



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

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

**THURSDAY, OCTOBER 10, 2019**

7:00 P.M.

ROBERT LIVERMORE COMMUNITY CENTER  
4444 EAST AVENUE, LIVERMORE, CALIFORNIA

**DIRECTORS PRESENT:** Directors Faltings, Palajac, Pierpont, Wilson and Chair Furst

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mathew Fuzie, Jeffrey Schneider, Alexandra Ikeda, Bruce Aizawa, Stacey Kenison, David Weisgerber, Jill Kirk, Linda VanBuskirk, Rod Attebery

**1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE:**  
Chair Furst called the meeting to order at 7:03 p.m. All Directors were present, except Director Palajac, who was expected to arrive later in the meeting. Chair Furst led the Pledge of Allegiance.

**2. PUBLIC COMMENT:** None.

Chair Furst announced that he would re-order the Discussion and Action Items, to hear Item 5.1 Solar Power Purchase Agreement, Sub-Lease, and Lease Extension last of the three items.

**3. PRESENTATIONS**

**3.1 LITTLE LEAGUE INTERMEDIATE WORLD SERIES**

Dave Wetmore, Kathleen Minser and Bill Aboumrad from the Little League World Series Intermediate Division gave a verbal presentation highlighting statistics from the seventh year hosting the LLWS event. Mr. Wetmore distributed a document entitled "2019 Little League Intermediate World Series – Event Summary" and reported that just under 50,000 people attended the LLWS this year at Max Baer Park. The group then presented a check in the amount of \$22,000 to the Board for this year's sponsorship of the score board. Board

members expressed their appreciation to the LLWS and recognized them for all their hard work in organizing this event. GM Fuzie added that LARPD will be working hard to improve the outfields at Max Baer Park for next year.

### **3.2 LARPD FOUNDATION**

Steve Goodman, President of the LARPD Foundation, introduced three new Foundation Trustees to the Board: David Wetherell, LARPD Foundation Vice President, Nicole Martinez, and Jill Fracisco. Board members welcomed and thanked the new Trustees for their time and energy, and expressed their appreciation for what the Foundation does, and will be doing, for the community.

## **4. CONSENT ITEMS**

- 4.1 Approval of the Minutes of the Regular Board Meeting of September 11, 2019**
- 4.2 Approval of the Minutes of the CIP Prioritization Workshop of September 11, 2019**
- 4.3 Approval of the Minutes of the Public Meeting in the Park of September 18, 2019**
- 4.4 General Manager's Monthly Report – October 2019**

Chair Furst pulled item 4.2 from the agenda. Moved by Director Faltings, seconded by Director Pierpont, approved the Consent Agenda, as amended, by the following voice vote:

AYES:	<i>Directors Faltings, Pierpont, Wilson, and Chair Furst</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>Director Palajac</i>

Director Palajac arrived on the dais at 7:18 p.m. Chair Furst re-ordered the Agenda back to its original order, since Director Palajac was present to hear Item 5.1.

## **5. DISCUSSION AND ACTION ITEMS**

### **5.1 SOLAR POWER PURCHASE AGREEMENT, SUB-LEASE, AND LEASE EXTENSION**

Chair Furst stated the Board would consider authorizing the General Manager to negotiate and execute the Solar Power Purchase Agreement, and extension to the RLCC Lease from the City of Livermore, and a Sublease between SSI DevCo, LLC and LARPD. Administrative Services Manager Jeffrey Schneider presented the staff report and the three draft agreements attached for the Board's review. He stated the drafts are ready to be finalized and executed by the General Manager.

Director questions/comments included: The types of arrangements that other agencies and cities have; the timing of the PG&E agreement and completion; technology and energy banking; the dramatic reduction of energy consumption due too recent energy conservation measures resulting in the District's energy footprint dropping by 45%; curtailment referenced in the agreement; what will the solar array over the Loyola parking lot look like and how much of the lot will it

cover? Is there a possibility of installing electric car charging stations within the array?

- ASM Schneider to provide a schematic of the solar array to Board members. The array will cover about 1/3 of the parking area without blocking ADA access to the Aquatic Center.

GM Fuzie stated there is very little downside to the project. The agreement provides the District with a stable rate for a long period of time. The District will mitigate at 3:1 for trees within the parks. Staff has been working closely with the City on the terms of the agreements; and District Legal Counsel approves of the terms in these agreements as drafted. The project will last from six to nine months.

- The name of the District should be written correctly on the PPA at pages 1 and 38

No public comment.

Moved by Director Pierpont, seconded by Director Faltings, adopted Resolution No. 2676, authorizing the General Manager to negotiate and execute a Power Purchase Agreement, an extension to the RLCC Lease, and a Sublease Agreement between SSI DevCo, LLC and LARPD, by the following roll call vote:

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

## **5.2 SAFE PARKING PROGRAM**

Chair Furst stated the Board would review a Memorandum of Understanding between LARPD and the City of Livermore for the City of Livermore Safe Parking Program.

