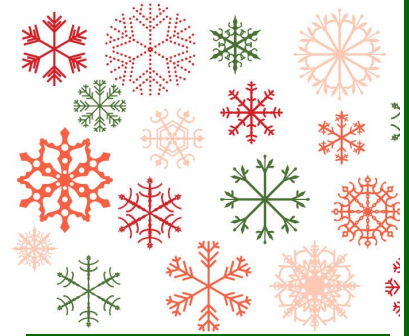




# December

## COMMUNICATOR 2019



### PRESIDENT'S MESSAGE

The winter months are upon us, and with them comes the cold rainy weather that plays havoc on our parks and compromises our recreational programs. Safety is always a focus during these next few months. If necessary, the posting of signs warning about a possible slipping hazard might make the difference of an employee or patron not injured. Wet and windy forecasts mean that extra precaution is required when using ladders, tools, machinery, and maintenance vehicles. Also, extra attention is needed in making sure the trees in our parks are properly pruned and athletic fields are safe to play on. Surfaces and vegetation conditions can change over night.

Our Annual Conference in South Lake Tahoe (May 27th – 30th) at Lake Tahoe Resort & Hotel is really shaping up to be another very informative and rewarding experience for all. This year's conference format might have some surprise changes. The CARPD Board of Directors will be finalizing the details in the next few months. Also, this year we will be adding an online payment link to our website to help streamline the registration process. We have also increased sponsorship opportunities with the introduction of a new Titanium sponsorship level.

We all have been patiently waiting for the finalization of Prop 68. There's 185 million dollars waiting to be awarded to park districts in a per capita program. These funds would really come in handy as most of our older existing facilities are in dire need of repair or upgrading. Old asphalt walkways and play structures need to be replaced. Our older parks are lacking amenities that are the standard in our newly built parks. My District, the Cordova Recreation and Park District (CRPD) was fortunate to get the voters to pass Measure J in 2016. This brought in needed revenue

that is helping make our older parks safer and ADA compliant.

2020 is another election year and those of us that must run for office will once again reach out to our constituents for support. This is always a great opportunity to connect with the people that we so proudly represent. One of my priorities for 2020 is the creation of new partnerships. Partnerships are an important combination that park districts need to develop. The CRPD recently partnered with the Sacramento Tree Foundation along with 60 volunteers organized by a local homeowner's association to plant 18 new trees in one of our neighborhood parks. Another partnership with the City of Rancho Cordova is helping the CRPD with the replacement of a 60-year-old pool complex in Hagan Community Park with a state-of-the-art aquatic facility.

In closing I would like to once again send my hopes and prayers out to the residents of Paradise as they continue their journey of rebuilding their beloved City. This has been a huge lesson for all of us and one that we will never forget. God Bless Paradise.



Enjoy a very Memorable Holiday Season and a Healthy New Year!

Rick Sloan  
President, CARPD

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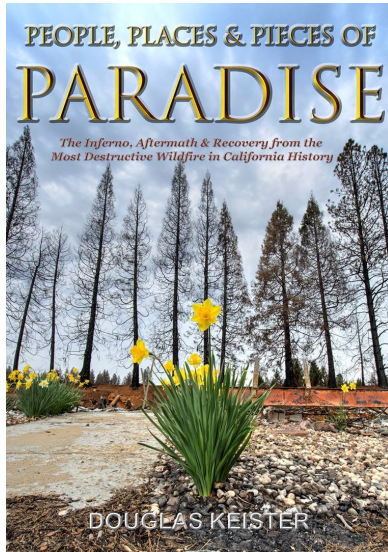
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## PEOPLE, PLACES & PIECES OF PARADISE



Acclaimed photojournalist and writer Douglas Keister looks at the most devastating wildfire in California history, its aftermath and the recovery and rebuilding of the Paradise community.

On November 8, 2018, like many Butte County residents, Doug Keister woke up to a black sky rimmed with yellow and red at the horizon. He was witnessing the beginning of the Camp Fire, which would become the most devastating wildfire in California history. From that early November day until the present Keister has made over 100 trips to the Camp Fire area. His extraordinary images, detailed accounts of the fire and stories of the survivors document the physical effect of the fire, the recovery and rebuilding of the communities destroyed by the fire and resilience of the people affected by the fire as well as the lessons learned.

