

**AUBURN AREA RECREATION AND PARK DISTRICT MEETING OF THE  
PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE AGENDA**  
**WEDNESDAY, JANUARY 18, 2023, 12:30 PM**  
**CANYON VIEW COMMUNITY CENTER, BOARD ROOM**  
**AUBURN, CA**

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The public may participate in the meeting in-person or through Zoom. The link for this meeting is <https://us06web.zoom.us/j/84884664723>. The public can use this link and/or call 1 669 900 6833 Webinar ID: 848 8466 4723 to participate.

People using the Zoom website will be able to see and hear the Committee, and the Committee will be able to hear the public. The Committee will not receive any visual/video from the public. This is done to avoid inappropriate visual content at the meeting.

Questions and comments can be sent via email to the District Administrator no later than one hour before the meeting. These emails will be read aloud at the meeting and responded to accordingly. Emails can be sent during the meeting, and staff will work to ensure that all are read, however the best way to have your comment heard is through the Zoom meeting or the associated phone number.

If you are a person with a disability and need an accommodation to participate in the District's programs, services, activities and meetings, contact Kahl Muscott at (530) 537-2186 or [kmuscott@auburnrec.com](mailto:kmuscott@auburnrec.com) at least 48 hours in advance to request an auxiliary aid or accommodation.

**1.0 CALL TO ORDER**

Holbrook \_\_\_\_\_

**2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL**

**3.0 PUBLIC COMMENT** – This is the time wherein any person may comment on any item not on the agenda within the subject matter jurisdiction of the Committee Chairperson, please state your name and address for the record (optional). There is a time limitation of three minutes.

**4.0 BUSINESS**

**4.1 Approval of Minutes from the December 7, 2022 Program, Personnel, Policy, Fee & Legal Review Committee Meeting (Pages 3 – 4)**

**Recommendation:** Review and approve minutes.

**4.2 Approval of Legal Bills**

**Recommendation:** Review and approval of legal bills.

**4.3 ARD's Family/Medical Leave Policy (Pages 5 – 7)**

Shall the Personnel, Policy, Fee & Legal Review Committee recommend approving changes to Personnel Policy to amend the California Family Rights Act (CFRA) to allow an employee to designate a person who the employee may use protected leave to care for that person?

**Discussion items:**

1. Review of Policies Regarding Park, Facility and Amenity Closures **(Pages 8 – 9)**

**5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL, POLICY & FEE COMMITTEE MEETINGS**

None.

**6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH**

None.

**ADJOURNMENT**

AUBURN AREA RECREATION AND PARK DISTRICT  
This agenda is hereby certified to have been posted as follows:

1/13/2023  
Date

10:45 Am  
Time

Cathy Wayford  
Secretary to the Board

**Auburn Area Recreation and Park District  
Minutes  
of the Program, Personnel, Policy, Fee & Legal Review Committee Meeting  
Wednesday, December 7, 2022 at 12:30 PM  
Canyon View Community Center  
471 Maidu Drive  
Auburn, CA 95603**

**1.0 CALL TO ORDER**

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 12:32 PM

**ROLL CALL**

Director Holbrook was present. Director Ainsleigh arrived at 12:43 PM.

**2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL**

The agenda was approved by the Committee.

**3.0 PUBLIC COMMENT- This is the time wherein any person may comment on Any item not on the agenda within the subject matter jurisdiction of the Committee. After you are recognized by the Committee Chairperson, please state your name and address for the record (optional). There is a time limit of three minutes.**

None.

**4.0 BUSINESS**

**4.1 Approval of Minutes from the November, 2022 Program, Personnel, Policy, Fee & Legal Review Committee Meeting**

The minutes from the November 9, 2022, Program, Personnel, Policy, Fee & Legal Review Committee meeting were reviewed and approved by Director Holbrook.

**4.2 Approval of Legal Bills**

None.

**4.3 Increase in Minimum Wage**

Director Holbrook approved the Increase in Minimum Wage and requested that it be sent to Consent.

**4.4 Fee Waiver Policy Review**

Director Holbrook and Director Ainsleigh reviewed the Fee Waiver Policy and forwarded the proposed changes to the Board of Directors.

**Discussion items:**

None.

**5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL,  
POLICY, FEE & LEGAL REVIEW COMMITTEE MEETINGS**

None.

**6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH**

None.

**ADJOURNED**

As there was no further business, the meeting was adjourned at 12:47 PM.

Cathy Warford  
Board Secretary

12/8/2022  
Date

### **4.3 Cover Sheet for ARD's Family/Medical Leave Policy**

**Auburn Area Recreation and Park District Program, Personnel, Policy, Fee & Legal Review Committee Meeting, January, 2023.**

#### **The Issue**

Shall the Personnel, Policy, Fee & Legal Review Committee recommend approving changes to Personnel Policy to amend the California Family Rights Act (CFRA) to allow an employee to designate a person who the employee may use protected leave to care for that person?

#### **Background**

On September 29, 2022, Governor Gavin Newsom signed into law Assembly Bill 1041, by Assembly Member Buffy Wicks (D-Oakland). AB 1041 amends Government Code Section 12945.2 and Labor Code Section 245.5 relating to the expansion of the California Family Rights Act (CFRA).

