



Service, Quality, Community

BOARD OF WATER AND POWER COMMISSIONERS
SPECIAL MEETING AGENDA
April 3, 2020
9:00 AM

CITY OF BIG BEAR LAKE,
DEPARTMENT OF WATER AND POWER
41972 GARSTIN DRIVE
BIG BEAR LAKE, CALIFORNIA 92315
WWW.BBLDWP.COM

BOARD MEMBERS

Bob Tarras, Chair
Barbara Willey, Vice-Chair
Craig Hjorth, Treasurer
Joy Cylwik, Commissioner
Scott Heule, Commissioner

MEETING ACCESS INFORMATION

The DWP is inviting you to a scheduled Zoom meeting.

Topic: Special Board Meeting
Time: Apr 3, 2020 08:45 AM Pacific Time (US and Canada)

Join Zoom Meeting
<https://zoom.us/j/8902490640>

Meeting ID: 890 249 0640

PASSWORD: DWP040320

Dial in by:

+1 253 215 8782 US
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Meeting ID: 890 249 0640

OPEN SESSION

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC FORUM

The public may address the Board by completing a speaker card. All remarks shall be addressed to the Board as a body only. There is a three-minute maximum time limit when addressing the Board. Please note that California law prohibits the Board from taking action on any item not appearing on the agenda.

1. DISCUSSION/ACTION ITEMS

1.1 Resolution DWP No. 2020-XX and Approve Policy #2020-01 - FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus)

Board to review and consider authorizing a Resolution to approve the FLMA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus).

1.2 Resolution DWP No. 2020-XX - Declaring a State of Emergency and Authorizing the General Manager to Take Action to Ensure the Continued Safe Operation of the City's Water Systems Through the Pendency of the Emergency

Board to review and consider authorizing a Resolution to declare a state of emergency and authorizing the general manager to take action to ensure the continued safe operation of the City's water systems.

1.3 Resolution DWP No. 2020-XX and Approve Policy #2020-02 - Emergency Administrative Leave

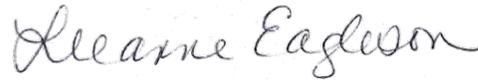
Board to review and consider authorizing a Resolution to approve the Emergency Administrative Leave Policy.

1.4 Revised Fiscal Year 20/21 Budget Schedule

Board to review and consider approving revisions to the Fiscal Year 20/21 budget schedule.

ADJOURNMENT

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 2nd day of April 2020.



Leeanne Eagleson, Secretary to the Board of Commissioners
DWP Board of Commissioners

The City of Big Bear Lake, Department of Water and Power strives to make all of its public meetings accessible to everyone. If you need any special assistance or disability-related accommodation in order to participate in this meeting, please contact the Board Secretary at (909) 866-5050. Notification 48 hours prior to the meeting will enable the DWP to make reasonable arrangements to ensure accessibility to this meeting.

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AGENDA REPORT



Service, Quality, Community

DATE: April 3, 2020

TO: Board of Commissioners

FROM: Reginald A. Lamson, General Manager

PREPARED BY: Rachel Franklin, Human Resources / Risk Management

RE: **Resolution DWP No. 2020-XX and Approve Policy #2020-01 - FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus)**

Background

On March 18, 2020, the President signed into law the Families First Coronavirus Response Act (FFCRA), requiring certain employers to provide employees with paid family and medical leave or paid sick leave for specified reasons in response to COVID-19.

The DWP will administer and enforce the paid leave provisions of the FFCRA. The provisions will apply from April 1, 2020 through Dec. 31, 2020.

Generally, the FFCRA provides that employees of covered employers are eligible for:

- *Two weeks (up to 80 hours) of **paid sick time** at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to federal, state, or local government order or advice of a healthcare provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of **paid sick time** at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a need to care for an individual subject to quarantine (pursuant to federal, state, or local government order or advice of a healthcare provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Department of Health and Human Services; and
- *Up to an additional 10 weeks of **paid family and medical leave** at two-thirds the employee's regular rate of pay* where an employee, who has been employed for at least 30 calendar days, is unable to work due to a need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Resolution FMLA Leave Expansion and Emergency Paid Sick Leave
April 3, 2020

Financial Impact

In the unlikely event that 100% of the employees needed to avail themselves of the maximum available benefits under the FFCRA (80 hours of emergency sick leave at full pay not to exceed \$511/day plus 10 weeks of paid FMLA not to exceed \$200/day) costs including taxes and retirement-related benefits would total approximately \$692,000 of additional paid leave.

