

**AUBURN AREA RECREATION AND PARK DISTRICT MEETING OF THE
PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE AGENDA**
MONDAY, MAY 20, 2024, 12:30 PM
CANYON VIEW COMMUNITY CENTER, BOARD ROOM
AUBURN, CA

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The public may participate in the meeting in-person or through Zoom. The link for this meeting is <https://us06web.zoom.us/j/87006899021>. The public can use this link and/or call 1 669 900 6833 Webinar ID: 870 0689 9021 to participate.

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

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

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

1.0 CALL TO ORDER

Ingle _____ Holbrook _____

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

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

4.0 BUSINESS

4.1 Approval of Minutes from the April 17, 2024 Program, Personnel, Policy, Fee & Legal Review Committee Meeting (Pages 3-4)

Recommendation: Review and approve minutes.

4.2 Approval of Legal Bills

None.

4.3 Update to Check Signing Authority (Page 5)

Shall the Auburn Area Recreation and Park District Board of Directors update the District Policy to reflect an increase in the check signing authority for the District Administrator, the Administrative Services Manager and the Board Members?

4.4 District Policy proposed amendment – Purchasing limits (Pages 6-7)

Shall the Auburn Area Recreation and Park District (ARD) change its policy regarding purchasing limits for the Facilities and Grounds Manager and Supervisors/Coordinators?

4.5 Bereavement Leave (Pages 8-15)

Shall the Auburn Area Recreation and Park District Board of Directors update the Personnel Policy to reflect the state law based on AB 1949 regarding Bereavement Leave?

4.6 ARD’s Pregnancy / Reproductive Loss Policy (Pages 16-23)

Shall the Auburn Area Recreation and Park District (ARD) approve changes to the Pregnancy Leave policy regarding Reproductive Loss?

4.7 Committee Appointments (Pages 24-25)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors amend its policy on how committee appointments are made? Director Lynch has asked for this item to be considered.

4.8 Resolution #2024-12: Requesting Election Services from Placer County (Pages 26-33)

Shall the Auburn Area Recreation and Park District (ARD) approve and adopt Resolution #2024-12, a resolution requesting that Placer County provide election services for the upcoming 2024 elections?

Discussion items:

Fee Waiver Policy Amendment May 2024 (Pages 34-36)

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

None.

6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNMENT

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

May 15, 2024
Date

2:00 pm
Time

Cathy Sanford
Secretary to the Board

**Auburn Area Recreation and Park District
Minutes of the Program, Personnel, Policy, Fee & Legal
Review Committee Meeting
Wednesday, April 17, 2024 at 12:30 PM
Canyon View Community Center
471 Maidu Drive
Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 12:30 PM.

ROLL CALL

Chairman Holbrook and Vice-Chair Ingle were present.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

The agenda was approved by the Committee as written.

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

None.

4.0 BUSINESS

4.1 Approval of Minutes from the March, 2024 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

The Committee reviewed and approved the minutes from March 20, 2024, Program, Personnel, Policy, Fee & Legal Review Committee.

4.2 Approval of Legal Bills

None.

Discussion items:

None.

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

None.

6.0 ITEMS PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNED

As there was no further business, the meeting was adjourned at 12:40 PM.

Cathy Warford
Board Secretary

April 24, 2024
Date

4.3 Cover Sheet Update to Check Signing Authority

Auburn Area Recreation and Park District (District) Program, Policy, Fee & Legal Review Committee Meeting, May 2024.

The Issue

Shall the Auburn Area Recreation and Park District Board of Directors update the District Policy to reflect an increase in the check signing authority for the District Administrator, the Administrative Services Manager and the Board Members?

Background

Inflationary factors have resulted in more and more checks exceeding stated signing authority. Staff is recommending increasing these signing amounts to help balance out recent inflation.

Proposal

The policy below highlights the deletions in **yellow**. Changes are reflected in **Red**.

II. Purchasing

E. **District Policy for Check Signing Authority.** It shall be the policy of the District to have check signing authority assigned as follows:

1. For checks up to ~~\$3,500~~ **\$7,000**: Signature by the District Administrator or the Administrative Services Manager. Full documentation for the purchase must accompany the check.
2. For checks between ~~\$3,500~~ **\$7,000** and ~~\$10,000~~ **\$15,000**: Signatures by the District Administrator and the Administrative Services Manager. In the absence of one of these staff members, a Board Member must provide the second signature. Full documentation for the purchase must accompany the check.
3. For checks exceeding ~~\$10,000~~ **\$15,000**: Signatures by the District Administrator or the Administrative Services Manager and a Board Member. Full documentation for the purchase must accompany the check.
4. Checks issued to government entities, publicly regulated utility companies, and employee benefit organizations, shall require only one signature by either the District Administrator or the Administrative Services Manager for unlimited amounts.

Recommendation

Staff recommends the Program, Policy, Fee & Legal Review Committee approve updating the Check Signing Authority limits as written and forward this to the Consent Calendar for the Board to review and approve.

Fiscal Impact

None

Attachments

None

4.4 Cover sheet – District Policy proposed amendment – Purchasing limits

Auburn Recreation District Policy Committee meeting May, 2024

The Issue

Shall the Auburn Area Recreation and Park District (ARD) change its policy regarding purchasing limits for the Facilities and Grounds Manager and Supervisors/Coordinators?

Background

ARD has a policy that limits the purchasing of certain employees. After discussions amongst management, it was determined that ARD should explore upping the limits the Facilities and Grounds Manager. Recent increases in costs due to inflation have made it difficult for the F&G Manager to stay below these limits. This proposed increase would make it easier and more efficient for staff.

The limits for the Facilities and Grounds Manager was increased by the Board in June, 2023, however staff is still facing issues staying below the limits.

