IMPORTANT NOTICE REGARDING

CITY OF KINGSBURG PUBLIC MEETINGS

Based upon recommendations from the CDC regarding social distancing relative to COVID-19 (coronavirus) and in accordance with the applicable provisions of Executive Orders N-25-20 and N-29-20 issued by Governor Newsom ("EO"), all public meetings will be held via teleconference. The City will have available a free call-in conference call number for those who wish to listen and/or provide public comment during the public comment period of the agenda or on a specific agenda item.

Those wishing to join via call-in conference should call (US): 1 (559) 207-3003 (Pass code: 5821). If you are intending to comment, we are asking you to please contact City Clerk Abigail Palsgaard in advance of the meeting at apalsgaard@cityofkingsburg-ca.gov, or by calling 559-897-6520. We are asking those to pre-register so that we can keep the meeting orderly, given everyone will be non-visible. There will still be time to provide public comment should you not pre-register. We will be asking all those interested to please call in 5 minutes prior to the regular meeting start time and keep their telephones on "mute" unless speaking during the public comment portion of the agenda or speaking on a specific agenda item after the Mayor requests public comment on the specific agenda item. If you would like to comment, please say your name clearly for the record.

If you need any special assistance or have questions please contact City Clerk Abigail Palsgaard at apalsgaard@cityofkingsburg-ca.gov, or by calling 559-897-6520.

The City will also be providing a video stream of the teleconference for those wishing to listen. The stream will be available via the City's official Facebook page. The live stream will not be monitored for comments/questions. The video will be made available after the meeting for those who do not have a Facebook account.

For continual updates regarding COVID-19, visit the city's website at www.cityofkingsburg-ca.gov.

City of Kingsburg

1401 Draper Street, Kingsburg, CA 93631-1908
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 3/31/2020 at 4:30pm. THEY WILL NOT BE READ OUT LOUD.

Wednesday, April 1, 2020 at 6pm

Invocation to be given by Pastor Dean Youngblood, Potter's House Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

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 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.

5. Regular Calendar

5.1 **Coronavirus Disease 2019 (COVID-19)** - 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 **COVID-19 Leave Policy Update**- Staff Report by Christina Windover, Director of Administrative Services
Possible Action(s):
a. Presentation by the Director of Emergency Services Alexander Henderson
b. Council Discussion
c. Action as Deemed Necessary

5.3 **City Engineer Project Progress Report**- Report by City Engineer Dave Peters
Possible Action(s):
a. Presentation by City Engineer Dave Peters
b. Council Discussion
c. Informational- No Action Necessary

5.4 **Capital Improvement Plan 2019/2020 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

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.

8.1 Consider written request from Kingsburg Joint Union High School regarding removal of crosswalk on 18th Ave.

8.2 Consider citizen request for policy discussion regarding backyard chickens.

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.

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 27th day of March 2020.

_____

Abigail Palsgaard, City Clerk

KINGSBURG CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 18, 2020 – 6:00 P. M.

Invocation was given by Pastor Ricky Chambers, Kingsburg Community Church.

Based upon recommendations from the CDC regarding social distancing relative to COVID-19 (coronavirus) and in accordance with the applicable provisions of Executive Order N-25-20 issued by Governor Newsom on March 12, 2020 ("EO"), the regular City Council meeting scheduled for March 18, 2020 was held via teleconference. Per the EO, the City Council Chamber, located at 1401 Draper St., remained open during the teleconference for those who wish to listen and/or provide public comment during the public comment period of the agenda or on a specific agenda item. In addition, the City had a free call-in conference call number for those who wish to participate, but do not wish to come in person to the City Council Chamber.

6 P.M. REGULAR SESSION MEETING:

Call to Order and Roll Call: At 6:00 P. M. Mayor Michelle 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, Police Chief Neil Dadian, and City Clerk Abigail Palsgaard.

Staff present via teleconference: City Attorney Michael Noland

Public Comments: Elisa Rivera, representing Senator Caballero, stated that the Senator gives gratitude for conducting the City Council meeting this way to help stop the spread of the virus. She commended the awesome job by the City, the Kingsburg community, KCAPS, and the School District are doing during the COVID 19 emergency. She stated that their office will be open, but physically closed to the public. We will be updating our website with information and where to report price gauging, scams, and fraud. The Senator is encouraging the public to be safe and check on your neighbors and seniors.

Approve Agenda: A motion was made by Council Member North, seconded by Council Member Hurtado, to approve the Agenda, as published. The motion carried by unanimous voice vote.

Consent Calendar: Mayor Roman asked that Item No. 5 be pulled asked if this resolution not allowing dogs at the Car Show has to come to council every year from the Chamber of Commerce. City Manager Henderson stated the Car Show has been cancelled for this year. No action was taken on Item No. 5.

A motion was made by Council Member North, seconded by Council Member Dix, to approve the remaining items on the Consent Calendar. The motion carried by unanimous voice vote.

4.1 **Approval of City Council Minutes**: Approve the minutes from the March 4, 2020 Regular 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 February 18, 2020 through March 11, 2020 as prepared by Accounts Payable Clerk Grace Reyna.

4.3 **Adopt the Revised Trolley Rental Agreement-** Staff Report by City Clerk Abigail Palsgaard

4.4 **Waive the second reading and adopt Ordinance No. 2020-002, An Ordinance Of The City Of Kingsburg Amending Section 15.40.010 Of Chapter 15.40 Of Title 15 Of The Kingsburg Municipal Code with the following recital constituting reading the title of the Ordinance:**

"AN ORDINANCE OF THE CITY OF KINGSBURG AMENDING SECTION 15.40.010 OF CHAPTER 15.40 OF TITLE 15 OF THE KINGSBURG MUNICIPAL CODE"

4.5 **Pulled**

4.6 **Adopt Resolution 2020-021**- Authorizing the destruction of City Records approved by the City Attorney.

4.7 **Receive and File Kingsburg Police Stats for February 2020- Report prepared by Police Records Supervisor Corina Padilla.**

REGULAR CALENDAR

Coronavirus Disease 2019 (COVID-19)
City Manager Alexander Henderson gave an update on the past 14 days regarding the COVID 19 virus. He said it is changing hourly with the City of Fresno passing Shelter in Place a few hours ago. We have recommendations about guidelines for employees for conducting meetings and emergency proceedings. He reviewed the City's Emergency Operating Procedures (EOP), adopted in 2010. With the Feds, the State, and the County declaring emergency our EOP is activated. We are not at the point of opening our EOP Control Center. The Fresno County Health Department has the jurisdiction of the County. He spoke about upcoming discussions and concerns since we are in a tri-county area. We are recommending that all public meetings happen with teleconference and that restaurants promote take out/drive through options. City Hall is closed to the public but has been helping customers virtually. Public Safety is working at normal staffing, trash collection is normal; all water turn offs will be suspended till further actions; processing building and planning virtually; Senior Center is closed; partnering with KCAPS for home delivery meals; recreation and community service is closed for now; pool is suspended because we cannot train life guards; and we have created a specific webpage on our website with helpful links.

Council Member Dix asked if we are ratifying the Governor's executive order. City Attorney Michael Noland said that we will be ratifying any order by the Governor from here to the next meeting.

Mayor Roman said that if we declare an emergency, it will put it in place for funding in case we do need it in the future.

City Attorney Michael Noland said that you can do that if Council desires. He said that we think the funding will come through the counties to the cities. We do have the ability to declare our own emergency. Mayor Roman said that she is fine with waiting the two weeks till the next Council meeting.

Council Member Palomar asked if Kingsburg has a way to test for the virus. City Manager Alexander Henderson said no, as a city we not. Council Member Palomar asked if you report your symptoms to your healthcare professional. He said that we need to have somewhere for our citizens to go. Mr. Henderson said that you report the symptoms to your doctor, and they will direct you.

Mayor Roman stated that if you have symptoms, call ahead and don't rush down to the doctor's office.

City Manager Alexander Henderson said that the Fresno County Health Department is our contact. They have tests but I don't know how many or how they pass them out.

Council Member Dix said that Tulare County has 40 tests to use each day and it takes 3-4 days for them to return. He said that right now numbers are low but can spike and it will be difficult to test.

City Manager Alexander Henderson said that some counties are being more restrictive than others. Fresno County has not.

Mayor Roman said that she is worried about small businesses and them being evicted. She said that she knows it is for residents, but she would like to protect businesses. Council Member Palomar said that he thinks it is a great idea. Council Member Hurtado said that she agrees. We can see what we can try to do. She mentioned different stores that were open during certain hours to allow seniors to shop. Mayor Roman said that she we would like to talk to the businesses. Council Member Dix agreed with Council Member Hurtado. He would like to promote in-home deliveries for seniors and people at risk.

Sandra Staats, representing West Star Construction, said that we think Kingsburg is on the right track, and we would like to do whatever we can to help. We need to support small businesses and if the mandate comes down, if we are tied to agriculture, we can stay open.

Council Member Dix said that he appreciates Sandra and is glad to see the Building Department is still functioning. Keeping building moving along is very important so we don't have partially built structures.

Council Member Palomar thanked Sandra and said that we will pass on the information.

Council Member Dix said that he has a question about employee policy about negative leave. Is there a limit? City Manager Alexander Henderson said that there is no limit. We are open for suggestion. Mayor Roman said that we want to make sure the employee is healthy before they come back to work Mr. Henderson said that this was put together last week- FMLA has already been expanded and there might be additional sick leave from the Federal Government. Council Member Dix asked if we are tracking these costs in anticipation if there is reimbursement? Mr. Henderson said that we are monitoring all of it.

Council Member North gave recommendations to contact health care providers before going to the Office. Mayor Roman asked again about the declaration of emergency. City Attorney Michael Noland said that he and the City Manager will research to see if there is anything that would be beneficial.

A motion was made by Council Member Hurtado, seconded by Council Member Palomar, to approve the following:

1. Adopt the emergency personnel policy as presented.
2. Any emergency City facility closure to occur with the recommendation of the City Manager and the concurrence of the Mayor.
3. Public meetings to be held via teleconference.
4. Suspension of water turn-offs.

The motion carried by unanimous voice vote.

T-Mobile Merger Update
City Manager Alexander Henderson stated that they are moving forward with the call center. AD Baccerra settled the lawsuit with T-Mobile. The settlement had conditions, including that they do open the call center in Kingsburg. On the heels of that, there are a few more hurdles, one is the California Utility Commission. They have announced they are planning to vote to approve at their 4/16 meeting. They also have conditions that are in line with what T-Mobile has done in other states. They will be taking public comment at their 4/16 meeting and Mayor Roman will be giving comment. We want to make sure if they are hiring, that they are hiring people from around here and that they understand the transportation issues.

Council Reports and Staff Communications

Community Services Commission – Council Member North reported that it hasn't met.

Public Safety Committee – Council Member Palomar reported they met and will be funding crosswalk painting by schools and assist the police department in their camera project.

Chamber of Commerce – Council Member North reported that they met on 3/10 at the Annual Business Meeting. They are meeting every two weeks for the BID and the next meeting is tomorrow. It sounds like it is going well with marketing. They cancelled the annual car show but have not cancelled the Swedish Festival. The 2020 directory is complete as of last week. The Chamber has closed their office as of right now. City Manager Alexander stated that we were going to have a BID update tonight, but we shrank our agenda. We will have an update in April.

Economic Development Committee – City Manager Alexander Henderson reported that they have not met since the last meeting. The focus is on what the assistance will be from the State and Federal levels.

Finance Committee – Council Member Dix reported that it hasn't met. City Manager Alexander Henderson stated that tentatively they will meet next week.

Planning Commission – City Manager Alexander Henderson stated that they will have an April meeting via teleconference.

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA) – Council Member Dix stated that their meeting was cancelled.

City Manager's Report- City Manager Alexander Henderson stated that he has no specific report.

Other Business that may come properly before the City Council
Mayor Roman stated that Selma Kingsburg Fowler Sanitation District is asking that the public please not flush any wipes into the system.

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

Council Member Palomar stated that he would like to see smoking prohibited at all public events.
City Manager Alexander Henderson said that we will look into it.

