

**RESOLUTION NO. 2022-10-02**

**THE BEEBE DRAW FARMS AUTHORITY**

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

**WHEREAS**, Beebe Draw Farms Authority (the “Authority”) is an authority and separate legal entity duly created pursuant to C.R.S. §§ 29-1-203; and

**WHEREAS**, in November of 2020, Colorado voters approved Proposition 118, codified at Part 5, Article 13.3 of Title 8, C.R.S., establishing a state insurance plan providing paid leave for Colorado workers during certain life circumstances to be known as the Family and Medical Leave Insurance Program (“FAMLI”); and

**WHEREAS**, under FAMLI, employers and their employees are both responsible for funding the program and may split the cost 50/50, with the premiums set at 0.9% of the employee’s wage and 0.45% each paid by the employer and employee; and

**WHEREAS**, the premiums required for FAMLI will be collected starting January 1, 2023, and benefits will begin January 1, 2024; and

**WHEREAS**, the Authority, as a local government pursuant to C.R.S. §§ 8-13.3-503(14) and 29-1-304.5(3)(b), may decline to participate in FAMLI following a public hearing and vote of its Board of Directors (the “Board”) pursuant to C.R.S. § 8-13.3-522; and

**WHEREAS**, should the Authority decline to participate in FAMLI, its employees will still have the option to participate in the program and remit premiums to the State; and

**WHEREAS**, notice of the October 12, 2022 meeting of the Board and the public hearing on the decision of whether to participate in FAMLI was duly provided; and

**WHEREAS**, in accordance with the regulations adopted by the Colorado Department of Labor and Employment and codified at 7 CCR 1107-2 (the “Regulations”), advance written notice was provided to Authority employees including information regarding the vote process and opportunity to submit comments to the Board; and

**WHEREAS**, at a public meeting held on October 12, 2022, the Board held a public hearing on the decision of whether to participate in FAMLI.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BEEBE DRAW FARMS AUTHORITY AS FOLLOWS:**

**Section 1.** The Board finds and determines that, with regard to the public hearing on the decision of whether to participate in FAMLI, notice was duly given, and the public hearing was conducted in accordance with the Regulations.

**Section 2.** By \_\_\_\_\_ vote, the Board hereby declines any and all participation in FAMLI.

**Section 3.** The Board authorizes and directs its legal counsel to file a copy of this Resolution with the FAMLI Division by January 1, 2023 and to take all actions necessary and appropriate to effectuate this Resolution and the decision of the Board to decline any and all participation in FAMLI.

**Section 4.** The Board directs its staff to bring the matter of revisiting the decision to decline participation in FAMLI before a future Board by no later than eight years from the date of this Resolution.

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**ADOPTED AND APPROVED** THE 12<sup>TH</sup> day of OCTOBER 2022.

BEEBE DRAW FARMS AUTHORITY

By:   
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Paul "Joe" Knopinski