The following is from the ARD District Policy and Procedure Manual, with proposed changes highlighted:

II. Purchasing

- A. Purchasing Agent(s). The District Administrator or a designated manager shall serve as the purchasing agent for the District, and will be vested with the authority to purchase supplies, materials, services and equipment within annual budgetary authority limits as follows:

Purchasing Agent:

District Administrator: \$25,000/purchase

Primary Designee:

Administrative Services Manager: \$25,000/purchase

Secondary Designee (s):

Facilities & Grounds Manger: Up to ~~\$20,000~~ \$30,000 maximum monthly limit
Up to ~~\$7,500~~ \$10,000 per purchase limit

Other Department Managers: Up to \$10,000 maximum monthly limit
Up to \$ 5,000 per purchase limit

Supervisors/Coordinators: Up to ~~\$5,000~~ \$15,000 maximum monthly limit

(or other designated employees): Up to \$1,500 per purchase limit

All positions from Supervisor and above shall have a credit limit of 50% of the stated amounts when newly hired and for a period of 12 months thereafter.

Recommendation for the Policy Committee

Review and send a positive recommendation to the Board to amend the policy as proposed.

Fiscal Impact

N/A

Attachments

None

4.5 Cover Sheet for Update to Bereavement Leave Policy

Auburn Area Recreation and Park District (District) Program, Policy, Fee & Legal Review Committee Meeting, May 2024.

The Issue

Shall the Auburn Area Recreation and Park District Board of Directors update the Personnel Policy to reflect the state law based on AB 1949 regarding Bereavement Leave?

Background

Beginning January 1, 2023, employers with 5 or more employees are required to grant an eligible employee's request for up to five (5) days of unpaid Bereavement Leave from work following the death of the employee's family member. To be eligible for Bereavement Leave, an employee must have been employed for at least 30 days before taking the leave.

Existing District policy allows for 3 days of paid Bereavement Leave. The amended policy will now reflect the change in protected leave from three (3) days to five (5) days. The District will continue to offer a paid leave of (3) days. The definition of immediate family has been extended to include; grandchild and grandparent.

Proposal

The policy stated below highlights the deletions in **yellow**. Added language is in **Red**.

5.3. Leaves - General

A. Eligibility for Leaves

All full-time and regular part-time employees who work at least an average of twenty (20) hours per week may be entitled to leaves. For part-time employees of twenty (20) or more hours, the amount of leave shall be proportional to the number of hours they work is to full-time.

B. Personal Time Leave: See Appendix A

C. Bereavement Leave

Bereavement absences **with pay** in the event of the death of an employee's immediate family member shall be limited to not more than **three (3) five (5)** days during each twelve (12) - month period, **per family member. The District shall compensate the employee for three (3) days of Bereavement Pay.** The employee's immediate family is defined to include; **grandchild, grandparent, sibling,** spouse, domestic partner, child, domestic partner's child, **brother, sister,** parents or spouse's parents. Bereavement leave will not be charged to an employee's Personal Time Leave. An employee requiring more than three (3) days of bereavement leave may use Personal Time Leave for the excess time. **To be eligible for Bereavement Leave, an employee must have been employed with the district at least 30 days before taking a leave. Part time employees that average less than 20 hours per week are not eligible for paid Bereavement Leave.**

Recommendation

Staff recommends the Program, Policy, Fee & Legal Review Committee approve changing the Bereavement Leave Policy as stated and forward this to the Consent Calendar for the Board to review and approve.

Fiscal Impact

Zero to approximately \$960 annually

Attachments

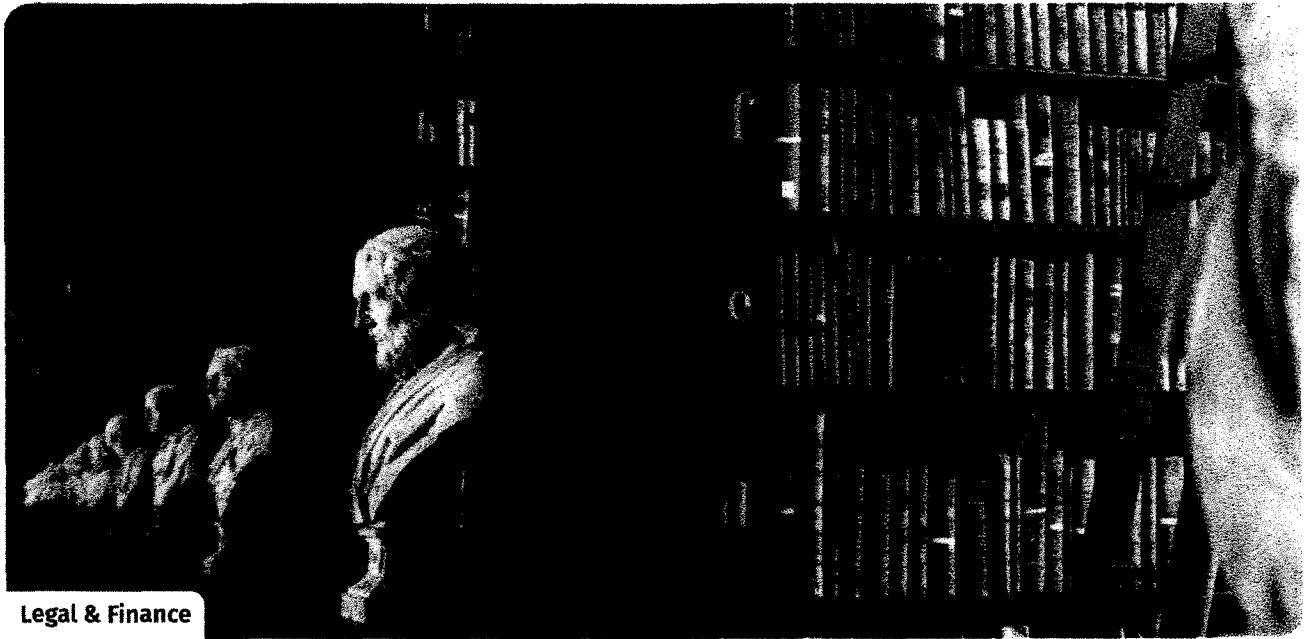
Navigating California Bereavement Leave for Employers

Home / Blog / Legal & Finance / Navigating California Bereavement Leave for Employers

Navigating California Bereavement Leave for Employers

Factorial

February 19, 2024 · 5 min read



California bereavement leave is a complex subject. On top of that, losing a loved one is a very sensitive matter. Any employer should approach this issue with care and compassion.

