



AGENDA

Regular Meeting Board of Library Trustees | Altadena Library District
Community Room – Main Library – September 23, 2019 – 5:00 p.m.

PUBLIC REQUESTS FOR DOCUMENTS: The District provides a public inspection copy of all materials included in the agenda packet distributed to the Board members. Members of the public who wish to obtain a copy of any document may do so by completing a Request for Public Document form and submitting it to Administration who will arrange for the documents to be copied at a charge of 15¢ per page. Request forms are available at the District Administration offices.

In compliance with the Americans with Disability Act, if you need special assistance to participate in the meeting, please contact Kylynn Chaney at (626) 798-0833 x118 at least 48 hours prior to the meeting so the Altadena Library District may make reasonable arrangements to ensure accessibility to the meeting.

1. Call to order, Roll Call, Public Comment on Closed Session Agenda

2. Closed Session

The Board of Trustees will recess into closed session pursuant to the Ralph M. Brown Act (Government Code Section 54960 et seq.) for purposes of the discussing and/or taking action on the following items:

1. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957
TITLE: DISTRICT DIRECTOR
2. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6
Unrepresented Employee: District Director
Agency Designated Representative: Terry Andruess, President of the Board of Trustees

3. Recess into Open Session and Public Report of Any Reportable Action from Closed Session (Section 54960 et seq.)

4. Open Session

- a. Approval/Reordering of Agenda Items
- b. Adoption of Agenda
- c. Public Comment on Non-Agenda Items

5. Consent Calendar

The Board of Library Trustees hereby approves the items and recommended actions in the Consent Calendar listed below:

- Approval of Minutes –
Special Meeting held August 22, 2019- Page #4
Regular Meeting held August 26, 2019 - Pages #5-8
- Departmental Monthly Reports – August 2019- Pages# 9-18

6. Consideration of Items Removed from the Consent Calendar

Items removed from the Consent Calendar discussed individually at this time.

7. Reports (Information)

- a. Reports of Support Groups
 - (i) Altadena Library Foundation
 - (ii) Friends of the Altadena Library
- b. District Director's Report – August 2019
 - (i) Library General Operations- Pages #19-20
 - (ii) Library Collection – Estella Terrazas
 - (iii) Facilities Presentation – Jonathan Arevalo
- c. Financial Reports – July 2019- Pages #21-33
- d. Committee Reports
 - (i) Budget Committee
 - (ii) Facilities Committee
 - (iii) Executive Search Committee
 - (iv) Strategic Planning Committee- Pages #34-40
 - (v) California Voting Rights Act Committee
- e. Trustee Reports

8. Unfinished Business

- a. Brown Act Refresher (Information)
- b. Review and Approval of Resolution 2019-07 for Updated Records Retention Policy (Action)- Pages # 41-77
- c. Review and Approval Resolution for Electronic Communication Retention Policy (Action) Pages #78-82

9. New Business

- a. Review and Approval of Employment Agreement Appointing District Director (Action)
- b. Review and Approval of Addendum to Employment Contract with Interim Library Director (Action)
- c. Review and Approval of Resolution 2019-09 – Rosenberg's Rules of Order (Action) Pages#83-93
- b. Selection of Consultant for Human Resources Services (Action) Page# 94
- c. Banking Services Selection (Action) Pages # 95-97
- d. Review and Approval of Investment Policy (Action)
- e. Review and Approval of Electronic / Internet Policy Pages98-100
- f. Review CalPERS Benefits/Open Enrollment (Information) Pages #101-104
- g. Request for Partial Closure on November 3rd for Strategic Planning (Action) Page #105
- h. Review and Approval of Updated Library Rules of Behavior (Action) Pages #106-108

- i. Review and Approval of Facilities Use Agreement between the Altadena Library District and Christmas Tree Lane Association (Action) Pages#109-140
- j. Approval of Resolution 2019-10 Authorizing an Amendment to CalPERS Contract (Action) Pages #141-147
- k. Certification of Final Action of Governing Body for CalPERS Contract Amendment (Action)
- l. Review and Approval of Updated Board of Trustees Calendar (Action) Page 148

10. Correspondence Pages 149-156

11. Proposed Future Agenda Items

12. Adjournment

Individuals may address the Board regarding any item of Library business on or not on the agenda. Comments are limited to 3 minutes per item. At the discretion of the Board President, individuals may be allowed a longer presentation. While all comments are welcome, the Brown Act does not allow the Board to take action on any item not on the agenda. If speaking before the Board, please give your name and state the agenda item and/or issue you wish to address.



MINUTES

Special Meeting Board of Library Trustees | Altadena Library District
Small Meeting Room – Main Library – August 22, 2019 – 3:00 p.m.

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1. Call to order, Roll Call, Public Comment – 3:02 p.m.

Roll Call: Trustee Andruess, Trustee Capell, Trustee Clark, Trustee Kahn, Trustee McMullins

Also in Attendance: Paul Kimura, Cindy Cleary, Estella Terrazas

2. Closed Session

The Board of Trustees will recess into closed session pursuant to the Ralph M. Brown Act (Government Code Section 54960 et seq.) for purposes of the discussing and/or taking action on the following items:

1. PUBLIC EMPLOYMENT APPOINTMENT
Pursuant to Government Code Section 54957
TITLE: DISTRICT DIRECTOR

The Board went into Closed Session at 3:05 p.m.

3. Recess Into Open Session and Public Report of Any Reportable Action From Closed Session

(Section 54960 et seq.)

The Board came out of Closed Session at 9:08 p.m.

4. Adjourn

Meeting adjourned at 9:09 p.m.



MINUTES

Regular Meeting Board of Library Trustees | Altadena Library District
Community Room – Main Library – August 26, 2019 – 4:00 p.m.

PUBLIC REQUESTS FOR DOCUMENTS: The District provides a public inspection copy of all materials included in the agenda packet distributed to the Board members. Members of the public who wish to obtain a copy of any document may do so by completing a Request for Public Document form and submitting it to Administration who will arrange for the documents to be copied at a charge of 15¢ per page. Request forms are available at the District Administration offices.

In compliance with the Americans with Disability Act, if you need special assistance to participate in the meeting, please contact Kylynn Chaney at (626) 798-0833 x118 at least 48 hours prior to the meeting so the Altadena Library District may make reasonable arrangements to ensure accessibility to the meeting.

1. Call to order, Roll Call, Public Comment on Closed Session Agenda

<https://youtu.be/zLICowhUx48?t=1>

Call to order: 4:06 p.m.

Roll Call: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

2. Closed Session

The Board of Trustees will recess into closed session pursuant to the Ralph M. Brown Act (Government Code Section 54960 et seq.) for purposes of the discussing and/or taking action on the following items:

1. PUBLIC EMPLOYMENT APPOINTMENT
Pursuant to Government Code Section 54957
TITLE: DISTRICT DIRECTOR

The Board went into closed session at 4:07 p.m.

3. Recess into Open Session and Public Report of Any Reportable Action from Closed Session (Section 54960 et seq.)

The Board came out of Closed Session at 6:24 p.m.

Public Report: The Board in Closed Session has identified a candidate for the Library Director and has established parameters for contract negotiations.

Furthermore, the Board has authorized the ad hoc search committee to make any refinements necessary.

In the event of successful negotiation, the contract will be voted on at a future regular meeting.

4. Open Session <https://youtu.be/zLICowhUx48?t=178>

- a. Approval/Reordering of Agenda Items

Moved by Trustee Clark to amend the agenda to add the approval of Resolution 2019-07.

Second by Trustee Capell

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

b. Adoption of Agenda

Moved by Trustee Clark to Adopt the Agenda as amended

Second by Trustee Kahn

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

c. Public Comment on Non-Agenda Items <https://youtu.be/zLICowhUx48?t=270>

Public Comment: David Datz

5. Consent Calendar <https://youtu.be/zLICowhUx48?t=526>

The Board of Library Trustees hereby approves the items and recommended actions in the Consent Calendar listed below:

- Approval of Minutes – Regular Meeting held July 22, 2019
- Approval of Minutes – Special Meeting held July 29, 2019
- Departmental Monthly Reports – July 2019

Moved by Trustee Clark to approve the consent calendar

Second by Trustee Kahn

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

7. Reports (Information) <https://youtu.be/zLICowhUx48?t=920>

- a. Reports of Support Groups
 - (i) Altadena Library Foundation – **Bridget Brewster reported.**
 - (ii) Friends of the Altadena Library – **Joy Strayer reported.**
- b. District Director's Report – July 2019
 - (i) Library General Operations – **Interim Director Cleary reported**
 - (ii) Information Technology Presentation
<https://youtu.be/zLICowhUx48?t=2288>
- c. Financial Reports – June 2019
Business Manager Nicole Fabry reported.
<https://youtu.be/zLICowhUx48?t=3762>
- d. Committee Reports <https://youtu.be/zLICowhUx48?t=3997>
 - (i) Budget Committee
 - (ii) Facilities Committee – **Trustee Capell reported.**
 - Selection of Architectural Consultant (Action)

Moved by Trustee Clark to ratify the Committee's selection of ARG

Second by Trustee Kahn

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

- (iii) Executive Search Committee
 - (iv) Strategic Planning Committee
 - Trustee Clark reported**
 - (v) California Voting Rights Act Committee
 - e. Trustee Reports <https://youtu.be/zLICowhUx48?t=4711>
Trustee Clark, Trustee Capell, Trustee McMullins, Trustee Andrues
- 8. Unfinished Business**
- a. Brown Act Refresher (Information)
Administrative Assistant Kylynn Chaney presented.
- 9. New Business**
- a. Review and Approval of Resolution 2019-07 for Updated Records Retention Policy (Action) <https://youtu.be/zLICowhUx48?t=5276>
Interim Director Cleary reported.
Moved by Trustee Clark to adopt the Resolution with the addition of a review period.
Second by Trustee McMullins
Aye: Trustee McMullins, Trustee Kahn, Trustee Andrues, Trustee Clark, Trustee Capell
 - b. Review of Electronic Communication Retention Policy (Information)
Interim Director Cleary reported.
 - c. Review and Approval of Library Closures on September 19th and 20th for Strategic Planning (Action) <https://youtu.be/zLICowhUx48?t=5941>
Interim Director Cleary provided the consultant recommendation that the District close for Strategic Planning purposes on September 19th and 20th.
Moved by Trustee Kahn to approve the closures
Second by Trustee McMullins
Aye: Trustee McMullins, Trustee Kahn, Trustee Andrues, Trustee Clark, Trustee Capell
 - d. Resolution to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the Board of Trustees Altadena Library District (Action) <https://youtu.be/zLICowhUx48?t=6086>
Business Manager Nicole Fabry reported
Moved by Trustee Clark to adopt the Resolution to Approve an Amendment to the Contract between the Board of Administration California Public Employees' Retirement System and the Board of Trustees Altadena Library District
Second by Trustee McMullins
Aye: Trustee McMullins, Trustee Kahn, Trustee Andrues, Trustee Clark, Trustee Capell
 - e. Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (Action) <https://youtu.be/zLICowhUx48?t=6280>
Business Manager Nicole Fabry reported

Moved by Trustee Capell to adopt the Resolution to Authorize Investment of Monies in the Local Agency Investment Fund

Second by Trustee Clark

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

f. Review and Approval of Revised Job Description – Building Projects Manager (Action) <https://youtu.be/zLICowhUx48?t=6461>

Interim Director Cleary reported.

Moved by Trustee Kahn to approve the updated job description for Building Projects Manager.

Second by Trustee McMullins

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

g. District Director Salary Revision (Action) <https://youtu.be/zLICowhUx48?t=6584>

Interim Director Cleary reported.

Moved by Trustee Kahn to approve the District Director Salary revision.

Second by Trustee McMullins

Aye: Trustee McMullins, Trustee Kahn, Trustee Andruess, Trustee Clark, Trustee Capell

10. Correspondence

11. Proposed Future Agenda Items

Records Retention, Resolution for Rosenberg's Rules, Request for Proposals for HR Audit and Banking

12. Adjournment

Motion to adjourn by Trustee McMullins

Second by Trustee Clark

Meeting Adjourned at 8:23 p.m.

Volunteer Hours at The Altadena Library District

Total Hours: 322

Activity	Hours
ALD Board of Trustees	45.5
Altadena Library Foundation Board	3.5
Bob Lucas Branch	3.5
Children's Programs	4
Fab Lab/3D Printing	21.5
Friends of The Altadena Library	187.5
Shelf Reading	11
Shelving Books	17.5
Special Events	20
Teen Programs	8

6 Teen did 21 hours of service in the month of August.

26 Adults did 301 hours of service in the month of August.

32 volunteers served an average of 10.06 hours



**BOARD OF LIBRARY TRUSTEES
TECHNICAL SERVICES REPORT for January 2019**

DEPARTMENT: Technical Services

MEETING DATE: September 23, 2019

PREPARED BY: Carlene Chiu

LOCATION: Community Room

Several trainings occurred involving the T.S. staff. With the expansion of selectors, the selectors had trainings on how select items and on how to weed from Stella. Vicky conducted a training for selectors on how to use Baker and Taylor to order items.



Christopher showed us how to look up French toast on the Mac and how to print.

T.S. has been assisting with staffing the information desk when coverage is needed. As part of staffing the information desk, T.S. staff received training from Christopher on how to assist patrons with using the new Mac computers such as how to print.

I met with Stella and Christopher to revise the SAP (Standards Account Practices) file that is sent to Baker & Taylor which is a cataloging and processing guide. There was a lot to consider such as item locations and the number and type of collections. The goal is to improve consistency and improve ease of locating items for staff and patrons.

T.S. attended the strategic planning meeting that was for all staff members as part of Phase 1 of the strategic planning process. I had the pleasure of attending the two-day training on strategic planning for the leadership team. I facilitated two directed story time interviews with two staff members. The interviews have been a great way to get to know patrons in a more personal way and find out their needs.

T.S. Library Associate, Mark, received the Public Library Staff Education Program scholarship from the California State Library. In addition to working another job, Mark is taking classes to complete his MLIS.



The shifting of the non-fiction books is now complete. Thanks to the staff and volunteers for helping us shift. The shifting will improve the overall flow of navigating where to find the books in the stacks.

We met with the customer representative from Midwest Books about getting our Disney DVDs from them as Baker & Taylor no longer offers Disney DVDs. We are always pursuing ways to get popular items that our patrons want into their hands.

The transition from me going from Main to Branch has started. I completed two story times at the Branch and start at the Branch September 16, 2019 full-time. Diana got me up to speed with all the services and programs I will be helping to fulfill during my next 4 months - with Branch staff support.



**BOARD OF LIBRARY TRUSTEES
CHILDREN'S REPORT for August 2019**

**DEPARTMENT: Children's & Family
Services**

MEETING DATE: September 23, 2019

PREPARED BY: Amanda Toledo

LOCATION: Community Room

Summer is done but there's Fall fun to be had at the library.

This summer 194 infants-preschoolers and 397 elementary aged children signed up for summer reading. The prize system for summer reading provided new ways to earn points other than number of hours spent reading; new possible points came from visiting the library and checking out materials. Attendance at programs this summer were very high but the new point system may have proved confusing, as only 103 children total completed the summer reading program.

The night was aglow at our end of summer party August 17th. Around 300 children, teens, and adults visited the library. Patrons watched the younger children's animated movie *Megamind*, explored the planetarium, played in nerf battles, and enjoyed the Kona ice truck, the Berlin food Truck, and waved glow sticks as they watched *Star Wars Rogue One* on the giant screen outside. One family came in group Star Wars themed costumes, winning the evening and the costume contest!

August also brought Ms. Helen's first program through the NASA @ My Library STEAM grant. 37 children, parents, and grandparents attended the program for an intergenerational cosmic experience making pastel chalk art based on NASA imagery.

As schools got back in session our department saw a return to busy after-school hours and back to school nights!

In early September I attended the St. Elizabeth's Back to School cookout. While families ate and played, I got to speak with them and hear about their enthusiasm for our 3D printers and graphic novel collection. I made library cards for a handful of students and heard from more that they already have and love to use their Altadena Library card.

September will bring more strategic planning, new graphic novels, and the Abriendo Puertas training on how to run workshops for parents made possible through a Growing Together PASadena grant. September will be a month of professional growth and learning so we can better provide amazing services to our patrons.



BOARD OF LIBRARY TRUSTEES

I.T. REPORT for August 2019

DEPARTMENT: Information Technology **MEETING DATE:** September 23, 2019

PREPARED BY: Christopher Kellermeyer

LOCATION: Community Room

The iMac Desktop that was in a holding pattern for deployment to the Bob Lucas Branch has been deployed. Six 24" Dell all-in-one desktops were displaced in the deployment of the 27" iMac Desktops; these Dell Desktop hard disk drives are now upgraded to solid state disks, and these units have replaced the public computers in the Children's Department. At the tail end of August, we also added Blu-ray players to the iMac desktops. Patrons can now checkout a Blu-ray, DVD, audiobook, or music CD, and play it in high resolution on the 27" screen; the Blu-ray players also have Blu-Ray, DVD, CD read/write/re-write capability. Three additional iMac Desktops have been ordered to deploy to the Public, and will replace three 24" Dell Desktops; these displaced desktops will be upgraded to solid state hard disk drives and redeployed to staff, which will offset the cost of replacement of the staff end of life computers.

3D printing services have been discontinued at the Bob Lucas branch due to underwhelming demand; the Lulzbot from Bob Lucas was offered for sale in the furniture sale but did not sell; it was offered to SCLC (Southern California Libraries Cooperative) Libraries as a donation and has been donated to Palos Verdes Library. Altadena Library District originally received the Lulzbot 3D printer as a grant via SCLC; we continue to offer 3D printing at our Main Library with the plug and play MakerBot Replicator+ and MakerBot Replicator Mini.

Miscellaneous Notes:

- The iCell unit has been reskinned, and the process for updating the content has been established. We are in the process of generating content and will deploy the iCell after testing the new content. (This project is on hold until the Director position is filled).
- Server OS Software Upgrades have been purchased (Install Scheduled for September).
- The Library is evaluating digital holography for in house and external signage (This project is on hold until the Director position is filled).
- CASF Broadband Adoption Grant is under review by the Grant Determination Committee; as a reminder, this is for 3 MakerBot Method 3D printers with a print supplies cash match and in-kind match via staff/volunteer hours. We have been pushed into the August submission group, and the determination is expected to be rendered in September.
- PCF Grant Decision is Expected in October.



**BOARD OF LIBRARY TRUSTEES
FACILITIES REPORT for AUGUST 2019**

DEPARTMENT: Facilities
PREPARED BY: Jonathan Arevalo

MEETING DATE: September 23,2019
LOCATION: Community Room

Facilities Highlights for the Month of August:

The Facilities Department continued in the month of August to work on projects and issues that were brought up in our Facilities Assessment report and the normal day to day operations of the library.

New keypad lock was installed on the Staff entrance door located near the community room to replace damaged keypad.

New trash receptacle placed in meadow area of library to replace damaged and rusted trash can.

Routine tree maintenance was performed at the Main Library for preventative maintenance and tree health.

New irrigation system installed on the south side of the Main Library parking lot to help with water conservation. Three different types of water systems are featured in that area for future teaching purposes.

A leak detection company was brought out to the Main Library to help find missing irrigation valves to help with leak prevention.

As part of the process for the Architectural and Space Planning RFP, interviews took place on August 1st with three Architectural Firms, PBWS, Gruen Associates, and Architectural Resources Group. The Facilities committee presented their decision at the August Board meeting and as a result of their findings , the ALD will be using Architectural Resources Group (ARG) for our required architectural needs.



**BOARD OF LIBRARY TRUSTEES
TEEN SERVICES REPORT for August 2019**

DEPARTMENT: Teen Services

MEETING DATE: September 23, 2019

PREPARED BY: Isabelle Briggs

LOCATION: Community Room

Programming Highlights:

Teen Services offered 5 individual events this month with 22 individuals attending. The most popular event was the Nerf Battle held at the End of Summer Reading Party, which 12 people attended.

Teen Gaming Hours (Monday, Wednesday, Friday) saw over 40 participants this month. Teen Fab Lab Hours (Wednesdays) was attended by a total of 29 individuals over the month. Starting in September on a trial basis, Teen Gaming Hours will be adjusted to Thursday and Friday afternoon (and possibly Saturday as well) to make more room during the week for other programming and use of the Teen Space.

Outreach:

Attended John Muir High School's Back to School night on August 21 with the Outreach and Marketing Director. We had conversations with over 20 people and made valuable introductions with high school administration and the PTSA board.

The Teen Services Instagram account has grown its following and the post with the most engagement was on August 12, welcoming PUSD students back to school.

Alongside Outreach and Marketing, Teen Services is planning a strategic initiative to capture more information on the interests and needs of teens in Altadena. We are hoping to hold a series of community conversations at local schools as well as disseminate a survey to gather quantifiable data on our teen patrons. At the moment, the survey is live on the Teen webpage and we are working at building connections with local teachers in order to meet with at least one class at every middle and high school in our district. The goal of this effort is to better understand the lives of teens in Altadena so that the library's services and programs can better meet their needs.



**BOARD OF LIBRARY TRUSTEES
BRANCH REPORT for August 2019**

DEPARTMENT: Bob Lucas Branch

MEETING DATE: September 23, 2019

PREPARED BY: Diana Wong

LOCATION: Community Room

Library Programs & Literacy Services

Programming was on a brief 2-week break at the beginning of the month, but we managed to offer 8 programs with an attendance of 71 people. We had 6 early literacy programs and 1 school-aged program. And, for a third month in a row, our adult craft program continues to receive a healthy number of participants. Looking ahead, we will begin teen programming this October. We will take the opportunity during the fall season to gauge interest of teens and determine the best day the week to develop a regular schedule for this program.

Our literacy program was renewed for another year and received an award in the amount of \$18,000 for the 2019-2020 operating year.

The Literacy Coordinator attended a regional network meeting in August at the Newport Central Library. This was the first meeting of the year and we have 2 new officers, Victor Castellanos and Kelly Tyler, who serve as co-presidents for this regional literacy network. At this meeting, we reviewed By-Laws and discussed the formation of committees. As always, we have a telephone update with Natalie Cole from California State Library, who provided information on some changes to reporting in the 2020 year.

The Bob Lucas Branch will welcome back Carlene Chiu (our Technical Services Librarian), who graciously accepted the responsibility of managing the branch and literacy services while I am away. Carlene was branch manager for nearly 3 years until she transferred over to the Main branch. Her first day at Bob Lucas will be Monday, September 16, 2019.

BOARD OF LIBRARY TRUSTEES
PUBLIC SERVICES DIRECTOR'S REPORT for September 2019

DEPARTMENT: Public Services Director
PREPARED BY: Estella Terrazas

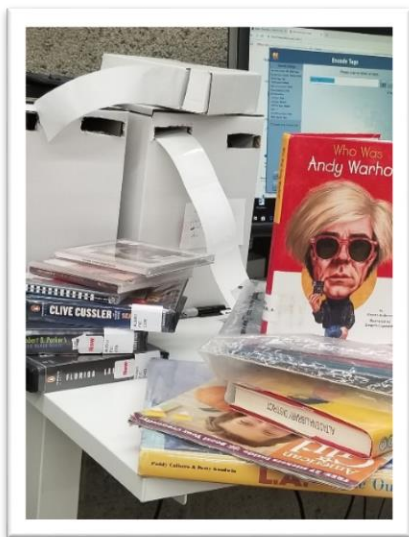
MEETING DATE: September 23, 2019
LOCATION: Community Room

Staffing Update

- Interviews took place for the Page, Library Associate, and two Library Manager positions. I am sure to have some updates in October!
- Diana, Library Manager at Bob Lucas, is now on Maternity Leave; therefore, Carlene is temporarily assuming the managerial role at the branch. Meanwhile, I am now supervising Technical Services in Carlene's absence. I look forward to once again working directly with the Tech Team!
- Amanda is doing fantastic in her temporary role as Acting Children's Librarian. Amanda is doing well at maintaining the programs and services for children, while having a temporary reduction in the amount of staff hours. I want to thank Alice for helping in Children's during this interim period. Helen C., who transitioned from Adult Services to Children's and Family Services during the summer, is a wonderful addition to the Team.

Library Collections Highlights

- Although we completed the RFID conversion, we still occasionally receive items being returned from circulation that require tagging and encoding.



We have a computer in the upstairs workroom that is dedicated for this process. Each type of material has a slightly different process, and, media receives an additional RFID tag.

- We continue to hear positive feedback regarding RFID and patrons find the new checkout machines fascinating!
- We fulfilled 192 purchase suggestions in August! The number is a bit high because we were starting our fiscal year spending and some of the requests could not be fulfilled in July due to setting our budget and acquisition system.

PUBLIC SERVICES DIRECTOR'S REPORT for September 2019

Outreach/Programming Highlights

- After a summer hiatus, Open Mic returned to its first Tuesday of the month, 7pm slot.
- Sewing classes are always popular here at ALD and this month we offered a Hand Sewing class for patrons to learn basic mending.
- Miki's monthly Crochet Club continues to be a popular draw.
- We launched our new Second Saturday schedule with the band, *Orquesta Salsa Caliente*, and had a whopping 232 attendees! The fiscal year 2019/20 Second Saturday schedule is September through November, and January through May.
- Our Adult program attendance for the month of August was at least 418; however, this number does not include our end of Summer Reading Program Space Party & Movie Night.

Meeting Highlights

- In late August, Chloé and I attended a Facilitation Workshop offered by the California State Library. We learned great techniques and skills on facilitating meetings, and, learning the ways in which facilitation differs from leading a meeting. After facilitating a meeting, we will reconvene in October for a follow-up session.



**BOARD OF LIBRARY TRUSTEES
Director's Report
General Operations**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Cindy Cleary

LOCATION: Community Room

Two policies are included in the packet for Board review. Both policies were reviewed by Best, Best & Krieger.

1. Code of Conduct
2. Computer and Internet Use

Staff recommends approval of both policies.

It has been an active month with interviews not only for the Director position, but for two Library Manager positions (Adult Services and Youth Services), a Library Associate for the Children's Room, and a Library Page for Main. We are close to making selections for three of the four positions.

The California Library Association (CLA) conference at the Pasadena Convention Center begins on Thursday, October 24 through Sunday the 27th. We will have a good turnout with twenty staff and three Trustees attending at least one day. Six support staff were the recipients of a CLA scholarship for full attendance. The conference is a great opportunity to gain insight at an array of information sessions, meet with library vendors, and network with peers.

With a format developed by Margaret Sullivan, the staff spent several weeks interviewing customers to better understand how what we do in the library fits into their lives. The stories, meant to inspire new ideas for enhancing library services and the quality of life for those living in our community, were shared at staff meetings on September 19 and 20. This was a great next step towards developing the final strategic plan.

Jonathan Arevelo, Building Projects Manager, will be attending a conference in Dublin, Ohio from October 17-20. The conference, which is focused on library building projects, is well-timed as we begin work with Architectural Resources Group. The workshops are presented by the Buildings and Equipment Community of Practice of the Library Leadership and Management Association (A Division of the American Library Association). A tour of local public and academic libraries is included. Information: <http://www.ala.org/lama/library-building-projects-101-%E2%80%93-planning-design-and-construction>

Christopher Kellermeyer, I.T. Manager, will be attending the *Internet Librarian* conference in Monterey, California from October 21-23. The conference offers an array of workshops from and vendor presentations about new and emerging technologies and is a great opportunity to network with other IT professionals and librarians. Information: <http://internetlibrarian.infoday.com>

A summary report on the Summer Reading Program is included in the Children's and Family Services Report.



End of Summer Reading Program Party



Wild Wonders

I will be on vacation beginning Wednesday, September 25 and returning on Monday, October 6. Stella will be in charge in my absence.



**BOARD OF LIBRARY TRUSTEES
FINANCE REPORT for September 2019**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Nicole Fabry

LOCATION: Community Room

TITLE: Summary Report of Financial Statements for July 2019

July 2019 FINANCIAL STATEMENTS

The following financial reports are for the month of July 2019. The financial statements are unaudited.