Recommendations

- 1.) Staff recommends the Board adopt Resolution DWP No. 2020-XX establishing DWP Policy #2020-XX. (Exhibit A)

RESOLUTION NO. DWP 2020-XX

A RESOLUTION OF THE BOARD OF WATER AND POWER COMMISSIONERS OF THE CITY OF BIG BEAR LAKE, DEPARTMENT OF WATER AND POWER, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING POLICY #2020-01, FMLA LEAVE EXPANSION AND EMERGENCY PAID SICK LEAVE POLICY (CORONAVIRUS)

WHEREAS, the City of Big Bear Lake was incorporated on November 28, 1980; and

WHEREAS, the City of Big Bear Lake did adopt its Charter in 1982; and

WHEREAS, the electors of the City did in 1985 adopt an amendment to that Charter which created the City of Big Bear Lake, Department of Water and Power (DWP); and

WHEREAS, the Board of Commissioners (the Board) is empowered by the Charter Amendment to adopt wages, benefits, and policies for the DWP employees' conditions of employment;

WHEREAS, on March 18, 2020, the President signed into law the Families First Coronavirus Response Act (FFCRA), requiring certain employers to provide employees with paid family and medical leave or paid sick leave for specified reasons in response to COVID-19;

WHEREAS, the DWP will administer and enforce the paid leave provisions of the FFCRA and the provisions will apply from April 1, 2020 through Dec. 31, 2020;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the City of Big Bear Lake, Department of Water and Power hereby adopts the FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus) effective April 1, 2020, attached hereto as Policy #2020-01 (Exhibit A);

PASSED, APPROVED, and ADOPTED this 3rd day of April 2020.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Robert Tarras, Chairman
DWP Board of Commissioners

ATTEST:

Leeanne Eagleson, Secretary
DWP Board of Commissioners

DEPARTMENT OF WATER



Service, Quality, Community

City of Big Bear Lake, Dept. of Water & Power
FMLA Leave Expansion and Emergency Paid Sick Leave Temporary Policy (Coronavirus)
Policy #2020-XX

Policy #2020-XX

FMLA Leave Expansion and Emergency Paid Sick Leave Temporary Policy (Coronavirus)

Established: Resolution DWP No. 2020-XX adopted April 3, 2020

Date Last Amended: n/a

Objective: To provide guidelines for the Families First Coronavirus Response Act (FFCRA)

Overview: The City of Big Bear Lake, Department of Water & Power (DWP) has developed a policy to assist employees affected by the COVID-19 outbreak with job-protected leave and emergency paid sick leave.

Eligibility to Receive

Emergency Admin

Leave Time: All regular full-time and part-time DWP employees.

FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus)

Purpose

The purpose of this temporary policy is to comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with job-protected leave and emergency paid sick leave. This policy will be in effect from April 1, 2020 until December 31, 2020. The rights and entitlements provided in this policy will sunset as of December 31, 2020.

The FFCRA contains both the Emergency Family and Medical Leave Expansion Act, providing an additional reason for leave under FMLA and making related changes, and the Emergency Paid Sick Leave Act, creating a new paid leave entitlement. The existing FMLA leave policy still applies to all other reasons for leave outside of this policy, as well as other applicable leave policies. At this time, the Department of Labor (DOL) is expected to issue regulations to provide additional guidance on implementing the FFCRA. Therefore, this policy may be updated based on additional guidance from the DOL.

Department of Water, City of Big Bear Lake

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I. FMLA Leave Expansion for Childcare Issues Arising from School Closures

Employee Eligibility

All employees who have been employed with the DWP for at least 30 calendar days.

Qualifying Reason for Leave

Eligible employees who are unable to work (or telework) due to a need to care for a child who is under 18 years of age because the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*.

“Childcare provider” means a provider who receives compensation for providing childcare services on a regular basis, including:

- a center-based childcare provider
- a group home childcare provider
- a family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence)
- other licensed provider of childcare services for compensation
- a childcare provider that is 18 years of age or older who provides childcare services to children who are either the grandchild, great grandchild, sibling (if such provider lives in a separate residence), niece, or nephew of such provider, at the direction of the parent.
- “School” means an elementary or secondary school.

Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020 through December 31, 2020, for a qualifying reason for leave, stated above. This entitlement to leave is an additional qualifying reason for leave and not an additional leave entitlement. Therefore, employees will be entitled to a total of 12 weeks in a 12-month period (as measured in the established FMLA Policy) for all qualifying reasons.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for the remaining 6 weeks of FMLA leave for a qualifying reason, including to care for a child under this policy.

Pay During Leave

Leave will be unpaid for the first 10 days of leave; however, employees may use any accrued paid vacation, sick or personal leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below. After the first 10 days, leave will be paid at two-thirds (2/3) of an employee’s regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day, and \$10,000 in total.

For part-time employees with varying hours to such an extent that the hours worked cannot be determined with certainty, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type; or,

- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Employee Status and Benefits During Leave

While an employee is on leave, the Agency will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium (if any). During any unpaid portions of leave, the employee must continue to make this payment per instructions from the HR department. These provisions are the same as for all other FMLA leave, as described in the current FMLA Policy.

Procedure for Requesting Leave

All employees requesting FMLA leave must provide written notice, where possible, of the need for leave to HR as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided. Within five business days after the employee has provided this notice, HR will complete and provide the employee with any Department of Labor (DOL) required notices.

The notice the employee provides should include a brief statement as to the reason for leave and, if possible, the expected duration.

On a basis that does not discriminate against employees on FMLA leave, the DWP may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status After Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms.

Please contact the HR department with any questions.

II Emergency Paid Sick Leave

Emergency Paid Sick Leave, is an entitlement *above and beyond* an employee's normal sick leave entitlement. It shall be available for the reasons described below and will be available for use beginning April 1, 2020.

Eligibility

All full-time and part-time employees unable to work (or telework) due to one of the following reasons for leave:

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.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child under 18 years of age if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. 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.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis* (“as if” the employee was the parent).

Amount of Paid Sick Leave

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees will have the number of hours worked, on average, over a two-week period, of paid sick leave available to use for the qualifying reasons above.

For part-time employees with varying hours, to such an extent that the hours worked cannot be determined with certainty, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type; or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Rate of Pay

Paid emergency sick leave will be paid at the employee's regular rate of pay, for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay.

Pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above;
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

Interaction with Other Paid Leave

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees on expanded FMLA leave under this policy may use emergency paid sick leave during the first 10 days of normally unpaid FMLA leave.

Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their department manager or HR of the need and specific reason for leave under this policy. A form will be provided to all employees for certifying the leave request. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Employees may be requested to provide medical certification or a medical note supporting the need for leave under appropriate circumstances, but will not be required when not practicable to obtain.

Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused emergency paid sick leave will not carry over to the next year or be paid out to employees.

Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for use of leave under the policy or any request to use leave under this policy.

Please contact the HR department with any questions.

AGENDA REPORT



Service, Quality, Community

DATE: April 3, 2020

TO: Board of Commissioners

FROM: Reginald A. Lamson, General Manager

PREPARED BY: Rachel Franklin, Human Resources / Risk Management

RE: **Resolution DWP No. 2020-XX – Declaring a State of Emergency and Authorizing the General Manager to Take Action to Ensure the continued Safe Operation of the City’s Water Systems Through the Pendency of the Emergency**

Background

On March 4, 2020, the Governor of California declared a State of Emergency in response to the rapidly spreading COVID-19 virus. On March 13, 2020 the President of the United States declared a National Emergency in response to the global outbreak. On March 19, 2020, the California State Public Health Officer and Director of the California Department of Public Health ordered all individuals living in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operation of the federal critical infrastructure sectors.

DWP has remained fully operational and continues to provide safe drinking water to its customers as an essential employer for the community. Because of the changing protocols on a daily or weekly basis, it is pertinent to declare the existence of a local state of emergency affecting the City of Big Bear Lake, Department of Water and Power and grant the General Manager authority to make reasonable and timely decisions on matters related to the continued operation of DWP. These decisions will be made in the best interest of our community, staff, and operations.

All decisions will be ratified by the Board at the earliest practicable time.

Financial Impact

None. Any financial impacts from future decisions will be brought to the Board for approval.