Therefore, employers and **HR managers need to be aware of any changes in related policies and laws** to ensure the bereavement leave process goes smoothly.

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What is Bereavement Leave?

Bereavement Leave California: A History

Bereavement Leave California: AB 1949

FMLA and Bereavement Leave in California

CFRA and Leave in California

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What is Bereavement Leave?

A question many workers may ponder is “Can you have time off work for a death in the family?” Many employers offer this leave, although the Fair Labor Standards Act (FLSA) does not require it. It is known as bereavement leave, grievance leave, or compassionate leave.

Bereavement is the period of mourning after the death of a loved one. It is typical during this time for people to experience grief. In this case, it is common for employees to ask for time off work in order to grieve at home alone or with family. Not only this, but employees may have to deal with a whole host of tasks including funeral arrangements and other pressing post-death matters. Time taken away from work to deal with these matters is commonly known as bereavement time off.

As an employer, it's important to know how to best support your employees during those difficult times.

Bereavement vs Funeral Leave

Some employers may differentiate between “funeral leave” and “bereavement leave.” The exact language will depend on the company’s policy. Employees should check their contract or employee handbook to see what applies to

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might expect workers to use accrued sick time, **floating holidays**, or **personal time off** rather than offering this kind of leave.

In the eyes of the law, funeral leave would fall under the umbrella of bereavement.

Bereavement Leave California: A History

Bereavement leave in California has been a long time coming. The first legislation mandating bereavement leave appeared (but did not pass) in 2007. Now, 15 years later, Assembly Bill 1949 has passed, ensuring leave to most California employees who have lost loved ones.

In 2007, Senator Corbett introduced a measure that would have provided all California employees with **four days off for bereavement**. Governor Schwarzenegger vetoed the measure, and in 2010, vetoed another that proposed three days of leave. Governor Brown vetoed a similar measure in 2011.

Other than California, very few states have bereavement leave laws in place. Oregon, Illinois and Maryland have laws in place that cover private employers.

Before AB 1949, **private sector employers** did not have to provide bereavement leave in CA, either paid or unpaid. If they wished to take time off to make funeral arrangements or mourn, they could use accrued time off or compensatory time. Although the law did not oblige employers to offer bereavement leave, some may have included bereavement in their company leave policy.

Public employees were entitled to up to three days of paid bereavement leave. California state employees had to provide documentation of bereavement leave, such as a death certificate or obituary. If the death was out of state, the employee could take two additional unpaid days off.

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created protects the leave under the California Family Rights Act (CFRA) and **went into effect on January 1, 2023.**

Qualifying employees, of private-sector employers with at least five employees and all public-sector employers, **will be given five days of bereavement leave.** Employers and HR teams alike should be aware of the requirements for qualifying employees.

Bereavement leave eligibility

There are a few requirements under AB 1949:

The employee needs to have been **employed for at least 30 days prior** to the start of the leave. The leave needs to be for a qualifying family member.

A qualifying member may be: a spouse, parent, child, sibling, grandparent, domestic partner, or parent-in-law.

There is no limit for how many times an employee can take the leave as long as it is for a qualifying family member.

The five days covered for qualifying employees **do not need to be taken consecutively.** However, the bereavement leave needs to be taken **within three months of the date of death.**

Employer takeaways under AB 1949

To know whether the leave under AB 1949 is paid or unpaid depends solely **on an employer's current policy.**

Employers **may require documentation** for the employee's bereavement leave. This could include: a published obituary, verification of death, death certificate, or memorial services documentation. If requested by the employer, **documentation must be provided within 30 days of said leave.**

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regarding their own bereavement leave or another person's in an inquiry or proceeding related to rights guaranteed under AB 1949.

If an employer does not already have a policy, the five days permitted under AB 1949 may be unpaid. However, employees can use accrued paid time off.

An employer with an existing paid policy will continue to provide employees with those paid days. **If the existing policy is less than five, any remaining days under AB 1949 will be unpaid.** However, employees can use any accrued time off to cover remaining days that are unpaid.

Employers who have an existing bereavement leave policy of less than five days will adopt the five day requirement under AB 1949 and can use any accrued time off to cover those

If the employer's existing leave policy provides **for less five days of unpaid bereavement leave**, the employee is entitled to at least five days of unpaid leave; however, the employee may use accrued paid leave otherwise available to the employee for the unpaid days.

FMLA and Bereavement Leave in California

The **Family and Medical Leave Act (FMLA)** is a federal law that guarantees workers around the country 12 weeks of **unpaid time off**. FMLA only covers businesses that are larger than 50 employees, and only applies to employees who have worked at least a year for their employer. If they qualify, employees can use this time off for:

The birth and care of a newborn child or placement of an adopted or foster child.

Caring for an immediate family member.

Medical or intermittent leave if an employee is unable to work.

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CFRA and Leave in California

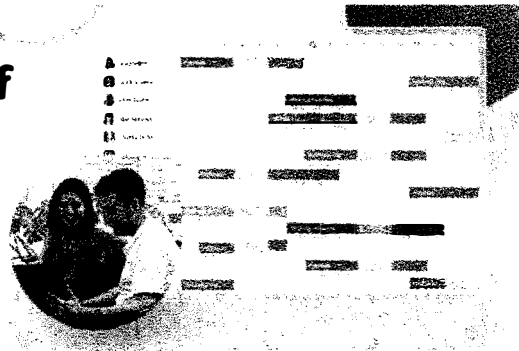
The California Family Rights Act (CFRA) mirrors FMLA, offering 12 weeks of unpaid leave to employees. It also stipulates that employees can receive up to six weeks of Family Temporary Disability Insurance (FTDI) over a 12-month period. As with FMLA, this time can only be used for parental leave or if the employee or a family member is ill.

