



City of Kingsburg

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Phone (559)897-5821 Fax (559)897-5568

Mayor Michelle Roman
Mayor Pro Tem Laura North
Council Member Sherman Dix
Council Member Vince Palomar
Council Member Jewel Hurtado

City Manager Alexander J. Henderson

AGENDA

KINGSBURG CITY COUNCIL REGULAR MEETING

VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WILL BE CLOSED TO THE PUBLIC. PUBLIC WILL HAVE THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WILL CONTINUE TO BE SUBMITTED BY MAIL OR EMAIL TO APALSGAARD@CITYOFKINGSBURG-CA.GOV. THE CUT OFF FOR WRITTEN COMMENTS IS 4/14/2020 at 4:30pm. THEY WILL NOT BE READ OUT LOUD.

Wednesday, April 15, 2020 at 6pm

Invocation to be given by Pastor Dennis Fast, Hope Mennonite Church.

6 P.M. REGULAR SESSION MEETING:

- 1. Call to Order and Roll Call**
- 2. Public Comments:** This is the time for any citizen to come forward and address the City Council on any issue within its jurisdiction that is not listed on the Agenda. A maximum of five (5) minutes is allowed for each speaker.
- 3. Approve Agenda:** Action by the Council to approve the agenda or to make modifications. Items that can be added to the agenda is constrained by State law.
- 4. Consent Calendar:** Items considered routine in nature are to be placed on the Consent Calendar. They will be considered as one item and voted upon in one vote unless individual consideration is requested. Each vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Approval of the Consent Calendar items include recitals reading ordinance(s) by titles(s) only and adoption of recommended action(s) contained in Staff Reports.
 - 4.1 Approval of City Council Minutes:** Approve the minutes from the April 1, 2020 Regular City Council Meeting, as prepared by City Clerk Abigail Palsgaard.
 - 4.2 Adopt Resolution 2020-024-** Confirming Executive Orders 2020-01 and 2020-02 of The Director of Emergency Services for The City of Kingsburg.

4.3 Receive and File Kingsburg Police Stats for March 2020- Report prepared by Police Records Supervisor Corina Padilla.

4.4 Check Register: Ratify/approve payment of bills listed on the check register for the period March 26, 2020 through April 8, 2020 as prepared by Finance Director Alma Colado.

5. Regular Calendar

5.1 Coronavirus Disease 2019 (COVID-19) Update - Staff Report by City Manager Alexander Henderson

Possible Action(s):

- a. Presentation by City Manager Alexander Henderson
- b. Council Discussion
- c. Informational- No Action Necessary

5.2 SB 1 Projects- Staff Report by City Manager Alexander Henderson

Possible Action(s):

- a. Presentation by City Manager Alexander Henderson
- b. Council Discussion
- c. Action as Deemed Necessary

6. Council Reports and Staff Communications

6.1 Community Services Commission

6.2 Public Safety Committee

6.3 Chamber of Commerce

6.4 Economic Development

6.5 Finance Committee

6.6 Planning Commission

6.7 South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA)

6.8 City Manager's Report

7. Other Business that may come properly before the City Council

8. Future Agenda Items

These items will be added to a future agenda with direction from Council.

9. Adjourn Regular Kingsburg City Council Meeting.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.cityofkingsburg-ca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the office of the City Clerk (559) 897-6520. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to that meeting [28 CFR 35 .102.35.104 ADA Title II].

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting. Dated this 9th day of April 2020.

Abigail Palsgaard, City Clerk

**KINGSBURG CITY COUNCIL
REGULAR MEETING MINUTES
APRIL 1, 2020 – 6P.M.**

Invocation was given by Pastor Dean Youngblood, of The Potters House Church.

THIS MEETING WAS HELD VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WILL BE CLOSED TO THE PUBLIC. THE PUBLIC HAD THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WERE COLLECTED UNTIL 3/31/2020 at 4:30pm. THEY WERE NOT BE READ OUT LOUD.

6 P.M. REGULAR SESSION MEETING:

Call to Order and Roll Call: At 6:00pm Mayor Roman called the regular meeting of the Kingsburg City Council to order.

Council Members present via teleconference: Jewel Hurtado, Vince Palomar, Sherman Dix, Laura North and Mayor Michelle Roman.

Staff present: City Manager Alexander Henderson, Director of Administrative Services Christina Windover and City Clerk Abigail Palsgaard.

Staff present via teleconference: City Engineer Dave Peters and City Attorney Michael Noland.

Public Comments

Heather Dunn asked that Council reconsider having backyard chickens as an actionable action on the agenda.

A member of the public said they are in support of backyard chickens.

Gayle Averelo said she is against allowing chickens.

Approve Agenda:

City Attorney Michael Noland stated as the result of the Covid 19 pandemic and employment issues, City Manager Henderson, as Emergency Services Director, declared two orders in regards to personnel issues and employee screening. These orders must be confirmed by the next council at the earliest possible date. Staff is requesting Emergency Executive Order 2020-01 be added to item 5.2 and 2020-02 to the agenda as 5.5 for confirmation. Council has the ability to approve the agenda or to make modifications. Items that can be added to the agenda is constrained by State law.

Council Member North motioned that there is a need to make immediate action, and that need of action was made after the agenda was posted. Council Member Dix seconded the motion. The motion carried by unanimous roll call vote.

Council Member North motioned to place Emergency Executive Order 2020-01 for confirmation under Item 5.2 and add Item 5.5 for confirmation of Emergency Executive Order 2020-02. Council Member Hurtado seconded the motion. The motion carried by unanimous roll call vote.

A motion was made by Council Member Palomar, seconded by Council Member Hurtado, to approve the Agenda as amended. The motion carried by unanimous roll call vote.

Consent Calendar: A motion was made by Council Member Dix, seconded by Council Member to approve the consent calendar. The motion carried by unanimous roll call vote.

- 4.1 **Approval of City Council Minutes:** Approve the minutes from the March 18, 2020 Regular City Council Meeting and March 23, 2020 Special City Council Meeting, as prepared by City Clerk Abigail Palsgaard.
- 4.2 **Check Register:** Ratify/approve payment of bills listed on the check register for the period March 12, 2020 through March 25, 2020 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 **Accept the Athwal Park Improvements project completed by Steve Dovali Construction and authorize the City Engineer to file the Notice of Completion.-** Staff Report prepared by City Engineer Dave Peters
- 4.4 **Adopt Resolution 2020-023-** Authorizing the destruction of City Records approved by the City Attorney.

Regular Calendar

Coronavirus Disease 2019 (COVID-19)

City Manager Alexander Henderson gave an update on what Staff has been doing internally and with the community. As mandated by Fresno County Department of Health all City employees' health will be screened at the beginning of the work day. First responders are already doing temperature checks. He is taking as many steps to limit exposure at City Hall as possible including entering into agreements with employees to work from home. He said Staff is going forward with the emergency plan including FEMA training.

City Manager Henderson stated that Staff is working with KCAPs to provide food for seniors who were not registered with FMAAA. EOC is doing deliveries with seniors that were in the FMAAA program. Governor Newsom will have a hotline to help seniors answer questions. He has been working with business owners and property owners with issues from shelter in place. Fresno Economic Development has put together a webpage to help with resources. The City website is updated, we are getting calls regarding code enforcement. A lot of people are home and cleaning, and we are trying to get the spring clean up rescheduled in the future. As for the sales projections- we're estimating a 9-12% decrease in sales tax. It is hard to make sound projections since we have been dealing with this for only a few weeks, even though it feels much longer. Staff is anticipating property sales tax will be close to budgeted numbers. We will be getting actual numbers from hotels in the next couple months. We will also see in the next couple months if we will have to update the budget regarding building permits.

City Manager Henderson explained that two years ago Council adopted a policy for a waterfall fund including the economic stabilization fund that has \$630,000. He said we may need to utilize this fund. Any reduction of revenue we take seriously. We are not as dependent on one type of revenue over another. Mayor Roman thanked the City Manager and staff for everything. Everything is changing so quickly.

COVID-19 Leave Policy Update

The Director of Emergency Services Alexander Henderson explained the new leave policy that expires on 12/2020 regarding COVID-19. Initially we thought we would be reimbursed for the leave, but that is not the case for a public agency. Staff added a cap on the negative sick bank leave at 80 hours.

Council Member Dix asked to clarify if the leave is additional 80 hours to what the employee has already. Director of Emergency Services Henderson said yes, the Act provides that employees get 80 additional hours if they qualify.

Council Member Dix asked if the policy of working from home provided they use their own equipment and internet without reimbursement. Director of Emergency Services Henderson said yes. The number of employees utilizing working from home was discussed.

A motion was made by Council Member Hurtado, seconded by Council Member Dix confirming Emergency Executive Order 2020-01 that includes the proposed policy from the Director of Emergency Services relating to employee leave/pay during emergency determination as necessary to safeguard life and property and continue essential services of the City of Kingsburg. The motion carried by unanimous roll call vote.

City Engineer Project Progress Report

City Engineer Dave Peters discussed current projects including the Crandall Swim Complex, pedestrian pathways, and TCP treatment plants. The Summerlyn (Hash) development phase one is mostly complete. Housing authority project at Sierra and Marion is moving along, the offsite infrastructure will be out to bid soon. City Engineer Peters spoke about upcoming projects. Staff is working with PG&E for an outage around 18th Avenue. He discussed other projects, including the Highway 99 road reconstruction that may take one year. The construction will have closures of lanes and on and off ramps.

Council Member North thanked City Manager Henderson and City Engineer Peters for working with PG&E on the service interruption issue. A lot of citizens were concerned and she appreciates their work.

Council Member Dix asked if you are getting feedback about potential delays regarding products or costs. City Engineer Peters said our industry has been relatively unaffected. A lot of our projects are federally funded, and it is business as usual right now.

Council and staff discussed the 'people mover' type of crosswalk, allows for diagonal crossing. City Engineer Peters stated when you have large groups of pedestrians it is pretty successful and it would be beneficial at Sierra and 18th. Mayor Roman said she is glad the Highway 99 improvement will not be delayed since there is lower traffic right now. Council Member Hurtado asked for clarification of the timeline for the lane closures on the 99 Sierra to second street. City Engineer Peters said one year.

Sandra Staats, West Star Construction, wanted to thank staff for working with West Star for the PG&E work that needs to be done. They have done all the prep work so that it would minimize the impact to individuals. Council Member Dix said the homes look great, how have sells been going. Sandra Staats said foot traffic has gone down, if they want to tour it is by appointment. There is still lots of interest. We have had no cancellations, Kingsburg is a high demand city.

Capital Improvement Plan 2019/2020 Update

City Manager Alexander Henderson said this discussion is essentially a continuation of the City Engineer's report. During the budget process we review the adopted CIP plan. We are working on security cameras at City Hall, the Police Department and at parks. Council Member Palomar has been working on the project with the Public Safety Committee. City Manager Henderson reviewed the façade, alley and the upper floor residential rehab grants. As a part of the microgrant program there is now a walking tour. There are 22 pedestals in the downtown area. There has been Measure E purchases and progress on the TCP water treatment plants.

Council Member Hurtado asked about the possibility to have the public meetings livestream in 2019 and is hoping we can use the budgeted funds for livestreaming. City Manager Henderson said after the COVID-19 emergency is over we will look into a long-term solution for live streaming including equipment and file storage. With the Governor's emergency declarations, a lot of the brown act doesn't apply right now. Council Member Dix asked about web-based meetings. Staff will research.

Confirming Executive Order 2020-02- Added to The Agenda as 5.5

Council Member Palomar if the employees are checking their temperature every day. City Manager Henderson said the Fire Department & Police Department are doing proactive checks everyday, but to his knowledge it is not a requirement for employees.

Council Member Palomar motioned, seconded by Council Member Hurtado to confirm Emergency Executive Order 2020-02- An executive order that relates to employee screening as directed by Fresno County Department of Health.

Council Reports and Staff Communications

Community Services Commission- Council Member North said they have not met.

Public Safety Committee- Council Member Palomar said they not scheduled to meet, will meet once we get clarification from a member to approve funds for the Police Department cameras.

Chamber of Commerce- Council Member Hurtado said they have not met, not sure how they will met. Mayor Roman said they will be doing a zoom conference for Swedish queen.

Economic Development- Council Member Dix said they have not met.

Finance Committee- Council Member Dix said they met last Tuesday and went over the capital improvement projects that were discussed tonight.

Planning Commission- City Manager Henderson said they will meet in April with 2 items on the agenda.

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA)- Council Member Dix said they have not met.

City Manager's Report- No additional report.

Other Business that may come properly before the City Council

Mayor Roman said she got an email that Sprint T-Mobile merger has closed. Only one hurdle left from the CPUC with the approval set for 4/16/2020.

Council Member Hurtado thanked Mayor Roman for her video updates, it is a great way to get information out. Mayor Roman thanked her video production crew.

Future Agenda Items

These items will be added to a future agenda with direction from Council.

Considered written request from removal of the 18th A.ve Kingsburg Joint Union Crosswalk

City Manager Henderson wanted to make sure Council saw the correspondence. The High School would like to remove the mid-block crosswalk that joins the park to the high school. With Council's direction it will go through the traffic safety committee, and then will come back to Council as a larger discussion. Council gave direction to move forward.

Consideration of residents asking for the legalizing Backyard Chickens

Written Public Comment:

Addison Jost is for backyard chickens.

Coleman Diffenderfer is for backyard chickens.

Paige Diffenderfer is for backyard chickens.

Tony & Bonnie Redfern is for backyard chickens.

Brad Deaver is for backyard chickens.

Amanda Gleason is for backyard chickens.

Larry Day is against backyard chickens.

Erin Michel is for backyard chickens.

Council Member Dix said he doesn't think it is the time to have this discussion in front of council with everyone's safety in jeopardy. He thinks it should be brought back after the shelter in place is over so there can be full public participation. Council Member North said she thinks it should be on a future agenda; one where we can all meet together so it is equitable for the public to comment. Council Member Hurtado said she knows backyard chickens have had a lot of support, but it is a difficult time. She also understands why residents do want chickens. She agrees with bringing it back at another date when shelter in place is over.

Adjourn- At 7:32pm Mayor Roman adjourned the Regular Kingsburg City Council Meeting.

