

## **Minutes BCCC Board Meeting**

**Date: August 19, 2021**

**Location: On line via ZOOM**

In attendance: Gary Parsons, President  
Mario Obejas, Vice-President  
Susan Callaway, Secretary  
Leila Grantz, Treasurer  
Peter Richardson, Member at Large  
Steve Reichlin, Youth Education Coordinator  
Linda Wein, Membership Coordinator  
Members: Art Grantz, Patrice Reiss, Simon Hickling, Susan Reichel, Diane Granville, Hawk Granville, Del Losson, Don Young, Charlie Thacker, O. M. Travis

After roll call and establishment of a quorum, the meeting was called to order by President Gary Parsons at 7:01 pm.

There were no corrections to the minutes of the June 17, 2021 Board Meeting sent out by email; they were approved.

There were no corrections to the minutes of the July 18, 2021 Annual Meeting sent out by email; they were approved.

### **Attendee comments**

Two members spoke in opposition to BCCC taking on the responsibility and liability of becoming an employer. Six members spoke in favor of the Youth Bike Education Program. Eleven members, including some who had HR or employer experience, sent written comments via email; all opposed BCCC becoming an employer. Several suggested changing to a volunteer run program, although none of the respondents indicated any interest in taking on this responsibility. One member indicated that he didn't think the Board had the authority to hire employees and he is prepared to file legal action if they move forward with having paid employees, unless the membership voted on it. One attendee asked why only certain members received an email asking their opinion, rather than the entire membership.

### **Treasurer's Report**

- Leila presented the Statement of Financial Position report which shows that the club account has a total of \$70,209.07 on hand. She also reviewed the Statement of Activity and the Budget vs Actuals report, pointing out that we are well within our budget.

### **Membership**

*Status Report:* Peter reported that we currently have 319 members, an all-time high. For the month of July, we had 14 new members, 19 renewals and 5 lapsed memberships.

*Voter order:* The ordering window closed on July 26<sup>th</sup>.

### **Insurance Claims/Member Biking Accidents**

There have been no accidents on club rides.

### **Youth Education Program**

See unfinished business

### **Action Items.**

None

### **Unfinished Business**

1. Youth Education Program: How to pay our 2 instructors (Steve and Hawk) now that we can no longer pay them as independent contractors due to AB5

#### Payroll Company vs Temp Agency :

Information was presented on the anticipated costs of the two options for paying them, based on 448 hours worked (see attached). The pros and cons of using a payroll company vs a temp agency were discussed, as well as the option of a volunteer run program were discussed, as was the issue of liability for the club as an employer.

Board members were reminded that the lawyer we spoke with said becoming employers was our 3rd option after volunteering or a temp agency. He then agreed to send us a checklist so if we decide to become employers, we could make sure we were doing things correctly. (Note: we now have this checklist.)

It was mentioned that Jim Hannon was obtaining a waiver so SBBC could use independent contractors and we might be able to

run our program through them. Due to time constraints, that is not a possibility this school year.

It was suggested the club could reduce their risk if our instructors set up their own company and then billed BCCC, but they are not interested in this approach.

- Susan made a motion: Use Paychex to manage our payroll requirements for the two instructors that run our Youth Education Program. Leila seconded it. The motion passed: Ayes: Callaway, Grantz, Richardson Noes: Parsons, Obejas

*Note: Mario requested that his dissenting "no" vote and rationale be recorded per Charities Review Council guidelines.*

*Rationale: Becoming an employer is a significant change for this club; it's not a routine decision such as where to host an event. Every club member who supplied written or oral testimony on point, who also had real life HR experience or employer experience, unanimously expressed that taking on employer duties is fraught with risk and liabilities and urged that we not become an employer. This is consistent with my personal experience as a California based employer, whose employee was once sued. Voting for this motion means embarking on an employer path and notably, requires me to dismiss all this relevant testimony and personal experience while other viable options - such as direct hire or using a temp agency - exist to mitigate the employer risk. I could not dismiss that testimony and personal experience.*

- Mario made a motion: Survey the members vote about their views on becoming an employer or the other options. Gary seconded it. The motion was defeated: Ayes: Parsons, Obejas Noes: Callaway, Grantz, Richardson

Mario suggested another option: he will contact RBPD to see if they will hire Steve and Hawk

## 2. Status of Bike Corrals

- Hermosa Beach Festival: The proposed agreement with Steve Collins and Michael Bell was reviewed. They will set up and manage the corral; we will provide equipment and volunteers. We will collect the tip money and it will be split between BCCC and the Hermosa Beach Chamber of Commerce. The Board agreed with this plan.
  - Gary will send agreement to Steve and Mike.
  - Peter will set up volunteer sign up once hours of event are determined.
- Beach Life Festival: After discussion, it was decided that:
  - Gary will contact the organizer of this event to let him know that they can rent the bike racks from us.
  - Gary will also inform Beach Life that we do not have anyone to oversee the setting up of the 2 corrals and/or to supervise our volunteers so we cannot provide either of these services.

