

MAY 2016

COMMUNICATOR

PRESIDENT'S MESSAGE



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Winter is over, we have less than 150 days until the 16/17 football and baseball seasons are here which means we are getting ready for opening day celebrations for youth baseball and softball leagues. Opening Day events are a great way to get the youth excited about the season. As leaders in recreation, I invite all of you to attend your local opening day ceremonies and see the joy on the kids faces as their team name gets announced while they run the bases.



Now that spring is here, most of the rain and snow is gone. The southern part of the state didn't get the El Niño rains we were promised, but the north had quite a wet winter. I hope all your facilities made it through with little to no problems. As our drought continues, we have a session at the CARPD Conference this May on "What Districts are doing to Address the Drought" which should be quite informative. The conference looks

to as be as good as ever and we have other informative sessions, including: liability exposure, employment law, grant writing and a much needed, minimum wage effects on public entities; we feel that these breakout sessions address the current needs of CARPD members and provide the most benefit as they are geared for public entities.

There is also a bit of snow left in Tahoe, so you still have a chance at some snow fun while you are there and of course, as always, it is great to meet with our peers from other Districts and network together. I am reminded of a quote by President Franklin D. Roosevelt:

"We cannot always build the future for our youth, but we can build the youth for the future"

The work you do is so important and the impact that your organization has on the community is greater than you can imagine. Keep up the good work and I'll see you at the conference.

Frank Gorman,
President

LEGISLATIVE UPDATE

The Legislature returned from Spring Break March 28th with legislators facing hundreds of bills subject to the May 1st deadline for policy committees to pass bills that must also be considered by the fiscal committees. It didn't take long for committees and the Assembly/Senate floor to consider a number of high profile measures.

Perhaps the most contentious was Senate Bill 3 by Senate Leno and others, relating to increasing the minimum wage. SB 3 was introduced last year and was "held" in the Assembly Appropriations Committee, reportedly to give the author and sponsors to continue work on a number of concepts. As magic happens in the Capitol, on Saturday, March 27th, the Governor, labor groups and scores of legislators announced they had brokered a \$15 per hour, phased-in compromise that would be amended into SB 3 the following Monday, March 28th. Many Democrats were caught off guard, as they were unaware of the negotiations, not to mention the outrage of Republican members that cried foul to the secret closed door deal.

On Thursday, March 31st, with only an Assembly Appropriations Committee hearing (zippo policy committee hearings), SB 3 was passed by both houses with relative ease. Governor

Brown will sign the bill in Los Angeles on Monday, April 4th.

While not quite as newsworthy as SB 3 but significantly important to many interest groups, including CARPD, on March 29th, the Senate Transportation and Housing Committee, after a very long, but thoughtful hearing, killed Senate Bill 876 by Senator Liu, relating to homelessness. All Committee mem-



bers acknowledged that a solution to homelessness must be developed and implemented, SB 876 is not that solution. The final vote was: Aye=2; No=7; and, Abstaining=2.

Other bills of interest to CARPD to be heard in the coming weeks include:

***Assembly Bill 1707** (Linder): CARPD adopted an Oppose position on this bill as introduced that as drafted was a huge overreach relative to the California Public Records Act and written requests for documents. As-

sembly Member Linder substantially amended the bill on March 28th, with additional amendments forthcoming before the bill is considered by the Assembly Local Government Committee that has, or will, remove visually all of the current opposition, including CARPD's. The Legislative Committee will consider a position change once all the amendments are in print.

***Assembly Bill 2257** (Maienschein): CARPD has also adopted an Oppose position on this Brown Act measure that requires local agencies that post their meeting agendas on the website, to also provide "a prominent direct link to the current agenda itself." Lots of confusion and potential costs for local agencies. Scheduled for hearing in the Assembly Local Government Committee April 4th.

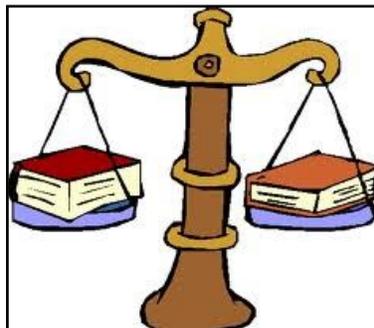
***Assembly Bill 2613** (Achadjian): CARPD is supporting AB 2613, an alternative process for special districts to replace the required annual audit with and "annual financial compilation" and an annual review of the internal control procedures to be performed by the county auditor. Requires unanimous request of the special districts governing board and unanimous approval of board of supervisors. Could be a very helpful, cost-savings alternative for smaller special districts.

