

**AUBURN AREA RECREATION AND PARK DISTRICT  
MEETING OF THE BOARD OF DIRECTORS AMENDED AGENDA**

**6:00 PM**

**THURSDAY, SEPTEMBER 26, 2019  
CANYON VIEW COMMUNITY CENTER, BOARD ROOM  
471 MAIDU DRIVE  
AUBURN, CA**

**Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection in the District's Office at 471 Maidu Drive, Auburn, CA 95603 during normal business hours. In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (530) 537-2187. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.**

**1.0 CALL TO ORDER**

**(PLEDGE TO THE FLAG)**

The Board of Directors of the Auburn Area Recreation and Park District welcomes you to its meetings. Regular meetings are scheduled at 6 p.m. the last Thursday of each month. The November and December Board meetings will be scheduled in consideration of recognized holidays. Your attendance and interest is encouraged and appreciated. Special accommodations may be made upon request to the District Administrator 72 hours in advance of the meeting.

**Roll Call**

Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS**

Presentation of employee of the month by Facilities & Grounds Manager Jesse Williams to Park Worker Jonathan Laymon.

Slide presentation by District Administrator Kahl Muscott regarding Recreation Services Manager Sheryl Petersen's upcoming retirement.

**3.0 AGENDA REVIEW, CHANGES, AND APPROVAL**

Motion by \_\_\_\_\_ Second by \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_

Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**4.0 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 Board of Directors. After you are recognized by the Board Chairperson, please come to the lectern and state your name, and address for the record (optional). There is a time limitation of three minutes.

**5.0 CONSENT ITEMS – (roll call vote).** All matters listed under the Consent Calendar are to be considered routine by the Board of Directors and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the Board votes on the motion to adopt, a member or members of the Board, staff or the public requests a specific item to be removed from the Consent Calendar for separate discussion and action.

\_\_\_\_\_ **5.1 Review and approval of Amended Minutes of the Board of Directors from July 25, 2019, and Minutes of the Board of Directors from August 29, 2019**

Review and approval of Amended Minutes of the Board of Directors from July 25, 2019, and Minutes of the Board of Directors from August 29, 2019

\_\_\_\_\_ **5.2 Review of Cash Requirements for August, 2019 (Standing Finance Committee)**

This item was reviewed and approved by the Standing Finance Committee and forwarded to the Consent Calendar for review and approval.

\_\_\_\_\_ **5.3 Review and Approval of Financials for August, 2019 (Standing Finance Committee)**

This item was reviewed and approved by the Standing Finance Committee and forwarded to the Consent Calendar for review and approval.

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**6.0 ADMINISTRATOR’S AND DEPARTMENTAL REPORTS**

Please see board reports, fee waiver log, vandalism reports, and project activity report under item 6.0.

\_\_\_\_\_ **7.0 UNFINISHED BUSINESS**

**7.1 Drug and Alcohol Policy Review (Program, Personnel, Policy, Fee & Legal Review Committee)**

Shall the Auburn Area Recreation and Park District (ARD) amend its policies and procedures related to Drug and Alcohol use?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **8.0 NEW BUSINESS**

**8.1 New Memo of Understanding (MOU) Between ARD and the City of Auburn (Program, Personnel, Policy, Fee & Legal Review Committee)**

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors approve an updated Memorandum of Understanding (MOU) between ARD and the City of Auburn?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**8.2 Resolution Number 2019-26; Purchase of a new Toro Reelmaster Lawn Mower (Standing Finance Committee)**

Shall the Auburn Area Recreation and Park District (ARD) approve and adopt Resolution Number 2019-26, authorizing the District Administrator to purchase a new Toro Reelmaster Lawn Mower for \$90,264.51?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **8.3 Amending 2019/2020 Project List (Acquisition & Development Committee)**

Shall the Auburn Area Recreation and Park District amend the existing 2019/2020 Project List to coincide with the Fiscal Year 2019/2020 Budget Revision?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **8.4 Obsolescence List (Standing Finance Committee)**

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors approve the updated 5-Year Obsolescence List?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **8.5 Preliminary Budget Revision for Fiscal Year 2019/2020 (Standing Finance Committee)**

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors review and approve the Preliminary Budget Revision for Fiscal Year 2019/2020?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **8.6 Auburn Bike Park Rules (Acquisition and Development Committee)**

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors adopt a set of rules for the Auburn Bike Park?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Ferris \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Gray \_\_\_\_\_ Holbrook \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS**

1. Notice of Vacancy for the Unexpired Term of the Alternate Public Member on the Placer Local Agency Formation Commission – see attachments.
2. County Mitigation Fund, current balance \$487,738.
3. Wooly Creek Spill Channel Dry Conditions – see attachment.

\_\_\_\_\_ **10.0 BRIEF ANNOUNCEMENTS AND REPORTS FROM BOARD MEMBERS**

No action will be taken at this time on any item announced or reported by a Board Member. The Board or a member of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter so reported, or take action to direct staff to place a matter of business on a future agenda.

\_\_\_\_\_ **11.0 CORRESPONDENCE/COMMUNICATIONS AND INFORMATIONAL**

None.

\_\_\_\_\_ **12.0 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 Board of Directors. After you are recognized by the Board Chairperson, please come to the lectern and state your name, and address for the record (optional). There is a time limitation of three minutes.

\_\_\_\_\_ **13.0 CLOSED SESSION**

**13.1 Public Employee Performance Evaluation. (Gov. Code, 54954.5, subd. (e), 54957.)**

**Title: District Administrator**

\_\_\_\_\_ **14.0 OPEN SESSION – REPORT/ACTION ON OR ABOUT CLOSED SESSION**

**ADJOURNMENT**

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

9-23-19  
Date

1:35 p.m.  
Time

P. Larson  
Clerk to the Board

**SECTION: 5.0**

**ITEM: 5.1 REVIEW AND APPROVAL OF AMENDED  
MINUTES OF THE MEETING OF THE BOARD OF  
DIRECTORS FROM JULY 25, 2019 AND MINUTES  
OF THE BOARD OF DIRECTORS FROM AUGUST  
29, 2019**

**INFORMATION: SEE ATTACHED MINUTES**

**STAFF  
RECOMMENDATION: BOARD OF DIRECTORS REVIEW & APPROVE  
MINUTES**

**FISCAL IMPACT: NONE**

**Auburn Area Recreation and Park District**  
**Amended Minutes of the Meeting of the Board of Directors**  
**Thursday, July 25, 2019, 6:00 p.m., Canyon View Community Center**  
**471 Maidu Drive, Auburn, CA**

**Board Members**

**Present:** Chairman Jim Ferris  
Director Jim Gray  
Director Mike Lynch  
Director Scott Holbrook  
Director H. Gordon Ainsleigh

**Board Members**

**Absent:** None.

**Staff Present:**

Kahl Muscott, District Administrator  
Veona Galbraith, Administrative Services Manager  
Jesse Williams, Facilities & Grounds Manager  
Manouch Shirvanioun, Customer Service/Marketing Manager  
Sheryl Petersen, Recreation Services Manager  
Debbie Thomas, Youth Services Manager  
Mike Scheele, Landscape Architect/Project Manager  
Patricia Larson, Recording Secretary

**1.0 CALL TO ORDER**

The Meeting of the Board of Directors was called to order at 6:03 p.m. by Chairman Ferris.

**(PLEDGE TO THE FLAG)**

**2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS**

A presentation of appreciation by was made by Director Scott Holbrook to volunteers Jay Abrams, Aaron Bromberg and Beverly McMaster for the Ain't Necessarily Dead Festival. Also, donations in the amount of \$845.00 were raised at the event.

A presentation of appreciation was made by Aquatics Coordinator Patti Waskowiak to Aquatics Staff. Lifeguard hats were donated to the twenty-seven members of the Aquatics Staff and the Board of Directors by Director Lynch with the assistance of Sheryl Petersen.



### **3.0 AGENDA REVIEW, CHANGES AND APPROVAL**

A motion was made by Director Holbrook and seconded by Director Ferris to approve the agenda as written with item 2.0, presentation to Aquatics Staff being floated until the Aquatics Staff arrives.

#### **Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries.

### **4.0 PUBLIC COMMENT**

Donna Williams gave public comment and information to the Board regarding injuries at a bike park in Telluride, Colorado. Ms. Williams also informed the Board that she supports the Auburn Bike Park, she just thinks it is in the wrong location.

Director Jim Ferris also gave accolades to Director Holbrook for a fabulous Ain't Necessarily Dead Festival.

### **5.0 CONSENT ITEMS**

- 5.1 Review and Approval of Minutes of the Meeting of the Board of Directors from June 27, 2019 and Minutes of the Special Meeting of the Board of Directors from July 17, 2019**
- 5.2 Review of Cash Requirements for June, 2019 (Standing Finance Committee)**
- 5.3 Review and Approval of Financials for June, 2019 (Standing Finance Committee)**

A motion was made by Director Lynch and seconded by Director Ainsleigh to approve the Consent Calendar with item 5.1, minutes being moved for the Board to approve since Director Gray was previously absent at those meetings.

#### **Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries.

A motion was made by Director Lynch and seconded by Director Ainsleigh to approve the Minutes of the Meeting of the Board of Directors from June 27, 2019 and Minutes of the Special Meeting of the Board of Directors from July 17, 2019

**Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Abstain  
Director Holbrook – No  
Director Lynch – Yes

3 – 1 – 1 Motion carries.

**6.0 ADMINISTRATOR’S AND DEPARTMENTAL REPORTS**

Board reports, fee waiver log, and project activity report were provided to the Board under separate cover.

**7.0 NEW BUSINESS**

**7.1 Annual Audit for Fiscal Year 2018/2019 (Standing Finance Committee)**

A motion was made by Director Holbrook and seconded by Director Ainsleigh to approve the Annual Audit for Fiscal Year 2018/2019 conducted by Don Cole and Company.

**Roll Call Vote**

Director Ferris – Abstain  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

4 – 0 - 1 Motion carries.

**7.2 Lifeguard Training Reimbursement (Standing Finance Committee)**

A motion was made by Director Holbrook and seconded by Director Ainsleigh to approve Lifeguard Training reimbursements to lifeguards for the cost of their training classes.

**Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries.

**8.0 UNFINISHED BUSINESS**

**8.1 Process for Selecting ARD Friend of Recreation (Program, Personnel, Policy, Fee & Legal Review Committee)**

A motion was made by Director Lynch and seconded by Director Holbrook to approve the Proposed ARD Friend of Recreation Policy and Procedures.

**Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 - 0 Motion carries.

**8.2 Resolution Number 2019-23 Supporting ARD Fee Schedule, ARD Fee Waivers Policy; Amendments to Fee Waivers Policy (Program, Personnel, Policy, Fee & Legal Review Committee)**

A motion was made by Director Holbrook and seconded by Director Ferris to adopt Resolution Number 2019-23, A Resolution of the Governing Board of Directors of the Auburn Area Recreation and Park District Supporting the Established Fee Schedule and Fee Waiver Policy of the District and approve the amended Fee Waiver Policy with Placer High Safe and Sober Grad Night being maintained at 10%.

**Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries

**9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS**

1. County Mitigation Fund, current balance \$487,738.

**10.0 BRIEF TANNOUNCEMENTS AND REPORTS FROM BOARD MEMBERS**

No action will be taken at this time on any item announced or reported by a Board Member. The Board or a member of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent Meeting concerning any matter so reported, or take action to direct staff to place a matter of business on a future agenda.

Director Lynch gave accolades to Director Holbrook for the Ain't Necessarily Dead Festival.

Director Gray informed the Board that he will be giving Colton Nelson a presentation at the next Board meeting.

Director Ferris informed the Board that he will share information regarding the Global Climate Change presentation at the State Theater.

**11.0 CORRESPONDENCE/COMMUNICATIONS AND INFORMATIONAL**

None.

**12.0 PUBLIC COMMENT**

None.

13.0 **CLOSED SESSION** – Closed Session began at 7:43 p.m.

14.0 **OPEN SESSION** – Open session began at 7:48 p.m., there was no reportable action.

**ADJOURNMENT** - As there was no further business, the meeting was adjourned at 7:48 p.m. by Chairman Ferris.

\_\_\_\_\_  
Board Secretary

\_\_\_\_\_  
Date

**Auburn Area Recreation and Park District  
Minutes of the Meeting of the Board of Directors  
Thursday, August 29, 2019, 6:00 p.m., Canyon View Community Center  
471 Maidu Drive, Auburn, CA**

**Board Members**

**Present:** Chairman Jim Ferris  
Director Jim Gray  
Director Mike Lynch  
Director Scott Holbrook  
Director H. Gordon Ainsleigh

**Board Members**

**Absent:** None.

**Staff Present:**

Kahl Muscott, District Administrator  
Jesse Williams, Facilities & Grounds Manager  
Manouch Shirvanioun, Customer Service/Marketing Manager  
Sheryl Petersen, Recreation Services Manager  
Debbie Thomas, Youth Services Manager  
Mike Scheele, Landscape Architect/Project Manager  
Patricia Larson, Recording Secretary

**1.0 CALL TO ORDER**

The Meeting of the Board of Directors was called to order at 6:00 p.m. by Chairman Ferris.

**(PLEDGE TO THE FLAG)**

**2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS**

A presentation was given by Director Gray to Colton Nelson who is a miniature car racer who races at Fast Fridays and Roseville Race Track. Colton will be displaying the ARD Logo that Director Gray gave him when he races. Directors Gray and Lynch made donations of their support to Colton Nelson. Colton's email address for giving donations is [info@motorkidsusa.com](mailto:info@motorkidsusa.com), his mailing address is Colton's Race to Win, PO Box 5323, Auburn, CA 95604. The people attending the board meeting went outside to look at Colton's race car and motorcycle.

A presentation of appreciation was given by Customer Service/Marketing Manager Manouch Shirvanioun to Customer Service Representative Andie Leventin and Customer Service Associate Ann Downey of the ARD Customer Service Office.

A presentation of a check in the amount of \$1500.00 was given by Nina Besselman from the All-American Rib Cookoff to the ARD Youth Assistance Fund. Ms. Besselman thanked ARD for partnering with the All-American Rib Cookoff and thanked Recreation Services Manager Sheryl Petersen, Sports Coordinator Jerry Fisher and the Facilities & Grounds Staff for all of their hard work on the event. The next All-American Rib Cookoff is on September 28, 2019 starting at 11:00 a.m. at Recreation Park.

Director Lynch gave a presentation of a stainless-steel straw to District Administrator Kahl Muscott in the hope that using a stainless-steel straw will help reduce plastic straw consumption.

Director Ferris gave a statement requesting the Board use paper cups or their own re-usable containers at the Board meetings for water in the effort to cut down on plastic consumption.

### **3.0 AGENDA REVIEW, CHANGES AND APPROVAL**

A motion was made by Director Ainsleigh and seconded by Director Lynch to approve the agenda as written.

