

**RESOLUTION NO. 2021-03**

**AUTHORIZING THE GENERAL MANAGER TO TAKE NECESSARY  
ACTIONS DUE TO THE COVID-19 PANDEMIC IN RECOGNITION OF THE  
FEDERAL, STATE, AND LOCAL DECLARED STATE OF EMERGENCY,  
AND APPROVING THE EXTENSION THROUGH JUNE 30, 2021  
OF CERTAIN COVID-19 RELATED TEMPORARY EMPLOYEE BENEFITS  
SET FORTH IN THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

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**MID-PENINSULA WATER DISTRICT**

**WHEREAS**, on March 4, 2020, the Governor of the State of California declared a State Emergency as a result of the COVID-19 virus pandemic; and

**WHEREAS**, on March 10, 2020, the County of San Mateo proclaimed the existence of a local emergency throughout the county as a result of COVID-19; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a National Emergency and provided recommendations from the Centers for Disease Control; and

**WHEREAS**, on March 16, 2020, the San Mateo County Health Officer issued a Shelter in Place Order (Order) directing, among other things, all individuals living in the county to shelter at their place of residence except to provide or receive essential services or engage in certain essential activities and work for essential businesses and governmental services; and

**WHEREAS**, on June 17, 2020 the Order was rescinded and cautiously aligned with the State's reopening guidelines; and

**WHEREAS**, in its order dated July 14, 2020, the San Mateo County Health Officer reported that "there is evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area, including asymptomatic transmission, and continued uncertainty regarding the degree of undetected asymptomatic transmission, scientific evidence, and best practices regarding the most effective approaches to slow the transmission of

communicable diseases generally and COVID-19 specifically”; and

**WHEREAS**, on December 17, 2020, San Mateo County along with ten other counties in the Bay Area region went under a state-mandated regional stay-at-home order because intensive care unit (ICU) bed capacity fell below 15%, which remains in effect until the region’s ICU capacity reaches or exceeds 15%; and

**WHEREAS**, the Mid-Peninsula Water District (District), which provides water service to residences, businesses, government agencies, and other entities throughout the County, is an Essential Business and performs an Essential Governmental Function and operates Essential Infrastructure, and its employees, consultants and contractors perform Essential Activities, all as defined in the Order; and

**WHEREAS**, as a result of the federal, state, and local emergency declarations, emergency measures were taken by the General Manager and further emergency measures may be required to be taken to ensure the District can continue to provide a safe and reliable water supply and to protect the safety and health of its employees and the public; and

**WHEREAS**, because the duration of the declared state of emergencies is unknown and the impacts of COVID-19 continue to change rapidly, the District must be prepared to act quickly, yet thoughtfully, to address these changing circumstances; and

**WHEREAS**, in March 2020 the Federal government enacted the Families First Coronavirus Act (FFCRA), which required the District to provide its employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19, and specifically included 80 hours of Emergency Paid Sick Leave that may be used for a variety of COVID-19 related impacts as dictated under the FFCRA; and

**WHEREAS**, the provisions of the FFCRA applied through December 31, 2020, and the Federal government has not extended the mandated benefits; and

**WHEREAS**, District employees may continue to have need for the emergency leave due to the effects of the COVID-19 pandemic; and

**WHEREAS**, it has been clearly communicated with the MPWD Employee Association that this action does not set a precedent for any future benefit extension.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Directors of the Mid-Peninsula Water District, in light of the recitals set forth above, recognizes that there is a state of emergency within the District's service area and jurisdiction resulting from the COVID-19 pandemic and ratifies the necessary immediate actions taken by the General Manager in response to the impacts of COVID-19 on District operations; and

**BE IT FURTHER RESOLVED** that the General Manager is authorized to suspend and/or modify administrative procedures, including fees related to customer billing and payments, personnel rules and policies, and procurement policies, to expand paid administrative and sick leave, and to take all other actions necessary to protect District employees and the public and to ensure safe and reliable water supply during the declared national, state, and local emergencies resulting from the COVID-19 pandemic; and

**BE IT FURTHER RESOLVED** that the General Manager or designee, is authorized to prepare and submit applications on the District's behalf to federal, state, and local government entities for funding and/or reimbursement related to the fiscal impacts of the COVID-19 pandemic on the District's operations; and

**BE IT FURTHER RESOLVED** that the General Manager shall comply with all federal, state, and local laws when taking actions authorized by this Resolution, and the General Manager will report the actions and financial impacts of such actions to the Board;

**BE IT FURTHER RESOLVED** that this authority granted to the General Manager shall expire on April 22, 2021, or until the emergency declarations are rescinded, whichever comes first, or unless this authority is extended by the Board of Directors; and

**BE IT FURTHER RESOLVED** that the COVID-19 emergency paid sick leave benefits set forth in the Families First Coronavirus Response Act are extended through June 30, 2021 for employees that have not already exhausted them.

**REGULARLY PASSED AND ADOPTED** this 28<sup>th</sup> day of January 2021.

AYES: Director Zucca, Vella, Warden, Wheeler, Schmidt

NOES: 0

ABSTENTIONS: 0

ABSENCES: 0

  
BOARD PRESIDENT

ATTEST:

  
BOARD SECRETARY