Submitted by:

Abigail Palsgaard, City Clerk

**CITY OF KINGSBURG
RESOLUTION NO. 2020-024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
KINGSBURG CONFIRMING EXECUTIVE ORDERS OF THE
DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF
KINGSBURG**

WHEREAS, there exists a local emergency in the City of Kingsburg (“City”) pursuant to Resolution 2020-022, approved by the City Council on March 23, 2020, where the City declared a local emergency due to the increase in confirmed cases of COVID-19, including now multiple confirmed cases within Fresno, Madera and Tulare Counties; and

WHEREAS, under the authority of Government Code sections 8610 and 8634, and Kingsburg Municipal Code section 2.40.060, the Director of Emergency Services is empowered, upon declaration of a local emergency, to make and issue regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, as a result of the declared local emergency, it is deemed necessary for the protection of life and property and in the interest of public safety for the Director of Emergency Services to enact certain emergency executive orders and regulations within the City; and

WHEREAS, life and property are deemed to be in peril and time is of the essence;
and

WHEREAS, the City Council does hereby find that the above-described emergency conditions and the extreme peril related thereto warrant and necessitate the Director of Emergency Services to issue orders and regulations in response to the existence of a local emergency; and

WHEREAS, effective March 20, 2020, pursuant to Executive Order N-33-20, the Governor issued a Statewide stay at home/stay in place order, which encompasses and expands upon the orders of the Director of Emergency Services.

NOW, THEREFORE, the City Council of the City of Kingsburg resolves as follows:

1. The following Executive Orders, issued the Director of Emergency Services, are hereby ratified and confirmed:

- Executive Order 2020-01 related to Employee Leave and Pay; (**Exhibit 1**);
and
- Executive Order 2020-02 related to Employee Health Screening. (**Exhibit 2**).

BE IT FURTHER RESOLVED that the above-referenced Executive Orders shall remain in effect until terminated by the Director of Emergency Services or the City Council of the City of Kingsburg, or until termination of the declared local emergency, whichever occurs first.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Kingsburg held on April 15, 2020, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

Abigail Palsgaard, City Clerk

CITY OF KINGSBURG
EMERGENCY SERVICES DIRECTOR EXECUTIVE ORDER 2020-01 RELATING
TO EMPLOYEE LEAVE/PAY DURING EMERGENCY DURING COVID-19
PANDEMIC

WHEREAS, there exists a local emergency in the City of Kingsburg ("City") pursuant to Resolution No. 2020-22, approved by the City Council on March 23, 2020, where the City declared a local emergency due to the COVID-19 pandemic; and

WHEREAS, under the authority of Government Code sections 8610 and 8634, and Kingsburg Municipal Code section 02.04.060, I am empowered, upon declaration of a local emergency, to make and issue regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, the California Department of Public Health ("DPH"), the Fresno County Health Department and the Governor' s Executive Order 27-20, establish guidelines for social distancing, elimination of non-essential gatherings and isolation for specific individuals, in order to prevent transmission of COVID-19; and

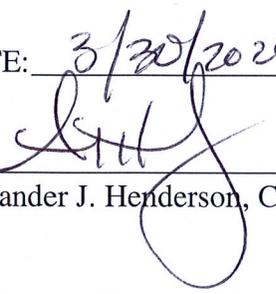
WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to allow essential services necessary to protect life and property and at the same time safeguard the life and property of City employees as recommended in the DPH guidelines; and

WHEREAS, the City's citizens', including City of Kingsburg employees, health and safety is deemed to be in peril; and

WHEREAS, on March 18, 2020, the United States President, following passage by both the House of Representatives and the Senate, signed HR 6201 - Families First Coronavirus Response Act into law as a step towards protecting families' financial security and mitigating the spread of the coronavirus.

THEREFORE, I, Alexander J. Henderson, as Director of Emergency Services, to help mitigate the spread of COVID-19 and the financial effects related to COVID-19, declare effective 12:00 p.m. on March 30, 2020, the following related to emergency leave/pay for use by all City of Kingsburg employees during this declared emergency:

DATE: 3/30/2020



Alexander J. Henderson, City Manager/Director of Emergency Services

ATTEST:



Abigail Palsgaard, City Clerk

City of Kingsburg Personnel Policies Due to COVID-19

- Sick Leave and Family Medical Care Leaves
- Emergency Telecommuting Policy
- Emergency Telecommuting Agreement
- Employee Certification to Return to Work
- Repayment of Leave Pay
- Directive of Notice to Not Return to Work
- Employee Certification of Need for Paid Leave
- Employee Certification of Need for Emergency Family and Medical Leave

Sick Leave and Family Medical Care Leaves

804 Sick Leave

804.1 *Purposes for Sick Leave*

Sick leave is paid leave from work that can be used for the following purposes:

- (a) diagnosis, care, or treatment of an existing health condition of, or preventative care for, an employee or any of the following of the employee's family members: child of any age or dependency status; parent; parent-in-law; spouse; registered domestic partner; grandparent; grandchildren; or sibling (Labor Code §§ 233(b)(2); 245.5(c); 246.5(a)(1)); or
- (b) for an employee who is a victim of domestic violence, sexual assault, or stalking to: i) obtain or attempt to obtain a temporary restraining order or other court assistance to help ensure the health safety or welfare of the employee or his or her child; or ii) obtain medical attention or psychological counseling; services from a shelter; program or crisis center; or participate in safety planning or other actions to increase safety. (Labor Code §§ 230(c); 233(b)(3)(A); 246.5(a)(2).)

Additionally, from April 1, 2020 through December 31, 2020, employees can take Emergency Paid Sick Leave as follows:

- (a) Employees are entitled to Emergency Paid Sick Leave at their regular rate of pay if they are unable to work or telework for the following reasons:
 - (1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
 - (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 - (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- (b) Employees are entitled to Emergency Paid Sick Leave at two-thirds of the employee's regular rate of pay if they are unable to work or telework because:
 - (1) The employee is caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or been advised by a health care provider to self-quarantine due to concerns related to COVID-19 order as described in subparagraph (1) or has been advised as described in paragraph (2) of subsection (a), above.

804.2 *Terms of Sick Leave*

(a) Accrual & Carryover for Different Categories of Employees:

- 1) Full time employees who are not seasonal/ temporary or extra help accrue sick leave for each calendar month of paid status; part-time employees who are not seasonal/temporary or extra help accrue sick leave in an amount prorated to the lower number of hours they work each calendar month in paid status. Accrued sick leave carries over from year to year. No accrual limit applies.
- 2) A *seasonal/ temporary or extra help employee* who works 30 or more days within a year from the commencement of employment with the City of Kingsburg accrues one hour of paid sick leave for every 30 hours worked. (Labor Code § 246(a).) Accrued and unused sick leave carries over to the following year of employment but a **[seasonal/ temporary or extra help employee]** stops earning sick leave once he or she has accrued 48 hours or 6 work days/ shifts, whichever is greater. (Labor Code § 246(i).)

(b) Sick Leave Use

An employee may use accrued sick leave, in a minimum increment of two hours, beginning on the 90th day after the first day of employment with the City of Kingsburg, subject to the limits and request provisions in this Policy. (Labor Code § 246(c) & (j).)

(c) Emergency Paid Sick Leave:

- (1) Leave taken as Emergency Paid Leave is in addition to any other leave accrued and does not accrue beyond 80 hours. Unused leave does not carryover for any employees.
- (2) Emergency Paid Sick Leave is subject to the following caps:
 - i. \$511/Day and \$5,110 in the Aggregate for the Following Employee-Related COVID-19 Absence Reasons
 1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
 2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
 - ii. \$200/Day and \$2,000 in the Aggregate for the Following Reasons Related to the Employee Taking Leave to Care for an Individual or Son or Daughter

1. The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in paragraph (2).
2. The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.
3. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor

(3) Employees may supplement the two-thirds pay with their accrued leaves to achieve 100% of their regular rate of pay.

(d) Protected Sick Leave:

- 1) For full time employees who are not seasonal/temporary or extra help, one-half of the employee's accrued and available annual sick leave is protected and may be used for any of the purposes stated in this Policy. (Labor Code §§ 233(b)(2); 233(b)(3)(A); 246(d).)
- 2) For seasonal/temporary or extra help employees, up to 48 hours of accrued and available sick leave each year is protected and may be used for any of the purposes stated in this Policy. (Labor Code § 246(d).) The year is measured beginning on July 1, 2015, or the employee's anniversary of hire date, whichever is later.
- 3) Emergency Paid Leave described in section 804.1 is protected when used for the reasons specified in section 804.1.

4)

(e) Sick Leave Request:

To request to use sick leave if the need for leave is foreseeable, an employee must give the immediate supervisor reasonable advance written or oral notice. (Labor Code §§ 246(l); 246.5(a).) If the need for sick leave is not foreseeable, the employee shall provide written or oral notice of the need for the leave as soon as practicable. (Labor Code § 246(l).) If the employee is required to be absent on sick leave for more than one day, the employee must keep the immediate supervisor informed each day as to the date the employee expects to return to work and the purpose of the leave. Failure to request sick leave as required by this Policy without good reason, may result in the employee being treated as absent without leave.

(f) Certification

The City of Kingsburg may require that employees who are not seasonal, temporary, or extra help, must provide a physician's certification to support any absence that involves the illness of the employee or family member if the City of Kingsburg suspects that there is an abuse of sick leave by the employee. All employees, including seasonal, temporary, or extra help, who use paid leave to address issues related to domestic violence, sexual assault or stalking, and who cannot provide advance notice of their need for leave must provide certification of the need for leave within a reasonable time thereafter. (Labor Code § 230(d)(2).) An employee using Emergency Paid Sick Leave must certify the reason for the leave.

(g) Sick Leave on Separation from Employment

Unused sick leave is not cashed out upon termination, resignation, retirement, or other separation from employment. (Labor Code § 246(f)(1).) Unused sick leave may be converted to retirement service credits only as may be permitted under applicable retirement system laws and regulations.

(h) Sick Leave Reinstatement:

If an employee separates and is rehired within one year from separation, accrued and unused sick leave, to a maximum of 6 days or 48 hours, whichever is greater, will be reinstated. (Labor Code § 246(f)(2).) An employee who worked at least 90 days in the initial employment with the City of Kingsburg may immediately use reinstated sick leave. An employee who had not worked 90 days in the initial employment with the City of Kingsburg must work the remaining amount of the 90 day-qualifying period to be able to use accrued sick leave. (Labor Code § 246(c).) Unused Emergency Paid Sick Leave will not be reinstated after December 31, 2020.

806 Family and Medical Care Leaves

806.1 *Statement of Policy; Concurrent Running of FMLA and CFRA Leaves*

The City of Kingsburg provides family and medical care leave for eligible employees as required by State and federal law. Employees who misuse or abuse family and medical care leave may be disciplined up to and including termination. Employees who fraudulently obtain or use CFRA leave are not protected by the CFRA's job restoration or maintenance of health benefits provisions. This Policy is supplemented by the Federal Family and Medical Leave Act ("FMLA"), and the California Family Rights Act ("CFRA"). Unless otherwise stated in this Policy, "Leave" means leave pursuant to the FMLA and CFRA. Unless otherwise provided by law, the City of Kingsburg will run each employee's FMLA and CFRA leaves concurrently.

806.2 ***Definitions***

- (a) “12-Month Period” means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken. (29 CFR § 825.200(b)(4); 2 Cal.Code Regs § 11090(b).)
- (b) “Single 12 Month Period” means a 12-month period which begins on the first day the eligible employee takes FMLA leave to take care of a covered servicemember and ends 12 months after that date. (29 CFR § 825.200(f).)
- (c) “Child” means a child under the age of 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee’s child is one for whom the employee has actual day-to-day responsibility for care, and includes a biological, adopted, foster or step-child. A child is “incapable of self care” if he/she requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living or instrumental activities of daily living, such as caring for grooming and hygiene, bathing, dressing and eating, cooking, cleaning shopping, taking public transportation, paying bills, maintaining a residence, or using telephones and directories. (29 CFR § 825.102; Gov. Code § 12945.2(c)(1).)
- (d) “Parent” means the biological parent of an employee or an individual who stands or stood in loco parentis (in place of a parent) to an employee when the employee was a child. This term does not include parents-in-law. (29 CFR § 825.102; Gov. Code § 12945.2(c)(7).)
- (e) “Spouse” means one or two persons to a marriage, regardless of the sex of the persons, and for purposes of CFRA leave, includes a registered domestic partner as defined below. (29 CFR § 825.102; Fam. Code § 300; 2 Cal.Code Regs § 11087(r).)
- (f) “Domestic Partner” is another adult with whom the employee has chosen to share their life in an intimate and committed relationship of mutual caring and with whom the employee has filed a Declaration of Domestic Partnership with the Secretary of State, and who meets the criteria specified in California Family Code section 297. A legal union formed in another state that is substantially equivalent to the California domestic partnership is also sufficient. (Fam. Code § 299.2.)
- (g) “Serious Health Condition” means an illness, injury impairment, or physical or mental condition that involves:
 - 1) Inpatient Care in a hospital, hospice, or residential medical care facility, including any period of incapacity (e.g., inability to work or perform other regular daily activities due to the serious health condition, treatment involved, or recovery therefrom). A person is considered “inpatient” when a health care facility admits

him or her to the facility with the expectation that he or she will remain at least overnight, even if it later develops that such person can be discharged or transferred to another facility, and does not actually remain overnight; or

- 2) Continuing treatment by a health care provider: A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - a. A period of incapacity (i.e., inability to work, or perform other regular daily activities) due to serious health condition of more than three consecutive calendar days; and
 - b. Any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - i. Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision by a health care provider, or by a provider of health care services (e.g., a physical therapist) under orders of, or on referral by a health care provider; or
 - ii. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider. This includes, for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. If the medication is over the counter, and can be initiated without a visit to a health care provider, it does not constitute a regimen of continuing treatment.
- 3) Any period of incapacity due to pregnancy or for prenatal care. (29 CFR § 825.120; Gov. Code §12945.2(c)(8).) Note that pregnancy is a "serious health condition" only under the FMLA. Under California law, an employee disabled by pregnancy is entitled to pregnancy leave. (*See* Policy 808, Leave Because of Pregnancy, Childbirth, or Related Medical Condition.)
- 4) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 - i. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
 - ii. Continues over an extended period of time (including recurring episodes of a single underlying condition); and

iii. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). Absences for such incapacity qualify for leave even if the absence lasts only one day.

- 5) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by health care provider.
- 6) Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment. (29 CFR § 825.113; Gov. Code § 12945.2(c)(8); 2 Cal.Code Regs § 11087(q)(1).)