## New Business

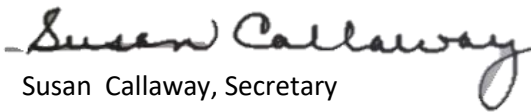
### 1. Determine policy on rebates for Cycliq cameras

The guidelines already in place were reviewed: Ride leaders who purchase cameras will be reimbursed \$100 per camera. They must lead 3 rides within a current 12 month window. This will be funded by a grant from Gerry Agnew.

- Gary made a motion: Accept the guidelines stated above. Mario seconded it. The motion passed unanimously.

**Next Board Meeting: Thursday, September 16<sup>th</sup> at 7 pm via ZOOM**

The meeting was adjourned at 9:07 pm.

  
Susan Callaway, Secretary

## BCCC Youth Education Program

Cost Comparison for 6 Bike and 6 Pedestrian Events

Total time for 2 Instructors: Admin, Planning & Instruction = 448 hrs.

| BCCC Base Cost   |             | Paychex Cost - Payroll Service                           |                   | Adia Cost - Temp Service                                 |             |
|--|-------------|--|-------------------|--|-------------|
| Employee Wages   | \$17,920.00 | \$48 /month * 12 months                                  | \$576.00          | Adia Markup (55%)  | \$9,856.00  |
| Workers' Comp Insurance<br>(1-year premium)              | \$549.94    | \$2.40 /pp/mo * 2 ppl * 10 mo                            | \$48.00           | Employee Wages   | \$17,920.00 |
| Taxes  | \$1,998.08  | W2 Setup Fee   | \$75.00           |  |             |
|  |             | \$6.75 /pp * 2 ppl                                       | \$13.50           |  |             |
|  |             | Paychex Service Fee                                      | \$712.50          |  |             |
|  |             | Base Cost  | \$20,468.02       |  |             |
| Base Cost  | \$20,468.02 | Paychex Cost   | \$21,180.52       | Adia Cost  | \$27,776.00 |
| Workers' Comp Insurance<br>(included above in Base Cost) | \$549.94    | Workers' Comp Insurance<br>(included above in Base Cost) | \$45.83 per month | Workers' Comp Insurance<br>(included in Adia's Overhead) | \$0.00      |

Note: The Adia cost estimate in this chart does not account for the cost of any additional hours paid to meet Adia's 4-hour minimum charge or 24 hour cancellation policies.

### BCCC

- BCCC would be responsible for obtaining the forms to become an employer
- BCCC would be responsible for completing paperwork to sign up employees
- BCCC would be responsible for giving employees required state and federal forms/notices
- BCCC would be responsible for obtaining Workers' Comp insurance and paying the annual fee
- Leila would need to set up system to pay employees bi-weekly or as needed
- Leila would be responsible for deducting and paying taxes, unemployment etc.
- Leila would be responsible for W2 reporting and forms

### Paychex

- Will help us register for CA EDD withholding and Unemployment Tax ID #
- Has online HR library with federal and state forms we need to give our employees
- Will enter our employee info in their system
- Will obtain quote for Workers' Comp insurance and set us up for monthly payments
- Implementation specialist will be assigned to walk Leila through 1<sup>st</sup> payroll processing
- Leila will submit payroll information every 2 weeks or as needed
- Paychecks and required payments automatically deducted from our account
- Employees receive paycheck via direct deposit
- Mobile app for Leila to enter payroll info and for employees to review their checks
- Customer service reps available 24/7
- Provision for someone else to enter payroll if Leila is not available

### Adia

- 4-hour minimum charge per shift
- Bill weekly, payment due net-15 days upon receipt
- 24-hour cancellation notice or we will be billed for 4-hours per temp
- Conversion fee applied if we hire temp who has worked less than 501 hours

(Note: 10 temp agencies were contacted. Adia was the only one that responded with a quote.)