

# CASTLE PINES NORTH



METROPOLITAN DISTRICT

## Study Session Agenda

Wednesday, October 19, 2022, at 5:30 p.m.  
7404 Yorkshire Drive, Castle Pines, CO 80108

**NOTE:** *CPNMD study sessions are educational opportunities for directors, the staff/consultant team, and special guests with subject-matter expertise to transparently take a deeper dive into, discuss, and debate topics of interest. During study sessions, directors may ask questions and exchange views but are strictly prohibited from voting. Though public comment is not allowed, residents may watch the proceedings in person and via live video stream and video recording at <https://cpnmd.org/board-meetings>.*

- I. Call study session to order.
- II. Public Hearing: CPNMD's proposed opt-out of the Colorado Family Leave & Medical Insurance (FAMLI) Program.
- III. Candid exchange of views regarding CPNMD's discussions and practical prospects with potential Inclusion partners.
- IV. Staff/consultant team's proposed skate park facility location, design, cost, and construction timeframe.
- V. Adjourn.

Our next monthly board meeting is scheduled for 6:00 p.m., Monday, October 24, 2022

The Castle Pines North Metro District provides clean, safe, reliable, on-demand drinking water, wastewater, stormwater, parks, trails, and open space services to the people of Castle Pines, west of I-25.

Board meetings are available for viewing via live video stream and video recording at [cpnmd.org](https://cpnmd.org).

**NOTICE TO EMPLOYEES  
OF  
CASTLE PINES NORTH METROPOLITAN DISTRICT**

**NOTICE PURSUANT TO § 8-13.3-122, C.R.S. AND 7 CCR 1107-2.6(A)(2), NOTIFYING  
DISTRICT EMPLOYEES OF THE FAMILY AND MEDICAL LEAVE INSURANCE  
PROGRAM AND INVITING WRITTEN COMMENTS ON WHETHER TO  
PARTICIPATE IN THE PROGRAM**

In November 2020, Colorado voters approved Proposition 118, codified in §§ 8-13.3-501, *et seq.*, C.R.S., establishing the Family and Medical Leave Insurance Program (“FAMLI”) to provide Colorado workers paid leave for qualifying family and medical circumstances.

FAMLI will be funded by premiums paid by Colorado employers, employees, and, independent contractors that elect to participate in the in the program. FAMLI premium collection commences January 1, 2023 (employee benefits will be made available beginning in 2024).

FAMLI premiums for the year 2023 are 0.90% of each employee’s wage. The premium will be changed in subsequent years depending on program needs but will not exceed 1.2% of each employee’s wage.

An employer with less than ten employees must remit half of the full premium for each employee’s wage (0.45% in 2023), and may (a) pay the premium in addition to an employee’s wage or (b) deduct the premium from an employee’s wage.

An employee that meets the “covered individual” definition provided in § 8-13.3-503(3), C.R.S., is entitled to FAMLI benefits commencing January 1, 2024. Covered individuals may take up to 12 weeks of paid aggregate family / medical leave (up to 16 weeks for pregnancy complications) in a 12-month period for:

- Birth, adoption, placement, care of a new child during first year after birth, adoption or foster care;
- Care for a family member with a “serious health condition” (including pregnancy);
- An employee’s own “serious health condition” (including pregnancy);
- Exigency leave (active-duty military; post deployment or death); or
- Safe leave (employee or employee’s family member is the victim of domestic abuse, stalking or sexual assault / abuse).

The FAMLI paid leave benefit provides a partial income replacement, which is calculated as follows: 90% of an employee’s average weekly wage that equals or is less than half of

Colorado's average weekly wage, and if applicable, 50% of the portion of an employee's wage that exceeds Colorado's average weekly wage. However, the maximum weekly benefit prior to 2025 will be capped at \$1,100.

FAMLI provides that any "local government" "employer", as defined by §§ 8-13.3-503(14), 29-1-304.5(3)(b), C.R.S. and § 8-13.3-502(8), C.R.S., may decline participation in the program upon a majority vote of its governing body.

An employee whose local government employer declines participation in the program may elect to individually participate in the program for a minimum of three years by registering with FAMLI and paying 50% of the premium (0.45% of wage in 2023).