Adjourn – At 7:16 P. M. Mayor Roman adjourned the Regular Kingsburg City Council Meeting.

Submitted by:

_____
Abigail Palsgaard, City Clerk

KINGSBURG CITY COUNCIL
SPECIAL MEETING
March 23, 2020 at 6 pm

Based upon recommendations from the CDC regarding social distancing relative to COVID-19 (coronavirus) and in accordance with the applicable provisions of Executive Order N-25-20 issued by Governor Newsom on March 12, 2020 ("EO"), the Special City Council meeting scheduled for March 23, 2020 was held via teleconference. Per the EO, the City Council Chamber, located at 1401 Draper St., was closed during the teleconference. The City had a free call-in conference call number for those who wish to provide public comment during the public comment period of the agenda or on a specific agenda item.

6 P.M. SPECIAL SESSION MEETING:

Call to order and roll call: At 6:00pm Mayor Michelle Roman called the special 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 Members present: City Manager Alexander Henderson, City Clerk Abigail Palsgaard and City Attorney Michael Noland via teleconference.

Public Comments: Heather Dunn, Resident, asked City Council revisit allowing backyard chickens. The importance of self-reliance regarding food has been brought to light with the shortages in stores. It will help families provide for their own.

Regular Calendar

Adopt Resolution 2020-022 A Resolution Of The City Council Of The City Of Kingsburg Proclaiming The Existence Or Threatened Existence Of A Local Emergency (Covid-19)

City Manager Alexander Henderson stated this is a continuation of discussion from last Wednesday's meeting specific to the declaration of a local emergency regarding COVID 19. The Federal Government and the State of California have declared an emergency. Mr. Henderson said he has now declared an emergency and through this action he is designated Director of Emergency Services. The City Council must consider and ratify within 7 days.

Mayor Roman asked for the record who is on the Kingsburg Disaster Committee. City Manager Henderson said by the City Code it is the Mayor, the City Manager, the Fire Chief and the Police Chief. According to the adopted Emergency Operations Plan Chief Perkins would be the Assistant Director.

Council Member Dix asked what the limitation of the actions of the Disaster Committee are compared to City Council. City Manager Henderson reviewed City Code Section 2.40.040 – The powers and duties of the Disaster council shall be and it is hereby empowered, to develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements.

City Manager Henderson explained the Emergency Operations Plan is more relative as the City Code was adopted in 1973 and the Emergency Operations Plan in 2010. City Council remains the decision-making body. City Attorney Noland explained these issues would come as recommendations to the City Council for purposes of review and adoption. Council Member Dix said it would make sense to name the Fire Chief the Assistant Director. He asked if we have the line of succession. City Manager Henderson stated according to the Emergency Operations Plan it is the City Manager, then the Police Chief and then the Fire Chief.

Dave Crinklaw, West Star Construction, commended everything City Council has done to take action. He said they have shown great leadership and asked to be contacted if he can help in anyway.

Council Member North made a motion to approve a request from the Director of Emergency Services for the City of Kingsburg that the City Council of the City of Kingsburg proclaim the existence or threatened existence of a local emergency (COVID-19) and adopt Resolution 2020-022 of the City Council of the City of Kingsburg proclaiming the existence or threatened existence of a local emergency (COVID-19). Council Member Hurtado seconded the motion. The motion carried by unanimous voice vote.

City Manager's Report

City Manager Henderson relayed that staff did contact all the grocery stores as directed by Council to see if they have special hours for seniors. Save Mart has senior specific hours, does do delivery through Instacart with a fee. The other ones, late last week, were not offering senior specific hours. Staff has started a list of open business with hours and if they have online options, City Manager Henderson said he has been talking to other city managers regarding eviction relief, continuing to look into that. The ambulance calls for service have been down 50%.

There are potential revenue impacts, building permits have slowed, user fees for recreation and parks have gone down due to the program and the parks being closed. Staff suspects lower TOT taxes as travel is not recommended. CalPERS has lost 69 billion and won't know total losses until Summer 2020. Council Member Dix asked for Finance Director Colado to do an analysis if TOTs are down and if sales tax with gas prices are dropping so we can get an idea of those numbers. City Manager Henderson said he is having a tax consultant updating sales tax recession numbers.

Council Member North asked if city employees are not getting paid if they are not working. City Manager Henderson said they are not getting paid, if they have sick leave, they can use it. The After School Recreation is a cost neutral program. Council member Dix asked if there is a way to repurpose those employees. City Manager Henderson said he will look into it.

Mayor Roman discussed the potential evictions in town due to the shelter in place. She would like to pass something that supports stopping evictions and foreclosures. Council Member Dix said it is difficult to get involved in a private contract. He would rather leave it up to the individual to decide, maybe work on a rent reduction. No evictions translate to no rent, possibly. Mayor Roman clarified that she is not talking about eliminating rent, just that the tenant cannot be evicted because of a late payment. Council Member Dix gets that they are talking about deferring rent, but we need to look at the burden on landlords. It is not the place of City Council to decide.

Mayor Roman said it already is passed for residential mortgages. Council member Dix said it is up to the local jurisdiction to determine. City Manager Henderson said there are two different mortgage reliefs, one is federal and only related to FHA loans. The other the Governor gave local jurisdictions the ability to give

specific direction. He didn't provide any specific relief. Council Member Hurtado stated the Governor left it up to local jurisdictions. City Attorney Noland said the Fresno County Court cut back hours and consequently cases are not being seen. The Court has limited access in the actions that can be brought, including any type of civil action. Council Member Dix stated that commercial tenants can be exonerated from eviction, even if they are currently 6 months behind which could stop the landlord from renting to a hospital or the government. Council Member North said it is so new, and we don't know what the future holds. We can hold off and come back in a future time. Council agreed.

City Manager Henderson said the Governor is asking for passive compliance. Recently Staff and Council Members have had folks ask about playgrounds and parks. We are asking people to follow the guidelines. Until the Governor goes to mandated enforcement, that has been our approach at the local level. It is new and confusing. There is updated information on the website for our citizens. The City Manager said he is available for questions. Council Member North said she had a citizen contact her that they concerned about children playing at park equipment, other communities have put up police tape. City Manager Henderson said staff has closed restrooms, put up signs about proper hygiene, have been wiping down equipment but can't do it everyday. If there is a desire to fence off the parks, we can. Council Member Dix said he thinks points are a valid; high touch areas could be spreading it. He can imagine a lot of police tape being ripped down. Council Member Hurtado said she saw lots of kids playing yesterday at Athwal. She doesn't know if police tape is the best idea. Parks are a high touch area. Mayor Roman asked if we have orange fencing. City Manager Henderson said he will work with Community Services Director Adam Castaneda and Public Works with barricades and signage. Council Member Palomar feels citizens are not taking it seriously. He thinks it a good idea to look at fencing up parks. Council gave staff direction.

Mayor Roman said she appreciates all of Economic Development Consultant Jolene Polyack's work on the list of what businesses are open. It is on the City website.

Other Business that may come properly before the City Council

Council Member Palomar said he is worried about going into a recession and water shutoffs. We will need a policy for how they can pay it back.

Mayor Roman thanked staff and citizens, we will work together and get through it.

The Special Kingsburg City Council Meeting was adjourned at 6:48pm.

Submitted by:

_____

Abigail Palsgaard, City Clerk

Accounts Payable

Checks by Date - Summary by Check Date

User: gracer
Printed: 3/26/2020 4:29 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	3231	ICMA RETIREMENT CORPORATION - \	03/13/2020	661.63
ACH	3470	Internal Revenue Service - ACH	03/13/2020	40,483.04
ACH	3471	Employment Development Department - A(	03/13/2020	6,182.73
ACH	3472	CalPERS - ACH	03/13/2020	31,646.68
ACH	3475	Empower	03/13/2020	2,915.00
ACH	3476	CHILD SUPPORT STATE DISBURSEME	03/13/2020	471.22
ACH	3526	Public Employees Retirement System 457 I	03/13/2020	20.00
ACH	3470	Internal Revenue Service - ACH	03/13/2020	1,333.87
ACH	3471	Employment Development Department - A(	03/13/2020	283.06
77503	4149	US DEPARTMENT OF EDUCATION AW(	03/13/2020	313.03
			Total for 3/13/2020:	84,310.26
77504	3005	AFLAC	03/25/2020	863.54
77505	3006	AIRGAS NCN	03/25/2020	667.55
77506	3020	ANGELICA TEXTILES SERVICES COR	03/25/2020	250.65
77507	3029	AT&T CALNET 3	03/25/2020	1,523.51
77508	3030	AT&T MOBILITY	03/25/2020	2,106.63
77509	3035	BAUER COMPRESSORS, INC.	03/25/2020	1,935.00
77510	3038	BENETRAC	03/25/2020	425.00
77511	4207	CALIFORNIA COMMERCIAL POOLS	03/25/2020	124,317.00
77512	3704	CANON FINANCIAL-EQUIPMENT SAL	03/25/2020	1,303.37
77513	3068	BARBARA CARPENTER	03/25/2020	810.00
77514	3074	CENTRAL SANITARY SUPPLY	03/25/2020	26.94
77515	3079	CENTRAL VALLEY SWEEPING, INC.	03/25/2020	4,550.00
77516	3918	CINTAS	03/25/2020	1,106.56
77517	3111	COLLINS & SCHOETTLER	03/25/2020	3,105.00
77518	3115	COMCAST-PD	03/25/2020	151.20
77519	3134	CSJVRMA	03/25/2020	102,997.00
77521	4216	DARIO PRUNEDA	03/25/2020	65.00
77522	4222	DEPT FORESTRY & FIRE PROTECTION	03/25/2020	1,616.00
77523	3146	DINUBA FIRE	03/25/2020	5,436.69
77524	3750	EAGLE ENGRAVING, INC.	03/25/2020	8.20
77525	3987	MARK EATON	03/25/2020	400.00
77526	3158	ENER POWER	03/25/2020	800.00
77527	3174	FIRECREST DESIGNS	03/25/2020	91.54
77528	3175	FIVE CITIES EDA	03/25/2020	978.52
77529	3187	FRESNO COUNTY DEPT OF COMM. HI	03/25/2020	1,901.59
77531	3219	HEALTHWISE SERVICES	03/25/2020	175.00
77532	3222	HENRY SCHEIN, INC.	03/25/2020	560.27
77533	3534	JACK'S REFRIGERATION, INC.	03/25/2020	159.00
77534	3860	JAS PACIFIC	03/25/2020	14,181.13
77535	3237	JC'S LAWN SERVICE	03/25/2020	5,000.00
77536	3983	JIM CRAWFORD CONSTRUCTION	03/25/2020	704.99
77537	3242	JOE SAUBERT INC.	03/25/2020	323.62
77538	3248	KAHN, SOARES & CONWAY, LLP	03/25/2020	5,665.00
77539	3488	KINGSBURG BUDDHIST CHURCH	03/25/2020	90.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
77540	3254	KINGSBURG CHEVRON	03/25/2020	135.00
77541	3625	KINGSBURG MEDIA FOUNDATION	03/25/2020	12,542.51
77542	4081	L.N. CURTIS & SONS	03/25/2020	22.80
77543	3272	LEE ENTERPRISES ADVERTISING LEE	03/25/2020	242.98
77544	3275	LIEBERT, CASSIDY, WHITMORE	03/25/2020	75.00
77545	4220	M. V. NAILS & SPA	03/25/2020	25.00
77546	3282	MAACO COLLISION REPAIR	03/25/2020	642.15
77547	3288	MCCLASKY, INC.	03/25/2020	1,475.00
77548	3293	MID VALLEY DISPOSAL	03/25/2020	103,656.82
77549	3297	MORGAN'S VILLAGE FLOORING	03/25/2020	25.88
77550	3300	MuniServices/Avenu	03/25/2020	1,513.55
77551	3466	NAPA AUTO PARTS	03/25/2020	1,084.49
77552	3312	O'REILLY AUTO PARTS	03/25/2020	632.94
77553	3315	P G & E	03/25/2020	18,985.40
77554	4215	PARAGON PARTNERS	03/25/2020	3,967.35
77555	3326	PITNEY BOWES	03/25/2020	193.33
77556	3334	PROFESSIONAL PRINT & MAIL, INC	03/25/2020	1,289.04
77557	3335	PROFORCE LAW ENFORCEMENT	03/25/2020	7,492.07
77558	3922	RAGNASOFT, INC.	03/25/2020	1,885.00
77559	3359	S&W HEALTHCARE CORP.	03/25/2020	137.21
77560	3363	SAVE MART SUPERMARKETS	03/25/2020	84.32
77561	3368	SIGN RANCH BY ROD'S CUSTOM SIGN	03/25/2020	890.84
77562	3369	SILVAS OIL COMPANY, INC.	03/25/2020	2,666.96
77563	4142	SPARKLETTS	03/25/2020	120.00
77564	3378	STAPLES ADVANTAGE	03/25/2020	1,488.16
77565	3380	STATE OF CALIFORNIA-D O J	03/25/2020	513.00
77566	4129	STEVE DOVALI CONSTRUCTION	03/25/2020	307,191.53
77567	4218	GILBERT TANG	03/25/2020	260.00
77568	3397	THE GAS COMPANY	03/25/2020	5,015.89
77569	4221	HELEN WEATHERS	03/25/2020	70.00
77570	3433	EVA ZIMMERMAN	03/25/2020	408.25
			Total for 3/25/2020:	759,027.97
			Report Total (75 checks):	843,338.23