#### **Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries.

### **4.0 PUBLIC COMMENT**

Director Jim Ferris gave public comment giving staff accolades for another great Fall of 2019 Activity Guide.

Patsy Lynch, an Auburn resident gave public comment that Maidu Drive needs to be fixed.

District Administrator Kahl Muscott informed the Board and the public that he has been given an update today from Reclamation regarding Maidu Drive and their request for funding to fix Maidu Drive has not come through yet.

### **5.0 CONSENT ITEMS**

**5.1 Review and Approval of Minutes of the Meeting of the Board of Directors from July 25, 2019**

**5.2 Review of Cash Requirements for July, 2019 (Standing Finance Committee)**

**5.3 Review and Approval of Financials for July, 2019 (Standing Finance Committee)**

A motion was made by Director Lynch and seconded by Director Gray to approve the Consent Calendar with item 5.1, minutes from July 25, 2019 being pulled for review.

#### **Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes

Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries.

A motion was made by Director Lynch and seconded by Director Gray to amend the July 25, 2019 Board Meeting Minutes under item 2.0 adding that Director Lynch donated 27 lifeguard hats to the Aquatics Staff and the Board of Directors with Sheryl Petersen’s assistance in obtaining the hats.

**Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 – 0 Motion carries.

**6.0 ADMINISTRATOR’S AND DEPARTMENTAL REPORTS**

Board reports, fee waiver log, and project activity report were provided to the Board under separate cover.

**7.0 UNFINISHED BUSINESS**

**7.1 Resolution Number 2019-24 Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self-Insure Workers’ Compensation Liabilities**

A motion was made by Director Holbrook and seconded by Director Gray to adopt Resolution Number 2019-24 Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self-Insure Workers’ Compensation Liabilities.

**Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Abstain  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

4 – 0 – 1 Motion carries.



## **8.0 NEW BUSINESS**

### **8.1 Resolution Number 2019-25: Contingency Increase on the James Field Project**

A motion was made by Director Holbrook and seconded by Director Gray to adopt Resolution Number 2019-25: Contingency Increase on the James Field project and amend Resolution Number 2019-25 for the amount of contingency for the project to \$50,000.

#### **Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 - 0 Motion carries.

### **8.2 Request for Proposal for Auditor (Standing Finance Committee)**

A motion was made by Director Holbrook and seconded by Director Ferris to send out a Request for Proposal (RFP) to audit firms for the next three (3) year audit cycle.

#### **Roll Call Vote**

Director Ferris – Yes  
Director Ainsleigh – Yes  
Director Gray – Yes  
Director Holbrook – Yes  
Director Lynch – Yes

5 - 0 Motion carries.

## **9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS**

1. Drug and alcohol policy review – (Program, Personnel, Policy, Fee & Legal Review Committee) – This item was reviewed and discussed by the Board of Directors and sent back to the Policy Committee for further review.
2. County Mitigation Fund, current balance \$487,738.

**10.0 BRIEF TANNOUNCEMENTS AND REPORTS FROM BOARD MEMBERS**

No action will be taken at this time on any item announced or reported by a Board Member. The Board or a member of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent Meeting concerning any matter so reported, or take action to direct staff to place a matter of business on a future agenda.

Director Ferris invited people to a Canyon Keeper's Meeting that will be a Q&A led by Jim Ferris featuring local ultra-endurance athletes who will share their stories, personal life philosophies, athletic break-throughs and strategies as they relate to each of their journeys into the world of endurance running. The meeting is scheduled for October 1, 2019 from 6:15 to 8:00 p.m. at the Canyon View Community Center.

Director Ferris also invited people to a presentation at the Auburn State Theatre on Thursday, September 12, 2019 at 7:00 p.m. for an event entitled Think Globally, Act Locally: the State of the Climate.

Director Ainsleigh announced there will be a documentary entitled Everyone Counts shown at the Auburn State Theatre on September 10, 2019 at 7:00 p.m.

**11.0 CORRESPONDENCE/COMMUNICATIONS AND INFORMATIONAL**

None.

**12.0 PUBLIC COMMENT**

Heidi Rietjens, an Auburn resident gave public comment that the Board didn't make any comments on the County Mitigation fund under item 9.2.

**13.0 CLOSED SESSION – Closed Session was cancelled.**

**ADJOURNMENT** - As there was no further business, the meeting was adjourned at 7:23 p.m. by Chairman Ferris.

\_\_\_\_\_  
Board Secretary

\_\_\_\_\_  
Date

**SECTION: 5.0**

**ITEM: 5.2 REVIEW OF CASH REQUIREMENTS FOR  
AUGUST, 2019**

**DESCRIPTION: ACCOUNTS PAYABLE**

**INFORMATION: SEE ATTACHED INFORMATION**

**STAFF  
RECOMMENDATION: THIS ITEM WAS REVIEWED BY THE STANDING  
FINANCE COMMITTEE AND FORWARDED TO  
THE BOARD OF DIRECTORS FOR REVIEW AND  
APPROVAL**

**FISCAL IMPACT: \$412,153.04**

Ranges: From: To:  
 Check Number First Last  
 Vendor ID First Last  
 Vendor Name First Last  
 Check Date From: To:  
 Checkbook ID COMM 1ST COMM 1ST

Sorted By: Check Date

\* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
18878	1099-16	Skyhawks Sports	8/2/2019	COMM 1ST	PMCHK00002578	
18879	1099-218	Auburn Gymnastics Center	8/2/2019	COMM 1ST	PMCHK00002578	\$582.50
18880	1099-243	Phillip Dallas	8/2/2019	COMM 1ST	PMCHK00002578	\$2,957.50
18881	1099-256	Healing Pastures, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$487.50
18882	1099-313	Alison Lloyd	8/2/2019	COMM 1ST	PMCHK00002578	\$1,237.50
18883	1099-328	Douglas Christensen	8/2/2019	COMM 1ST	PMCHK00002578	\$504.00
18884	1099-342	Susie Bell	8/2/2019	COMM 1ST	PMCHK00002578	\$3,680.30
18885	A0013	AT&T	8/2/2019	COMM 1ST	PMCHK00002578	\$612.00
18886	A0014	AT&T	8/2/2019	COMM 1ST	PMCHK00002578	\$60.00
18887	A0018	Auburn Chamber of Commerce	8/2/2019	COMM 1ST	PMCHK00002578	\$323.03
18888	A0021	The Auburn Journal	8/2/2019	COMM 1ST	PMCHK00002578	\$725.00
18889	A0051	Anderson's Sierra Pipe Co.	8/2/2019	COMM 1ST	PMCHK00002578	\$78.00
18890	A0134	Advanced Intregrated Pest Mana	8/2/2019	COMM 1ST	PMCHK00002578	\$163.32
18891	A0139	Auburn Ford	8/2/2019	COMM 1ST	PMCHK00002578	\$677.00
18892	E0069	Sidwell Water	8/2/2019	COMM 1ST	PMCHK00002578	\$1,014.47
18893	E0070	BWD General Engineering Contra	8/2/2019	COMM 1ST	PMCHK00002578	\$337.00
18894	C0004	CAPRI	8/2/2019	COMM 1ST	PMCHK00002578	\$90,125.25
18895	C0072	CIT Technology Fin. Serv., Inc	8/2/2019	COMM 1ST	PMCHK00002578	\$51,190.50
18896	C0121	Cole Huber LLP	8/2/2019	COMM 1ST	PMCHK00002578	\$599.20
18897	C0126	Donna-Renee Carlos	8/2/2019	COMM 1ST	PMCHK00002578	\$1,450.00
18898	C0130	Cirrus Group LLC	8/2/2019	COMM 1ST	PMCHK00002578	\$30.48
18899	D0024	Delux	8/2/2019	COMM 1ST	PMCHK00002578	\$633.50
18900	G0045	GSSA	8/2/2019	COMM 1ST	PMCHK00002578	\$414.68
18901	K0010	Knorr Systems, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$90.00
18902	L0027	Pat Larson	8/2/2019	COMM 1ST	PMCHK00002578	\$9,008.48
18903	L0100	Lifeguard First Aid & Safety,	8/2/2019	COMM 1ST	PMCHK00002578	\$35.42
18904	M0035	Meadow Vista Community Center	8/2/2019	COMM 1ST	PMCHK00002578	\$841.12
18905	M0039	Meadow Vista Water Users Assoc	8/2/2019	COMM 1ST	PMCHK00002578	\$2,545.00
18906	M0003	Norris Electric, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$500.00
18907	M0012	Nejada Irrigation District	8/2/2019	COMM 1ST	PMCHK00002578	\$2,267.93
18908	N0045	Near U CO2	8/2/2019	COMM 1ST	PMCHK00002578	\$666.39
18909	P0005	Placer County Water Agency	8/2/2019	COMM 1ST	PMCHK00002578	\$172.93
18910	P0007	Pacific Gas & Electric Company	8/2/2019	COMM 1ST	PMCHK00002578	\$261.16
18911	P0023	PG&E	8/2/2019	COMM 1ST	PMCHK00002578	\$12,105.26
18912	P0117	Progressive Bike Parts	8/2/2019	COMM 1ST	PMCHK00002578	\$87.47
18913	R0027	Ross Recreation Equipment, Inc	8/2/2019	COMM 1ST	PMCHK00002578	\$35,515.43
18914	R0056	Tricia Ruff	8/2/2019	COMM 1ST	PMCHK00002578	\$1,937.30
18915	R0073	Riebes Auto Parts	8/2/2019	COMM 1ST	PMCHK00002578	\$17.99
18916	S0016	Sam's Club	8/2/2019	COMM 1ST	PMCHK00002578	\$779.71
18917	S0018	Sunland Analytical Lab, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$1,154.08
18918	S0034	Thatcher Company	8/2/2019	COMM 1ST	PMCHK00002578	\$70.00
18919	S0163	Steffen's HVAC Services	8/2/2019	COMM 1ST	PMCHK00002578	\$2,499.79
18920	T0031	Turf Star, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$1,549.00
18921	T0071	TIAA Commercial Finance, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$309.85
18922	T1000	Transamerica Life Insurance	8/2/2019	COMM 1ST	PMCHK00002578	\$107.34
18923	TEMP3	Lynette Baird	8/2/2019	COMM 1ST	PMCHK00002578	\$420.00
18924	TEMP0	Erica Dew	8/2/2019	COMM 1ST	PMCHK00002578	\$110.00
18925	TEMP3	Sharon Geiger-Mascota	8/2/2019	COMM 1ST	PMCHK00002578	\$135.00
18926	TEMP4	Aaron High	8/2/2019	COMM 1ST	PMCHK00002578	\$135.00
18927	TEMP4	Holly Mills	8/2/2019	COMM 1ST	PMCHK00002578	\$810.00
18928	TEMPR	Nicole Robinson	8/2/2019	COMM 1ST	PMCHK00002578	\$65.00
18929	V0007	Verizon Wireless	8/2/2019	COMM 1ST	PMCHK00002578	\$125.00
18930	W0001	Walker's Office Supplies, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$1,081.46
18931	W0042	Live Oak Waldorf School	8/2/2019	COMM 1ST	PMCHK00002578	\$1,408.65
18932	W0044	Wave	8/2/2019	COMM 1ST	PMCHK00002578	\$5,481.00
18933	Y0002	Yuba Safe & Lock, Inc.	8/2/2019	COMM 1ST	PMCHK00002578	\$938.42
18934	1099-324	Mariann R. Smith	8/2/2019	COMM 1ST	PMCHK00002578	\$62.12
18935	1099-330	Ronald Wilson	8/2/2019	COMM 1ST	PMCHK00002578	\$100.00
18936	1099-347	Carla Fontanilla	8/2/2019	COMM 1ST	PMCHK00002578	\$350.00
18937	1099-346	Daniel Ho	8/2/2019	COMM 1ST	PMCHK00002578	\$200.00
18938	1099-357	Lagrimas, Abe	8/2/2019	COMM 1ST	PMCHK00002578	\$2,000.00
18939	PC021	Petty Cash	8/2/2019	COMM 1ST	PMCHK00002578	\$1,500.00
18940	TEMP0	Andrea Candiotto	8/2/2019	COMM 1ST	PMCHK00002578	\$300.00
18941	TEMPF	Foothill Quilters Guild	8/2/2019	COMM 1ST	PMCHK00002578	\$30.00
18942	TEMP4	Julie Holloman	8/2/2019	COMM 1ST	PMCHK00002578	\$60.00
18943	TEMPJ	JJ's Smoke N BBQ	8/2/2019	COMM 1ST	PMCHK00002578	\$100.00
18944	TEMPK	Leonard Kauffer	8/2/2019	COMM 1ST	PMCHK00002578	\$225.00

