palajac, seconded by Director Boswell, accepted the policy rotation so that Vice Chair Pierpont will serve as Chair of the Board of Directors for 2021, and that Director Faltings will serve as Vice Chair of the Board of Directors for 2021, by the following unanimous roll call vote:

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

6. INFORMATIONAL ITEMS (No Action Required)

6.1 GENERAL FINANCIAL UPDATE

Chair Palajac stated the General Financial Update will be a standing item on the agenda while the District operates under the COVID-19 emergency declaration. General Manager Fuzie discussed the importance of a General Financial Update for the public and Board members to hear on a regular basis so that they may have an opportunity to ask questions or to take actions depending on the fluidity of the situation, recent events or actions. He reported that at this time the District is still tracking along the projected budget path, and remains a positive direction to the budget. There are currently no concerns that must be elevated to the Board at this time.

The Board of Directors had no comments or questions on this item.

6.2 COVID-19 PROGRAM UPDATES

GM Fuzie reported on COVID-19 numbers in Alameda County. As of Monday, Livermore was at 23.45 rolling 7-day average per 100,000 which caused the six Bay Area counties to move ahead of the State's recommendation on closures. The effect upon the District was the closure of indoor exercise, indoor classes, and effectively not moving forward on some of the things it had been working on. Playgrounds were closed; however, there was a change made today, and Staff is waiting to see if the County follows suit, allowing the opening of the LARPD playgrounds. Recreation Department Manager Alexandra Ikeda confirmed that the State has issued that they will be allowing the reopening of playgrounds. LARPD is waiting for the Health Order to be updated to reflect that change. GM Fuzie further reported that as a result of the District's continuing program adjustments due to COVID-19, LARPD has been talking with the City about adding capacity to our current footprints using AB1600 funds, and the City has been very supportive of that concept. Board members may forward any concept ideas, via email, to the General Manager. These can be items that will enhance the experience of the public within the neighborhood parks.

The Board of Directors had no comments or questions on this item, except for a shout-out to Community Services for adding the annual report infographic from the Neighborhood Park Ambassador Program to the General Manager's Monthly Report for December.

7. COMMITTEE REPORTS

- a) Director Faltings reported her attendance at the December 7, 2020 LARPD Foundation Trustees meeting. The Foundation welcomed new trustee member Stacey Swanson.
- b) Director Furst reported his attendance at the December 3, 2020 Facilities Committee meeting, along with Chair Palajac.
- c) Director Furst reported his attendance at the December 2, 2020 Livermore Chamber of Commerce Business Alliance meeting. He announced that on Monday, December 14, 2020 at 11:30 a.m., Dr. Nicholas Moss, Health Officer with the Alameda County Public Health Department, will be speaking to the Chambers of Commerce of Dublin, Pleasanton and Livermore. This will be a public meeting and anyone interested in attending virtually may register in advance through the Livermore Chamber of Commerce. Dr. Moss generally gives an update on COVID-19 and the latest Alameda County Health Order. Attendees will have an opportunity to ask questions at the end of Dr. Moss' presentation.
- d) Director Furst reported his attendance at the December 2, 2020 Livermore Cultural Arts Council (LCAC).
- e) Director Pierpont reported his attendance, on behalf of Director Faltings, at the December 2, 2020 Personnel Committee meeting.
- f) Director Pierpont reported his attendance at the November 23, 2020 Finance Committee meeting.
- g) Chair Palajac reported her attendance, along with Director Pierpont, at the December 7, 2020 Ad Hoc Budget Committee meeting.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Furst asked Board Chair Elect Pierpont to consider adding an Ad Hoc Committee to discuss equity and inclusion.
- b) Director Furst stated that he appreciates that the Finance Committee discussed board travel and board stipends. He thinks we need to do more than that, and asked that this be an agenda item during the first meeting in January where the Board itself will discuss and give input on Board Travel in 2021 and a discussion of its stipend levels.
- c) Director Faltings announced that Brian Tibbetts, a former Recreation Supervisor for LARPD, passed away on December 7, 2020.
- d) Board Chair Elect Pierpont announced that he will be reaching out to the board members with a form to complete and return so that they may give their annual preferences and interests regarding which committees they would like to be on.
- e) Director Furst asked if Staff can bring an updated presentation on diversity in the District to a future board meeting. He recalled that Recreation Supervisor Allie Ikeda gave a very good presentation on Fostering Diversity at the January 9, 2019 board meeting.

9. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) The District offices will be officially closed during the holidays, December 24, 25, 31 and January 1.
- b) This year the team decided that it would not do any virtual holiday gatherings. This will be left up to the individual teams. GM Fuzie will distribute a District-wide letter to all

employees summarizing the year and their contributions. If Board members would like to be included in any message, please let GM Fuzie know, and he will include that.

- c) The City is conducting a City-wide ADA assessment. They've included any facilities owned by the City that LARPD is operating in that assessment such as Ravenswood, the Carnegie Building, The Barn, and including parks.
- d) GM Fuzie is working on a policy/procedure discussing All Board Member Notifications to develop parameters and clarify expectations regarding when and how the Board will be notified by Staff and the General Manager and the types of situations that would qualify or not qualify as an All Board Member Notification. More detail will follow soon.

10. ADJOURNMENT: Before adjourning the meeting, Chair Palajac stated that it has been an honor to serve as Chair of the Board in 2020. She stated she never dreamed that a pandemic would hit with the challenges it brought to the District. It did give her a chance to get to know Staff better and to develop a deep respect and appreciation for the talented and dedicated people who work at LARPD. She stated it is her sincere hope that 2021 brings an end to the pandemic.

The meeting was adjourned at 4:35 p.m.

APPROVED,

Jan Palajac
Chair, Board of Directors

ATTEST:

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