



A HERITAGE OF GOOD LIVING

CITY COUNCIL

CITY OF LATHRUP VILLAGE

27400 Southfield Road, Lathrup Village, Michigan 48076

SPECIAL MEETING – HELD REMOTELY AGENDA

MONDAY, MARCH 30, 2020
7:00 pm

AGENDA ITEMS

1. **Call to Order** by Mayor Garrett
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Agenda**
5. **Action Items:**
 - A. Discussion – Emergency Orders and Open Meeting Act Changes
 - B. Discussion/Adoption – Resolution Declaring Local State of Emergency (COVID-19)
 - C. Discussion/Adoption – An Emergency Ordinance to Amend the City of Lathrup Village Code of Ordinances by Adding Chapter 3 – Emergency Preparedness
 - D. Discussion/Adoption – Resolution Authorizing And Directing Administration To Enter Into A Letter Of Agreement With Union Employees And To Draft A Personnel Policy Supplement For Non-Union Employees Regarding Covid-19 Emergency Sick Time.
 - E. Discussion/Adoption - Temporary Amendment To The Personnel Manual Adopted 4-15-2019 Regarding Covid-19 Emergency Sick Time
 - F. Discussion/Adoption - Budget Study Session Dates
 - G. COVID-19 updates
6. **Mayor and Council Comments**
7. **Public Comments**
8. **Adjourn**

Invitation to Join Zoom Meeting:

<https://zoom.us/j/5460883579>

Meeting ID: 546 088 3579

Detailed information on
accessing Zoom remote
meeting are on next page

NOTICE OF ELECTRONIC PUBLIC MEETING

In accordance with Gov. Whitmer's Executive Order 2020-15, which allows for electronic meetings of public bodies, notice is hereby given that the City of Lathrup City Council will be meeting electronically on **Monday, March 30, 2020 at 7:00pm**, using Zoom for videoconference and public access. This meeting is a special meeting. One purpose of the special meeting includes seeking authorization of the City Council to conduct future regular and special Council meetings as electronic public meetings.

The electronic public meeting will be held as a Zoom electronic conference. The public can participate via the Zoom application, internet and/or telephone. The public will be able to listen to all discussion by Council members and will be permitted to speak for up to 3 minutes during the public comment section of the agenda.

Please note that callers/viewers will automatically be muted. Public comments can be submitted via the Chat Room or during Public Comment, when viewers are unmuted on an individual basis. Comments may also be emailed in by 12noon of the date of the meeting to: cityclerk@lathrupvillage.org,

ELECTRONIC ZOOM MEETING INFO:

Topic: City of Lathrup Village Special Council Meeting

Time: Mar 30, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/5460883579>

Meeting ID: 546 088 3579

One tap mobile

+16465588656,,5460883579# US (New York)

+13126266799,,5460883579# US (Chicago)

Dial by your location

+1 646 558 8656 US (New York)

+1 312 626 6799 US (Chicago)

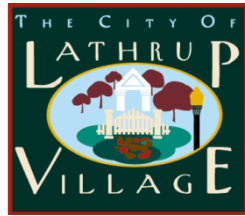
+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US

Meeting ID: 546 088 3579



AGENDA ITEM 5.A

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: Mar 30, 2019

RE: **EMERGENCY ORDERS AND OPEN MEETINGS ACT CHANGES**

These are truly challenging times for families, employees and businesses. The Coronavirus (COVID-19) pandemic is a public health and economic crisis. Many efforts are underway, particularly for those on the front lines, to aid in preventing the spread of this deadly virus.

Governor Granholm has issued:

- Executive Order 2020-15 – Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards
 - The City of Lathrup Village is instituting electronic remote meeting formats
- Executive Order 2020-21- Temporary requirement to suspend activities that are not necessary to sustain or protect life.
 - This “Stay Home, Stay Safe” directive prohibits in-person work that is not necessary to sustain or protect life. A component of the order is to identify “critical infrastructure workers” and essential services.

Oakland County Executive Coulter has issued:

- Emergency Order 2020-3 for control of pandemic – closing children’s playground equipment
- Emergency Order 2020-5 for control of pandemic – required screening and social distancing measures at open businesses and operations subject to the Governor’s Executive Order 2020-21

Copies of these orders are in the agenda packet. This is a constantly evolving situation, and we can expect there will be updated information and requirements, many that require a very quick response.