Auburn Rec & Park  
 VENDOR CHECK REGISTER REPORT  
 Payables Management

\* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
18945	TEMPH	Erika Manriquez	8/2/2019	COMM 1ST	PMCHK00002579	
18946	TEMPO	Stephen Quan	8/2/2019	COMM 1ST	PMCHK00002579	\$655.00
18947	TEMPR	Sarah Rule	8/2/2019	COMM 1ST	PMCHK00002579	\$100.00
18948	TEMPS	Perry Stauffer	8/2/2019	COMM 1ST	PMCHK00002579	\$125.00
18950	1099-366	Daniel Ho	8/9/2019	COMM 1ST	PMCHK00002581	\$100.00
18951	S1007	Stationary Engineers, Local 39	8/9/2019	COMM 1ST	PMCHK00002581	\$335.96
18952	TEMFA	Kandi Austin	8/9/2019	COMM 1ST	PMCHK00002581	\$370.37
18953	TEMFF	Ayla Farmer	8/9/2019	COMM 1ST	PMCHK00002581	\$70.00
18954	TEMFP	Erin Prossow	8/9/2019	COMM 1ST	PMCHK00002581	\$50.00
18955	TEMPS	Cindy Stringfellow	8/9/2019	COMM 1ST	PMCHK00002581	\$65.00
18956	U0033	United States Treasury	8/9/2019	COMM 1ST	PMCHK00002581	\$65.00
18957	U0019	US Bank	8/9/2019	COMM 1ST	PMCHK00002581	\$75.00
18958	1099-104	Thomas Seibel	8/16/2019	COMM 1ST	PMCHK00002583	\$7,538.74
18959	1099-16	Skyhawks Sports	8/16/2019	COMM 1ST	PMCHK00002583	\$65.00
18960	1099-193	Celena Polena	8/16/2019	COMM 1ST	PMCHK00002583	\$2,184.00
18961	1099-216	Gerald Harris	8/16/2019	COMM 1ST	PMCHK00002583	\$208.00
18962	1099-218	Auburn Gymnastics Center	8/16/2019	COMM 1ST	PMCHK00002583	\$104.00
18963	1099-221	Timothy Bowen	8/16/2019	COMM 1ST	PMCHK00002583	\$1,452.75
18964	1099-254	Ralph Kendrick	8/16/2019	COMM 1ST	PMCHK00002583	\$6,904.50
18965	1099-269	Deborah Lynn	8/16/2019	COMM 1ST	PMCHK00002583	\$581.90
18966	1099-271	Kelpro Security	8/16/2019	COMM 1ST	PMCHK00002583	\$331.50
18967	1099-277	Foothill Karate Do	8/16/2019	COMM 1ST	PMCHK00002583	\$2,029.90
18968	1099-291	Isaac Humber	8/16/2019	COMM 1ST	PMCHK00002583	\$22.75
18969	1099-295	Juli Land-Marx	8/16/2019	COMM 1ST	PMCHK00002583	\$175.50
18970	1099-313	Alison Lloyd	8/16/2019	COMM 1ST	PMCHK00002583	\$1,500.00
18971	1099-341	Twardis, Bryan	8/16/2019	COMM 1ST	PMCHK00002583	\$338.80
18972	1099-343	Faith Petersen	8/16/2019	COMM 1ST	PMCHK00002583	\$192.00
18973	1099-363	Cheyenne Little	8/16/2019	COMM 1ST	PMCHK00002583	\$462.00
18974	1099-364	Davison, Chris	8/16/2019	COMM 1ST	PMCHK00002583	\$1,958.00
18975	1099-5	Daniel Crandall	8/16/2019	COMM 1ST	PMCHK00002583	\$90.00
18976	A0001	Recology Auburn Placer	8/16/2019	COMM 1ST	PMCHK00002583	\$1,041.60
18977	A0027	Recology Auburn Placer	8/16/2019	COMM 1ST	PMCHK00002583	\$1,228.38
18978	A0051	Anderson's Sierra Pipe Co.	8/16/2019	COMM 1ST	PMCHK00002583	\$1,264.69
18979	A0111	AllGood Driving School, Inc	8/16/2019	COMM 1ST	PMCHK00002583	\$60.04
18980	A0139	Auburn Ford	8/16/2019	COMM 1ST	PMCHK00002583	\$30.00
18981	A1010	Advantage Marketing and Print	8/16/2019	COMM 1ST	PMCHK00002583	\$656.25
18982	C0061	California Computer Services	8/16/2019	COMM 1ST	PMCHK00002583	\$467.08
18983	C0111	Cal.net	8/16/2019	COMM 1ST	PMCHK00002583	\$485.00
18984	C0113	Cooks Portable Toilets & Septi	8/16/2019	COMM 1ST	PMCHK00002583	\$66.90
18985	D0010	Diamond Pacific	8/16/2019	COMM 1ST	PMCHK00002583	\$1,598.00
18986	D0025	Dawson Oil Company	8/16/2019	COMM 1ST	PMCHK00002583	\$425.32
18987	D0062	Durham School Services	8/16/2019	COMM 1ST	PMCHK00002583	\$3,380.62
18988	D0066	De Lage Landan Financial Servi	8/16/2019	COMM 1ST	PMCHK00002583	\$2,045.80
18989	F0047	Fuentes Pond Maintenance	8/16/2019	COMM 1ST	PMCHK00002583	\$332.48
18990	G0045	GSSA	8/16/2019	COMM 1ST	PMCHK00002583	\$2,400.00
18991	I0010	Inland Business Systems	8/16/2019	COMM 1ST	PMCHK00002583	\$900.90
18992	K0011	Kaiser Foundation Health Plan,	8/16/2019	COMM 1ST	PMCHK00002583	\$424.31
18993	L0100	Lifeguard First Aid & Safety,	8/16/2019	COMM 1ST	PMCHK00002583	\$15,142.73
18994	M0013	Meadow Vista Hardware	8/16/2019	COMM 1ST	PMCHK00002583	\$58.56
18995	M0093	Meadow Vista County Water Dist	8/16/2019	COMM 1ST	PMCHK00002583	\$28.29
18996	N0003	Norris Electric, Inc.	8/16/2019	COMM 1ST	PMCHK00002583	\$2,326.13
18997	N0048	Normac, Inc.	8/16/2019	COMM 1ST	PMCHK00002583	\$3,683.42
18998	N0051	National Aquatic Services, Inc	8/16/2019	COMM 1ST	PMCHK00002583	\$1,672.84
18999	P0005	Placer County Water Agency	8/16/2019	COMM 1ST	PMCHK00002583	\$87.95
19000	P0007	Pacific Gas & Electric Company	8/16/2019	COMM 1ST	PMCHK00002583	\$4,766.45
19001	P0009	Farm Bureau	8/16/2019	COMM 1ST	PMCHK00002583	\$1,171.97
19002	P0021	Patty Cash	8/16/2019	COMM 1ST	PMCHK00002583	\$90.00
19003	PC111	Vanessa Pohle,	8/16/2019	COMM 1ST	PMCHK00002583	\$138.51
19004	PC027	Rosa Recreation Equipment, Inc	8/16/2019	COMM 1ST	PMCHK00002583	\$53.61
19005	SC009	Sierra Saw Sales And Service	8/16/2019	COMM 1ST	PMCHK00002583	\$1,987.30
19006	SC023	Sierra Pacific Turf Supply, In	8/16/2019	COMM 1ST	PMCHK00002583	\$40.24
19007	SC034	Tratcher Company	8/16/2019	COMM 1ST	PMCHK00002583	\$923.41
19008	SC054	Souza's Tire Service	8/16/2019	COMM 1ST	PMCHK00002583	\$1,168.90
19009	SC067	Superfast Copy	8/16/2019	COMM 1ST	PMCHK00002583	\$12.00
19010	SO094	Manouch Shirvanianoun	8/16/2019	COMM 1ST	PMCHK00002583	\$145.03
19011	SO145	SCP Pool Distributors LLC	8/16/2019	COMM 1ST	PMCHK00002583	\$57.50
19012	SO154	Mike Scheele	8/16/2019	COMM 1ST	PMCHK00002583	\$1,335.46
19013	S1000	State Of California/DOJ	8/16/2019	COMM 1ST	PMCHK00002583	\$165.60
19014	S1003	Sutter Medical Foundation	8/16/2019	COMM 1ST	PMCHK00002583	\$170.00
19015	TE000	Placer County Arts Council	8/16/2019	COMM 1ST	PMCHK00002583	\$240.00
19016	W0001	Walker's Office Supplies, Inc.	8/16/2019	COMM 1ST	PMCHK00002583	\$35.00
19017	W0003	Warehouse Paint Incorporated	8/16/2019	COMM 1ST	PMCHK00002583	\$1,110.47
19018	W0044	Wa.e	8/16/2019	COMM 1ST	PMCHK00002583	\$19.87
19019	W0045	Williams, Jesse	8/16/2019	COMM 1ST	PMCHK00002583	\$961.60
						\$93.15

\* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
ACH UNITY 36951	U0032	UnityFisolutions	8/16/2019	COMM 1ST	PNCHK00002586	\$64.70
19020	S1007	Stationary Engineers, Local 39	8/23/2019	COMM 1ST	PNCHK00002584	\$370.37
19021	U0033	United States Treasury	8/23/2019	COMM 1ST	PNCHK00002584	\$75.00
19022	1099-218	Auburn Gymnastics Center	8/30/2019	COMM 1ST	PNCHK00002585	\$406.25
19023	1099-256	Healing Pastures, Inc.	8/30/2019	COMM 1ST	PNCHK00002585	\$1,387.50
19024	1099-360	Michele Newman	8/30/2019	COMM 1ST	PNCHK00002585	\$38.40
19025	1099-367	Abe Lagrimas, Jr	8/30/2019	COMM 1ST	PNCHK00002585	\$155.50
19026	A0013	AT&T	8/30/2019	COMM 1ST	PNCHK00002585	\$60.00
19027	A0014	AT&T	8/30/2019	COMM 1ST	PNCHK00002585	\$343.00
19028	A0021	The Auburn Journal	8/30/2019	COMM 1ST	PNCHK00002585	\$78.00
19029	A0051	Anderson's Sierra Pipe Co.	8/30/2019	COMM 1ST	PNCHK00002585	\$372.08
19030	E0042	Boberg Hardwood Floors	8/30/2019	COMM 1ST	PNCHK00002585	\$3,850.00
19031	E0063	Elain Stumpf	8/30/2019	COMM 1ST	PNCHK00002585	\$499.00
19032	E0069	Bidwell Water	8/30/2019	COMM 1ST	PNCHK00002585	\$284.00
19033	C0002	CARPD	8/30/2019	COMM 1ST	PNCHK00002585	\$1,500.00
19034	C0004	CAPRI	8/30/2019	COMM 1ST	PNCHK00002585	\$22,102.83
19035	C0072	CIT Technology, Fin. Serv., Inc	8/30/2019	COMM 1ST	PNCHK00002585	\$599.20
19036	C0121	Cole Huber LLP	8/30/2019	COMM 1ST	PNCHK00002585	\$390.00
19037	D0003	The Davey Tree Expert	8/30/2019	COMM 1ST	PNCHK00002585	\$4,500.00
19038	E0003	Ewing Irrigation Products, Inc	8/30/2019	COMM 1ST	PNCHK00002585	\$297.68
19039	F0047	Fuentes Pond Maintenance	8/30/2019	COMM 1ST	PNCHK00002585	\$5,500.00
19040	G0021	Veona Galbraith	8/30/2019	COMM 1ST	PNCHK00002585	\$86.36
19041	H0056	Humana Dental Ins. Co	8/30/2019	COMM 1ST	PNCHK00002585	\$2,102.80
19042	K0010	Knorr Systems, Inc.	8/30/2019	COMM 1ST	PNCHK00002585	\$105.89
19043	L0100	Lifeguard First Aid & Safety,	8/30/2019	COMM 1ST	PNCHK00002585	\$63.94
19044	N0019	Kahl Muscott	8/30/2019	COMM 1ST	PNCHK00002585	\$228.85
19045	N0003	Morris Electric, Inc.	8/30/2019	COMM 1ST	PNCHK00002585	\$358.15
19046	H0012	Nevada Irrigation District	8/30/2019	COMM 1ST	PNCHK00002585	\$1,279.35
19047	N0045	Near U CO2	8/30/2019	COMM 1ST	PNCHK00002585	\$393.58
19048	P0005	Placer County Water Agency	8/30/2019	COMM 1ST	PNCHK00002585	\$4,980.61
19049	P0007	Pacific Gas & Electric Company	8/30/2019	COMM 1ST	PNCHK00002585	\$14,044.37
19050	P0021	Petty Cash	8/30/2019	COMM 1ST	PNCHK00002585	\$116.66
19051	P0111	Vanessa Pohley	8/30/2019	COMM 1ST	PNCHK00002585	\$23.70
19052	R0073	Riebes Auto Parts	8/30/2019	COMM 1ST	PNCHK00002585	\$168.84
19053	S0009	Sierra Saw Sales And Service	8/30/2019	COMM 1ST	PNCHK00002585	\$84.03
19054	S0016	Sam's Club	8/30/2019	COMM 1ST	PNCHK00002585	\$1,303.45
19055	S0034	Thatcher Company	8/30/2019	COMM 1ST	PNCHK00002585	\$2,275.52
19056	S0131	Kasey Casl	8/30/2019	COMM 1ST	PNCHK00002585	\$39.66
19057	S0143	SMJA	8/30/2019	COMM 1ST	PNCHK00002585	\$60.00
19058	S0145	SCP Pool Distributors LLC	8/30/2019	COMM 1ST	PNCHK00002585	\$1,320.68
19059	S0156	Sunstate Equipment Co.	8/30/2019	COMM 1ST	PNCHK00002585	\$825.27
19060	T0071	TIAA Commercial Finance, Inc.	8/30/2019	COMM 1ST	PNCHK00002585	\$107.34
19061	TEMPC	Rosemary Couvrette	8/30/2019	COMM 1ST	PNCHK00002585	\$115.00
19062	TEMPK	Alina Kuchina	8/30/2019	COMM 1ST	PNCHK00002585	\$49.78
19063	V0007	Verizon Wireless	8/30/2019	COMM 1ST	PNCHK00002585	\$945.17
19064	W0001	Walker's Office Supplies, Inc.	8/30/2019	COMM 1ST	PNCHK00002585	\$147.59
19065	W0003	Warehouse Paint Incorporated	8/30/2019	COMM 1ST	PNCHK00002585	\$115.88
19066	W0042	Live Oak Waldorf School	8/30/2019	COMM 1ST	PNCHK00002585	\$1,134.00
19067	Y0003	Yasasaki Landscape Architectur	8/30/2019	COMM 1ST	PNCHK00002585	\$370.00

Total Checks: 190

Total Amount of Checks: \$412,153.04

**SECTION: 5.0**

**ITEM: 5.3 REVIEW OF FINANCIALS FOR  
AUGUST, 2019**

**DESCRIPTION:**

**INFORMATION: SEE ATTACHMENT**

**STAFF**

**RECOMMENDATION: THIS ITEM WAS REVIEWED AND APPROVED BY  
THE STANDING FINANCE COMMITTEE AND  
FORWARDED TO THE BOARD OF DIRECTORS  
FOR REVIEW AND APPROVAL**

## *Notations from August's Financials:*

### *Revenues –*

- Park Services are up \$79,000. Youth Services are up \$59,400, Youth Camps are up \$17,800, Youth Classes are up \$6,500 absorbing the \$9,000 decrease for Swim Team.
- Donations are up \$17,900 due to the Rotary Contributions toward Railhead Park.
- Tax Revenues are still showing us \$105,000 above budget, RDA tax revenues are \$66,000 of this influx.

### *Expenses –*

- Utilities have caught up to the budget, we are fairly close.
- Maintenance Expense is over by \$9,000. \$4,600 was spent on roof repairs at Recreation Community Center that was unexpected, some unbudgeted repairs totaling \$7,500 to the Gazebo at Recreation Park as well as added costs to bring Beggs Field into proper condition for this season's play, which put us over \$5,200. We spent \$6,000 less maintaining Sierra Pool this year, which offset some of our other expenses.
- Salaries and Benefits are under by \$28,000. Aquatics has a savings of \$8,000 in wages due to late hire of staff and a low program for the swim team. Fac & Grounds has a savings of \$11,000 in Benefits, due to the changes in staff. There were 7,000 savings in CalPERS due to staff fluctuations.
- Capital Improvements are over budget by \$20,000. The Rotary Project was not in the budget but was funded primarily by the Rotary Clubs of Auburn. This will be compensated for in our budget revision coming up.