Meeting Date: 04/01/2020
Agenda Item: 4.3

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: **Mayor Roman & City Council**

REPORT FROM: **David Peters, City Engineer** **REVIEWED BY**: AP

AGENDA ITEM: **Acceptance of Athwal Park Improvements**

ACTION REQUESTED: ___Ordinance ____Resolution __√__Motion _____Receive/File

EXECUTIVE SUMMARY

The City Council previously awarded a contract to Steve Dovali Construction for the Athwal Park Improvements project. The project was completed to the satisfaction of the City Engineer and the Public Works Department staff. The one-year warranty period will begin upon the filing of the Notice of Completion which will follow the Council's acceptance of the project.

RECOMMENDED ACTION BY CITY COUNCIL

Accept the Athwal Park Improvements project completed by Steve Dovali Construction and authorize the City Engineer to file the Notice of Completion.

POLICY ALTERNATIVE(S)

None

REASON FOR RECOMMENDATION/KEY METRIC

Steve Dovali Construction completed the project to the satisfaction of the City Engineer.

FINANCIAL INFORMATION

FISCAL IMPACT:

1. Is There A Fiscal Impact? No
2. Is it Currently Budgeted? N/A
3. If Budgeted. Which Line? N/A

FINANCIAL SUMMARY

None

BACKGROUND INFORMATION

None

RESOLUTION NO. 2020-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KINGSBURG AUTHORIZING DESTRUCTION OF SPECIFIED RECORDS OF THE CITY

WHEREAS, the records (collectively "**Records**") of the City of Kingsburg described in Exhibit "A" which is attached to this Resolution and made a part hereof are now obsolete, no longer required by the City of Kingsburg and should be destroyed without retaining copies of the Records.

WHEREAS, Section 2.36.010 of Chapter 2.36 of Title 2 of the Kingsburg Municipal Code authorizes the destruction of obsolete records no longer required by the City of Kingsburg without retaining copies of such records so long as such destruction is performed in accordance with the applicable provisions of the California Government Code and other applicable laws and regulations, approved in writing by the City Attorney and approved by resolution of the City Council.

WHEREAS, the City Attorney has provided the City of Kingsburg with its written approval for the destruction of the Records.

NOW THEREFORE, BE IT RESOLVED that the Kingburg City Council hereby approves the destruction of the records identified in Exhibit "A" to this Resolution without retaining copies of the records.

I, Abigail Palsgaard, City Clerk, City of Kingsburg, hereby certify that the foregoing Resolution was passed and adopted by the City Council of the City of Kingsburg at a regular meeting thereof held on the 1st day of April 2020, by the following vote:

Ayes: Councilmember(s):

Noes: Councilmember(s):

Absent: Councilmember(s):

Abstain: Councilmember(s):

_____

Abigail Palsgaard, City Clerk CMC
City of Kingsburg

Exhibit A

Records Destruction Inventory

Department: City Clerk | City Attorney:

	Record Name:	Description:	Date it May Be Destroyed	Comments:
1	Historical Park Grant 1985		1991	
2	FICA Tax Witholdings 1980-1982		1989	
3	Tax Witholdings and W2s 1980-1985		1992	
4	Senior Center Insurance 1981-1984		1995	
5	Senior Center Correspondences	1970-1985	1988	
6	Correspondences from 2000		2003	Copies from Draper/Washingtion site plan
7	Copies of Wong Lease 1997		2000	Original is on file
8	Expired Gun Club Leases	Expired 1991	1997	
9	Correspondences from 1987	Stroud Easement	1990	
10	Correspondences to Fresno County	1978	1981	Regarding request zone change/VanDell
11	Correspondences regarding 394-070-06	1979	1982	Request and then retraction for annexation
12	Correspondences to SKF	1979	1982	Information regarding industial load
13	Correspondences to DOT	1973-1975	1978	Plan line study for Sierra Street
14	Correspondences regarding tree removal	1978	1982	1201 8th
15	Future Population Exisiting Land Use	1960	1963	Report
16	Wooden Bus Stop at Downtown Park	1985	2019	letters with COG/Plans. It has been replaced
17	Mark Smith Personnel File	1981	1987	Reserve Police Officer

Meeting Date:	03/18/2020
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 4/1/2020**

ACTION REQUESTED: __Ordinance __Resolution ___Motion _✓_Receive/File

EXECUTIVE SUMMARY

NOTE: This information is the best available as of posting on Friday, March 27. 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. Over the past week, staff has working on the following related to COVID-19:

1. Development of updated leave policy to be compliant with newly enacted Federal legislation.
2. Continued organizational continuity planning for employees working from home (technology, alternate work schedules).
3. 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).
4. 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.
5. 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.
6. Focused efforts on communicating during a crisis. Information provided by Bloomberg Harvard City Leadership Initiative (see attached tips).
   - Experts are stressing to make all messaging consistent, honest (no predictions), empathetic, realistic and hopeful.

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?	Potentially
2.	Is it Currently Budgeted?	N/A
3.	If Budgeted, Which Line?	N/A

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 has been canceled.

- Council has approved policy related to the suspension of water shut offs for non-payment.

Organizational Preparedness

- 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 and 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

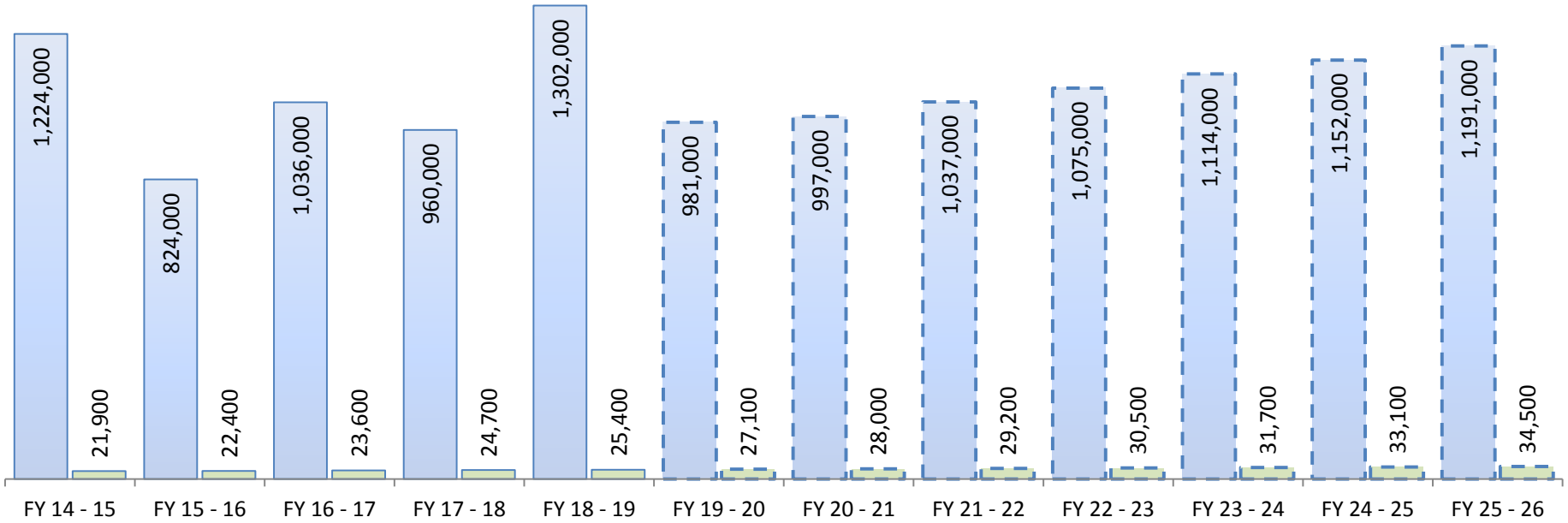
1. Sales Tax Forecast
2. Critical Public Health Information
3. Communicating in a Crisis

City of Kingsburg Sales & Use Tax Forecast Summary

Accrual through August Clean-up

Bradley Burns	FY 18 - 19	FY 19 - 20	FY 20 - 21	FY 21 - 22	FY 22 - 23	FY 23 - 24	FY 24 - 25	FY 25 - 26
Cash Projection	1,302,000	981,000	997,000	1,037,000	1,075,000	1,114,000	1,152,000	1,191,000
Percent Change	35.6%	-24.7%	1.6%	4.0%	3.7%	3.6%	3.4%	3.4%
	(11,700)	CDTFA "Extra June Advance" Received Aug '18 for unprocessed 2018Q1 sales tax returns						
Final Cash Projection	**1,290,300**	**981,000**	**997,000**	**1,037,000**	**1,075,000**	**1,114,000**	**1,152,000**	**1,191,000**
	34.4%	**-24.0%**	**1.6%**	**4.0%**	**3.7%**	**3.6%**	**3.4%**	**3.4%**
	(140,646)	Balance of Estimated 2018Q1 & 2018Q2 unprocessed sales tax returns						
Normalized	FY 18 - 19	FY 19 - 20	FY 20 - 21	FY 21 - 22	FY 22 - 23	FY 23 - 24	FY 24 - 25	FY 25 - 26
for Missing Payments	1,149,654	981,000	997,000	1,037,000	1,075,000	1,114,000	1,152,000	1,191,000
Percent Change	19.8%	-14.7%	1.6%	4.0%	3.7%	3.6%	3.4%	3.4%

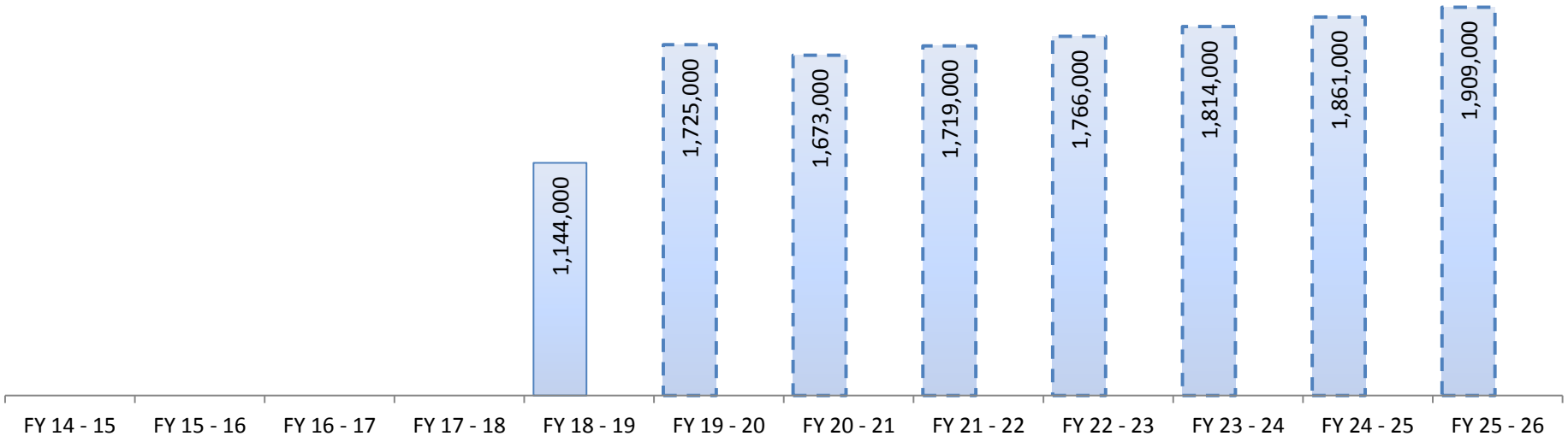
Prop 172	FY 18 - 19	FY 19 - 20	FY 20 - 21	FY 21 - 22	FY 22 - 23	FY 23 - 24	FY 24 - 25	FY 25 - 26
Cash Projection	25,400	27,100	28,000	29,200	30,500	31,700	33,100	34,500
Percent Change	2.8%	6.7%	3.3%	4.3%	4.5%	3.9%	4.4%	4.2%