LEGISLATIVE UPDATE (CONT.)

***Assembly Bill 2444** (Eduardo Garcia): This is the new park, et al, bond act. Details are still in discussion relative to components of the bond, including per capita, which should become more focused when the bill is considered by the Assembly Water, Parks, and Wildlife Committee April 12th.

***Senate Bill 1292** (Stone): CARPD support SB 1292 by

Senator Stone, relating to grand jury reports. The bill contains numerous provisions to provide



local agencies/individual subject to a grand jury investigation greater opportunity to clarify the record before the grand jury report is published.

Finally, a detailed legislative report on all of the issues cited above, and others of importance, will be presented during the Annual Conference in May.

By Ralph Heim

MINIMUM WAGE INCREASES IN CALIFORNIA

As many of you are already aware, Governor Brown signed a bill to raise the state's minimum wage to \$15 an hour by 2022. Under this new law, the minimum wage will increase to \$10.50 starting on January 1, 2017. On January 1, 2018 the minimum wage will increase to \$11.00 and will subsequently increase by \$1.00 every year until it reaches \$15.00 on January 1, 2022.

With employers that have 25 employees or fewer, the minimum wage law will have a more prolonged phase in period. The slower phase in period will start with the \$10.50 minimum wage as of January 1, 2018 and increase to \$11.00 on January 1, 2019 with subsequent \$1.00 increases until it reaches \$15.00 on January 1, 2023.

Obviously, this bill will have an effect on business throughout California. The opinions differ on how big of an effect it will have on California businesses. It will definitely have an impact on public enti-

ties and many of our Recreation and Park Districts will have some difficult budget decisions in the next 5 years.

The problem is increasingly complicated as a result of your "exempt" employees. "Exempt" employees are not subject to the minimum wage and overtime requirements. Only "bona fide (genuine) executive, administrative, professional, computer and outside sales" employees who meet certain requirements are exempt from minimum wage and overtime laws." Job title does NOT determine "exempt" or "non-exempt." It is the duties/tasks that are performed that determine "exempt." Usually, managerial/supervisory employees or those involved in personnel decisions are "exempt." Also, those positions where the work is predominantly intellectual, requires specialized education, and involves the exercise of discretion and judgment is usually classified as "exempt."

The problem comes about when you are talking about salary. Those employees who are paid less than \$41,600 per year are non-exempt. "Exempt" employees in California generally MUST earn a minimum monthly salary of NO LESS than two times the state's minimum wage for full-time employment. Paying a salary does not make a person "exempt" but if they are classified as "exempt" than as the minimum wage increases so does your minimum salary for "exempt" employees. This will be potentially an additional hardship on California businesses and public entities.

Come to the CARPD Spring Conference from May 19-21, 2016 at the Lake Tahoe Resort in South Lake Tahoe. One of the sessions on Saturday, May 21, 2016 is "Minimum Wage Effects on Public Entities." It should be an informative and lively session.

By Pat Cabulagan



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WWW.CARPD.NET**

2016 CARPD CONFERENCE

There is still time to register for this year's 2016 California Association of Recreation and Park Districts (CARPD) conference which is scheduled for May 19-21, 2016 at the Lake Tahoe Resort Hotel in South Lake Tahoe, CA.

Some of the conference topics will include: Legislation; Tahoe Transformed; Liability Update for Recreation and Park Districts; Grant Writing; Employment Law Update; LAFCO; Minimum Wage Effects on Public Entities; Lessons Learned on Prop 218; What Districts are Doing to Address the Drought; Armed Rangers/ Unarmed Rangers/Security - What works in your community?

This year's scholarship recipients were Jeff Nickell, District Manager from McFarland Recreation and Park District (full scholarship), Frances Bengston, Executive Director from Soledad Mission Recreation District (full scholarship) and North County Recreation and Park District (partial scholarship). The scholarships awarded were provided by CARPD from the raffle funds at last year's conference. We plan on awarding conference scholarships annually, so make sure to buy plenty of raffle tickets at the conference this year! We are going to have great prizes again this year however, if you would like to donate a raffle item please contact our offices prior to the conference.

Members can obtain conference registration forms along with all other forms and conference information at the CARPD website, www.carpd.net. We look forward to seeing everyone at the 2016 CARPD Conference in South Lake Tahoe, California. We believe it will be a very educational and enjoyable conference.