**PROFIT & LOSS**  
**19/20 Approved Budget**

	Approved Budget FY 19-20	% of Total	2019 Aug ACTUALS	Last Yr Aug Actuals	2019 YTD ACTUALS	2019 YTD BUDGET	Last Yr YTD ACTUALS
<b>Operating Revenues</b>							
Program Revenue	1,254,440	20%	147,992	100,959	714,819	634,880	634,705
Facility Revenue	178,050	3%	10,822	8,216	114,649	120,700	114,703
Misc. Revenue	49,700	1%	3,601	3,822	21,332	27,100	31,617
Grants & Donations	11,440	0%	-	6	18,501	570	568
Interest Income	60,270	1%	8,467	-	39,835	31,910	23,073
Equipment Reserve Transfers	292,700	5%	-	-	-	-	(50,000)
Project Reserve Transfers	807,700	13%	-	11,902	19,000	19,000	46,902
Tax Revenue	3,233,500	53%	2,601	141,580	1,493,526	1,385,888	1,404,104
In Kind/Alwood	26,470	0%	-	1,109	9,626	10,580	9,981
County & City Mitigation Revenue	242,300	4%	-	-	-	-	50,000
<b>Total Operating Revenue</b>	<b>6,156,660</b>	<b>100.00</b>	<b>173,483</b>	<b>267,594</b>	<b>2,431,288</b>	<b>2,230,628</b>	<b>2,265,653</b>
<b>Expenditures</b>							
Program Expense	245,940	4%	50,778	47,763	133,994	130,880	138,894
Operating & Supplies	390,380	7%	35,613	31,817	149,431	147,120	140,503
Utilities Expense	213,290	4%	41,296	26,355	96,899	98,930	88,428
Professional Services	64,840	1%	2,138	13,704	28,824	19,174	22,265
Building & Grounds Maintenance	486,890	8%	48,187	58,998	180,672	171,700	148,610
Property Tax Admin.	60,950	1%	-	-	3,049	2,500	2,295
Wages	2,332,460	39%	202,852	208,810	970,268	978,120	958,910
Benefits & Payroll Costs	901,850	15%	65,006	104,833	302,773	403,170	369,051
Fixed Asset Expense	307,410	5%	132,785	5,338	143,873	138,737	131,487
Capital Improvement Projects	995,000	17%	9,651	96,428	121,902	101,706	230,016
Debt Services	2,000	0%	-	-	-	-	-
<b>Total Expenditures</b>	<b>6,001,010</b>	<b>100.00</b>	<b>588,306</b>	<b>594,046</b>	<b>2,211,685</b>	<b>2,191,937</b>	<b>2,230,459</b>
<b>Net Revenue Over Expenditures</b>	<b>\$ 155,650</b>	<b>2.53</b>	<b>\$ (414,823)</b>	<b>\$(326,452)</b>	<b>\$219,603</b>	<b>\$38,691</b>	<b>\$35,194</b>
Annual Contingency Reserve (1-2%)							
Annual Equip Replacement Reserve	\$ 50,000				\$ 50,000	\$ 872,282	\$ 774,762
Future Capital Construction Reserve					\$ 202,459	\$ 875,098	\$ 954,069
Call Tower Reserve:					\$ (122,459)	\$ -	\$ 122,459
ADA Reserve	\$ 5,000				\$ 5,000	\$ 25,032	\$ 40,032
CalPERS unfunded liability reserve	\$ 45,800				\$ 45,800	\$ 183,200	\$ 137,400
<b>TOTAL RESERVE BALANCES</b>							
Not Position	\$ 54,850						\$ 2,478,722

Auburn Area Recreation and Park District  
 Balance Sheet  
 8/31/2019

	Current YTD
<b>ASSETS</b>	
<u>Current Assets</u>	
Imprest Fund (Petty Cash)	\$530.00
First Foundation Bank	196,317.38
Placer County Treasure-General	3,359,681.46
Placer County Treasurer - City Trust	477,795.28
Accounts Receivable	6,093.35
PCOE Receivables	51,958.00
Prepaid Liability Expense	35,957.00
Prepaid Workers Comp Insurance	39,538.93
<b>TOTAL ASSETS</b>	<b>\$4,169,921.40</b>
<b>LIABILITIES AND NET PROFIT</b>	
<u>Current Liabilities</u>	
Prepaid Revenue	\$1,329.00
Gift Certificates	168.00
Compensated Absenses	129,642.79
Sales Tax Payable	233.65
Miscellaneous Deductions	20.00
Total Current Liabilities	\$131,398.64
<u>Net Position</u>	
General Fund Balance	\$3,837,920.21
Net Profit (Loss)	200,602.55
Total Net Position	\$4,038,522.76
<b>TOTAL LIABILITY AND NET POSITION</b>	<b>\$4,169,921.40</b>

Auburn Recreation and Park District  
 Balance Sheet  
 As of 8/31/2019

ASSETS

Current Assets

Petty Cash	580.00
First Foundation Bank	198,317.38
Placer County Treasurer – General Fund	3,359,681.46
Placer County Treasurer – City Trust	477,795.28
Accounts Receivable – ARD	6,093.35
PCOE Youth Services Receivable	51,958.00
Prepaid Expenses	0.00
Prepaid Liability Insurance	35,957.00
Prepaid Workers Comp Insurance	39,538.93

Total Current Assets \$4,169,921.40

Fixed Assets

Fixed Assets: Land	1,970,546.12
Fixed Assets: Structures	13,059,714.30
Fixed Assets: Equipment	1,042,771.70
Fixed Assets: Computer Equipment & Software	136,809.67
Fixed Assets: Vehicles	265,282.64
Fixed Assets: Office Furniture & Rec Equipment	97,395.53
Construction In Progress	429,902.23
Less: Accumulated Depreciation	(9,958,827.00)

Total Fixed Assets \$7,043,595.19

TOTAL ASSETS \$11,213,516.59

Auburn Recreation and Park District  
Balance Sheet (Continued)  
As of 8/31/2019

LIABILITIES AND NET POSITION

Current Liabilities

Prepaid Revenue	1,329.00
Liability Insurance Payable	0.00
Gift Certificates	168.00
Compensated Absences	129,642.79
Accounts Payable	0.00
Sales Tax Payable	238.85
Misc Deductions Payable	20.00
Worker's Comp Payable	0.00
Accrued Expenses	0.00
Accrued Payroll	0.00

Total Current Liabilities	\$131,398.64
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Fund Balances

Investments in Fixed Assets	7,043,595.19
GFB: Youth Assistance Fund	16,005.07
GFB: General Fund Balance	920,319.55
RFB: Reserved (City Mitigation)	477,795.28
RFB: Equip Replacement Reserve	872,281.72
RFB: Contingency Reserve	450,000.00
RFB: Future Capital Construction	875,098.49
DFB: Arboretum Grant Fund	13,275.73
DFB: Designated – Atwood Fund	3,903.95
DFB: Atwood – Equipment Repl Fund	1,003.65
DFB: Calpers – Unfunded Liability Fund	183,200.00
DFB: ADA Reserves	25,031.75

Net Position	200,602.55
--------------	------------

Total Assets	7,043,595.19
Total Unrestricted Funds GFB	936,324.63
Total Reserved Funds	2,675,175.49
Total Designated Funds	226,420.09

TOTAL LIABILITIES AND NET POSITION	\$11,213,516.55
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Auburn Area Recreation & Park District

Profit & Loss

ALL DEPARTMENTS

## Auburn Rec &amp; Park

Profit & Loss - Summary  
4/1/2019 To 8/31/2019

For All Segments1s

For All Segments4s

	Current Month	Actual YTD	Budget YTD	Variance	Percent Of Budget
<b>OPERATING REVENUE</b>					
Park & Recreation Services	147,992.26	714,818.92	634,880.00	79,938.92	112.59
Rents & Concessions	10,871.78	114,649.28	120,700.00	(6,050.72)	94.99
Miscellaneous Revenue	3,601.12	21,331.90	27,100.00	(5,768.10)	78.72
Grants & Donations	0.00	18,501.25	570.00	17,931.25	3245.83
Interest Income	8,166.55	39,834.65	31,910.00	7,924.65	124.83
Taxes Revenue	2,601.67	1,503,151.63	1,396,468.00	106,683.63	107.64
<b>TOTAL OPERATING REVENUE</b>	\$173,463.38	\$2,412,287.63	\$2,211,628.00	\$200,659.63	109.07%
<b>OTHER FINANCING SOURCES</b>					
<b>TOTAL OTHER FINANCING SOURCES</b>	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
<b>TOTAL REVENUES</b>	173,463.38	2,412,287.63	2,211,628.00	200,659.63	109.07
<b>EXPENDITURES</b>					
Program Expenses	50,776.02	133,993.99	130,880.00	3,113.99	102.38
Operations & Supplies Expense	35,612.66	149,430.73	147,120.00	2,310.73	101.57
Utilities Expense	41,296.53	96,899.10	98,830.00	(1,930.90)	98.05
Legal Expenses	1,810.00	13,779.66	8,000.00	5,779.66	172.25
Professional Services	327.75	15,043.65	11,174.00	3,869.65	134.63
Bldg & Grounds Maintenance	48,186.50	180,672.28	171,700.00	8,972.28	105.23
Property Tax Administration/LAFCO	0.00	3,048.91	2,500.00	548.91	121.96
Salaries Expense	202,852.13	970,267.80	978,120.00	(7,852.20)	99.20
Benefits & Payroll Costs	65,006.51	382,773.67	403,170.00	(20,396.33)	94.94
Fixed Asset Expense	132,784.82	143,873.51	138,737.00	5,136.51	103.70
Capital Improvement Projects	9,051.04	121,901.78	101,706.00	20,195.78	119.86

Auburn Rec & Park  
 Profit & Loss - Summary  
 4/1/2019 To 8/31/2019  
 For All Segments  
 For All Segments

	Current Month	Actual YTD	Budget YTD	Variance	Percent Of Budget
TOTAL EXPENDITURES	\$588,305.96	\$2,211,685.08	\$2,191,937.00	\$19,748.08	100.90%
NET REVENUE OVER EXPENDITURES	(\$414,822.58)	\$200,602.55	\$19,691.00	\$180,911.55	1018.75%
ADJ. NET REVENUE OVER EXPENDITURES	(\$414,822.58)	\$200,602.55	\$19,691.00	\$180,911.55	1018.75%

**Auburn Rec & Park**  
 Transfers to General Fund  
 4/1/2019 to 8/31/2019

City Mitigation Reserves		
4/15/2019	Security Cameras	\$ 19,000.00
	<i>Total Addition to General Fund from City Mitigation Reserve</i>	<u>\$ 19,000.00</u>
Equipment Replacement Reserves		
4/15/2019	2018-2019 Budgeted to Save	\$ (50,000.00)
	<i>Total Addition to General Fund from Equip Repl Reserves</i>	<u>\$ (50,000.00)</u>
Unfunded Liability Reserves		
4/15/2019	2018-2019 Budgeted to Save	\$ (45,800.00)
	<i>Total Addition to General Fund from Unfunded Liability Reserves</i>	<u>-\$ (45,800.00)</u>
ADA Reserves		
4/15/2019	2018-2019 Budgeted to Save	\$ (5,000.00)
	<i>Total Addition to General Fund from ADA Reserves</i>	<u>\$ (5,000.00)</u>
	<b>Total Transfers from Reserves</b>	<b>\$ (81,800.00)</b>



**SECTION: 6.0**

**BOARD REPORTS, FEE WAIVER LOG,  
VANDALISM REPORTS & PROJECT  
ACTIVITY REPORT**

**INFORMATION:**

**SEE ATTACHMENTS**

**Kahl Muscott**  
**District Administrator**  
**Report to the Board of Directors**  
**September, 2019**

- A box containing needles and other drug paraphernalia was discovered between a trash can liner and trash can at the Dry Creek end of Regional Park. The box and its contents were turned over to PCSO.
- Bike Park construction has started in earnest. Completion is scheduled for early/mid October. The trails will be built by volunteers, led by local riders and the Auburn Trails Alliance.
- ARD had its booth in its traditional location at the Gold Country Fair.
- The Auburn Arts Commission is trying to help me find an artist for the Regional Park pump housing. A call to artists has gone out.
- Staff rebuilt a small shade structure over the back patio from the Craft Room at Recreation Park.
- The Recreation Park gym re-opened after we had it closed for 3 weeks to refinish the floor.
- 777 lbs. of catfish were stocked in the Regional Park pond.
- Three new part-time Park Workers have started or will be starting soon. A full-time Park Worker was hired to replace Harold Polito, who is retiring after 26+ years.
- Construction and marking of the Obstacle Course race was taking place as of the writing of the report. Registration numbers look strong.
- The first of two “Little Libraries” was installed by Eagle Scout candidate Lachlan Ryan. The other library will be installed in the Recreation Park Community Center lobby.

**Meetings and events attended/scheduled to attend**

9/3: Bob Richardson, City staff re: Amended ARD/City of Auburn MOU

9/3: Rotary

9/4: Obstacle Race meeting

9/4: Festival of Lights Committee meeting

9/5: Gold Country Rotary re: ARD 101 and current projects

9/6: Dave Thompson, Larry Prewitt re: James Field infield

9/7: Gold Country Fair (ARD booth)

9/10: Conflict Resolution Training

9/11: Obstacle Race meeting

9/16: A&D Committee

9/17: Interview for Park Worker

9/17: Rotary

9/18: Interviews for Park Worker

9/18: Policy Committee

9/18: Finance Committee

9/19: Obstacle Race set-up

9/19: Auburn Harvest Festival meeting

9/19: Bike Park volunteer trail builders meeting

9/20: Obstacle Race set-up

9/20: Rotary BBQ

9/21 – 22: Obstacle Race set-up, operations, clean-up

9/24: Placer County Board of Supervisors meeting re: funding for Bike Park ramps

9/24: Smart Watt re: results of energy audit

**Veona Galbraith**  
**Administrative Services Manager**  
**Report to the Board of Directors**  
**September, 2019**

*Notations from August's Financials:*

*Revenues –*

- Park Services are up \$79,000. Youth Services are up \$59,400, Youth Camps are up \$17,800, Youth Classes are up \$6,500 absorbing the \$9,000 decrease for Swim Team.
- Donations are up \$17,900 due to the Rotary Contributions toward Railhead Park.
- Tax Revenues are still showing us \$105,000 above budget, RDA tax revenues are \$66,000 of this influx.

*Expenses –*

- Utilities have caught up to the budget, we are fairly close.
- Maintenance Expense is over by \$9,000. \$4,600 was spent on roof repairs at Recreation Community Center that was unexpected, some unbudgeted repairs totaling \$7,500 to the Gazebo at Recreation Park as well as added costs to bring Beggs Field into proper condition for this season's play, which put us over \$5,200. We spent \$6,000 less maintaining Sierra Pool this year, which offset some of our other expenses.
- Salaries and Benefits are under by \$28,000. Aquatics has a savings of \$8,000 in wages due to late hire of staff and a low program for the swim team. Fac & Grounds has a savings of \$11,000 in Benefits, due to the changes in staff. There were 7,000 savings in CalPERS due to staff fluctuations.
- Capital Improvements are over budget by \$20,000. The Rotary Project was not in the budget but was funded primarily by the Rotary Clubs of Auburn. This will be compensated for in our budget revision coming up.

*Appointments to Note for Aug - Sept:*

- Recreation Manager Interviews
- Financial Management with CSDA conference
- Gold Country Fair – ARD Booth
- Communications Training

**Jesse Williams**  
**Facilities & Grounds Manager**  
**Report to the Board of Directors**  
**September, 2019**

American River Overlook Park:

- Advanced IPM performed their bimonthly maintenance service around the building.