Kingsburg T&UT 1% Sales & Use Tax Forecast Summary

Accrual through August Clean-up

Voter Approved	FY 18 - 19	FY 19 - 20	FY 20 - 21	FY 21 - 22	FY 22 - 23	FY 23 - 24	FY 24 - 25	FY 25 - 26
Cash Projection	1,144,000	1,725,000	1,673,000	1,719,000	1,766,000	1,814,000	1,861,000	1,909,000
Percent Change		50.8%	-3.0%	2.7%	2.7%	2.7%	2.6%	2.6%
	0	CDTFA "Extra June Advance" Received Aug '18 for unprocessed 2018Q1 sales tax returns						
Final Cash Projection	**1,144,000**	**1,725,000**	**1,673,000**	**1,719,000**	**1,766,000**	**1,814,000**	**1,861,000**	**1,909,000**
		50.8%	**-3.0%**	**2.7%**	**2.7%**	**2.7%**	**2.6%**	**2.6%**
	0	Balance of Estimated 2018Q1 & 2018Q2 unprocessed sales tax returns						
Normalized	FY 18 - 19	FY 19 - 20	FY 20 - 21	FY 21 - 22	FY 22 - 23	FY 23 - 24	FY 24 - 25	FY 25 - 26
for Missing Payments	1,144,000	1,725,000	1,673,000	1,719,000	1,766,000	1,814,000	1,861,000	1,909,000
		50.8%	-3.0%	2.7%	2.7%	2.7%	2.6%	2.6%



BLOOMBERG HARVARD | City Leadership Initiative

JOHNS HOPKINS
BLOOMBERG SCHOOL of PUBLIC HEALTH

COVID-19

SITUATION REPORT

March 26, 2020 | Joshua Sharfstein, MD

Coronavirus COVID-19 Global Cases by the Center for Systems Science and Engineering (CSSE) at J...

Total Confirmed

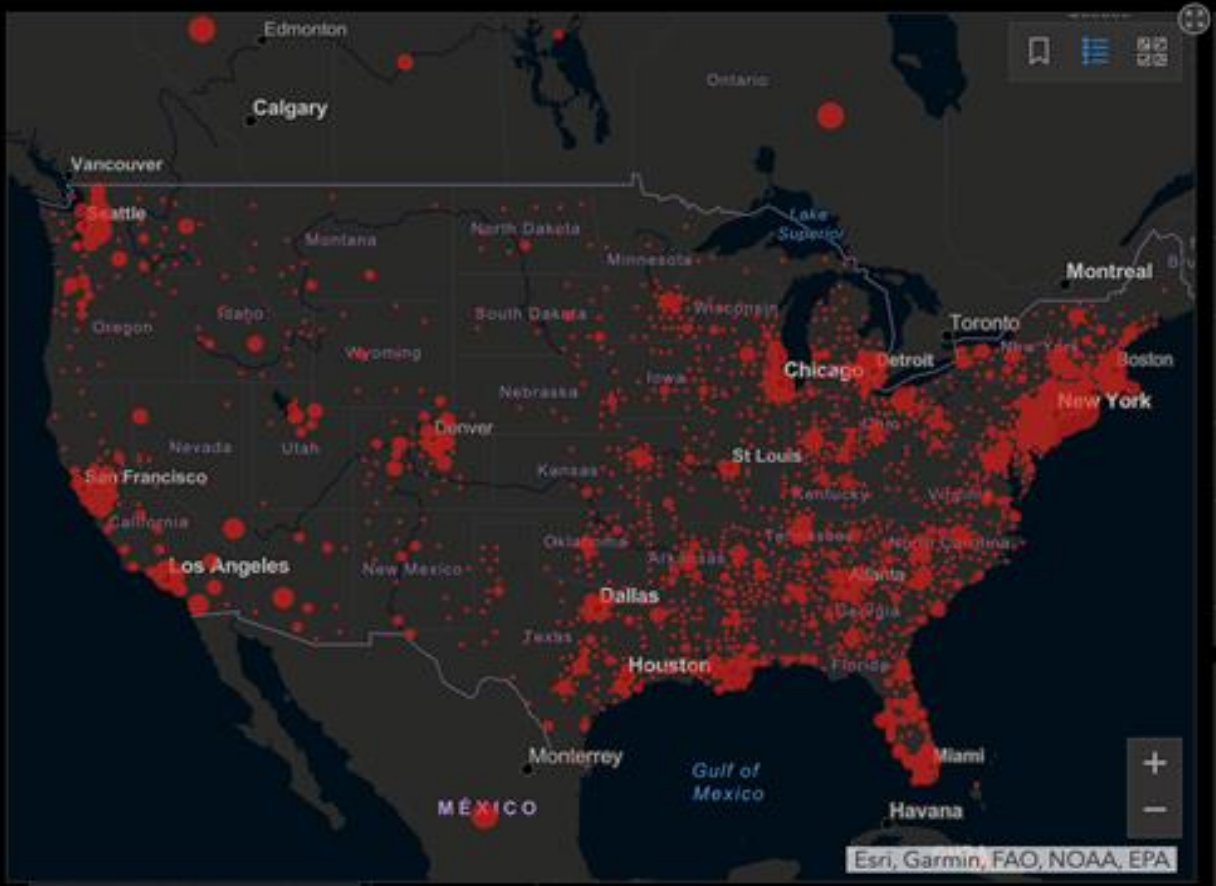
69,197

Confirmed Cases by Country/Region/Sovereignty

- 81,782 China
- 74,386 Italy
- 69,197 US
- 56,188 Spain
- 39,502 Germany
- 29,406 Iran
- 25,604 France
- 11,125 Switzerland
- 9,642 United Kingdom
- 9,241 Korea, South
- 6,440 Netherlands
- 6,235 Belgium

Admin1

Last Updated at (M/D/YYYY)
3/26/2020, 7:29:49 AM



Cumulative Confirmed Cases | Active Cases

175

Lancet Inf Dis Article: Here. Mobile Version: Here. Visualization: JHU CSSE. Automation Support: Esri Living Atlas team and JHU APL. Contact US. FAQ.
Data sources: WHO, CDC, ECDC, NHC, DXY, 1point3acres, Worldometers.info, BNO, state and national government health departments, and

Total Deaths

1,046

- 280 deaths New York City **New York** US
- 100 deaths King **Washington** US
- 44 deaths Unassigned **New Jersey** US
- 37 deaths Orleans **Louisiana** US
- 31 deaths Unassigned **Georgia** US
- 31 deaths

Total Recovered

619

619 recovered
Recovered US

Confirmed | Daily Increase

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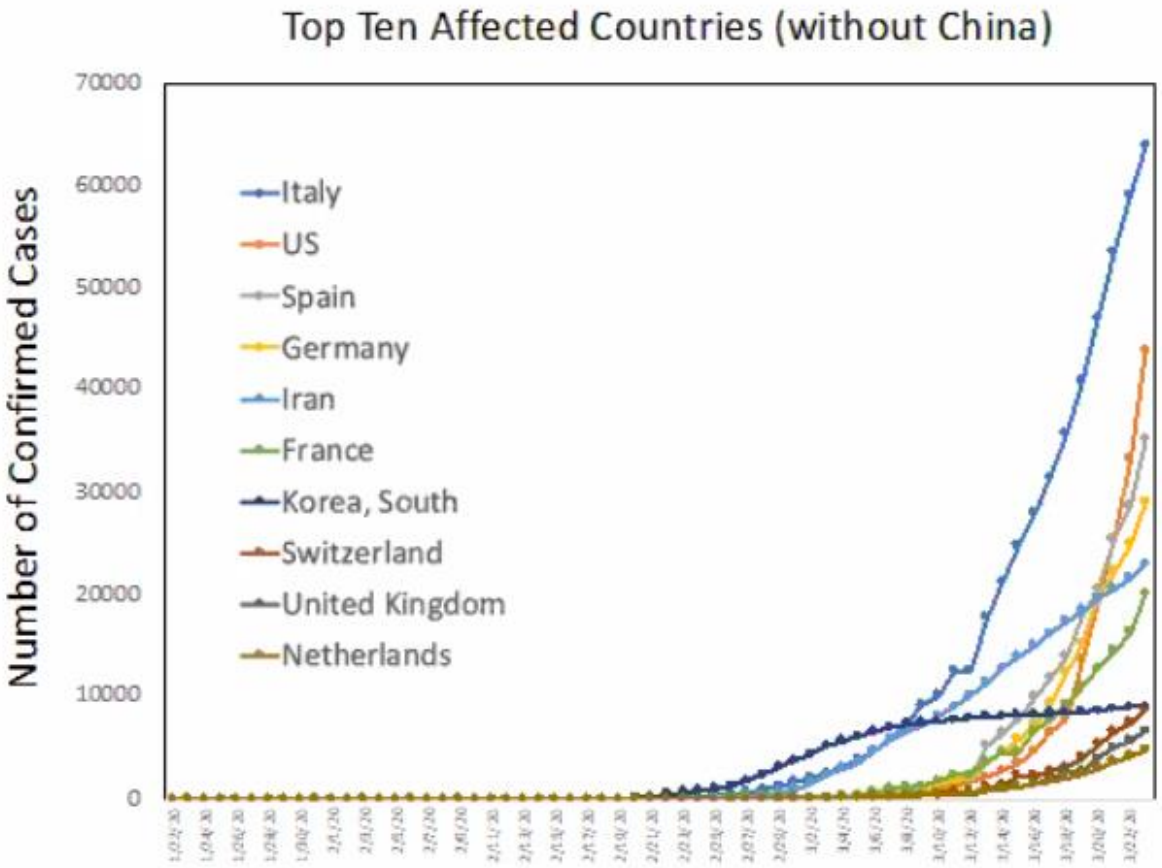
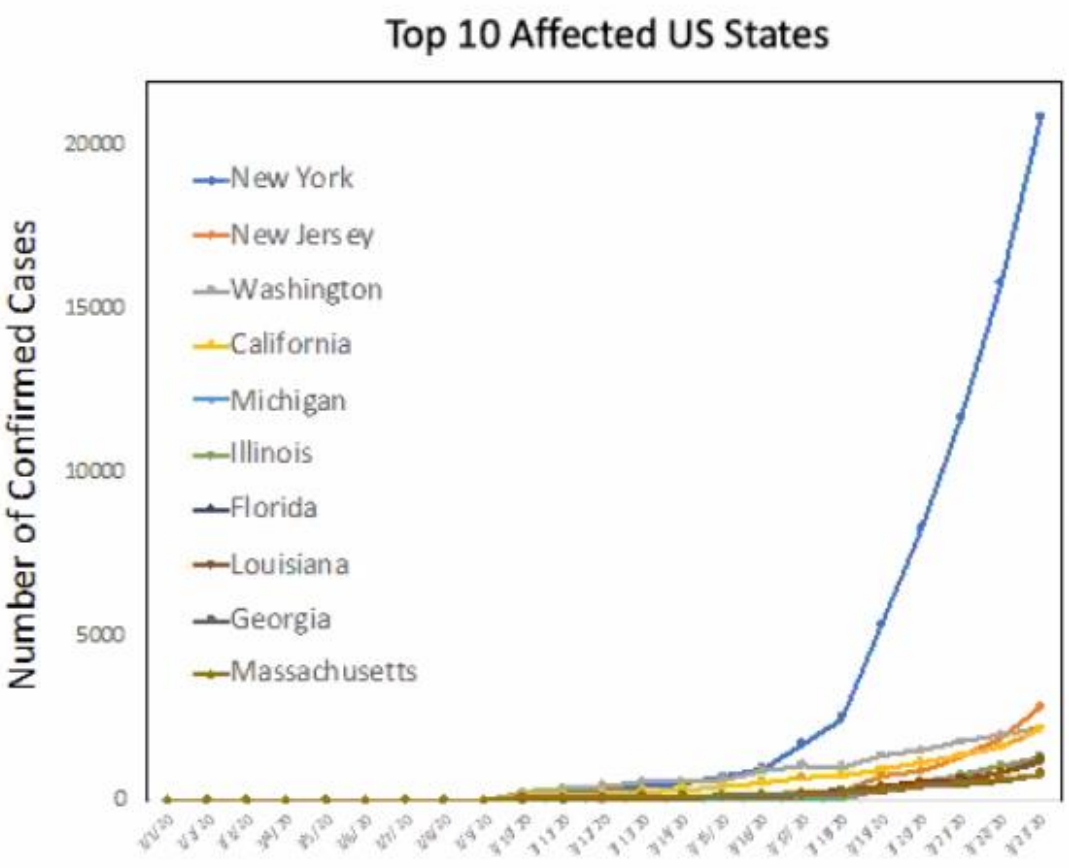
The U.S. Has Followed the Trajectory of Other Heavily Impacted Countries