Recommendations

- 1.) Staff recommends the Board adopt Resolution 2020-XX

RESOLUTION DWP NO. 2020-XX

1
2 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF
3 BIG BEAR LAKE, DEPARTMENT OF WATER AND POWER DECLARING AN
4 EMERGENCY AND AUTHORIZING THE GENERAL MANAGER TO TAKE ACTION TO
5 ENSURE THE CONTINUED SAFE OPERATION OF THE CITY'S WATER SYSTEMS
6 THROUGH THE PENDENCY OF THE EMERGENCY

7
8 **WHEREAS**, in accordance with Sections 805, et seq., of the
9 City Charter for the City of Big Bear Lake, the Department of
10 Water and Power ("DWP") is responsible to oversee and manage the
11 City's water supply collection and treatment ("Water Systems")
12 functions; and

13
14 **WHEREAS**; the DWP Board administers the Water Systems through
15 its General Manager; and

16
17 **WHEREAS**, conditions of extreme peril to the safety of
18 persons and property have arisen within the State of California
19 and County of San Bernardino caused by the worldwide spread of
20 respiratory illness due to the novel coronavirus known as COVID-
21 19; and

22
23 **WHEREAS**; the State of California and the County of San
24 Bernardino have both declared emergencies as a result of the
25 spread of COVID-19; and

26
27 **WHEREAS**, while, at the time of agenda publication for this
28 resolution, the Department is aware of only a few cases of COVID-
19 infection within the Bear Valley, hundreds of cases have been
confirmed in San Bernardino County and the disease is having a
global impact; and

WHEREAS; COVID-19 has spread globally to multiple countries,
infecting hundreds of thousands and killing tens of thousands
worldwide; and

1 **WHEREAS;** COVID-19 has created conditions that are likely to
2 be beyond the control of local resources and require the combined
3 forces of other political subdivisions to combat; and

4 **WHEREAS;** the Department's ability to mobilize local
5 resources, take necessary actions, coordinate interagency
6 response, accelerate procurement of vital supplies, use mutual
7 aid, and seek future reimbursement by the State and Federal
8 governments will be critical to successfully responding to COVID-
9 19; and

10 **WHEREAS,** the conditions of extreme peril warrant and
11 necessitate the proclamation of the existence of a local
12 emergency.

13 **NOW, THEREFORE, BE IT RESOLVED by the DWP Board of**
14 **Commissioners of the City of Big Bear Lake, as follows:**

15 **Section 1.** The DWP hereby declares the existence of a local
16 emergency affecting the City of Big Bear Lake and its Department
17 of Water and Power.

18 **Section 2.** The General Manager is hereby authorized and
19 empowered:

20 (a) To make and issue rules and regulations on matters
21 reasonably related to the continued operation of the Water
22 Systems as affected by such emergency, provided, however, that
23 such rules and regulations are ratified at the earliest
24 practicable time by the DWP Board;

25 (b) To obtain vital supplies, equipment, and such other
26 properties found lacking and needed for the continued operation
27 of the Water Systems and to bind the Department for the fair
28 value thereof; and

1 (c) To execute all ordinary power as General Manager, all
2 of the special powers conferred by this resolution or any
3 emergency plan adopted by the City, all powers conferred by any
4 statute, by any agreement approved by the DWP Board, and by any
5 other lawful authority.

6 **Section 3.** The General Manager is hereby directed to ensure
7 Department staff track costs associated with staffing, supplies,
8 and equipment related to this emergency.

9 **Section 4.** The local emergency shall be deemed to continue
10 to exist until its termination is proclaimed by the DWP Board.

11 **Section 5.** The DWP Board finds this Resolution is not
12 subject to the California Environmental Quality Act (CEQA) in
13 that the activity is covered by the general rule that CEQA
14 applies only to projects which have the potential for causing a
15 significant effect on the environment. Where it can be seen with
16 certainty, as in this case, that there is no possibility that the
17 activity in question may have a significant effect on the
18 environment, the activity is not subject to CEQA.

19 **Section 6.** Severability. If any provision of this
20 Resolution or the application thereof to any person or
21 circumstance is held invalid, such invalidity shall not affect
22 other provisions or applications, and to this end the provisions
23 of this Resolution are declared to be severable.

24 **Section 7.** Effective Date. This Resolution shall become
25 effective immediately.