GM Fuzie commended Community Outreach Supervisor David Weisgerber on the fine job he has been doing in the short amount of time he has been with the District. Mr. Weisgerber reminded the Board that the preliminary program outline and Standards of Behavior were brought to the Board at its August 28, 2019 meeting and reiterated that the program addresses homelessness in Livermore by providing respite and resources for some of the unsheltered residents of Livermore by providing a safe place to park overnight. LARPD's involvement will be to provide parking one night per week at the Bill Payne Park parking lot on Wednesday evenings beginning at 7 pm through 7 am. The timeframe stated in the MOU is from October 15, 2019 through April 30, 2020, unless it is terminated earlier. Staff recommends that the Board authorize the General Manager to enter into the MOU with the city of Livermore for LARPD's participation in the Safe Parking Program.

Director questions/comments included:

- ADA accessible restrooms will be provided on a trailer and will be maintained by the City of Livermore; Block by Block will be the onsite attendant.
  - Mr. Weisgerber will clarify with the City whether or not handwashing facilities will be provided and will let the Board know.
- There are apparent discrepancies in the language about smoking. Mr. Weisgerber responded that smoking will be allowed in a designated smoking area, and the Block by Block attendant will be bringing a cigarette receptacle that will be transported in and out of the area each evening. (Referencing Attachment B, 5<sup>th</sup> bullet point)
- Will the data collection component hinder participation? This is consistent with other shelters and programs of this type. The idea is to offer resources to help transition folks to self-sufficiency. It is a requirement due to government funding to have that data.
- Section 11 of the MOU says, “. . . unless earlier terminated pursuant to Section 12.” That should actually reference Section 14 (as Section 12 is about indemnification insurance.)
  - Corrections will be made to the MOU accordingly.
- Directors have been impressed with the level of participation by other organizations and their commitment to making this happen and to being successful. It is a worthwhile endeavor.

No public comment.

Moved by Director Palajac, seconded by Director Wilson, adopted Resolution No. 2677, authorizing the General Manager to negotiate and execute the Memorandum of Understanding with the City of Livermore for the City of Livermore Safe Parking Program, by the following roll call vote:

AYES:	<i>Directors Pierpont, Faltings, Wilson, Palajac, and Chair Furst</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>None</i>

### **5.3 COMMEMORATIVE TREE AND BENCH PROGRAM**

Chair Furst stated the Board would review the Commemorative Tree and Bench Program and provide direction to staff.

The item was reviewed by the Facilities Committee at its August 22, 2019 meeting. The Committee recommended discussion by the full Board.

GM Fuzie presented the staff report. Some staff members feel there are already too many benches in Sycamore Grove Park. The Memorial and Commemorative program itself is waning from a lack of support, and needs a boost and direction from the Board as to what they would like to see in a program within this community.

Director questions/comments included:

- Years ago a subcommittee was developed from the Facilities Committee to deal with this. Director Faltings suggested it may again be time to have a subcommittee take a deeper look at current guidelines to determine if what we have is still appropriate. She stated that the Hayward Area Recreation and Park District has a dedicated memorial park at its Hayward Japanese Gardens, which consists of memorial plaques set into the garden. The Program Committee may also weigh in on this.
- Any trees, benches, tables the District has in this category need to pay for themselves. Director Wilson agrees that Sycamore Grove Park already has plenty of benches. As mentioned earlier during the discussion on Item 5.1, the solar array will require mitigation of trees. Is there a possibility of creating commemorative plaques under those trees?
- Director Pierpont reported that there was a lively discussion about this item during the Facilities Committee meeting. There are approximately seven people on the waitlist for commemorative items; so going forward the District needs to revisit the policy and create a coherent program. He reported that from his personal experience of arranging for a memorial bench, he noted that not only was the cost low, but he was surprised that there is not a requirement to renew it, as most other districts have. For example, after 10 years, the bench is renewed; otherwise it goes to somebody else. It is meant as a memorial, but also as a financial support mechanism for the District/Foundation. A renewal component should be considered and addressed.
- Director Palajac suggested a subcommittee put together recommendations to bring back to the full Board.
- Chair Furst suggests the matter be reviewed at the next Facilities Committee meeting to come up with a coherent plan. He agreed that it would make sense to break this into two parts: a) work with those already on the waitlist with expectations of a specific price of \$2K; then b) work on a revised policy.
- Chair Furst said that Policy FAC-86-1007 references a staff Memorials Coordinator, which should be resurrected. GM Fuzie advised that we currently have Sandra Kaya along with one of the Rangers who coordinate with each other on the program.
- GM Fuzie said we could continue to work with the folks on the waitlist. We do have enough available spots that we can exhaust the waitlist.
- Chair Furst discussed picnic tables in Sycamore Grove Park. One is already committed by Ranger staff to have a memorial plaque placed on it. The Facilities Committee should take this into account. There is already a precedent of one picnic table soon to have a memorial plaque. How many picnic tables are in Sycamore Grove Park or Holdener Park? If the District is going to include those, will there be a different or an extra cost? This should be included in the discussion.
- Chair Furst stated he is against having a plaque next to each tree, especially in open space parks like Holdener Park and Sycamore Grove Park. Director Palajac mentioned that the District utilizes The Giving Tree in the RLCC lobby as well as a plaque hung in the RLCC instead of plaques on the trees.
- Chair Furst pointed out that in the Memorial and Commemorative Policy at paragraph 6 it states that if a tree dies the District may or may not replace it, and

the District will make reasonable efforts to notify donors of relocation or removal. This should be reviewed to determine if we will continue with that.