More cases in U.S. per day than any country. More cases reported per day in U.S. than at peak of Chinese epidemic.

Source: CSSE COVID Dashboard, Johns Hopkins

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What’s New This Week

New York

There has been a major surge of seriously ill patients in New York City.

For Mayors

Even if a slower rise than in New York, other cities could follow a similar path. Strong control measures remain necessary.

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What’s New This Week

Therapeutics

Rising demand for chloroquine – despite no high-quality studies demonstrating effectiveness – has created shortages for patients who need these medications for other conditions.

For Mayors

Instead of chasing after unproven therapies, mayors should support the gathering of high-quality evidence to find out what works.

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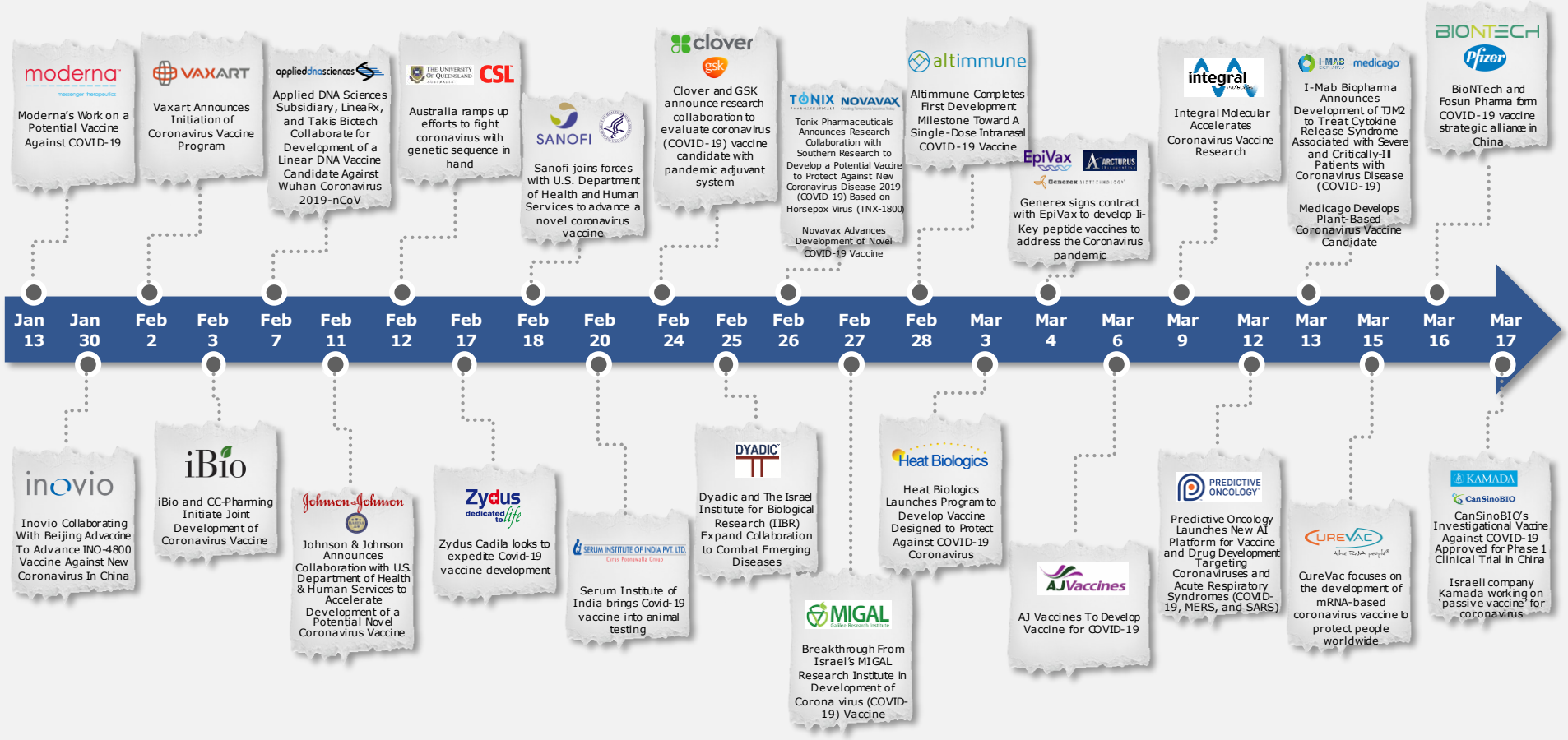
What's New This Week

Many biotech companies are investing in COVID-19 vaccines



What's New This Week

Serology Tests

FDA has cleared the first serology tests, which measures the antibody response to the virus.

For Mayors

This is an example of a tool that will help inform local efforts over time and help with strategic decisions on opening the economy. We are not stuck in this period of uncertainty forever.

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Focus:

When is it appropriate to end extreme social distancing?

Dr. Tom Frieden

- President and CEO, Resolve to Save Lives
- Former Director, U.S. Centers for Disease Control and Prevention
- Former Health Commissioner, New York City

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COVID-19

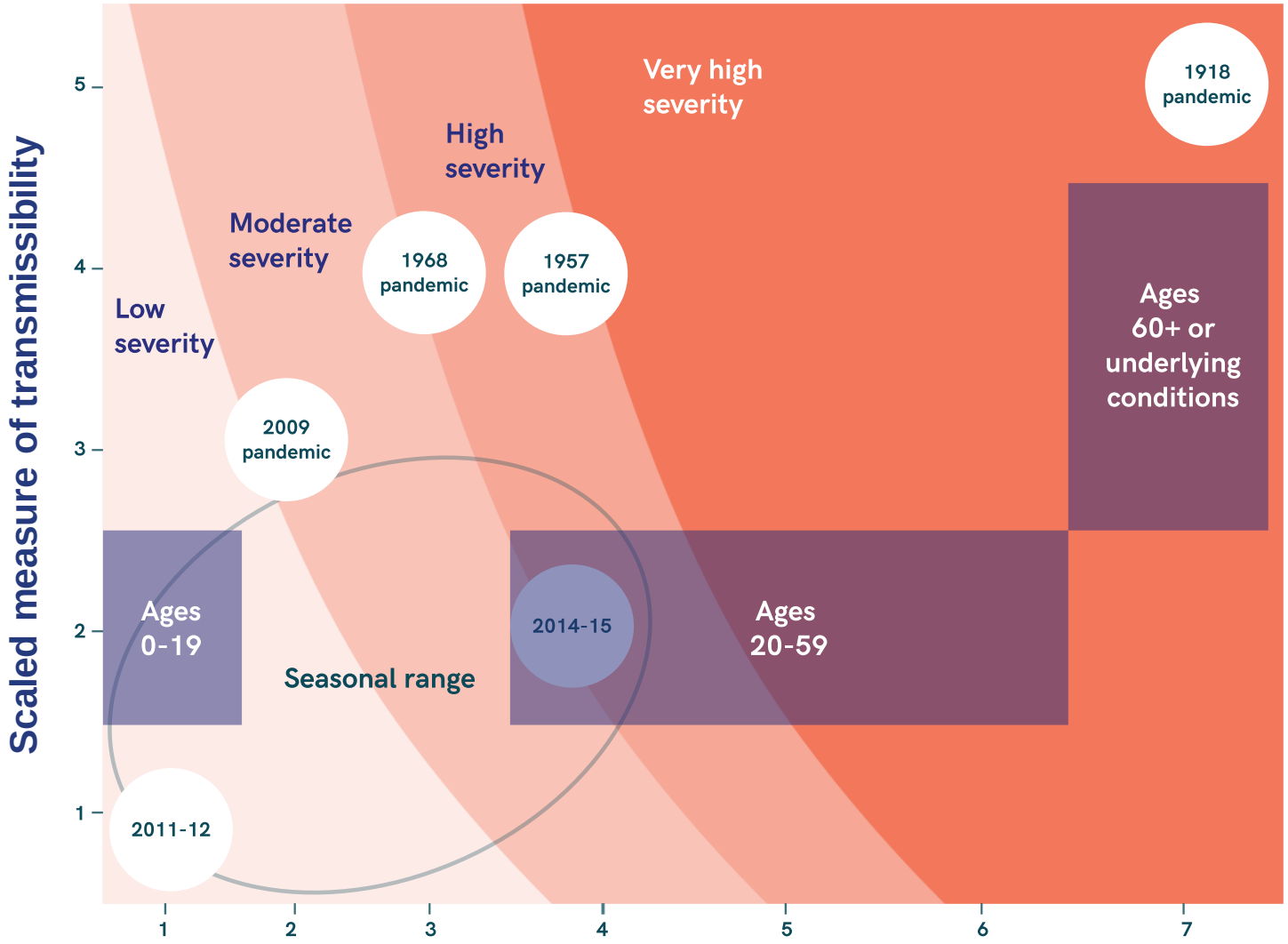
DR. TOM FRIEDEN | MARCH 26, 2020

COVID-19 is more severe for older people and those with underlying health conditions

Likely severity of COVID-19, based on what is known about spread and severity compared to historic seasonal and pandemic influenza

March 10, 2020

COVID-Pandemic Severity Assessment Framework by Age



Scaled Measure of Clinical Severity

Adapted from Reed et al. Emerg Infect Dis. 2013;19:85-91. Data as of March 9, 2020.