26

27

28

1 I HEREBY CERTIFY that the foregoing resolution was duly
2 adopted by the City of Big Bear Lake, Department of Water and
3 Power Commission Board at a special meeting thereof held on the
4 3rd of April 2020, by the following vote, to-wit:

5 AYES: _____

6 NAYS: _____

7 ABSTAIN: _____

8 ABSENT: _____

9
10 PASSED, APPROVED AND ADOPTED this 3rd day of April 2020.

11
12 _____
13 Robert Tarras, Chair

14 ATTEST:
15 _____
16 Leeanne Eagleson, Secretary

17 (SEAL)
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AGENDA REPORT



Service, Quality, Community

DATE: April 3, 2020
TO: Board of Commissioners
FROM: Reginald A. Lamson, General Manager
PREPARED BY: Rachel Franklin, Human Resources / Risk Management
RE: **Resolution DWP No. 2020-XX and Approve Policy #2020-02 –
 Emergency Administrative Leave**

Background

On March 4, 2020, the Governor of California declared a State of Emergency in response to the rapidly spreading COVID-19 virus. On March 13, 2020 the President of the United States declared a National Emergency in response to the global outbreak.

DWP has remained fully operational and continues to provide safe drinking water to its customers as an essential employer for the community. DWP personnel have been following the progress of the virus and have been planning alternative safety measures in the event the virus becomes present in the Bear Valley. Our primary goals are maintaining a safe working environment for our staff, maintaining the safety of our drinking water for our customers, and providing the same quality of service our customers deserve. The first steps to ensure DWP employee safety are the following: (1) implementing a nightly disinfecting procedure to fully sanitize our work areas; (2) following state and federal guidelines to maintain a six-foot distance amongst staff in all possible circumstances; (3) allowing employees to telecommute, as needed, and (4) requiring only one employee per vehicle for field services.

The virus has grown significantly and quickly over the last few weeks and is now present in the Bear Valley. It is estimated that over the next three to four weeks, the spread of the virus will peak throughout the Country. Staff is requesting to continue to be proactive and move forward with alternative scheduling for the safety of our staff by minimizing exposure to one another. Employees would work alternating schedules to minimize contact with separate crews and continue full operations of the Department. Emergency Administrative Leave (EAL) would be used to facilitate alternative scheduling. Staff on EAL will be “on-call” and will be available to resume work within approximately one hour of being called. The goal of this policy is for the Staff to work 80-hours between April 6, 2020 and May 1, 2020 and to be on EAL for 80-hour during this time. This will reduce exposure to one another in half and greatly reduce the possibility of infecting the entire DWP staff.

Financial Impact

A typical 80-hour pay period costs approximately \$195,000 including taxes and retirement-related costs. Under the proposal, employees would be paid up to 80 of leave to accommodate

staggered schedules and decrease the probability of cross contamination. The true impact during this period is lost productivity. This may ultimately result in an increase in leave buyouts, either fall of 2020 or spring of 2021.

Recommendations

- 1.) Staff recommends the Board adopt Resolution DWP No. 2020-XX, establishing DWP Policy No. 2020-XX to grant Emergency Administrative Leave (Exhibit A)

RESOLUTION NO. DWP 2020-XX

A RESOLUTION OF THE BOARD OF WATER AND POWER COMMISSIONERS OF THE CITY OF BIG BEAR LAKE, DEPARTMENT OF WATER AND POWER, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING POLICY #2020-02, EMERGENCY ADMINISTRATIVE LEAVE POLICY

WHEREAS, the City of Big Bear Lake was incorporated on November 28, 1980; and

WHEREAS, the City of Big Bear Lake did adopt its Charter in 1982; and

WHEREAS, the electors of the City did in 1985 adopt an amendment to that Charter which created the City of Big Bear Lake, Department of Water and Power (DWP); and

WHEREAS, the Board of Commissioners (the Board) is empowered by the Charter Amendment to adopt wages, benefits, and policies for the DWP employees' conditions of employment;

WHEREAS, the on March 4, 2020, the Governor of California declared a State of Emergency in response to the rapidly spreading COVID-19 virus and on March 13, 2020 the President of the United States declared a National Emergency in response to the global outbreak;

WHEREAS, the virus has grown significantly and quickly over the last few weeks, is now present in the Bear Valley, and it is estimated that over the next three to four weeks, the spread of the virus will peak throughout the Country;