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Tracking Employee Leave Efficiently

Once your bereavement policy is in place, it is crucial to create a system for managing time off requests, PTO, and keeping track of employee leave. Employers need to track time off in order to make sure that they are in compliance with federal and local regulations. California already offers some of the most comprehensive unpaid and paid time off laws in the country. Employers in California must respect employees' rights to time off.

Leave tracking software and PTO tracking software may help employers to stay on top of different kinds of leave, such as accrued sick leave and parental leave. Managers can create different categories of leave and employees can select which applies. This will make it easier for employees to keep the schedule

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4.6 Cover Sheet for ARD's Pregnancy / Reproductive Loss Policy

Auburn Area Recreation and Park District Program, Personnel, Policy, Fee & Legal Review Committee Meeting, May, 2024

The Issue

Shall the Auburn Area Recreation and Park District (ARD) approve changes to the Pregnancy Leave policy regarding Reproductive Loss?

Background

CA State Bill 848 adds section 12945.7 to the Government Code to be effective January 1, 2024. It requires that an employer with five (5) or more employees must provide five (5) days of reproductive loss leave following a reproductive loss event. If an employee experiences more than one reproductive loss event within a 12-month period, an employer shall not be obligated to grant a total amount of reproductive loss leave time in excess of 20 days within a 12-month period. A reproductive loss event includes a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction, with all such terms defined in the new law. The leave provided for in the bill need not be consecutive but must be completed within three (3) months of the reproductive loss event. It is an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise the rights provided in the new law. The bill also contains an anti-retaliation provision.

Current Policy added

Article V

Employee Benefits

5.3 Leaves - General

H. Pregnancy Disability Leave

- 7. Reproductive loss leave is provided for up to five (5) days following a reproductive loss event. If an employee experiences more than one reproductive loss within a 12-month period, leaves will not be granted in excess of 20 days within a 12-month period. A reproductive loss event includes a failed adoption, failed surrogacy, miscarriage, stillbirth or an unsuccessful assisted reproduction. The leave does not need to be consecutive but must be completed within three (3) months of the reproductive loss event.*

Recommendation

Staff recommends that the Policy Committee send a positive recommendation to the Board to

approve updating the District's Personnel Policy to include the Reproductive Loss Leave and further recommends that this item be placed on the Consent Calendar.

Fiscal Impact:

The fiscal impact for this policy change is unknown at this time.

Attachments:

Current policy with section 7 adding the Reproduction Loss Leave.

Article: The new California Leave Laws Coming Into Effect on January 1st, 2024

Current Policy with section 7 adding the Reproduction Loss Leave.

H. Pregnancy Disability Leave

Pregnancy, childbirth, or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any other employee on disability leave.

Any female employee planning to take pregnancy disability leave should advise the personnel department as early as possible. The individual should make an appointment with the Administrative Services Manager to discuss the following:

1. Employees who need to take pregnancy disability leave must inform the District when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees should attempt to provide notification at least thirty (30) days before the pregnancy disability leave or transfer is to begin. Employees must consult with the Administrative Services Manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the District. Any such scheduling is subject to the approval of the employee's health care provider;
2. If thirty (30) days' advance notice is not possible, notice must be given as soon as practical;
3. Upon the request of an employee and recommendation of the employee's health care provider, the employee's work assignment may be changed if necessary to protect the health and safety of the employee and her child;
4. Requests for transfers of job duties will be reasonably accommodated if the job and security rights of others are not breached;
5. Temporary transfers due to health considerations will be granted when possible. However, the transferred employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons;
6. Pregnancy leave usually begins when ordered by the employee's health care provider. The employee must provide the District with a certification from a health care provider. The certification indicating disability should contain:
 - a. The date on which the employee became disabled due to pregnancy;
 - b. The probable duration of the period or periods of disability; and
 - c. A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.

- (1). Leave returns will be allowed only when the employee's health care provider provides a release;
- (2). If otherwise eligible to take the time, an employee will be required to use Personal Leave during a pregnancy disability leave.
- (3). Duration of the leave will be determined by the advice of the employee's health care provider, but employees disabled by pregnancy may take up to four months or eighty-eight working days.
- (4). Part-time employees are also entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.

Pregnancy Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed in increments of one day.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a Pregnancy Disability Leave, an employee will be reinstated to the same position held at the time the Leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

However, as stated above, leave because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under California Law (the California Family Rights Act). Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under Federal Law (the Family and Medical Leave Act). Employees who take time off for pregnancy disability and who are eligible for family and medical leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant employee is no longer disabled, she may apply for leave under the California Family Rights Act, for purposes of baby bonding, however, the District will not pay for benefits during this leave.

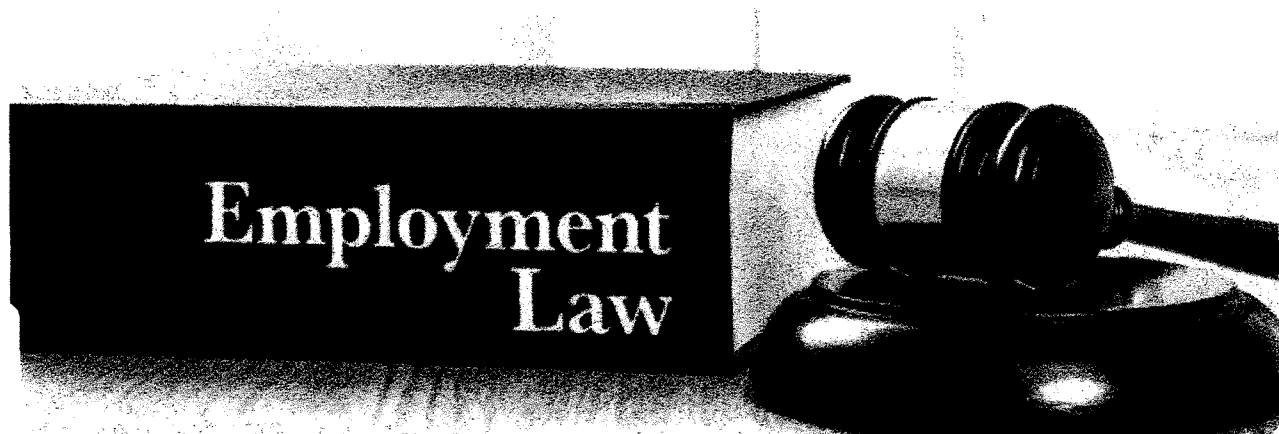
Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. California Family Rights Act leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, the District will grant a request for a California Family Rights Act leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