As indicated on this report, actual year-to-date expenditures exceed actual year-to-date revenues reflecting a net income of -\$465,423.59. ALD cash and cash equivalents are \$2,766,226.62.

ALD total assets equal \$4,437,843.85.

REVENUE HIGHLIGHTS

In July the District took in \$7,690 in passports revenue, and \$3,029.21 in property tax revenue.

Final budget figures for fiscal year 18-19 will be available pending the financial audit which is tentatively scheduled for November.

PAYMENTS FROM SUPPORT ORGANIZATIONS

In July 2019 there were no payments to report.

EXPENDITURE HIGHLIGHTS

In July 2019 the District paid many of its insurance and liability premiums, including those for Earthquake, Property Liability, Worker's Compensation, and CalPERS Unfunded Accrued Liability (UAL). By prepaying our UAL obligation, the District was able to save 3.5%, or \$5,116.32.

Altadena Library District
Profit & Loss Prev Year Comparison
July 2019

	Jul 19	Jul 18	\$ Change	% Change
Ordinary Income/Expense				
Income				
DONATIONS AND GRANTS				
4730 · Undesignated		123.65	(123.65)	(100.0)%
Total DONATIONS AND GRANTS		123.65	(123.65)	(100.0)%
FINES & FEES				
4305 · Fees	327.80	380.82	(53.02)	(13.9)%
4310 · MFM / Printer Revenue	80.20	963.93	(883.73)	(91.7)%
4340 · Passport Services Fees	7,690.00	16,805.00	(9,115.00)	(54.2)%
4350 · Sales of Products	6.00	98.00	(92.00)	(93.9)%
4810 · Community Room Fees		30.00	(30.00)	(100.0)%
Total FINES & FEES	8,104.00	18,277.75	(10,173.75)	(55.7)%
INTEREST INCOME & ADJUSTMENTS				
4210 · Chase Bank	2.16	15.71	(13.55)	(86.3)%
Total INTEREST INCOME & ADJUSTMENTS	2.16	15.71	(13.55)	(86.3)%
OTHER REVENUE & ADJUSTMENT				
4910 · Miscellaneous Income	0.39		0.39	100.0%
4915 · Film Rental Revenue		800.00	(800.00)	(100.0)%
Total OTHER REVENUE & ADJUSTMENT	0.39	800.00	(799.61)	(100.0)%
PROPERTY TAXES				
4010 · Current-Year Secured				
4010.00 · Current Secured				
Total 4010 · Current-Year Secured				
4030 · Prior-Year Secured				
4030.05 · Secured Tax Refunds	(2,921.16)	(2,344.25)	(576.91)	(24.6)%
Total 4030 · Prior-Year Secured	(2,921.16)	(2,344.25)	(576.91)	(24.6)%
4060 · Special Assessment				
4060.01 · Per Parcel Benefit Assessment				
Total 4060 · Special Assessment				
4070 · Supplemental Current				
4010.03 · SB 813 Supplemental	5,951.21	4,290.35	1,660.86	38.7%
Total 4070 · Supplemental Current	5,951.21	4,290.35	1,660.86	38.7%
4080 · Penalties, Interest & Costs-Ref	(0.84)	(6.51)	5.67	87.1%
4220 · County Interest Allocation				
Total PROPERTY TAXES	3,029.21	1,939.59	1,089.62	56.2%
Total Income	11,135.76	21,156.70	(10,020.94)	(47.4)%
Expense				
CAPITAL EXPENSE				
7310 · Equipment, Furniture & Fixtures		21,396.02	(21,396.02)	(100.0)%
7320 · Structures & Improvements	2,692.00		2,692.00	100.0%
Total CAPITAL EXPENSE	2,692.00	21,396.02	(18,704.02)	(87.4)%
FACILITIES, GROUNDS & MAINT.				
7205 · Maintenance Contracts	4,034.55	3,737.14	297.41	8.0%
7210 · Building Maint & Repairs	2,391.53	534.26	1,857.27	347.6%
7220 · Landscape	601.99	31.25	570.74	1,826.4%
Total FACILITIES, GROUNDS & MAINT.	7,028.07	4,302.65	2,725.42	63.3%

Altadena Library District
Profit & Loss Prev Year Comparison
July 2019

	Jul 19	Jul 18	\$ Change	% Change
LIBRARY MATERIALS				
6110 · Cataloging Expenses	4,069.43	1,531.85	2,537.58	165.7%
6115 · Electronic Databases & Subscrip	18,146.34	12,351.05	5,795.29	46.9%
6120 · Books	4,551.24	3,098.64	1,452.60	46.9%
6125 · Audio CD		126.13	(126.13)	(100.0)%
6130 · DVD's & Videogames	93.38	1,193.06	(1,099.68)	(92.2)%
6135 · Processing of Materials	2,699.59	15.29	2,684.30	17,555.9%
6140 · Periodicals	2,173.84		2,173.84	100.0%
6150 · Downloadables	5,000.00		5,000.00	100.0%
Total LIBRARY MATERIALS	36,733.82	18,316.02	18,417.80	100.6%
MISCELLANEOUS EXPENSE				
7510 · Miscellaneous Expense	14.30		14.30	100.0%
Total MISCELLANEOUS EXPENSE	14.30		14.30	100.0%
OPERATING EXPENSES				
ADVERTISING & MARKETING				
6618 · Recruitment	900.00		900.00	100.0%
6627 · Advertising / Marketing	284.18	1,380.26	(1,096.08)	(79.4)%
Total ADVERTISING & MARKETING	1,184.18	1,380.26	(196.08)	(14.2)%
Fees				
6745 · Banking & Service Fees	162.35	144.73	17.62	12.2%
6746 · Payroll Fees	790.00	790.00		
Total Fees	952.35	934.73	17.62	1.9%
INSURANCE				
6430 · Insurance-Gen, Prop, Liab, Eq	33,011.34	26,138.73	6,872.61	26.3%
6432 · Earthquake Insurance	30,370.00	18,550.00	11,820.00	63.7%
Total INSURANCE	63,381.34	44,688.73	18,692.61	41.8%
STAFF COSTS & PROF. DEVELOPMENT				
6623 · Trustee Prof. Development	240.00		240.00	100.0%
6625 · Training & Education	99.00	495.00	(396.00)	(80.0)%
6626 · Staff Recognition	291.85	5.95	285.90	4,805.0%
6710 · Meetings & Travel	284.61	234.10	50.51	21.6%
6730 · Mileage & Parking Reimbursement		93.74	(93.74)	(100.0)%
Total STAFF COSTS & PROF. DEVELOPMENT	915.46	828.79	86.67	10.5%
UTILITIES				
6920 · Electricity	3,761.75	2,876.99	884.76	30.8%
6930 · Natural Gas		41.79	(41.79)	(100.0)%
6940 · Water & Sewage	555.15	503.30	51.85	10.3%
6950 · Refuse	583.87	467.20	116.67	25.0%
Total UTILITIES	4,900.77	3,889.28	1,011.49	26.0%
6620 · Membership Dues & Subscriptions	5,437.96	4,485.45	952.51	21.2%
6740 · Postage & Delivery		24.00	(24.00)	(100.0)%
6750 · Printing & Reproduction	179.54	894.54	(715.00)	(79.9)%
6755 · Small Equipment	1,427.76	1,167.04	260.72	22.3%
6765 · Janitorial Supplies	442.62	1,872.17	(1,429.55)	(76.4)%
6770 · Operating Supplies	475.92	1,796.05	(1,320.13)	(73.5)%
6775 · Technical Services Supplies	488.55		488.55	100.0%
6780 · Operating Software	24.99	24.99		
6960 · Sales of Products	50.00		50.00	100.0%
6970 · Equipment Lease & Rental	1,889.90	1,889.90		
Total OPERATING EXPENSES	81,751.34	63,875.93	17,875.41	28.0%

Altadena Library District
Profit & Loss Prev Year Comparison
July 2019

	Jul 19	Jul 18	\$ Change	% Change
PERSONNEL RELATED EXPENSES				
5000 · SALARIES & WAGES				
5010 · Salaried	19,945.26	29,810.64	(9,865.38)	(33.1)%
5020 · Hourly	104,292.99	86,544.54	17,748.45	20.5%
Total 5000 · SALARIES & WAGES	124,238.25	116,355.18	7,883.07	6.8%
5100 · Employer-Portion Taxes/Benefits				
5120 · Payroll Taxes (ER)	9,376.53	8,893.87	482.66	5.4%
5210 · PERS Retirement				
5210.01 · CalPers CLASSIC (ER Contr)	1,846.00	1,745.01	100.99	5.8%
5210.02 · CalPers PEPR (ER Contr)	5,484.58	5,739.79	(255.21)	(4.5)%
5218 · PERS Unfunded	147,894.00	116,139.00	31,755.00	27.3%
Total 5210 · PERS Retirement	155,224.58	123,623.80	31,600.78	25.6%
Total 5100 · Employer-Portion Taxes/Benefits	164,601.11	132,517.67	32,083.44	24.2%
5200 · Insurance				
5220 · Health Insurance	9,674.03	10,488.28	(814.25)	(7.8)%
5221 · Health Insurance - Retirees	5,615.20	5,897.64	(282.44)	(4.8)%
5230 · Dental Insurance	(143.16)	1,207.80	(1,350.96)	(111.9)%
5240 · Vision Insurance	(72.34)	390.38	(462.72)	(118.5)%
5260 · Life Insurance	123.97	130.33	(6.36)	(4.9)%
5270 · Workers' Compensation	31,233.41	15,272.25	15,961.16	104.5%
Total 5200 · Insurance	46,431.11	33,386.68	13,044.43	39.1%
Total PERSONNEL RELATED EXPENSES	335,270.47	282,259.53	53,010.94	18.8%
PROFESSIONAL & TECHNICAL INFORMATION TECHNOLOGY (IT)				
7170 · Telecommunications	585.85	141.85	444.00	313.0%
7180 · Technology Equipment	341.86	1,271.62	(929.76)	(73.1)%
7185 · Technology Maintenance Fees	4,115.40	9,091.00	(4,975.60)	(54.7)%
Total INFORMATION TECHNOLOGY (IT)	5,043.11	10,504.47	(5,461.36)	(52.0)%
PROFESSIONAL SERVICES				
7125 · Audit and Financial Consulting	139.20	3,857.58	(3,718.38)	(96.4)%
7130 · Legal Fees				
7155 · Consultants - Other	5,500.00	1,730.16	3,769.84	217.9%
Total PROFESSIONAL SERVICES	5,639.20	5,587.74	51.46	0.9%
Total PROFESSIONAL & TECHNICAL	10,682.31	16,092.21	(5,409.90)	(33.6)%
PROGRAMS				
6200 · Youth Services	64.75	2,904.56	(2,839.81)	(97.8)%
6210 · Teen Services	43.24	436.52	(393.28)	(90.1)%
6220 · Adult Services	81.13	699.94	(618.81)	(88.4)%
6230 · Bob Lucas Branch Services	203.92	258.45	(54.53)	(21.1)%
6240 · Literacy Services		259.95	(259.95)	(100.0)%
6260 · Summer Reading	1,994.00		1,994.00	100.0%
Total PROGRAMS	2,387.04	4,559.42	(2,172.38)	(47.7)%
Total Expense	476,559.35	410,801.78	65,757.57	16.0%
Net Ordinary Income	(465,423.59)	(389,645.08)	(75,778.51)	(19.5)%
Net Income	(465,423.59)	(389,645.08)	(75,778.51)	(19.5)%

Altadena Library District
Profit & Loss
 July 2019

Jul 19

Ordinary Income/Expense	
Income	
FINES & FEES	
4305 · Fees	327.80
4310 · MFM / Printer Revenue	80.20
4340 · Passport Services Fees	7,690.00
4350 · Sales of Products	6.00
Total FINES & FEES	8,104.00
INTEREST INCOME & ADJUSTMENTS	
4210 · Chase Bank	2.16
Total INTEREST INCOME & ADJUSTMENTS	2.16
OTHER REVENUE & ADJUSTMENT	
4910 · Miscellaneous Income	0.39
Total OTHER REVENUE & ADJUSTMENT	0.39
PROPERTY TAXES	
4030 · Prior-Year Secured	
4030.05 · Secured Tax Refunds	(2,921.16)
Total 4030 · Prior-Year Secured	(2,921.16)
4070 · Supplemental Current	
4010.03 · SB 813 Supplemental	5,951.21
Total 4070 · Supplemental Current	5,951.21
4080 · Penalties, Interest & Costs-Ref	(0.84)
Total PROPERTY TAXES	3,029.21
Total Income	11,135.76
Expense	
CAPITAL EXPENSE	
7320 · Structures & Improvements	2,692.00
Total CAPITAL EXPENSE	2,692.00
FACILITIES, GROUNDS & MAINT.	
7205 · Maintenance Contracts	4,034.55
7210 · Building Maint & Repairs	2,391.53
7220 · Landscape	601.99
Total FACILITIES, GROUNDS & MAINT.	7,028.07
LIBRARY MATERIALS	
6110 · Cataloging Expenses	4,069.43
6115 · Electronic Databases & Subscrip	18,146.34
6120 · Books	4,551.24
6130 · DVD's & Videogames	93.38
6135 · Processing of Materials	2,699.59
6140 · Periodicals	2,173.84
6150 · Downloadables	5,000.00
Total LIBRARY MATERIALS	36,733.82
MISCELLANEOUS EXPENSE	
7510 · Miscellaneous Expense	14.30
Total MISCELLANEOUS EXPENSE	14.30

Altadena Library District
Profit & Loss
 July 2019

	Jul 19
OPERATING EXPENSES	
ADVERTISING & MARKETING	
6618 · Recruitment	900.00
6627 · Advertising / Marketing	284.18
Total ADVERTISING & MARKETING	1,184.18
Fees	
6745 · Banking & Service Fees	162.35
6746 · Payroll Fees	790.00
Total Fees	952.35
INSURANCE	
6430 · Insurance-Gen, Prop, Liab, Eq	33,011.34
6432 · Earthquake Insurance	30,370.00
Total INSURANCE	63,381.34
STAFF COSTS & PROF. DEVELOPMENT	
6623 · Trustee Prof. Development	240.00
6625 · Training & Education	99.00
6626 · Staff Recognition	291.85
6710 · Meetings & Travel	284.61
Total STAFF COSTS & PROF. DEVELOPMENT	915.46
UTILITIES	
6920 · Electricity	3,761.75
6940 · Water & Sewage	555.15
6950 · Refuse	583.87
Total UTILITIES	4,900.77
6620 · Membership Dues & Subscriptions	5,437.96
6750 · Printing & Reproduction	179.54
6755 · Small Equipment	1,427.76
6765 · Janitorial Supplies	442.62
6770 · Operating Supplies	475.92
6775 · Technical Services Supplies	488.55
6780 · Operating Software	24.99
6960 · Sales of Products	50.00
6970 · Equipment Lease & Rental	1,889.90
Total OPERATING EXPENSES	81,751.34
PERSONNEL RELATED EXPENSES	
5000 · SALARIES & WAGES	
5010 · Salaried	19,945.26
5020 · Hourly	104,292.99
Total 5000 · SALARIES & WAGES	124,238.25
5100 · Employer-Portion Taxes/Benefits	
5120 · Payroll Taxes (ER)	9,376.53
5210 · PERS Retirement	
5210.01 · CalPers CLASSIC (ER Contr)	1,846.00
5210.02 · CalPers PEPRA (ER Contr)	5,484.58
5218 · PERS Unfunded	147,894.00
Total 5210 · PERS Retirement	155,224.58
Total 5100 · Employer-Portion Taxes/Benefits	164,601.11

Altadena Library District

Profit & Loss

09/20/19

July 2019

Accrual Basis

	Jul 19
5200 · Insurance	
5220 · Health Insurance	9,674.03
5221 · Health Insurance - Retirees	5,615.20
5230 · Dental Insurance	(143.16)
5240 · Vision Insurance	(72.34)
5260 · Life Insurance	123.97
5270 · Workers' Compensation	31,233.41
Total 5200 · Insurance	46,431.11
Total PERSONNEL RELATED EXPENSES	335,270.47
PROFESSIONAL & TECHNICAL	
INFORMATION TECHNOLOGY (IT)	
7170 · Telecommunications	585.85
7180 · Technology Equipment	341.86
7185 · Technology Maintenance Fees	4,115.40
Total INFORMATION TECHNOLOGY (IT)	5,043.11
PROFESSIONAL SERVICES	
7125 · Audit and Financial Consulting	139.20
7130 · Legal Fees	
7155 · Consultants - Other	5,500.00
Total PROFESSIONAL SERVICES	5,639.20
Total PROFESSIONAL & TECHNICAL	10,682.31
PROGRAMS	
6200 · Youth Services	64.75
6210 · Teen Services	43.24
6220 · Adult Services	81.13
6230 · Bob Lucas Branch Services	203.92
6260 · Summer Reading	1,994.00
Total PROGRAMS	2,387.04
Total Expense	476,559.35
Net Ordinary Income	(465,423.59)
Net Income	(465,423.59)

Altadena Library District
Profit & Loss Budget vs. Actual
July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
DONATIONS AND GRANTS				
4705 · Altadena Library Foundation		10,000.00	(10,000.00)	
4710 · Friends of the Library		26,700.00	(26,700.00)	
4730 · Undesignated		1,000.00	(1,000.00)	
4740 · CA Library Literacy Services		15,000.00	(15,000.00)	
4750 · Cal State Library		20,000.00	(20,000.00)	
Total DONATIONS AND GRANTS		72,700.00	(72,700.00)	
FINES & FEES				
4305 · Fees	327.80	4,000.00	(3,672.20)	8.2%
4310 · MFM / Printer Revenue	80.20	11,000.00	(10,919.80)	0.7%
4340 · Passport Services Fees	7,690.00	120,000.00	(112,310.00)	6.4%
4350 · Sales of Products	6.00	1,000.00	(994.00)	0.6%
4810 · Community Room Fees		500.00	(500.00)	
Total FINES & FEES	8,104.00	136,500.00	(128,396.00)	5.9%
INTEREST INCOME & ADJUSTMENTS				
4210 · Chase Bank	2.16	400.00	(397.84)	0.5%
Total INTEREST INCOME & ADJUSTMENTS	2.16	400.00	(397.84)	0.5%
OTHER REVENUE & ADJUSTMENT				
4910 · Miscellaneous Income	0.39			
4915 · Film Rental Revenue		20,000.00	(20,000.00)	
4930 · E-Rate Revenue		40,000.00	(40,000.00)	
4940 · Transfer in from Reserves		120,000.00	(120,000.00)	
4999 · Credit Card Rebates		6,000.00	(6,000.00)	
Total OTHER REVENUE & ADJUSTMENT	0.39	186,000.00	(185,999.61)	0.0%
PROPERTY TAXES				
4010 · Current-Year Secured				
4010.00 · Current Secured		2,508,100.00	(2,508,100.00)	
Total 4010 · Current-Year Secured		2,508,100.00	(2,508,100.00)	
4020 · Current-Year Unsecured		86,700.00	(86,700.00)	
4030 · Prior-Year Secured				
4030.00 · Prior Secured		10,200.00	(10,200.00)	
4030.05 · Secured Tax Refunds	(2,921.16)			
Total 4030 · Prior-Year Secured	(2,921.16)	10,200.00	(13,121.16)	(28.6)%
4050 · Homeowners Exemption		15,300.00	(15,300.00)	
4060 · Special Assessment		844,600.00	(844,600.00)	
4070 · Supplemental Current				
4010.03 · SB 813 Supplemental	5,951.21			
Total 4070 · Supplemental Current	5,951.21			
4080 · Penalties, Interest & Costs-Ref	(0.84)	10,000.00	(10,000.84)	(0.0)%
4220 · County Interest Allocation		21,000.00	(21,000.00)	
Total PROPERTY TAXES	3,029.21	3,495,900.00	(3,492,870.79)	0.1%
Total Income	11,135.76	3,891,500.00	(3,880,364.24)	0.3%
Expense				
CAPITAL EXPENSE				
7310 · Equipment, Furniture & Fixtures		40,200.00	(40,200.00)	
7320 · Structures & Improvements	2,692.00	79,600.00	(76,908.00)	3.4%
Total CAPITAL EXPENSE	2,692.00	119,800.00	(117,108.00)	2.2%

Altadena Library District
Profit & Loss Budget vs. Actual
July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
FACILITIES, GROUNDS & MAINT.				
7205 · Maintenance Contracts	4,034.55	15,300.00	(11,265.45)	26.4%
7210 · Building Maint & Repairs	2,391.53	25,500.00	(23,108.47)	9.4%
7220 · Landscape	601.99	18,400.00	(17,798.01)	3.3%
Total FACILITIES, GROUNDS & MAINT.	7,028.07	59,200.00	(52,171.93)	11.9%
LIBRARY MATERIALS				
6110 · Cataloging Expenses	4,069.43	22,000.00	(17,930.57)	18.5%
6115 · Electronic Databases & Subscrip	18,146.34	30,000.00	(11,853.66)	60.5%
6120 · Books	4,551.24	130,000.00	(125,448.76)	3.5%
6125 · Audio CD		15,000.00	(15,000.00)	
6130 · DVD's & Videogames	93.38	35,000.00	(34,906.62)	0.3%
6135 · Processing of Materials	2,699.59	50,000.00	(47,300.41)	5.4%
6140 · Periodicals	2,173.84	20,000.00	(17,826.16)	10.9%
6150 · Downloadables	5,000.00	30,000.00	(25,000.00)	16.7%
6155 · Library of Things		5,000.00	(5,000.00)	
Total LIBRARY MATERIALS	36,733.82	337,000.00	(300,266.18)	10.9%
MISCELLANEOUS EXPENSE				
7510 · Miscellaneous Expense	14.30			
Total MISCELLANEOUS EXPENSE	14.30		14.30	100.0%
OPERATING EXPENSES				
ADVERTISING & MARKETING				
6618 · Recruitment	900.00	500.00	400.00	180.0%
6627 · Advertising / Marketing	284.18	7,000.00	(6,715.82)	4.1%
Total ADVERTISING & MARKETING	1,184.18	7,500.00	(6,315.82)	15.8%
Fees				
6745 · Banking & Service Fees	162.35	2,000.00	(1,837.65)	8.1%
6746 · Payroll Fees	790.00	12,000.00	(11,210.00)	6.6%
7530 · County Tax Collection Fees		35,700.00	(35,700.00)	
Total Fees	952.35	49,700.00	(48,747.65)	1.9%
INSURANCE				
6430 · Insurance-Gen, Prop, Liab, Eq	33,011.34	33,000.00	11.34	100.0%
6432 · Earthquake Insurance	30,370.00	32,500.00	(2,130.00)	93.4%
Total INSURANCE	63,381.34	65,500.00	(2,118.66)	96.8%
STAFF COSTS & PROF. DEVELOPMENT				
6623 · Trustee Prof. Development	240.00	1,000.00	(760.00)	24.0%
6625 · Training & Education	99.00	17,000.00	(16,901.00)	0.6%
6626 · Staff Recognition	291.85	1,000.00	(708.15)	29.2%
6710 · Meetings & Travel	284.61	8,000.00	(7,715.39)	3.6%
6730 · Mileage & Parking Reimbursement		1,000.00	(1,000.00)	
Total STAFF COSTS & PROF. DEVELOPMENT	915.46	28,000.00	(27,084.54)	3.3%
UTILITIES				
6920 · Electricity	3,761.75	35,000.00	(31,238.25)	10.7%
6930 · Natural Gas		5,000.00	(5,000.00)	
6940 · Water & Sewage	555.15	5,000.00	(4,444.85)	11.1%
6950 · Refuse	583.87	6,500.00	(5,916.13)	9.0%
Total UTILITIES	4,900.77	51,500.00	(46,599.23)	9.5%

Altadena Library District
Profit & Loss Budget vs. Actual
July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
6620 · Membership Dues & Subscriptions	5,437.96	13,000.00	(7,562.04)	41.8%
6740 · Postage & Delivery		8,000.00	(8,000.00)	
6750 · Printing & Reproduction	179.54	10,000.00	(9,820.46)	1.8%
6755 · Small Equipment	1,427.76	7,000.00	(5,572.24)	20.4%
6765 · Janitorial Supplies	442.62	8,000.00	(7,557.38)	5.5%
6770 · Operating Supplies	475.92	20,000.00	(19,524.08)	2.4%
6775 · Technical Services Supplies	488.55			
6780 · Operating Software	24.99	1,500.00	(1,475.01)	1.7%
6960 · Sales of Products	50.00	1,000.00	(950.00)	5.0%
6970 · Equipment Lease & Rental	1,889.90	31,600.00	(29,710.10)	6.0%
Total OPERATING EXPENSES	81,751.34	302,300.00	(220,548.66)	27.0%
PERSONNEL RELATED EXPENSES				
5000 · SALARIES & WAGES				
5010 · Salaried	19,945.26	422,200.00	(402,254.74)	4.7%
5020 · Hourly	104,292.99	1,416,200.00	(1,311,907.01)	7.4%
Total 5000 · SALARIES & WAGES	124,238.25	1,838,400.00	(1,714,161.75)	6.8%
5100 · Employer-Portion Taxes/Benefits				
5120 · Payroll Taxes (ER)	9,376.53	157,400.00	(148,023.47)	6.0%
5210 · PERS Retirement				
5210.01 · CalPers CLASSIC (ER Contr)	1,846.00	22,600.00	(20,754.00)	8.2%
5210.02 · CalPers PEPRA (ER Contr)	5,484.58	96,000.00	(90,515.42)	5.7%
5218 · PERS Unfunded	147,894.00	147,900.00	(6.00)	100.0%
Total 5210 · PERS Retirement	155,224.58	266,500.00	(111,275.42)	58.2%
5222 · OPEB Contribution		60,000.00	(60,000.00)	
Total 5100 · Employer-Portion Taxes/Benefits	164,601.11	483,900.00	(319,298.89)	34.0%
5200 · Insurance				
5220 · Health Insurance	9,674.03	138,000.00	(128,325.97)	7.0%
5221 · Health Insurance - Retirees	5,615.20	77,700.00	(72,084.80)	7.2%
5230 · Dental Insurance	(143.16)	13,800.00	(13,943.16)	(1.0)%
5240 · Vision Insurance	(72.34)	4,100.00	(4,172.34)	(1.8)%
5260 · Life Insurance	123.97	1,400.00	(1,276.03)	8.9%
5270 · Workers' Compensation	31,233.41	31,300.00	(66.59)	99.8%
Total 5200 · Insurance	46,431.11	266,300.00	(219,868.89)	17.4%
Total PERSONNEL RELATED EXPENSES	335,270.47	2,588,600.00	(2,253,329.53)	13.0%
PROFESSIONAL & TECHNICAL				
INFORMATION TECHNOLOGY (IT)				
7170 · Telecommunications	585.85	8,500.00	(7,914.15)	6.9%
7175 · Internet Service / E-Rate		40,000.00	(40,000.00)	
7180 · Technology Equipment	341.86	13,700.00	(13,358.14)	2.5%
7185 · Technology Maintenance Fees	4,115.40	20,000.00	(15,884.60)	20.6%
7190 · Website Development		1,500.00	(1,500.00)	
Total INFORMATION TECHNOLOGY (IT)	5,043.11	83,700.00	(78,656.89)	6.0%
PROFESSIONAL SERVICES				
7125 · Audit and Financial Consulting	139.20	61,200.00	(61,060.80)	0.2%
7130 · Legal Fees		137,000.00	(137,000.00)	
7140 · Architectural & Engineering		50,000.00	(50,000.00)	
7145 · Collection Agency		3,500.00	(3,500.00)	
7155 · Consultants - Other	5,500.00	88,000.00	(82,500.00)	6.3%
Total PROFESSIONAL SERVICES	5,639.20	339,700.00	(334,060.80)	1.7%
Total PROFESSIONAL & TECHNICAL	10,682.31	423,400.00	(412,717.69)	2.5%