Adaptive Response

Disease Control

- **Early detection (lab testing, alert clinical systems) and case isolation (home, hospital, other facilities)**
- **Extensive testing** — **Extensive testing**
- **Contact tracing** — **Contact tracing**
- **Health care infection prevention and control**
- **Appropriate clinical care including staff surge when needed**

Non-Pharmaceutical Interventions (NPI)

- **Community engagement with clear communication, assessment of community acceptance leading to adjustment of approach**
- **Everyday personal NPIs** (wash hands, cover coughs, stay home if ill)
- **Environmental NPIs** (clean surfaces, increase ventilation)
- **Personal NPIs** (household quarantine, mask in community if ill)
- **Community NPIs** (high-risk group social distancing and closing schools)
- **Community NPIs** (general social distancing [SD] and closing schools [CS])
- **Community NPIs** (general SD and CS)
- **Community NPIs** (general SD and CS)

Supporting society

- **Address ongoing health care needs including supply chain management and increased telemedicine**
- **Support continued social and economic activity including learning, emergency services, essential activities**
- **Protect vulnerable populations**

Pharmaceutical interventions

- **Treatments**
- **Vaccines**

Containment — **Mitigation** — **Suppression** — **Prevention**

Version 2.0, 20 March 2020

TWO Reasons for Sheltering-in-Place

1

Flatten the Curve

So health care facilities are not overwhelmed, especially with patients who need intensive care for viral pneumonia

2

Strengthen health care and public health

Health care

Safer surge: 1. Many mildly ill patients, 2. Intensive care capacity, 3. Continuity of care for people with non-coronavirus-related conditions

Public health

Capacity for testing, contact tracing, isolation of ill people, quarantine of contacts

DRAFT CRITICAL PERFORMANCE TARGETS

✓ **1** Empowered incident manager aligned with political leaders

✓ **2** Can test every patient with pneumonia, every symptomatic person, capacity for drive-through (or equivalent) testing

✓ **3** Can start contact tracing within hours of case identification, obtain contacts for >95% of cases, track >95% of contacts, test 100% of symptomatic contacts, monitor >95% of quarantined contacts for 14 days

✓ **4** Daily briefing with accurate numbers on infected, ill, deaths, and updated guidance by credible spokesperson

✓ **5** Health care workers adequately protected with policies, training, and sufficient personal protective equipment

DRAFT CRITICAL PERFORMANCE TARGETS

- ✓ **6** Health care systems able surge safely to care for large numbers of mildly ill patients, a large increase in patients needing intensive care, and for patients needing ongoing, non-coronavirus-related care
- ✓ **7** System in place to resume targeted or general social distancing measures rapidly if needed
- ✓ **8** Capacity to support nutrition, learning, physical and mental wellbeing, and social needs during sheltering-in-place
- ✓ **9** Community engagement with assessment of community perceptions and behaviors and effectiveness of messaging
- ✓ **10** Rapid and smooth coordination with state, federal, and county governments and health departments

THREE Considerations for When It's Safe to Come Out Again

1

Cases no longer spreading widely

Fewer unlinked cases, falling case rates, contact tracing keeping up with case reports

2

Stronger health care system

Able to withstand blip of cases without risking health care worker and patient lives

3

Public health capacity

Test patients and trace contacts immediately, isolate the ill, quarantine contacts

THREE Considerations for How to Safely Loosen the Faucet on Sheltering-in-Place

1

Medically vulnerable continue to shelter

Potentially, those with prior illness will be protected – but we don't know this yet

2

Prioritize societal benefit

Day care, maybe schools (protecting the vulnerable), infrastructure, partial safe re-opening, sanitizer/temp checks

3

Prepare to tighten the faucet if cases spike

Test patients and trace contacts immediately, isolate the ill, and quarantine contacts effectively

BLOOMBERG HARVARD | City Leadership Initiative

BLOOMBERG HARVARD | City Leadership Initiative

Coronavirus Local Response Initiative Session Two
"Communicating in a Crisis"

This handout reviews key points from session two of the Coronavirus Local Response Initiative for city leaders, drawing on the work of Juliette Kayyem, Herman B. "Dutch" Leonard, Arnold M. Howitt, David W. Giles, and Jorrit de Jong.

"You must never confuse faith that you will prevail in the end—which you can never afford to lose—with the discipline to confront the most brutal facts of your current reality, whatever they might be."

—Admiral James Stockdale

WHY THIS CRISIS IS DIFFERENT

1. **Uncertainty:** We are dealing with a virus that is incompletely understood and continually evolving with unpredictable results. In response, we are taking unprecedented actions with unclear consequences.

2. **Ubiquity:** The global scale of this pandemic and the fact that we live in an interconnected and interdependent world means that ripple effects will continue to impact cities everywhere, even if or when the public health aspects are under control.

3. **Open-endedness***:* We will not know to a moral certainty when adults can safely go back to the office and children back to school. From a public-health point of view, the pandemic doesn't end until we have an effective vaccine that can be widely administered—perhaps 18 months or more.

4. **Pressure**: To contain the spread and the impact of the virus, leaders are making enormously consequential social and economic decisions. Pressure from those suffering economic losses will increase. You will be asked to predict the future, announce when things can go back to normal, or lift restrictions—even when that would put more lives at risk.

5. **Judgment calls:** It is too late to prevent tragedy entirely; our goal is to manage it within the limits of scientific progress and public tolerance. There will be many judgment calls to make. The challenge is to discover, innovate, and learn our way forward into an unknown future.

6. **Community:** The encompassing and protracted nature of this crisis will reveal the strengths and weaknesses of the formal and informal systems and structures in your city and test the character of the community you lead.

CRISIS COMMUNICATION

Your top goals for communication in this crisis are to convey **information** (transparent, trustworthy, consistent, and coordinated), **empathy** (for everyone affected), and **hope**.

1. **Craft your communications thoughtfully. Consider:**
   - *Messagee*: Who are you trying to reach? Filter the message through their perspective on/understanding of the issue.
   - *Message*: What exactly do you want to convey?
   - *Messager*: Who would lend the most authority, expertise, legitimacy, or political capital as the source of the message?
   - *Messenger*: Who is the best person to deliver the message effectively to the messagee(s)?

2. **Link facts, people, and values to desired actions and outcomes:**
   - Situation: *What is happening?*
     - Define and describe the event in the terms you want your stakeholders to internalize and respond to. How serious is it? How bad could it get? How long is it likely to last?
   - Identity: *Who is this happening to?*
     - Be clear about who is included in the group you are defining. Who is particularly likely to be affected? Whose interests are you trying to understand and taken into account?
   - Values at stake: *Why should we care?*
     - Describe what you think is at stake. How will this event affect the things that matter to us most? What should we focus on preserving? What trade-offs might have to be made and what losses will we be asked to absorb?
   - Action: *What should we do?*
     - What are the specific steps people should take? What should they do to reduce risk to themselves and others? What should they do if they have symptoms? Who are the experts they should listen to? What are the range of potential actions that government may take and *what are the triggers for those actions?*

3. **Take communication very seriously. Keep these recommendations in mind:**
   - Don't "wing it." <u>Prepare</u> carefully and consistently.
   - <u>Coordinate</u> with colleagues to ensure <u>consistency</u> in messaging.
   - Say <u>what you know and how you know it</u>. Let the metrics lead the narrative.
   - Be <u>honest</u> about what you don't know. <u>Don't make predictions.</u>
   - Defer to <u>experts</u> and <u>reinforce</u> what they're saying.
   - Don't cast blame. Look to <u>reassure and build confidence</u>.
   - Say <u>what you are doing</u> and why, and be clear about <u>what you are asking others to do</u>.
   - Show <u>compassion</u> for those who are sick, <u>appreciation</u> for those working so hard to respond, and <u>empathy</u> for those whose lives are disrupted.
   - <u>Pace</u> the unwelcome news. <u>Adaptive leadership</u> is about helping people adjust to changing realities. Find a rate of information fast enough to keep pace with the problem, but not so fast that public reaction will undercut the effort.
   - Whenever possible, look for a <u>simple refrain</u> that gets to the heart of complex ideas (for example, Dr. Fauci's statement: "You don't make the timeline. The virus makes the timeline.")

Meeting Date:	04/01/2020
Agenda Item:	5.2

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: **Mayor Roman & City Council**

REPORT FROM: **Christina Windover, Director of Administrative Services** **REVIEWED BY: AH**

AGENDA ITEM: **COVID-19 Leave Policy Update**

ACTION REQUESTED: ___Ordinance ___Resolution __✓__Motion ____Receive/File

EXECUTIVE SUMMARY

On March 23, the City Council declared a local state of emergency. Staff continues to monitor and follow public health experts' advice. Government Code Sections 8610 and 8634, along with City Municipal Code section 2.40.060 empower the Director of Emergency Services:

1. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council.

As such, staff has been working on the development of updated leave policy to be compliant with newly enacted Federal legislation. The policy merges and clarifies the policy that was previously adopted by council on March 18, 2020. Since that meeting the Federal government has provided additional leave benefits through legislative action. This policy intends to provide an update to our policies to comply with those directives. This new policy includes:

- The expanded provisions of the Family Medical Leave Act (FMLA) provided under the Emergency Leave Expansion Act. The Act allows eligible employees to utilize up to 12 weeks of job-protected leave for qualifying COVID-19 reasons for absence. This leave is not in addition to any other FMLA leave.

- The Emergency Paid Sick Leave Act, which provides employees with up to 80 hours of paid leave for qualifying COVID-19 reasons for absence. This leave is in addition to any other leave accrued under existing Memoranda of Understandings, policies, and employment contracts. The leave expires on December 31, 2020. The sick leave is subject to daily and aggregate caps depending on the COVID-19 reason for absence. The City will be reimbursed for the Emergency Paid Sick Leave through payroll taxes, in accordance with the Department of Treasury guidelines.

- Clarification of the maximum 80-hour negative leave bank for those employees who require additional time beyond the 80 hours provided via the Families First Coronavirus Relief Act.

- Includes an Emergency Telecommuting Policy and Agreement for employees deemed eligible by the Director of Emergency Services. The policy is temporary and may be revoked at anytime by the City Manager. The policy sets forth specific guidelines for employees to maintain professionalism and good work ethics while teleworking.

- Supporting internal forms and agreement templates for all COVID-19 related leaves regardless of paid or unpaid status.

Staff continues to monitor and adjust with regards to internal operations. Several employees are teleworking, and we have modified our in-field procedures for positions that have limitations on teleworking in order to minimize contact with the public.

RECOMMENDED ACTION BY CITY COUNCIL

1. *Approve the proposed policy from the Director of Emergency Services relating to employee leave/pay during emergency determined as necessary to safeguard life and property and continue essential services of the city of Kingsburg.*

POLICY ALTERNATIVE(S)

1. Council could choose to amend the policy.

STRATEGIC GOAL(S) MET:

1. Improve Community Communication
2. Ensure Financial Stability

FINANCIAL INFORMATION

FISCAL IMPACT:

1. Is There A Fiscal Impact?	Potentially
2. Is it Currently Budgeted?	N/A
3. If Budgeted, Which Line?	N/A

BACKGROUND INFORMATION

City council adopted an emergency leave policy during their meeting on Wednesday, March 18. Subsequently, the Federal government has provided additional leave benefits through legislative action. This policy intends to provide an update to our policies to comply with those directives.

ATTACHED INFORMATION

1. Proposed Updated Leave Policy

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 s*easonal/ 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 meet:

(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
ENGINEERING PROGRESS REPORT
March 27, 2020

CAPITAL IMPROVEMENT PROJECTS

I. Crandall Swim Complex

The project involves pool improvements including re-plastering, tile repairs, decking repairs, lighting upgrades, and associated improvements. The project is complete with the exception of minor correction items.

II. 10th Avenue Pedestrian Improvements

The project includes construction of gap connection pedestrian walking paths on 10th Avenue between Stroud Avenue and Silverbrooke Street. The project is scheduled to begin construction in April 2020

III. Madsen Avenue Bike Path Phase 2

The project involves extending the existing Madsen Ave trail from Stroud Avenue to Kamm Avenue. The environmental, design and right-of-way phases of the project are currently underway. Construction is scheduled for spring 2020.

IV. Marion Street Resurfacing

The project involves resurfacing Marion Street from Sierra Street to Lewis Street with a cape seal. The project is currently in the design phase and construction is anticipated to occur in summer 2020.

V. Bethel / Sierra Roundabout

The project will construction a roundabout at the intersection of Bethel / Sierra. The project is in the early stages of preliminary design and right-of-way acquisition. Construction is anticipated in spring 2021.

VI. Mehlert Street Reconstruction

The project will reconstruct Mehlert Street between 10th Street to east of 14th Street. The project is in the design phase and construction is anticipated in summer 2020.

VII. 18th Avenue Sidewalks

The project includes constructing sidewalks along the west side of 18th Avenue between Tulare Street and Stroud Avenue. The project is in the design phase of the project. Construction is anticipated in summer 2020.

VIII. Madsen Avenue Street Reconstruction

The project will reconstruct Madsen Avenue between Sierra Street and Kamm Avenue. The project is in the design phase and construction is anticipated in summer 2020.