Ashford Park:

- Advanced IPM performed their bimonthly maintenance service around the building.
- Fuentes Lake and Pond Management used Cutrine-Plus to treat the algae in the pond.

Auburn Elementary:

- Proactive heating maintenance and filter change performed by Steffen's HVAC Services.

Canyon View Community Center

- Proactive air conditioning maintenance and filter change performed by Steffen's HVAC Services.
- Advanced IPM performed their bimonthly maintenance service around the building.

Christian Valley Park:

- Advanced IPM performed their bimonthly maintenance service around the building.
- Proactive air conditioning maintenance and filter change performed by Steffen's HVAC Services.

Meadow Vista Park

- Advanced IPM performed their bimonthly maintenance service around the buildings.

Placer Hills Park

- Yuba Safe and Lock replaced and rekeyed the locks on the closet.
- Advanced IPM performed their bimonthly maintenance service around the buildings.

Railhead Park:

- Advanced IPM performed their bimonthly maintenance service around the building.
- Norris Electric replaced a bad light fixture over the drinking fountain and another in the men's restroom, retrofit the outside flood lights on either end of the building and grounded the electrical to the restrooms.
- Applied Sierra Pacific Turf Supply 16-16-16 72% Slow Release Nitrogen fertilizer to the turf. Supreme 16 GreenR provides up to ten weeks of extended nitrogen release for improved density, plant vigor and color.
- Applied Replenish 8-2-2 fairway carbon-based fertilizer to the turf. Replenish 8-2-2 is a powerful combination of non-pasteurized bio active carbon and mineral rich composted poultry liter along with ammonium sulfate. The bio-active compost provides carbon to the soil and allows nitrogen to go through nitrification much more efficiently.

Recreation Park:

- Serviced the #10 truck and the #23 Van.
- Serviced the R311T Rotary Mower.
- Proactive heating maintenance and filter change performed by Steffen's HVAC Services.
- Continued repairing the large gazebo.
- Advanced IPM performed their bimonthly maintenance service around the building.
- Boberg Hardwood Floors cleaned, prepped, screened and applied Hillyard gym finish over the existing wood gym floor in the Community Center.

Regional Park:

- Serviced the #08 truck.
- Serviced the Polaris Ranger.
- Advanced IPM performed their bimonthly maintenance service around the buildings.
- Norris Electric retrofit six burnt out HID lamps along the walkway to LEDs and replaced the faulty intermatic photocell for the walkway lights.
- Replaced six of the outdoor steel picnic tables with new ones.
- The Davey Tree Expert Company pruned the trees around one of the light towers on Bill Bean Field and pruned some trees bordering the residents who live at 11428 Blue Fox Court.
- Fuentes Lake and Pond Management harvested the weeds in the pond with a mobittract (amphibious cutter harvester).
- Norris Electric replaced a total of sixteen burnt out lamps on Bill Bean Field, B Field, C Field and the soccer field.
- Applied Sierra Pacific Turf Supply 16-16-16 72% Slow Release Nitrogen fertilizer to the turf.
- Applied Replenish 8-2-2 fairway carbon-based fertilizer to Bill Bean Field and B Field.
- Placer County Office of Education recognized staff at Regional Park for being a vocational education partner with them in 2018-2019. At this park, staff provide students with vocational skills training and work site exposure by providing these students with specific job duties during set hours and days.

Rock Creek Elementary:

- Proactive heating maintenance and filter change performed by Steffen's HVAC Services.
- Applied a new coat of anti-slip safety coating to the ramp going into the modular and replaced the ramp skirting.

Skyridge Elementary:

- Proactive heating maintenance and filter change performed by Steffen's HVAC Services.

**Mike Scheele**

**Landscape Architect/Project Manager**

**Report to the Board of Directors**

**September, 2019**

- **ARD Bike Park Project:** Work has begun on the project. The required import soil for the pump and strider tracks was able to be obtained from the James Field project and has been hauled to the lower parking lot. First tasks include trenching the irrigation mainline, removal of miscellaneous debris and abandoned utility equipment, demolition of the old parking lot asphalt and installing the posts for the wood fence. This will be followed by placing the import soil, trenching and installation of the storm drain system, forming the pump and strider track mounds, constructing the concrete viewing area and ADA parking and installation of the site furnishings. District is coordinating with USBOR and the bike park advocates to draft and prepare all the park rules and directional signage for installation by the contractor as well. Pre-final draft rules signage has gone before the A&D committee meeting where additional good input was received from local neighbors and board members. Project should take just over a month. The trail portions of the project will be built in stages by volunteers being guided by bike park advocates/trail

experts. Civil engineer already has the trail routes surveyed and will set stakes to guide the volunteers. Bike Park Consultant the District was going to hire temporarily is no longer available but another contractor familiar with bike park construction has volunteered to monitor the track grading/earthwork periodically on a pro-bono basis.

- James Field Renovation Project: Project remains under construction with storm drain piping/backfill, irrigation mainline/controller and remaining grading operations underway at time of this update. Soil amendments, irrigation lateral lines are next steps followed by installation of existing and District-purchased infield mixes and planting of the hybrid Bermuda grass stolons (stolons in outfield, Bermuda sod in infield). Un-foreseen concealed conditions have been discovered including finding existing power lines to the scoreboard not at code depth and hitting bedrock in the storm drain trench. These have caused delay and extra cost to the project. Additionally, the amount of cut/off haul soil was much larger than expected. Fortunately the amount and type of soil was the same as was needed on the Bike Park Project and by agreement with the bike park contractor, the District was able to offset the cost of the extra off haul by providing it to the bike park and getting a credit. Per the request of the High School Baseball Coach, the infield design is being modified to provide Bermuda grass sod baselines instead of traditional infield mix. After acceptance of the work by the District, the contractor has a 60-calendar day maintenance period on the project. District will likely be over-seeding the outfield with a ryegrass this winter but still dependent on how well the Bermuda grows in this fall. This in an effort to have a green, stable playing surface come start of baseball season at the start of February.
- 24 Acre Project-Statewide Park Dev and Community Revitalization Grant Application: NO NEW ACTION. Staff will be pursuing the next round of grant funding for the property next spring and all 5 required public meetings have taken place with staff obtaining input on the current master plan drawing. Prior to this staff will be putting together and releasing a RFQ requesting a design firm that can not only take the project through CEQA, but that can also assist with any design refinements and produce construction documents for whatever the first phase of the 24 Acre development turns out to be post CEQA.
- Overlook Park Restroom ADA Upgrades: Staff is planning on hiring consultant to prepare construction documents in the winter of 2019 with bidding and construction in the spring of 2020.
- Placer Hills Pool Parking Area Renovations: Sidewalk path of travel has been found to be in acceptable ADA shape but the parking lot asphalt and ADA striping could use renovation. Additionally, there is a significant drainage problem trapping a large puddle of water that needs to be studied. Staff will obtain a topographic survey to design the renovation work which will take place next fiscal year.
- Regional Park South ADA Access Project: Project Completed.
- Regional Park Irrigation Pump System Improvements: Project Completed.
- Miscellaneous Items: ADA improvements and asphalt patching at CVCC and Atwood Park, new memorial bench at Ashford Park, new sponsored bench at Regional Park South

play area for the Placer County Association of Realtors, updates of monthly Board reports and A&D Project Activity Reports etc.

**Manouch Shirvanioun**  
**Marketing & Customer Service**  
**Report to the Board of Directors**  
**September, 2019**

	8/01/19-8/31/19	8/01/18-8/31/18
Activity Registrations	\$5,000	\$6,000
Day Care/Discovery payments	\$96,000	\$61,000
Facility payments/reservations	\$26 ,000	\$15,000

Obstacle Race.

Reviewed and approved Fee Waiver requests.

Working with following leagues for field usage:

SFLL, ALL, Colfax High, Placer Hills Youth Soccer coordinating field usage for fall ball

Met with organizers for Out of the Darkness/Suicide Prevention Walk-Railhead Oct.12.

Chamber Weekly Ambassador Visits.

Biweekly Leadership Auburn executive committee meetings.

Leadership Auburn Orientation.

Canyon Keepers.

Conflict Resolution training class.

**Sheryl Petersen**  
**Recreation Services Manager**  
**Report to the Board of Directors**  
**September, 2019**

- Meetings attended: ASR (4), AARC (3), SCB, AHF, SHF.
- Met with a second intern from Sierra College.
- Attended Obstacle Race planning meeting.
- Met with Scarecrow contest organizers.
- Cleared up computer for Mark Brunner.
- Had promotional articles featured in Foothill Magazine.
- Set up meetings for Mark Brunner.
- Hosted Mini Triathlon in Meadow Vista.
- Attended Inter-Rotary International Service meeting.
- Met with Dani to go over P&L for Uke Festival.
- Set up contract with Dani for 2019.

AARC – All American Rib Cookoff, AHF-Auburn Harvest Festival, ASR- Auburn Sunset Rotary, PIP-Party in the Park, SCB- Senior Center Board, SF String Fling, SHF-Auburn Senior Health Fair, UKE- Ukulele Festival, VFCAL-Valley Foothills Competitive Aquatics League.

**Coming up this Month**

**October**

2	Senior Health Fair	Regional Gym
11-13	Ms October Softball Tournament	Beggs Field
14	Columbus Day	Offices Closed
19	Harvest Festival	Recreation Park
31	Board Meeting	CVCC

**Debbie Thomas**

**Youth Services Manager**

**Report to the Board of Directors**

**September, 2019**

- All Discovery Clubs are running at capacity and have wait lists. Staff are trying to accommodate families where they can.
- All sites are now on the online registration system. The process is running smoothly for the most part and parents are adjusting.
- Rehired one summer seasonal staff for an open position at Skyridge. I have been filling in at the sites as needed.
- Finance meeting Sept. 18; Board meeting Sept. 26; met with Mark Brunner Sept. 17<sup>th</sup>.
- Covered a shift at the Gold Country Fair booth September 6<sup>th</sup>.
- Three staff reviews for September
- Planning & purchasing for upcoming day camps: October 8-11; Nov. 1, 18 & 25-27
- All sites including the preschool are working on their scarecrow entries for the Harvest Festival on Oct. 19
- United Way is providing afternoon snacks at Auburn El. Discovery Club again this year. Our staff attended recertification trainings again.



FEE WAIVER LOG

DATE	NAME	ORGANIZATION	RENTAL FEES	CUSTODIAL AND PERMIT FEES	WAIVED FEES	CO-SPONSORED EVENT	MONTHLY TOTAL	YTD TOTAL
Apr-19	Jean Hixon	Western States Trail- Sierra Room	\$225.00	\$30.00	\$255.00	No		
Apr-19	Thomas Eckert	Bureau of Reclamation-Sunset Room	\$540.00	\$60.00	\$600.00	No		
Apr-19	Allison Harvey	Placer Hills Education Foundation-MV Pincic sites	\$225.00	\$90 cs/ld \$30 alcohol	\$112.50	No		
Apr-19	Diana Boyer	FATRAC- Conference Room at Rec. Park	\$75.00	\$30.00	\$105.00	No		
Apr-19	Mike Mason	Kids First- Regional Picnic Sites	\$198.00	\$30.00	\$99.00	No		
Apr-19	Linda LoBue	Sight Word Busters- Lakeside Room Celebrating K, 1st & 2nd students from Rock Creek School	\$176.00	\$30.00	\$158.40	No		
May-19	Jim Moore	Auburn Host Lions-Recreation Picnic sites	\$100.00	\$80.00	\$50.00	No	\$1,329.90	\$1,329.90
Jun-18	Jean Hixon	Western States Trail Foundation-Sierra Room	\$202.50	\$0.00	\$202.50	No	\$50.00	\$1,379.90
Jun-18	Herb Grounds	Feed The Hungry of Auburn-Picnic areas Recreation Park	\$100.00	\$60.00	\$50.00	No		
Jun-18	Chris Peikart	Freedom Church- Picnic 1 & 2 Regional Park	\$100.00	\$60.00	\$50.00	No		
Jul-18	Frida Diaz	Child Advocates of Placer County-Recreation Park Picnic site # 1	\$50.00	\$30.00	\$25.00	No	\$302.50	\$1,682.40
Jul-18	Jim Moore	Auburn Host Lions Club- Recreation Park picnic sites 1 and 2	\$100.00	\$60.00	\$50.00	No		
Jul-18	Bree Renz	Auburn Eck Center/CA Salsang Society- Lakeside Room	\$200.00	\$30.00	\$180.00	No	\$255.00	\$1,937.40

FEE WAIVER LOG

DATE	NAME	ORGANIZATION	RENTAL FEES	CUSTODIAL AND PERMIT FEES	WAIVED FEES	CO-SPONSORED EVENT	MONTHLY TOTAL	YTD TOTAL
Aug-18	Courtney Portlock	American Foundation for Suicide Prevention- Railhead Park fields A and B	\$219.60	\$60.00	\$197.64	No		
Aug-18	Keith Nasbitt	Auburn Chamber-Leadership Auburn Alumni Event Splash Pool Area	\$300.00	\$60.00	\$270.00	No		
Aug-19	Karen Montgomery	Bowman Charter School-PTO Railhead Park-Field B	\$116.75	\$80.00	\$93.40	Yes		
Sep-19	Kelly Davis	CJD Foundation-Picnic site at Regional Park	\$60.00	\$40.00	\$48.00	No	\$561.04	\$2,498.44
Sep-19	Chivas Mays	Stand Up Placer- Foothills Room & Sunset Room	\$858.00	\$140.00	\$772.20	No	\$820.20	\$3,318.64

9/17/2019

VANDALISM REPORT

LOCATION	VANDALISM	LABOR COSTS	MATERIAL COSTS
8/9/2019 Recreation Park	Bathroom sink ripped off wall & smashed	\$55.80	\$946.85
8/16/2019 Meadow Vista Park	Footing for slide replaced	\$410.00	\$48.16
	<b>Total Labor</b>	<b>\$465.80</b>	<b>\$995.01</b>
	<b>Total for year</b>	<b>\$1,028.80</b>	<b>\$5,165.20</b>

8/20/2019

VANDALISM REPORT

LOCATION VANDALISM LABOR COSTS MATERIAL COSTS

7/19/2019 Regional Park

Car drove into fence post. \$410.00 \$32.96

Total Labor	\$410.00	Total	\$32.96
Total for year	\$563.00	Total for Year	\$4,170.19

**7/15/2019**

**VANDALISM REPORT**

**There was no activity for vandalism for the month of July, 2019.**

6/20/2019	VANDALISM REPORT			
Date	VANDALISM	LABOR COSTS	MATERIAL COSTS	
5/8/2019	Vandalism trash run - Regional Park	\$26.00 ARD staff labor	\$23.00 for Recology to pick up trash	
5/24/2019	Slide Retro Fit - Meadow Vista	\$52.00	\$2,951	
	Someone jumped on or hit a crack the slide's seam			
	<b>Total Labor</b>	<b>\$78</b>	<b>Total Material</b>	<b>\$2,974</b>
	<b>Total for Year</b>	<b>\$153.00</b>	<b>Total for Year</b>	<b>\$4,137.23</b>

5/20/2019

VANDALISM REPORT

There was no activity for vandalism for the month of April, 2019.