Altadena Library District
Profit & Loss Budget vs. Actual
July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
PROGRAMS				
6200 · Youth Services	64.75	12,700.00	(12,635.25)	0.5%
6210 · Teen Services	43.24	5,400.00	(5,356.76)	0.8%
6220 · Adult Services	81.13	28,900.00	(28,818.87)	0.3%
6230 · Bob Lucas Branch Services	203.92	5,700.00	(5,496.08)	3.6%
6240 · Literacy Services		7,000.00	(7,000.00)	
6250 · Volunteer Services		2,500.00	(2,500.00)	
6260 · Summer Reading	1,994.00	9,200.00	(7,206.00)	21.7%
Total PROGRAMS	2,387.04	71,400.00	(69,012.96)	3.3%
Total Expense	476,559.35	3,901,700.00	(3,425,140.65)	12.2%
Net Ordinary Income	(465,423.59)	(10,200.00)	(455,223.59)	4,563.0%
Net Income	<u>(465,423.59)</u>	<u>(10,200.00)</u>	<u>(455,223.59)</u>	<u>4,563.0%</u>

Altadena Library District
Balance Sheet
As of July 31, 2019

Jul 31, 19

ASSETS**Current Assets****Checking/Savings****Cash & Cash Equivalents****Cash in Banks**

1021 · Chase General Acct...2951	879,423.87
1026 · Chase HY Svgs...6883	14,283.65
1041 · Chase HY Svgs...6875	935.12

Total Cash in Banks	894,642.64
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Cash on Hand

1080 · Petty Cash	500.00
1081 · Cash Register - Main	150.00
1082 · Petty Cash - Branch	100.00
1083 · Cash Register - Branch	100.00

Total Cash on Hand	850.00
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Cash with County

1010.00 · Cash in County Treasury	1,907,563.65
1013 · FMV - COLA Funds	(36,829.67)

Total Cash with County	1,870,733.98
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Total Cash & Cash Equivalents	2,766,226.62
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Total Checking/Savings	2,766,226.62
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Other Current Assets

1351 · Interest Receivable (COLA)	11,506.78
1400 · Property Taxes Rec - Secured	76,199.70
1401 · Parcel Assessment Receivable	18,340.40
1410 · Property Tax Rec - Unsecured	15,547.00

Total Other Current Assets	121,593.88
-----------------------------------	-------------------

Total Current Assets	2,887,820.50
-----------------------------	---------------------

Fixed Assets**Capital Assets****Accumulated Depreciation**

1800 · Accum Depr (S & I)	(1,118,428.14)
1900 · Accum Depr (FF & E)	(15,846.24)

Total Accumulated Depreciation	(1,134,274.38)
---------------------------------------	-----------------------

Depreciable Assets

1550 · Structures & Improvements	1,712,098.10
1700 · Furniture, Fixtures & Equipment	79,965.35

Total Depreciable Assets	1,792,063.45
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Non-Depreciable Assets

1500 · Land	77,280.28
1510 · Artwork	102,500.00

Total Non-Depreciable Assets	179,780.28
-------------------------------------	-------------------

Total Capital Assets	837,569.35
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Total Fixed Assets	837,569.35
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Altadena Library District
Balance Sheet
 As of July 31, 2019

Jul 31, 19

Other Assets	
Deferred Outflows of Resources	
1990 · DOR - Pension Contributions	180,238.00
1991 · DOR - Pension Related	524,894.00
1993 · DOR - OPEB Related	7,322.00
Total Deferred Outflows of Resources	712,454.00
Total Other Assets	712,454.00
TOTAL ASSETS	4,437,843.85
<hr/>	
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	35,425.34
Total Accounts Payable	35,425.34
Credit Cards	
2010 · UMB Card Services...3219	78,407.33
Total Credit Cards	78,407.33
Other Current Liabilities	
2050 · Accrued Vacation Payable	70,967.15
2100 · Payroll Payable	
2100.04 · CalPers PEPRA (EE Ded)	16.69
2100.09 · Disability Insurance	(206.08)
Total 2100 · Payroll Payable	(189.39)
Total Other Current Liabilities	70,777.76
Total Current Liabilities	184,610.43
Long Term Liabilities	
Deferred Inflows of Resources	
2601 · DIR - Pension Related	274,678.00
Total Deferred Inflows of Resources	274,678.00
2700 · Net Pension Liability	2,302,407.00
2701 · Net OPEB Liability	1,089,770.00
Total Long Term Liabilities	3,666,855.00
Total Liabilities	3,851,465.43
Equity	
3300 · Retained Earnings	1,051,802.01
Net Income	(465,423.59)
Total Equity	586,378.42
TOTAL LIABILITIES & EQUITY	4,437,843.85
<hr/>	



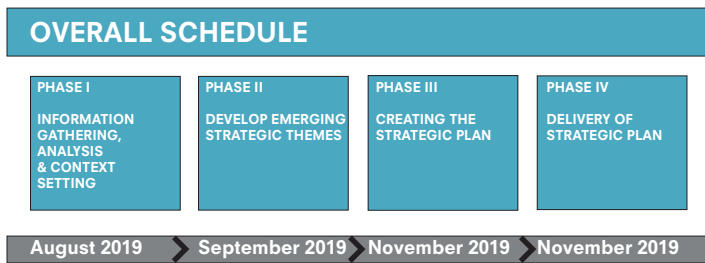
ALD

Altadena Library District
Strategic Plan
A Point in Time: Initiative Update

PHASE I

The Consultant Team, Margaret Sullivan Studio, was hired to assist in a Strategic Planning process that began in July 2019, and will be completed Fall of 2019. The work will result in a final Strategic Plan Framework Deliverable.

- The Project is being conducted in three phases:
- Phase I: Information Gathering, Analysis & Context Setting
 - Phase II: Develop Emerging Strategic Themes
 - Phase III: Creating the Strategic Plan
 - Phase IV: Delivery of Strategic Plan



Pre-work: Pre-Reading

The Strategic Planning Committee, the Board of Trustees, and the Leadership Working Group were provided a list of reading materials in preparation for the work on the following:

1. Rising to the Challenge: Re-Envisioning Public Libraries, a report of the Aspen Institute
2. Museums, Libraries, and 21st Century Skills, produced by the Institute of Museum and Library Services
3. Transforming Communities, Strategic Plan produced by the Institute of Museum and Library Services
4. Library as Movement, article by David Lankes

The purpose of this material was to provide information that allowed all participants to consider potential ways the library can leverage its goals within the context of contemporary conditions.

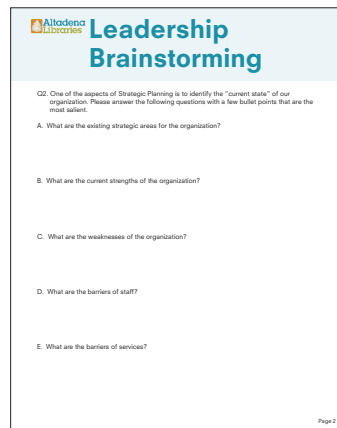
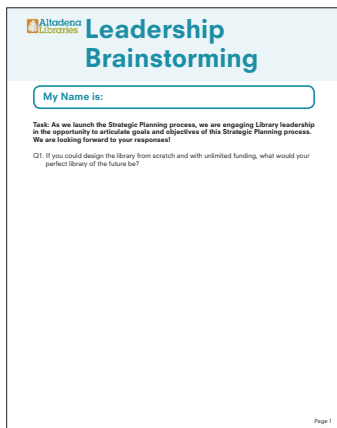
Pre-work: The Leadership Working Group

A team of 9 members, consisting of Library staff from across the organization have been participating in workshops and organization capacity building with consultants. The Leadership Working Group is being engaged to make meaning from staff and community input, assist in developing our strategic priorities, and are learning how to use service design thinking to better understand and respond to customer and community needs.

The Leadership Working Group represent the ALD staff from the two system locations with a variety of job titles and years of experience to achieve a diversity of perspectives.

Pre-work: Strategic Planning Committee

The Strategic Planning Committee is a team of 12 staff and community members; the purpose of this group is to lead, contribute to, and generate the plan process, encourage others on the team, on the staff and in the community, and to implement the final plan framework. The SPC and Board of Trustees participated in the *Board Questionnaire* with questions aiming to articulate goals and objectives of the Strategic Planning process and how the Altadena Library District will continue its relevancy in the future.



Excerpt from Leadership Brainstorming Survey

PHASE I

Pre-work: Board of Library Trustees Questionnaire and One-on-One Conversations

The Board of Library Trustees was engaged in a questionnaire to garner their input early into the strategic planning process. The board will work with the Trustees to lead, contribute to, generate, encourage and implement the plan.

Questionnaire for the Board of Library Trustees

Additionally the Consultant Team engaged individual board members in one-hour long conversations that were exceptionally beneficial for gaining insight into the library district's history and the Board's vision for the library's future.

All-Staff Meeting

When: August 15, 2019

Where: Community Meeting Room at Main

The Consultant Team met with the entire staff to kick-off the Strategic Planning Process. The one-hour meeting included a brief introduction presentation to the strategic planning timeline, deliverables, process, and the Directed Storytelling method. The attendees then used the *Customer Experience Workshop Toolkit* to design a perfect experience for patrons of the Altadena Library.

The group used the patron personas, which were developed based off of current demographic and tapestry data, and followed a patron on a day at the library. They used the *Customer Experience Journey* worksheet to see the service journey a patron had

to illuminate the barriers, difficulties, and challenges they came across. These challenges reveal the service experience and how it may be improved in the future.



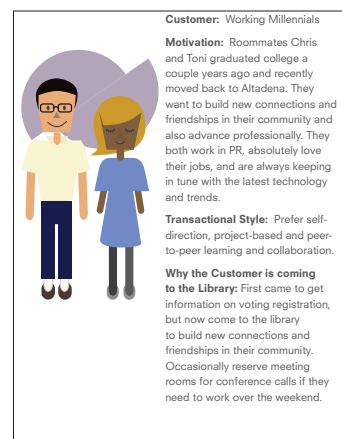
Leadership Working Group Workshop #1

When: August 15 - 16, 2019

Where: Community Meeting Room at Main

For Workshop #1, the Consultant Team engaged in two days of workshops and presentations to around the Strategic Planning Process with the Leadership Working Group. During the workshops and presentations, the following was accomplished.

The Consultant Team introduced the The Leadership Working Group to the process, including the principles of Service Design; reviewed the traditional goals of strategic planning and how institutions have traditionally conducted strategic plans; introduced the catalysts for change (environmental and institutional) and how they create the opportunity to question conventional methodologies and conventional outcomes.



Customer Experience Workshop Toolkit

PHASE I

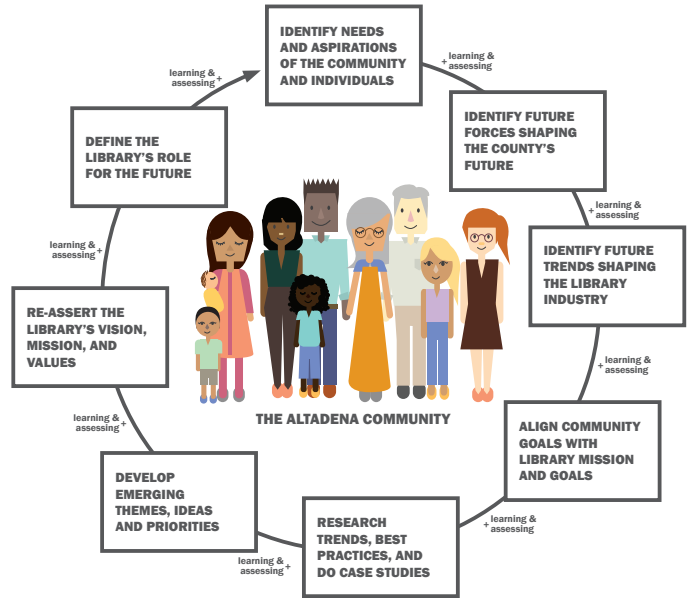
These two days of workshops included training around Directed Storytelling (an interview technique). The group used the *Customer Experience Workshop Toolkit* (previously completed during the All-Staff meeting) as a framework practicing Directed Storytelling.

The leadership group will use similar tools for training the rest of the library staff and in their upcoming Directed Storytelling interviews with actual library customers. The group also practiced their interviewing and rapport-building skills on each other, after identifying top-of-mind customer needs and aspirations, using the *Greatest Needs Worksheet*, that they then portrayed in an interview-like setting. They practiced documenting the information in worksheets like *The Library & Me*.

Key parts of the process that the Leadership Working Group will be impacting during the process are:

- identifying needs and aspirations of the community and individuals
- developing emerging themes, ideas and priorities
- identifying future forces shaping the county's future
- defining the library's role for the future.

THE STRATEGIC PROCESS



The Strategic Process

What do you see?
What are the **Real Needs and Aspirations** for the Altadena community?

Age Group	Needs:	Aspires:
0-5		
6-10		
11-13		
14-18		
18-24		
24-32		
32-40		
40-55		
55-70		
70+		

Greatest Needs Worksheet

My Library Journey

↑

↓

DOING

FEELING & THINKING

My Library Journey

THE LIBRARY & ME	
THE ALTADENA LIBRARY IS...	AT THE LIBRARY, I (WE)...
THE LAST TIME AT THE LIBRARY...	TO MEET MY NEEDS, THE LIBRARY COULD...

The Library & Me Worksheet

My World

PLACES & THINGS

ACTIVITIES

PEOPLE

ME

NAME

I WANT TO...

OBSTACLES IN MY WAY...

PHASE I

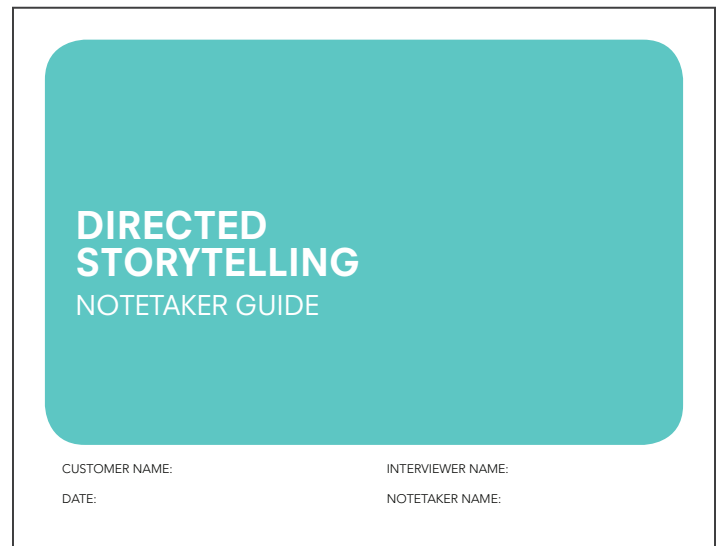
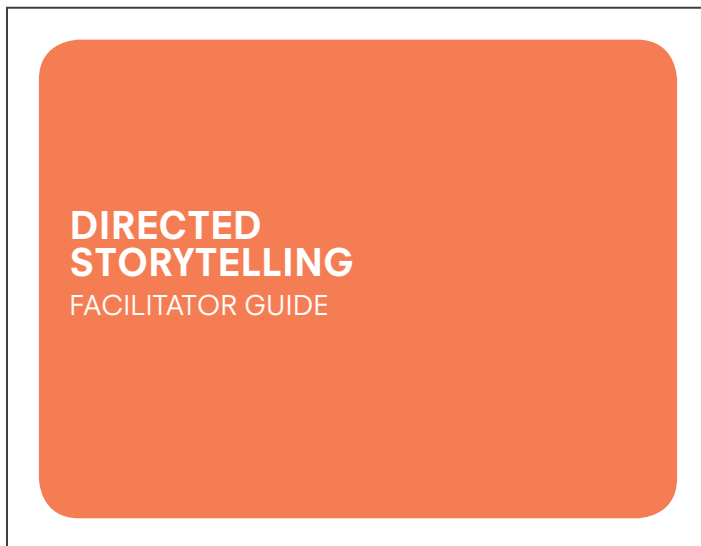
Directed Storytelling

Directed Storytelling is a Service Design technique of conducting in-depth interviews to identify relevant and general customer needs.

In the time in between Workshop #1 and Workshop #2 at the end of August 2019, the Leadership Working Group will conduct interviews known as “Directed Storytelling.” The staff will divide into teams of two. Each team will conduct two interviews, scheduled in advance, with pre-identified patrons. The purpose of these interviews is to identify unmet and under-met community needs, as well as to build The Leadership Working Group’s skills in using design research methods to inform library strategies and tactics. The outputs from the interviews will be extremely beneficial in informing the process of identifying service priorities, the focus of Workshop #2.



DIRECTED STORYTELLING



Directed Storytelling Toolkit



In preparation for Workshop #2, the Leadership Working Group will continue to stay busy with customer interviews, called “Directed Storytelling.” Each member of the Leadership Working Group will interview one customer, asking about their last experience at the library. The Directed Storytelling work results in a cross-examination of all types of customers and their perception of the current state of the library. The work elicits useful information on customer needs and values. During Workshop #2, Staff synthesizes and analyzes the results using the *Directed Storytelling Analysis Worksheets*, creating a deeper and more meaningful understanding of current library customers and utilization.

PHASE I

Community Town Hall

When: August 15, 2019
Where: Community Meeting Room at Main

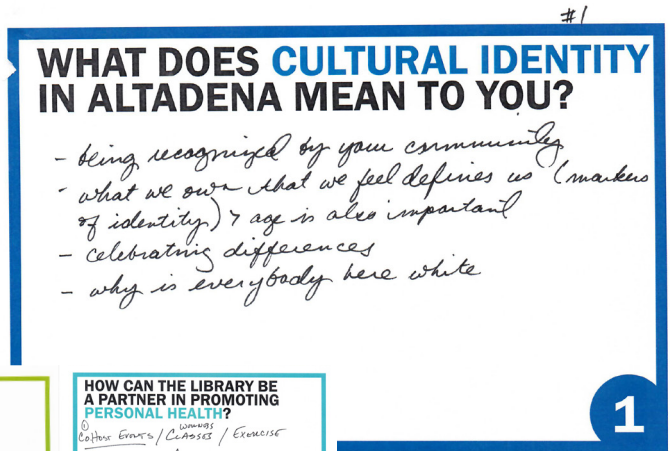
On Thursday evening the Consultant Team facilitated a Town Hall for all community members, leaders, and staff members. The goals of the meeting were to update the community on where ALD is in the strategic planning process; facilitate a dialogue to identify key community needs; understand the community's perception of the community, challenges, needs, and opportunities; and identify key areas of focus that may align with the community and the library.

During the two-hour session, participants were invited to use the *Healthy Community Framework* to brainstorm around their own personal definition of Civic Health, Personal Health, Educational Health, Economic Health, and Cultural Identity. From there the attendees discussed and recorded the challenges associated with these concepts in the context of their community, how the community can improve these conditions, and then how the library can be a partner in promoting these areas of focus. Material from this meeting will be incorporated into the strategic planning work to help further align library goals with community needs and aspirations.

Strategic Planning Committee Meeting

When: August 17, 2019
Where: Community Meeting Room at Main

At the Strategic Planning Committee Meeting, Margaret Sullivan Studio facilitated a meeting to focus-in further on the role of the library by comparing the current state and future state of the library, building on current strengths, and by reviewing the results and outcomes from the community meetings, community survey, branch questionnaires, and staff meetings. Overarching themes from Phase I were discussed and related to how we will do our work in the future, what we are in the business of, and who we are doing it for and why.



Healthy Community Framework Worksheet





BOARD OF LIBRARY TRUSTEES
Director Report
Resolution: Records Retention Schedule

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Cindy Cleary

LOCATION: Community Room

BACKGROUND: At the August Board of Trustees meeting a Records Retention Schedule and related Resolution were presented. The Board asked that the Resolution be brought back at the September meeting with an amendment allowing for a five-year Board oversight review of the Schedule. Additionally, the Schedule has been amended to include Patron Records (p. 21) with a retention stated as "inactivity plus 2 years."

RECOMMENDATION:

That the Board review and approve the Records Retention Schedule and related Resolution as revised.

ATTACHMENTS:

1. Records Retention Schedule
2. Resolution Adopting a Records Retention Schedule

RESOLUTION NO. 2019- 07

**A RESOLUTION OF THE BOARD OF LIBRARY TRUSTEES OF
THE ALTADENA LIBRARY DISTRICT ADOPTING A RECORDS
RETENTION SCHEDULE**

WHEREAS, Sections 60200 through 60203 of the Government Code provide procedures regulating the retention of special district records and destruction of obsolete records for special districts; and

WHEREAS, in October 2006, the Board of Trustees (the “Board”) of the Altadena Library District (the “District”) approved a Record Retention Policy; and

WHEREAS, in order to stay current with continuing changes in record retention statutes and regulations, the District desires to adopt an updated Records Retention Schedule for the orderly retention of District records and the proper disposal of obsolete records, while ensuring a mechanism for periodic review by the Board.

NOW, THEREFORE, BE IT RESOLVED, the Board of Library Trustees of the Altadena Library District hereby finds, determines, and resolves as follows:

1. The Board of Library Trustees hereby repeals the District’s existing Records Retention Policy, approved by the Board of Library Trustees in October, 2006.

2. The District’s Records Retention Schedule for Altadena Library District, attached hereto as Exhibit “A,” incorporated herein by reference and made a part hereof, is hereby adopted as the official records retention policy of the District.

3. The Board of Library Trustees hereby finds that the Records Retention Schedule for Altadena Library District complies with the California Secretary of State’s Local Government Records Management Guidelines, as required under Government Code section 60201, subdivision (b)(2). The Board of Library Trustees further finds that any obsolete records destroyed pursuant to the Records Retention Schedule for Altadena Library District will not adversely affect the District or the public.

4. The District Director and his or her designee are authorized to do any and all acts necessary to give effect to and comply with the terms and intent of the Records Retention Schedule for Altadena Library District. The District Director and his or her designee shall be responsible for the administration of the retention of records and the destruction of obsolete records pursuant to the Records Retention Schedule for Altadena Library District. In addition, the District Director and his or her designee are authorized to update or amend the Records Retention Schedule for Altadena Library District as needed, without further approval from the Board of Directors, in order to stay current with federal and State laws, as well as any other regulations, regarding records retention.

5. Pursuant to Government Code sections 53161 and 60200, the Board of Library Trustees hereby authorizes the District Director and his or her designee to destroy at any time any duplicate record, paper or document of the District, while the original, whether in paper or electronic format, is retained by the District for the legally required time period.

6. The District Director and his or her designee shall have ongoing authority, without further approval needed from the Board of Library Trustees and with the approval of the District's legal counsel provided herein, to authorize destruction of obsolete District records in accordance with the Records Retention Schedule for Altadena Library District .

7. To ensure sufficient oversight by the Board, the District Director shall bring forth the District's Records Retention Schedule every five years for the Board's review. The Board will have the opportunity to review any changes made to the schedule by the District Director and his or her designee, made in conformance with this Resolution to ensure the Schedule remains current with federal and State laws, as well as any other regulations, regarding records retention. At the time the Schedule returns for Board's review, the Board may also choose to amend the Schedule or the procedures surrounding its adoption in line with State law.

8. The Board Secretary shall certify to the passage and adoption of this Resolution.

9. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 23rd day of September, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

APPROVED:

Katie Clark, Board Secretary

Terry Andruess, Board President

APPROVED AS TO FORM:

Ruben Duran, General Counsel

EXHIBIT "A"

RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

[Attached]

RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accident/Illness Reports	Administration	<p>Exempt from public disclosure; For Employee Medical Records & Employee Exposure Records regarding exposure to toxic substances or harmful physical agents --includes Material Safety Data Sheets (MSDS)</p> <p>Does NOT include: records of health insurance claims maintained separate from employer's records; first aid records of one-time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination</p>	<p>GC 6254(c)</p> <p>8 CCR 3204(d)(1)(A)(B)</p>	Length of employment plus 30 years
Accidents/Damage to District Property	Administration	Risk management administration	CCP 337.15	10 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	LC	Labor Code (California)
CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	R&TC	Revenue & Taxation Code (California)		
EC	Elections Code (California)	USC	United States Code		

RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accounting Records – General Ledger	Finance	General Ledger	CCP 337 Sec. of State Local Gov't. Records Retention Guidelines	Until audited + 4 years Published articles show 4 – 7 years retention as typical. Sec. of State Guidelines recommends permanent retention.
Accounting Records – - Permanent Books of Accounts	Finance	Records showing items of gross income, receipts and disbursement (including inventories, per IRS regulations)	26 CFR 1.6001-1(c) & (e)	Permanent
Accounts Payable- Expenses	Finance	Journals, statements, asset inventories, account postings with supporting documents, vouchers; investments, invoices and back-up documents, purchase orders, petty cash, postage, PERS reports, check requests, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't Records Mgmt. Guidelines recommendation	Until audited + 4 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	LC	Labor Code (California)
CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	R&TC	Revenue & Taxation Code (California)		
EC	Elections Code (California)	USC	United States Code		

RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accounts Payable – Employee + Board	Finance	Expense reimbursements to employees & officers; travel expense reimbursements or travel compensation	GC 60201(d)(12)	7 years after date of payment
Accounts Receivable	Finance	Receipts for deposited checks, coins, currency; checks received, reports, investments, receipt books, receipts, cash register tapes, payments for fees, permits, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't Records Mgmt. Guidelines recommendation	Until audited + 4 years
Affidavits of Publication / Posting	Administration	Legal notices for public hearings, publication of ordinances, etc.	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Agency Report of Consultants (FPPC Form 805)	Administration	Identifies consultants hired by the District who must file Form 700	2 CCR 18734; GC 81009(e)	7 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	LC	Labor Code (California)
CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	R&TC	Revenue & Taxation Code (California)		
EC	Elections Code (California)	USC	United States Code		

RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agency Report of Public Official Appointments (FPPC Form 806)	Administration	Report of additional compensation received by agency officials when appointing themselves to committees, boards or commissions of other public agencies, special districts, joint powers agencies or joint powers authorities. Current report must be posted on the agency's website.	FPPC Reg. 18702.5(b)(3); GC 34090	Recommended retention: Keep a paper copy of report for 2 years after removal from the agency's website
Agenda / Agenda Packets	Administration	Original agendas / special meeting notices / certificates of posting, etc. - Board of Directors meetings	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
Agenda reports (staff reports)	Administration	Documentation received, created and/or submitted to Board of Directors	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agreements and Contracts	Administration	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/ completion
Annual Financial Report	Finance	May include independent auditor analysis	GC 34090 Sec. of State Local Gov't Records Mgmt. Guidelines	Until audited + 7 years
Appraisals	Development	For real property owned by District – Exempt from public disclosure until real estate transaction is complete	GC 34090 GC 6254(h)	2 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Articles of Incorporation	Administration	Records of formation, change of organization, or reorganization of the District.	GC 60201	Permanent
Audit Reports	Finance	Financial services; internal and/or external reports	GC 60201 CCP 337, 343 Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 4 years Sec. of State Guidelines recommends permanent retention
Audit Hearing or Review	Finance	Documentation created and or received in connection with an audit hearing or review	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Bank Account Reconciliations	Finance	Bank statements, receipts, certificates of deposit, etc.	26 CFR 31.6001-1(e)(2)	4 years (Sec. of State Guidelines – recommended retention: until audited + 5 years)