7. Reproductive loss leave is provided for up to five (5) days following a reproductive loss event. If an employee experiences more than one reproductive loss within a 12-month period, leaves will not be granted in excess of 20 days within a 12-month period. A reproductive loss event

includes a failed adoption, failed surrogacy, miscarriage, stillbirth or an unsuccessful assisted reproduction. The leave does not need to be consecutive but must be completed within three (3) months of the reproductive loss event.



The New California Leave Laws Coming Into Effect on January 1st, 2024



SI AKI CHAI

Ann Kuzee
Attorney, TELUS Health (Formerly LifeWorks)
October 25th, 2023

California's New Reproductive Loss Leave Law

On October 10, 2023, California became the second state (after Illinois) to enact an unpaid reproductive loss leave law (SB No. 848). This new leave law becomes effective January 1, 2024, and is an expansion to California's bereavement leave (§12945.7), which provides unpaid leave upon the death of an employee's family member.

Under this new law, a covered employer must provide an eligible employee up to 5 days of reproductive loss leave following a "reproductive loss event" which "means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction." The law also allows additional time off "[i]f an employee experiences more than one reproductive loss event within a 12-month period, an eOnline Agent will not be obligated to grant a total amount of reproductive loss leave time in excess of 20 days within a 12-month period."

The law is broad sweeping and includes most employers in its coverage. A covered “Employer” means either “a person who employs five or more persons to perform services for a wage or salary” or the “state and any political or civil subdivision of the state, including, but not limited to, cities and counties.”

Employees may take this unpaid leave intermittently, but it must be completed within three months of the reproductive loss event, and it must be taken pursuant to any existing applicable leave policy of the employer. For example, if the employer has an existing applicable leave policy that allows for paid time off, then the leave must be paid. Otherwise, if no such applicable leave policy exists, the reproductive loss leave may be unpaid, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.

Among other rules, the law also includes several definitions and requirements related to maintaining confidentiality and making it unlawful for an employer to “interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided.” Additionally, it is important to note that this law makes leave under its provisions a separate and distinct right from any right under the California Fair Employment and Housing Act.

California employers should review and update their employment policies and procedures and communicate with and educate Human Resources, management, and employees.

Amendment to California’s Paid Sick Leave Law

On October 4, 2023, Senate Bill 616 amended California’s paid sick leave law, also known as California’s Healthy Workplaces, Healthy Families Act, by increasing the amount of paid sick leave employers are required to provide California employees effective January 1, 2024.

There is a lot packed into this amendment when combined with existing law under the Healthy Workplace, Healthy Families Act. Below are several key highlights associated with this new amendment.

- **Covered Employer:** A covered “Employer” means any person employing another and includes the state and municipalities.
- **Eligibility:** The law keeps the requirement that an employee who works in California for the same employer for 30 or more days within a year from the start of employment is entitled to paid sick days and an employee must satisfy a 90-day employment period before they may use paid sick days as they are accrued.
- **Paid Sick Leave Entitlement:** Increases the minimum amount of paid sick leave time eligible employees must accrue each year from three days (24 hours) to five days (40 hours) per year.
- **Accrual Rate or Frontloading Leave:** The law keeps the existing accrual rate of one hour for every 30 hours worked in place. However, an employer may use a different accrual method, provided an employee accrues no less than 24 hours of paid sick leave by the 120th calendar day of employment or each calendar year, or in each 12-month period, and no less than 40 hours of

accrued paid sick leave by the 200th calendar day of employment or each calendar year, or in each 12-month period.” Employers may also continue to frontload the entire paid sick leave amount the same as they do now.

- **Annual Usage Cap:** The annual usage cap has been increased from twenty-four hours to forty hours.
- **Carry Over:** Accrued paid sick days carry over to the following year of employment. However, an employer may limit an employee’s use of accrued paid sick days to 40 hours or five days in each year of employment, calendar year, or 12-month period.
- **Annual Accrual Cap:** An employer has no obligation to allow an employee’s total accrual of paid sick leave to exceed 80 hours or 10 days, provided that an employee’s rights to accrue and use paid sick leave are not limited other than as allowed under this law.
- **Leave Purposes:** The law allows employees to take paid leave for themselves or their family members for diagnosis, preventive care, for care of an existing health condition, or for specified purposes when the employee is a victim of domestic violence, sexual assault, or stalking.
- **Leave Increments:** An employee may determine how much paid sick leave they need to use, provided that an employer may set a reasonable minimum increment, not to exceed two hours, for the use of paid sick leave.
- **Employer PTO Policies:** Employers may use existing PTO policies as long as those policies comply with the minimum requirements of the law for the accrual, carry over and use of sick leave.
- **Calculating Paid Sick Leave:** An employer is permitted to calculate paid sick leave using any of the following calculations:
 - (1) Paid sick time for nonexempt employees is to be calculated in the same manner as the regular rate of pay for the workweek in which the employee uses paid sick time, whether or not the employee actually works overtime in that workweek.
 - (2) Paid sick time for nonexempt employees is to be calculated by dividing the employee’s total wages, not including overtime premium pay, by the employee’s total hours worked in the full pay periods of the prior 90 days of employment.
 - (3) Paid sick time for exempt employees is to be calculated in the same manner as the employer calculates wages for other forms of paid leave time.
- **Employer Payment Due Date:** An employer is required to provide payment for sick leave taken by an employee no later than the payday for the next regular payroll period after the sick leave was taken.