WHEREAS, DWP Staff is being proactive with a plan for alternative scheduling for the safety of our staff by minimizing exposure to one another such that, employees would work alternating schedules to minimize contact with separate crews and continue full operations of the Department;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the City of Big Bear Lake, Department of Water and Power hereby adopts the Emergency Administrative Leave Policy effective April 3, 2020, attached hereto as Policy #2020-02 (Exhibit A);

PASSED, APPROVED, and ADOPTED this 3rd day of April 2020.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Robert Tarras, Chairman
DWP Board of Commissioners

ATTEST:

Leeanne Eagleson, Secretary
DWP Board of Commissioners

DEPARTMENT OF WATER



Service, Quality, Community

City of Big Bear Lake, Dept. of Water & Power Emergency Admin Leave Policy Policy #2020-02

Policy #2020-02

Emergency Admin Leave Policy

Established:

Resolution DWP No. 2020-XX adopted April 3, 2020

Date Last Amended:

n/a

Objective: To provide guidelines for Emergency Admin Leave in the event of a Major Public Disaster

Overview: The City of Big Bear Lake, Department of Water & Power (DWP) has developed a policy to cover employee absences due to work unavailability or to protect the health and safety of employees because of a Major Public Disaster.

**Eligibility to Receive
Emergency Admin**

Leave Time: All regular full-time and part-time DWP employees.

Emergency Administrative Leave

The City of Big Bear Lake, Department of Water & Power (DWP) strives to be prepared for catastrophic events that may force shutdown, or partial shutdown, of operations. This policy grants discretionary access to up to ten (10) days or eighty (80) hours (defined with a value of the affected employee's average shift) of Emergency Administrative Leave ("EAL") to cover employee absences due to work unavailability because of a Major Public Disaster. Understanding that the provision of some basic services may require some level of skeletal or flex staffing, the General Manager is authorized to provide EAL on an intermittent or staggered basis.

"Major Public Disaster": A "Major Public Disaster" is an incident that is of the severity and magnitude that effective response is beyond the capability of the state or affected local governments. In order to qualify as a "Major Public Disaster" under this policy, the event must have caused a governmental authority, such as the Governor of California or the President of the United States, to declare a formal state of emergency. This definition shall be interpreted

Department of Water, City of Big Bear Lake

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consistently with 44 CFR § 206.2(a)(17), which includes events such as hurricane, tornado, tsunami, earthquake, volcanic eruption, or pandemic.

Qualifying Circumstances: Access to up to ten (10) days or eighty (80) hours of EAL shall be provided per affected employee at the discretion of the General Manager only in circumstances that meet the following criteria:

- A Major Public Disaster has caused or could cause the unavoidable closure of all or part of DWP's operations in a manner that could result in layoff or furlough. Circumstances causing such closure include but are not limited to (1) destruction or severe damage of DWP's facilities or infrastructure; (2) inability or severe difficulty accessing DWP's facilities due to destruction or damage of transportation corridors; or (3) unavailability of sufficient personnel to operate the affected facility or department because of illness or injury associated with the Major Public Disaster.
- The General Manager has adopted an Emergency Response Plan that utilizes EAL in a manner to (1) best serve DWP's operations; (2) address public health or safety concerns associated with the Major Public Disaster; (3) maintain necessary staffing while limiting the need for permanent layoffs or furloughs; and (4) best maintain the DWP's ability to resume full operations and services when possible.
- The intended employee-recipient's workload has been severely impacted by the Major Public Disaster such that the employee-recipient is either unable to report to work due to safety concerns for the staff or there is insufficient work within the relevant department or facility to warrant full staffing.
- While using Emergency Administrative Leave, all employees are required to follow all DWP stand-by procedures including (1) be reachable by telephone; (2) be able to report to a Standby Call within a reasonable amount of time as designated by the General Manager; and (3) refrain from activities which might impair ability to perform assigned duties.
Employee's initials _____

EAL may be provided increments consistent with other leaves provided pursuant to DWP's policies. Unused EAL does not carryover year to year and is paid out in the last pay period of the calendar year.

Note: The leave provided in this policy shall be counted toward the satisfaction of any paid leave required by law in response to the Major Natural Disaster, including but not limited to paid leave required to address the 2020 COVID-19 pandemic. Legal mandates shall supersede this policy.