We thank everyone for their patience as we work together to navigate these uncharted waters. A special note of appreciation to all of the employees and contractors who provide dedicated, quality service to our residents. And, a special note of heartfelt appreciate to our police officers, fire fighters, EMS and health care providers, who are truly on front line to protect our health, safety and well-being.



To combat the spread of COVID-19 in Michigan, Governor Whitmer signed the “Stay Home, Stay Safe” executive order. For at least the next three weeks, all Michigan businesses and operations must temporarily suspend in-person operations that are not necessary to sustain or protect life, and all Michiganders must stay in their homes unless they’re a part of that critical infrastructure workforce, engaged in an outdoor activity, or performing tasks necessary to the health and safety of themselves or their family, like going to the hospital or grocery store.

YOU CAN:

- Go to the grocery store or pick up take-out food.
- Go to the pharmacy to pick up a needed prescription.
- Engage in outdoor activities like walking, hiking, running, biking.
- Go to the hospital or secure any care necessary to address a medical emergency or to preserve your health or the health of a loved one.
- Fill your car with gas.
- Return to Michigan to a home or place of residence from outside the State.
- Leave the State for a home or residence elsewhere.
- Walk your pets and take them to the veterinarian for needed medical care.

YOU MAY NOT:

- Leave the home to work unless your employer designates you as a critical infrastructure worker.
- Participate in any public gatherings.
- Visit someone in the hospital, nursing home, or other residential care facilities (with limited exceptions).
- Go to the mall or to restaurants.

BUSINESSES THAT REMAIN OPEN FOR IN-PERSON WORK MUST TAKE AGGRESSIVE STEPS TO MINIMIZE THE VIRUS’S SPREAD. THEY MUST:

- Promote remote work to the fullest extent possible.
- Restrict the number of workers present in-person on the job.
- Keep employees at least six feet from one another to the maximum extent possible and enabling social distancing for customers who are standing in line.
- Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control.

Information around this outbreak is changing rapidly. The latest information is available at Michigan.gov/Coronavirus and CDC.gov/Coronavirus.

For those who have questions about the state’s actions to mitigate the spread of coronavirus, please call the COVID-19 Hotline at 1-888-535-6136 between 8AM - 5PM daily.



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2020-15

Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Michigan Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945, provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is crucial that all Michiganders take steps to limit in-person contact. These critical mitigation measures include social distancing and limiting the number of people interacting at public gatherings.

To that end, it is reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to

conduct public business during this emergency, including actions to respond to COVID-19, and the general public must be able to continue to participate in government decision-making without unduly compromising public health, safety, and welfare.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Effective immediately and continuing until April 15, 2020 at 11:59 pm, to the extent that the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.272 (“OMA”) requires that a meeting of a public body be held in a physical place available to the general public or requires the physical presence of one or more members of a public body, strict compliance with section 3 of the OMA, MCL 15.263, is temporarily suspended in order to alleviate any such physical-place or physical-presence requirements, as follows:
 - (a) A meeting of a public body may be held electronically, including by telephonic conferencing or video conferencing, in a manner in which both the general public and the members of the public body may participate by electronic means.
 - (b) A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. The public body also may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants.
 - (c) Members of a public body and of the general public participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting.
 - (d) All persons must be permitted to participate in any meeting of a public body held electronically, except as otherwise provided in the OMA.
 - (e) If a public body directly or indirectly maintains an official internet presence, the public body must, consistent with and in addition to any other applicable notice requirements under the OMA, post advance notice of a meeting held electronically on a portion of the public body’s website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website’s homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include all of the following:
 - (i) An explanation of the reason why the public body is meeting electronically.

- (ii) Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.
 - (iii) Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
 - (iv) Procedures by which persons with disabilities may participate in the meeting.
- (f) The right of a person to participate in a meeting of a public body held electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations to minimize the possibility of disrupting the meeting.
- (g) A public body may not require a person as a condition of participating in a meeting of the public body held electronically to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms necessary to permit the person to participate in a public comment period of the meeting.
- (h) A person must be permitted to address a meeting of a public body held electronically under rules established and recorded by the public body. A person must not be excluded from a meeting held electronically otherwise open to the public except for a breach of the peace actually committed during the meeting.
- (i) During a meeting of a public body held electronically, members of the public body are urged to take all votes by roll call to avoid any questions about how each member of the public body votes.
- (j) If a public body holding a meeting electronically directly or indirectly maintains an official internet presence, the public body is encouraged to make available to the general public through the public body's website homepage an agenda and other materials relating to the meeting.
- (k) Members of the general public otherwise participating in a meeting of a public body held electronically may be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.
2. A public body holding a meeting electronically as provided under this order is encouraged to do so in a manner that effectuates as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making. Discussions or deliberations at an open meeting that cannot at a minimum be heard by the general

public participating in the meeting are contrary to these purposes. Accordingly, members of a public body must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision, and must avoid “round-the-horn” decision-making in a manner not accessible to the public at an open meeting.