Same as with California’s New Reproductive Loss Leave laws, employers should review their employment policies and procedures to ensure they align with this new law and communicate with and educate Human Resources, management, and employees.

Resources:

1. [Illinois General Assembly – Illinois SB3120 – Reproductive Loss](#)

4.7 Cover sheet – Committee Appointments

Auburn Area Recreation and Park District Policy Committee May, 2024

The Issue

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors amend its policy on how committee appointments are made? Director Lynch has asked for this item to be considered.

Background

The existing policy for appointing ARD Board members to committees is as follows (from the ARD Board Procedures and Responsibilities Manual):

Section II

DUTIES OF CHAIRPERSON:

It shall be the duty of the Chairperson to preside at all meetings of the Board; to appoint committees and to call special meetings when it may be deemed appropriate and in accordance with policies and applicable laws.

Section III

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

The Chairperson and Vice-Chairperson shall be elected at the last scheduled Board of Directors meeting of each year. The election shall take place at the conclusion of all business items and will use the following procedures with the Chairperson being nominated and elected first, followed by the nomination and election of the Vice Chairperson:

Each Board Member has the right to nominate another Board Member. No second is required for a nomination.

Elections proceed by voting on nominees in the order in which they were nominated. Member first vote on the election of the first nominee. If that person does not receive a minimum of three (3) votes, then a vote is taken on the second Board Member nominated, and so on, until a Board Member receives three votes. If a nominee is elected, a vote is not taken on the remaining nominees since the position is filled. If no one is elected, nominations and voting are reopened, following the same procedures, until the position is filled.

The new Chairperson shall make appointments to each Standing Committee after the elections. The appointments shall be made no later than December 31st of each year.

Director Lynch is proposing the following changes to the policy (changes in red):

DUTIES OF CHAIRPERSON:

It shall be the duty of the Chairperson to preside at all meetings of the Board; to appoint and replace committee members with the approval of the Board, and to call special meetings when it may be deemed appropriate and in accordance with policies and applicable laws.

Per Director Lynch, this proposal would clarify the chairperson's authority to appoint and replace committee members and add that these appointments must be approved by the Board.

Recommendation

Review and provide direction. Send a recommendation to the Board.

Fiscal Impact

None

Attachments

None

4.8 Cover sheet – Resolution #2024-12: Requesting Election Services from Placer County

Auburn Recreation District Policy Committee meeting May, 2024

The Issue

Shall the Auburn Area Recreation and Park District (ARD) approve and adopt Resolution #2024-12, a resolution requesting that Placer County provide election services for the upcoming 2024 elections?

Background

Per California Elections Code Section 10509, the Placer County Elections Office requires a resolution from the ARD Board requesting election services.

This resolution is attached.

Recommendation for the Policy Committee

Review and send a positive recommendation to approve and adopt Resolution #2024-12, a resolution requesting that Placer County provide election services for the upcoming 2024 elections.

Staff further recommends sending this item to the Consent Calendar.

Fiscal Impact

ARD has budgeted \$43,141 for election services for the 2024 election.

Attachments

Resolution #2024-12
Quick reference calendar for the November 5, 2024 General Election
Information about Placer County Election Services

**NOTICE OF GOVERNING BOARD MEMBER ELECTION AND/OR
NOTICE TO SUBMIT MEASURE(S) TO A VOTE OF THE VOTERS**

Resolution No. 2024-12

RESOLUTION OF THE GOVERNING BODY OF THE

Auburn Area Recreation and Park District

DECLARING AN ELECTION BE HELD IN ITS JURISDICTION;
REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE THIS ELECTION
WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE;
AND
REQUESTING ELECTION SERVICES BY THE COUNTY CLERK.

WHEREAS, this District Governing Body orders an election to be held in its jurisdiction on November 5, 2024; at which election the issue(s) to be presented to the voters shall be:

NOMINATION OF CANDIDATES FOR THE GOVERNING BODY

1. Said election shall be to fill a vacancy for the following Board Member(s) who resigned and/or whose term(s) expired:

Incumbent's Name	Division Number (if applicable)	Regular/Short Term
Harry Gordon Ainsleigh	N/A	Regular
Michael Gary Lynch	N/A	Regular
James Allen Gray	N/A	Regular
Sue Ann Ingle	N/A	Short

2. Said Directors for this District are elected in the following manner:

X At Large.

There are no divisions in the District; all voters within the District vote for all candidates.

 By Division.

Districts are split into areas; only those voters residing in the area may vote for candidates who run in the area.

 Qualified by Division-Elected at Large.

Directors must qualify to run by living in a specific division, but all voters within the District may vote on all candidates.

 Qualified by Division-Elected at Large.

Directors must be a landowner. Multiple ownerships can designate single owner to cast vote or cast pro rata share.

3. Said District has determined the following election particulars:

- The length of the Candidate Statement shall not exceed 200 words.
(Specify either 200 or 400 words)
- The cost of the Candidate Statement shall be paid by the Candidate.
(Specify Candidate or District)

MEASURE(S) TO BE SUBMITTED TO THE VOTERS (IF APPLICABLE)

(If this election is strictly for deciding one or more measures and no candidates are to be elected, please complete #4 through #6 below)

4. Said District does not request that the following measure(s) be decided at this election.
(Specify does or does not)

- Said Governing Board orders the following measure(s) to be put to a vote of the residents of the District:

(See attached wording marked Exhibit(s) _____)

5. Said District has determined the following election particulars:

- In the case of a tie vote, the election shall be determined by LOT.
(Specify lot or runoff election)
- The County Clerk is requested to provide election services. If the District requests the Placer County Elections Office to provide election services, all applicable costs will be paid for by the District.
(Specify requested or not requested)

6. The District hereby certifies that (please check one):

There have been changes to the District boundary lines since our last election as shown on the attached map and/or legal description.