No public comment.

District Legal Counsel Rod Attebery suggested that the Chair may appoint two members to an ad hoc committee for a limited duration and for a limited subject matter. This may help to allow them to be a bit more flexible in their schedule and coordinate as they see fit with staff.

Chair Furst authorized Directors Pierpont and Wilson of the Facilities Committee to the ad hoc committee on the Memorial and Commemorative Policy, if they prefer to handle it this way. If not, then fold it into the Facilities Committee itself. He asked Director Pierpont to discuss the idea with GM Fuzie to see which route will work faster and more efficiently.

## **6. COMMITTEE REPORTS**

- 1) Director Wilson reported on the October 2, 2019 Livermore Cultural Arts Council (LCAC) meeting. They received a report from the City's Office of Innovation and Economic Development Director, Adam Van de Water, regarding their goals to encourage an innovation-driven economy. Also discussed at the meeting was the announcement by Scott Kenison, Executive Director of the Livermore Valley Performing Arts Center, that he will be retiring.
- 2) Director Palajac reported on the September 19, 2019 Finance Committee meeting. Minutes are in the agenda packet.
- 3) Director Palajac reported on the September 17, 2019 Livermore Downtown, Inc. meeting. Upcoming events discussed were the Talent to Table, Witches Night Out, Thirsty Thursday, Earlier than the Bird, and The Lot on First happenings.
- 4) Chair Furst reported on the October 2, 2019 Chamber of Commerce Business Alliance meeting where he gave a report on the bridge installation at Sycamore Grove Park, and the completion of a couple of LARPD park projects. Assembly member Bauer-Kahan was there and spoke on a different assembly bills she is working on. Alameda County Assessor, Fong La was there and spoke on assessments.

## **7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS**

- 1) Director Wilson announced that she attended the National Recreation and Park Association (NRPA) Annual Conference held in Baltimore, Maryland from September 24-27, 2019. She highly recommends the annual conference for any board members, and particularly for management-level staff.
- 2) Director Faltings reported that she recently visited the newly completed Big Trees Park project. It was very busy with children and their parents. She spoke with the mother of an 11-year-old young lady with special needs who was enjoying the swing. The mother asked Director Faltings to pass along to LARPD how grateful she was for this design. Also while visiting, she received a request for a water feature park, endorsed by seven young moms. She said it was a joy to see people using and enjoying Big Trees Park!

- 3) Director Faltings reported on her attendance at the Livermore Chamber of Commerce #LivValBiz Awards Luncheon held on September 26, 2019 at Wente. Former Assembly member Catharine Baker was the speaker.
- 4) Director Faltings asked if there is any way the District can minimize the amount of plastic used in the LARPD environment. She stated that where she works, they use reusable cups and straws. GM Fuzie responded that we can make this part of our daily system.
- 5) Director Wilson reported that she met today with Assembly member Rebecca Bauer-Kahan. She expressed thanks to her for a number of things and encouraged her to come see LARPD'S facilities. GM Fuzie responded that an invitation to visit our Open Space and Parks projects has been extended and we are currently waiting on a date from her office, tentatively sometime in October/November.
- 6) Director Pierpont reported that he recently took his son to Pleasure Island Park to play on the new playground. They had a blast!
- 7) Director Pierpont announced that this Sunday, October 13, 2019 will be Dogtoberfest at the Robert Livermore Park, and invited the public to attend.

**8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER**

GM Fuzie made the following announcements:

- 1) He attended the NRPA Annual Conference in Baltimore and will be sending out a memo to all Board members regarding some of the issues coming before the District.
- 2) An Intergovernmental Liaison Committee meeting between LARPD and East Bay Regional Park District (EBRPD) has been scheduled for Tuesday, November 12, 2019 beginning at 1:00 p.m., here at the RLCC.
- 3) He had a good experience at Big Trees Park, much like Director Faltings. One of the parents he spoke with was very pleased with the upgrades. She did suggest more shade structures at Big Trees Park; and asked that LARPD not make changes to Tex Spruiell playground, other than adding shade. The District has received one complaint pertaining to loud bongos at Big Trees Park. LARPD is working with the manufacturer to investigate a solution.

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

Chair Furst announced the Board would adjourn to Closed Session pursuant to Item 10 listed below. Open Session was adjourned at 8:35 p.m.

**10. CLOSED SESSION**

- 10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: General Manager
- 10.2 CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to Government Code Section 54957.6  
Agency Representation: David Furst, Rod Attebery  
Unrepresented Employee: General Manager

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

The Board came out of Closed Session at 9:48 p.m. and Chair Furst announced that no reportable action had been taken in Closed Session.

12. **ADJOURNMENT:** The meeting was adjourned at 9:48 p.m.

APPROVED,

  
\_\_\_\_\_  
Jan Palajac  
Vice Chair, Board of Directors

ATTEST:

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