Keister is assembling an extensive list of libraries where he will be donating books. He feels a permanent record in the form of a physical book that can be held in a person's hands remains one of the best ways for current and future generations to understand and experience history. A portion of the profits from the book will be donated to the Paradise arts community and libraries. You can purchase your copy today at [www.paradisebook.org](http://www.paradisebook.org)

## NEW LAWS FOR 2020

It's the most *wonderful* time of the year...time to review the new laws taking effect in the New Year! As noted in our Legislative Update (page 4), this past legislative session was a busy one with several new laws enacted that will impact the parks and recreation sector. CARPD remains active with its lobbying efforts and will continue to keep our members apprised of further developments and updates from our legislature.

### **Assembly Bill 5—Employee vs. Independent Contractor:**

One of the most controversial laws that came about this past session was Assembly Bill 5 which established a new test for determining whether a worker is an employee or an independent contractor. With special thanks to Patti Eyres, Esq., CAPRI members recently received a lengthy analysis of this new law and the impact on recreation and park districts, specifically. For more, please see the Legislative Update (p. 4) or contact CAPRI.

### **Senate Bill 13 — ADUs:**

In addition to the focus on labor and employment matters, this past legislative session also saw a number of bills centered on housing. That includes SB13 which aimed to stimulate the development of accessory dwelling units or "Granny Flats" by severely limiting development impact fees for those structures that are smaller than 750 square feet. These fees are critical for our districts to adequately serve the public at large and despite the vocal opposition of CARPD and our friends at CSDA, this measure was signed into law this past October.

### **Senate Bill 142—Lactation Breaks and Rooms:**

While California has had a general lactation accommodation law in place since 2002, Senate Bill 142 adds many specific requirements affecting employer's responsibilities to assure appropriate privacy, rooms, and break periods for nursing mothers. This includes requirements that the lactation location have access to electricity, among other things, and that employers develop specific lactation accommodation policies. For more information on this new law, please contact CAPRI or consult with your District counsel.

### **Minimum Wage Increase:**

Although the federal minimum wage has remained stagnant for a decade, the start of the New Year on January 1st also means the start of a higher minimum wage throughout California. For 2020, the minimum wage rate will be \$12 an hour for employers with 25 employees or fewer and \$13 per hour for employers with more than 25 employees. This increase continues the plan laid out in the 2016 law signed by former Governor Jerry Brown, with future increases of the minimum wage scheduled through 2023.

## WHY/HOW DID YOUR DISTRICT BECOME ASSOCIATED WITH CARPD?

Have you ever thought, how did our District come to join CARPD? Well, that is a great thought! Be on the look out for **additional highlights**, **fun facts** and learn more about the **perks** of CARPD in the upcoming issues for 2020!

### Who or what is CARPD?

CARPD is a 501c(6), not-for-profit organization that is **solely** dedicated to improving the quality and efficiency of Recreation and Parks in California. No other organization is exclusively focused on protecting the interests of recreation and park districts in this State. CARPD members are eligible for reduced rates on Workers' Compensation Coverage and Liability/Property Damage Insurance; saving local communities thousands of dollars.

### Who can become a Member?

A recreation and park district, regional park district, other special districts such as a community services district, or joint powers authority composed of special districts which provide recreation and/or park services and are organized under the appropriate laws of the State of California.

*Welcome!*

### New General Manager

La Selva Beach Recreation District welcomes Mr. Eden Serrano as their new District Manager. Eden graduated from Humboldt State University in 2018 with his B.S. in Exercise Science and Health Promotion. Having lived in the small town of La Selva Beach for his entire life, Eden is now honored, excited, and humbled to work for the community that has given him so much.

Eden has worked various jobs prior to becoming the LSBRD Manager including working in the local school district as a certificated teacher and enrichment specialist, assisting in undergraduate and graduate research, teaching exercise based on functional movement, surfboard ding repair, and more.



“Knowing how important physical activity and community health and wellness is, I wanted to do what I could to help my community.”

### New General Manager

The Mount Shasta Recreation and Parks District welcomes Shannon Shaw as their new District Administrator. Shannon first started working with the District as a Youth Basketball Coach in 2003. She has held many positions with the District including Summer Camp Supervisor, Ice Rink Manager and Special Projects Supervisor. Shannon Graduated from Humboldt State University with her BA in Recreation Administration.

"I grew up in this Parks District, I participated in baseball, soccer and basketball programs as a kid, and was given my first job by the District as a basketball coach. Being able to return and serve the community that I grew up in is a dream come true."