3. If a decision or other action of a public body is in compliance with the requirements of this order and the other requirements of the OMA, it is in compliance with the OMA.
4. Effective immediately and continuing until April 15, 2020 at 11:59 pm, if a statute or rule other than the OMA requires that public comments be permitted or a public hearing be held, including in conjunction with the issuance of a permit or a hearing required under the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a, a public body or department or agency may provide a means for remote public comment or participation through the use of any technology that would facilitate a member of the general public’s ability to participate remotely to the same extent as if the member of the general public appeared in person. If not expressly authorized by statute or rule, written comment, including by electronic means, also is permitted.
5. Effective immediately and continuing until April 15, 2020 at 11:59 pm, strict compliance with subsection 6 of section 11a, subsection 7 of section 384, and subsection 1 of section 418a of the Revised School Code, 1976 PA 451, as amended, MCL 380.11a(6), MCL 380.384(7), and MCL 380.418a(1), is temporarily suspended so as not to require school district boards to hold meetings at least once each month.
6. Nothing in this order permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of the press and other news media both to meetings held electronically and to members of public bodies.
7. As used in this order, the terms “decision,” “meeting,” and “public body” mean those terms as defined under section 2 of the OMA, MCL 15.262, except this order does not apply to state legislative bodies.
8. A provision of this order will prevail over any conflicting provision of a local charter, ordinance, or rule.
9. This order supersedes sections 2 and 3 of Executive Directive 2020-2.

Given under my hand and the Great Seal of the State of Michigan.

Date: March 18, 2020

Time: 4:46 pm



GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2020-21

Temporary requirement to suspend activities that are not necessary to sustain or protect life

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. Older adults and those with chronic health conditions are at particular risk, and there is an increased risk of rapid spread of COVID-19 among persons in close proximity to one another. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Michigan Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945, provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To suppress the spread of COVID-19, to prevent the state’s health care system from being overwhelmed, to allow time for the production of critical test kits, ventilators, and personal protective equipment, and to avoid needless deaths, it is reasonable and necessary to direct residents to remain at home or in their place of residence to the maximum extent feasible.

This order takes effect on March 24, 2020 at 12:01 am, and continues through April 13, 2020 at 11:59 pm.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. This order must be construed broadly to prohibit in-person work that is not necessary to sustain or protect life.
2. Subject to the exceptions in section 7, all individuals currently living within the State of Michigan are ordered to stay at home or at their place of residence. Subject to the same exceptions, all public and private gatherings of any number of people occurring among persons not part of a single household are prohibited.
3. All individuals who leave their home or place of residence must adhere to social distancing measures recommended by the Centers for Disease Control and Prevention, including remaining at least six feet from people from outside the individual's household to the extent feasible under the circumstances.
4. No person or entity shall operate a business or conduct operations that require workers to leave their homes or places of residence except to the extent that those workers are necessary to sustain or protect life or to conduct minimum basic operations.
 - (a) For purposes of this order, workers who are necessary to sustain or protect life are defined as "critical infrastructure workers," as described in sections 8 and 9.
 - (b) For purposes of this order, workers who are necessary to conduct minimum basic operations are those whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment, care for animals, ensure security, process transactions (including payroll and employee benefits), or facilitate the ability of other workers to work remotely.

Businesses and operations must determine which of their workers are necessary to conduct minimum basic operations and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Such designations, however, may be made orally until March 31, 2020 at 11:59 pm.