(h) “Health Care Provider” means:

- 1) A doctor of medicine or osteopathy who is authorized to practice medicine or surgery in the State of California;
- 2) Individuals duly licensed as a physician, surgeon, or osteopathic physician or surgeon in another state or jurisdiction, including another country, which directly treats or supervises treatment of a serious health condition;
- 3) Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist) authorized to practice in California and performing within the scope of their practice as defined under California State law;
- 4) Nurse practitioners and nurse-midwives and clinical social workers who are authorized to practice under California State law and who are performing within the scope of their practice as defined under California State law;
- 5) Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; and
- 6) Any health care provider from whom an employer or group health plan’s benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits. (29 CFR § 825.102; Gov. Code § 12945.2(c)(6).)

(i) “Covered active duty” means: 1) in the case of a member of a regular component of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country; or 2) in the case of a member of the reserve component of the Armed Forces, duty during the deployment of members of the Armed Forces to a foreign country under a call or order to active duty under certain specified provisions. (29 CFR § 825.102.)

- (j) “Covered Servicemember” means: 1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or 2) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. (29 CFR § 825.102 & 825.122.)
- (k) “Outpatient Status” means, with respect to a covered servicemember, the status of a member of the Armed Forces assigned to either: (1) a military medical treatment facility as an outpatient; or (2) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 CFR § 825.102.)
- (l) “Next of Kin of a Covered Servicemember” means the nearest blood relative other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. (29 CFR § 825.102.)
- (m) “Serious Injury or Illness” means: 1) in the case of a member of the Armed forces, including a member of the National Guard or reserves, means an injury or illness that a covered servicemember incurred in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and that may render the servicemember medically unfit to perform the duties of the member’s office, grade, rank, or rating; or 2) in the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran. (29 CFR § 825.102.)

806.3 *Reasons for Leave*

Leave is only permitted for the reasons listed below.

- (a) The birth of a child or to care for a newborn of an employee; (29 CFR § 825.120; Gov. Code § 12945.2(c)(3)(A));

- (b) The placement of a child with an employee in connection with the adoption or foster care of a child; (29 CFR § 825.121; Gov. Code § 12945.2(c)(3)(A));
- (c) Leave to care for a child, parent, spouse, or domestic partner who has a serious health condition; (29 CFR § 825.113; Gov. Code § 12945.2(c)(3)(A) & (B));
- (d) Leave because of a serious health condition that makes the employee unable to perform any one or more essential functions of his/her position; (29 CFR § 825.113; Gov. Code § 12945.2(c)(3)(C));
- (e) Leave for a variety of “qualifying exigencies” arising out of the fact that an employee’s spouse, son, daughter, or parent is on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation (29 CFR § 825.126 -- This is a FMLA leave and not a CFRA leave); or
- (f) Leave to care for a spouse, son, daughter, parent, or “next of kin” who is a covered servicemember of the U.S. Armed Forces who has a serious injury or illness: incurred in the line of duty while on active military duty; or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces. This leave can run up to 26 weeks of unpaid leave during a single 12-month period. (29 CFR § 825.127 -- This is a FMLA leave and not a CFRA leave.)
- (g) Leave due an inability to work (or telework) due to the care of a child under the Emergency Family and Medical Leave Expansion Act. (Sec. 110 (a)(2)(A).) (*Subject to section 806.19 below.*)

806.4 *Employees Eligible For Leave*

An employee is eligible for leave if:

- (a) The employee has been employed by the City of Kingsburg for at least 12 months; and
- (b) The employee has been employed by the City of Kingsburg for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and
- (c) The City of Kingsburg directly employs at least 50 full or part-time employees within a 75-mile radius for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year. The workweeks do not have to be consecutive. The phrase “current or preceding calendar year” refers to the calendar year in which the employee requests the leave or the calendar year preceding this request. (29 CFR § 825.109(d)-29 CFR § 825.111; Gov. Code § 12945.2(a) & (b); 2 Cal.Code Regs §§ 11087(d)(1) & 11087(e).)

An employee is eligible for 12 weeks of parental leave to bond with a new child within one year of the child’s birth, adoption or foster care placement if:

- (a) The employee has been employed by the City of Kingsburg for at least 12 months; and

- (b) The employee has been employed by the City of Kingsburg for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and
- (c) The City of Kingsburg directly employs at least 20 full or part-time employees within a 75-mile radius. (Gov. Code § 12945.6(a)(1.)

806.5 *Amount of Leave*

Eligible employees are entitled to a total of 12 workweeks (or 26 workweeks to care for a covered servicemember) of leave during any 12-month period. If FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first. (29 CFR § 825.127.)

806.6 *Minimum Duration of Leave*

- (a) If leave is requested for the birth, adoption or foster care placement of a child of the employee, leave must be concluded within one year of the birth or placement of the child. In addition, the basic minimum duration of such leave is two weeks. However, an employee is entitled to leave for one of these purposes (e.g. bonding with a newborn) for less than two weeks duration on any two occasions. (2 Cal.Code Regs § 11090(d).)
- (b) If leave is requested to care for a child, parent, spouse or the employee him/herself with serious health condition, there is no minimum amount of leave that must be taken. However, compliance with the notice and medical certification provisions in this Policy is required. (29 CFR § 825.205; 2 Cal.Code Regs § 11090(e).)

806.7 *Parents both Employed by the City of Kingsburg*

If both parents of a child, adoptee, or foster child are employed by the City of Kingsburg and are entitled to bonding leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during any 12-month period. (29 CFR § 825.120(a)(3).) If both parents of a covered servicemember are employed by the City of Kingsburg and are entitled to leave to care for a covered servicemember, the aggregate number of workweeks of leave to which both may be entitled is limited to 26 work weeks during the 12-month period. This limitation does not apply to any other type of leave under this Policy. (29 CFR § 825.127(f).)

806.8 *Employee Benefits While On Leave*

- (a) **Group Health Insurance During Unpaid Leave:** Leave under this Policy is unpaid. While on unpaid leave, employees will continue to be covered by the City's group health insurance for up to 12 weeks each leave year to the same extent that coverage is provided while the employee is on the job. If the employee is disabled by pregnancy, coverage will continue up to four months each leave year. If an employee disabled by pregnancy also uses leave under the CFRA for baby-bonding, the City of Kingsburg will maintain her

coverage while she is disabled by pregnancy (up to four months or 17 1/3 weeks) and during her CFRA leave (up to 12 weeks). (Gov. Code §§ 12945(a)(2)(A) & 12945.2(s).)

- (b) **Payment of Premiums:** Employees may make the appropriate contributions for continued coverage under the health benefits plans by payroll deductions (if the employee is using his or her paid leave) or direct payments (if the employee is not using his or her paid leave). The City of Kingsburg will inform the employee whether the direct payments for premiums should be paid to the carrier or to the City of Kingsburg, and the deadlines for paying premiums in order to prevent coverage from being dropped. Employee contribution rates are subject to any changes in rates that occur while employee is on leave.

- (c) **Recovery of Premium if the Employee Fails to Return from Leave:** If an employee fails to return to work after his/her leave entitlement has been exhausted or expires, the City of Kingsburg shall have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member which would entitle the employee to leave, or because of circumstances beyond the employee's control. (29 CFR § 825.213; Gov. Code § 12945.2(f)(1); 2 Cal.Code Regs § 11092(c)(5).)

806.9 *Substitution of Paid Accrued Leaves*

Although family and medical care leave is unpaid, an employee may elect and the City of Kingsburg will require an employee to concurrently use all paid accrued leaves during family and medical care leave as described below.

806.9.1 *Employee's Right to Use Paid Accrued Leave Concurrently with Family Leave*

An employee may use any earned or accrued paid leave except sick leave for all or part of any unpaid family and medical care leave. An employee is entitled to use sick leave concurrently with family and medical care leave for the employee's own serious health condition or that of the employee's parent, spouse, domestic partner or child. (Gov. Code § 12945.2(e); Labor Code §§ 233 & 246.5(a)(1).)

806.9.2 *Right to Require an Employee to use Paid Leave when using FMLA/CFRA Leave*

Employees must use and exhaust their accrued leaves concurrently with family and medical care leave to the same extent that employees have the right to use their accrued leaves concurrently with family and medical care leave with two exceptions:

- (a) Employees are not required to use paid leave during leave pursuant to a disability plan that pays a portion of the employee's salary while on leave unless the employee agrees to

use paid leave to cover the unpaid portion of the disability leave benefit; (29 CFR § 825.207(d); 2 Cal.Code Regs. § 11092(b)(2) & (3)); and

- (b) An employee must agree to use accrued sick leave to care for a child, parent, spouse or domestic partner. (Gov. Code § 12945.2(e); 2 Cal.Code Regs § 11092(b).)

806.9.3 *Right to Require an Employee to Exhaust FMLA/CFRA Leave Concurrently with Other Leaves*

If an employee takes a leave of absence for any purpose which also qualifies under both the FMLA and CFRA, the City of Kingsburg will designate that leave as running concurrently with the employee's 12-week FMLA/CFRA leave entitlement. The only exception is for peace officers and firefighters who are on paid industrial injury leave. (Labor Code §4850(e).

806.9.4 *City of Kingsburg and Employee's Rights if an Employee Requests Accrued Leave without Mentioning FMLA or CFRA*

If an employee requests to utilize accrued vacation leave or other accrued paid time off without reference to a FMLA/CFRA qualifying purpose, the City of Kingsburg may not ask the employee if the leave is for a FMLA/CFRA qualifying purpose. (2 Cal.Code Regs § 11092(b)(4)(A).) However, if the City denies the employee's request and the employee provides information that the requested time off is for a FMLA/CFRA qualifying purpose, the City of Kingsburg may require the employee to exhaust accrued leave as described above. (2 Cal.Code Regs § 11092(b)(4)(A)(1).)

806.10 *Medical Certification/ Recertification*

Employees who request leave must provide a medical certification and/or recertification to support the need for the leave as described below:

- (a) ***Employee's Own Serious Health Condition:*** Employees who request leave for their own serious health condition must provide written certification from the health care provider that contains all of the following: the date, if known, on which the serious health condition commenced; the probable duration of the condition; and a statement that, due to the serious health condition, the employee is unable to work at all or is unable to perform any one or more of the essential functions of his or her position. (Gov. Code § 12945.2(j)(2); 2 Cal. Code Regs § 11087(a)(2); 2 Cal.Code Regs § 11091(b)(2).) Upon expiration of the time period the health care provider originally estimated that the employee needed for his/her own serious health condition, the employee must obtain recertification if additional leave is requested. (Gov. Code § 12945.2(j)(2); 2 Cal. Code Regs § 11091(b)(2); 29 CFR § 825.308.)
- (b) ***Family Member Serious Health Condition:*** Employees who request leave to care for a child, parent, domestic partner or a spouse who has serious health condition must provide written certification from the health care provider of the family member requiring care

that contains all of the following: the date, if known, on which the serious health condition commenced; the probable duration of the condition; an estimate of the amount of time which the health care provider believes the employee needs to care for the child, parent, domestic partner, or spouse, and a statement that the serious health condition warrants the participation of the employee to provide care during a period of treatment or supervision of the child, parent or spouse. The term “warrants the participation of the employee” includes, but is not limited to, providing psychological comfort, and arranging third party care for the covered family member, as well as directly providing, or participating in, the medical care. (Gov. Code § 12945.2(k)(1); 2 Cal.Code Regs § 11087(a)(1); 2 Cal.Code Regs § 11091(b)(1).) Upon expiration of the time period the health care provider originally estimated that the employee needed to care for a covered family member, the employer must obtain recertification if additional leave is requested. (Gov. Code § 12945.2(j)(2); 2 Cal.Code Regs § 11091(b)(1); 29 CFR § 825.308.)

- (c) ***Servicemember Serious Injury or Illness:*** Employees who request FMLA leave to care for a covered servicemember who is a child, spouse, parent or “next of kin” of the employee, must provide written certification from a health care provider regarding the injured servicemember’s serious injury or illness. (29 CFR § 825.310.) The City of Kingsburg will verify the certification as permitted by the FMLA regulations. (29 CFR § 825.310(e) &(f).)

- (d) ***Qualifying Exigency:*** The first time an employee requests FMLA leave because of a qualifying exigency, an employee may require the employee to provide a copy of the military member’s active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to active duty status in a foreign country, and the dates of the military member’s active duty service. A copy of the new active duty orders or similar documentation shall be provided to the City of Kingsburg if the need for leave because of a qualifying exigency arises out of a different active duty or call to active duty status of the same or a different military member. (29 CFR § 825.309.) The City of Kingsburg will verify the certification as permitted by the FMLA regulations. (29 CFR § 825.309(d).)

806.11 *Time to Provide a Medical Certification*

When an employee has provided at least 30 days’ notice for a foreseeable leave, the employee must provide a medical certification before the leave begins. When this is not possible, the employee must provide the medical certification to the City of Kingsburg within the time frame requested by the City of Kingsburg (which must allow at least 15 calendar days after the employer’s request), unless it is not practicable under the particular circumstances to do so despite the employee’s diligent, good faith efforts. (2 Cal.Code Regs § 11091(b)(3); 29 CFR § 825.305(b).)

806.12 *Consequences for Failure to Provide an Adequate or Timely Certification*

If an employee provides an incomplete medical certification, the employee will be given a reasonable opportunity to cure any such deficiency. (2 Cal.Code Regs § 11091(b)(3); 29 CFR § 825.313(a) & (b).) However, if an employee fails to provide a medical certification within the time frame established in this Policy, the City of Kingsburg may delay the taking of FMLA/CFRA leave until required certification is provided, or deny FMLA/CFRA protections following the expiration of the time period to provide an adequate certification. (2 Cal.Code Regs § 11091(b)(3); 29 CFR § 825.313(a).)

806.13 *Personnel Officer's Review of the Contents of Medical Certification for Employee's Own Serious Health Condition*

- (a) **Complete and Sufficient:** The employee must provide a certification for his or her own serious health condition that is complete and sufficient to support the request for leave. A certification is incomplete if one or more of the applicable entries on the certification form have not been completed. A certification is insufficient if the information on the certification form is vague, ambiguous, or not responsive. If the certification is incomplete or insufficient, the Personnel Officer will give the employee written notice of the deficiencies and seven days to cure, unless a longer period is necessary in light of the employee's diligent, good faith efforts to address the deficiencies. (29 CFR § 825.305(c).)

- (b) **Authentication and Clarification:** After giving the employee an opportunity to cure the deficiencies in a medical certification for the employee's own serious health condition, the Personnel Officer may contact the health care provider who provided the certification to clarify and/or authenticate the certification. "Authentication" means providing the health care provider with a copy of the certification form and requesting verification that the information on the form was completed or authorized by the health care provider who signed the form. "Clarification" means contacting the health care provider to understand the handwriting on the medical certification or to understand the meaning of the response. The Personnel Officer may not ask for additional information beyond that required on the certification form. (29 CFR § 825.307(a).)