## LEGISLATIVE UPDATE

The first half of the 2019-20 Legislative Session concluded on October 13<sup>th</sup> when Governor Newsom finished acting on all the bills sent to him prior to the adjournment of the Legislature on September 14<sup>th</sup>. For the record, 1042 pieces of legislation reached the Governor's desk and 870 of them were signed into law; 170 bills were vetoed. It is noteworthy that the 83.5% signature rate tracks with Governor Brown's percentage in the last year of his tenure.

The political assessment of the 2019 Session was mixed. Although a progressive agenda was expected since the Legislature now has an unprecedented super majority of Democrats in both Houses and a young, liberal Governor in the corner office, the result was not as proactive as forecasted. Governor Newsom did allocate additional funds in more areas than Governor Brown, but he also continued to maintain a substantial "Rainy Day Fund" reserve. His major priorities included enhancing wildfire mitigation and preparedness, allocating resources to advance affordable housing projects and increasing funding to schools and health care. Further, he collaborated with the Legislature to preserve our state's environmental/climate change laws in the face of continued pushback from the federal government.

Labor and employment measures were the areas the Governor showed his progressive colors the most. Organized labor groups have been a strong ally of his and they presented an aggressive legislative program this year after years of dissatisfying results under Governor Brown. By far the most significant bill enacted was [Assembly Bill 5](#) by Lorena Gonzalez of San Diego. AB 5 molded the recent [Dynamex](#) decision into a statutory presumption of employee status for workers unless an "ABC" Test is met as follows:

The person is free from control by the business.

The person is performing work that is outside the usual course of the entity's business.

The person is customarily engaged in an independently established trade, occupation or business.

The "ambiguity" of the test led to wholesale specific exemptions being provided for various businesses and professions like doctors and lawyers. It should be noted that the [Borello](#) test case still applies to those exempted provisions. And, the author has announced that she will revisit this subject area in 2020 to further refine the language to ensure the appropriate line is drawn between employee and independent contractor status for California businesses.

Sexual harassment at the workplace continued to be a focus of the majority party in 2019. [Assembly Bill 9](#) by Eloise Reyes extended the statute of limitations on filing such claims to three years. [Senate Bill 778](#) cleaned up the existing sexual harassment training law by delaying implementation on businesses with five or more employees but less than 50 to January 1, 2021 and provided for continuing education once every two years thereafter.

Governor Newsom did veto some bills sponsored by organized labor, however. [Assembly Bill 171](#) (Gonzalez) would have extended anti-retaliation protections for labor (veto message [here](#)); and [Assembly Bill 403](#) (Kalra) would have broadened the statute of limitations under the state's whistle-blower law (veto message [here](#)).

Funding opportunities for recreation and park districts remains on the agenda for the second part of the Legislative Session, which commences in January. Three bills have been introduced seeking to place a Bond Act on the November 2020 Ballot. [Assembly Bill 352](#) by Eduardo Garcia, [Assembly Bill 1298](#) by Kevin Mullin and [Senate Bill 45](#) by Ben Allen all are designed to authorize nearly \$4 Billion in General Obligation Bonds to be allocated for wildfire prevention, safe drinking water, drought preparation and flood protection. All three authors have committed to work to conduct stakeholder meetings to construct a bond measure that promotes opportunities for the parks community.

Another holdover item is the scrutiny of impact and development fees in light of the recent [Turner Report](#). Assembly Member Mark Grayson held his [Assembly Bill 1484](#) in the Legislature this year to provide a vehicle to discuss these fees in the context of achieving affordable housing project goals. CARPD has been actively participating in a coalition led by the California Special Districts Association to ensure these discussions include the necessity of funding local government and special districts to maintain the highest level of services.

Another funding measure, which is eligible for taking up again in 2020, is [Assembly Constitutional Amendment No. 1](#) by Cecilia Aguiar-Curry. ACA 1 would place on the November 2020 Ballot a provision to reduce the vote threshold for local government tax assessments in affordable housing and infrastructure improvements from a 2/3 vote to a vote of 55%, which is the level for School Bonds. ACA 1 itself needs a 2/3 vote and fell 10 votes short of that in 2019. Proponents have been active in the interim and hope to have sufficient commitments from legislators to bring it up again next year; 2020 certainly promises to be an active year for the CARPD advocacy team.