AB 1041 expands the class of people for whom an employee may take leave to care for to include a designated person, who would be identified at the time the employee requests the leave. An employer would be allowed to limit an employee to one designated person per 12-month period.

Existing Policy allows a leave for only for caring for self, parent, spouse or child.

#### **Recommendation**

Staff recommends changing the District's Family/Medical Leave to coincide with the updated California Government Code Section 12945.2.

#### **Fiscal Impact**

None, this protected leave is taken with the employee's paid time off until exhausted, and then it is unpaid for the remaining leave.

#### **Attachments**

Current policy with amendments in red.

## J. Family/Medical Leave.

### 1. Family Care and Medical Leave

This policy describes the circumstances and conditions under which an employee may take family care and medical leave. It is meant to be read in conjunction with California Government Code Section 12945.2, as well as CFR Part 825 and State and Federal regulations adopted to implement it. This policy is separate and distinct from other leave policies and procedures.

### 2. Eligibility

All full-time and part-time District employees are eligible if:

- a. They have been employed by the District for at least twelve (12) months; and,
- b. They have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and,
- c. The District employs 50 or more employees at the time the leave is requested.

### 3. Leave Description

A family care leave may be taken for the following reasons:

- a. The birth of a child of the employee or the placement of a child with an employee in connection with adoption or foster care; or
- b. To care for a parent, spouse, ~~or~~ child, or designated person (any individual related by blood or whose association with the employee is the equivalent of a family relationship) who has a serious health condition. This designation can be made at the time that the leave request is made. (One designated person may be made each calendar year) A serious health condition is defined as an illness, injury, impairment, or physical or medical condition that warrants the participation of a family member to provide care during a period of the treatment or supervision of the parent, spouse or child and involves either inpatient care in a hospital, hospice or residential health care facility or continuing treatment or continuing supervision by a health care provider; or
- c. The employee's own serious health condition. A serious health condition is defined as an illness, injury, impairment or physical or mental condition that prevents the employee from performing the functions of his/her position which involves either inpatient care in a hospital, hospice or residential health care facility or continuing treatment or continuing supervision by a health care provider.

Family and medical leave time is also permitted when an employee is the spouse, registered domestic partner, son, daughter, parent, or next of kin of a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The employee may take up to a total of 26 workweeks of leave during a 12-month period to

care for the service member. In addition, employees are entitled to time off for certain absences relating to any “qualifying exigency” because the employee is the spouse, registered domestic partner, son, daughter, or parent has been notified of an impending call or order to active duty. A “qualifying exigency” is one of the following:

- a. short-notice deployment,
- b. military events and activities,
- c. childcare and school activities,
- d. financial and legal arrangements,
- e. counseling,
- f. rest and recuperation,
- g. post-deployment activities, and
- h. any other activity that arises out of active duty, provided that the employee and the District agree, including an agreement regarding timing and duration of the leave.

# **Discussion Item #1: Cover sheet – Review of Policies Regarding Park, Facility and Amenity Closures**

Auburn Recreation District Policy Committee meeting January, 2023

## **The Issue**

A review of Auburn Area Recreation and Park District (ARD) policies regarding park, facility and amenity closures. Director Holbrook requested this review.

## **Background**

ARD's policies regarding park, facility and amenity closures are as follows:

### **XXXX. Park, Facility and Amenity Closures**

From time to time, due to a variety of reasons, there may be a need to close parks, buildings, structures, amenities and/or facilities at ARD.

The following is a clarification of when and how these closures are to be conducted.

- A. Eminent safety issue: At any time, a structure or facility is found in such a state that there is an immediate safety concern any District employee has the authority to prevent access. This may include monitoring the situation and preventing public access until additional staff or resources can be obtained to appropriately repair or secure the structure. Staff must notify management immediately and document the issue as is called out in related policy and procedure manuals.
- B. Potential Safety Issue: Any issue or concern, witnessed or noticed by staff, the public or outside public agencies must be reported to District management to assess the issue and take appropriate action as deemed necessary. The issue will be reviewed and the situation evaluated to determine further action, if any.
- C. Damage Prevention and Asset Protection: District staff and/or Administration shall, at their earliest opportunity, close facilities, fields, structures or amenities should there be a high likelihood of damage by the use. Closures of sports fields should follow the guidelines and procedures found in section XXI of this policy manual.
- D. Directive of other officials: Administration will shut down any facility ordered by an authorized state, county or other official. The District Administrator will notify the Board of Directors of the directive and actions taken.
- E. Subjective Closures: This includes any potential or actual closures that may not be clear or which may not have a consensus on the public safety or asset protection value. These closures shall be discussed with Board Chairperson and the entire Board for direction and action as may be needed. The District

Administrator shall have the ability to err on the side of caution and shall have the ability to initially close a park, building, structure, amenity and/or facility prior to Board action and/or direction.

**Recommendation for the Policy Committee**

Review and provide direction.

**Fiscal Impact**

N/A

**Attachments**

None