806.14 *Second and Third Medical Opinions for Employee's Own Serious Health Condition*

If the City of Kingsburg has a good faith, objective reason to doubt the validity of a certification for the employee's serious health condition, the City of Kingsburg may require a medical opinion of a second health care provider chosen and paid for by the City of Kingsburg. If the second opinion is different from the first, the City of Kingsburg may require the opinion of a third provider jointly approved by the City of Kingsburg and the employee, but paid for by the City of Kingsburg. The opinion of the third provider will be binding. (29 CFR § 825.307(b) & (c); 2 Cal.Code Regs § 11091(b)(2)(A).) The City of Kingsburg must provide the employee with

a copy of the second and third medical opinions, where applicable, without cost, upon the request of the employee. (29 CFR § 825.307(d); 2 Cal.Code Regs § 11091(b)(2)(D).)

806.15 *Intermittent Leave or Leave on a Reduced Leave Schedule*

If an employee requests leave intermittently (a few days or hours at a time) or on a reduced leave schedule for his or her own serious health condition, or to care for an immediate family member with serious health condition, the employee must provide medical certification that such leave is medically necessary. “Medically necessary” means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule. (2 Cal.Code Regs § 11090(e); 29 CFR § 825.202(b).) The City of Kingsburg may require an employee who certifies the need for a reduced schedule or intermittent leave to temporarily transfer to an alternate position of equivalent pay and benefits that better accommodates the leave schedule. (2 Cal.Code Regs § 11090(e)(1); 29 CFR § 825.204.)

806.16 *Employee Notice of Leave*

Although the City of Kingsburg recognizes that emergencies arise which may require employees to request immediate leave, employees are required to give as much verbal or written notice as possible of their need for leave. (29 CFR § 825.304(a).) If leave is foreseeable, at least 30 days’ notice is required. In addition, if an employee knows that he/she will need leave in the future, but does not know the exact day(s) (e.g. for the birth of a child or to take care of a newborn), the employee shall inform his/her supervisor as soon as possible that such leave will be needed. (29 CFR § 825.302(a); 2 Cal.Code Regs § 11091(a)(2) & (3).) For foreseeable leave due to a qualifying exigency, an employee must provide verbal or written notice of the need for leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR § 825.302(a).)

806.17 *Reinstatement Upon Return From Leave*

- (a) **Reinstatement to Same or Equivalent Position:** Upon expiration of leave, an employee is entitled to be reinstated to the position of employment held when the leave commenced, or to an equivalent position with equivalent benefits and pay. Employees have no greater rights to reinstatement, benefits, and other conditions of employment than if the employee had been continuously employed during the FMLA/CFRA period. (2 Cal.Code Regs § 11087(f) & (g); 2 Cal.Code Regs § 11089(a); 29 CFR § 825.214-215; 29 CFR § 825.216.)

- (b) **Date of Reinstatement:** If a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated on the date agreed upon. If the reinstatement date differs from the original agreement of the employee and the City of Kingsburg, the employee will be reinstated within two business days, where feasible, after the employee notifies the employer of his/her readiness to return. (2 Cal.Code Regs § 11089(c)(1) & (2).)

- (c) **Employee’s Obligation to Periodically Report on His/Her Condition:** Employees may be required to periodically report on their status and intent to return to work. This will avoid any delays to reinstatement when the employee is ready to return. (29 CFR § 825.311.)

- (d) **Fitness for Duty Certification:** As a condition of reinstatement of an employee whose leave was due to the employee’s own serious health condition, which made the employee unable to perform his or her job, the employee must obtain and present a fitness-for-duty certification from the health care provider stating that the employee is able to resume work. Failure to provide such certification will result in denial of reinstatement. (Gov. Code § 12945.2(k)(4); 29 CFR § 825.312.)

- (e) **Reinstatement of “Key Employees”:** The City of Kingsburg may deny reinstatement to a “key” employee (i.e., an employee who is among the highest paid 10 percent of all employed by the City of Kingsburg within 75 miles of the worksite) if such denial is necessary to prevent substantial and grievous economic injury to the operations of the City of Kingsburg, and the employee is notified of the City of Kingsburg’s intent to deny reinstatement on such basis at the time the employer determines that such injury would occur. (Gov. Code § 12945.2(r)(1); 29 CFR §§ 825.217-219.)

806.18 *Required Forms*

Employees must complete the applicable forms to receive family and medical care leave. Contact Administrative Services Director to request the forms.

806.19 *Emergency Family and Medical Leave Expansion Act*

(a) Eligibility

Employees are eligible for up to 12 weeks of job-protected Public Health Emergency Leave if the following requirements are met:

- (1) The employee has worked for the City of Kingsburg for at least 30 calendar days, (FMLA Sec. 110(a)(1)(A));

- (2) The employee is unable to work (or telework) due to a need to care for the son or daughter (under 18 years of age) who’s school or place of care has been closed, or who’s child care provider is unavailable due to a COVID–19 emergency declared by either a Federal, State, or local authority, (FMLA Sec. 110(a)(2)(A) & (B)); and

- (3) The employee provided reasonable notice of the need for the leave.

- (4) Protected Health Emergency Leave is a form of FMLA leave and is not in addition to any other FMLA leave.

(b) Paid Leave

The first 10 days of Emergency Family Medical Leave may consist of unpaid leave unless the employee elects to utilize accumulated leaves, including Emergency Paid Sick Leave in section 804.1 above. For the remaining 10 weeks, an employee is entitled to paid leave at two-thirds of the employee's regular rate of pay. (FMLA Sec. 110(b).) However, paid leave is subject to a cap of \$200 per day and \$10,000 total.

(c) Restoration to Prior Position

Employees out on Emergency Family and Medical Leave are entitled to reinstatement to their prior position unless the position held by the employee does not exist due to economic conditions or other changes in operating conditions caused by a public health emergency during the period of leave. (FMLA Sec. 110(d).)

If the City of Kingsburg is unable to restore the employee to an equivalent position to the employee's prior position, the City of Kingsburg will notify the employee if an equivalent position becomes available within 1-year of either, the date the public health emergency concludes or date which is 12 weeks after the employee started their Emergency Family and Medical Leave, (which ever date is earlier). Notification shall be by regular mail to the employees address on file.

(d) Expiration

The provision of this section shall expire on December 31, 2020 or when the Emergency Family and Medical Leave Expansion Act is no longer effective.

(e) Employees shall request leave as soon as practicable and shall certify the need for leave in writing at the time of the request.

(f) The City of Kingsburg may deny this leave to any employee who is a health care provider or emergency responder.

Emergency Telecommuting Policy

The purpose of the Emergency Telecommuting Policy is to ensure that essential City of Kingsburg functions continue to be performed at an alternative location during the disruption of normal operations. The City of Kingsburg will implement this Policy in keeping with the mission of the City of Kingsburg and the respective Department. This Policy is an emergency policy and the CITY MANAGER has discretion to withdraw the Policy if deemed necessary.

The City Manager shall designate and authorize specific times in which an Emergency Telecommuting Agreement (“ETA” or “Agreement”) shall apply. Any ETA is subject to the terms and conditions set forth in this Policy below.

Eligibility Criteria

Telecommuting is not suitable for all employees and/or positions. The City Manager has the discretion to determine the employees and positions who may telecommute on an emergency basis utilizing criteria that includes, but is not limited to:

1. The operational needs of the employee’s department and the City of Kingsburg;
2. The potential for disruption to the City of Kingsburg’s functions;
3. The ability of the employee to perform his or her specific job duties from a location separate from his or her City of Kingsburg worksite (‘Alternate Worksite’) without diminishing the quantity or quality of the work performed;
4. The degree of face-to-face interaction with other City of Kingsburg employees and the public that the employee’s position requires;
5. The portability of the employee’s work;
6. The ability to create a functional, reliable, safe, and secure Alternate Worksite for the employee at a reasonable cost;
7. The risk factors associated with performing the employee’s job duties from a location separate from his or her City of Kingsburg Worksite;
8. The ability to measure the employee’s work performance from a location separate from his or her City of Kingsburg Worksite;
9. The employee’s supervisory responsibilities;
10. The employee’s need for supervision;
11. Other considerations deemed necessary and appropriate by the employee’s immediate supervisor, Department Head, and the City Manager.

Telecommute Assignment:

1. Any ETA is only valid for the time period specified in the Agreement. The Agreement is invalid after this time unless the City of Kingsburg approves an extension in writing. The City of Kingsburg may, in its discretion, decide to terminate the Agreement earlier.
2. Employee acknowledges and agrees that the ETA is temporary and subject to the discretion of management. Telecommuting will be approved on a case-by-case basis consistent with the eligibility criteria above.
3. Non-exempt employees who receive overtime shall be assigned a work schedule in the ETA, including rest and meal breaks (“Work Schedule”). Any deviation from the Work Schedule must be approved in advance, in writing, by management. Non-exempt employees must take meal and rest breaks while telecommuting, just as they would if they were reporting to work at their City of Kingsburg worksite. Non-exempt employees may not telecommute outside their normal work hours without prior written authorization from their supervisor. A non-exempt employee who fails to secure written authorization before telecommuting outside his or her normal work hours may face discipline in accordance with the City of Kingsburg’s policy for working unauthorized overtime.
4. Telecommuting employees are required to be accessible in the same manner as if they are working at their City of Kingsburg worksite during the established telecommuting Work Schedule, regardless of the designated location for telecommuting, or “Alternate Worksite.” Employees must be accessible via telephone, email, and/or network access to their supervisor and other City of Kingsburg employees while telecommuting, as if working at their City of Kingsburg worksite. Employees shall check their City of Kingsburg-related business phone messages and emails on a consistent basis, as if working at their City of Kingsburg worksite.
5. Employees shall work on a full-time basis, according to the Work Schedule. Employees are required to maintain an accurate record of all hours worked at the Alternate Worksite and make that record available to his or her supervisor upon request. Employees shall record all non-productive work time on his/her timesheet.
6. While telecommuting, employees shall adhere to the following:
 - a. Be available to the department via telephone and/or email during all ETA designated work hours.
 - b. Have the Alternate Worksite be quiet and free of distractions, with reliable and secure internet and/or wireless access.
 - c. All periods of employees’ unavailability must be approved in advance by management in accordance with department policy and documented on the appropriate leave of absence slip.
 - d. Employees shall ensure dependent care will not interfere with work responsibilities.
 - e. Employees must notify their supervisor promptly when unable to perform work assignments because of equipment failure or other unforeseen circumstances.

- f. If the City of Kingsburg has provided City of Kingsburg owned equipment, employees agree to follow the City of Kingsburg's Policy for the use of such equipment. Employees will report to their supervisor any loss, damage, or unauthorized access to City of Kingsburg owned equipment, immediately upon discovery of such loss, damage, or unauthorized access.

General Duties, Obligations and Responsibilities:

Employees must adhere to the provisions set forth in this Policy and the terms of the ETA. Any deviation from the ETA requires prior written approval from the City of Kingsburg.

1. All existing duties, obligations, responsibilities and conditions of employment remain unchanged. Telecommuting employees are expected to abide by all City of Kingsburg and departmental policies and procedures, rules and regulations, applicable Memoranda of Understanding, and all other official City of Kingsburg documents and directives.
2. Employees authorized to perform work at an Alternate Worksite must meet the same standards of performance and professionalism expected of City of Kingsburg employees in terms of job responsibilities, work product, timeliness of assignments, and contact with other City of Kingsburg employees and the public.
3. Employees shall ensure that all official City of Kingsburg documents are retained and maintained according to the normal operating procedures in the same manner as if working at a City of Kingsburg worksite.
4. Employees may receive approval to use personal computer equipment or be provided with City of Kingsburg issued equipment at the discretion of the City Manager.
5. The City of Kingsburg shall not be responsible for costs associated with the use of computer and/or cellular equipment, including energy, data or maintenance costs, network costs, home maintenance, home workspace furniture, ergonomic equipment, liability for third party claims, or any other incidental costs (*e.g.*, utilities associated with the employee's telecommuting).
6. Employees may receive a virtual private network ("VPN") account, as approved by the City Manager.
7. Employees shall continue to abide by practices, policies and procedures for requests of sick, vacation and other leaves of absences. Requests to work overtime, declare vacation or take other time off from work must be pre-approved in writing by each employee's supervisor. If an employee becomes ill while working under an ETA, he/she shall notify his/her supervisor immediately and record on his/her timesheet any hours not worked due to incapacitation.
8. Employees must take reasonable precautions to ensure their devices (*e.g.*, computers, laptops, tablets, smart phones, etc.) are secure before connecting remotely to the City of Kingsburg's network and must close or secure all connections to City of Kingsburg desktop or system resources (*e.g.*, remote desktop, VPN connections, etc.) when not conducting work for the City of Kingsburg. Employees must maintain adequate firewall and security

protection on all such devices used to conduct City of Kingsburg work from the Alternate Worksite.

9. Employees shall exercise the same precautions to safeguard electronic and paper information, protect confidentiality, and adhere to the City of Kingsburg's records retention policies, especially as it pertains to the Public Records Act. Employees must safeguard all sensitive and confidential information (both on paper and in electronic form) relating to City of Kingsburg work they access from the Alternate Worksite or transport from their City of Kingsburg worksite to the Alternate Worksite. Employees must also take reasonable precautions to prevent third parties from accessing or handling sensitive and confidential information they access from the Alternate Worksite or transport from their City of Kingsburg worksite to the Alternate Worksite. Employees must return all records, documents, and correspondence to the City of Kingsburg at the termination of the ETA or upon request by their supervisor, Department Head or Human Resources.
10. Employees' salary and benefits remain unchanged. Workers' Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by Workers' Compensation law. Employees must report any such work-related injuries to their supervisor immediately. The City of Kingsburg shall not be responsible for injuries or property damage unrelated to such work activities, including injuries to third persons when said injuries occur at the Alternate Worksite.
11. All of Employees' existing supervisory relationships, lines of authority and supervisory practices remain in effect. Prior to the approval of this Agreement, supervisors and employees shall agree upon a reasonable set of goals and objectives to be accomplished. Supervisors shall use reasonable means to ensure that timelines are adhered to and that goals and objectives are achieved.
12. Any breach of the telecommuting agreement by the employee may result in termination of the Agreement and/or disciplinary action, up to and including termination of employment.

Emergency Telecommuting Agreement

Employee Acknowledgement:

I, the undersigned employee (“Employee”), have read the Emergency Telecommuting Policy and the Emergency Telecommuting Agreement (“ETA” or “Agreement”) in their entirety and I agree to abide by the terms and conditions they contain. I understand and agree that the ETA is temporary and contingent upon the City Manager’s approval. Approval does not imply entitlement to a permanently modified position or a continued telecommute arrangement.