4/5/2019

VANDALISM REPORT

DATE	LOCATION	VANDALISM	LABOR COSTS	MATERIAL COSTS
3/29/2019	Reg. Pk. + Lakeside room	Vandals broke into men's bathroom	Yuba Safe & Lock no ARD labor costs	\$274.26
3/29/2019	Regional Park	Regional Park homeless camp clean up	\$65.00	\$126.50
3/29/2019	Tutor Totter Preschool	Locks broken by vandalism	\$10.00	\$119.07
<b>Total labor</b>			<b>\$75.00</b>	<b>\$1,163.23</b>



3/20/2019	VANDALISM REPORT			
DATE	LOCATION	VANDALISM	LABOR COSTS	MATERIAL COSTS
3/20/2019	NONE	NONE	NONE	NONE

		VANDALISM REPORT		
DATE	LOCATION	VANDALISM	LABOR COSTS	MATERIAL COSTS
2/20/2019	NONE	NONE	NONE	NONE

1/23/2019

VANDALISM REPORT

DATE	LOCATION	VANDALISM	LABOR COSTS	MATERIAL COSTS
12/14/2018	Ashford Park	(2) Broken toilet seats	\$0.00	\$643.40 (vandalism proof toilet seats)
1/8/2019	Regional Park	Off roaders caused big ruts at Regional where the ARD events take place. Not fixed yet because of rain, needs to drain because it flooded. Topsoil and overseed will be put in after it has drained and dried.	\$0.00	\$0.00

Total labor costs \$0 Total material costs \$643.40

2019/2020 PROJECT ACTIVITY REPORT		UPDATED 9/10/19		EST. COMPLETED
PROJECT	EST. COST	NOTES		
<b>RECREATION PARK</b>				
James Ballfield Renovation Project (2019)	277,086.00	Project remains under construction with storm drain trenching, irrigation mainline and remaining grading operations underway at time of this update. Storm drainage piping, soil amendments, irrigation lateral lines are next steps followed by installation of existing and District-purchased infield mixes and planting of the hybrid bermuda grass stolons (stolons in outfield, bermuda sod in infield). Unforseen concealed conditions have been discovered including finding existing power lines to the scoreboard not at code depth and hitting bedrock in the storm drain trench. These have caused delay and extra cost to the project. Additionally, the amount of cut/offhaul soil was much larger than expected. Fortunately the amount and type of soil was the same as was needed on the Bike Park Project and by agreement with the bike park contractor, the District was able to offset the cost of the extra offhaul by providing it to the bike park and getting a credit. Per the request of the High School Baseball Coach, the infield design is being modified to provide bermuda grass sod baselines instead of traditional infield mix. After acceptance of the work by the District, the contractor has a 60 calendar day maintenance period on the project. District will likely be over-seeding the outfield with a ryegrass this winter but still dependent on how well the bermuda grows in this fall.		OCTOBER/NOVEMBER 2019
Recreation Park South Parking Lot Accessible Parking Stall Project (2019)	15,000.00	Project Completed. Simpson & Simpson Inc. did a nice job.		JULY 2019
<b>PLACER HILLS POOL</b>				
ADA Path of Travel (2016/2017)	10,000.00	Sidewalk path of travel has been found to be in acceptable ADA shape but the parking lot asphalt and ADA striping could use renovation. Additionally there is a significant drainage problem trapping a large puddle of water that needs to be studied.		NOVEMBER 2019
<b>REGIONAL PARK</b>				

New Playground (130K-completed) and new ADA path of travel from parking lot project (40K) (2017/2018)	170,000.00	ADA Parking and path of travel project has been completed.	AUGUST 2019
Irrigation Pump Replacement (2017/2018)	160,000.00	New pump is installed and working well. Project is finally completed!	JULY 2019
<b>OVERLOOK PARK</b>			
Restroom ADA Upgrades (2018/2019)	35,000.00	Staff is planning on hiring consultant to prepare construction documents in the Winter of 2019 with bidding and construction in the Spring of 2020.	MARCH 2020
<b>24 ACRE PROPERTY</b>			
Statewide Park Development and Community Revitalization Program Grant (2018/2019)	0.00	Staff will be pursuing the next round of grant funding for the property next spring and all 5 required public meetings have taken place with staff obtaining input on the current master plan drawing. Prior to this staff will be putting together and releasing a RFQ requesting a design firm that can not only take the project through CEQA, but that can also assist with any design refinements and produce construction documents for whatever the first phase of the 24 Acre development turns out to be post CEQA.	AUGUST 2019 THROUGH SPRING 2020
<b>CVCC</b>			
Bike Park - Design, CEQA, NEPA etc. (2014/2015)	100,000.00	The signed FONSI (Finding Of No Significant Impact) from the USBOR was finally received July 2nd.	JULY 2018
Bike Park - Construction (2015/2016)	320,000.00	Work has begun on the project. The required import soil for the pump and strider tracks was able to be obtained from the James Field project and has been hauled to the lower parking lot. First tasks include trenching the irrigation mainline, removal of miscellaneous debris and abandoned utility equipment, demolition of the old parking lot asphalt and installing the posts for the wood fence. This will be followed by placing the import soil, trenching and installation of the storm drain system, forming the pump and strider track mounds, constructing the concrete viewing area and ADA parking and installation of the site furnishings. District will be preparing and installing all the rules and directional signage as well. Project should take just over a month. The trail portions of the project will be build by volunteers, most likely in stages. Civil engineer already has the trail routes surveyed and will set stakes to	OCTOBER 2019



Maidu Drive Repair (2018/2019)	25,000.00	The Bureau asked both ARD and PCWA to get additional budget cost estimates for the entire stretch of their portion of Maidu Drive (South of CVCC towards Auburn Folsom Road ending at the edge of the housing development) This is in addition to the estimates already received for the more damaged portion by CVCC. At some point the project(s) will need to be put out to formal bid. ARD is offering \$25K towards the re-paving of the bad section by CVCC/Bike Park. Staff obtained the additional cost estimates from the paving contractor and forwarded them off to the Bureau. Next steps by the Bureau are currently unknown.	TBD
<b>MEADOW VISTA PARK</b>			
Parking Lot Re-seal/Re-Stripe (2018/2019)	10,000.00	Parking lot maintenance project is proposed to be pushed out to next fiscal year.	MARCH 2020
<b>MULTI-PARK ITEMS</b>			
Sireambed Alteration Agreement (2016/2017)	44,000.00	The Draft Vegetative Management Plan IS/MND (Initial Study/Mitigated Negative Declaration) was accepted by the Board in December 2018 and the Agreement is now in place.	Agreement in place, project on-going
Carry over projects from 2018/2019 list in YELLOW			
<b>Fiscal Year Projects Total:</b>	<b>874,000.00</b>		

## Item 7.1 Cover sheet – Drug and Alcohol Policy Review

Auburn Area Recreation and Park District (ARD) Policy Committee July, 2019; August, 2019; Board of Director's Meeting August, 2019; **Board of Directors Meeting September 26, 2019**

### The Issue

Shall the Auburn Area Recreation and Park District (ARD) amend its policies and procedures related to Drug and Alcohol use? Director Holbrook requested that this item be considered.

### Background

ARD has policies as they relate to Drug and Alcohol use. These policies are similar to the policies included in the Agreement between ARD and Local 39. A copy of a memo sent to employees in January, 2018 containing the policies is attached. This memo was reviewed by legal counsel.

At the July Policy Committee meeting, staff was asked to research questions specific to marijuana and CBD use. Staff sent these questions to attorney Patti Eyres. Here are the responses:

- **What we want to avoid is losing a good employee/candidate because of their marijuana use while off the clock. A person could smoke marijuana on Monday and be tested positive on Friday.**  
*I understand this concern, but there is really no way to distinguish between someone who smoked or ingested it several days earlier and now tests positive from some who used it recreationally the night before. And, the medical community suggests that many people have different levels of tolerance for marijuana or even CBD in their system, so that levels of "impairment" are not dependent on the passage of time between last inhalation/ingestion and the date of the test. From an employment law perspective, it is best practice to have an objectively measurable policy – so that everyone who is similarly situated is treated uniformly.*
- **The same thing applies to those who use CBD. I am not sure if CBD shows up in testing, but I am told it does. Yes, it does. See attached my most recent PowerPoint presentation on DFWP Act. There are several slides toward the latter part of the program on CBD.**
- **We are also concerned that, should we make some changes allowing the use of off the clock marijuana, that an employee could be high at work and we would have no way to prove it. If we were to test that employee, he/she could simply say that he/she smoked two days ago. Obviously, you do not have control of what they do "off the clock" and because they are public employees you cannot penalize them for off duty conduct. However, it is my recommendation that a positive test be treated for all purposes as a disciplinary action, without regard to whether they were objectively impaired, or whether they claim they last used it a week or more earlier than the test.**
- **Also, what are your thoughts on automatically testing anyone who gets in to an accident at work? Currently, our policy and agreement with the union reads that we can test under reasonable suspicion. CAL OSHA discourages this practice now – based on the fact that it "chills" employees from reporting a workplace injury if they are concerned about a drug test. The best**

*practice is to limit post-accident testing to situation with either (a) a serious injury involving EMT or hospitalization; or (b) reasonable suspicion that the individual who caused or contributed to the accident was objectively intoxicated or under the influence.*

Related to these questions and discussions, staff has attached an article from the New York Times that discusses changes to drug testing being incorporated by some states (not California) and private businesses. Staff has also attached an article and the language from a recent change to Nevada law, making it illegal to not hire an applicant based on a positive marijuana test.

The Policy Committee forwarded this item to the Board with a recommendation to consider allowing positive drug tests for job applicants. The Policy Committee did not recommend allowing positive drug tests for employees tested under reasonable suspicion.

The ARD Board of Directors reviewed this information in August, 2019 and sent it back to the Policy Committee for further review and study. Since then, staff contacted CAPRI, ARD's risk management pool and spoke with Executive Director Matthew Duarte. Matthew reviewed the information and regarding the potential changes to ARD drug testing policy. Matthew stated that CAPRI could not accept the exposure to ARD and to the CAPRI risk pool by amending ARD policy to allow for positive marijuana tests for new hires. Matthew stated that ARD will need to follow generally accepted drug testing policy until the California legislature addresses it in a clear manner.

#### *Recommendation for the Board of Directors*

Staff does not recommend changing ARD policy regarding drug and alcohol use. This recommendation is based on advice from legal counsel and the statements and position of CAPRI.

The ARD Policy Committee did not review this item in September due to a cancelled meeting.

#### *Fiscal Impact*

N/A

#### *Attachments*

January 3, 2018 memo: Marijuana use and related policies  
Sample Drug Free Work Place policy from attorney Patti Eyres  
New York Times article: "When the law says using marijuana is ok, but the boss disagrees"  
USA Today article: Nevada law and failed marijuana test  
Nevada Assembly Bill 132: Failed marijuana tests



January 3, 2018

## MEMO

To: All ARD employees, volunteers, work release and community service  
From: Kahl Muscott, District Administrator

Re: Marijuana use and employment at the Auburn Area Recreation and Park District  
(ARD)

As you may be aware, there has been a change in California law with respect to possession and use of recreational marijuana. Regardless of California law, marijuana remains illegal under federal law.

The purpose of this memo is to refresh everyone with ARD policy and agreement with the Local 39 Operating Engineers regarding the possession and/or use of marijuana or any controlled substance. A copy of these policies are set forth below. Please review them carefully.

Bottom line: Marijuana is a controlled substance. Possession, use or being under the influence of any controlled substance, including marijuana, while on the job violates ARD Policy and the agreement between ARD and Local 39. This also applies to ARD volunteers, work release and community service individuals. A violation of this policy could lead to the imposition of discipline, up to, and including termination.

Please read and familiarize yourself with these policies. Please feel free to contact myself or your manager/supervisor with any questions.

From the Auburn Area Recreation and Park District Personnel Manual:

### 3.3 Drug and Alcohol Abuse

The District is concerned about the use of alcohol, illegal drugs, or controlled substances as they affect the workplace. Use of these substances, whether on or off the job, can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the District. In addition, the use or possession of these substances on the job constitute a potential danger to the welfare and safety of other employees and expose the District to the risks of property loss or damage, or injury to other persons. Inappropriate use of prescription drugs and/or over-the-counter drugs may do the same.

The following rules and standards of conduct apply to all employees either on District property or during the workday (including meals and rest periods). Behavior that violates District policy includes:

- A. Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job;
- B. Driving a District vehicle while under the influence of alcohol or an illegal or controlled substance;
- C. Distribution, sale, or purchase of an illegal or controlled substance while on duty or in the workplace.
- D. Reporting to work under the influence of alcohol, illegal drugs or any other controlled substance.
- E. Use of alcohol, illegal drugs or any other controlled substance while on duty or in the workplace.
- F. Misuse of prescription drugs or over the counter drugs while on duty or in the workplace.

Violation of these rules and standards of conduct will not be tolerated. The District also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, the District reserves the right to conduct searches of any and all District property, including desks and lockers, and to implement other measures necessary to detect and deter abuse of this policy. No employee should assume that any area on District property is private. The District reserves the right to enter and search any desk or locker in the workplace.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off District property will not be tolerated because such conduct, even though off duty, reflects adversely on the District. In addition, the District must keep people who sell or possess controlled substances off the District's premises in order to keep the controlled substances themselves off the premises.

Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work.

The District encourages, and may accommodate if reasonable, employees with alcohol or drug dependencies to seek treatment and or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The District is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the District obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency will not automatically be given a second opportunity to seek treatment and or rehabilitation. This policy on treatment and rehabilitation is

not intended to affect the District's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

All District employees are subject to drug and alcohol testing under federal and state guidelines allowing for "reasonable suspicion testing" as follows:

Reasonable suspicion testing is authorized when management believes an employee is using illegal drugs or alcohol. It is appropriate to request a reasonable suspicion drug and alcohol test when any of the following conditions exist:

- A. Direct observation of drug use and/or the physical symptoms of being under the influence of drugs or alcohol.
- B. A pattern of abnormal conduct or erratic behavior.
- C. Arrest or conviction for a drug related offense; or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking.
- D. Information that is either provided by reliable and credible sources or independently corroborated.
- E. Newly discovered evidence that the employee has tampered with a previous drug test.

From the agreement between the Auburn Recreation District and Local 39 Operating Engineers. Ratified April, 2017

## ARTICLE 6

### DRUGS AND ALCOHOL POLICY

#### 6.1 Drug and Alcohol Abuse

The District is concerned about the use of alcohol, illegal drugs, or controlled substances as they affect the workplace. Use of these substances, whether on or off the job, can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the District. In addition, the use or possession of these substances on the job constitute a potential danger to the welfare and safety of other employees and expose the District to the risks of property loss or damage, or injury to other persons. Inappropriate use of prescription drugs and or over-the-counter drugs may do the same.