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Behested Payment Report (FPPC Form 803)	Finance	FPPC form used by elected officials to disclose payments made at their behest (\$5,000 or more from same source) for legislative, governmental, or charitable purposes.	GC 81009; 82015(b)(2)(B)(iii)	7 years
Bids, Successful	Development	Includes plan and specifications; notices/affidavits.	GC 34090 CCP 337, 337.1	4 years
Bids, Unsuccessful	Development	Unsuccessful bid packages only (Documents should be retained in original format, whether hard copy or electronic)	GC 34090 GC 60201	2 years
Bonds	Finance	Authorization/public hearing records/prospectus/proposals/certificates/notices (transcripts)/registers/statements.	CCP 337.5	Upon cancellation, redemption, or maturity + 10 years
Bonds – Employee (Fidelity Bonds)	Finance	Form of insurance that covers employer (District) for losses resulting from fraudulent acts of specified employees	GC 34090	Current + 2 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Bonds – Paid/Cancelled Unsold/Unused Final Development Surety	Finance	Bonds will be retained according to relevant code.		
Budget, Annual	Finance	Annual operating budget approved by legislative body	GC 34090 Sec. of State Local Gov't Records Mgmt. Guidelines	Sec. of State recommends permanent retention . May be revised at a later time.
Cal-OSHA	Administration	Log of work-related injuries & illnesses (Form 300), Annual Summary (Form 300A), Incident reports (Form 301)	LC 6410; 8 CCR 14300.33	5 years
California State Tax Records	Finance	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Checks – District-issued Employee Reimbursement Independent Contractors	Finance	District checks paid – expense reimbursement to employees; payments to independent contractors; etc. Includes check copies; canceled or voided checks; electronic versions of checks	GC 60201(d)(12) CCP 337	7 years
Checks – District-issued Vendors/Other	Finance	District checks paid to vendors; other District payments. Includes check copies; canceled or voided checks; electronic versions of checks.	Sec. of State Local Gov't. Records Mgmt. Guidelines; CCP 337; 26 CFR 31.6001-1(e)(2)	Until audited + 4 years
Circulation Records (Fines & Fees)	Administration	Fines and fees imposed on borrowers of items available in District libraries	GC 34090	Current + 2 years
Claims Filed Against the District	Administration	Government Claims Act – Claims paid/denied (Documents are to be retained in original format, whether hard copy or electronic)	GC 60201(d)(4); GC 34090	Until settled + 2 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Conflict of Interest Code	Administration	Conflict of Interest Code – required under Political Reform Act; must be reviewed by July 1st of every even-numbered year and amended if necessary	GC 87300 et seq.	Permanent
Correspondence	Administration	General correspondence regarding District business, including but not limited to letters, email, and text messages; Posts/comments on District-owned social media accounts	GC 34090; Sec. of State Local Gov. Records Mgmt. Guidelines	2 years
Credit Cards, District-owned	Finance	Credit card bills or statements, and other records related to use of District-owned credit cards	26 CFR 31.6001-1(e)(2)	Until audited + 4 years
Deeds, Real Property (Grant Deeds)	Development	File with recorded documents; originals may not be destroyed. (Documents are to be retained in original format, whether hard copy or electronic)	GC 34090 GC 60201(d)	Permanent

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Deferred Compensation Reports	Finance	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years
Demographic/ Statistical Data	Administration		GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
DMV Driver's Records Reports (DMV Pull-Notice System)	Administration	Motor vehicle pulls – Personnel record—Exempt from public disclosure.	GC 34090 GC 6254(c) VC 1808.1(c) Sec. of State Local Gov't. Records Mgmt. Guidelines;	Until superseded (should receive new report every 12 months) Sec. of State recommends until termination + 7 years
Easements, Real Property	Development	File with recorded documents; originals may not be destroyed. (Documents are to be retained in original format, whether hard copy or electronic)	GC 60201(d)(8)	Permanent

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
EEOC Records (Equal Employment Opportunity Commission)	Human Resources	Records, reports showing compliance with federal equal employment requirements (EEO-4 Reports, etc.)	29 CFR 1602.30	3 years
Election - Administrative Documents	Administration	Not ballot cards or absentee voter lists/applications.	GC 34090	2 years
Election - Canvass	Administration	Notifications and Publication of Election Records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results; special election results	EC 17304	6 months
Employee Benefits	Administration	Benefit plans (including “cafeteria” and other plans); health insurance programs; records regarding COBRA – extension of benefits for separated employees, insurance policies (health, vision, dental, deferred compensation, etc.)	29 USC 1027 28 CCR 1300.85.1 11 CCR 560 29 CFR 1627.3(b)(2)	For life of plan/policy + 6 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Bonds (Fidelity Bonds)	Administration	Form of insurance that covers employer for losses resulting from fraudulent acts of specified employees	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	While employed + 2 years
Employee Files	Administration	Personnel files – Exempt from disclosure	GC 12946 GC 6254(c) 29 CFR 12627.3	While current + 3 years
Employee Information, General	Administration	Name, address, date of birth, occupation	29 CFR 1627.3(a) LC 1174	3 years
Employee Information, Payroll	Administration	Rate of pay and weekly compensation earned (Documents are to be retained in original format, whether hard copy or electronic)	GC 60201 29 CFR 1627.3(a)	7 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Information & Applicant Identification Records	Administration	Personnel--Data regarding race, sex, national origin of non-hired applicants & employees [Employee data must be kept separate from personnel files]	2 CCR 11013(b), (c)(2), (c)(3)	Current + 2 years
Employee Records, Non-safety	Administration	Non-safety employee records may include: Release Authorizations; Certifications; Reassignments; outside employment; commendations, disciplinary actions; terminations; Oaths of Office; evaluations-pre-employee medicals; fingerprints; identification cards (ID's)	29 CFR 1627.3 GC 12946	Length of employment + 3 years
Employee Programs	Administration	Includes EAP and Recognition	GC 34090 GC 12946	Current + 2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Documents, Recruitment	Administration	Alternate lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins	GC 12946 GC 34090 29 CFR 1602.31 29 CFR 1627.3	Current + 2 years
Employee, Reports	Administration	Employee statistics, benefit activity, liability loss	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
Employment Applications - Not Hired	Administration	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	GC 12946 29 CFR 1627.3(b)(1)(i)	2 years
Employment Eligibility Verification (I-9 Forms)	Administration	Federal Immigration and Nationality Act	8 USC 1324a (b)(3)	3 years after date of hire, or 1 year after date of termination, whichever is later
Employment - Personnel (by name)	Administration	Paperwork documenting internal and external training	GC 12946	Length of employment + 2 years
Employment - Surveys and Studies	Administration	Includes classification, wage rates	29 CFR 516.6(a)(2)	2 years

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Employment - Training Records	Administration	Volunteer program training - class training materials, internships	GC 34090 GC 12946	Length of employment + 2 years
Employment - Vehicle Mileage Reimbursement Rates	Administration	Annual mileage reimbursement rates	GC 60201(d)(10)	Until superseded
Environmental Quality Asbestos	Development	Documents, abatement projects, public buildings	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Permanent
Environmental Quality California Environmental Quality Act (CEQA)	Development	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines; CEQA Guidelines	Permanent
Environmental Quality Congestion Management	Development	Ride sharing, trip management	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Completion + 2 years

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Ethics Training Records	Administration	Records required to be kept. Records must show dates that local officials and designated staff satisfied the training requirements and the entity that provided the training	GC 53235.2	5 years after receipt of training
Facility Rental Use	Administration	Applications, correspondence related to use of District property	GC 34090	Current + 2 years
Family and Medical Leave Act	Administration	Records of leave taken, District policies relating to leave, notices, communications relating to taking leave	29 CFR 825.500 GC 12946	While employed +3 years (federal) or 2 years (State)
Federal Tax Records	Finance	May include as attachments copies of Forms 1095-C, 1096, 1099, W-4 and W-2	26 CFR 31.6001.1-4 26 CFR 31.6001-1(e)(2) 29 CFR 516.5-516.6	Current + 4 years
Fixed Assets Inventory	Finance	Reflects purchase date, cost, account number	GC 34090 CCP 337, 343	Until audited + 4 years

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Fixed Assets Surplus Property	Finance	Auction; disposal – Listing of property; sealed bid sales of equipment	GC 34090 CCP 337, 343	Until audited + 4 years
Fund Transfers	Finance	Internal; bank transfers & wires	CCP 337; 26 CFR 31.6001-1(e)(2)	Until audited + 4 years
General Ledgers	Finance	All annual financial summaries--all agencies	GC 34090 CCP 337 Sec. of State Local Gov't Records Mgmt. Guidelines	Until audited + 4 years Published articles show 4 – 7 years retention as typical. Sec. of State Guidelines recommends permanent retention
Gift to Agency Report (FPPC Form 801)	Administration	FPPC form showing payment or donation made to the District or to a District official and which can be accepted as being made to the District	2 CCR 18944(c)(3)(F), (G); FPPC Fact Sheet : “Gifts to an Agency – Part 2	Original - retain 7 years; Copy must be posted on agency website
Gifts/Bequests	Finance	Receipts or other documentation	GC 34090	Until completed + 2 years

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Grants - Successful Community Development Block Grant (CDBG); Urban Development; other Federal and State grants	Development	Grant documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, inventory, consolidated plan, etc.	GC 34090 24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
Grants – Unsuccessful	Development	Applications; Documents showing rejection or denial of application	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Insurance	Finance	Personnel related	GC 34090	Current + 2 years
Insurance Certificates Liability/Property	Finance	Liability, performance bonds, employee bonds, property: Insurance certificates filed separately from contracts, includes insurance filed by licensees. May include liability, property, Certificates of Participation, deferred, use of facilities	GC 34090 Sec. of State Guidelines	Current + 2 years Sec. of State recommends permanent retention

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Insurance, Risk Management Reports	Finance	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies	29 CFR 1904.44 GC 34090	5 years (Federal) 2 years (State)
Investment Reports, Transactions	Finance	Summary of transactions, inventory and earnings report	GC 34090 CCP 337 Sec. of State Local Gov't Records Mgmt. Guidelines	Permanent
Invoices	Finance	Invoices from vendors and back-up documents	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't Records Mgmt. Guidelines recommendation	Until audited + 4 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Job Descriptions	Human Resources	Descriptions of duties, qualifications, responsibilities for each position/classification/job title	29 CFR 1627.3	While current + 3 years
Lease Agreement	Administration	Property or equipment	CCP 337 CCP 337.2 CCP 343	Until terminated + 4 years
Library Patron Records	Administration	Records related to library cards	GC 34090; GC 6254(j)	Active + 2 years
Legal Notices/Affidavits of Publication	Administration	Notices of public hearings, proof of publication of notices	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Legal Opinions	Administration	Confidential – not for public disclosure (attorney-client privilege)	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Until superseded + 2 years

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Litigation	Administration	Case files (Documents are to be retained in original format, whether hard copy or electronic)	GC 60201(d)(4)	Until settled or adjudicated + 2 years
Maintenance Manuals	Administration	Equipment service/maintenance	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
Maintenance/Repair Records	Administration	Equipment	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Marketing, Promotional	Administration	Brochures, announcements, etc.	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Internal - 2 years External – 7 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Minutes – Board meetings	Administration	Minutes of District Board meetings. Documents may be imaged immediately. (Documents are to be retained in original format, whether hard copy or electronic)	GC 34090, 60201	Permanent
Newsletter, District	Administration	May wish to retain permanently for historic reference.	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Notices – Public Meetings	Administration	Special Meetings	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Oaths of Office	Administration	Elected and public officials – Board Members	GC 34090 29 USC 1113 Sec. of State Local Gov't Records Mgmt. Guidelines	Length of term/employment plus 6 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Organizational Chart	Administration	District organizational charts	Sec. of State Local Gov't Records Mgmt. Guidelines	Until Superseded
Passport Application Transmittal	Administration	Documents maintained by Passport Office	GC 34090 GC 60201	2 years
Payroll - Federal/State Reports	Finance	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	GC 60201	7 years
Payroll Deduction/ Authorizations	Finance	Finance	29 CFR 516.6(c) GC 60201	While Current + 7 years
Payroll records	Finance	Records that specify compensation paid to employees, officers (Documents are to be retained in original format, whether hard copy or electronic)	GC 60201(d)(12)	7 years after date of payment
Payroll records -employee information	Finance	Records showing employee information/data – names, addresses, etc.	29 CFR 516.5 LC 1174(d)	3 years from date of last entry

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Payroll records, terminated employees	Finance	Finance files (Documents are to be retained in original format, whether hard copy or electronic)	29 CFR 516.5 GC 60201(d)(12)	7 years from date of last entry
Payroll, registers	Finance	Payroll registers, payroll reports (Documents are to be retained in original format, whether hard copy or electronic) Registers that show labor costs by employee and program	29 CFR 516.5(a) LC 1174(d) GC 60201(d)(12) Sec. of State Local Gov't Records Mgmt. Guidelines	7 years from date of last payment Sec. of State recommends permanent retention
Payroll, time cards/sheets	Finance	Employee	29 C.F.R. 516.6; LC 1174; Sec. of State Local Gov't. Records Mgmt. Guidelines	3 years Sec. of State Guidelines recommendation - Until audited + 6 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	LC	Labor Code (California)
CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	R&TC	Revenue & Taxation Code (California)		
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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Payroll - Wage Rates / Job Classifications	Finance	Employee records	LC 1197.5(d) LC 1174(d) GC 12946 29 CFR 516.6 29 CFR 1602.4 29 CFR 1627.3	While current + 3 years
PERS - Employee Benefits	Human Resources	PERS Employee Benefit Plan – original document, or copies	29 USC 1027 29 CFR 1627.3(b)(2) GC 34090	6 years Current + 2 years
Personnel Policies -- Rules and Regulations	Human Resources	Including employee handbooks, employee manuals, and other policies/procedures	29 CFR 516.6 29 CFR 1627.3(a)	Current + 3 years
Personnel Records	Human Resources	Other records (not payroll) – job applications, resumes; records relating to promotion, demotion, transfer, lay-off, termination; results of employment tests, etc.	GC 12946 29 CFR 1627.3	Current + 3 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Petitions	Administration	Submitted to legislative bodies (not petitions for initiatives, referendums or recalls)	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years
Policies, Administrative	Administration	All policies and procedures, directives rendered by the District not assigned a resolution number	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
Policies, District Board	Administration	Original policies adopted by the District Board	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
Press Releases	Administration	Related to District actions/activities.	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	2 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Procedure Manuals	Administration	Administrative.	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 2 years
Public Records Request	Administration	Requests from the public to inspect or copy public documents	GC 34090 GC 60201(d)(5)	2 years
Purchasing RFQ's, RFP's	Finance	Requests for Qualifications; Requests for Proposals regarding goods and services	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Until audited + 4 years
Purchasing, Requisitions, Purchase Orders	Finance	Original Documents	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines; CCP 337	Until audited + 4 years

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Recordings - routine video monitoring, telephone, and radio communications	Administration	Routine daily recording of telephone communications & radio communications; recordings of routine video monitoring, monitoring systems, or building security systems	GC 53160, 53161	Videos - 1 year; Phone & Radio communications - 100 days (destruction must be approved by legislative body and with written consent of agency attorney). If recordings relate to a claim or pending litigation, they must be preserved until the matter is resolved. If another record of the video recording is kept (written minutes or audio recording), video needs to be kept for only 90 days after the recorded event.
Recordings, video recordings – meetings of legislative bodies	Administration	Recordings of public meetings made by or at the direction of the District (e.g., Board meetings)	GC 54953.5(b)	Minimum 30 days

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Recordings, video or digitally recorded – other events (Duplicate – See Description or Example of Record)	Administration	Other than videos or digital recordings of public meetings; Considered duplicate records if another record of the same event is kept (i.e., written minutes or audio recording)	GC 53161 85 Ops. Cal. Atty. Gen. 256 (2002)	Minimum 90 days after event is recorded; if another record of the same event is kept (e.g., written minutes)
Records Management Disposition/ Destruction Certification	Administration	Documentation of final disposition/ destruction of records	GC 34090, 60201(d)(10)	Permanent
Records Retention Schedules	Administration		GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	Current + 4 years
Recruitments and Selection	Administration	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years
Resolutions	Administration	Vital records – may be imaged immediately	GC 60201 GC 34090	Permanent

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Returned Checks	Finance	Adjustments-NSF, etc. (not District checks)	GC 34090 CCP 337, 343	Until audited + 4 years
Salary/Compensation Studies, Surveys	Human Resources	Studies or surveys of other agencies regarding wages, salaries and other compensation or benefits	GC 34090; Sec. of State Local Gov't Records Mgmt. Guidelines	While current + 2 years
Settlement Agreements Litigation	Administration	Final, signed/approved settlement agreements for litigation matters, claims, etc.	GC 60201(d)(4)	2 years after signed/approved
Settlement Agreements Workers Compensation	Administration	For Workers Compensation claims – final, signed/approved settlement agreements	8 CCR 10102 8 CCR 15400.2	5 years after signed/approved

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Special District Development	Development	Supporting documents regarding improvement, lighting, underground utility, bonds, taxes and construction)	GC 34090a	Permanent
State Controller	Finance	Annual reports.	GC 34090	2 years
State Tax Records	Finance	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years
Statements of Economic Interest (SEI) - Form 700 (copies) (elected officials)	Administration	Copies of original statements of elected officials forwarded to Fair Political Practices Commission. (Retain hard copy for 2 years, then retain imaged electronic version)	GC 81009(f), (g)	4 years (can image after 2 years)
Statements of Economic Interest Statements (SEI) - Form 700 (originals) - non-elected	Administration	Originals of statements of designated employees (Retain hard copy for 2 years, then retain imaged electronic version)	GC 81009(e), (g)	7 years (can image after 2 years)

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR ALTADENA LIBRARY DISTRICT

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Taxes, Special	Finance	Special tax levied by a local agency on a per parcel basis	CCP 338	Until audited + 3 years
Unemployment Insurance Records	Finance	Records relating to unemployment insurance – claims, payments, correspondence, etc.	26 USC 3301-3311; Calif. Unemployment Insurance Code; CCP 343	While current + 4 years
Vouchers - Payments	Finance	Account postings with supporting documents	GC 34090 CCP 337	Until audited + 4 years
Wage Garnishment	Finance	Wage or salary garnishment	CCP 337	Active until garnishment is satisfied; then retain until audited + 4 years
Workers Compensation Files	Finance	Work-injury claims (including denied claims); claim files, reports, etc.	8 CCR 10102	Until the latest of the following dates: 5 years from date of injury; or 1 year from date compensation was last provided; or when all compensation due has been paid.

Legal Authority Abbreviations

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BOARD OF LIBRARY TRUSTEES
Director Report
Administrative Policy: Retention of Electronic Communications

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Isaac Rosen, BB&K

LOCATION: Community Room

BACKGROUND: At last month's Trustees meeting, the Board was asked to consider a standalone administrative policy for the retention of electronic communications, including email, text messages and voicemail. A revised version of that policy is attached for the Board's consideration and possible adoption.

DISCUSSION: The Board considered last month a version of this standalone administrative policy that was recommended by the Office of Legal Counsel for purposes of electronic record retention. After it was considered, there were concerns that the policy was not sufficiently clear on the rights and responsibilities required of District staff and officials. Following conversations that included the District's Information Technology department to discuss the District's technological capabilities, a revised policy was formulated and is attached for the Board's review and possible adoption.

The administrative policy was edited to more clearly define those records subject to retention and the appropriate steps to retaining public records. Specifically, the policy was amended to delete technical and legal language and include:

- A more robust definition of public records subject to retention.
- A definition of records retention and the District's records retention schedule, which play a vital role in document preservation.
- Details on the roles of District Director and Legal Counsel.
- User-friendly guidelines on how long an email is to be retained and deleted.

If the Board approves this administrative policy, the District's Interim District Director will work with Legal Counsel to ensure any necessary revisions to the District's Board Policies are also made, and that those Board Policies expressly reference this policy as controlling as it relates to electronic record retention for all District officials, employees and District personnel, as defined. Revised Board Policies would return at the October Board meeting.

STAFF RECOMMENDATION: That the Board make a motion to approve and adopt the Administrative Policy: Retention of Electronic Communications.

ATTACHMENTS:

1. Administrative Policy: Retention of Electronic Communications

**ADMINISTRATIVE POLICY
RETENTION OF ELECTRONIC COMMUNICATIONS**

ARTICLE I - PURPOSE

Section 1.1 General Purpose

The purpose of this policy is to provide clear and concise direction regarding the retention and destruction of public records contained in the Altadena Library District (“District”) electronic communications systems, including electronic mail (email), text messaging and voicemail.

ARTICLE II - DEFINITIONS AND SCOPE

Section 2.1 Definitions

For purposes of this policy, the following definitions shall apply:

1. **“Electronic device”** shall mean any computer, laptop, cellular phone, tablet, pager, storage device, facsimile, or wireless card.
2. **“Microsoft Teams”** refers to a communications platform within Microsoft Office 365 that combines workplace text messaging, instant messages or chat, video meetings, file storage, and application integration.
3. **“Public record”** is defined by the California Public Records Act and includes any writing that contains information relating to the conduct of the public’s business prepared, owned, used or retained by the District regardless of physical form or characteristics, and regardless of whether created or transmitted on or by a District-owned device. Public records, for the purposes of this policy, applies to any transmission of information between devices, including any correspondence, writing, text message, calendar invitation, video message, picture, voice-memo, drawing or emoji, by email, text message, voicemail, chat application, social media application, pager message, or any other computer application, software, or platform.
4. **“Records Retention Schedule”** shall mean the District’s schedule, adopted by the Board of Trustees of the Altadena Library District, setting forth the amount of time specific District records must be retained.
5. **“Retention”** shall mean preservation of a record in such a way that does not permit additions, deletions, or changes to the original document, without creating a duplicate of the record.

6. **“Text messages”** shall refer to short messages sent electronically usually from one cell phone to another.
7. **“Writing”** shall mean any typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.

Section 2.2 General Scope

This policy applies to all District employees, elected officials, appointed officials, and consultants who use electronic communications regarding District business. All such persons shall be referred to throughout this policy as “District personnel.” If a volunteer or other non-employee prepares, owns, or uses a record subject to retention, then the District shall be the party that retains the record.

ARTICLE III – GUIDELINES & PROCEDURES

The content of the public record will determine the applicable retention period. Public records shall be retained for two years (Gov. Code, § 60201). Laws and regulations, the District’s Board Policies, and the District’s Record Retention Schedule may require a longer retention period depending on the content of the public record.

1. District personnel are responsible for ensuring public records are appropriately retained.
2. District personnel shall consider the District’s Board Policies and the District’s Record Retention Schedule when determining a public record’s applicable retention period. The District Director and Legal Counsel may also be consulted.
3. The sender of the electronic communication shall be responsible for preserving the public record, except persons responsible for a particular program or project file shall be responsible for retaining all emails they send or received related to that program or project. If it is unclear which party is responsible for retaining certain records, the parties shall confer on this responsibility and document the designated responsible party.
4. District public records that are in the possession of consultants and/or contractors must also be retained in accordance with this Policy. The agreement between the consultants and/or contractors shall govern which entity is responsible for retaining these records.
5. Records deletions, when permitted by law and policy, shall be done in a timely and cost-efficient manner so as to destroy the writing without permitting duplicates, either electronic or hard copies.

Section 3.1 - Email Record Retention

1. All emails sent or received by the District are automatically archived and saved for two years and one month. After two years and one month, the email is automatically deleted from the archive unless retained as detailed below. Emails subject to a retention period longer than two years, as determined by the content of the email, shall be preserved in accordance with applicable laws and regulations, the District's Board Policies, and the District's Record Retention Schedule. District personnel may also retain emails based on the email's business value.
 - a. At the request of the District Director or Legal Counsel, holds can be placed on the email archive, suspending the automatic deletion of specific email accounts or for emails that meet a specific search criteria. Emails subject to a legal hold or Public Records Act request shall be placed on a hold. District personnel with knowledge of a potential hold requirement shall immediately notify the District Director and/or Legal Counsel so the electronic hold can be enabled.
 - b. Emails may also be preserved by moving the email to a subfolder in the designated Inbox. Employees may not set their emails to automatically be redirected to subfolders.
 - c. District personnel shall consider the significance of the email's attachments. When an email is being deleted, the attachments should be retained or disposed of according to the content of the attachment.

Section 3.2 - Electronic Communications Retention (non-email)

1. Public Records other than emails, such as text messages, instant messages, and voicemail messages, are emerging business tools which shall also be retained in accordance with all applicable laws and regulations, the District's Board Policies, and the District's Record Retention Schedule.
2. Messages sent using software from the Office 365 suite are also archived for a period of two years and one month, after which each message within the Office 365 environment is automatically deleted from the archive. Messages subject to a longer retention period should be appropriately preserved.
3. District officials and District staff are encouraged to use Office 365 for text messages to discuss or conduct District business.
4. If a District official or District staff uses his/her personal electronic device to send text messages or instant messages to conduct District business, he/she must proactively retain the text message(s) in accordance with the District's Records Retention Schedule. District staff who fail to preserve text messages on personal electronic devices may be subjected to formal disciplinary action, up to and including termination from District employment.

Section 3.4 - Preserving Electronic Messages

Periodically, the District receives requests for inspection or production of documents pursuant to the Public Records Act, as well as subpoenas, discovery demands, or court orders for documents. In the event such a request or demand includes electronic communications, District personnel who have control over or access to any such communications, upon being made aware of the request or demand, shall preserve any such communications until it is determined whether the communication is subject to preservation, public inspection or disclosure. District personnel must contact the District Director and/or Legal Counsel regarding any such electronic communications that are within their control.

Section 3.6 - Violations

Any person found to have violated this policy may have his or her access to the District's Office 365 suite, or other means of electronic communication on the District network, limited or revoked completely. District personnel who violate this policy may be subjected to formal disciplinary action, up to and including termination from District employment.



BOARD OF LIBRARY TRUSTEES
Director Report
Adopting Rosenberg's Rules of Order to Govern Trustee Meetings

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Isaac Rosen, BB&K

LOCATION: Community Room

BACKGROUND:

At several Board meetings the Trustees discussed the possibility of adopting Rosenberg's Rules of Order to govern parliamentary procedures for meetings. Those parliamentary procedures are attached for the Board's consideration and possible adoption.

DISCUSSION:

The Board considered last month the possibility of adopting Rosenberg's Rules of Order. Currently, the adopted Board Policies references Robert's Rules of Order for the conduct of Board meetings. Robert's Rules is the classic model for parliamentary procedures, but it can be cumbersome and unwieldy for a smaller board, such as the Board of Trustees. Rosenberg's Rules is derived from and similar to Robert's Rules, but is more simplified. It is designed to be utilized in local government proceedings. The more streamlined procedures in Rosenberg's Rules will be easier to apply and more efficient for the Board of Trustees. A copy of Rosenberg's Rules is attached.

If the Board approves Rosenberg's Rules, the District's Interim District Director will work with Legal Counsel to ensure any necessary revisions to the District's Board Policies are also made, which are necessary since those Board Policies currently reference Robert's Rules. Revised Board Policies would return at the October Board meeting.

STAFF RECOMMENDATION: That the Board make a motion to approve and adopt the Rosenberg's Rules of Order to govern Board of Library Trustees' meetings, and for staff to bring back revised Board Policies reflecting that change.

ATTACHMENTS:

1. Rosenberg's Rules of Order



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

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Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

- 1. Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
- 2. Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
- 3. Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
- 4. Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.




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**BOARD OF LIBRARY TRUSTEES
Director Report
Human Resources Services**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Cindy Cleary

LOCATION: Community Room

At the June 22, 2019 Board meeting a Request for Proposal (RFP) was reviewed and approved for Human Resources Services. As identified in the RFP the scope of work is to include a review of all personnel policies for legal compliance, consolidation and update of three employee handbooks; a compensation study of District positions; and job audits of positions to determine appropriate classifications. The RFP was issued with a deadline of August 12, 2019. The District received four responses as outlined in the attached matrix. Responses from Koff & Associates and CPS HR Consulting were the most compatible with the scope outlined in the RFP and were selected for further review. Based on references, Koff & Associates is the recommended firm to move forward with a compensation study and job audit of fifteen classifications. The total cost for these two studies is \$34,945. The 2019/20 budgeted amount is \$30,000 available in Account #7155 (Consultants) and additional funding of \$4,945 is requested.