I understand and agree that the ETA is voluntary and may be terminated at any time. I further understand that the City of Kingsburg may, at any time, change any or all of the conditions under which approval to participate in the ETA is granted, with or without notice.

I agree to and understand my duties, obligations and responsibilities. I also understand it is my responsibility to provide adequate advance notification to my supervisor if I am unable to keep any of the agreed upon commitments and/or deliverables. If I fail to do so, I understand this Agreement may be immediately terminated.

The Agreement is valid from _____ to _____. I understand this Agreement expires on _____ and may not continue unless the City of Kingsburg approves a new ETA in writing. The City of Kingsburg may rescind this Agreement at any time.

Regularly Assigned Place of Employment: The days and hours the City of Kingsburg expects the Employee to be physically present at the City of Kingsburg Worksite are the following:

Day	Morning		Lunch	Afternoon		Total Hours
	Start	End		Start	End	
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						

Alternate Worksite: The location and address of the Alternate Worksite is:

Street City Zip Code State

The phone number to reach Employee at the Alternative Worksite while working under this Agreement is:

_____.

The days and hours (“Work Schedule”) the City of Kingsburg permits the Employee to be physically present at the Alternate Worksite are the following:

Day	Morning		Lunch	Afternoon		Total Hours
	Start	End		Start	End	
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						

The Employee agrees to report work-related injuries to the Employee’s supervisor at the earliest reasonable opportunity. The Employee agrees to hold the City of Kingsburg harmless for injury to third parties at the Alternate Worksite.

I hereby affirm by my signature that I have read this Emergency Telecommuting Agreement, and understand and agree to all of its provisions.

Employee’s Name and Title Date

Employee’s Supervisor’s Name and Title Date

Alexander J. Henderson Date
City Manager

Submit the completed and executed Agreement to: Administrative Services Director

Employee Certification to Return to Work After Exhibiting Symptoms of COVID-19 or Suspicion of Having or Being Exposed to COVID-19

(May be used if a Doctor's Note is not practicable)

I, _____, certify that I have been free of fever (a "fever" is defined as 100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other COVID-19 related symptoms (*e.g.*, cough or shortness of breath) for at least 72 hours, without the use of fever-reducing or other symptom-altering medicines (*e.g.*, cough suppressants) and, at least 7 days have passed since symptoms first appeared. I understand that if I do show further signs of having COVID-19 (*e.g.*, fever, cough, or shortness of breath), I must inform my supervisor immediately and the City of Kingsburg may either direct me to stay away from work or may require me to undergo a fitness for duty examination at the City of Kingsburg's expense and according to the City of Kingsburg's policy regarding fitness for duty examinations.

Signature

Date

AGREEMENT FOR REPAYMENT OF LEAVE PAY

In the event an employee has exhausted all vacation, sick leave, compensatory time off, and administrative leave, an employee may accrue up to 80 additional hours of sick leave, according to the terms below.

Based on mutual written agreement between the employee and City Manager, the amount of extra sick leave taken must be repaid within a reasonable time or based on the agreement of both parties.

Except as modified by this Policy, all City of Kingsburg policies, procedures, regulations, and Memoranda of Understanding remain in full force and effect. This is an emergency policy of the City of Kingsburg and is not intended to be a binding practice. This Policy is subject to change at any time, based on changing circumstances and information known about the COVID-19 virus. The City of Kingsburg will notify employees of any changes to this Policy and will comply with all applicable laws regarding notice to bargaining units, as required.

Reason for Leave:

- _____ Leave because of the closure of my child(ren)'s school(s) or child care provider(s) or the unexpected unavailability my child(ren)'s child care provider.
- _____ Leave because I would like to follow Governor Gavin Newsom's March 15, 2020 guidance for the home-isolation of individuals over the age of 65 and those with chronic health conditions.
- _____ Leave due to a legal shelter-in-place order issued by a federal, state, or local agency, official, governing body, or other entity.
- _____ Leave because, within the last 14 days, I have returned from travel to or through areas with a Warning Level 3 or higher as defined by the Centers for Disease Control (CDC) or from travel on a cruise ship.
- _____ Leave because, within the last 14 days, I have had close contact with affected individuals, defined as (a) being within approximately 6 feet (2 meters) of a COVID-19 case for a prolonged period of time (close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a COVID-19 case); or (b) having direct contact with infectious secretions of a COVID-19 case (*e.g.*, being coughed on).
- _____ Leave because I am exhibiting symptoms (*e.g.*, fever [defined as 100.4° F [37.8° C] or greater using an oral thermometer], coughing, and/or shortness of breath) associated with COVID-19 or I have obtained a positive diagnosis of COVID-19.

_____ Leave to care for a family member (as defined below) who is exhibiting symptoms of (e.g., fever (defined as 100.4° F [37.8° C] or greater using an oral thermometer), coughing and/or shortness of breath) or who has obtained a positive diagnosis of COVID-19. The family member I am caring for is my: _____ (Family Member's Relation to You)

Repayment:

Commencing on _____, 20____ (payroll period ____ - ____), until the sick leave advanced is repaid I agree to forego my biweekly:

- Sick Leave Accrual Vacation Leave Accrual Other Leave Accrual

I understand and fully acknowledge that I am required to repay the City of Kingsburg the number of hours of sick leave I accrue under this Agreement within a reasonable time based on the agreement of both parties. If I leave City of Kingsburg employment for any reason prior to the full repayment of the sick leave accrual, I consent to the withholding of the amount necessary to repay the City of Kingsburg for the sick leave advance from my last payroll warrant. If any amount remains due after I have separated from the City of Kingsburg, I agree to pay the remaining balance back to the City of Kingsburg within 60 business days of my date of separation from employment. I understand that if I fail to repay the full balance of the sick leave accrual, the City of Kingsburg will commence litigation to recover the balance due.

Date: _____

Employee Signature: _____

City Manager or Designee Signature: _____
(or designee)

Notice of Directive to Employee not to Return to Work and Use Sick Leave or other Leave Balance

CONFIDENTIAL MEMORANDUM

To:
From:
Date:
Re: NOTICE OF DIRECTIVE TO EMPLOYEE TO NOT RETURN TO WORK AND OPPORTUNITY TO USE SICK AND/OR OTHER LEAVE

The City of Kingsburg has a duty under the law, including the California Occupational Safety and Health Act, to maintain safe and healthy working conditions for employees. As part of the City of Kingsburg's obligation to provide a safe work environment for all employees, the City of Kingsburg has directed you to stay home due to exhibiting symptoms of COVID-19 or suspicion of having or being exposed to COVID-19. Specifically, the City of Kingsburg is directing that you do not come to work because of the following:

- (1) Exhibition of symptoms associated with COVID-19 (such as fever, defined as 100.4° F [37.8° C] or greater using an oral thermometer, coughing and/or shortness of breath);
- (2) Severity of such symptoms;
- (3) Travel to or through areas with level 3 or higher area as defined by the CDC or from travel on a cruise ship;
- (4) Close contact with affected individuals, defined as a) being within approximately 6 feet (2 meters) of a person diagnosed with COVID-19 for a prolonged period of time; close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a person diagnosed with COVID-19, or b) having direct contact with infectious secretions of a person diagnosed with COVID-19 (e.g., being coughed on);
- (5) Positive test for COVID-19

You may not return to work until you provide a certification from your treating physician that the symptoms are non-communicable or, if that is not practicable, provide a certification on a form provided by the City of Kingsburg that you are free of fever, signs of a fever, and any other symptoms of COVID-19 for at least 72 hours, without the use of fever-reducing or other symptom-altering medicines (e.g., cough suppressants) and, at least 7 days have passed since symptoms first appeared.

This action is based on the National and State declarations of emergency, as well as guidance by the CDC for the prevention of transmission of COVID-19.

If you wish to be paid during this leave, you will need to use your available sick leave balance, and any other leave balance available to you.

RIGHT TO RESPOND

You may provide a written and/or verbal response to this Notice. Your written response must be received by the Administrative Services Director within five (5) working days of your return to work.

If you wish to provide a verbal response, you must advise the Administrative Services Director of that

fact by contacting her at cwindover@cityofkingsburg-ca.gov or 559-897-5821 no later than the close of business of _____ (provide date). The Administrative Services Director will set up a conference for you to present any response to this Notice after you return to work.

This conference is not designed to be a formal evidentiary hearing, but you may be represented by legal counsel or another individual of your choice.

Your failure to provide a written response or to request a conference will constitute a **waiver** of your right to provide a response. Accordingly, the City Manager or his designee's decision to either sustain, modify, or reject this action will be based upon a review of this Notice.

The City Manager or his designee shall provide you with written notice of his/her determination within 5 work days of the response conference.

SIGNATURE: _____

Employee Certification of Need for Paid Emergency Sick Leave

I, _____, certify that I am unable to work (or telework) for one of the following reasons:

_____ I am subject to a Federal, State, or local quarantine or isolation order related to COVID-19.

_____ I have been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

_____ I am experiencing symptoms of COVID-19 (*e.g.*, fever [defined as 100.4° F [37.8° C] or greater using an oral thermometer], coughing, and/or shortness of breath) and seeking a medical diagnosis.

_____ I am caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

Relationship to individual _____

_____ I am caring for my child whose school or place of care has been closed, or whose child care provider is unavailable, due to COVID-19 precautions.

_____ I am experiencing another substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

I understand that if my circumstances change, I must immediately inform my supervisor and the City of Kingsburg and I may be directed to report back to work (or telework).

Signature

Date

Employee Certification of Need for Emergency Family and Medical Leave

I, _____, certify that I have a child who is under the age of 18, whose school or place of care has been closed, or whose child care provider is unavailable due to a COVID-19 emergency declared by either a Federal, State, or local authority. Due to the need to care for my child, I am unable to work (or telework). I understand that if my childcare needs change, I must immediately inform my supervisor and the City and I may be directed to report back to work (or telework).

Signature

Date

**CITY OF KINGSBURG
EMERGENCY SERVICES DIRECTOR EXECUTIVE ORDER 2020-02 RELATING
TO EMPLOYEE HEALTH SCREENINGS DURING EMERGENCY DURING
COVID-19 PANDEMIC**

WHEREAS, there exists a local emergency in the City of Kingsburg ("City") pursuant to Resolution No. 2020-22, approved by the City Council on March 23, 2020, where the City declared a local emergency due to the COVID-19 pandemic; and

WHEREAS, under the authority of Government Code sections 8610 and 8634, and Kingsburg Municipal Code section 02.04.060, I am empowered, upon declaration of a local emergency, to make and issue regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, the California Department of Public Health ("DPH"), the Fresno County Health Department and the Governor' s Executive Order 27-20, establish guidelines for social distancing, elimination of non-essential gatherings and isolation for specific individuals, in order to prevent transmission of COVID-19; and

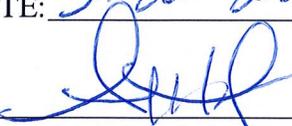
WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to allow essential services necessary to protect life and property and at the same time safeguard the life and property of City employees as recommended in the DPH guidelines; and

WHEREAS, the City's citizens', including City of Kingsburg employees, health and safety is deemed to be in peril; and

WHEREAS, on March 26, 2020 the Fresno County Department of Public Health issued an order for all employers in Fresno County,

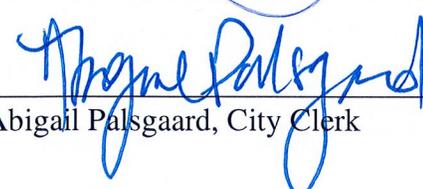
THEREFORE, I, Alexander J. Henderson, as Director of Emergency Services, to help mitigate the spread of COVID-19 and the financial effects related to COVID-19, declare effective 8:00 a.m. on March 31, 2020, all employees working at city facilities will be subject to the guidance of Exhibit A:

DATE: 3-30-2020



Alexander J. Henderson, City Manager/Director of Emergency Services

ATTEST:



Abigail Palsgaard, City Clerk

Exhibit A

Pursuant to California Health and Safety Code Sections 101040, 120175, and 120175.5(b) the Health Officer of the County of Fresno issued orders impacting all employers in Fresno County. Those include:

1. On a daily basis, while conducting business, screen all employees for febrile respiratory illness
2. Exclude from work all employees that report symptoms of febrile respiratory illness for seven days from the day that they are identified as having symptoms; and
3. Direct employees excluded from work to isolate at home AND to notify all close contacts to quarantine themselves for 14 days from the last known contact with the patient.

As such, all department heads will be responsible for implementing the COVID-19 Screening Checklist for Non-Medical Employers as provided by the city. These screenings should be done at the beginning of each workday. Employees should report if they experience any developing symptoms throughout their regular workday.

In addition, the city will provide each department with digital thermometers. Employees may be asked to have their temperature taken if other symptoms are present (e.g. a cough being attributed to an existing health condition). An employee whose temperature reads above 100.4 F will be sent home and asked to self-isolate until they are asymptomatic for 3 days without the use of any medications. A single person (supervisor or their designee) will administer the temperature test (if needed). The person administering the test will wear protective gloves and clean the thermometer after each use with alcohol. The individual administering a temperature check is solely allowed to discuss the results with the Director of Administrative Services and the supervisor if necessary.