The following rules and standards of conduct apply to all employees either on District property or during the workday (including meals and rest periods). Behavior that violates District policy includes:

1. Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job;
2. Driving a District vehicle while under the influence of alcohol or an illegal or controlled substance;
3. Distribution, sale, or purchase of an illegal or controlled substance while on duty or in the workplace.
4. Reporting to work under the influence of alcohol, illegal drugs or any other controlled substance.
5. Use of alcohol, illegal drugs or any other controlled substance while on duty or in the workplace.
6. Misuse of prescription drugs or over the counter drugs while on duty or in the workplace.

Violation of these rules and standards of conduct will not be tolerated. The District also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, the District reserves the right to conduct searches of any and all the District property, including desks and lockers, and to implement other measures necessary to detect and deter abuse of this policy. No employee should assume that any area on District property is private. The District reserves the right to enter and search any desk or locker in the workplace.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off District property will not be tolerated because such conduct, even though off duty, reflects adversely on the District. In addition, the District must keep people who sell or possess controlled substances off the District's premises in order to keep the controlled substances themselves off the premises.

Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well being of others, must notify a supervisor of such use immediately before starting or resuming work.

The District will encourage, and reasonably accommodate, employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The District is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the District obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the District's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

All District employees are subject to drug and alcohol testing under Federal and State guidelines allowing for "reasonable suspicion testing" as follows:

Reasonable suspicion testing is authorized when management believes an employee is using illegal drugs or alcohol. It is appropriate to request a reasonable suspicion drug and alcohol test when any of the following conditions exist:

1. Direct observation of drug use and/or the physical symptoms of being under the influence of drugs or alcohol.
2. A pattern of abnormal conduct or erratic behavior.
3. Arrest or conviction for a drug related offense; or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking.
4. Information that is either provided by reliable and credible sources or independently corroborated.
5. Newly discovered evidence that the employee has tampered with a previous drug test.

## PURPOSE

It is the intention of this policy to eliminate substance abuse and its effects in the workplace. While ([ENTITY]) does not intend to intrude into the private lives of its employees, involvement with drugs and alcohol off the job can take its toll on job performance and employee safety. Our concern is that employees are in a condition to perform their duties safely and efficiently, in the interests of their fellow workers and the public as well as themselves. The presence and influence of drugs and alcohol on the job, and the influence of these substances on employees during working hours, are inconsistent with this objective.

Employees who think they may have an alcohol or drug usage problem are urged to voluntarily seek confidential assistance from the Employee Assistance Program. [ENTITY] acknowledges that significant psychological and physical alcohol and drug dependency is an illness and pursuit of treatment by the employee is the preferable resolution to associated performance problems caused by such dependency. While [ENTITY] will be supportive of those who seek help voluntarily, [ENTITY] will be firm in identifying and disciplining those employees who do not seek help and are found to be impaired by drugs or alcohol during working hours.

This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the responsibilities of County managers and employees. To that end, [ENTITY] will act to prevent the use of alcohol or drugs which impair an employee's ability to safely and effectively perform the functions of the particular job. All persons covered by this policy should be aware that violation of the policy may result in discipline up to and including termination.

In recognition of the public service responsibilities entrusted to County employees, and that drug and alcohol usage can impair an employee's ability both mentally and physically to perform the duties and functions safely and effectively, the following policy against drug and alcohol impairment is hereby adopted by [ENTITY].

## II. POLICY

Definition – The term "drug" or "drugs" whenever used in this policy means any controlled substance that is not legally obtainable under State or Federal law, a prescription drug obtained or used without benefit of a valid prescription by a medical provider licensed to prescribe medications, and marijuana even if prescribed by a medical provider licensed to prescribe medications.

- Employees shall not be impaired by alcohol or drugs, nor possess alcohol or drugs at the assigned worksite. This policy also applies to employees working on-call duty.
- The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of this policy to intentionally misuse and/or abuse prescription medications.
- Employees shall not sell or provide drugs or alcohol to any other employee while such employee is on duty.
- No alcoholic beverages are permitted at the assigned worksite or in County Vehicles other than at special events authorized by the Chief Executive Officer. County employees who reside on premises provided by [ENTITY] shall be exempt from the restriction of this policy from possessing alcohol where they reside.
- "Probable cause" is such a state of facts as would lead a supervisor of ordinary care and prudence to believe, or to entertain an honest and strong suspicion that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of

the job is impaired or so that the employee is not able to physically and/or mentally perform the duties of his or her position in a proper manner.

### III. PROCESS

[ENTITY] reserves the right to search without employee consent all areas and property in which [ENTITY] maintains control, or joint control, with the employee. Controlled and jointly controlled areas include County vehicles, offices, desks, file cabinets, etc. Notwithstanding the above, no employee shall have his or her locker or other space for storage that is owned or leased by [ENTITY] that may be assigned to him or her, searched except under one of the following conditions: in his or her presence; with his/her consent; if a valid search warrant has been obtained; or, where he/she has been notified that a search will be conducted. Employee requests to be present during the search shall be honored if the employee is able to return to the worksite within one hour of notification of the search. All such searches shall be based upon probable cause to search. Probable cause forming the basis of the search shall be provided to the employee in writing. The written document shall be given to the employee prior to the search or, if that is not possible, within twenty-four hours after the search.

Any applicable privileges or confidentiality of files or documents will be honored by [ENTITY]. If [ENTITY] desires to search such documents or records, or the area where such documents are located, the appropriate process for searches and seizures as defined by California law will be followed. [ENTITY] may notify the appropriate law enforcement agency that an employee may have drugs in his or her possession or in an area not jointly or fully controlled by [ENTITY].

Refusal to submit immediately for drug and/or alcohol testing, based upon probable cause of drug or alcohol impairment while on duty when ordered by the Department Head or his/her designee in accordance with County Code Section 3.08.050 may constitute insubordination and may be grounds for discipline. For the purpose of this policy, designee shall be defined as the assistant department head or other County manager who is assigned the authority to act for the Department Head during his or her absence.

Employees reasonably believed to be impaired by alcohol and/or drugs shall be prevented from engaging in further work and shall be detained for a reasonable time until they can be safely transported from the work site.

[ENTITY] is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as disabled under Federal and/or State law. [ENTITY] is also committed to providing reasonable accommodation to employees who use lawfully prescribed medication(s) to treat or control a disability and who may need an accommodation because of the side effects of the medication(s).

[ENTITY] has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or drug problems. Employees should contact their supervisors, Human Resources, or the EAP Counselor for additional information. Information about [ENTITY]'s EAP is also available on [ENTITY]'s website at <http://www.stancounty.com/riskmgmt/risk-eb-eap-sub-main.shtml>

The provisions of this policy do not act to limit or restrict in any manner a law enforcement officer's ability to enforce all appropriate state and federal laws. No department shall have any rule or policy which contravenes or which is in conflict with this Drug Free Work Place Policy.

### IV. APPLICATION

This policy applies to all County employees. This policy applies to alcohol and drugs which could impair an employee's ability physically and/or mentally to effectively and safely perform the functions and duties of the employee's position.

## V. EMPLOYEE RESPONSIBILITIES

- A. An employee must not report to work or be subject to duty while his/her physical and/or mental ability to perform job duties is impaired due to on or off duty alcohol or drug use.
- B. An employee must not possess drugs or alcohol as defined by this policy during working hours or while subject to duty, on breaks, or at any time while at the assigned worksite. An exception exists for those employees whose duties require possession of drugs and/or alcohol in the course and scope of job duties (i.e., undercover, narcotics investigators).
- C. An employee must not directly or through a third party sell or provide drugs or alcohol to any person, including any employee, while either employee or both employees are on duty.
- D. Prescription and over-the-counter medications are not prohibited when taken in standard dosage and/or according to a physician's prescription. However, an employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist and/or the medication label to ascertain whether the medication may interfere with the ability to safely and effectively perform his or her job. If the use of a medication could compromise the safety of the employee, fellow employees, or the public, it is the employee's responsibility to notify the supervisor or manager (e.g., call in sick, use leave, request change of duty) to avoid any unsafe workplace practices. Unless the employee is working in a position affecting public safety, the employee is not required to reveal the existence of a disability or disclose the medications the employee is taking if the employee can manage the medications through the use of leave or benefits available to all employees without formally requesting a reasonable accommodation.
- E. An employee must submit immediately to an alcohol or drug test when ordered, in writing, by a Department Head or his/her designee when probable cause exists that the employee is impaired by drugs and/or alcohol.
- F. An employee may be required to submit to a fitness for duty examination where there is a reasonable and objective belief that an employee may be impaired while on duty by prescription or over-the-counter medications that the employee is taking to treat or control a disability. The purpose of the fitness for duty examination will be limited to determining whether the employee can safely perform the essential functions of the job with or without accommodation. Such fitness for duty examinations will be conducted in compliance with the limitations set forth under State and Federal law.
- G. An employee must provide within two (2) working days of request bona fide verification of a current valid prescription in the employee's name for any potentially impairing medication identified when a drug screening test is positive. Extensions of time beyond the two working days may be granted upon the showing of good cause. An employee must abide by the regulations of the Federal Drug-Free Workplace Act of 1988. Thus, such employees who are convicted after March 18, 1989 of any criminal drug statute for a violation occurring in the workplace must notify the Chief Executive Officer no later than five (5) days after the conviction. Once [ENTITY] is notified of the conviction, [ENTITY] must then notify the appropriate Federal agency of the conviction. With respect to any employee so convicted, [ENTITY] will take appropriate personnel action up to and including termination. As a condition of continued employment, [ENTITY] may require the convicted employee to satisfactorily participate in an approved drug abuse rehabilitation program.



## VI. MANAGEMENT RESPONSIBILITIES AND GUIDELINES

Department Heads or their designees are responsible for reasonable enforcement of this policy.

Department Head or his/her designee may order an employee in writing to submit to an alcohol or drug test following [ENTITY]'s Ordered for Cause Alcohol and Drug Testing procedure including notifying the employee of their right to representation in accordance with this policy. When a Department Head or his/her designee has probable cause that an employee is intoxicated or impaired by drugs or alcohol while on the job or receiving compensation for on-call duty and thereby subject to being called, and is not physically and or mentally able to perform the duties of his/her position. Should employee be a Department of Transportation (DOT) driver acting in the course and scope of employment, the Department Head or designee should refer to DOT policy for additional information.

Prior to the request for the alcohol or drug test, a Department Head or his/her designee ordering an employee to undergo an alcohol or drug test shall document in writing the facts constituting probable cause that the employee in question is intoxicated or impaired by alcohol or drugs.

Any Department Head or his/her designee encountering an employee who refuses an order to submit to an alcohol or drug test shall remind the employee of the requirements and disciplinary consequences of this policy. Where there is probable cause that the employee is then impaired by alcohol or drugs, the Department Head or his/her designee should detain the employee for a reasonable time until the employee can be safely transported home or removed to another appropriate location.

Any Department Head or his/her designee shall not physically search the person of employees; nor shall they search the personal possession of employees without the freely given written consent by the employee, unless such search is authorized by County Ordinance or policy.

Managers and supervisors shall notify their Department Head or designee when there is probable cause to believe that an employee may have drugs or alcohol in his or her possession or in an area not jointly or fully controlled by [ENTITY]. If the Department Head or designee concurs that there is probable cause of alcohol or drug possession, the Department Head shall notify the appropriate parties, including Human Resources and County Counsel.

The Department Head or his/her designee shall give due consideration to the employee's completion of any generally recognized treatment plan, including that treatment as may be recommended by the Employee's Assistance Program when determining whether disciplinary action shall be taken and or the appropriate level of discipline.

## VII. RESULTS OF DRUG AND ALCOHOL TESTING

A positive result from a drug and or alcohol test may result in disciplinary action, up to and including termination.

If the alcohol or drug test is positive, [ENTITY] shall conduct an investigation to gather all relevant facts. The decision to discipline or discharge will be carried out in conformance with [ENTITY]'s discipline procedures and policies.

Testing and reporting of test results will follow the guidelines and all subsequent amendments as established by the Department of Health and Human Services as promulgated in Volume 53, No. 69 of the Federal Register and as incorporated herein and made a part of this policy by reference.

Upon a conditional offer of employment, prospective employees may be required to submit to a drug test by a [ENTITY]-approved testing facility at the [ENTITY]'s expense. Pre-employment testing will be conducted for job candidates who are applying for jobs that are safety sensitive, mandated by federal or state law (such as DOT requirements for commercial drivers) or for which the District has established an objective special need to require pre-employment "suspicion-less" drug testing.

### VIII. CONFIDENTIALITY

Medical or laboratory reports or test results shall not appear in an employee's general personnel file unless they result in discipline. Information of this nature will be contained in a separate confidential medical folder that will be securely kept under the control of the Chief Executive Officer/Director of Personnel or designee. The reports or test results may be disclosed to County management on a strictly need-to-know basis and to the employee upon request. Disclosures without employee consent may also occur when:

- (1) the information is compelled by law or by judicial or administrative process;
- (2) the information has been placed at issue in a formal dispute between the employer and employee;
- (3) the information is needed by medical personnel for the diagnosis or treatment of the employee who is unable to authorize disclosure;
- (4) when requested by DOT or any state or local officials with regulatory authority over [ENTITY] or any of its safety-sensitive employees.