In review of the proposals it became clear that a better approach to reviewing legal compliance of existing benefits and policies was best placed in the hands of attorneys and a cost estimate was received from Best, Best & Krieger (BBK). The estimate is \$15,000 for approximately fifty hours of service. Once completed there may be a need for additional consultation with an HR firm to determine whether the existing policies meet best practices. However, it is also possible that BBK will provide the District the needed information to consolidate the employee handbooks without additional assistance. BBK fees would be charged to Account #7131 (Legal Fees).

Staff Recommendation: The Board approve staff moving forward with Koff & Associates to conduct a compensation study and job audit of fifteen classifications at a cost of \$34,945, including an unbudgeted amount of \$4,945 (Account #7155 - Consultants). Additionally, staff recommends using the services of Best, Best & Krieger to review current personnel policies and benefits for legal compliance at a cost of \$15,000 charged to Account # 7130 (Legal Fees).

Attachments:

1. Human Resources Services: RFP Response Matrix



**BOARD OF LIBRARY TRUSTEES
FINANCE REPORT for September 2019**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Nicole Fabry

LOCATION: Community Room

TITLE: Recommendation for Banking Services for Altadena Library District

BACKGROUND:

After many difficulties with our current bank, JP Morgan Chase, the District submitted a request for proposals for banking services in July 2019.

District staff conferred with Cindy Byerrum of Platinum Consulting Group, who provided recommendations of banks who have a history of working with governmental clients. The RFP was also posted to the California Special Districts Association RFP clearinghouse.

We received proposals from three local banks: Banner Bank, East West Bank, and Pacific Western Bank. A comparison matrix is attached for your review.

FISCAL IMPACT

There is potential fiscal impact with Pacific Western Bank; a one-time setup fee of \$326 for a remote check scanner and a \$20 per-pickup courier fee. If Pacific Western has an extra scanner on hand they will waive the one-time setup fee.

RECOMMENDATION

Staff recommends that the Altadena Library District begin banking with Pacific Western Bank. Pacific Western has a wealth of experience working with Special Districts, offers all requested services for potentially zero fees, and offers the courier service that the District might like to utilize in future.

Bank Name	Nearest Branch Location	Bank Rating	Transferring Funds to/from LAIF	Services in Common
Pacific Western Bank	300 N Lake Suite 150 Pasadena, CA 91101	IDC Financial Superior	Domestic Wire Transfer	Remote Deposit, Positive Pay, Business Credit Cards, Free Domestic Wires
Banner Bank	404 E Huntington Drive Monrovia, CA 91016	Bauer Financial Superior	Domestic Wire Transfer	Remote Deposit, Positive Pay, Business Credit Cards, Free Domestic Wires
East West Bank	135 N Los Robles Ave Pasadena, CA 91101	IDC Financial Superior	"Recommending high interest Money market Account for Public Funds as an alternative to LAIF"	Remote Deposit, Positive Pay, Business Credit Cards, Free Domestic Wires

Unique Services	Other Clients	Setup Fees	Ongoing Fees
Courier Pickup Service recurring or as needed	Orchard Dale Water District, City of Indian Wells, Indio Desert Recreation District, Hi Desert Water District	\$326 for Check Scanner; waived if they have an extra on hand	\$20 pickup fee for Courier Service; all others waived
	Friends of the Eugene Public Library, City of Veneta, City of Cottage Grove, City of Coquille, City of Corning	None	Waived
Visa Payroll Card, Merchant Services	City of San Marino, Coastline Community College, Walnut Valley Water District, City of Vernon	None up to \$500	Waived

Computer & Internet Policy: Altadena Library District

In keeping with its mission of providing opportunities for lifelong learning, the Altadena Library District ("District") offers public access to computers, laptops, and Internet free of charge under the following policy and guidelines.

General Electronics/Internet Policy

- Computer use is free on a first come, first served basis.
- It is recommended that patrons use their library card to access the desktops and print services. Patrons without a library card may request a guest card for one-day use.
- Patrons should not use another person's library card.
- Patrons unable to borrow items from the Library due to excess charges on their Library account will be unable to login to computers or checkout a laptop.
- Main Library: There is no time limit for use of the computers in the adult section of the Main library. There is a two-hour time limit in the Children's Room if someone is waiting. Computers in the adult section of the Main Library are available to all ages, but children under the age of fourteen must be accompanied by an adult. Children's Room computers are available only to patrons under the age of fourteen and their guardians.
- Bob Lucas Library: Patrons are allotted a two-hour daily usage for public stations. Extension of time beyond the two-hours is based on availability. All computers are available to patrons of any age. Children under the age of fourteen should be accompanied by an adult at all times while using the Internet.
- Violations of this policy or other library policies including abuse, modification, misuse of equipment, software will be grounds for suspension of library and computer privileges.
- When using any sound emitting device, patrons must wear headphones or ear buds. These may be purchased at the Information Desk.
- Downloading or viewing obscene or illegal material is prohibited. The District does not condone, authorize, or permit any person to send or receive materials over the Internet that may be classified as indecent, obscene, incitement to riot, or which have otherwise been declared unlawful or unconstitutional by any state, local or federal court of law.
- Users should not use the Library's computers and/or internet access for any illegal purpose including, but not limited to violating copyright laws, intellectual property or software licensing agreements. The Library is not responsible for an individual's violation of copyright laws regarding material found on the Internet
- There are printing costs for both greyscale and color prints. The Library is not responsible for reimbursement of print credits on lost or stolen library cards, or for print copies made in error.
- Cached information on a computer is cleared upon reboot. It is recommended to use private browsing mode and to store files using a flash drive or cloud storage. The Library is not responsible for compromised information.
- The Library does not retain information from personal or Library computer activities beyond a time log that a patron used the Libraries internet during a span of time and what hardware was used.
- No food or drink while using Library electronics.
- A maximum of two-people are allowed at a computer at one time.

Laptop Lending Policy

- Laptops may be checked out at the Information Desk on a first come first served basis. A valid Altadena Library District library card is required.

- Laptops must be used inside the Library only and must be returned thirty minutes before the Library closes.
- Users must immediately report any hardware or software problems to the library staff.
- A laptop must remain with the person who has checked it out. Users are responsible for any loss or damage. There is a replacement fee for a lost, stolen, or damaged Laptop.

Internet Use and Safety Policy

The following policy is to establish the appropriate use of the Altadena Library District Internet connection and computer network and prevent unauthorized access and other unlawful online activity.

Statement of Policy

It is the policy of Altadena Library District to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent un-authorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children’s Internet Protection Act (CIPA) [Sec. 1701-1741 of Title XVII Of the United States Code]

Access to Inappropriate Material

To the extent practical, technology protection measures (or “internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as minimally required by the CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. (For definitions of these terms, please see the Information Desk for a copy of the act.)

In the event a website which contained no material in violation of CIPA compliance was flagged by the content filter, please give the uniform resource locator (URL) to staff, and a staff member will submit a request to unblock the website to the Library technology department for review. If the website passes review, it will be unblocked; this process usually takes less than 24 hours.

CIPA compliance permits anyone 17 years of age or older to request unfiltered internet access for bona fide research or other lawful purposes. Patrons may ask Library staff to send an e-mail on their behalf to the Library technology department, and the unfiltered access will be granted in a timely manner.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the Altadena Library District online computer network when using electronic mail, chat rooms, instant messaging, and other form of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes (a) unauthorized access, including so-called ‘hacking,’ and other unlawful activities, and (b) unauthorized disclosure, usage, and dissemination of personal identification information regarding minors.

Disclaimer

The District expressly disclaims any liability for injuries and/or damages of any kind whatsoever, including consequential damages, arising out of the use of Public Computers/Laptops, the obtaining of any materials from or over any Internet connection and the fitness for use or purpose of any materials, programs or information obtained through access to the Internet.

The accessing or use of the Public Computers through any equipment or service offered by the District shall constitute acknowledgement of this waiver and disclaimer and shall be deemed acceptance of its terms and conditions. All users shall expressly assume the risk of receiving incorrect, inaccurate, defective, fraudulent or unlawful information while accessing the Public Computers/Laptops through any equipment or service offered by the District.

Enforcement

- A. The Altadena Library District reserves the right to restrict the use of its facilities and premises to persons who do not abide by this Policy.
- B. District staff may ask persons who are exhibiting behavior that does not adhere to this Policy to modify their behavior appropriately.
- C. Library patrons violating this Policy and failing to comply after one warning will be required to leave the Library for the remainder of the day. Individuals who are asked to leave shall do so within five (5) minutes.
- D. Based on the severity of the situation, the District may revoke library or computer privileges or suspend access to all library services and property for multiple days or up to one year or may result in criminal prosecution if the conduct constitutes a violation of local, state or federal law.

Appeal Process

A person suspended from the library for a period of more than one (1) day may appeal the decision in writing to the District Director within ten (10) days from the date of suspension/revocation of library privileges. Submit requests for administrative review to staff@altadenalibrary.org. Suspension of privileges will remain in force during the review period.



**BOARD OF LIBRARY TRUSTEES
FINANCE REPORT for September 2019**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Nicole Fabry

LOCATION: Community Room

TITLE: Review of CalPERS 2020 Monthly Premiums for Contracting Agencies Los Angeles Area Region, effective January 1, 2020 through December 31, 2020.

BACKGROUND:

Beginning September 9 through October 4, 2019, Altadena Library Employees will have the opportunity to change Health Plans during Open Enrollment. This year there are two health plans that fall below the district contribution of \$500 per employee, resulting in a small savings for the district.

Attached is the CalPERS 2020 Monthly Premiums for Contracting Agencies Los Angeles Area Region rates for Actives and Annuitants. Below is a chart indicating the percentage increase in premiums from 2019 to 2020.

Plan Name	Premium Change
Anthem HMO Select	+6.04%
Anthem HMO Traditional	+7.86%
Blue Shield Access+	+13.91%
Blue Shield Trio	New plan, no change
Health Net Salud y Más	+7.07%
Health Net SmartCare	+18.15%
Kaiser Permanente	+3.06%
PERS Choice	+2.91%
PERS Select	+0.00%
PERSCare	+6.45%
Sharp	+2.08%
United Healthcare	+4.48%
Western Health Advantage	+3.56%

FISCAL IMPACT:

District contribution towards employee premiums remains \$500 per employee. Additional increase in premium will fall on Altadena Library District employees. The District does not reimburse staff if the cost of their Health Plan is below the \$500 contribution.

RECOMMENDATION:

Staff recommends that the Board review and file the attached "CalPERS 2020 Monthly Premiums for Contracting Agencies Los Angeles Area Region rates for Actives and Annuitants".

CalPERS 2020 Monthly Premiums for Contracting Agencies Region 3

Los Angeles, Riverside, San Bernardino

Actives and Annuitants

Effective Date: 1/1/2020 - 12/31/2020

Basic Monthly Rate (B)

PLAN	Employee Only	Plan Code	Party Rate	Employee & 1 Dependent	Plan Code	Party Rate	Employee & 2+ Dependents	Plan Code	Party Rate
Anthem HMO Select	619.93	5081	1	1,239.86	5082	2	1,611.82	5083	3
Anthem HMO Traditional	902.63	5111	1	1,805.26	5112	2	2,346.84	5113	3
Blue Shield Access+	813.17	5271	1	1,626.34	5272	2	2,114.24	5273	3
Blue Shield Trio	624.93	4521	1	1,249.86	4522	2	1,624.82	4523	3
Health Net Salud y Más	392.31	5321	1	784.62	5322	2	1,020.01	5323	3
Health Net SmartCare	648.42	5301	1	1,296.84	5302	2	1,685.89	5303	3
Kaiser Permanente	664.39	5351	1	1,328.78	5352	2	1,727.41	5353	3
PERS Choice	710.29	5501	1	1,420.58	5502	2	1,846.75	5503	3
PERS Select	435.74	5591	1	871.48	5592	2	1,132.92	5593	3
PERSCare	931.12	5681	1	1,862.24	5682	2	2,420.91	5683	3
PORAC Region 3	699.00	5941	1	1,399.00	5942	2	1,894.00	5943	3
UnitedHealthcare	668.31	5781	1	1,336.62	5782	2	1,737.61	5783	3

Supplement/Managed Medicare Monthly Rate (M)

PLAN	Employee Only	Plan Code	Party Rate	Employee & 1 Dependent	Plan Code	Party Rate	Employee & 2+ Dependents	Plan Code	Party Rate
Anthem Traditional Med Pref Health Only	388.15	5171	4	776.30	5172	5	1,164.45	5173	6
Anthem Traditional Med Pref ¹ Health/Dental/Vision	388.15	5141	4	776.30	5142	5	1,164.45	5143	6
Kaiser Senior Adv	339.43	5381	4	678.86	5382	5	1,018.29	5383	6
Kaiser Senior Adv/Dental ²	339.43	5441	4	678.86	5442	5	1,018.29	5443	6
PERS Choice Med Supp	351.39	5531	4	702.78	5532	5	1,054.17	5533	6
PERS Select Med Supp	351.39	5621	4	702.78	5622	5	1,054.17	5623	6
PERSCare Med Supp	384.78	5711	4	769.56	5712	5	1,154.34	5713	6
PORAC Region 3 Med Supp	513.00	5971	4	1,022.00	5972	5	1,635.00	5973	6
UnitedHealthcare Grp Med Adv/PPO Health Only	327.03	5811	4	654.06	5812	5	981.09	5813	6
UnitedHealthcare ³ Grp Med Adv/PPO Health/Dental/Vision	327.03	5871	4	654.06	5872	5	981.09	5873	6

¹Dental and Vision coverage is an additional \$38.00 per member per month premium. You will be billed directly for this amount.

²Dental benefit is an additional \$15.05 per member per month premium. You will be billed directly for this amount.

³Dental and Vision coverage is an additional \$31.65 per member per month premium. You will be billed directly for this amount.

CalPERS 2020 Monthly Premiums for Contracting Agencies Region 3

Los Angeles, Riverside, San Bernardino

Actives and Annuitants

Effective Date: 1/1/2020 - 12/31/2020

Combination Monthly Rate

PLAN	Employee in M 1 Dependent in B	Plan Code	Party Rate	Employee in M 2+ Dependents in B	Plan Code	Party Rate	Employee in M & 1 Dependent in M 1+ Dependents in B	Plan Code	Party Rate
Anthem Traditional/ Med Pref Health Only	1,290.78	5204	7	1,832.36	5205	8	1,317.88	5206	9
Anthem Traditional ¹ / Med Pref Health/Dental/Vision	1,290.78	5234	7	1,832.36	5235	8	1,317.88	5236	9
Kaiser/Senior Adv	1,003.82	5414	7	1,402.45	5415	8	1,077.49	5416	9
Kaiser/Senior Adv/Dental ²	1,003.82	5474	7	1,402.45	5475	8	1,077.49	5476	9
PERS Choice/Med Supp	1,061.68	5564	7	1,487.85	5565	8	1,128.95	5566	9
PERS Select/Med Supp	787.13	5654	7	1,048.57	5655	8	964.22	5656	9
PERSCare/Med Supp	1,315.90	5744	7	1,874.57	5745	8	1,328.23	5746	9
PORAC Region 3/Med Supp	1,213.00	6004	7	1,708.00	6005	8	1,517.00	6006	9
UnitedHealthcare/ Grp Med Adv/PPO Health Only	995.34	5844	7	1,396.33	5845	8	1,055.05	5846	9
UnitedHealthcare ³ / Grp Med Adv/PPO Health/Dental/Vision	995.34	5904	7	1,396.33	5905	8	1,055.05	5906	9

Combination Monthly Rate

PLAN	Employee in B 1 Dependent in M	Plan Code	Party Rate	Employee in B 2+ Dependents in M	Plan Code	Party Rate	Employee in B & 1 Dependent in M 1+ Dependents in B	Plan Code	Party Rate
Anthem Traditional/ Med Pref Health Only	1,290.78	5207	10	1,678.93	5208	11	1,832.36	5209	12
Anthem Traditional ¹ / Med Pref Health/Dental/Vision	1,290.78	5237	10	1,678.93	5238	11	1,832.36	5239	12
Kaiser/Senior Adv	1,003.82	5417	10	1,343.25	5418	11	1,402.45	5419	12
Kaiser/Senior Adv/Dental ²	1,003.82	5477	10	1,343.25	5478	11	1,402.45	5479	12
PERS Choice/Med Supp	1,061.68	5567	10	1,413.07	5568	11	1,487.85	5569	12
PERS Select/Med Supp	787.13	5657	10	1,138.52	5658	11	1,048.57	5659	12
PERSCare/Med Supp	1,315.90	5747	10	1,700.68	5748	11	1,874.57	5749	12
PORAC Region 3/Med Supp	1,208.00	6007	10	1,821.00	6008	11	1,703.00	6009	12
UnitedHealthcare/ Grp Med Adv/PPO Health Only	995.34	5847	10	1,322.37	5848	11	1,396.33	5849	12
UnitedHealthcare ³ / Grp Med Adv/PPO Health/Dental/Vision	995.34	5907	10	1,322.37	5908	11	1,396.33	5909	12

¹Dental and Vision coverage is an additional \$38.00 per member per month premium. You will be billed directly for this amount.

²Dental benefit is an additional \$15.05 per member per month premium. You will be billed directly for this amount.

³Dental and Vision coverage is an additional \$31.65 per member per month premium. You will be billed directly for this amount.



**BOARD OF LIBRARY TRUSTEES
Director Report
Library Closure**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Cindy Cleary

LOCATION: Community Room

The Library seeks approval for a partial closure at Main and Bob Lucas libraries to allow continued staff participation in the strategic planning process. The recommended closure is Monday, November 4 from 10:00 a.m. to 1:30 p.m. at both sites. Monday hours at Main are normally 10:00 a.m. to 9:00 p.m. Bob Lucas hours are 10:00 a.m. to 6:00 p.m. The staff workshop, facilitated by Margaret Sullivan, will focus on the development and final documentation of a draft Strategic Plan.

Staff Recommendation: Approval of library closures at Main and Bob Lucas on Monday, November 4 from 10:00 a.m. to 1:30 p.m. for staff participation in the strategic planning process.

Code of Conduct: Altadena Library District

The Altadena Library District (“District”) prides itself on providing a safe and enjoyable experience to all its visitors, offering an atmosphere conducive to everyone’s right to unimpeded and enjoyable library use. Towards this end, visitors are expected to comply with the Code of Conduct while visiting the Altadena Libraries.

Any behavior that is incompatible with this Code of Conduct, or any other library policy or guideline, or local, state and federal law may result in exclusion from the library, suspension of library privileges, or, when appropriate, arrest. In any situation where the safety or welfare of a visitor or staff is believed to be at risk, law enforcement will be contacted.

The following is a list of prohibited actions and behaviors while on library premises:

1. Illegal behavior or activity.
2. Activity that is verbally or physically threatening or harassing to other patrons, volunteers, or staff, including, but not limited to, stalking, staring, lurking, offensive touching and exhibiting obscene acts.
3. Carrying firearms or weapons in the library or on library premises.
4. Destroying, damaging, defacing, misusing, or illegally removing Library materials or property. Library patron may not remove, relocate or reposition library equipment or facilities such as tables, bookshelves, book stands or other permanently placed equipment or facilities without permission of Library staff.
5. Being under the influence, selling, soliciting, possessing, or using alcohol and/or illegal drugs while on library premises.
6. Excessively loud, disorderly or disruptive behavior that interferes with others use of the library.
7. Obstructing entrances, exits, seating areas, aisles, walkways, or other paths of travel.
8. Smoking or vaping within twenty feet of Library entrances, exits, and operable windows.
9. Consuming food and drink at library computers or while using gaming devices. Non-alcoholic beverages in covered containers and odorless, small snacks may be consumed. Visitors are expected to dispose of trash in appropriate receptacles and promptly notify staff of any food/beverage spillage. The library reserves the right to allow permitted sale and consumption of alcoholic beverages at library sponsored events.
10. Bicycles or shopping carts are not allowed in the library. Other mobility devices, including but not limited to strollers, skateboards, roller skates, rollerblades, hover boards, must be kept in a manner that keeps walkways safe from obstruction.

11. Pets or other animals in a library building, except for service animals or animals that are a part of library programs or services.
12. Partially clothed visitors. Footwear, pants/shorts/skirts, and a shirt are to be worn while on library premises.
13. Offensive odors that disturb a reasonable person, and which constitutes a nuisance to others using the library.
14. Leaving children under the age of nine unattended. For purposes of this policy “unattended” means that the person responsible for the child is not within sight of the child. The library district is not responsible for children who are left unattended in or on the grounds of the library district facilities.
15. Using staff telephones except when a minor has a need to call their guardian, or, in the event of an emergency.
16. Changing diapers and clothing on library floors. Changing stations are available in the public restrooms.
17. Misuse of public restrooms or other points of access to library water for bathing or personal hygiene or laundering personal belongings.
18. Touching children, other than those one is responsible for.
19. Using personal or library equipment (such as computers, cell phones, audio players, or portable gaming devices) that is disruptive or noisy. Cell phone users and others who speak loudly and disturb other library patrons will be asked to speak more quietly or to move outside the library. Headphones/earbuds are available for sale at service desks.
20. More than four people at a table, except in the event of a library sponsored program.
21. Violating copyright laws.
22. Petitioning, soliciting, conducting surveys or selling merchandise without the express permission of the District Director.
23. Taking photographs, videotaping, or recording other patrons or staff without their permission. Requests for professional photography must be authorized by the District Director per the “Filming and Photography at the Altadena Library District Policy.”
24. Sleeping in excess of 30 minutes total for the day in the library or on library premises. This rule does not apply to children under four years of age.
25. Using extension cords, Ethernet cables or equipment with exposed wiring.

26. The Library District is not responsible for items lost, stolen, or damaged on library premises.

Enforcement

- A. The Altadena Library District reserves the right to restrict the use of its facilities and premises to persons who do not abide by the District's Code of Conduct.
- B. District staff may ask persons who are exhibiting behavior that does not adhere to the Code of Conduct to modify their behavior appropriately.
- C. Library patrons violating this Code of Conduct and failing to comply after one warning will be required to leave the Library for the remainder of the day. Individuals who are asked to leave shall do so within five (5) minutes.
- D. Based on the severity of the situation, the District may revoke library privileges or suspend access to all library services and property for multiple days or up to one year, or may result in criminal prosecution if the conduct constitutes a violation of local, state or federal law.

Appeal Process

A person suspended from the library for a period of more than one (1) day may appeal the decision in writing to the District Director within ten (10) days from the date of suspension/revocation of library privileges. Submit requests for administrative review to staff@altadenalibrary.org. Suspension of privileges will remain in force during the review period.

Monitors

The Altadena Library District's Monitor (security officer) has the authority to escort individuals off the property who do not abide by the Code of Conduct.

Individuals who enter the library before the return date listed on the suspension notice are subject to arrest for trespass under California Penal Code Section 602.

**FACILITIES USE AGREEMENT
BETWEEN ALTADENA LIBRARY DISTRICT AND
CHRISTMAS TREE LANE ASSOCIATION**

THIS FACILITIES USE AGREEMENT (“**Agreement**”) dated as of _____, 2019, (“**Effective Date**”) is between Altadena Library District, a public agency of the State of California (“**Licensor**”) and Christmas Tree Lane Association, Inc., a California nonprofit corporation (“**Licensee**”). Licensee and Licensor may be referred to herein individually as the “**Party**,” or collectively as the “**Parties**.”

RECITALS

- A. Licensor is the owner of certain real property located at 600 East Mariposa Street in Altadena, California (“**Premises**”).
- B. Licensee plans and holds a fundraising event once a year annually known as “WinterFest” at the Premises, which event includes food trucks, amusement activities and other community focused booths (“**Event**”).
- C. Licensor seeks to support the Event and the community by allowing Licensee to use the Premises in accordance with the terms and conditions of this Agreement.
- D. Licensor and Licensee seek to further memorialize the obligations of the Parties with respect to Licensee’s use of the Premises with this Agreement.

NOW, THEREFORE, in consideration of the mutual benefits provided to the Parties, Licensor and Licensee hereby agree as follows:

ARTICLE 1 - GRANT OF LICENSE

1.1 Grant of License. Licensor hereby grants to Licensee and to its representatives, agents, employees, contractors, subcontractors, guests and invitees (“**Representatives**”) a revocable license to enter and use the Premises for the purposes set forth in Article 3 below. No legal title or interest in the Facilities is created or vested in Licensee by this Agreement.

1.2 Condition of Premises. Licensee hereby accepts the property “as-is.” The entry onto and use of the Premises by Licensee and its Representatives constitutes an acknowledgement that Premises or equipment thereon have been inspected and that the undersigned finds and accepts same as being safe and reasonably suited for the Licensee’s purposes including use for the Event.

ARTICLE 2 – TERM

The term of this Agreement shall be for the period of Five (5) years from the Effective Date (“**Term**”). However, either Party may terminate this Agreement at any time and for any reason by giving thirty (30) days’ written notice to the other. Notwithstanding the above, in the event there is breach of the obligations herein by Licensee and Licensor determines in its sole

discretion that there is a threat to public safety, Licensor may immediately terminate this Agreement. The Parties will have the right to extend the Term through mutual written agreement.

ARTICLE 3 - USE OF PREMISES AND LICENSEE RESPONSIBILITIES

The revocable license for use of the Premises by Licensee shall be limited to the following uses:

a. Premises Parking Lot. For set-up, staging, and use of the parking lot on the Premises for food trucks, Event related booths, portable restrooms and other safe and legal uses in support of the Event. Licensee shall be solely responsible for any and all Event related activities on the Premises and shall be fully responsible, including all costs, for clean-up from the Event and restoring the Premises to the same condition as before the Event. Licensee shall be solely responsible, including all costs, for securing all permits and approvals necessary for the Event.

b. Radio Repeater Antenna. Safe placement of a radio repeater antenna on the Premises in support of the Event. Licensee will ensure operation of the radio repeater antenna is in accordance with all laws and regulations, including any requirements of the Federal Communications Commission. Licensee will be responsible for any damage to the Premises from the installation and removal of the radio repeater antenna. The antenna will be removed promptly following completion of the Event.

c. Decorations. Placement of lights and other decorations on the Premises for the Event with prior written approval of a plan (“**Decorations Plans**”) for decorations from the Licensor, which approval will not be unreasonably withheld. Licensee will be responsible for the safe installation and operation of all decorations in accordance with the Decorations Plan. Licensor agrees to store a reasonable amount of decorations so long as Licensor has storage space available.

d. Restrooms and Community Room During Event. Use of permanent restrooms and community room at the Premises for speakers, organizers and volunteers associated with the Event. Licensee shall ensure limited access to these permanent facilities during the Event and be responsible for all clean-up following the completion of the Event.

e. Monthly Meetings. Use of the community room on the Premises for monthly meetings so long as Licensor staff is available to ensure proper lock-up of Premises following completion of monthly meeting.

f. Public Safety Coordination. For the Event, Licensee shall adequately consult with all applicable local law enforcement agencies to ensure all applicable public safety codes and regulations and being complied with and met.

ARTICLE 4 - INDEMNIFICATION

Licensee agrees to indemnify, defend and hold harmless Licensor, its officers, directors, employees, and agents from and against any and all claims (including reasonable attorneys’ fees and reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, damage to or loss of use of property caused by the negligent acts, omissions, or

willful misconduct by Licensee, its officers, directors, employees, subcontractors or agents in connection with or directly arising out of the performance of this Agreement.

ARTICLE 5 – INSURANCE

Licensee, at its sole cost and expense, shall insure its activities in connection with the Event and obtain, keep in force, and maintain insurance as follows:

5.1 General Liability Insurance (contractual liability included) with minimum limits as follows:

- | | |
|----------------------|-------------|
| 1. Each Occurrence | \$1,000,000 |
| 2. General Aggregate | \$2,000,000 |

5.2 Business Automobile Liability Insurance for owned, scheduled, non-owned, or hired automobiles with a combined single limit of not less than one million dollars (\$1,000,000) per occurrence.