5. Businesses and operations that employ critical infrastructure workers may continue in-person operations, subject to the following conditions:
 - (a) Consistent with sections 8 and 9, businesses and operations must determine which of their workers are critical infrastructure workers and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Such designations, however, may be made orally until March 31, 2020 at 11:59 pm. Businesses and operations need not designate:

- (1) Workers in health care and public health.
 - (2) Workers who perform necessary government activities, as described in section 6.
 - (3) Workers and volunteers described in section 9(d).
- (b) In-person activities that are not necessary to sustain or protect life must be suspended until normal operations resume.
- (c) Businesses and operations maintaining in-person activities must adopt social distancing practices and other mitigation measures to protect workers and patrons. Those practices and measures include, but are not limited to:
- (1) Restricting the number of workers present on premises to no more than is strictly necessary to perform the business's or operation's critical infrastructure functions.
 - (2) Promoting remote work to the fullest extent possible.
 - (3) Keeping workers and patrons who are on premises at least six feet from one another to the maximum extent possible, including for customers who are standing in line.
 - (4) Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.
 - (5) Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19.
 - (6) Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control.
6. All in-person government activities at whatever level (state, county, or local) that are not necessary to sustain or protect life, or to supporting those businesses and operations that are necessary to sustain or protect life, are suspended.
- (a) For purposes of this order, necessary government activities include activities performed by critical infrastructure workers, including workers in law enforcement, public safety, and first responders.
 - (b) Such activities also include, but are not limited to, public transit, trash pick-up and disposal, activities necessary to manage and oversee elections, operations necessary to enable transactions that support the work of a business's or operation's critical infrastructure workers, and the maintenance of safe and sanitary public parks so as to allow for outdoor recreation.

- (c) For purposes of this order, necessary government activities include minimum basic operations, as described in section 4(b). Workers performing such activities need not be designated.
- (d) Any in-person government activities must be performed consistently with the social distancing practices and other mitigation measures to protect workers and patrons described in section 5(c).

7. Exceptions.

- (a) Individuals may leave their home or place of residence, and travel as necessary:
 - (1) To engage in outdoor activity, including walking, hiking, running, cycling, or any other recreational activity consistent with remaining at least six feet from people from outside the individual's household.
 - (2) To perform their jobs as critical infrastructure workers after being so designated by their employers. (Critical infrastructure workers who need not be designated under section 5(a) may leave their home for work without a designation.)
 - (3) To conduct minimum basic operations, as described in section 4(b), after being designated to perform such work by their employers.
 - (4) To perform necessary government activities, as described in section 6.
 - (5) To perform tasks that are necessary to their health and safety, or to the health and safety of their family or household members (including pets). Individuals may, for example, leave the home or place of residence to secure medication or to seek medical or dental care that is necessary to address a medical emergency or to preserve the health and safety of a household or family member (including procedures that, in accordance with a duly implemented nonessential procedures postponement plan, have not been postponed).
 - (6) To obtain necessary services or supplies for themselves, their family or household members, and their vehicles. *Individuals must secure such services or supplies via delivery to the maximum extent possible.* As needed, however, individuals may leave the home or place of residence to purchase groceries, take-out food, gasoline, needed medical supplies, and any other products necessary to maintain the safety, sanitation, and basic operation of their residences.
 - (7) To care for a family member or a family member's pet in another household.

- (8) To care for minors, dependents, the elderly, persons with disabilities, or other vulnerable persons.
 - (9) To visit an individual under the care of a health care facility, residential care facility, or congregate care facility, to the extent otherwise permitted.
 - (10) To attend legal proceedings or hearings for essential or emergency purposes as ordered by a court.
 - (11) To work or volunteer for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.
- (b) Individuals may also travel:
- (1) To return to a home or place of residence from outside this state.
 - (2) To leave this state for a home or residence elsewhere.
 - (3) To travel between two residences in this state.
 - (4) As required by law enforcement or a court order, including the transportation of children pursuant to a custody agreement.
8. For purposes of this order, critical infrastructure workers are those workers described by the Director of the U.S. Cybersecurity and Infrastructure Security Agency in his guidance of March 19, 2020 on the COVID-19 response (available [here](#)). Such workers include some workers in each of the following sectors:
- (a) Health care and public health.
 - (b) Law enforcement, public safety, and first responders.
 - (c) Food and agriculture.
 - (d) Energy.
 - (e) Water and wastewater.
 - (f) Transportation and logistics.
 - (g) Public works.
 - (h) Communications and information technology, including news media.
 - (i) Other community-based government operations and essential functions.

- (j) Critical manufacturing.
- (k) Hazardous materials.
- (l) Financial services.
- (m) Chemical supply chains and safety.
- (n) Defense industrial base.