## New York Times Article

### *When the Law Says Using Marijuana Is O.K., but the Boss Disagrees*

By Dan Hyman

• July 19, 2019

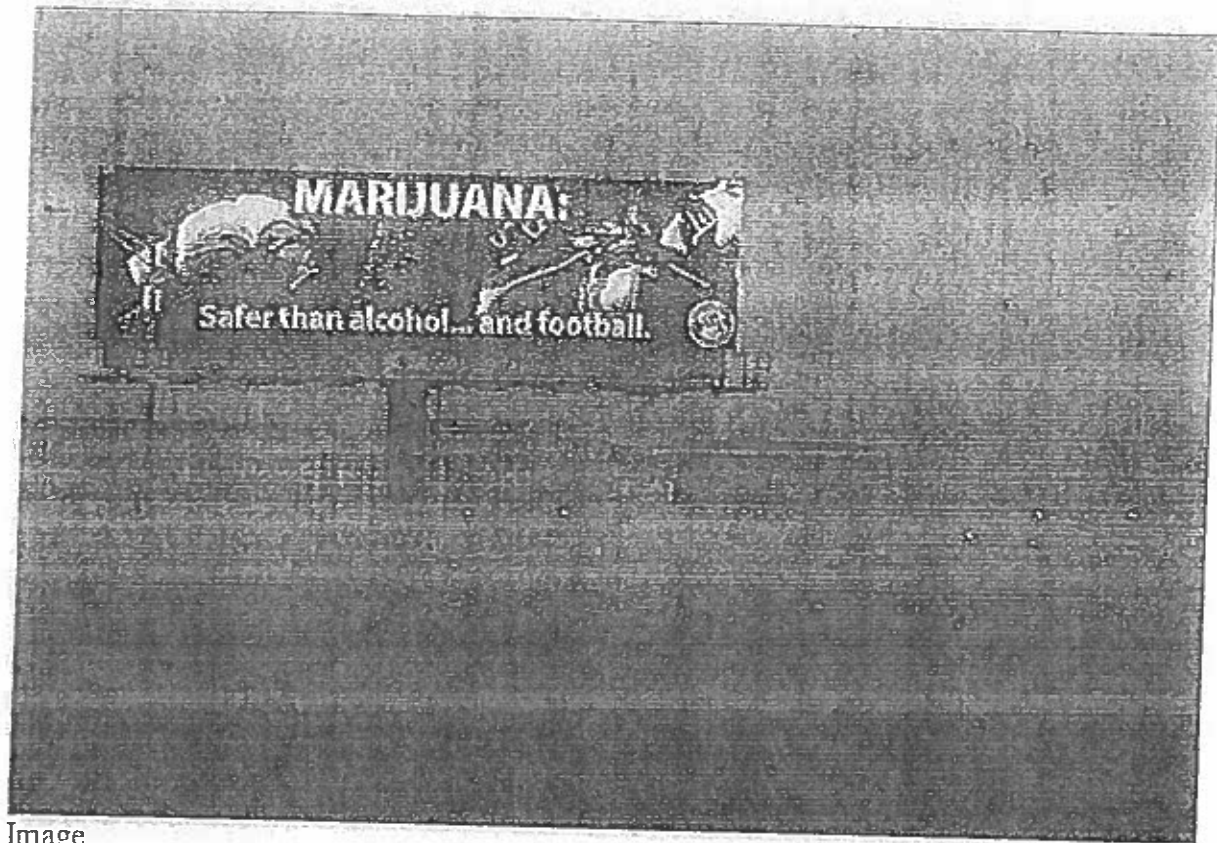
Smoking pot cost Kimberly Cue her job.

Ms. Cue, a 44-year-old chemical engineer from Silicon Valley, received an offer this year from a medical device manufacturer only to have it rescinded when the company found out that she smoked prescription marijuana to treat post-traumatic stress disorder.

"My email was set up with the company," she said. "My business cards were printed." But after a pre-employment drug test came back positive for marijuana, a human resources representative told her the job was no longer hers.

"I've lost all confidence in the process," said Ms. Cue, who ultimately took a different job, at 20 percent less pay. "I'm so frustrated and so irritated. I should be able to be upfront and honest with my employer."

The relatively rapid acceptance of marijuana use in the United States has forced lawmakers and employers to grapple with how to adapt. Last month, Nevada passed a bill prohibiting the denial of employment based on a positive test for marijuana. In Maine, employers may not discriminate against people who have used cannabis, but state law does not specifically regulate drug testing. And under a bill overwhelmingly approved in April by the New York City Council and awaiting Mayor Bill de Blasio's signature, employers would no longer be able to force job applicants to take drug tests for marijuana use.



Image

The Marijuana Policy Project rented 60-foot-wide billboards in New Jersey, like this one, on Interstate 80 near Hackensack, to protest the National Football League's position on marijuana in 2014.

"If the state is saying someone can use marijuana for responsible adult use then why should we care what someone does when they're off work?" said Steven W. Hawkins, the executive director of the Marijuana Policy Project, an advocacy group.

In fact, marijuana is legal in some form in 33 states and the District of Columbia. The district and 10 states allow recreational use. (Illinois will join the group next year; New York and New Jersey appear to be headed in that direction.) Surveys in 2017 and this year showed that millions of Americans used cannabis with some regularity.

Some employers have already changed their policies on pre-employment drug screening, and not just to address the dissonance in punishing someone for using a legal substance. With unemployment so low, companies are finding that testing for marijuana adds an unnecessary barrier in hiring top talent.

"With an economy that's humming along, employers are desperate," said Jim Reidy, a lawyer with the firm Sheehan Phinney in Manchester, N.H., who regularly advises large corporations on drug-testing policies. "If they have these rigid drug and alcohol policies and drug testing at the pre-employment stage, where marijuana was still on one of the panels, they found they were otherwise losing out on qualified candidates."

Last year, Caesars Entertainment, one of Nevada's largest casino companies and employers, said it would no longer test candidates for marijuana. A company press officer called such testing "counterproductive" and acknowledged that it might be eliminating good candidates. Cannabis is legal for recreational use in Nevada, and Las Vegas is dotted with dispensaries.

Apple, too, has changed course. "In general, we have stopped testing most candidates and have never done testing of current employees," the company said. "We continue to do pre-employment drug testing for a limited number of positions that have a safety risk."

There is also federal law to contend with. Employers with federal contracts or those whose employees are licensed through federal agencies are legally required to screen job candidates for drugs, including marijuana, which remains a Schedule 1 drug in the federal government's view. And Transportation Department rules frequently require companies in the industry to screen for drugs when hiring for safety-sensitive positions.

In a survey conducted in 2011, a year before Colorado and Washington became the first states to pass ballot questions legalizing marijuana for recreational use, the Society for Human Resource Management and the Drug and Alcohol Testing Industry Association found that 57 percent of employers conducted drug tests on all job candidates. In recent years, "more and more companies are dropping marijuana from pre-employment testing," Mr. Reidy said.

But not all are doing so.

In Fresno, Calif., Nicole Perez, 32, recently applied for a receptionist position at a trucking company only to be ruled out when she disclosed her cannabis use.

"I don't feel like I'm doing anything wrong and have anything to hide," said Ms. Perez, who recently moved to Eureka, Calif., in Humboldt County, where marijuana is more widely accepted. "So I will tell companies frankly and honestly that I will fail the test. And that's usually when the interview ends."

Marina Dobbie of Pine Grove, Calif., has limited herself to applying for jobs that do not test applicants for marijuana, after losing out on a copywriter job years ago after a positive test.

"Now when I see a drug test is involved I don't even bother," Ms. Dobbie, 55, said. "I filter myself out."

Drug-testing policies affect more prominent professions, as well. David Irving, a former defensive end with the Dallas Cowboys, preferred marijuana to treat his playing-related aches to the team-prescribed painkillers.

Mr. Irving had to lie, and cheat on his urine test, for his job. "I would rather have just been honest and straightforward with them, but I knew that wasn't a reality," said Mr. Irving, who is 25 and an ordained youth minister. "I was going to be the first person in my family to make that type of money. I needed to do what I needed to do to get into the N.F.L."

Courts have upheld the right of employers to set and enforce drug policies.

In a 2008 medical marijuana case, the California Supreme Court ruled that an employer could refuse to hire an applicant who tested positive for cannabis, even if it was legally prescribed for a disability. And in 2015, the Colorado Supreme Court ruled that Dish Network was legally allowed to fire a quadriplegic man who used medical marijuana at home, because the drug was still illegal under federal law.

Furthermore, most states, when they legalized marijuana use, gave employers the explicit right to discipline an employee for violation of a workplace drug policy or for working while under the influence.

Fiat Chrysler Automobiles in Michigan, a state that legalized recreational use last year, tests all of its employees. "A positive test for marijuana use will disqualify a candidate," the company told The Detroit Free Press. When contacted by The New York Times last month, the company added that its rules barred possession or use at work.

Josh Hovey, who served as communications director for the campaign to legalize recreational marijuana in Michigan, said he had met regularly with the state Chamber of Commerce and local businesses before the referendum. "And a lot of what they were concerned with was their H.R. policies," he said.

In other states, like Minnesota, where medical marijuana is legal and 19 Fortune 500 companies are based, there has not been as much interaction between lobbyists for legal marijuana and the business community.

"We have not really seen large companies reach out to us about this issue," said Leili Fatehi, campaign manager for Minnesotans for Responsible Marijuana Regulation.

Change came quickly to the states, but on the front lines of drug tests, there is a decided lag.

Quest Diagnostics compiles data on more than 10 million drug tests a year. Only a small number of companies have struck marijuana from the list of drugs they screen for, and nationally, roughly 99 percent of all general work force drug tests include marijuana.

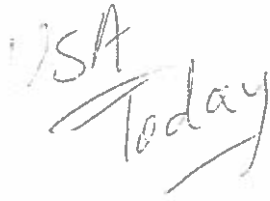
"For the most part it hasn't had a large effect in those recreational-use states and no measurable effect in the medical marijuana states," said Barry Sample, Quest's senior director for science and technology.

There have been subtle but real differences at the state level. From 2015 to 2018, the number of companies in both Colorado and Washington that included marijuana on their drug-testing panel dropped just under 4 percent. In Nevada's first year of legalization, marijuana testing among employers fell more than 8 percent.

For Mr. Irving and others, each sign of a decrease in testing for marijuana is a small victory.

Last month, the N.F.L. and its players' union announced the creation of a committee that will study alternative methods of pain management, including marijuana. Mr. Irving, who since leaving the N.F.L. has been outspoken on the league's marijuana rules, sees it as much as a humanitarian issue as a legal or even equal-rights one.

"As players we need to stand up for what's right and stick together," he said. "But if we all remain afraid and quiet, nothing's ever going to change."



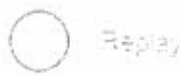
# Nevada becomes first state to ban employers from refusing job applicants based on failed marijuana test

Kristin Lam, USA TODAY | Published 11:14 p.m. ET June 12, 2019 | Updated 12:57 a.m. ET June 13, 2019

A positive test for marijuana in pre-employment [drug screenings](#) ([/story/money/2018/12/19/drug-testing-workplace-retail-had-highest-rate-positives-tests/2315373002/](#)) won't be a problem for most people in Nevada, beginning next year.

Nevada became the first state to approve such a [drug test law](#) ([https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6191/Overview](#)) last week, two years after recreational [marijuana sales](#) ([/story/news/marijuana/2018/07/03/legal-marijuana-recreational-pot-use-nevada-impact-one-year-later/723963002/](#)) began in the Silver State. The law [will not apply](#) ([https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6191/Text](#)) to EMTs, firefighters and those who drive vehicles, however. Employers can also reject job applicants for marijuana drug test results if usage can put others' safety at risk.

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Starting Jan. 1, employees will also have the right to [challenge the results](#) ([https://www.leg.state.nv.us/Session/80th2019/Bills/Amendments/A\\_AB132\\_R2\\_659.pdf](#)) of an initial drug screening test if employers require one within the first 30 days of hiring. Employers then must consider the second screening test paid for by the employee, the law states.

Marijuana manners: [What's the 'weed' etiquette for parties where pot is legal?](#) ([/story/life/2019/05/31/marijuana-manners-how-roll-one-jo-and-smoke-pot-likely-party/3768776002/](#))

New York: [What to know about legal cannabis and employment and getting fired](#) ([/story/news/investigations/2019/04/15/new-york-marijuana-job-cannabis-drug-testing-new-york-city-debiasio/3446533002/](#))

Democratic Gov. Steve Sisolak signed the bill on June 5 after state lawmakers approved it. Nevada voters approved the legal sale of recreational marijuana to those 21 and older in 2016 ([/story/news/marijuana/2018/07/03/legal-marijuana-recreational-pot-use-nevada-impact-one-year-later/723963002/](#)).



The [New York City Council](https://www.nytimes.com/2019/04/15/new-york-marijuana-job-cannabis-drug-testing-new-york-city-deblasio/3446538002/) (<https://www.nytimes.com/2019/04/15/new-york-marijuana-job-cannabis-drug-testing-new-york-city-deblasio/3446538002/>) passed a similar law prohibiting employers from testing applicants for marijuana usage in April. Maine [does not allow](https://www.maine.gov/labor/labor-laws/publications/2018/MDOL-Guide-to-marijuana-in-the-workplace-March-2018.pdf) (<https://www.maine.gov/labor/labor-laws/publications/2018/MDOL-Guide-to-marijuana-in-the-workplace-March-2018.pdf>) employers, schools or landlords to discriminate against people for marijuana consumption, but the state does not have a law on drug testing on the books.

State laws for [workplace drug testing](https://www.aclu.org/other/state-state-workplace-drug-testing-laws) (<https://www.aclu.org/other/state-state-workplace-drug-testing-laws>) vary, but companies typically must tell applicants or employees about their policies.

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Nationally, about 2.8% of urine-based workplace drug screenings tested positively for marijuana in 2018, according to Quest Diagnostics, a drug-testing service. Marijuana is also the [most commonly detected](https://www.questdiagnostics.com/home/companies/employer/drug-screening/drugs-tested-marijuana.html) (<https://www.questdiagnostics.com/home/companies/employer/drug-screening/drugs-tested-marijuana.html>) illicit drug according to the service.

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Assembly Bill No. 132—Assemblymen Neal,  
McCurdy and Floras

CHAPTER.....

AN ACT relating to employment; prohibiting the denial of employment because of the presence of marijuana in a screening test taken by a prospective employee with certain exceptions; authorizing an employee to rebut the results of a screening test under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes various unlawful employment practices. (Chapter 613 of NRS)

Section 2 of this bill prohibits, with certain exceptions, an employer from denying employment to a prospective employee because the prospective employee has submitted to a drug screening test and the test indicates the presence of marijuana. Section 2 further provides that if an employer requires an employee to submit to a screening test within his or her first 30 days of employment, the employer is required to accept and give appropriate consideration to the results of an additional screening test to which the employee submitted at his or her own expense.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [united material] is material to be inserted

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. (Deleted by amendment.)

Sec. 2. Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

*Except as otherwise specifically provided by law:*

1. *It is unlawful for any employer in this State to fail or refuse to hire a prospective employee because the prospective employee submitted to a screening test and the results of the screening test indicate the presence of marijuana.*

2. *The provisions of subsection 1 do not apply if the prospective employee is applying for a position:*

(a) *As a firefighter, as defined in NRS 450B.071;*

(b) *As an emergency medical technician, as defined in NRS 450B.065;*

(c) *That requires an employee to operate a motor vehicle and for which federal or state law requires the employee to submit to screening tests; or*

(d) *That, in the determination of the employer, could adversely affect the safety of others.*



80th Session (2019)

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3. *If an employer requires an employee to submit to a screening test within the first 30 days of employment, the employee shall have the right to submit to an additional screening test, at his or her own expense, to rebut the results of the initial screening test. The employer shall accept and give appropriate consideration to the results of such a screening test.*

4. *The provisions of this section do not apply:*

(a) *To the extent that they are inconsistent or otherwise in conflict with the provisions of an employment contract or collective bargaining agreement.*

(b) *To the extent that they are inconsistent or otherwise in conflict with the provisions of federal law.*

(c) *To a position of employment funded by a federal grant.*

5. *As used in this section, "screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or any other drug.*

Secs. 3 and 3.5. (Deleted by amendment.)

Sec. 4. This act becomes effective on January 1, 2020.

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80th Session (2019)