5.3 CTLA Blanket Accident Policy

- | | |
|--------------------|------------|
| 1. Aggregate Limit | \$ 500,000 |
|--------------------|------------|

The coverages referred to under this Article 5 shall include the Licensor (including its directors, officers, employees, and agents) as an additional insured. Licensee shall provide a copy of valid and current insurance certificates annually before the start of the Event.

ARTICLE 6 – CONSIDERATION

In consideration of the good will gained from the community through the support of the Event, no payment will be required for use of the Premises; however, as noted herein, Licensee is solely responsible for all costs associated with the Event, except utilities. For the avoidance of doubt, such costs include any security, insurance, clean-up, payment of vendors and any other costs associated with the safe operation of the Event.

ARTICLE 7 – MODIFICATION

No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

ARTICLE 8 – DISPUTE RESOLUTION

If a dispute arises regarding the performance of this Agreement, a representative from each Party shall meet in good faith to resolve the dispute. If the Parties are unable to resolve the dispute, each shall be free to pursue all available remedies at law or in equity, in addition to any remedies provided for under this Agreement.

ARTICLE 9 - NOTICE

Any notice, payment, credit or instrument required or permitted to be given hereunder will be deemed received upon personal delivery or twenty-four (24) hours after deposit in any United States mail depository, first class postage prepaid, and addressed to the party for whom intended as follows:

If to Licensor:

Altadena Library District
600 E. Mariposa Street
Altadena, CA 91001
Attn: District Director

If to Licensee:

Christmas Tree Lane Association
P.O. Box 11
Altadena, CA 91003
Attn: Scott Wardlaw, President

Either Party may change such address by notice given to the other Party as provided in this Article 9.

ARTICLE 10 - ASSIGNMENT

Due to the specific nature of the Agreement, this Agreement may not be assigned or delegated in whole or in part by Licensee without the prior written consent of the Licensor, which consent may be withheld at the Licensor's sole discretion. Any improper attempt of assignment or delegation shall be deemed void and of no force or effect.

ARTICLE 11 - SEVERABILITY

If any portion of this Agreement is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this Agreement, which shall remain in full force and effect.

ARTICLE 12 - GOVERNING LAW

This Agreement shall be deemed a contract under the laws of the State of California and for all purposes shall be interpreted in accordance with such laws. The Parties hereby agree and consent to the exclusive jurisdiction of the courts of the State of California and that the venue of any action brought hereunder shall be in the County of Los Angeles, California.

ARTICLE 13 – NO THIRD PARTY BENEFITS

Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon or to give to any person, other than Parties hereto, any right, remedy, or claim under or by reason

of this Agreement or any covenants, terms, conditions, or provisions thereof, and all of the covenants, terms, conditions, and provisions in this Agreement by and on behalf of the Parties shall be for the sole and exclusive benefit of the Parties hereto.

ARTICLE 14 - RECOVERY OF LITIGATION COSTS

In the event of any litigation between the Parties hereto concerning the subject matter hereof, the prevailing party in such litigation shall be entitled to receive from the losing party, in addition to the amount of any judgment or other award entered therein, all reasonable costs, expenses and attorneys' fees incurred by the prevailing party in such litigation.

ARTICLE 15 – NEGOTIATED PROVISIONS

This Agreement shall not be construed more strictly against one Party than against the other merely by virtue of the fact that it may have been prepared by counsel for one of the Parties, it being acknowledged that each Party has contributed substantially and materially to the preparation of this Agreement.

ARTICLE 16 - SIGNATURES

The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

ARTICLE 17 - COUNTERPARTS

This Agreement may be signed and delivered in any number of counterparts, each of which, when signed and delivered, shall be an original, but all of which shall together constitute one and the same document.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

LICENSOR

LICENSEE

By: _____
Terry Andruess
President, Library Board Of Trustees

By: _____
Scott Wardlaw,
President, Christmas Tree Lane Assoc.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/20/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CalNonprofits Insurance Services 1500 41st Avenue Suite 280 Capitola CA 95010	CONTACT NAME: Cyndi Skelton PHONE (A/C, No, Ext): 831-824-5013 E-MAIL ADDRESS: cyndi@cal-insurance.org		FAX (A/C, No): 831-824-5037
	INSURER(S) AFFORDING COVERAGE INSURER A: Evanston Insurance Company		NAIC # 35378
INSURED Christmas Tree Lane Association P O Box 11 Altadena CA 91003	CHRITRE-01	INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 304818313

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			3EN3386	8/11/2018	8/11/2019	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Evidence of Coverage

CERTIFICATE HOLDER**CANCELLATION**

Altadena Library
 600 E Mariposa St.
 Altadena CA 91001

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Berkley Life and Health Insurance Company



Urbandale, Iowa
Underwriting Office:
2445 Kuser Road, Suite 201
Hamilton Square, NJ 08690

Blanket Accident Policy

Policyholder: Christmas Tree Lane Association
Policy Number: PAI L131020122301
Effective Date: September 14, 2019
State of Issue: California

This Policy is a legal contract between the Policyholder and Berkley Life and Health Insurance Company (herein referenced as “the Company”). The Company agrees to provide insurance to the Policyholder, in exchange for the payment of the required premium. Coverage is subject to the terms and conditions described in this Policy.

This Policy and the coverage provided by it become effective at 12:01 A.M. at the address of the Policyholder on the Policy Effective Date shown above. It continues in effect in accordance with the provisions set forth in this Policy.

This Policy is governed by the laws of the state where it was delivered.

Signed for the Company, as of the Effective Date above:

A handwritten signature in black ink, appearing to be 'A. M. ...', written over a horizontal line.

President

A handwritten signature in black ink, appearing to be 'J. ...', written over a horizontal line.

Secretary

**THIS IS A BLANKET ACCIDENT INSURANCE POLICY.
THE POLICY DOES NOT PAY BENEFITS FOR LOSSES CAUSED BY SICKNESS.
THIS IS A LIMITED POLICY.
PLEASE READ THE POLICY CAREFULLY.**

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SCHEDULE OF BENEFITS

POLICYHOLDER: Christmas Tree Lane Association
POLICY EFFECTIVE DATE: September 14, 2019
POLICY NUMBER: PAI L131020122301
POLICY PERIOD: September 14, 2019 through September 14, 2020

CLASSES OF ELIGIBLE PERSONS:

A person may be covered only under one Class of Eligible Persons even though He or She may be eligible under more than one class.

Class 1 All registered participants and volunteers of the Policyholder.

Premium

Total Amount Due: \$250.00

Premium Schedule: Annual paid 30 days From the Effective Date

Projected Number of Lives: 100

AGGREGATE LIMIT OF LIABILITY:

Benefit Maximum	\$500,000
Applies During	Per Covered Accident
Applies To	Accidental Death & Dismemberment Benefits only

HAZARDS INSURED AGAINST:

<u>Class</u>	<u>Description of Hazard</u>
Class 1:	Supervised and Sponsored Activities

Covered Activity(ies):

- While participating in the sponsored, scheduled and supervised activities of the Policyholder. Travel as a group is also included.

ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS

Principal Sum:	\$25,000
Time Period for Loss:	365 days

ACCIDENT MEDICAL AND DENTAL EXPENSE BENEFIT

Total Benefit Maximum for all Accident Medical	\$100,000
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Loss Period (first Covered Expenses must be incurred within):	30 days after the date of the Covered Accident
Benefit Period:	52 weeks from the date of the Covered Accident
Deductible:	\$0
Coinsurance Factor for all Covered Expenses:	100%
Terms of Payment	Full Excess

DEFINITIONS

The male pronoun includes the female whenever used.

For the purposes of this Policy the capitalized terms used herein are defined as follows:

ACCIDENT means a sudden, unexpected event that results in Injury to the Covered Person.

BENEFIT PERIOD means the period of time, as stated on the Schedule of Benefits, between the date of the Accident causing the Injury for which benefits are payable and the date after which no further benefits will be paid.

COVERED ACCIDENT means an Accident that occurs while coverage is in force for a Covered Person and results in a Covered Loss for which benefits are payable.

COVERED EXPENSES means expenses actually incurred by or on behalf of a Covered Person for treatment, services and supplies covered by this Policy. A Covered Expense is deemed to be incurred on the date such treatment, service or supply, that gave rise to the expense or the charge, was rendered or obtained.

COVERED LOSS or COVERED LOSSES means an accidental death, dismemberment or other Injury covered under this Policy and indicated on the Schedule of Covered Losses.

COVERED PERSON means an eligible person who is within the covered class(es) listed in the Policy, who is a U.S citizen residing in the United States, or if not a U.S. citizen, resides permanently in the United States, and for whom the required premium is paid when due.

DEDUCTIBLE means the dollar amount of Covered Expenses that must be incurred by the Covered Person as an out-of-pocket expense for each Accident, before Accident Medical Expense Benefits and/or other Additional Benefits paid on an expense incurred basis are payable under this Policy. A Vanishing Deductible means that Medical Expenses payable under any other health care plan will be used to satisfy or reduce the Deductible shown on the Schedule of Benefits.

DOMESTIC PARTNER means an opposite or same sex partner who, for at least 12 consecutive months, has resided with the Covered Person and shared financial assets/obligations with the Covered Person. Both the Covered Person and the Domestic Partner must: (1) intend to be life partners; (2) be at least the age of consent in the state in which they reside; and (3) be mentally competent to contract. Neither the Covered Person nor the Domestic Partner can be related by blood to a degree of closeness that would prohibit a legal marriage, be married to anyone else, or have any other Domestic Partner. The Company requires proof of the Domestic Partner relationship in the form of a signed and completed Affidavit of Domestic Partnership.

EXTENDED CARE FACILITY means an institution operating pursuant to applicable laws, that is engaged in providing, for a fee, inpatient skilled nursing care and related services under the supervision of a Physician and registered nurses. It must have facilities for 10 or more inpatients and maintain medical records of all its patients.

HOME HEALTH CARE means nursing care, treatment and Daily Living Services provided in the Covered Person's home as part of an overall extended treatment plan. To qualify for Home Health Care Benefits:

- 1) the Home Health Care plan must be established and approved by the attending Physician, including certification that confinement in a Hospital or Extended Care Facility would be required if it were not for Home Health Care;
- 2) nursing care and treatment must be provided by a Hospital certified to provide Home Health Care services or by a certified Home Health Care agency and nursing service; and
- 3) Daily Living Services must be provided by the attending Physician or by the provider of the nursing care service.

"Daily Living Services" are cooking, feeding, bathing, dressing and personal hygiene services that are necessary to a person's care and health.

HOSPITAL means an institution that:

- 1) operates as a Hospital pursuant to law for the care, treatment and providing in-patient services for sick or injured persons;
- 2) provides 24-hour nursing service by registered nurses on duty or call;
- 3) has a staff of one or more licensed Physicians available at all times;
- 4) provides organized facilities for diagnosis, treatment and surgery, either
 - a) on its premises; or
 - b) in facilities available to it, on a pre-arranged basis;
- 5) is not primarily a nursing care facility, rest home, convalescent home or similar establishment, or any separate ward, wing or section of a Hospital used as such; and
- 6) is not a place for drug addicts, alcoholics or the aged.

We will not deny a claim for services solely because the Hospital lacks major surgical facilities and is primarily of a rehabilitative nature, if such rehabilitation is specifically for the treatment of a physical disability, and the Hospital is accredited by any one of the following:

- 1) the Joint Commission of Accreditation of Hospitals; or
- 2) the American Osteopathic Association; or
- 3) the Commission on the Accreditation of Rehabilitative Facilities.

HOSPITAL CONFINED/HOSPITAL STAY means a stay/confinement of 24 or more consecutive hours as a registered resident bed-patient in a Hospital.

IMMEDIATE FAMILY means the Covered Person's parent, grandparent, spouse, Child(ren) (includes legally adopted or step Child(ren), brother, sister, step-Child(ren), grandchild(ren), or in-laws.

INJURY means bodily Injury caused by the direct result of an Accident occurring while the Policy is in force as to the person whose Injury is the basis of the claim which results, directly and independently of all other causes, in a Covered Loss.

MEDICAL EMERGENCY means a condition caused by an Injury that manifests itself by symptoms of sufficient severity that a prudent lay person possessing an average knowledge of health and medicine would reasonably expect that failure to receive immediate medical attention would place the health of the person in serious jeopardy.

MEDICALLY NECESSARY means a treatment, service or supply that is:

- 1) required to treat an Injury;
- 2) prescribed or ordered by a Physician or furnished by a Hospital;
- 3) performed in the least costly setting required by the condition;

4) consistent with the medical and surgical practices prevailing in the area for treatment of the condition at the time rendered.

The purchasing or renting air conditioners; air purifiers, motorized transportation equipment, escalators or elevators in private homes, swimming pools or supplies for them; and general exercise equipment are not considered Medically Necessary.

A service or supply may not be Medically Necessary if a less intensive or more appropriate diagnostic or treatment alternative could have been used. We may, at Our discretion, consider the cost of the alternative to be the Covered Expense.

PHYSICIAN means a person who is a qualified practitioner of the healing arts, including a chiropractor and a dental practitioner. As such, He or She must be acting within the scope of his/her license under the laws in the state in which He or She practices and providing only those medical services which are within the scope of his/her license or certificate. It does not include a Covered Person, a Covered Person's spouse, son, daughter, father, mother, brother or sister or other relative.

USUAL AND CUSTOMARY CHARGES means the average amount charged by most providers for treatment, service or supplies in the geographic area where the treatment, service or supply is provided.

WE, OUR, US means Berkley Life and Health Insurance Company underwriting this insurance.

YOU, YOUR, YOURS, HE or SHE means the Covered Person who meets the eligibility requirements of the Policy and whose insurance under the Policy is in force.

ELIGIBILITY FOR INSURANCE

If the Covered Person is in one of the Classes of Eligible Persons shown on the Policy Schedule of Benefits, He or She is eligible to be covered on the Policy Effective Date. We retain the right to investigate eligibility status and attendance records to verify eligibility requirements are met. If We discover the eligibility requirements are not met, Our only obligation is to refund any premium paid for that person.

EFFECTIVE DATE OF INSURANCE

Policy Effective Date. This Policy begins on the Policy Effective Date shown in the Schedule of Benefits at 12:01 A.M. at the address of the Policyholder.

Covered Person's Effective Date

A Covered Person's coverage under this Policy begins on the later of:

- 1) the Policy Effective Date; or
- 2) the date such person becomes eligible, subject to any required waiting period, as described in the Schedule of Benefits.

TERMINATION DATE OF INSURANCE

Policy Termination Date

Termination takes effect at 12:01 A.M. time at the address of the Policyholder on the date of termination. Termination by the Policyholder or by the Company will be without prejudice to any claims originating prior to the date of termination.

This Policy terminates automatically on the earlier of:

- 1) The Policy Termination Date shown in this Policy; or
- 2) The premium due date if premiums are not paid when due subject to any grace period.

Failure by the Policyholder to pay all required premiums due by the last day of the grace period shall be deemed notice by the Policyholder to the Company to terminate this Policy on the last day of the period for which premiums have been paid.

This Policy may be terminated by the Policyholder or the Company as of any premium due date or Policy Anniversary Date by giving written notice to the other at least 31 days prior to such date.

The Policyholder and the Company may terminate this Policy at any time by written mutual consent.

If premiums have been paid beyond the termination date, the Company will refund the excess; or if premiums have been paid short of the termination date, the Policyholder will owe the Company the difference.

Covered Person's Termination Date

A Covered Person's coverage under this Policy ends on the earliest of:

- 1) The date this Policy terminates;
- 2) The date the Covered Person requests, in writing, that his/her coverage be terminated;
- 3) The date the Covered Person enters full-time active duty in the armed forces of any country or international authority;
- 4) The date the Covered Person ceases to be eligible as described in the Policy provided all required premiums are paid; or
- 5) The last day of the period for which premiums have been paid.

PREMIUMS

The Company provides insurance in return for premium payments. The premium shown in the Schedule of Benefits is payable to the Company in the manner described and is based on rates currently in force, the plan, and the amount of insurance in force. Premium is due on the Policy Effective Date. After that premium will be due monthly unless otherwise stated in the Policy.

The Company has the right to rely upon the accuracy of the Policyholder's calculations and to require the Policyholder to furnish a census from time to time but not more than twice in a 12-month period. If, at any time, it is determined that additional premium or a premium credit is due, the Policyholder will pay the additional premium or apply the premium credit at the next premium due date.

If any premium payment is not paid when due, the Policy will be cancelled as of the premium due date, except as provided under the Grace Period section.

Changes in Premium Rate

The Company may change the premium rates from time to time with at least 31 days advanced written or authorized electronic notice. No change in rates will be made until 12 months after the Policy Effective Date. An increase in rates will not be made more than once in a 12 month period. However, the Company reserves the right to change rates at any time if any of the following events occur:

- 1) A change in the terms of the Policy.
- 2) A subsidiary, division, affiliated organization or eligible class is added or deleted to the Policy.
- 3) A change in any federal or state law or regulation affecting this Policy and Our benefit obligation.
- 4) A change in the factors bearing on the risk assumed.
- 5) A misrepresentation in the information relied on in establishing the rate for this Policy.
- 6) A change in the experience rating.

If an increase or decrease in rates takes place on a date that is not a Premium Due Date, a prorated adjustment will apply from the date of the change to the next Premium Due Date.

Grace Period

After the payment of the first premium, this Policy will have a 31 day grace period. This means that if premium is not paid on or before the date it is due, it may be paid during the 31 day grace period. During this time, this Policy will stay in force provided the Policyholder pays all the premiums due by the last day of the grace period. This Policy will terminate on the last day of the period for which all premiums have been paid if the Policyholder fails to pay all premiums due by the last day of the grace period.

New Subsidiary or affiliate company

The premium for this Policy applies only to the Policyholder's organization as composed on the Policy Effective Date as described in the Policy or as thereafter amended.

The eligible persons of any corporation, partnership, or sole proprietorship acquired by the Policyholder after the Policy Effective Date through merger, stock purchase, exchange of stock or otherwise may be covered under this Policy subject to the following conditions:

- 1) the Policyholder must report, in writing, the name of the newly acquired entity and all underwriting information necessary to determine any additional premium required; and
- 2) Underwriting and acceptance of the new entity by the Company; and
- 3) the Policyholder must agree to, and must pay, any required additional premium.

Reinstatement

The Policy may be reinstated within 31 days of lapse if it is lapsed for nonpayment of premium, if the Policyholder submits written application to the Company, the Company accepts the application and the Policyholder makes payment of all overdue premiums.

HAZARDS INSURED AGAINST

We will pay benefits described in this Policy when a Covered Person suffers a Covered Loss or Injury as a result of a Covered Accident during one of the Covered Activities listed in the Schedule of Benefits.

SUPERVISED AND SPONSORED ACTIVITIES

We will pay the benefits described in the Policy for an Accident which occurs while a Covered Person is:

- (1) attending or participating in a Supervised and Sponsored Activity; or
- (2) attending a Policyholder function, as described on the Schedule of Benefits.

The Covered Person must be:

- (1) on the premises of the Policyholder:
 - (a) during its normal hours;
 - (b) during scheduled functions; and
 - (c) during other periods if He is attending or participating in a Supervised and Sponsored Activity.
- (2) not on Policyholder premises and attending or participating in a Supervised and Sponsored Activity.
- (3) Travel as part of group in transportation authorized or arranged by the policyholder; or

"Supervised and Sponsored Activity" means a Policyholder authorized function:

- (1) in which the Covered Person participates;
- (2) which is organized by or under its auspices; and
- (3) which is within the scope of customary activities for such entity.

Unless otherwise stated in the Schedule of Benefits, We will pay benefits for a Covered Loss, only once, even if coverage was provided under more than one Hazard.

DESCRIPTION OF BENEFITS

All benefits payable are shown in the Schedule of Benefits.

ACCIDENTAL DEATH AND DISMEMBERMENT BENEFIT

If Injury to the Covered Person results in any of the Covered Losses shown below, within the Time Period for Loss as shown in Schedule of Benefits, the Company will pay the percentage of the Principal Sum shown below for that loss. The Principal Sum is shown in the Schedule of Benefits. If multiple losses occur, only one Benefit, the largest, will be paid for all Covered Losses due to the same Covered Accident.

Schedule of Covered Losses

<u>Loss of:</u>	<u>Benefit:</u>
(Percentage of Principal Sum/Amount of Insurance)	
Life.....	100%
Quadriplegia.....	200%
Two or More Members.....	200%
One Member.....	100%
Hemiplegia.....	100%
Paraplegia.....	100%
Uniplegia.....	50%
Thumb and Index Finger of the Same Hand.....	50%
Four fingers of the Same Hand.....	50%

“Member” means Loss of Hand or Foot, Loss of Arm or Leg, Loss of Sight, Loss of Speech and Loss of Hearing. “Loss of a hand or foot” means complete severance through or above the wrist or ankle joint. “Loss of Arm or Leg” means complete severance through or above the elbow or knee joint. “Loss of sight” means total and permanent loss of sight of one/both eyes that is irrecoverable, including by surgical and artificial means. “Loss of speech” means total and permanent loss of audible communication that is irrecoverable by natural, surgical or artificial means. “Loss of hearing” means permanent total deafness in both ears such that it cannot be corrected by any aid or device. “Loss of thumb and index finger of the same hand” means complete severance of each through or above the metacarpophalangeal joint of both digits of the same hand. Severance means the complete separation and dismemberment of the part from the body.

“Hemiplegia” means total Paralysis of the upper and lower limbs on one side of the body.

“Paraplegia” means total Paralysis of both lower limbs or both upper limbs.

“Quadriplegia” means total Paralysis of both upper and lower limbs.

“Uniplegia” means total Paralysis of one lower limb or one upper limb.

Aggregate Limit of Liability

The maximum amount the Company will pay for all Covered Losses resulting from the same Accident will not exceed the Aggregate Limit of Liability as described in the Schedule of Benefits.

If the total amount payable for all Covered Losses in any one Accident exceeds the Aggregate Limit of Liability, each Covered Person's Covered Loss will be paid at the same ratio that the Aggregate Limit of Liability has to the total amount of all Covered Losses. The Company shall not be liable for amounts in excess of the Aggregate Limit of Liability.

ACCIDENT MEDICAL AND DENTAL EXPENSE BENEFIT

We will pay Accident Medical and Dental Expense Benefits for Covered Expenses that result directly, and from no other cause, from a Covered Accident. These benefits are subject to the Deductibles, Coinsurance Factors, Benefit Periods, Benefit Maximums and other terms or limits shown below and in the Schedule of Benefits.

Accident Medical Expense Benefits are only payable:

- 1) for Usual and Customary Charges incurred after the Deductible has been met;
- 2) for those Medically Necessary Covered Expenses incurred by or on behalf of the Covered Person;
- 3) for Covered Expenses incurred within 52 weeks after the date of the Covered Accident.

No benefits will be paid for any expenses incurred that are in excess of Usual and Customary Charges.

Covered Medical Expenses, from a Covered Accident, include:

- 1) Hospital room and board expenses: the daily room rate when a Covered Person is Hospital Confined and general nursing care is provided and charged for by the Hospital. In computing the number of days payable under this benefit, the date of admission will be counted, but not the date of discharge.
- 2) Ancillary Hospital expenses: services and supplies including operating room, laboratory tests, anesthesia and medicines (excluding take home drugs) when Hospital Confined.
- 3) Daily Intensive Care Unit/Cardiac Care Unit Expenses: the daily room rate when a Covered Person is Hospital confined in a bed in the Intensive Care Unit/Cardiac Care Unit and nursing services other than private duty nursing services.
- 4) Registered Nurse Services Expenses for private duty nursing while a Covered Person is Hospital Confined, when services are ordered by a Physician.
- 5) Medical Emergency Care (room and supplies) expenses incurred within 72 hours of a Covered Accident and including the attending Physician's charges, x-rays, laboratory procedures, use of the emergency room and supplies.
- 6) Outpatient surgery expenses, including Ambulatory Surgical Center.
- 7) Outpatient surgical room and supply expenses for use of the surgical facility.
- 8) Outpatient diagnostic x-rays, laboratory procedures and test expenses.
- 9) Physician non-surgical treatment/examination expenses (excluding medicines) including the Physician's initial visit, each necessary follow-up visit and consultation visits when referred by the attending Physician.
- 10) Second surgical opinion expenses.
- 11) Physician surgical expenses. If an Injury requires multiple surgical procedures through the same incision, We will pay only one benefit, the largest of the procedures performed. If multiple surgical procedures are performed during the same operative session, but through different incisions, We will pay for the most expensive procedure and 50% of Covered Expenses for the additional surgeries.
- 12) Assistant Surgeon expenses when Medically Necessary.
- 13) Anesthesiologist expenses for pre-operative screening and administration of anesthesia during a surgical procedure whether on an inpatient or outpatient basis.

- 14) Outpatient laboratory test expenses.
- 15) Physiotherapy (physical medicine) expenses on an inpatient or outpatient basis limited to one visit per day; expenses include treatment and office visits connected with such treatment when prescribed by a Physician, including diathermy, ultrasonic, whirlpool, heat treatments, chiropractic, adjustments, manipulation, massage or any form of physical therapy.
- 16) Post surgical physical medicine expenses and office visits connected with such treatment when prescribed by a Physician.
- 17) X-ray expenses (including reading charges) not including dental x-rays.
- 18) Diagnostic imaging expenses including magnetic resonance imaging (MRI) and CAT scans.
- 19) Dental expenses including dental x-rays for the repair or treatment of each injured tooth that is whole sound and a natural tooth at the time of the Covered Accident.
- 20) Dental expenses related to the installation of crowns, caps, bridges and dentures; oral surgery and endodontics and repair or replacement of caps and crowns that existed prior to the Covered Accident.
- 21) Outpatient registered nurse services if ordered by a Physician.
- 22) Ambulance expenses for transportation from the Accident site to the Hospital.
- 23) Rehabilitative braces or appliances prescribed by a Physician. It must be durable medical equipment that is primarily and customarily used to serve a medical purpose and can withstand repeated use and generally is not useful to a person in the absence of Injury. No benefits will be paid for rental charges in excess of the purchase price.
- 24) Prescription drug expenses prescribed by a Physician and administered on an outpatient basis.
- 25) Medical equipment rental expenses for a wheelchair or other medical equipment that has therapeutic value for the Covered Person. We will not cover computers, motor vehicles or modifications to a motor vehicle, ramps and installation costs.
- 26) Medical services and supplies for blood and blood transfusions; oxygen and its administration.
- 27) Eyeglasses, contact lenses and hearing aids when damage occurs in a Covered Accident that requires medical treatment.
- 28) Artificial limbs, eyes and larynx for initial acquisition and fitting. We will not pay for repair or replacement of artificial limbs, eyes or larynx.

Terms of Payment for Accident Medical and Dental Expense Benefit

Full Excess:

If a Covered Person incurs Covered Expenses, We will pay the applicable benefit, subject to any applicable Deductible, Coinsurance Factor, Benefit Period shown on the Schedule of Benefits that are in excess of expenses payable by any other Health Care Plan, regardless of any Coordination of Benefits provision contained in such Health Care Plan. The first expense must be incurred within the Loss Period stated on the Schedule of Benefits. The Total Benefit Maximum payable under the Policy are shown on the Schedule of Benefits.

Failure by a Covered Person to follow the terms and conditions and/ or failure to utilize the network providers and facilities of His primary coverage will result in a benefit reduction of Covered Expense to 50% of the amount otherwise payable under the Policy. This limitation will not apply to emergency treatment required within 24 hours after an Accident when the Accident occurs outside the geographic area served by His primary plan's HMO, PPO or other similar arrangement for provision of benefits or services, if applicable.