For the purpose of this order:

- a. Febrile respiratory illness is defined as “a new or worsening episode of either cough or shortness of breath, presenting with fever (temperature 38 degrees C or 100.4 degrees F or higher) or chills in the previous 24 hours,”
- b. Close contact is defined as someone who has spent 15 minutes or more time within 6 feet or less of the person;
- c. Isolation is defined as “separation of sick people with a contagious disease from people who are not sick,”
- d. Quarantine is defined as “separation and restricts the movement of people who were exposed to a contagious disease to see if they become sick.”
- e. Social distancing is defined as “maintain a six-foot separation from all persons except for family members;” and
- f. Symptoms of COVID-19:
 - Fever
 - Cough
 - Shortness of breath



CITY OF KINGSBURG

POLICE DEPARTMENT

1300 California Street, Kingsburg, CA 93631 (559) 897-4418

Neil Dadian
Chief of Police

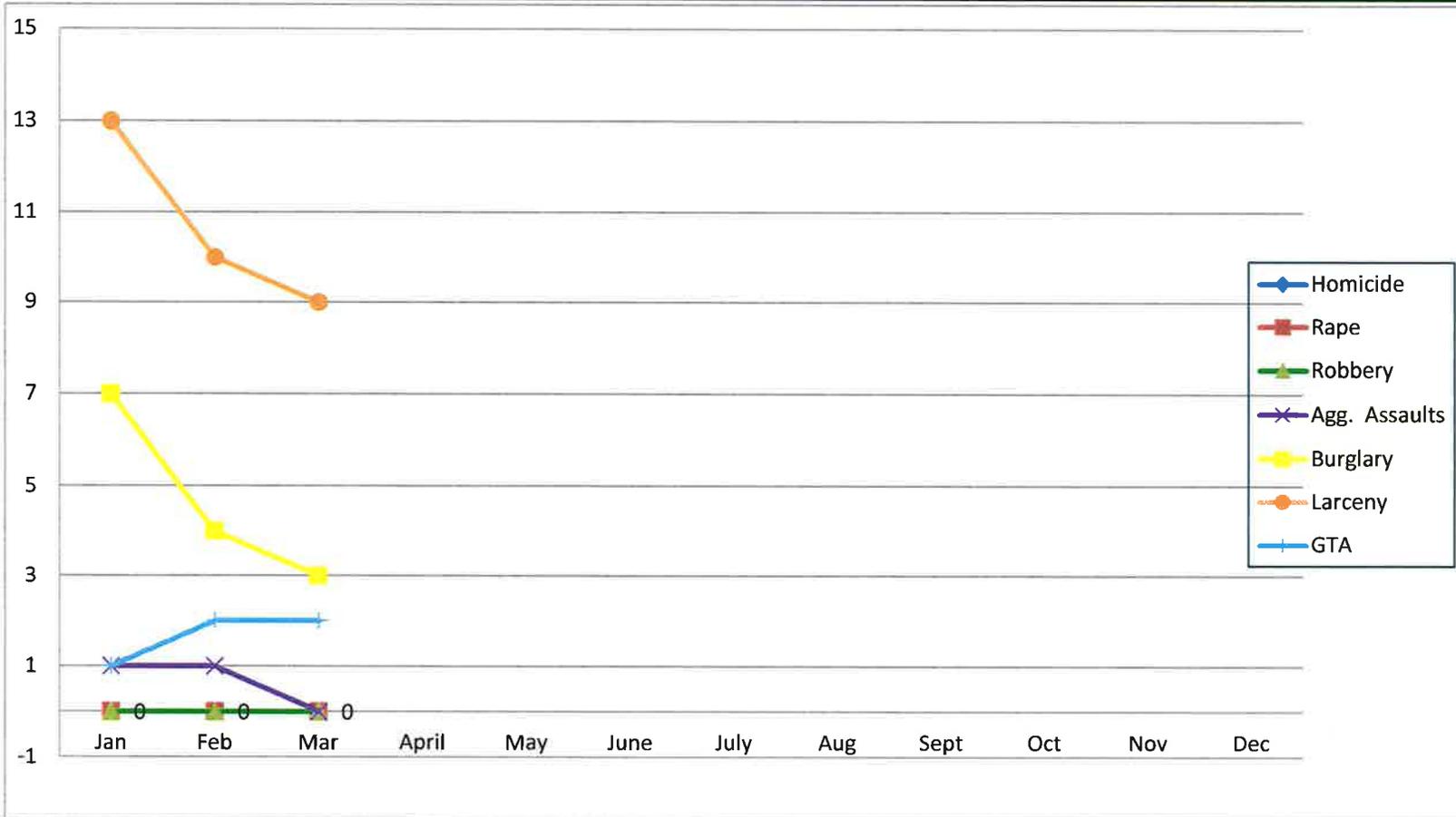
To: Mayor & City Council
From: Corina Padilla
Date: April 9, 2020
Subject: March Crime Statistics & Prevention Update

- Part I Crimes decreased by three.
- Other Offenses decreased by three.
- Traffic collisions totaled six.
- The number of arrests increased by one.
- Traffic citations increased by 10.

We continue to use Facebook, Kingsburg PD mobile application, Twitter, and NIXLE as situations warrant in order to keep our citizens informed.

**Kingsburg Police Department
2020 Part I Crimes**

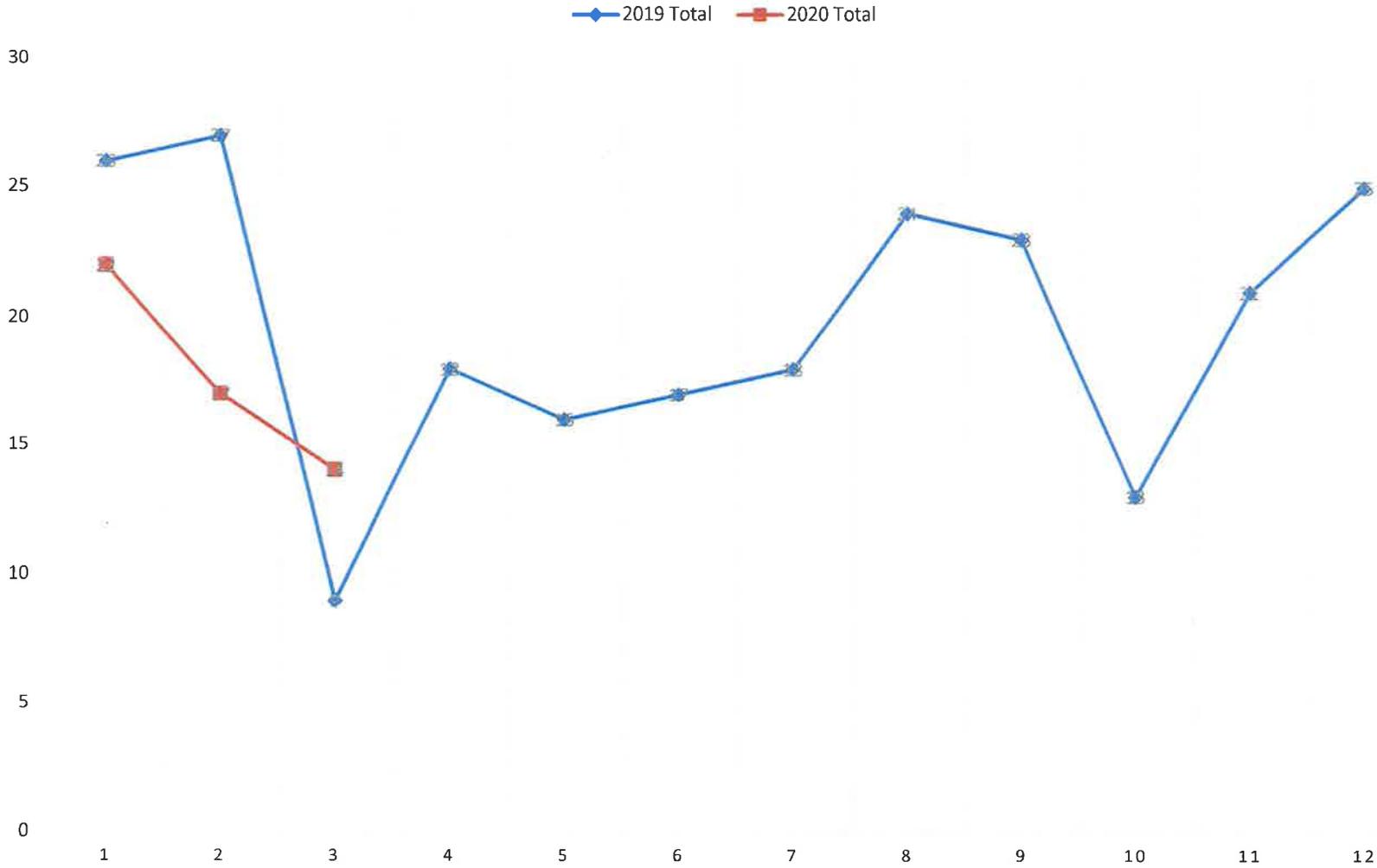
Part I Crimes	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Monthly % Change
Homicide	0	0	0										0	0%
Rape	0	0	0										0	0%
Robbery	0	0	0										0	0%
Agg. Assaults	1	1	0										2	-100%
Burglary	7	4	3										14	-25%
Larceny	13	10	9										32	-10%
GTA	1	2	2										5	0%
2020 Total	22	17	14	0	53	-18%								



**Kingsburg Police Department
2020 Part I Crimes**

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	2019-2020
2019 Total	26	27	9	18	16	17	18	24	23	13	21	25	62	%Change
2020 Total	22	17	14										53	-15.00%

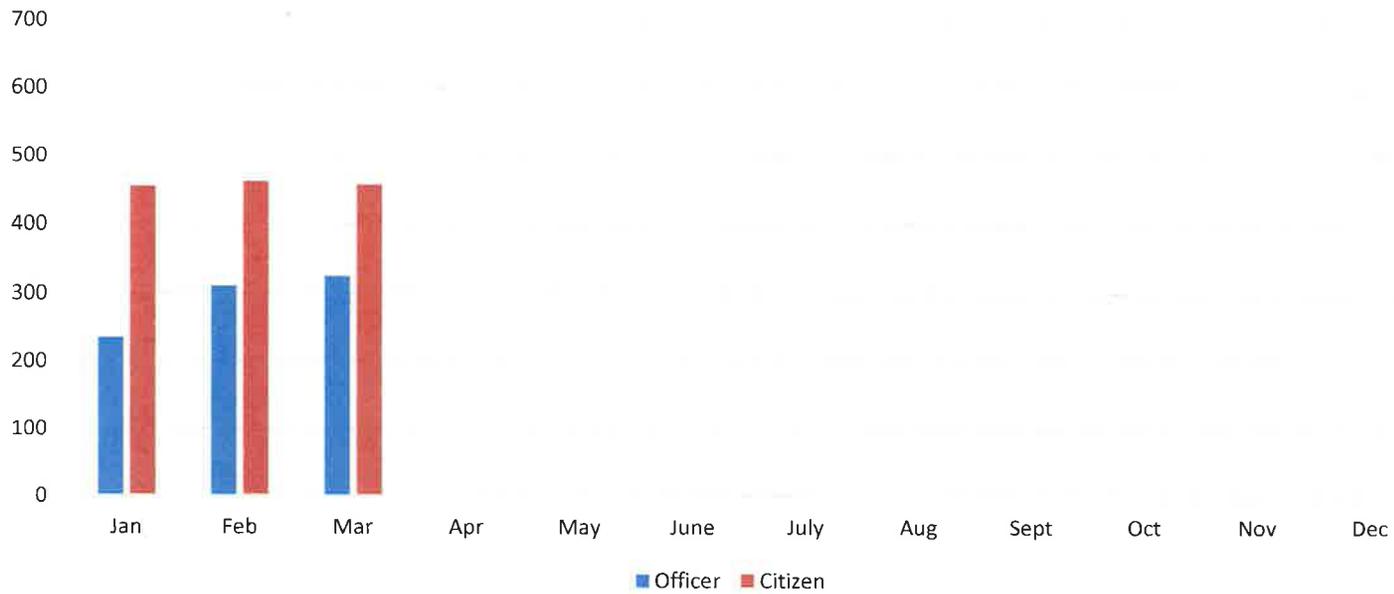
2019/2020 PART I COMPARISON



Kingsburg Police Department
2020
Calls for Service

Initiated	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Monthly %
Officer	235	311	325	0	0	0	0	0	0	0	0	0	871	5%
Citizen	455	462	457	0	0	0	0	0	0	0	0	0	1374	-1%
TOTAL	690	773	782	0	0	0	0	0	0	0	0	0	2245	1%
Average Calls per Day	22	27	25											

2020 Calls for Service



Accounts Payable

Checks by Date - Summary by Check Date

User: almac
 Printed: 4/9/2020 4:34 PM



City of Kingsburg
 1401 Draper Street
 Kingsburg, CA 93631-1908
 (559)897-5821

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	3470	Internal Revenue Service - ACH	03/27/2020	664.51
ACH	3471	Employment Development Department - A	03/27/2020	48.99
ACH	3472	CalPERS - ACH	03/27/2020	97.36
ACH	3231	ICMA RETIREMENT CORPORATION - 1	03/27/2020	661.63
ACH	3470	Internal Revenue Service - ACH	03/27/2020	43,484.71
ACH	3471	Employment Development Department - A	03/27/2020	7,077.29
ACH	3472	CalPERS - ACH	03/27/2020	32,092.79
ACH	3475	Empower	03/27/2020	2,915.00
ACH	3476	CHILD SUPPORT STATE DISBURSEME	03/27/2020	471.22
ACH	3526	Public Employees Retirement System 457 I	03/27/2020	20.00
77571	4149	US DEPARTMENT OF EDUCATION AW	03/27/2020	313.03
Total for 3/27/2020:				87,846.53
77572	3006	AIRGAS NCN	04/03/2020	147.00
77573	3009	ALLIED ELECTRIC MOTOR SERVICE	04/03/2020	121.55
77574	3020	ANGELICA TEXTILES SERVICES COR	04/03/2020	164.95
77575	3027	AT & T	04/03/2020	311.70
77576	4182	BEST AUTO GLASS & WINDOW TINT	04/03/2020	248.82
77577	4225	BILL'S AUTO OF KINGSBURG, INC.	04/03/2020	130.55
77578	4223	BLUE FORCE GEAR	04/03/2020	539.52
77579	3879	BLUE360 MEDIA, LLC	04/03/2020	112.71
77580	3057	CALIFORNIA BUILDING STANDARDS	04/03/2020	539.10
77581	3059	CALIFORNIA FORENSIC INSTITUTE	04/03/2020	400.00
77582	3064	CALIFORNIA RESERVE PEACE OFFICE	04/03/2020	576.00
77583	3704	CANON FINANCIAL-EQUIPMENT SAL	04/03/2020	161.56
77584	3067	CARDMEMBER SERVICE	04/03/2020	17,584.56
77585	3074	CENTRAL SANITARY SUPPLY	04/03/2020	123.61
77586	3918	CINTAS	04/03/2020	1,988.57
77587	3061	CNOA	04/03/2020	100.00
77588	3190	ITSD-DATA PROC Svc's CO. OF FRESNO	04/03/2020	72.98
77589	3111	COLLINS & SCHOETTLER	04/03/2020	2,160.00
77590	3144	DEPARTMENT OF CONSERVATION	04/03/2020	1,803.78
77591	3152	E C N POLYGRAPH & INVEST	04/03/2020	200.00
77592	4228	FASTSPRING	04/03/2020	1,016.25
77593	3184	FRESNO CITY COLLEGE-Business Offic	04/03/2020	91.00
77594	3198	FRESNO TRUCK CENTER	04/03/2020	329.50
77595	4224	JANET GOMEZ	04/03/2020	90.00
77596	3994	GUARDIAN	04/03/2020	4,976.41
77597	3222	HENRY SCHEIN, INC.	04/03/2020	1,010.12
77598	3225	HOME DEPOT CREDIT SERVICES	04/03/2020	588.44
77599	3538	ATT: MEMBERSHIP INTERNATIONAL	04/03/2020	75.00
77600	3999	IRON MOUNTAIN	04/03/2020	72.80
77601	3242	JOE SAUBERT INC.	04/03/2020	555.90
77602	3249	KAISER FOUNDATION HEALTH PLAN	04/03/2020	2,803.99
77603	3253	KINGSBURG CHAMBER OF COMMER	04/03/2020	2,500.00
77604	3272	LEE ENTERPRISES ADVERTISING LEE	04/03/2020	109.37