AGENDA REPORT



Service, Quality, Community

DATE: April 3, 2020
TO: Board of Commissioners
FROM: Reginald A. Lamson, General Manager
PREPARED BY: Danielle D. McGee, Chief Financial Officer
RE: **Revisions to Fiscal Year 20/21 Budget Schedule Budget Calendar**

Background

Staff presented a proposed calendar to the Board for the FY 20/21 Budget process in January. The original calendar included the standard Joint Budget Workshop with City Council (May 11th). Due to the COVID Pandemic, staff has proposed to the City that the Joint Budget Workshop be cancelled for this year. After the Board provides comments on the proposed draft budget, staff will prepare the final version for the Budget Hearing (May 26th) and provide the City Council with the final version of the budget prior to its adoption at the budget hearing. This will enable Council Members to provide feedback to the DWP prior to the hearing if they wish to do so. Their feedback, if any, could be included in the version that the Board adopts.

Additionally, staff is proposing greater flexibility for when the Board reviews the proposed draft budget. That presentation was originally scheduled for the Regular Board Meeting on April 28th. Staff will attempt to maintain the originally scheduled date if possible.

Financial Impact

Modifying the budget calendar has no financial impact.

Background

Approve the proposed changes to the FY 20/21 Budget Calendar (Exhibit "A").

PROPOSED SCHEDULE
FY 2020/21 BUDGET PREPARATION

DWP Budget Calendar 20.21	Start	Finish	Resource Names
Finance revises budget model	12/26/19	1/30/20	CFO
Finance compiles historical spending for budget team	12/26/19	1/30/20	Acctg Supv/Fin Analyst
Board reviews Budget Schedule at Board Meeting	1/28/20	1/28/20	Board,DWP Mgt
Board appoints Treasurer to oversee	1/28/20	1/28/20	Board
Kick Off Meeting 8:30 A.M. – Senior Staff plus Purchaser/Inspector	2/6/20	2/6/20	Sr Staff and Purchaser
Staff prepares departmental detail budgets and narrative work plans	2/7/20	2/21/20	Sr Staff and Purchaser
GM, Water Supt prepare project budgets	2/7/20	2/21/20	GM;Water Supt
CFO prepares revenue budgets and payroll budget	2/7/20	2/21/20	CFO
CFO prepares benefits budget	2/7/20	2/21/20	HR
Staff returns draft departmental detail budgets and work plans to Finance	2/21/20	2/21/20	Sr Staff and Purchaser
CFO submits draft budget to GM for review	2/26/20	2/26/20	CFO
GM returns drafts to CFO with comments/changes	3/4/20	3/4/20	GM
CFO prepares first draft budget	3/5/20	3/12/20	CFO
1st draft budget submitted to Treasurer for review	3/13/20	3/24/20	CFO
Treasurer reviews 1st draft budget with Sr Mgt - after Regular Board Meeting	3/24/20	3/24/20	Treasurer
Staff revises budget as directed by Treasurer	3/24/20	3/31/20	CFO
2nd draft Budget prepared for Board Meeting including slide show presentation	TBD	TBD	CFO
Regular Board Meeting; Full Board reviews 2nd draft Budget and Treasurer's recommendations at a Regular or Special Board Meeting	TBD	TBD	Board,Board Sec'ty,DWP Mgt
Staff revises budget as directed, 3rd draft Budget (if needed) distributed to Treasurer	TBD	TBD	CFO
Board Secretary coordinates City Council Budget Workshop date and time with City Clerk's Office 5/11/20 tentative	4/29/20	4/29/20	CANCELLED
Board Secretary prepares notice to media regarding Public Hearing Budget 5/26/20	4/29/20	4/29/20	Board Sec'ty
Agenda for Joint Budget Workshop 5/11/20 posted	5/7/20	5/7/20	CANCELLED
Notice of DWP Hearing (5/26/20) submitted to Grizzly (published 5/6/20 and 5/13/20)	5/2/19	5/2/19	Board Sec'ty
Jt Budget Workshop - Board and City Council - Review draft Budget 9AM	5/11/20	5/11/20	CANCELLED
Staff revises budget as needed based upon Council comments	5/12/20	5/15/20	CFO
Regular Board Meeting - Public Hearing for Final Budget; Board adopts Budget	5/26/20	5/26/20	Board,Board Sec'ty,DWP Mgt
City Council considers incorporation of DWP Budget into the City's budget	6/8/20	6/22/20	City Council,GM