There have been no District boundary changes since our last election.

BE IT RESOLVED that the Board of Supervisors of the County of Placer is hereby requested to:

1. Consolidate the election with any other applicable election conducted on the same day;
2. Authorize and direct the County Clerk, at Governing Body expense, to provide all necessary election services.

This Resolution shall be considered a Notice of Election and Specification of Election Order if applicable.

PASSED AND ADOPTED by the Governing Body on _____, 20____.

AYES:

NOES:

ABSENT:

ATTEST: _____
SECRETARY OF THE BOARD

CHAIR OF THE BOARD

(Seal)

QUICK REFERENCE CALENDAR FOR NOVEMBER 5, 2024, GENERAL ELECTION Candidate Calendar - Draft	
July 9, 2024 (E-125)	Last day resolution and boundary maps can be presented to the Elections Office to guarantee placement of measure on ballot.
July 8 – July 20, 2024 (E-120 – E-102)	Candidate workshops conducted during this period (dates and locations to be scheduled).
July 15, 2024 (E-113)	Candidate filing period begins. <i>Cal. Elec. Code §§ 333, 8020, 8040, 8041</i>
July 30, 2024 (E-98)	Last day that a candidate from the Primary Election may request a different ballot designation for use in the General Election. <i>Cal. Elec. Code § 13107(h)</i>
July 31, 2024 (E-97)	Last day to file semi-annual campaign statements. (From last statement to 06/30/24). <i>Cal. Gov. Code § 84200</i>
August 9, 2024 (E-88)	Close of regular candidate filing period. This period is extended if an eligible incumbent fails to file. <i>Cal. Elec. Code §§ 8020(b), 8063, 8064, 8403, 8550, 13107.3</i>
August 14, 2024 (E-83)	Close of extended candidate filing period. <i>Cal. Elec. Code §§ 8022, 8024</i>
August 15, 2024 (E-82)	Random alphabet draw to be held at 11a.m. to determine the ballot order of candidates' names. <i>Cal. Elec. Code §§ 13112 (b)(1)(C)</i>
September 9, 2024 (E-57)	Write-in candidate filing period begins. <i>Cal. Elec. Code §§ 8601</i>
September 26, 2024 (E-40)	Last day to file 1 st pre-election campaign statements (from 7/1/24- 9/21/24) <i>Cal. Gov. Code §§ 84200, 84200.5, 84200.8</i>
October 7, 2024 (E-29)	Ballots mailed to all active registered voters. First day to begin processing ballots. <i>Cal. Elec. Code §§ 3001(b), 15101</i>
October 7, 2024 (E-29)	County Voter Information Guides will be mailed to voters by this date. <i>Cal. Elec. Code §§ 13303(a), 13305</i>
October 22, 2024 (E-14)	First day for conditional registration for this election. <i>Cal. Elec. Code § 2170 (a)</i>
October 22, 2024 (E-14)	Close of write-in candidate filing period. <i>Cal. Elec. Code §§ 8601, 8604</i>
October 24, 2024 (E-12)	Last day to file 2 nd pre-election campaign statements (from 9/22/24 – 10/19/24) <i>Cal. Gov. Code §§ 84200, 84200.5, 84200.8</i>
October 29, 2024 (E-7)	Last day to request a ballot by mail. <i>Cal. Elec. Code §§ 3001(a)</i>
November 5, 2024	ELECTION DAY <i>Cal. Elec. Code §§ 1000(e), 1200</i>

RYAN RONCO
COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS

LISA CRAMER
ASSISTANT CLERK

STEPHEN AYE
ASSISTANT RECORDER-REGISTRAR



3715 ATHERTON RD
ROCKLIN, CA 95765

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3715 ATHERTON RD STE 2
ROCKLIN, CA 95765

PLACER COUNTY ELECTIONS OFFICE

530-886-5650 • Toll Free 800-824-8683 • Fax 530-886-5688
www.placercountyelections.gov • election@placer.ca.gov

Candidate Services

April 18, 2024

Kahl Muscott
Auburn Area Recreation & Park District
471 Maidu Drive, Suite 200
Auburn, CA 95603

Dear Kahl Muscott:

This is a reminder that deadlines are fast approaching for your November 5, 2024 District Election.

Per California Elections Code Section 10509, the Placer County Elections Office requires a resolution from your board requesting election services no later than July 3, 2024.

You may create your own resolution, or you may use the resolution we have enclosed. Just as we have done in years past, we have completed the resolution to the best of our ability, including:

- Names of Directors up for election.
- Length of term.
- Manner of election.
- Length and payment style of Candidate Statement.
- Tie vote procedures.

If you use the resolution provided, you are responsible for verifying the information we have inserted and for completing the remainder of the resolution. If you find any inconsistencies or errors in our facts, please contact our office. The resolution provided comes with an instruction sheet for your convenience.

If you do **not** request election services from Placer County, we will need a Notice of Vacancies from your district no later than July 3, 2024. A Notice of Vacancies is included in this mailing. If you use the resolution provided, the information in the Notice of Vacancies will automatically be included. If you choose to create your own resolution, the information in the Notice of Vacancies will need to be included in your resolution.

If your district boundary lines have changed since the time of your last election, you will need to provide a map to the Elections Office delineating the new boundary lines no later than July 3, 2024. This map will be forwarded to the Placer County Mapping Division as required by law.

Ballot wording for any measures your district is considering to put to a vote must also be in our office no later than July 3, 2024. The statement must be 75 words or fewer. The sample resolution has room for this purpose and we encourage you to send this information with your governing board member resolution if possible.

In addition to the resolution, we are sending you a November 5, 2024 Quick Reference Calendar for Placer County. Please note that candidate filing for district director positions opens July 15, 2024 and closes August 9, 2024. Nomination papers will be available at the Placer County Elections Office during these dates.