9. For purposes of this order, critical infrastructure workers also include:

- (a) Child care workers (including workers at disaster relief child care centers), but only to the extent necessary to serve the children or dependents of critical infrastructure workers as defined in this order. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of critical infrastructure workers.
- (b) Workers at designated suppliers and distribution centers, as described below.
 - (1) A business or operation that employs critical infrastructure workers may designate suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the work of its critical infrastructure workers.
 - (2) Such suppliers, distribution centers, or service providers may designate workers as critical infrastructure workers *only* to the extent those workers are necessary to enable, support, or facilitate the work of the original operation's or business's critical infrastructure workers.
 - (3) Designated suppliers, distribution centers, and service providers may in turn designate additional suppliers, distribution centers, and service providers whose continued operation is necessary to enable, support, or facilitate the work of their critical infrastructure workers.
 - (4) Such additional suppliers, distribution centers, and service providers may designate workers as critical infrastructure workers *only* to the extent that those workers are necessary to enable, support, or facilitate the work of the critical infrastructure workers at the supplier, distribution center, or service provider that has designated them.
 - (5) Businesses, operations, suppliers, distribution centers, and service providers must make all designations in writing to the entities they are designating, whether by electronic message, public website, or other appropriate means. Such designations may be made orally until March 31, 2020 at 11:59 pm.

- (6) Businesses, operations, suppliers, distribution centers, and service providers that abuse their designation authority shall be subject to sanctions to the fullest extent of the law.
 - (c) Workers in the insurance industry, but only to the extent that their work cannot be done by telephone or remotely.
 - (d) Workers and volunteers for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.
 - (e) Workers who perform critical labor union functions, including those who administer health and welfare funds and those who monitor the well-being and safety of union members who are critical infrastructure workers, provided that any administration or monitoring should be done by telephone or remotely where possible.
10. Nothing in this order should be taken to supersede another executive order or directive that is in effect, except to the extent this order imposes more stringent limitations on in-person work, activities, and interactions. Consistent with prior guidance, a place of religious worship, when used for religious worship, is not subject to penalty under section 14.
 11. Nothing in this order should be taken to interfere with or infringe on the powers of the legislative and judicial branches to perform their constitutional duties or exercise their authority.
 12. This order takes effect on March 24, 2020 at 12:01 am, and continues through April 13, 2020 at 11:59 pm.
 13. The governor will evaluate the continuing need for this order prior to its expiration. In determining whether to maintain, intensify, or relax its restrictions, she will consider, among other things, (1) data on COVID-19 infections and the disease's rate of spread; (2) whether sufficient medical personnel, hospital beds, and ventilators exist to meet anticipated medical need; (3) the availability of personal protective equipment for the health-care workforce; (4) the state's capacity to test for COVID-19 cases and isolate infected people; and (5) economic conditions in the state.
 14. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

Given under my hand and the Great Seal of the State of Michigan.



Date: March 23, 2020

Time: 10:39 am

GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE

NEWS RELEASE

Coulter: County Health Division Issues Emergency Orders to Protect Residents and Control COVID-19

PONTIAC, Mich. – March 21, 2020 – The Oakland County Health Division today issued emergency orders to close all shopping malls, playground equipment and require all childcare centers to develop and implement a daily screening protocol for children, staff, parents and visitors to reduce the transmission of the coronavirus.

Oakland County Executive David Coulter said additional steps are under consideration. He urged residents to shift to essential activities to protect our community and our hospital systems. He also discussed the shortage of critical supplies at our hospitals and encouraged medical offices who are cancelling not urgent dental and other procedures to donate Personal Protective Equipment (PPE) they have in their inventories

“The steps we take today – as individuals, businesses and government – will save lives,” Coulter said. “We have to protect our hospital systems so they stay equipped to help the very sickest. We can get through this together, but we have to act together.”

The order closing Oakland County shopping malls takes effect at noon today. Shopping malls are defined as a large indoor retail complex containing a variety of stores and often restaurants and other business establishments housed in a series of connected or adjacent buildings or in a single large building.

The ban on indoor and outdoor playground equipment takes place immediately. Playground equipment in childcare centers and areas without playground equipment such as walking trails and grassy areas are exempt from the order.

The childcare order, which takes effect Monday, requires the development and implementation of a daily screening program for all staff, children, parents, and visitors. Non-essential visitors are restricted from the daycare. Everyone would be screened for symptoms of a respiratory infection such as fever, cough, shortness of breath, or sore throat; and close contact in the last 14 days with someone with a confirmed diagnosis of COVID-19. Procedures must be in place to take the temperature of all covered individuals.