Check No	Vendor No	Vendor Name	Check Date	Check Amount
77605	3277	LINCOLN AQUATICS	04/03/2020	2,338.73
77606	3288	MCCLASKY, INC.	04/03/2020	1,200.00
77607	3518	METRO UNIFORM	04/03/2020	1,815.47
77608	3297	MORGAN'S VILLAGE FLOORING	04/03/2020	102.35
77609	3307	NELSON'S ACE HARDWARE	04/03/2020	1,573.86
77610	3961	OoSoSHARP, LLC.	04/03/2020	3,034.42
77611	3315	P G & E	04/03/2020	7,192.78
77612	3450	ABIGAIL PALSGAARD	04/03/2020	35.00
77613	4215	PARAGON PARTNERS	04/03/2020	1,798.45
77614	3321	PETERS ENGINEERING GROUP	04/03/2020	172,774.73
77615	3323	PG&E CFM/PPC DEPARTMENT	04/03/2020	9,305.00
77616	3329	POLYACK MARKETING	04/03/2020	3,300.00
77617	3335	PROFORCE LAW ENFORCEMENT	04/03/2020	2,178.88
77618	4227	RMP CLOTHING	04/03/2020	10.00
77619	3537	SECOND CHANCE ANIMAL SHELTER	04/03/2020	4,000.00
77620	3369	SILVAS OIL COMPANY, INC.	04/03/2020	1,992.65
77621	3506	TOSHIBA FINANCIAL SERVICES	04/03/2020	691.99
77622	3416	VERIZONWIRELESS	04/03/2020	1,413.70
77623	3419	VIKING CLEANING SERVICE	04/03/2020	3,370.02
77624	3493	VILLAGE TIRE SALES	04/03/2020	44.00
77625	3421	VINCENT COMMUNICATIONS, INC.	04/03/2020	566.87
77626	3448	CHRISTINA WINDOVER	04/03/2020	35.00
77627	3430	WONG, ANDY & BETTY	04/03/2020	2,600.00
Total for 4/3/2020:				263,079.64
77628	4072	FAHRNEY FORD SALES	04/07/2020	38,820.20
Total for 4/7/2020:				38,820.20
Report Total (68 checks):				389,746.37



Meeting Date: 04/15/2020
Agenda Item: 5.1

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council

REPORT FROM: Alexander J. Henderson, ICMA-CM

REVIEWED BY: MN

AGENDA ITEM: COVID-19 Update 4/15/2020

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

EXECUTIVE SUMMARY

NOTE: This information is the best available as of posting on Thursday, April 9. The rapidly changing nature of this pandemic means information may not be accurate with current events.

The topic on everyone's mind is the rapidly changing pace of details related to COVID-19 (coronavirus) on a local, state and global level. City staff have been engaged in continual conversations regarding both employee and resident-level response as the situation changes.

On March 23, the city council declared a local state of emergency. Staff continues to monitor and follow public health experts' advice. Some updates since our last meeting from a local perspective include:

1. The CDC is now recommending everyone wear masks to cover their mouth and nose. We have shared how-to videos, including one made by Mayor Roman, on how to create a mask at home.
2. The Fresno County Department of Public Health (FCDPH) began altering their reporting of confirmed cases, giving additional demographic details. Attached is the most recent chart from April 8.
 - It should be noted that first responders are provided more information than the general public in the case of responding to potentially quarantined individuals. This information is limited to the first responders in order to protect the privacy of the individual(s) as well as the health/safety of employees.
3. Staff participated in a CalPERS webinar that has outlined the funds performance. Currently, the overall fund is at -4% for the fiscal year. This is due to several reasons, including positive returns in 2019, diversification of funds, and strategy changes stemming from the 2008 recession.
 - Individual fund performances that are Kingsburg specific will not be known until the end of the fiscal year (June 30).
4. Staff continues to coordinate efforts with CalOES and FEMA. This has involved participating in several webinars to ensure we are documenting and tracking expenditures properly.
5. Working with a local home developer on a required PG&E shut-off to cutover power. The shut-off is scheduled for Thursday night (4/16, running from 8:00pm – 6:30am). This time was selected to limit the impact on residents. PG&E is doing much of the prep work in advance of the shut-off in order to limit the amount of time residents will be without power.
6. 2020-2021 budget preparation continues, and department heads have submitted their requests for the upcoming year. Finance Director Colado is tracking and examining revenues for the remainder of this year to help best forecast key revenue streams.

7. Several individuals have donated items such as mask covers, personal protective equipment, and other items to first responders. The High School has loaned us their UV decontamination unit to help decontaminate masks and safety goggles in 5 minutes.

RECOMMENDED ACTION BY CITY COUNCIL

Informational- No Action Necessary

POLICY ALTERNATIVE(S)

None

STRATEGIC GOAL(S) MET:

1. Improve Community Communication
2. Ensure Financial Stability

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>N/A</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |

BACKGROUND INFORMATION

Community Preparedness

- Our facilities are equipped with the necessary sanitizing supplies and we have been regularly cleaning public counters, as we always do. All of our public counters have CDC fact sheets providing educational information about the virus as well as information regarding proper prevention techniques.
- We have been in regular contact with local school administrators as well as Fresno County Public Health officials to coordinate any local notifications and to monitor the changing landscape. Current guidelines continue to offer recommendations related to practicing safe hygiene as well as guidance should the County move to a community-transmitted scenario.
- Closed our public playgrounds to further promote social distancing recommendations.
- Created and continue to update an active businesses list.
- Working to ensure all seniors have at least one meal during the week. We are providing meals for 60+ seniors during the week.
- The City and Chamber of Commerce are working on contingency plans that may impact future events. The Car Show and Swedish Festival have been canceled.
- Council has approved policy related to the suspension of water shut offs for non-payment.

Organizational Preparedness

- Development of updated leave policy to be compliant with newly enacted Federal legislation.
- Continued organizational continuity planning for employees working from home (technology, alternate work schedules).

- Examination of revenue projections and impacts on sales tax, transient occupancy tax and community development fees.
- Sales Tax Forecast information is attached. Avenu Insights has also provided a spreadsheet that allows staff to project potential impacts depending upon the duration of COVID-19 impacts (beginning March 2020).
- The city's Economic Stabilization Fund was created for just this purpose. The fund currently has balance of \$630,509. These funds can be utilized to help stabilize short-term General Fund impacts due to the anticipated loss of revenue.
- Development of internal protocols should virus spread affect Kingsburg – including continuity of operations planning for all departments. Coordination with Fresno Co. Dept. of Public Health. This includes potential deployment of emergency operations center.
- Focused efforts on communicating during a crisis. Information provided by Bloomberg Harvard City Leadership Initiative (see attached tips).
- Taking care of employees is a vital concern. All our departments and employee areas have CDC fact sheets providing educational information about the virus as well as information regarding proper prevention techniques.
- City Hall is operating virtually, closed to the public since March 16. Continued organizational continuity planning for employees working from home (technology, alternate work schedules).
- The City utilizes an internal employee newsletter that is used frequently to provide updated information related to the virus and actions being taken to protect employees.
- First responders and their safety remain a big focal point, and we are utilizing expert fact sheets that provide guidance for EMS and Law enforcement providers as well.
- On March 11, the Kingsburg Tri-County Health Care District authorized up to \$75,000 in funding to help with the sanitizing of first responder vehicles and equipment, as well as emergency funding for a potential declared emergency that could impact the community. We have purchased four (4) commercial fogging/decontamination machines capable of large-scale dissemination of a viricidal agent.

Federal & State Action

The President and State of California have declared emergencies regarding the COVID-19 pandemic. Each have provided several resources, including:

- [FEMA](#)
- [State of California](#)
- [CDC](#)

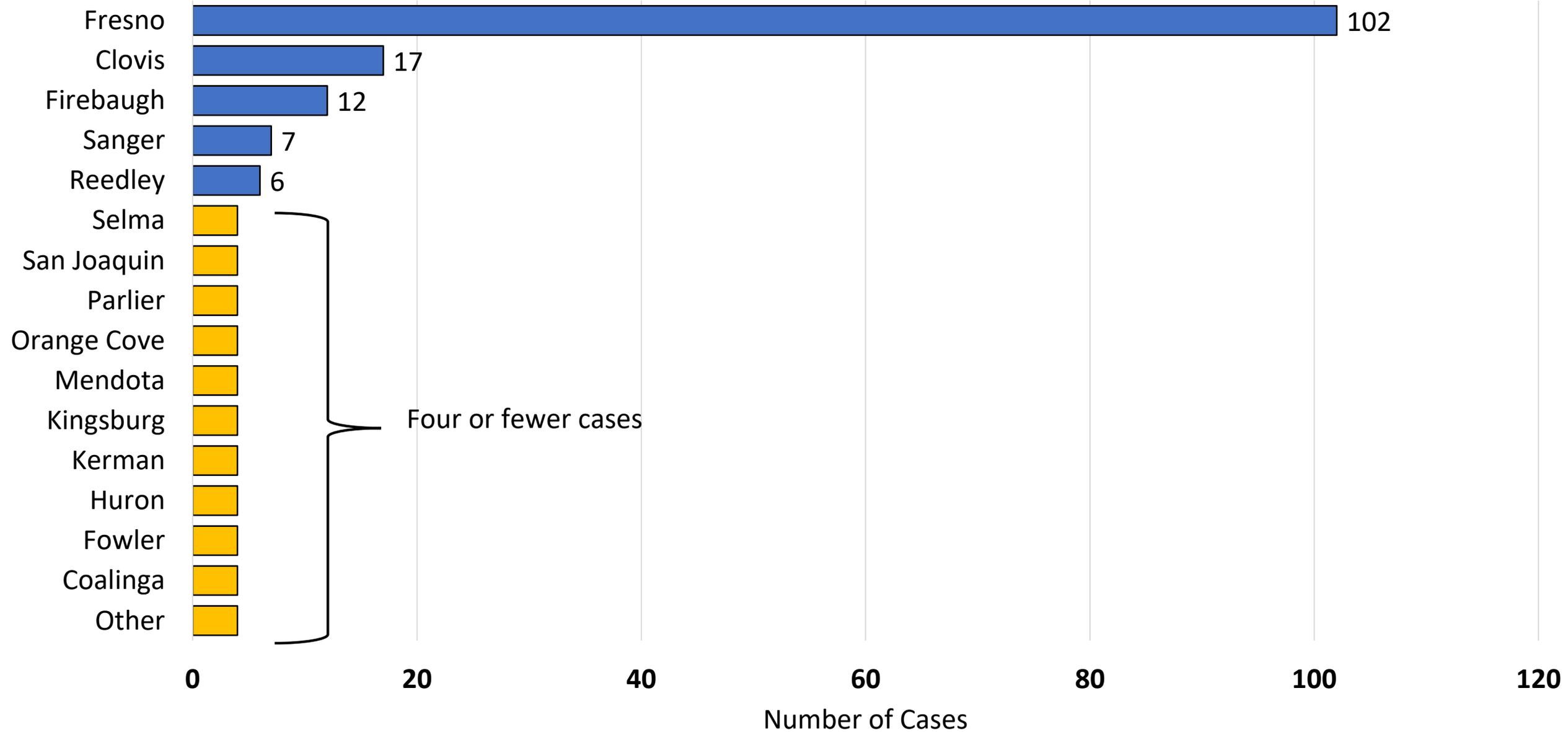
ATTACHED INFORMATION

1. FCDPH Chart from April 8



Fresno County COVID19 Positive Cases by Community

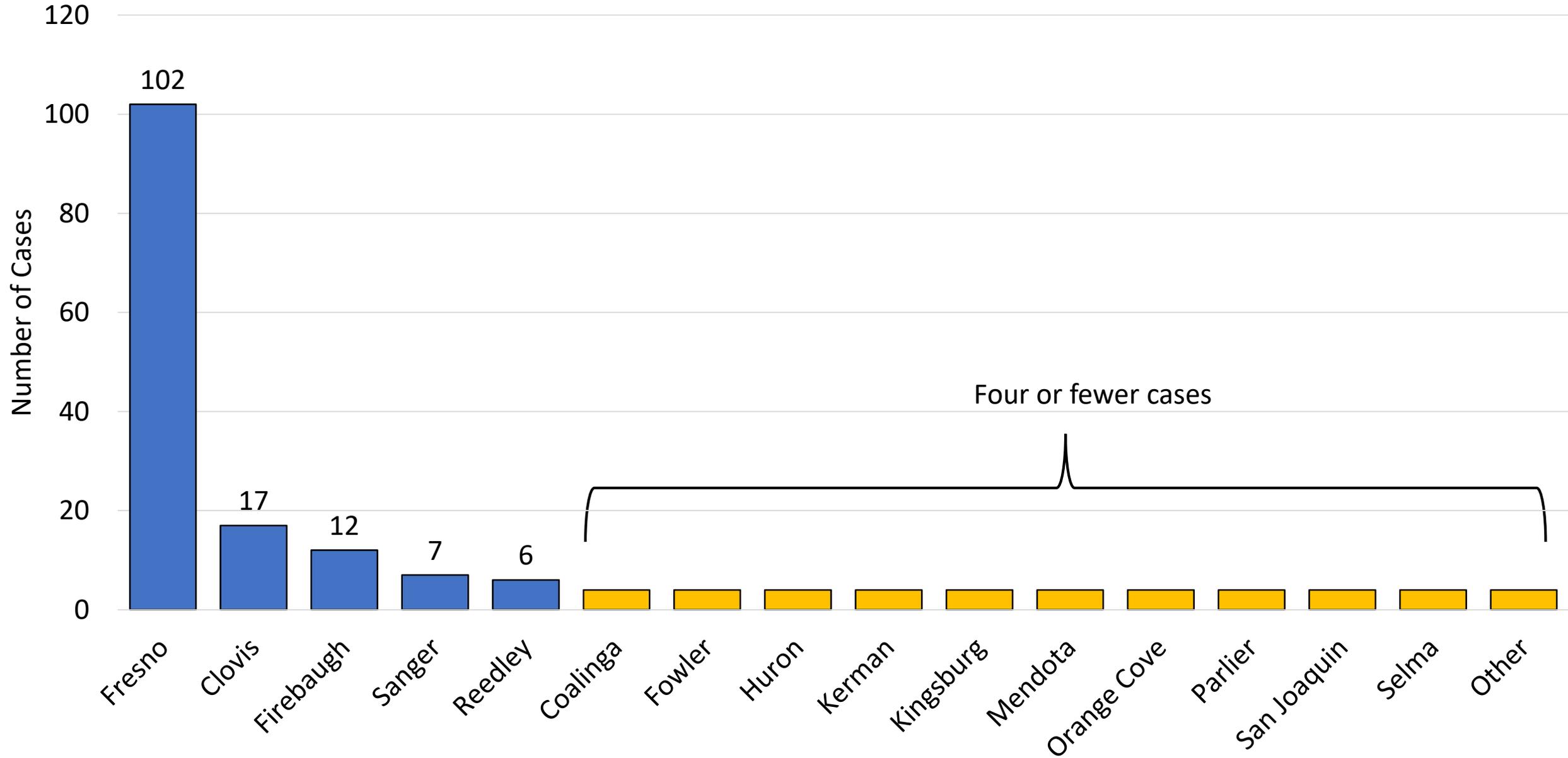
As of 4/8/20





Fresno County COVID19 Positive Cases by Community

As of 4/8/20





Meeting Date: 04/15/2020
Agenda Item: 5.2

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council

REPORT FROM: David Peters, City Engineer

REVIEWED BY: AH

AGENDA ITEM: SB 1 Resolution FY 2020/21

ACTION REQUESTED: Ordinance Resolution Motion Receive/
File

EXECUTIVE SUMMARY

Each year, the City is required to update and provide a list of proposed projects to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), also known as SB 1. This list must include:

- Location of the project
- Proposed schedule of completion
- Estimated useful life of the improvement

This would mark the fourth fiscal year in which the city has received SB1 funding, with amounts increasing each year. Previous projects have included:

- 2017/2018: Reclamite slurry seal on several streets in Pheasant Grove
- 2018/2019: Portion of 21st Ave rehabilitation project
- 2019/2020: Marion St. Cape Seal (scheduled for this spring/summer)

For FY20/21, the City is expected to receive \$234,046 from the RMRA fund. Based on the Pavement Management System adopted by the City in 2019, staff has identified several candidate projects for the RMRA funding program. Candidate projects were identified utilizing the pavement condition index (PCI) given to city roadway segment and the funding levels available in the current fiscal year. Larger PCI values represent better condition roads and lower PCI values represent poorer condition roads.

The candidate projects for FY 20-21 are (map included):

Project	Description	Location	PCI
Orange Avenue Rehabilitation	Resurface roadway	6 th Avenue Drive to 300' west of 8 th Ave Drive	23
Nevada Street Rehabilitation	Resurface roadway	6 th Avenue Drive to 300' west of 8 th Ave Drive	32
Ventura Street Rehabilitation	Resurface roadway	10 th Avenue to 14 th Avenue	33

Staff is recommending the *Orange Avenue Rehabilitation* be selected as the project for FY20-21 based upon PCI.

As part of the SB1 accountability, each year cities and counties must adopt via resolution a project list comprised of projects they anticipate funding with SB1 funds. These project lists must be submitted to the California Transportation Commission (CTC) by May 1st in order to be eligible for SB 1 funding for the following fiscal year.

However, it is possible that this deadline may be extended due to challenges surrounding the COVID-19 pandemic. There are also questions related to total funding amounts, given the revenue forecasts are based upon gas tax revenues, which have been negatively impacted from the pandemic.

RECOMMENDED ACTION BY CITY COUNCIL

1. Review the proposed project list and approve Resolution 2020-025 as presented.

POLICY ALTERNATIVE(S)

1. Council could choose to make amendments to the proposed list.
2. Council could choose to seek additional information on eligible projects.

REASON FOR RECOMMENDATION/KEY METRIC

1. Ensures Financial Stability

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|----------------------|
| 1. Is There A Fiscal Impact? | <u>Yes</u> |
| 2. Is it Currently Budgeted? | <u>No</u> |
| 3. If Budgeted, Which Line? | <u>104 (Gas Tax)</u> |

PRIOR ACTION/REVIEW

No prior action has been taken by the City Council for FY 2020-21 RMRA funds.

BACKGROUND INFORMATION

In April 2017, the California State Legislature passed Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017. As part of the Bill, specific transparency and accountability provisions must be met in order to ensure that the public is aware of the projects that have been completed utilizing SB 1 funds. Each agency receiving funds must report the project in which the funds are used and submit the project lists by May 1st of each year.

In 2019 all of the city streets were evaluated and rated as part of a pavement management system update. The pavement has been evaluated to determine their Pavement Condition Index (PCI). The PCI scale ranges from 100 (new road) to 0 (gravel road). Typically, street maintenance strategies are aligned with the following PCI scale:

PCI Range	Treatment
100-85	No Treatment
85-70	Slurry Seal
70-50	Cape Seal or Thin Overlay
50-25	Thick Overlay
25-0	Reconstruction

ATTACHED INFORMATION

1. Proposed Resolution 2020-025
2. Map of Completed Street Work
3. Map of Upcoming & Candidate Improvements

RESOLUTION NO. 2020-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KINGSBURG
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SB 1:
THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Kingsburg are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Kingsburg must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City of Kingsburg budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Kingsburg, will receive an estimated \$234,046 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

WHEREAS, this is the fourth year in which the City of Kingsburg is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City of Kingsburg has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City of Kingsburg used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City of Kingsburg maintain and rehabilitate one (1) streets/roads within the City of Kingsburg this year and similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City of Kingsburg's streets and roads are in an "at-risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "good" condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets

infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED by the City Council of the City of Kingsburg, State of California, that:

1. The foregoing recitals are true and correct.
2. The following list of proposed projects will be funded in-part or solely with fiscal year 2020-21 Road Maintenance and Rehabilitation Account revenues:

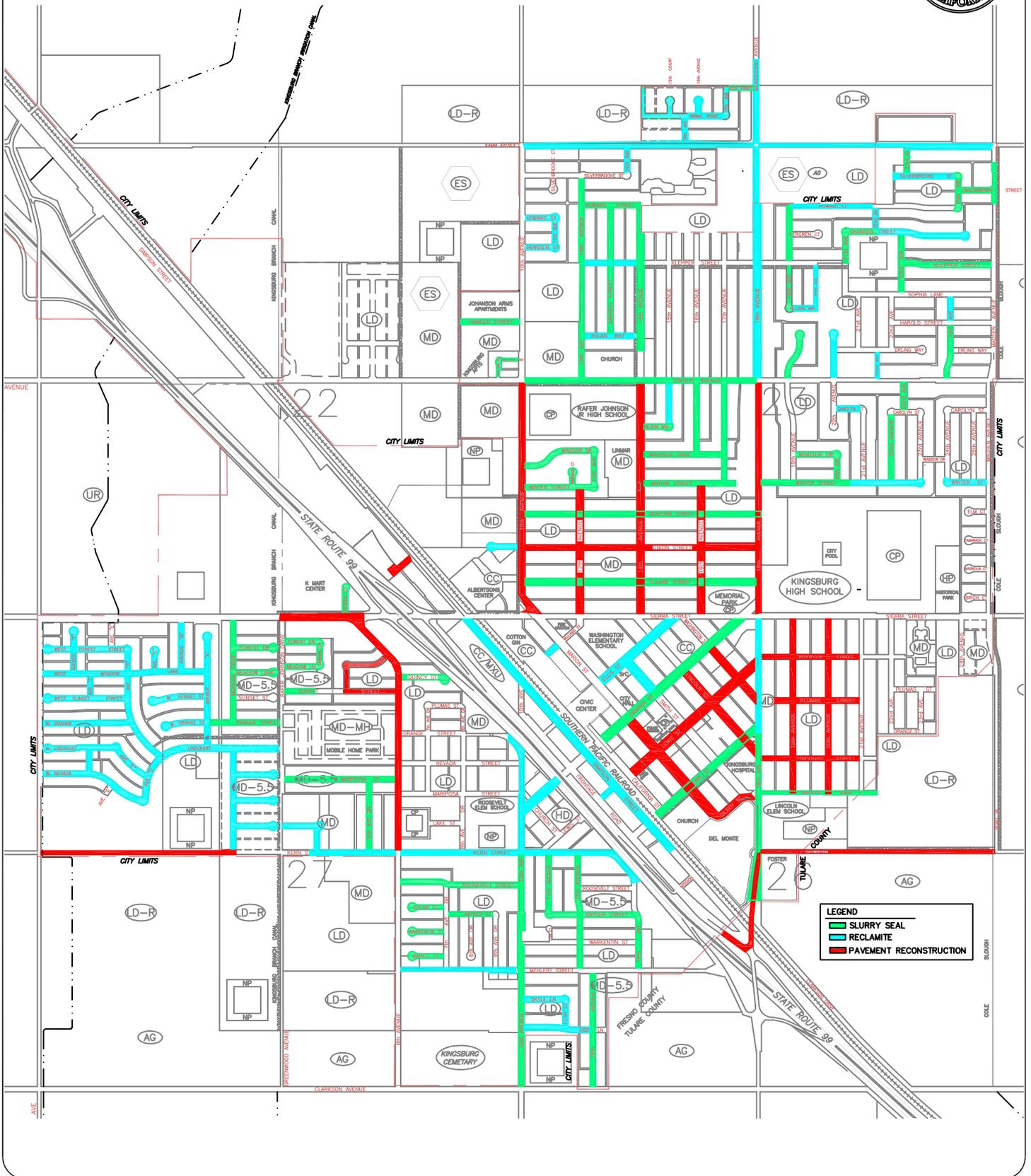
Project	Description	Location	Estimated Useful Life	Anticipated Year of Construction
Orange Avenue Rehabilitation	Resurface roadway	6 th Avenue Drive to 300' west of 8 th Ave Drive	10-15 Yr	2021

I, Abigail Palsgaard, City Clerk of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg City Council held on the ___ day of _____ 2020, by the following vote:

Ayes: Councilmembers:
Noes: Councilmembers:
Absent: Councilmembers:
Abstain: Councilmembers:

Abigail Palsgaard, City Clerk
City of Kingsburg

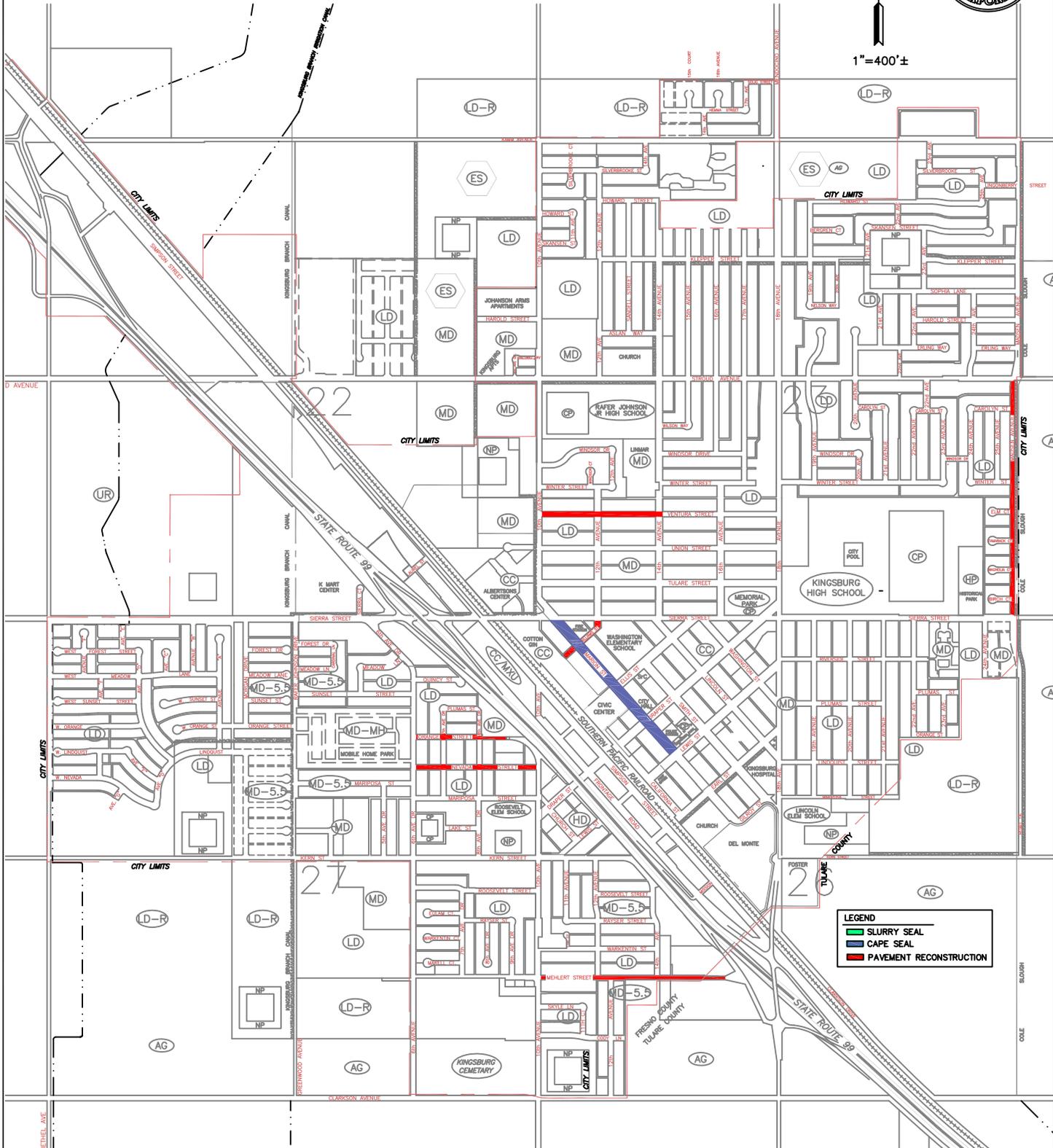
CITY OF KINGSBURG STREET PROJECTS 2008-2020



CITY OF KINGSBURG STREET PROJECTS FY 2020/21



1"=400'±



LEGEND	
█	SLURRY SEAL
█	CAPE SEAL
█	PAVEMENT RECONSTRUCTION