We appreciate your cooperation in providing this data no later than the dates specified. We have enclosed a self-addressed envelope for your convenience. Krys Harrer, Kellie Ockrassa, and Cody Nichols of Candidate Services will be your liaisons for candidate filing matters. If you have any questions regarding this information, please call 530-886-5650.

Sincerely,

Candidate Services

Ryan Ronco
Placer County Clerk-Recorder-Registrar of Voters

Enc.: Sample Resolution, Instructions for Completing Resolution, Notice of Vacancies,
Quick Reference Calendar

INSTRUCTIONS FOR COMPLETING SAMPLE RESOLUTION

These instructions should be followed if your district chooses to use the sample resolution provided by the Placer County Elections Office. Please review the sample resolution for errors. If you find any errors or problems, we encourage you to contact us before you make any changes to this resolution.

Resolution Number

Your district should insert the appropriate resolution number where requested.

Section 1 - List of Board Members Up for Election

We have listed the names, division numbers (if applicable) and terms of office for the directors we show to be up for election this November. Unless there are errors, no further information will need to be added to this section.

Section 2 - Manner in which Board Members are Elected

We have selected for you the manner in which your board members are elected. Unless there are errors, no further information will need to be added to this section.

Section 3 - Candidate Statement Election Particulars

Your district has two choices regarding candidate statements:

- Your district may allow candidates to submit 200 or 400-word candidate statements. However, since the cost of a candidate statement is twice as high for 400-word statements, we encourage you to opt for 200-word statements. We have pre-marked your resolution for 200-word statements. If you wish to look into 400-word statements, please contact our office.
- Your district may choose to have either the candidate or the district pay for the candidate statements submitted. We have pre-marked your resolution the way your district has historically handled this payment option. If you wish to look into another option, please contact our office.

Section 4 - Measures Submitted to Voters

If your district wishes to place a measure on the November ballot, print or type "does" on the line provided and include all applicable information when you return the resolution. If you are not considering any measures, print or type "does not" where requested.

Section 5 - Various Election Particulars

We have assumed that your district would rather break a tie vote by lot rather than conducting an unbudgeted special election. If you would prefer a special election, please call our office. Additionally, by using this resolution, you are requesting election services from our office and no changes will be made to this line.

Section 6 - District Boundaries

Check the applicable line regarding district boundary changes. If your boundary lines have changed since your last election, we will need a copy of your new boundaries for our records. Please send a copy of the map to the Elections Office no later than July 3, 2024.

Date of Passage and Roll Call

This section should be self-explanatory.

Discussion Item #1: Cover sheet – Fee Waivers Policy Review

Auburn Area Recreation and Park District Policy Committee November, 2022; Board of Directors meeting November, 2022; Policy Committee meeting December, 2022; Board of Directors meeting December, 2022; May, 2024

The Issue

Shall the Auburn Recreation District (ARD) consider modifying its policy, criteria and/or the amounts of fees that are waived for future Fee Waivers at ARD? Director Holbrook requested that this item be considered.

Background

The ARD policy on Fee Waivers was last reviewed and amended in November, 2022. ARD policy currently states the following:

XXIX. Policy & Procedures for Fee Waivers

Fee waivers may be granted to 501 c3 non-profit organizations and ARD co-sponsored events for once per year, annual events or rentals. The following rules will apply for Fee Waivers:

- A. A 30% fee, based on the current “A/B” rate, will be charged for all fee waivers.
- B. A 50% fee, based on the current “A/B” rate, will be applied to all groups that charge admission or do not meet at least one of the following criteria:
 1. The non-profit charity/agency must provide a service that complements or enhances services provided by ARD.
 2. There is an identifiable secondary benefit to ARD.
 3. The charity/agency provides a service that ARD could provide but chooses not to.
- C. ARD staff can approve fee waivers up to a dollar amount of \$2,000. Fee waivers over this amount will be sent to the Finance Committee and finally to the Consent Calendar.
- D. Fee waiver requests not in accordance with this policy can be appealed to the Board of Directors.
- E. The person or organization making the fee waiver request should be responsible for the following:
 1. Paying applicable custodial, set up/take down fee.
 2. Paying the alcohol fee, if applicable.
Special Events – paying the current rate per hour/person for staffing the event (one maintenance worker per 500 attendees).
 3. Special Events – events over 250 attendees require a dumpster.

4. Special Events – events with 400 + attendees will require one portable toilet. Add 1 portable toilet for every 200 additional attendees.
5. Special Events – in most cases the person/organization requesting the fee waiver will take care of trash, bathrooms, etc.

Other related policies

ARD has a policy regarding charitable donations:

- ARD District Policy, Section XIII

C. Policy on Charitable Donations from ARD to Outside Organizations

ARD may, from time to time, consider making donations to charitable entities or outside agencies. These donations must fall within ARD’s specifically enumerated powers (Parks and Recreation) and must meet one of the following three criteria:

1. The charity/agency must provide a service that complements or enhances services provided by ARD.
2. There is an identifiable secondary benefit to ARD.
3. The charity/agency provides a service that ARD could provide but chooses not to.

Should a donation request meet one of the criteria listed above, staff will forward the request to the ARD Policy Committee for consideration and recommendation. If the Policy Committee recommends approval of the donation request, it will be sent to the ARD Board of Directors for approval as a consent calendar item.

Recommendation for the Policy Committee

Review and provide direction.

Fiscal Impact

The following is a record of the total amount (\$) of Fee Waivers granted since FY 09/10:

FY 09/10: \$15,689
 FY 10/11: \$16,676
 FY 11/12: \$16,298
 FY 12/13: \$19,263
 FY 13/14: \$9,627
 FY 14/15: \$11,678
 FY 15/16: \$13,341
 FY 16/17: \$19,515
 FY 17/18: \$9,743
 FY 18/19: \$13,113
 FY 19/20: \$15,532
 FY 20/21: \$0 (COVID)
 FY 21/22: \$4,731 (partial COVID)
 FY 22/23: \$13,471

Attachments

None