**All District employees are invited to:**

- a. Submit written comments on whether to participate in the FAMLI program to the attention of Nathan Travis, Interim Manager, at 7404 Yorkshire Drive, Castle Pines, Colorado, 80108 on or before 5:00pm MST on October 19<sup>th</sup>, 2022; or,**
- b. Provide comment at the public hearing scheduled for October 19th at 5:30pm MST at the District offices at 7404 Yorkshire Drive, Castle Pines, Colorado.**

*Informational Links:*

<https://famli.colorado.gov/> (FAMLI Program Homepage)

<https://famli.colorado.gov/individuals-and-families/individuals-and-families-faqs> (FAQ for Individuals and Families)

<https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator> (Premium / Benefits Calculator)

<https://famli.colorado.gov/sites/famli/files/documents/Paid%20Family%20and%20Medical%20Leave%20Insurance%20Act-%20CDLE.pdf> (Paid Medical and Family Leave Act)

<https://drive.google.com/file/d/11m3t1jyZxBgu8pF5FkB4-vuNQ9rzXrf/view> (FAMLI Local Government Rules)

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF  
CASTLE PINES NORTH METROPOLITAN DISTRICT**

**RESOLUTION NO. 2022 - \_\_\_\_\_**

**DECLINING PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL  
LEAVE INSURANCE PROGRAM**

WHEREAS, in November 2020, Colorado voters approved Proposition 118, codified in §§ 8-13.3-501, *et seq.*, C.R.S., establishing the Family and Medical Leave Insurance Program (“FAMLI”) to provide Colorado workers paid leave for qualifying family and medical circumstances; and

WHEREAS, FAMLI will be funded by premiums paid by Colorado employers, employees, and, independent contractors that elect to participate in the in the program; and

WHEREAS, FAMLI premium collection commences January 1, 2023, and benefits begin January 1, 2024; and

WHEREAS, FAMLI provides that any “local government” “employer”, as defined by §§ 8-13.3-503(14), 29-1-304.5(3)(b), C.R.S. and § 8-13.3-502(8), C.R.S. respectively, may register with the program by January 1, 2023, and a local government employer that fails to register by January 1, 2023, will be deemed a participant in the program; and

WHEREAS, FAMLI provides in § 8-13.3-522, C.R.S., that a local government employer may decline participation in the program upon a majority vote of its governing body, provided the governing body first holds a public hearing on the matter with prior written notice to employees summarizing the program and vote process and giving employees opportunity to submit comments on the matter; and

WHEREAS, to avoid being subject to premium collection commencing January 1, 2023, FAMLI requires a local government employer to register with the program and provide notice of a decision to decline participation by January 1, 2023; and

WHEREAS, a local government employee whose employer declines participation may elect to participate in the FAMLI program; and

WHEREAS, a local government employer declining participation may elect to help facilitate its employees’ participation by collecting and remitting the employee premiums; and

WHEREAS, the Board of Directors of the Castle Pines North Metropolitan District (“District”) held a public hearing to consider whether to participate in the FAMLI program at a public meeting held on October 19, 2022 at 7404 Yorkshire Drive, Castle Pines, Colorado, 80108 at 5:30pm MST, and District employees were provided written notice of the public

hearing and opportunity to comment on the District's participation in the program at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. The Board of Directors finds and determines that, with regard to the public hearing on the decision of whether to decline participation in FAMLII, notice was given and the hearing was conducted in accordance with FAMLII and the rules and regulations adopted by the Colorado Department of Labor and Employment.
2. The Board of Directors, acting for an on behalf of the District, hereby declines participation in the FAMLII program.
3. The District *will [will not]* facilitate premium collection and remittance for employees that elect to participate in the FAMLII program.
4. District consultants shall implement this Resolution consistent with FAMLII and the rules and regulations adopted by the Colorado Department of Labor and Employment.
5. Provided the Board of Directors does not subsequently elect to participate in the FAMLII program, the District's declination hereunder shall expire eight years from the date hereof, and the Board of Directors reconsider this Resolution prior to that date.

APPROVED AND ADOPTED this 24th day of October, 2022, by the Board of Directors of the Castle Pines North Metropolitan District.

CASTLE PINES NORTH METROPOLITAN  
DISTRICT

\_\_\_\_\_  
District President

Attest:

\_\_\_\_\_  
Secretary/Assistant Secretary

{00616349}