For the purposes of this provision, "Health Care Plan" means any contract, policy or other arrangement for benefits or services for medical or dental care or treatment under:

- (1) group or blanket insurance, whether on an insured or self-funded basis;
- (2) hospital or medical service organizations on a group basis;
- (3) Health Maintenance Organizations on a group basis;

- (4) group labor management plans;
 - (5) employee benefit organization plan;
 - (6) professional association plans on a group basis;
 - (7) any other group employee welfare benefit plan as defined in the Employee Retirement Income Security Act of 1974 as amended; or
 - (8) automobile no-fault coverage (unless prohibited by law).
-

EXCLUSIONS

This Policy does not cover any loss resulting in whole or part from, or contributed to by, or as a natural or probable consequence of any of the following even if the immediate cause of the loss is an accidental bodily Injury, unless otherwise covered under this policy by Additional Benefits:

1. Suicide, self-destruction, attempted self-destruction or intentional self-inflicted Injury while sane or insane.
2. War or any act of war, declared or undeclared.
3. Service or Active Duty in the armed forces, National Guard, military, naval or air service or organized reserve corps of any country or international organization.
4. Sickness, disease or any bacterial infection, except one that results from an accidental cut or wound or pyogenic infections that result from accidental ingestion of contaminated substances.
5. Disease or disorder of the body or mind.
6. Asphyxiation from voluntarily or involuntarily inhaling gas and not the result of the Covered Person's job.
7. Voluntarily taking any drug or narcotic unless the drug or narcotic is prescribed by a Physician.
8. Intoxication or being under the influence of any drug or narcotic.
9. Violation or in violation or attempt to violate any duly-enacted law or regulation, or commission or attempt to commit an assault or felony, or that occurs while engaged in an illegal occupation.
10. Conditions that are not caused by a Covered Accident.
11. Covered Expenses for which the Covered Person would not be responsible in the absence of this Policy.
12. Injuries paid under Workers' Compensation, Employer's liability laws or similar occupational benefits or while engaging in activity for monetary gain from sources other than the Policyholder.
13. Travel or activity outside the United States.
14. Participation in any motorized race or speed contest.
15. Aggravation or re-injury of a prior Injury that the Covered Person suffered prior to his or her coverage Effective Date, unless We receive a written medical release from the Covered Person's Physician.
16. Heart attack, stroke or other circulatory disease or disorder, whether or not known or diagnosed, unless the immediate cause of Loss is external trauma.
17. Any Injury requiring treatment which arises out of, or in the course of fighting, brawling assault or battery.
18. Injury caused by, contributed to or resulting from the Covered Person's use of alcohol, illegal drugs or medicines that are not taken in the dosage or for the purpose as prescribed by the Covered Person's Physician.
19. Services or treatment rendered by a Physician, Nurse or any other person who is employed or retained by the Policyholder; or an Immediate Family member of the Covered Person.
20. Treatment of a hernia whether or not caused by a Covered Accident.
21. Treatment of Osgood-Schlatter's disease, osteochondritis, appendicitis, osteomyelitis, cardiac disease or conditions, pathological fractures, congenital weakness, whether or not caused by a Covered Accident.
22. Treatment of a detached retina unless caused by an Injury suffered from a Covered Accident.
23. Pregnancy, childbirth, miscarriage, abortion or any complications of any of these conditions.

24. Mental or nervous disorders, except as specifically provided in this policy.
25. Damage to or loss of dentures or bridges or damage to existing orthodontic equipment, except as specifically provided in this Policy.
26. Expense incurred for treatment of temporomandibular or craniomandibular joint dysfunction and associated myofacial pain, except as specifically provided in this Policy.
27. Loss resulting from participation in any activity not specifically covered by this Policy.
28. Any treatment, service or supply not specifically covered by this Policy.
29. Eyeglasses, contact lenses, hearing aids.
30. Practice or play in any sports activity, including travel to and from the activity and practice, unless specifically provided for in the Policy.
31. Travel or flight in or on any vehicle for aerial navigation, including boarding or alighting from:
 - i. While riding as a passenger in any aircraft not intended or licensed for the transportation of passengers; or
 - ii. While being used for any test or experimental purpose; or
 - iii. While piloting, operating, learning to operate or serving as a member of the crew thereof; or
 - iv. While traveling in any such aircraft or device which is owned or leased by or on behalf of the Policyholder of any subsidiary or affiliate of the Policyholder, or by the Covered Person or any member of his household.

Except as a fare paying passenger on a regularly scheduled commercial airline.

CLAIMS PROVISIONS

NOTICE OF CLAIM: Written notice of death or Injury must be given to the Company within 30 days after a Covered Loss begins or as soon as reasonably possible. Notice can be given to the Company at Cambridge Administrators, LLC, 5832 S 142nd St, Omaha, NE 68137, (855) 868-7554. Notice should include the Covered Person's name and address as well as this Policy Number. If written notice is not received within 30 days, the claim may be reduced or invalidated. However, the claim will not be reduced or invalidated if:

- 1) it can be shown that it was not possible within reason to submit notice within the 30 day period; and
- 2) it is further shown that notice was given as soon as possible.

CLAIM FORMS: When the Company receives a notice of claim, the Company will send forms for filing proof of loss. If claim forms are not sent within 15 days after receipt of such notice, Proof of Loss requirements stated below will be deemed to have been met if, within the Proof of Loss time period specified below, written proof of the nature and extent of the loss is submitted.

PROOF OF LOSS: Written proof of loss must be given to the Company within 180 days after the date of loss. If the proof of loss is not submitted within 180 days, the claim may be reduced or invalidated. However, the claim will not be reduced or invalidated if:

- 1) it can be shown that it was not possible within reason to submit notice within the 180 day period; and
- 2) it is further shown that notice was given as soon as possible, and in no event, except in the absence of legal capacity, later than one year from the time proof is otherwise required.

TIME OF PAYMENT OF CLAIMS: Benefits for loss covered by this Policy, other than benefits that require periodic payment, will be paid as soon as the Company receives proper written proof of such loss. Benefits for loss covered by this Policy that require periodic payment shall be paid monthly provided that the Company receives proper written proof of such loss.

PAYMENT OF CLAIMS: All benefits will be paid in United States currency. Loss of life benefits will be paid to the beneficiary as described in the Designation or Change of Beneficiary provision of this Policy entitled 'General Policy Provisions'. To receive proceeds, a beneficiary must be living on the earlier of the following dates: the date the Company receives proof of the loss of life; or the 10th day after the death.

All other benefits will be paid to the Covered Person suffering the loss. If the Covered Person dies before all payments due have been made, the amount still payable will be paid to his/her beneficiary as described in the Designation and Change of Beneficiary provision of this Policy entitled 'General Policy Provisions'.

EXPOSURE AND DISAPPEARANCE: A Covered Person will be presumed to have died due to covered Injuries, if while insurance is in effect He suffers Covered Loss due to exposure to the elements.

A Covered Person will be presumed to have died, if, while insurance is in effect and after the forced landing, stranding, sinking or wrecking of a covered vehicle:

- 1) He disappears; and
- 2) His body is not found within a year of the Accident; and
- 3) a valid death certificate or other legal proof of death is issued by a court of appropriate jurisdiction.

PHYSICAL EXAMINATIONS AND AUTOPSY: We have the right to have a Physician of Our choice examine the Covered Person as often as is reasonably necessary. This section applies when a claim is pending or while benefits are being paid. We also have the right to request an autopsy in the case of death, unless the law forbids it. We will pay the cost of the examination or autopsy.

RECOVERY OF OVERPAYMENT: If benefits are overpaid, or paid in error We have the right to recover the amount overpaid or paid in error by any of the following methods.

- 1) A request for lump sum payment of the amount overpaid or paid in error; or
- 2) Reduction of any proceeds payable under this Policy by the amount overpaid or paid in error.

RIGHT OF RECOVERY: A Covered Person may incur charges due to an Injury for which benefits are paid by this Policy. The Injury may be caused by the act or omission of another person. If so, the Covered Person may have a claim against that other person for payment of expense-incurred charges. If Recovery under the claim is made, the Covered Person must repay Us the Recovery made from: 1) the other person; or 2) the other person's insurer.

Only the amount recovered for charges incurred will be subject to Refund. One-third of the Net Recovery will be deemed to be for such charges. However, in no case will the amount of Refund exceed the amount of benefits paid for the Injury under this Policy.

The right of Refund also applies when the Covered Person recovers under an uninsured or underinsured motorist plan.

"Recovery" means monies paid to the Covered Person through judgment, settlement or otherwise to compensate for all losses caused by the Injury.

"Net Recovery" means the Covered Person's Recovery less attorney's fees and court costs incurred in making the Recovery.

"Refund" means repayment to Us for benefits paid.

GENERAL POLICY PROVISIONS

ENTIRE CONTRACT/CHANGES: This Policy and all endorsements, amendments and attached papers is the entire contract between the Policyholder and the Company.

Changes to this Policy may be made at any time by an endorsement or amendment and must be agreed upon, in writing, between the Policyholder and the Company. The Company may also, upon 31 days written notice to the Policyholder, change or modify the provisions of this Policy to comply with any applicable requirements of the Internal Revenue Service and/or any state or other federal law or regulation. No agent may change this Policy or waive any of its provisions.

TIME LIMIT ON CERTAIN DEFENSES: In the absence of fraud, all statements made by the Policyholder or by a Covered Person shall be deemed representations and not warranties. No such statement shall be used to contest this Policy or reduce benefits unless contained in a signed, written application, a copy of which has been provided to the person who made the statement, or to their beneficiary or representative. No such statement will be used to contest this Policy after this Policy has been in force for two years.

CLERICAL ERROR: Clerical error in keeping any records pertaining to the coverage, whether by the Policyholder or by the Company, will not invalidate coverage otherwise validly in force nor continue coverage otherwise validly terminated, provided such clerical error is not prejudicial to the Company and is rectified promptly upon discovery.

CONFORMITY WITH STATE STATUTES: Any provision of this Policy in conflict on its effective date with the laws of the State of Issue indicated on the front page of this Policy is amended to conform to the minimum requirements of such laws.

DESIGNATION OR CHANGE OF BENEFICIARY: Each Covered Person may designate a beneficiary to whom loss of life benefits are payable. The designation shall be as follows in descending order of preference:

- 1) Beneficiaries designated in writing by the Covered Person for this Policy on file with the Policyholder, if any, otherwise;
- 2) Beneficiaries as designated in writing for any group life insurance plan or its renewals in force for the Policyholder, if any, otherwise;
- 3) In equal shares to the members of the first surviving class of those that follow, if any:
 - a) a Covered Person's lawful spouse, if not legally separated or divorced, or Domestic Partner;
 - b) a Covered Person's natural Child, adopted Child, foster Child, stepchild, or other Child for whom the Covered Person has or had legal guardianship (proof will be required); or
 - c) a Covered Person's parents, whether natural, step or adoptive; otherwise.
- 4) The estate of the Covered Person.

A Covered Person may change his/her beneficiary designation from time to time without the consent of the designated beneficiary by giving notice, in writing, to the Policyholder. When a request for designation or change is received by the Policyholder, it will take effect on the date of its execution, whether or not the Covered Person is living on the date it is received by the Policyholder. Any interest created by the request will be subject to any payment made or action taken before its receipt.

ASSIGNMENT: No assignment of interest in loss of life benefits shall be binding on the Company until the original or duplicate thereof is received by the Company. The Company assumes no responsibility for the validity of such assignment.

INSOLVENCY: The insolvency, bankruptcy, financial impairment, receivership, voluntary plan of arrangement with creditors, or dissolution of the Policyholder will not impose upon the Company any liability other than the liability defined in this Policy. The insolvency of the Policyholder will not make the Company liable to the creditors of the Policyholder, including Covered Persons under this Policy.

LEGAL ACTION: All Policy terms will be interpreted under the laws of the state in which this Policy was issued. No legal action may be brought to recover on this Policy within 60 days after written Proof of Loss has been furnished. No legal action may be brought after three (3) years from the time written Proof of Loss is required to be furnished.

MISSTATED DATA: The Company has relied upon the underwriting information provided by the Policyholder, its Third Party Administrator or other Agent in the issuance of this Policy. Should subsequent information become known which, if known prior to issuance of this Policy, would have affected the rates, Deductibles, terms or conditions for coverage, the Company will have the right to revise the rates, Deductibles, terms or conditions as of the Effective Date of issuance, by providing written notice to the Policyholder.

WAIVER: Failure of the Company to strictly enforce its rights under this Policy at any time or under any circumstance shall not constitute a waiver of such rights by the Company at any time under the same or different circumstances.

WORKERS' COMPENSATION: This Policy is not in lieu of and does not affect any requirements for coverage by any Workers' Compensation Act or similar law.

Berkley Life and Health Insurance Company



Urbandale, Iowa
Underwriting Office:
2445 Kuser Road, Suite 201
Hamilton Square, NJ 08690

CALIFORNIA RIDER

This Rider is attached to and made a part of Policy Number PAI L131020122301 issued to Christmas Tree Lane Association (the Policyholder). The Policy/Certificate are hereby amended for California as follows:

DISCLOSURE

**INSURER INFORMATION
BERKLEY LIFE AND HEALTH
INSURANCE COMPANY
ADMINISTRATIVE OFFICE:
2445 KUSER ROAD
HAMILTON, NJ 08690
TOLL FREE: 866.723.4452**

**CALIFORNIA DEPARTMENT
OF CONSUMER AFFAIRS
CONSUMER INFORMATION DIVISION
1625 NORTH MARKET BLVD.
SUITE N112
SACRAMENTO, CA 95834
TOLL FREE: 800.952.5210**

The Department of Insurance, division of Consumer Affairs should only be contacted after discussions with Berkley Life and Health Insurance Company, or its agent or other representative or both, have failed to produce a satisfactory resolution to the problem.

SCHEDULE OF BENEFITS

The description of Classes of Eligible Persons is replaced with the following:

CLASSES OF ELIGIBLE PERSONS:

A person may be covered only under one Class of Eligible Persons even though He or She may be eligible under more than one class. Coverage to physically handicapped individual members of the group will be offered under the same terms and conditions as are normally offered to individual members of the group without physical handicap.

DEFINITIONS

The **DOMESTIC PARTNER / DOMESTIC PARTNERSHIP** definition is deleted and replaced with :

DOMESTIC PARTNER / DOMESTIC PARTNERSHIP means two adults who have filed a Declaration of Domestic Partnership with the State of California having met the requirements of Section 297 of the California Family. All provisions of the Policy applicable to a Spouse of the Covered Person shall apply equally to a Domestic Partner of the Covered Person.

DESCRIPTION OF BENEFITS

The following benefits are added to the list of Covered Medical Expenses under the Accident Medical and Dental Expense Benefit:

1. Charges incurred for the services provided by a Physician, including x-rays, for a Covered Person who has a second opinion consultation prior to electing Medically Necessary surgery on a non-emergency basis.
2. If prescription drug expenses are covered, We shall also cover charges for any drug, including Medically Necessary services associated with administration of the drug, if the drug:
 - has been approved by the FDA for at least one indication; and
 - is recognized for treatment of the indication for which the drug is prescribed in a prescription drug reference compendium or in substantially accepted peer reviewed medical literature.

Coverage is not provided for experimental drugs not otherwise approved for any indication by the FDA nor for any disease or condition that is excluded from coverage under the Policy.

CLAIMS PROVISIONS

The **NOTICE OF CLAIM** is deleted and replaced with:

NOTICE OF CLAIM: Written notice of death or injury must be given to the Company within 30 days after a covered loss begins or as soon as reasonably possible. Notice can be given to the Company at Cambridge Administrators, LLC, 5832 S 142nd St, Omaha, NE 68137, Attn: Claims Department. Notice should include the Covered Person's name and address as well as this Policy Number.

The **PAYMENT OF CLAIMS** is deleted and replaced with:

PAYMENT OF CLAIMS: Amounts payable under this Policy will be paid to the Policyholder upon receipt and acceptance by the Company of complete Proof of Loss. Any other accrued indemnities unpaid at the insured employee's death may, at the option of the insurer, be paid either to such beneficiary or such estate.

The **PROOF OF LOSS** is deleted and replaced with:

PROOF OF LOSS: The Policyholder must provide written proof of loss within 90 days of the Policyholder's payment that exceeds the Specific Deductible and in case of claim for any other loss, within 90 days after the date of such loss. If such proof is not given in the required time period the claim will not be denied or reduced if the proof of loss is given as soon as reasonably possible. However, in no event will the Company be liable for a claim where complete proof of loss is submitted more than 6 months after the end of the Policy Period during which the charge is incurred.

Complete Proof of Loss means:

- a) Fully completed claim form;
- b) Copies of itemized bills or paid claims report;
- c) Proof of payment; and
- d) Confirmation of Covered Persons eligibility under this Policy.

The Policyholder must cooperate with the Company in a timely manner in the investigation and the settlement of any claim payable under this Policy.

A claim will not be deemed to have been received by or reported to the Company until such information is received by the Company. Further, the notice of claim report shall not constitute receipt of or report of a claim by the Company.

The following provision is added if benefits for ambulance services are provided:

ASSIGNMENT OF AMBULANCE SERVICES BENEFITS: Benefits for ambulance services shall be payable directly to the provider of the ambulance services. This shall be done unless We receive proof that such benefits have already been paid.

The RIGHT OF RECOVERY provisions, if included, is replaced with the following:

REIMBURSEMENT: If a Covered Person has an Injury caused by a third party's wrongful act or negligence:

- a) We will pay Policy benefits for that Injury subject to Our Reimbursement Rights and on condition that the Covered Person (or the legal representative of the Covered Person):
 - 1) will not take any action which would prejudice Our Reimbursement Rights; and
 - 2) will cooperate in doing what is reasonably necessary to assist Us in enforcing Our Reimbursement Rights (including signing a reimbursement agreement or other document upon Our written request).
- b) Our Reimbursement Rights will not be reduced because:
 - 1) the recovery does not fully compensate the Covered Person for all losses sustained or alleged; or
 - 2) the recovery is not described as being related to medical costs.
- c) We may enforce Our Reimbursement Rights by filing a lien with the third party, the third party's insurer or another insurer, a court having jurisdiction in this matter or any other appropriate party.
- d) The amount of Our reimbursement will not be reduced by legal fees or court costs incurred in seeking the recovery, unless We agree otherwise in writing.
- e) We may elect to charge any reimbursement due Us under this provision against any further benefit payments for the Covered Person under the Policy. This will not reduce Our right to be paid first out of any recovery up to the amount of Policy benefits not yet reimbursed.

"Reimbursement Rights" means Our right to be reimbursed if:

- a) We pay Policy benefits for a Covered Person because of an Injury caused by a third party's wrongful act or negligence; and
- b) a Covered Person or the legal representative of a Covered Person recovers an amount from the third party, the third party's insurer, an uninsured motorist insurer or anyone else by reason of the third party's wrongful act or negligence.

This recovery may be the result of a lawsuit, a settlement or some other act. We are entitled to be paid first out of any recovery, up to the amount of Policy benefits We paid.

The following provision is added:

INDEPENDENT MEDICAL REVIEW:

When a Covered Person feels that a Disputed Health Care Service has been improperly denied, modified or delayed by Us, he may request an Independent Medical Review provided all the following conditions are met:

- The Covered Person's Physician recommended the health care service as Medically Necessary; or the Covered Person received emergency care and the attending Physician determined that such care was Medically Necessary;
- The Disputed Health Care Service is denied, modified or delayed by Us based in whole or in part on the decision that the health care service is not Medically Necessary; and
- The Covered Person has already filed a grievance with Us and the disputed decision is upheld or the grievance remains unresolved after thirty (30) days;

The request for an Independent Medical Review must be within six (6) months of any of the events listed above.

In addition, a Covered Person may also apply to the California Department of Insurance for an independent medical review of a decision to deny, modify, or delay health care services, based in whole or in part on a finding that the disputed health care services are not medically necessary, within six months of any of the qualifying periods or

events. The commissioner may extend the application deadline beyond six months if the circumstances of a case warrant the extension. The Covered Person shall pay no application or processing fees of any kind.

To initiate the Independent Medical Review, the Covered Person must submit the one-page application form in the addressed envelope provided by Us when We send notification of Our response to the grievance. The form will include any information needed to complete the Independent Medical Review.

The form will also include:

- Notice to the Covered Person that non-participation in the independent review process may cause the Covered Person to forfeit any statutory right to pursue legal action against Us regarding the grievance;
- A signed statement indicating the Covered Person's consent to obtain any necessary medical records from Us and any providers the Covered Person may have consulted on the matter;
- Notice of the Covered Person's right to provide information or documentation, either directly or through Us regarding any of the following:
 - A provider recommendation indicating that the disputed health care service is Medically Necessary for the Covered Person's medical condition;
 - Medical information or justification that a Disputed Health Care Service, on an Medical Emergency basis, was Medically Necessary for the Covered Person's condition;
 - Reasonable information supporting the Covered Person's position that the Disputed Health Care Service is or was Medically Necessary for his medical condition, including all information provided to the Covered Person by Us still in the Covered Person's possession, concerning any decisions regarding Disputed Health Care Services. Also, a copy of any materials the Covered Person submitted to Us that is still in the possession of the Covered Person, in support of the grievance, as well as any additional material that the Covered Person believes is relevant.

The confidentiality of any medical information will be maintained pursuant to applicable state and federal laws.

"Disputed Health Care Service" means any health care service eligible for coverage and payment under the Policy that has been denied, modified, or delayed by a decision by Us, in whole or in part due to a finding that the service is not Medically Necessary.

"Independent Medical Review" means a process to complete an initial screening of a Covered Person's grievance.

TIME OF PAYMENT OF CLAIMS: Benefits for loss covered by this Policy, other than benefits that require periodic payment, will be paid as soon as the Company receives proper written proof of such loss. Benefits for loss covered by this Policy that require periodic payment shall be paid monthly provided that the Company receives proper written proof of such loss and any balance remaining unpaid upon the termination of the period of liability will be paid immediately upon receipt of due written proof of loss.

TIME LIMIT ON CERTAIN DEFENSES: In the absence of fraud, all statements made by the Policyholder or by a Covered Person shall be deemed representations and not warranties. No such statement shall be used to contest this Policy or reduce benefits unless contained in a signed, written application, a copy of which has been provided to the person who made the statement or to their beneficiary or representative. No such statement will be used to contest this Policy after this Policy has been in force for three (3) years.

ENTIRE CONTRACT/CHANGES: This Policy, with the Policyholder's Master Application and all endorsements, amendments and attached papers is the entire contract between the Policyholder and the Company and any statement made by the employer shall, in the absence of fraud, be deemed a representation and not a warranty. No statement made by any Covered Person whose eligibility has been accepted by the Company shall void this coverage or reduce benefits under this Policy or be used in defense to a claim hereunder.

Changes to this Policy may be made at any time by an endorsement or amendment and must be agreed upon, in

writing, between the Policyholder and the Company. The Company may also, upon 31 days written notice to the Policyholder, change or modify the provisions of this Policy to comply with any applicable requirements of the Internal Revenue Service and/or any state or other federal law or regulation. No agent may change this Policy or waive any of its provisions.


COVERED EXPENSES means expenses actually incurred by or on behalf of a Covered Person for treatment, services and supplies covered by this Policy.

The **HOME HEALTH CARE** provision has been deleted in its entirety.

Signed for the Company:



President



Secretary

Berkley Life and Health Insurance Company

Urbandale, Iowa
Underwriting Office:
2445 Kuser Road, Suite 201
Hamilton Square, NJ 08690



Economic Sanctions Endorsement

This Endorsement attaches to and is made part of Policy Number PAI L131020122301 issued to Christmas Tree Lane Association.

This Endorsement is subject to all the provisions, limitations, and exclusions of the Policy, except as they are specifically modified herein. In the event any provision of the Policy and this Endorsement conflict, the terms of this Endorsement shall govern. Please read this Endorsement carefully.

U.S. ECONOMIC AND TRADE SANCTIONS CLAUSE

Whenever coverage provided by this Policy would be in violation of any U.S. economic or trade sanctions such as, but not limited to, those sanctions administered and enforced by the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC"), such coverage shall be null and void. Similarly, any coverage relating to or referred to in any certificates or other evidences of insurance or any claim that would be in violation of U.S. economic or trade sanctions as described above shall also be null and void.

All other terms, conditions, limitations, and exclusions of the Policy remain unchanged.

EFFECTIVE DATE OF ENDORSEMENT: 09/14/2019

Signed for the Company:

President

Secretary

California Guaranty Notice

NOTICE OF PROTECTION PROVIDED BY THE CALIFORNIA LIFE AND HEALTH INSURANCE GUARANTEE ASSOCIATION

This notice provides a brief summary regarding the protection provided to policyholders by the California Life and Health Insurance Guarantee Association (“the Association). The purpose of this Association is to assure that policyholders will be protected, within limits, in the unlikely event that a member insurer becomes financially unable to meet its obligations. Insurance Companies licensed in California to sell life insurance, health insurance, annuities and structured settlement annuities are members of the Association. The valuable extra protection provided through the Association is not unlimited and is not a substitute for consumers’ care in selecting insurers. This protection was created under California law, which determines who and what is covered and the amounts of coverage.

Below is a brief summary of the coverages, exclusions, and limit provided by the Association. This summary does not cover all provisions of the law; nor does it in any way change anyone’s rights or obligations under the Act or the rights or obligations of the Association.

COVERAGE

- **Persons Covered**

Generally, an individual is covered by the California Life and Health Insurance Guarantee Association if the insurer was a member of the Association *and* the individual lives in California at the time the insurer is determined by a court to be insolvent. Coverage is also provided to policy beneficiaries, payees or assignees, whether or not they live in California.

- **Amounts of Coverage**

The basic coverage protections provided by the Association are as follows:

Life Insurance, Annuities and Structured Settlement Annuity Benefits

For life insurance policies, annuities and structured settlement annuities, the Association will provide the following:

- **Life Insurance**

80% of death benefits but not to exceed \$300,000

80% of cash surrender or withdrawal values but not to exceed \$100,000

- **Annuities and Structured Settlement Annuities**

80% of the present value of annuity benefits, including net cash withdrawal and net cash surrender values but not to exceed \$250,000.

The maximum amount of protection provided by the Association to an individual, for *all* life insurance, annuities and structured settlement annuities is \$300,000, regardless of the number of policies or contracts covering the individual.

- **Health Insurance**

The maximum amount of protection provided by the Association to an individual, as of October 1, 2016, is \$554,556. This amount will increase or decrease based upon changes in the health care cost component of the consumer price index to the date on which an insurer becomes an insolvent insurer. Changes to this amount will be posted on the Association's website www.califega.org.

COVERAGE LIMITATIONS AND EXCLUSIONS FROM COVERAGE

The California Life and Health Insurance Guarantee Association may not provide coverage for this policy. Coverage by the Association generally requires residency in California. You should not rely on coverage by the Association in selecting an insurance company or in selecting an insurance policy.

The following policies and persons are among those that are excluded from Association coverage:

- A policy or contract issued by an insurer that was not authorized to do business in California when it issued the policy or contract;
- A policy issued by a health care service plan (HMO), a hospital or medical service organization, a charitable organization, a fraternal benefit society, a mandatory state pooling plan, a mutual assessment company, an insurance exchange, or a grants and annuities society;
- If the person is provided coverage by the guaranty association of another state;
- Unallocated annuity contracts; that is, contracts which are not issued to and owned by an individual and which do not guaranty annuity benefits to an individual;
- Employer and association plans, to the extent they are self-funded or uninsured;
- A policy or contract providing any health care benefits under Medicare Part C or Part D;
- An annuity issued by an organization that is only licensed to issue charitable gift annuities;
- Any policy or portion of a policy which is not guaranteed by the insurer or for which the individual has assumed the risk, such as certain investment elements of a variable life insurance policy or a variable annuity contract;
- Any policy of reinsurance unless an assumption certificate was issued;
- Interest rate yields (including implied yields) that exceed limits that are specified in Insurance Code Section 1607.02(b)(C)

NOTICES

Insurance companies or their agents are required by law to give or send you this notice. Policyholders with additional questions should first contact their insurer or agent. To learn more about coverages provided by the Association please visit the Association's website at www.califega.org, or contact either of the following:

California Life and Health Insurance
Guarantee Association
P.O. Box 16860
Beverly Hills, CA 90209-3319
(323) 782-0182

or

Consumer Service Division
California Department of Insurance
300 South Spring Street
Los Angeles, CA 90013
(800) 927-4357 or (213) 897-8921

Insurance companies and their agents are not allowed by California law to use the existence of the Guarantee Association or its coverage to solicit, induce or encourage you to purchase any form of insurance policy. When selecting an insurance company, you should not rely on Association coverage. If there is an inconsistency between this notice and California law, then California law will control.