IX. TCP Water Treatment Plants

The project consists of constructing two new trichloropropane removal plants at municipal water wells No. 12 and No. 13 as well as chlorination facilities on all city wells. The project began construction in January 2020 and is approximately 20% complete. The project official completion date is November 2020, however, the contractor is anticipating an early completion in August 2020.

PLANNING & DEVELOPMENT PROJECTS

X. Development Projects

The City Engineer is performing engineering review and/or inspection of the following entitlement projects:

a) Hash Residential Development – City Engineer is working with the developer for approvals of the Phase 3 improvement plans and providing construction support for the Phase 2 improvements.

b) Senior Housing Project – Fresno Housing Authority has received approval for a senior housing complex near the intersection of Sierra Street / Marion Street. The City Engineer is working with the developer regarding on-site and off-site designs for infrastructure improvements and coordinating with CID, Caltrans, SKF, and Tulare County on the proposed off-site improvements.

c) Washington School Improvements – Campus improvements are currently have been completed. The City Engineer's office is currently providing

working with the school and its contractor to complete paving of Williams Street between Sierra St. and Marion St.

d) Tract 6122 – Construction of the subdivision is nearing completion. Work on 18th Avenue, Kamm Avenue and replacement of the CID irrigation line are currently being performed by the developer.

e) TTM 6151/6167 – The tentative tract maps for these project have been approved. There has been no activity from the developer related to the review and approval of final maps on these tracts.

f) TTM 5073 – The map has been approved, however, the developer still needs to submit the signed Final Map, Subdivision Agreement, and fees prior to recordation of the map.

g) Adventist Health Complex – A new medical complex has been approved at the intersection of Sierra Street / Simpson Street. The City Engineer is working with the developer regarding on-site and off-site designs for infrastructure improvements.

h) Stone Hotel Site – A new mixed use development has been approved for the old Stone Hotel site at California & Draper Streets. The City Engineer is working with the developer regarding on-site and off-site designs for infrastructure improvements.

i) K-Corporate Center (Phase 2) – The City Engineer is reviewing and processing a parcel map and improvement plans for a proposed 58,000 square foot industrial building on Simpson Street at Stroud Avenue.

j) KYBA – New Baseball Field – The City Engineer has prepared grading/site improvement plans for a new baseball field to be constructed by KYBA and is assisting in permitting the project through Tulare County.

GRANT APPLICATIONS

XI. Grant Program Applications

A call for projects for the next cycle of Active Transportation Program (ATP) funding has been released. The City Engineer is preparing a grant application for safe route to school improvements around Reagan and Roosevelt schools.

OTHER PROJECTS

XII. PG&E Rule 20A Undergrounding Projects

The City Engineer is coordinating the 10th Avenue (Draper Street to Roosevelt Street) undergrounding project within the City of Kingsburg.

XIII. Golden State Blvd Reconstruction

The project will reconstruct Golden State Boulevard within the entire limits of Kingsburg. The project design and construction phases are being led by the FCOG and Fresno County. Construction work is expected to begin in summer 2020 and be completed by winter 2022.

XIV. ADA Transition Plan

The ADA transition plan has been completed and adopted by the City Council. The plan typically has a five year life, therefore the next update of the plan will be planned for 2025.

XV. Downtown Kingsburg Strategic Plan

The City Engineer is preparing a strategic plan for downtown focusing on parking, pedestrian movement, and transit oriented development strategies. The project is funded by a Transit Oriented Development (TOD) grant from the Fresno Council of Governments. Anticipated project completion is July 2020.

XVI. Traffic Safety Projects

The City Engineer's office is pursuing traffic safety projects at the following locations.

- Rapid Flashing Beacons on the north leg crosswalk at the intersection of 18th Ave / Mariposa.
- Pedestrian 'scramble" at the intersection of 18th / Sierra and removal of mid-block crosswalk on 18th between Sierra & Tulare streets.

XVII. Groundwater Sustainability Act

The City Engineer is continuing to serve as Secretary of the JPA and is involved in going efforts to develop a GSP.

Meeting Date: 04/01/2020
Agenda Item: 5.4

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: **Mayor Roman & Council Members**

REPORT FROM: **Alexander J. Henderson, City Manager; ICMA-CM** **REVIEWED BY: AP**

AGENDA ITEM: **2019/2020 Capital Improvement Plan Update**

ACTION REQUESTED: __Ordinance __Resolution __Motion __✓__Receive/File

EXECUTIVE SUMMARY

Attached is a status update for the 2019/2020 capital improvement plan as adopted by the City Council with the regular budget.

Staff will be available to answer questions and provide oral updates on individual projects.

Staff will also ask the Committee to begin thinking about any relevant projects for the upcoming budget year. Department Heads have submitted their requests.

RECOMMENDED ACTION BY CITY COUNCIL

1. *Informational only.*

POLICY ALTERNATIVE(S)

1. N/A

STRATEGIC INITIATIVE

1. Ensure Financial Stability

FINANCIAL INFORMATION

FISCAL IMPACT:

1.	Is There A Fiscal Impact?	Yes
2.	Is it Currently Budgeted?	Yes
3.	If Budgeted, Which Line?	Varies

PRIOR ACTION/REVIEW

None.

BACKGROUND INFORMATION

See Executive Summary.

ATTACHED INFORMATION

1. 2019/2020 Capital Improvement Plan Status Update

Capital Improvement Fund 2019-2020

Department	Strategic Goal Met	Type of Request	Item Description	Purpose	Cost	Funding Source	Status Update
Council/Committee	Improve Community Communication	IT Equipment	Sound/Video	Council Chambers IT Upgrades; Live Stream Capability	$4,000	General Fund	Not Yet Started
All	All	Equipment	Camera/Security	Installation of Security Cameras at City Hall	$5,000	General Fund/Water Enterprise	In Progress
All	All	Equipment	Computer Replacement	Technology Upgrades (Computers/Monitors)	$4,000	General Fund	Complete
Council/Committee	Improve Public Safety	Infrastructure	Funding Request For Improvements	Public Safety Committee Request	$20,000	General Fund	In Progress
Economic Development	Promote Sustainable Development	Incentive	Upper Floor Residential Rehab Grant	Grant for providing market rate apartments on Draper St. (carry over)	$100,000	General Fund	Complete
Economic Development	Promote Sustainable Development Increase Retail Opportunities	Incentive	Façade/Alley Program	Grant Program for Façade/Alley	$50,000	Economic Development Fund	In Progress; 3 Apps
Economic Development	Promote Sustainable Development Increase Retail Opportunities	Incentive	Econ. Development - Property Tax	Funding for Economic Development Incentives (Council Approved)	$125,000	Economic Development Fund	In Progress; New Incentive Program
Engineering/Planning	Promote Sustainable Development	Planning	Municipal Service Review	LAFCo MSR; Sphere of Influence Expansion	$20,000	General Gov. Impact Fees	In Progress
Engineering/Planning	Promote Sustainable Development	Planning	TOD Parking Study	Downtown Parking Study	$90,000	Transit Oriented Development Grant	In Progress; June Estimate
Engineering/PW	Improve Public Safety	Infrastructure	Alley Improvements	Downtown Improvements; Pedestrian Transition	$80,000	Measure C	In Progress; Report Complete
Engineering/PW	Improve Public Safety	Infrastructure	Road Repair	Marion St. (Cape Seal; Sierra to Lewis)	$210,000	SB1	Not Yet Started; Spring Construction
Engineering/PW	Improve Public Safety	Infrastructure	Road Repair	12th Ave (Sierra to Winter)	$276,000	LTF 8	Complete
Engineering/PW	Improve Public Safety	Infrastructure	Road Repair	Union St. (10th to 18th)	$375,000	LTF 8	Complete
Engineering/PW	Improve Public Safety	Infrastructure	Road Repair	Mehlert Reconstruction (12th Ave to FWY 99 Off Ramp)	$182,205	RSTP Grant; LTF 8 Local Share	Not Yet Started; Spring Construction
Engineering/PW	Improve Public Safety	Infrastructure	Road Repair	Ave 396 Contribution	$200,000	Traffic Impact Fees	Complete
Engineering/PW	Improve Public Safety	Infrastructure	Road Repair	Madsen Ave. (Sierra to Klepper)	$445,000	STBG	Not Yet Started; Spring Construction
Engineering/PW	Improve Public Safety	Infrastructure	Sidewalk Installation	18th Ave Sidewalk (west side of street)	$4,375	CMAQ Grant; LTF 3 Local Share	Not Yet Started; Spring Construction
Engineering/PW	Provide Recreation Opportunities for All Ages	Infrastructure	Madsen Ave Bike Path (Stroud to Kamm)	Extend recreational trail north of Stroud	$408,971	CMAQ Grant; LTF 3 Local Share	In Progress, ROW Acquisition Phase
Fire	Improve Public Safety	Equipment	Portable Radios	Replace Line Staff Radios (9)	$9,000	Measure E	Complete
Fire	Improve Public Safety	Equipment	SCBA Equipment	Purchase New SCBA Filling Station	$15,000	Measure E	Not Yet Started
Fire	Improve Public Safety	Equipment	PPE	Replacement of Personal Protective Equipment; 5 Sets	$10,000	Measure E	Complete
Fire	Ensure Financial Stability	Infrastructure	Painting - Station #2	Wood Repair & Painting	$16,200	General Fund	Complete
Parks	Provide Recreation Opportunities for All Ages	Planning	Design for Recreational Space	Design funding For Park Improvements	$50,000	Park Impact Fees	In Progress
Parks	Provide Recreation Opportunities for All Ages	Equipment	Parks Improvements	Land Acquisition for Recreation Space (carryover)	$600,000	Park Impact Fees	Not Yet Started; Other Options
Parks	Provide Recreation Opportunities for All Ages	Programs	Athwal Park Improvements	Athwal Park Improvements	$640,000	TCHCD Grant/General Fund	Complete
Police	Improve Public Safety	Equipment	IT Equipment	Server Replacement; Video Recorder	$4,000	General Fund	Complete
Police	Improve Public Safety	Vehicle	Vehicle Replacement	Replace Two (2) Patrol Squads	$120,000	General Fund	Complete
Police	Improve Public Safety	Vehicle	Vehicle Replacement	Replace Seven (7) Patrol Squads	$420,000	Measure E	Complete
Police	Improve Public Safety	Equipment	Equipment	Tasers, Rifles, Tablets for Squads	$69,000	Measure E	Complete
Pool	Provide Recreation Opportunities for All Ages	Infrastructure	Sand Filter Replacement	Continued - fourth year of six year replacement schedule	$20,000	Pool	Complete
Public Works	Improve Public Safety	Infrastructure	Curb Ramp Installation	Installation of ADA curb ramps in older neighborhoods (ADA Transition Plan)	$15,000	Measure C	Complete
Public Works	Ensure Financial Stability	Vehicle	Vehicle Replacement	Truck Replacement F-150 - Streets/Parks	$32,000	General Fund	Complete
Public Works	Increase Retail Opportunities	Infrastructure	Downtown Banner Replacement	Downtown Banner Replacement (128)	$32,000	Measure C	Not Yet Started
Public Works	Increase Retail Opportunities	Equipment	Flag Replacement	Swedish/US Flag Replacements	$6,000	Measure C	In Progress
Public Works	Improve Public Safety	Infrastructure	Annual Street Striping	Refresh/replace of striping will enhance safety	$10,000	LTF 8	Complete
Public Works	Improve Public Safety	Equipment	Sidewalk Repairs	Annual Repairs	$20,000	Measure C	In Progress
Public Works - Parks Dept.	Ensure Financial Stability	Equipment	New Equipment	Mower Replacement	$17,000	General Fund	Complete; Engine Rebuilt; Funds Redirected
Senior Center	Ensure Financial Stability	Infrastructure	Solar Installation	Installation of Solar on Senior Center Roof	$237,500	CDBG Funds	In Progress; Spring Construction
Water Enterprise	Ensure Financial Stability	Vehicle	Vehicle Replacement	Truck Replacement F-150 - Water	$32,000	Water Enterprise	Complete
Water Enterprise	Ensure Financial Stability	Infrastructure	Meter Replacement	Commercial Meter Purchases	$60,000	Water Enterprise	Complete
Water Enterprise	Improve Public Safety	Infrastructure	Chlorination Equipment	Installation of chlorination equipment at all City wells.	$650,000	Water Enterprise	In Progress; June Estimate
Water Enterprise	Improve Public Safety	Infrastructure	Well #12 Pipelines	New water lines to convey well water to treatment facility	$450,000	Water Enterprise	Complete
Water Enterprise	Improve Public Safety	Infrastructure	Well #13 Treatment Facility	Treatment facility	$2,500,000	Water Enterprise	In Progress; June Estimate
Water Enterprise	Improve Public Safety	Infrastructure	Well #12 Treatment Facility	Includes treatment and parking pad	$2,500,000	Water Enterprise	In Progress; June Estimate

General Fund	$379,700
Measure E	$523,000
Other	$1,864,705
Local Transportation Funds	$2,172,346
Water Enterprise	$6,194,500
Total Capital Improvement Plan	**$11,134,251**

KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT

1900 18th Avenue • Kingsburg, California 93631 • (559) 897-7721 • FAX (559) 897-7759

Don Shoemaker, Superintendent

Board of Trustees: Rick Jackson, Brent Lunde, Steve Nagle, Mike Serpa, Johnie Thomsen

March 13, 2020

City of Kingsburg
1401 Draper St.
Kingsburg, CA 93631

Dear Kingsburg City Council:

One of our goals at Kingsburg High School is to help alleviate the traffic that surrounds our campus during the school day. We have recently been working closely with Officer Fuentes and the Kingsburg Police Department to do just that.