The orders are effective until April 17. The Michigan Public Health Code gives the Health Division and Health Officer Leigh-Anne Stafford the authority to issue emergency orders.

“A communicable disease coronavirus which causes COVID-19 has been identified that can be transmitted from person to person,” the order states. “In order to control and limit the spread of the communicable disease, it is necessary to prevent people from coming into contact with uninfected people.”

Residents with questions about the disease should call the Health Division’s Nurse on Call phone line at 1-800-848-5533. Residents with non-health calls should call 248-858-1000.

The county also will also send text messages with updates on the coronavirus. Those interested should text oakgov to 28748.

EMERGENCY ORDER (2020-5) FOR CONTROL OF PANDEMIC

**Required screening and social distancing measures at open businesses and operations subject to the
Governors Executive Order 2020-21**

This Order is made pursuant to Section 2453 of the Public Health Code, being MCL 333.2453.

Matters concerning the public health of the residents of Oakland County have been brought to the attention of the Oakland County Local Health Officer. The Local Health Officer has determined that controls are necessary to reduce transmission of COVID-19 to protect the public's health of Oakland County based on the following facts:

1. A biological agent or the effects of a biological agent have been detected within **Oakland County**
2. A communicable disease **Coronavirus which causes COVID-19** has been identified that can be transmitted from person to person.
3. In order to control and limit the spread of the communicable disease, it is necessary to prevent infected people from coming into contact with uninfected people. It is also critical that essential personnel be protected.

It is hereby ordered that businesses and operations remaining open under EO 2020-21 must take the following precautions:

1. Develop and implement a daily screening program for all staff.
 - a. Screening criteria must include the following questions:
 - i. Symptom check (fever, cough, shortness of breath, sore throat, diarrhea). When a touchless thermometer is available, a temperature check is strongly recommended in lieu of verbal confirmation.
 - ii. Any close contact in the last 14 days with someone with a diagnosis of COVID-19
 - iii. Travel internationally or domestically in the last 14 days
 - b. A yes to any of the screening questions above requires the employee to be excluded:
 - i. 3 days with no fever and 7 days since first symptom
 - ii. 14 days if close contact of diagnosed case of COVID-19

- iii. 14 days following travel
- 2. Develop and implement a plan to manage and control social/physical distancing (at least 6 ft spacing) for employees working alongside one another and customers waiting in lines within or outside the business.
- 3. Limit capacity inside facilities to provide for social distancing of customers and between customers and employees including but not limited to visual markings and signage; entrance limits and specialized hours.
- 4. Publish this order at entrance of the facility and to the members of the public at large by all reasonable means available.

This Order shall become effective on **March 25, 2020 at Noon** and shall be effective until **April 13, 2020**.

Dated: _____

Oakland County, Michigan
Local Health Officer

EMERGENCY ORDER (2020-3) FOR CONTROL OF PANDEMIC
Closing Children’s Playground Equipment

This Order is made pursuant to Section 2453 of the Public Health Code, being MCL 333.2453.

Matters concerning the public health of the residents of Oakland County have been brought to the attention of the Oakland County Local Health Officer. The Local Health Officer has determined that controls are necessary to reduce transmission of COVID-19 to protect the public’s health of Oakland County based on the following facts:

1. A biological agent or the effects of a biological agent have been detected within **Oakland County**
2. A communicable disease **Coronavirus which causes COVID-19** has been identified that can be transmitted from person to person.
3. In order to control and limit the spread of the communicable disease, it is necessary to prevent infected people from coming into contact with uninfected people.

It is hereby ordered that:

1. Closure of all indoor and outdoor playground equipment for children.
2. Exempt from this order are locations within childcare centers and areas without playground equipment like walking trails and grassy areas. These spaces allow for walking, running and playing within social distancing guidelines so individuals remain 6 feet from each other and do not gather in groups larger than 10.
3. The contents of this Order shall be published to the members of the public at large by all reasonable means available.
4. This Order shall become effective **immediately** and shall be effective until **April 17, 2020**.