BERKLEY LIFE AND HEALTH INSURANCE COMPANY

PRIVACY NOTICE

Berkley Life and Health Insurance Company (the "Company"), a member company of the W. R. Berkley Corporation ("Berkley") group of companies and each other member of the Berkley group of companies ("Affiliates") understands our customers' concern about privacy of their information collected by the Company. Our Company is dedicated to protecting the confidentiality and security of nonpublic personal information we collect about our customers in accordance with applicable laws and regulations. This notice refers to the Company by using the terms "us," "we," or "our." The law requires that we send you a notice describing our privacy policy and how we treat the nonpublic personal information about our customers that we receive in connection with our business (Information").

Why We Collect and How We Use Information.

We collect and use Information for business purposes with respect to our insurance products and services and other business relations involving our customers. We gather this Information to evaluate your request for insurance, to evaluate your insurance claims, to administer, maintain or review your insurance policy, and to process your insurance transactions. We also accumulate certain information about you as may be required or permitted by law.

Your insurance agent or broker also collects this Information and may use it to help with your overall insurance program or to market additional products and services to you. We may also use Information to offer you other products or services that we or our Affiliates provide.

How We Collect Information.

Most Information collected by us is provided by you or your insurance agent or broker to us. We obtain Information from (i) applications or other forms submitted by you, your insurance agent or broker or your authorized representatives to us and our Affiliates, and (ii) your transactions with us or our Affiliates. We may also obtain Information from other sources such as (i) consumer reporting agencies, (ii) other institutions or information services providers, (iii) employers, (iv) other insurers, or (v) your family members.

Information We Disclose.

We disclose any Information which we believe is necessary to conduct our business as permitted by applicable law or where required by applicable law. This disclosure may include (i) Information we receive from you on applications or other forms provided to us and our Affiliates, such as names, addresses, social security numbers, assets, employer information, salaries, etc. (ii) Information about your transactions with us and our Affiliates, such as policy coverages, premiums, payment history, etc., and (iii) Information we receive from a consumer reporting agency, such as credit worthiness and credit history.

To Whom We Disclose Information.

We may, as permitted or required by applicable law, disclose your Information to nonaffiliated third parties, such as (i) your insurance agent or broker, (ii) independent claims adjusters, (iii) insurance support organizations, (iv) processing companies, (v) actuarial organizations, (vi) law firms, (vii) other insurance companies involved in an insurance transaction with you, (viii) law enforcement, regulatory, or governmental agencies, (ix) courts or parties therein pursuant to a subpoena or court order, (x) businesses with whom we have a marketing agreement, or (xi) our Affiliates.

We may share Information with our Affiliates so that they may offer you products and services from the Berkley group of companies or to analyze our book of business and to consolidate necessary information. We do not disclose Information to other companies or organizations not affiliated with us for the purpose of using Information to sell their products or services to you. For example, we do not sell your name to unaffiliated mail order or direct marketing companies.

How We Protect Information.

We require our employees to protect the confidentiality of Information as required by applicable law. Access to Information by our employees is limited to administering, offering, servicing, processing or maintaining of our products and services. We also maintain physical, electronic and procedural safeguards designed to protect Information. When we share or provide Information to other persons or organizations, we contractually obligate them, if required by law, to treat Information as confidential and conform to our privacy policy and applicable laws and regulations.

Correction and Access to Information.

Upon our receipt of your written request to us at Berkley Life and Health Insurance Company, 475 Steamboat Road, Greenwich, Connecticut 06836-2519 we will, generally, make available Information for your review. If you believe the Information we have about you is incorrect or inaccurate, you may request that we make any necessary corrections, additions or deletions. If we agree with your belief, we will correct our records if required by applicable law. If we do not agree, you may submit to us a short statement of dispute, which we will include in any future disclosure by us of such Information if required by applicable law.

Requirements for Privacy Notice.

This privacy notice is being provided due to recently enacted federal and state laws and regulations establishing new privacy standards and requires us to provide this privacy policy. For additional information regarding our privacy policy, please write to us at 475 Steamboat Road, Greenwich, Connecticut 06836-2519.

Revised: February 7, 2006



**BOARD OF LIBRARY TRUSTEES
FINANCE REPORT for September 2019**

DEPARTMENT: Administration

MEETING DATE: September 23, 2019

PREPARED BY: Cindy Cleary

LOCATION: Community Room

TITLE: Resolution #2019-10 authorizing an Amendment to the Contract between the Board of Administration California Public Employees' Retirement System (CalPERS) and the Board of Library Trustees

BACKGROUND:

The District contracts with CalPERS for retirement and health benefits. The contract was initiated in 1969 and included classes of employees that were not eligible for membership.

Per the Retirement Law, classes excluded from membership are Page, Custodian, Gardener, and Library Clerk I.

Upon the District Directors review of the CalPERS Contract and the excluded classes it was determined that the Custodian classification should not be excluded from retirement benefits because it has been made a full-time position. Enrollment for the Custodian would be effective September 24, 2019.

Attached are copies of Certification of Final Action of Governing Body, Resolution Authorizing an Amendment to the Contract and the Final Amendment to Contract for signature.

FISCAL IMPACT

The Employer Contribution to said retirement plan would result in a yearly cost of \$3,387.00. This amount was included in the FY19-20 budget.

RECOMMENDATION

Staff recommends that the Board of Library Trustees review all documents and sign the Certification of Final Action of Governing Body, Resolution Authorizing an Amendment to the Contract, and the Final Amendment to Contract documents at this meeting.

ALTADENA LIBRARY DISTRICT

**RESOLUTION
AUTHORIZING AN AMENDMENT TO THE CONTRACT**

No. 2019-10

WHEREAS, the Board of Administration of the California Public Employees' Retirement System and the Board of Trustees of the Altadena Library District entered into a contract effective on January 1, 1969 providing for the participation of said public agency in the California Public Employees' Retirement System; and

WHEREAS, it is now desirable to take advantage of certain benefits provided under said Retirement System and not included in said contract;

NOW, THEREFORE, BE IT RESOLVED, that said governing body authorized, and it does hereby authorize, an amendment to said contract, a copy of said amendment attached hereto and by such reference made a part hereof as though herein set out in full; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the presiding officer of said governing body is hereby authorized, empowered and directed to execute said amendment for and on behalf of said public agency.

Adopted this _____ day of _____, _____.

Presiding Officer

Attest:

Clerk/Secretary

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Pension Contract Management Services & Prefunding Programs
P.O. Box 942703
Sacramento, CA 94229-2703
888 CalPERS (or 888-225-7377)

**CERTIFICATION
OF
FINAL ACTION OF GOVERNING BODY**

I hereby certify that the _____ of the
(governing body)

(public agency)

considered and adopted on _____, _____, by an affirmative vote of a
(date)
majority of the members of said Governing Body, **Ordinance / Resolution** No. _____
approving the attached contractual agreement between the Governing Body of said Agency
and the Board of Administration of the California Public Employees' Retirement System, a
certified copy of said **Ordinance / Resolution** in the form furnished by said Board of
Administration being attached hereto.

Adoption of the retirement benefit increase/change was not placed on the consent
calendar.

Clerk/Secretary

Title

Date _____



California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
Board of Trustees
Altadena Library District

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective January 1, 1969, and witnessed December 10, 1968, and as amended effective April 27, 1993, July 1, 1999, March 27, 2001, September 1, 2001, December 30, 2012 and July 1, 2015 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective July 1, 2015, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members entering membership in the miscellaneous classification on or prior to December 30, 2012, age 60 for classic local miscellaneous members entering membership for the first time in the miscellaneous classification after December 30, 2012, and age 62 for new local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after January 1, 1969 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **SAFETY EMPLOYEES; AND**
 - b. **PAGE, GARDENER, LIBRARY CLERK I EMPLOYED ON OR AFTER JANUARY 1, 1969.**

6. Removal of the exclusion of "All Hourly Rated or Hourly Basis Employees Who Are Employed on or After January 1, 1969" pursuant to Section 20503, is declarative of agency's previous interpretation and does not mandate any new classes of employees into membership.
7. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member entering membership in the miscellaneous classification on or prior to December 30, 2012 shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified and Full).
8. The percentage of final compensation to be provided for each year of credited current service as a classic local miscellaneous member entering membership for the first time in the miscellaneous classification after December 30, 2012 shall be determined in accordance with Section 21353 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 60 Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Supplemental to Federal Social Security).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 20042 (One-Year Final Compensation) for classic members only.
 - b. Section 20965 (Credit for Unused Sick Leave).
 - c. Sections 21624, 21626 and 21628 (Post-Retirement Survivor Allowance).
 - d. Section 20503 (To Remove the Exclusion of "All Hourly Rated or Hourly Basis Employees Who Are Employed on or After January 1, 1969", Prospectively from March 27, 2001).
 - e. Section 20475 (Different Level of Benefits): Section 21353 (2% @ 60 Modified formula) is applicable to classic local miscellaneous members entering membership for the first time with this agency in the miscellaneous classification after December 30, 2012.
 - f. Section 20503 (To Remove the Exclusion of Monitor, Prospectively from July 1, 2015).
 - g. Section 20503 (To Remove the Exclusion of Custodian, Prospectively from the effective date of this amendment to contract).

11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.
12. Public Agency shall also contribute to said Retirement System as follows:
 - a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF TRUSTEES
ALTADENA LIBRARY DISTRICT

BY _____
ARNITA PAIGE, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk



BOARD OF LIBRARY TRUSTEES CALENDAR – 2019/2020

JULY	Publicity for Trustees Election – Even Year Filing for Trustees Election – Even Year
AUGUST	Final Review of Previous Year Operating Plan
SEPTEMBER	Review CalPERS Benefits/ Open Enrollment Presentation: Summer Reading Program
OCTOBER	Health Care Premiums – Resolution – as needed Audit Report for Previous Fiscal Year
NOVEMBER	Annual Report for Previous Fiscal Year (Internal and External) Trustees Election – Even Year Conference: CLA Conference Schedule: Board Meetings for Following Year Schedule: Holidays for Following Year Quarterly Budget Review of Current Budget Event: Volunteer Recognition Event
DECEMBER	Election of Officers Appointment of Liaison to the Friends Board & Foundation Board and Government Relations Liaison
JANUARY	Bank Signature Cards – as needed Boards Retreat Trustee Self-Assessment
FEBRUARY	Investment Policy Review Mid-Year Budget Review of current budget Mid-Year Operating Plan Review
MARCH	Conflict of Interest Forms Annual Review of Strategic Plan Preliminary Review of Operating Plan for Upcoming Year
APRIL	Auditor bids – every three years or as needed National Library Week Quarterly Budget Review of current budget
MAY	Preliminary Budget Review of Proposed Budget for forthcoming fiscal year Event: Friends Annual Meeting (June) Review Property and Earthquake Insurance
JUNE	Adoption of Final Budget for Upcoming Fiscal Year <ul style="list-style-type: none">• Salary Schedule Approve Master Calendar for Board of Library Trustees for Following Fiscal Year Review Gann Appropriations Limit Resolution to ask Auditor/Controller of Los Angeles County to Prepare New tax roll for Account No. 57.12 Final Review of Operating Plan Objectives for the Coming Fiscal Year Review Investment Policy Employee Recognition – Anniversaries on Five Year Milestones

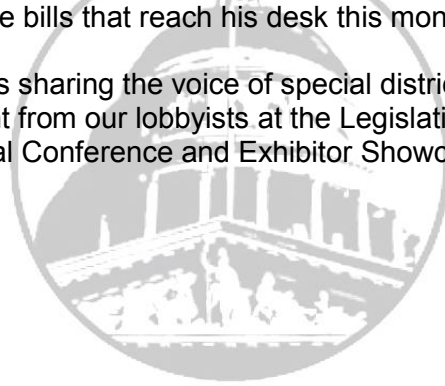


TAKE ACTION BRIEF

September 2019

The end of the first year of the 2019-2020 Legislative Session is upon us, with September 13 marking the final day for the State Legislature to pass legislation this year. Governor Gavin Newsom will then have until October 13 to sign or veto all of the bills that reach his desk this month.

CSDA will be in the Capitol lobbies sharing the voice of special districts until the final vote is cast. You can hear the after-action report straight from our lobbyists at the Legislative Update Luncheon on Friday, September 27 at the CSDA Annual Conference and Exhibitor Showcase in Anaheim, CA. Register at conference.csdanet.net.



Inside this edition of the Take Action Brief:

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Contact a local CSDA representative near you!

Dane Wadlé	Northern & Sierra Networks	danew@csda.net
Colleen Haley	Bay Area Network	colleenh@csda.net
Cole Karr	Central Network	colek@csda.net
Steven Nascimento	Coastal Network	stevonn@csda.net
Chris Palmer	Southern Network	chrisp@csda.net



➤ REVENUE, FINANCES, AND TAXATION

CSDA's long range policy priority on revenue, finances, and taxation is to ensure adequate funding for special districts' safe and reliable core local service delivery. Protect special districts' resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies.

Fee Prohibition Legislation Clears Key Fiscal Committee

SB 13 (Wieckowski) Despite several Legislators either abstaining or voting “No,” SB 13 was passed out of the Assembly Committee on Appropriations on August 30 with minor amendments that do not address CSDA’s opposition.

Prior to this vote, SB 13 passed out of both the Assembly Committees on Housing and Local Government with some positive amendments that removed fee prohibitions for water and wastewater charges. Unfortunately, the legislation continues to restrict crucial revenue for fire protection, parks, and other local services.

SB 13 is attempting to stimulate the development of accessory dwelling units (ADUs) by severely limiting development impact fees for these structures. The Assembly Committees on Housing and on Local Government passed the bill without any “No” votes, a sign of the Legislature’s concern over California’s housing challenges.

Specifically, SB 13 prohibits development impact fees on ADUs smaller than 750 square feet, and significantly limits the impact fees that may be charged to larger ADUs. Given that revenue for local governments is tightly restricted by the California Constitution, fees are one of the few ways that special districts can offset for the indirect costs of growth. Impact fees are critical for park and fire protection districts to adequately serve the very people the Legislature hopes to house in ADUs.

During the Assembly Local Government Committee hearing, North Tahoe Fire Protection District staff testified to the potential risks associated with prohibiting development impact fees and made several key points regarding the risk the legislation poses to life and property throughout the State of California. You can view this compelling testimony and find a sample letter of opposition at the CSDA [Take Action Page at csda.net/take-action](http://csda.net/take-action). Visit the page today to download a sample oppose letter.

SB 13’s next stop will be the Assembly Floor to be voted on by the entire body. Should it be successful there, it will return to the State Senate for a vote in concurrence of Assembly amendments before heading to the Governor. Be sure to register your opposition today and have your voice heard.

If you have any questions about SB 13, please contact CSDA Legislative Representative Anthony Tannehill at anthonyt@csda.net.



➤ GOVERNANCE AND ACCOUNTABILITY

CSDA's long range policy priority on governance and accountability is to enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant, or one-size-fits all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preference of each community

Email Retention Bill Headed to the Governor

Assembly Bill 1184 (Gloria), which will require all public agencies to store all transmitted emails related to agency business for at least two years without reimbursing local agencies by claiming it is in furtherance of the California Public Records Act (CPRA), is headed to the Governor's desk. We need your help in asking the Governor to veto the bill.

To be clear, AB 1184 not a transparency bill, it is a data storage bill. The public will have no greater access to public records under AB 1184. This bill creates no new disclosures or exemptions of records in the CPRA. This bill only mandates that public agencies retain all emails related to agency business for two years, not that they release them.

In actuality, this bill will harm the public's access to public records. As highlighted by the Department of Finance's analyses of AB 1184, "[t]he retention of non-pertinent e-mails and the need to search through those e-mails, particularly for less specific CPRA requests, increases the amount of time needed to complete CPRA requests. This makes compliance with the CPRA more difficult in these instances and *produces worse outcomes for persons and entities submitting those requests* [emphases added]."

Additionally, AB 1184 will add millions of dollars in costs annually to the state and local agencies, including special districts. Public agencies will be forced to pay for additional data storage space as well as hire additional staff to sort through the millions of emails that are exempt from disclosure under the CPRA but mandated to be retained under AB 1184 in order to respond to public records act requests. Without the ability to be reimbursed for this costly unfunded mandate, public agencies will be forced to either raise fees and taxes or cut services to the communities they serve.

Please visit CSDA's [Take Action Page](https://www.csdanet.org/take-action) at [csda.net/take-action](https://www.csdanet.org/take-action) to download a sample veto request letter for AB 1184.



➤ INFRASTRUCTURE, INNOVATION, AND INVESTMENT

CSDA's long range policy principal regarding infrastructure, innovation, and investment is to encourage prudent planning for investment and maintenance of innovative long-term infrastructure. CSDA supports the development of fiscal tools and incentives to assist special districts in their efforts to meet California's changing demands, ensuring the efficient and effective delivery of core local services.

Local Infrastructure Funding Measure Needs Ten Votes

Legislation to provide special districts and other local agencies with a new mechanism for infrastructure funding needs ten more "Aye" votes to clear the State Assembly.

Assembly Member Cecelia Aguiar-Curry received reconsideration on her ACA 1 after the measure received 44 votes in the 80-member State Assembly. As a constitutional amendment, ACA 1 requires approval by two-thirds of both houses of the State Legislature (54 votes in the Assembly and 27 in the Senate) to be placed on a statewide ballot for adoption by California's electorate.

If approved by voters, ACA 1 would then allow local voters the option to approve infrastructure funding for special districts and other local agencies with a 55 percent vote. This is the current vote threshold for school bonds.

California's constitution requires special districts to achieve two-thirds voter approval for parcel taxes and general obligation bonds, while cities and counties must earn a simple 50 percent plus one majority approval of general taxes. Special district taxes and general obligation bonds must be spent on specific purposes, while general taxes can be used for any purpose.

ACA 1 would not change current vote thresholds within the constitution, but rather would add a new 55 percent threshold mechanism for local infrastructure funding. Special districts and other local agencies choosing to avail themselves of the new infrastructure funding mechanism would be required to meet enhanced accountability and transparency provisions that go above and beyond existing requirements.

CSDA and over 40 special districts have adopted support positions on ACA 1, and we need more districts to join the effort and ask their legislators to provide this important new method for funding sorely needed local infrastructure projects.

To learn more and download a sample letter of support, visit csda.net/take-action.

If you have any questions regarding ACA 1, please contact CSDA Legislative Representative Anthony Tannehill at anthonyt@csda.net.



➤ HUMAN RESOURCES AND PERSONNEL

CSDA's long range policy priority on human resources and personnel is to promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees, both represented and non-represented.

Pension Bill Will Force Public Agencies to Make Illegal Payments

Senate Bill 266 (Leyva), which will require public agencies to directly pay retirees and/or their beneficiaries disallowed retirement benefits using general fund dollars, is likely to be passed by the Legislature and sent to the Governor in the next week.

As amended, SB 266 places 100 percent of the total liability for such overpayments on public agencies—abdicating all responsibility previously held by CalPERS to ensure that retirement benefits are calculated and administered correctly. As such, SB 266 is a de facto and retroactive benefit enhancement measure that will further strain local agency budgets at a time where retirement obligations are effectively eliminating agencies ability to provide critical services for the public.

In 2012, the California State Legislature passed significant public pension reform legislation known as the Public Employees' Pension Reform Act (PEPRA), which took effect January 1, 2013. While the reforms were significant, they led to confusion as to what may lawfully be offered as employee pension benefits. As a result, some public agencies and their represented employee organizations came to agreements on benefit packages that did not meet the new legal standards to be considered a pensionable benefit. Those future retirement benefits, which were being paid for by employers and employees into pension systems such as the California Public Employees Retirement System (CalPERS), were at some point determined to violate the law and were terminated.

Terminated benefits that violate PEPRA are considered “disallowed benefits.” Under current law, once a benefit is determined to be disallowed, both the employer and the employee cease making future payments on that benefit and past contributions from the employee are returned to the employee, while past contributions from the employer are applied towards future payment. Unfortunately, in the case of a retiree that received the disallowed benefit, the pension system must recoup the overpaid benefit from the retiree. They must do so because it is unlawful to pay out a benefit that is not legally allowable or earned.

SB 266 removes all responsibility by CalPERS to ensure benefits are reviewed, calculated, and administered correctly. Instead, SB 266 places sole responsibility on the employer—even if the employer exercises their right to have CalPERS review their compensation proposal as proposed in Section 5 of the measure. Additionally, recent amendments further remove accountability from CalPERS to provide the proper guidance needed by local agencies on compensation proposals. The lack of accountability by the administrator of public retirement benefits will lead to more confusion and compliance challenges for public agencies.

To be clear, Senate Bill 266 will require agencies to issue unlawful, payments to former employees and/or their beneficiaries in perpetuity. Continued payment of a disallowed benefit to a retiree would constitute a gift of public funds, in violation of Section 6, Article 16 of the California Constitution. Such violation would leave a public agency left to defend itself from costly litigation lawsuits filed by members of the public.

CSDA is continuing to oppose SB 266 and will be asking the Governor to veto the bill. Should you have any questions about this legislation, please contact CSDA's Senior Legislative Representative, Dillon gibbons, at dillong@csda.net.



➤ LEGAL ADVOCACY

CSDA is the leading legal advocacy voice for all special districts regarding public policy in California and actively tracks and reviews cases of significance affecting special districts in state and federal courts. Under the guidance of CSDA's Legal Advisory Working Group, CSDA files amicus briefs and opines on court cases when appropriate.

Supreme Court Improves Local Government Defense Against Inverse Condemnation Claims

The California Supreme Court issued a decision on August 15 that may improve special districts' defenses when a private property owner alleges a taking or damaging of private property, also known as inverse condemnation. In *City of Oroville v. Superior Court of Butte County*, the Supreme Court reviewed its first inverse condemnation case in two decades, and ultimately issued a decision that raises the bar on what plaintiff (i.e., the private property owner) must show to prevail in a case against a public entity.

Like the United States Constitution, the California Constitution requires the government to pay just compensation when it takes private property for a public purpose, such as using eminent domain power for necessary infrastructure projects or utility easements. An inverse condemnation action is an eminent domain action initiated by a person or entity whose property was taken or damaged for public use, as opposed to by the public entity. For example, a district may be held responsible under inverse condemnation if a tree falls into an electrical line and causes a fire, even if the tree was outside the utility right-of-way and the utility maintained proper clearances between the tree and its lines.

The details of the *Oroville* case center around a dental practice that suffered damage when raw sewage began spewing from the toilets, sinks, and drains of its building. In 1985, three dentists (plaintiffs) purchased property and constructed an office building. State and local laws in place at the time required the installation and ongoing maintenance of a backwater valve (BWV) on the private sewer lateral for the building, but no BWV was ever installed. In 2009, sewage backed up into plaintiffs' building. The dentists contended the City of Oroville legally responsible for the property damage, because it was caused by the sewer system's failure to function as intended. The City argued that the damage occurred because the dentists failed to install a backwater valve, which was legally-required by the Oroville Municipal Code, and would have prevented sewage from entering their building in the event of a sewer main backup. The California Supreme Court reversed the judgment of the Court of Appeal and ruled in favor of the City.

The California Supreme Court announced a new test for causation: "the damage to private property must be *substantially caused* by an *inherent risk* presented by the deliberate design, construction, or maintenance of the public improvement." The decision is also significant because it permits assessment of "whether the damages were the result of a risk created not by the public improvement, but by the acts of the private property owner."

The Court concluded the City was not liable for inverse because the plaintiffs did not prove the City had unreasonably designed, constructed or maintained the sewer main. The record showed the City's sewer system was well maintained and designed and constructed consistently with then prevailing industry standards. Second, government conduct is presumed to be reasonable and a plaintiff must rebut that presumption with evidence the government acted unreasonably. The dentists were not able to do so, and "the City did not act unreasonably in expecting private property owners to comply with the law."

If you have any questions about this case or how it may affect special districts, contact Legislative Analyst – Attorney Mustafa Hessabi at mustafah@csda.net.



➤ DISTRICTS MAKE THE DIFFERENCE

Districts Make the Difference was created to increase public awareness and understanding of special districts across California. The campaign website, www.districtsmakethedifference.org provides a public place to learn more about special districts and the positive effect they have on their communities, while also serving as a resource for districts to download useful materials, collateral, and information.

2019 Student Video Contest Submissions Due September 30

Districts Make the Difference 2019 Student Video Contest submissions are due September 30. Spread the word to students within your special district's service area. Contest information, posters, and more are available at DistrictsMakeTheDifference.org.

Students are encouraged to be as creative as possible when making their 60-90 second videos. That's correct, the length of the videos has also been extended! Students can now create videos up to 90 seconds long.

Do you know a student who may be interested? Do you know a teacher, principal, superintendent, or school board member that can help promote the contest? Resources are available on the Districts Make the Difference website to help you promote the student video contest on your website, social media, or in your office.

Start spreading the word using these resources available at DistrictsMakeTheDifference.org/video-contest:

- Flyer/Poster
- Contest Scholarships Graphic
- Contest Scholarships Banner
- Steps to Enter Graphic
- Statewide Voting Graphic
- Sample Newsletter/Website Content

Chapters are also encouraged to hold a local contest in conjunction with the statewide competition. A toolkit detailing how to facilitate a local contest is now available. Last year, the Alameda County Special Districts Association, Contra Costa Special Districts Association, and Santa Clara County Special Districts Association all held local contests and selected a local student winner from their communities. Contact your public affairs field coordinator for more information.

Hosting a local contest is a wonderful way for students to learn about your special district and potentially win a scholarship! Promotional materials including a flyer and the social media graphics are also available on the Districts Make the Difference website at www.DistrictsMakeTheDifference.org/video-contest.

For more information about the contest and to watch last year's winning videos, visit the [Districts Make the Difference website](http://DistrictsMakeTheDifference.org).



➤ OTHER WAYS TO TAKE ACTION

Learn More

CSDA's next and final conference of the year is the 2019 Board Secretary/Clerk Conference in **November 12-14** in Seaside, CA. Whether you are a new or seasoned board secretary/clerk, continuing education is essential to keeping current on the many aspects of your job. In an effort to expand educational opportunities for this important position in special districts, and to provide an opportunity to recognize individuals who invest the time in becoming trained in the various components of the job, CSDA created this certificate program.

The conference will also include two optional pre-conference workshops: Writing Minutes and Meeting Notes OR Effective Presentations. In Addition, there are 10 NEW advanced attendee session options including advanced courses for returning certificate holders and a revised first-time attendee track.

Check out the official 2019 Board Secretary/Clerk Conference page at csda.net/boardsecretary to register and view the complete schedule!

Utilize Resources

Have you completed CSDA's Administrative Salary & Benefits Survey yet? CSDA launched a new online survey tool that provides a user-friendly format for entering and accessing important salary and benefit data. Districts that complete the survey can receive \$125 off the purchase of the final results and customized reports. Downloadable survey results and reports will be available this fall. For examples of the data collected and reported in this survey, visit csda.net/member-resources/salary-survey or contact us at membership@csda.net.

Join Today

Join an Expert Feedback Teams to provide CSDA staff with invaluable insights on policy issues. Email marcusd@csda.net to inquire about joining one of the following teams:

- Budget, Finance and Taxation
- Environment
- Formation and Reorganization
- Human Resources and Personnel
- Governance
- Public Works and Contracting

Stay Informed

In addition to the many ways you can **TAKE ACTION** with CSDA's advocacy efforts, CSDA offers a variety of tools to keep you up-to-date and assist you in your district's legislative and public outreach. Make sure you're reading these resources:

- CSDA's weekly e-Newsletter
- Districts in the News
- CSDA's CA Special District Magazine

Email advocacy@csda.net for help accessing these additional member resources.