We have a working plan in place to help with this issue. The first step that we have taken is to shut down the cross walk that runs East/West into the park outside of the administration building during the morning hours. Our students have been asked to use the other cross walk by the traffic signals. This was done under the advice of Officer Fuentes. Although this is one step of many we hope to implement, we have already seen progress towards our goal.

It is the desire of KHS that this cross walk is permanently shut down by putting curbs in and scraping off the yellow paint on the road. With a cross walk that has a signal roughly 40 yards away, it makes sense for the safety of our students, staff, and drivers.

We have appreciated Officer Fuentes being so proactive and also for Alex Henderson meeting with us.

Sincerely,

Don Shoemaker

From:	Tiffany Jost
To:	Abigail Palsgaard
Subject:	Chickens Within City Limits
Date:	Tuesday, March 31, 2020 5:12:02 PM

Dear City of Kingsburg Council members,

My name is Addison Jost and I am 12 years old. I would love the city to reconsider the ban on chickens within the city limits. I believe that chickens are very beneficial, especially with the current situation. I think that it also allows children to learn so much about having responsibility and learning how to care for an animal that provides such a vital source of food for our economy. Chickens are good for many things. For example: Fresh eggs, free fertilizer, meat, and they make very good garbage disposals. I have some suggestive guidelines if the restriction is lifted.

- No roosters or cockerels.
- Hens only.
- Six hens and under.
- Coops should not be visible to your neighbors.
- Neighbors should not be able to see/smell chickens.
- Chickens should have proper care
- Chickens **MUST** be in coop and can not be free range.

Thank you so much for taking the time to meet and reconsider allowing chickens within our city limits.

Sincerely,

Addison Jost

From: Coleman Diffenderfer
To: Abigail Palsgaard
Subject: Vote Yes On Chickens In Kingsburg
Date: Wednesday, April 1, 2020 2:19:06 PM

Hi Abigail. My Name is Coleman I am a Kingsburg resident and I am writing this email in support of people keeping chickens in the city. My family is big into gardening and growing our own food. We would love to be able to have a small number laying hens on our property for fresh eggs and fertilizer.

I would attest that a responsible chicken owner and a responsible pet owner have the same impact on neighborhoods and the quality of live of residents. Chickens make great "pets" produce a reliable food product, are great at dealing with organic waste and produce great compost for our gardens! If pens and coops are properly kept and maintained there is not fowl smell.

I propose the city consider allowing chickens with the following guidelines
- laying hens only no rosters
- small number of chickens per property I know 6-8 is common in other surrounding cities
- chickens must be kept in a coop not free range chickens
- chicken coops must be of reasonable size and may not be in front yards or be built taller than the fence line.

Kingsburg is a small agriculture based community. Our people love to grow food let's catch up and add chickens to the list!

Thanks so much

Sent from my iPhone

From: Paige Diffenderfer
To: Abigail Palsgaard
Subject: Vote yes on chickens in Kingsburg
Date: Wednesday, April 1, 2020 3:03:59 PM

Hi Abigail.

My name is Paige, I am a Kingsburg resident and am writing this email in support of people keeping chickens within the city limits. My family loves gardening and growing our own food. We would love to be able to have a small number of laying hens on our property for fresh eggs and fertilizer.

I assert that a responsible chicken owner and a responsible pet owner have the same impact on neighborhoods and the quality of life of residents, with even more benefits than a typical domestic pet. Chickens make great pets, produce a reliable food product, are great at dealing with organic waste, and produce great compost for our gardens! If pens and coops are properly maintained there is no foul odor. They are quieter than dogs barking (chickens have a decibel level of 60-70 decibels, while a dog bark is 80-115 decibels). In addition to kitchen scraps and weeds they are also excellent pest control and will eat fleas, ticks, mosquitoes, grasshoppers, slugs, and even mice!

I propose the city consider allowing chickens with the following guidelines
- laying hens only, no rosters
- small number of chickens per property I know 6-8 is common in other surrounding cities
- chickens must be kept in a coop, not free range chickens
- chicken coops must be of reasonable size and may not be in front yards or be built taller than the fence line.

Kingsburg is a small agriculture based community. Our people love to grow food let's add chickens to the list of foods we can grow ourselves!

Thank you for your time.

Paige Diffenderfer

From: Bonnie Redfern
To: Abigail Palsgaard
Subject: Residential Chickens
Date: Wednesday, April 1, 2020 1:14:14 PM

Per the agenda item for tonight's council meeting: We are in favor of allowing residents to house chickens.

Thank you,
Tony and Bonnie Redfern
[redacted]

Get Outlook for Android

From: Michelle Roman
To: Abigail Palsgaard
Subject: Fwd: Backyard Chickens
Date: Wednesday, April 1, 2020 7:56:26 AM

Michelle Roman
Mayor
City of Kingsburg

Begin forwarded message:

> **From:** Brad Deaver [redacted]>
> **Date:** March 31, 2020 at 10:37:54 PM PDT
> **To:** Michelle Roman <mroman@cityofkingsburg-ca.gov>
> **Subject: Backyard Chickens**
>
> Dear Mayor Roman,
> Greetings, I am writing to you to request that the city council reconsider the recently enacted prohibition against the keeping of chickens within city limits. I have lived in Kingsburg for over 40 years. For most of that time chickens were legal and not all that uncommon to backyards around town. I actually kind of enjoyed hearing their occasional clucking. While I have never kept them myself, I was against the ban when enacted and regret not making my opinion known at the council meetings leading up to the decision. To be honest, I never imagined the decision to ban chickens would be made so quickly and easily. As I said, I have never kept chickens but I do think citizens should be allowed to. I am not talking about a full-on poultry operation; just enough to supply a family with enough eggs for breakfast a few times a week would be great. Please reconsider and let us citizens keep a few chickens in our backyards. Thank you and stay well,
>
> Brad Deaver
>
> Sent from my iPhone

From: Amanda Gleason
To: Abigail Palsgaard
Subject: Chickens
Date: Tuesday, March 31, 2020 7:48:00 AM

Mrs. Palsgaard,

I would like to vote to have chickens in the city. They are good pets and having egg laying potential. I am fine with not have a rooster. Having chickens can be a great for teaching also for kids. Chickens need the same care as a cockatiel, parrot or other birds. It's a safer and healthier alternative to factory farmed poultry and eggs. Backyard and free ranged hens produce eggs that are very nutritious and great tasting. Not to mention they are always fresh! Free ranged and backyard hens' eggs are also much healthier than battery hens' eggs. Chickens make great pets for children and great 4H projects. Chickens are entertaining and keeping and spending time with your feathered friends, or just "watching chicken TV", can be rewarding and at times very funny. Chickens will happily take care of crickets, grass hoppers, snails and other pests in the garden. You can also feed the vegetable scraps too. Thank you for listening.

Signed,
Amanda Gleason

Sent from Yahoo Mail on Android

From: Larry Day
To: Abigail Palsgaard
Subject: Chickens
Date: Wednesday, April 1, 2020 11:17:45 AM

ABSOLUTELY NOT!!!

When I first moved to Kingsburg in the 1960s, I bought a house on 21st street, the neighbor to the north of me had some chickens in the back yard.

The chickens were noisy, did not smell good, a real nuisance to the. Neighborhood.

Chickens do not belong in the city.

Larry Day

Sent from my iPad 12.9 Professional

From: [redacted]
To: Abigail Palsgaard
Subject: Backyard chickens on city council meeting agenda, 4/1/2020
Date: Tuesday, March 31, 2020 2:19:32 PM

To Abigail Palsgaard:

My name is Erin, and I live in Kingsburg. It is my understanding that the topic of whether to allow residents within city limits to have chickens in their yard is going to be discussed at the next council meeting. I am writing to provide my enthusiastic support in allow this! I believe that in a town such as ours, where many residents have private yards, allowing chicken ownership will benefit those who are interested in doing so, and have no drawback for those who have no interest. Many towns around us have recognized the benefits and allow it, and we should join in, too!

I have included a link to a document written by a resident in Berkley, MI, that I found to be very thorough in addressing the benefits and concerns a city might consider. (I am not the author of this document, but found it very thoughtful!) Feel free to take a look for more info.
https://drive.google.com/file/d/0B8dx6nzTA_wQV0x6QjNOZjd6QVk/view

Are you able to pass along my support to the appropriate people? Please let me know if there is someone else I need to contact to show my support for this, or if further explanation is needed. I am unable to call into the meeting voice support.

Thank you, and take care!
Erin Michel

From: Darla Shoebridge
To: Abigail Palsgaard
Subject: Backyard chickens
Date: Tuesday, March 31, 2020 5:13:51 PM

Hello,

I am all for backyard chickens. If you have female only (some are sexed so you know they are female) they don't make noise. Also, I would keep them in an enclosure not free range. We should use more organic foods and be able to provide for our families in times like this with the pandemic as well as non-disaster times. My neighbors don't have a problem with us wanting chickens.

Thank you,
Darla Shoebridge

Sent from my iPhone

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
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

COVID-19: SCREENING CHECKLIST FOR EMPLOYEES

ALL employees entering the building must be asked the following questions:

On March 27, the Fresno County of Fresno Health Officer issued an order requiring businesses to conduct workplace screenings to exclude those with febrile respiratory illness.

1. **YES or NO, since your last day of work, or since your last visit to this facility, have you experienced any of the following*:**

   ☐ NEW fever (100.4 F or higher), a sense of having a fever, or chills?
   ☐ NEW cough, sore throat, runny nose not from an existing health condition?
   ☐ NEW shortness of breath you cannot attribute to another health condition?
   ☐ NEW excessive fatigue you cannot attribute to another heath condition?
   ☐ Have you had close, unprotected contact with a suspected or known COVID-19 patient (spent longer than 15 minutes within 6 feet of someone who was sick with a fever and cough)?

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.

*** If an employee answers YES to any of the questions:**

☐ Do not allow them to enter the facility;
☐ Instruct them to go home;
☐ Inform them they will need to use annual leave;
☐ Inform them before returning they must be symptom free for 72 hours without the use of fever-reducing medications AND have improvement in respiratory symptoms AND, at least 7 days must have passed since symptoms FIRST appeared;
☐ Instruct them to speak with their supervisor before returning to work; and
☐ Report any employees being sent home to Director of Administrative Services

*** If the visitor or employee answers NO to all the questions remind them to:**

- Wash their hands or use alcohol-based hand rub.
- Maintain social distancing of 6 feet.
- Should they feel any of these symptoms during the day they are to leave work immediately and contact their employer through appropriate channels.