Dated: _____

Oakland County, Michigan
Local Health Officer



A HERITAGE OF GOOD LIVING

Dr. Sheryl L. Mitchell

City Administrator

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

TO: All City Employees, Officers, Contractors
FM: Dr. Sheryl L. Mitchell, City Manager
Cc: City Council Members
RE: Governor Whitmer Executive Order No. 2020-21, Critical and Essential Services
DATE: March 25, 2020

The Governor's Executive Order No. 2020-21, "Stay Home, Stay Safe" prohibits in-person work that is not necessary to sustain or protect life. A component of the order is to identify "critical infrastructure workers" which is described within the order in sections 8 and 9.

CRITICAL WORKERS. Upon discussing employees' duties with department directors, the following employee job classification are considered "critical workers" and allowed to report to work in-person, as needed or assigned.

1. Police Department - Chief, officers & administrative support staff
2. DPS, Water and Wastewater Contractors (Lathrup Services, Sunde & OCWRC)

ESSENTIAL SERVICES WORKERS. Essential Services Workers provide support or facilitate "Critical Infrastructure Workers" activities and/or business operations. Work conducted in the office is on a limited basis. Whenever feasible, administrative positives are requested and permitted to work remotely.

1. City Administrator
2. Assistant City Administrator / Treasurer
3. Attorney
4. Building Code Official (limited to outside inspections and/or emergencies)
5. City Clerk
6. Deputy Treasurer (Payroll & Accounting)
7. Government Operations/Building Department
8. City Hall Janitorial Service
9. LTV
10. Parks & Recreation Coordinator
11. Manager, Community & Economic Development

NON-ESSENTIAL WORKERS. The following employee(s) are considered non-essential workers and will be on paid leave until April 13, 2020 however, each employee will be available for emergency duties if requested by their department director or city administrator for essential operational function.

1. Administrative Assistant

All the above job classifications are subject to change depending on the State of Emergency Orders.

Furthermore, all employees who are classified as non-essential workers will be available to work their normal scheduled hours as needed by their Director's request therefore each normal scheduled work day the employee will contact their director to identify their availability to perform their duties. Contact will be made prior to the start of their shift via, email, text or telephone call to their director. If the employee is unable to work or request a leave day, the employee will advise their director.

CITY OF LATHRUP VILLAGE

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In compliance with Governor Whitmer's Executive Order 2020-21 and the Oakland County Emergency Order 2020-5 for the Control of Pandemic, the City of Lathrup Village workplace is required to adopt screening program and social distancing measures.

SCREENING PROGRAM

The daily screening program applies to all staff, officers and contractors before they report in each day/shift.

Screening Questions. Screening forms will be provided and anyone reporting in to work must include the following questions:

- i. Symptom check (fever, cough, shortness of breath, sore throat, diarrhea).
- ii. When a touchless thermometer is available, a temperature check is strongly recommended in lieu of verbal confirmation.
- iii. Any close contact in the last 14 days with someone with a diagnosis of COVID-19
- iv. Travel internationally or domestically in the last 14 days

A **YES** to any of the screening questions above requires the employee/contractor/officer to be excluded:

- i. 3 days with no fever and 7 days since first symptom
- ii. 14 days if close contact of diagnosed case of COVID-19
- iii. 14 days following travel

SOCIAL DISTANCING PLAN

The following Social Distancing Plan is developed and is being implemented to manage and control social/physical distancing (at least 6 ft spacing) for employees/officers/contractors working alongside one another and servicing customers within or outside the business.

- i. City Hall is closed to the public, except for the Police Station front desk, with limited days and hours.
- ii. All staff/officers/contractors are to comply with social distancing requirements while on duty or in the workplace.

This Screening Program and Social Distancing Plan shall become effective on March 25, 2020 at Noon and shall be effective until April 13, 2020.



Dr. Sheryl L. Mitchell
City Administrator
City of Lathrup Village

March 25, 2020

CITY OF LATHRUP VILLAGE

27400 Southfield Road | Lathrup Village, MI 48076 | 248.557.2600 | lathrupvillage.org

REQUIRED DAILY SCREEN QUESTIONS

The daily screening program applies to all staff, officers and contractors. Turn in the completed and signed form to Supervisor or designee **before** reporting in each day/shift.

Symptom check: Please check if you have exhibited any of these symptoms in the last 24-hours:

_____ Cough

_____ Shortness of breath

_____ Sore throat

_____ Diarrhea

_____ Fever*

*Enter temperature, if over 100 degrees _____

- When a touchless thermometer is available, a temperature check is requested in lieu of verbal confirmation.

Enter temperature reading: _____

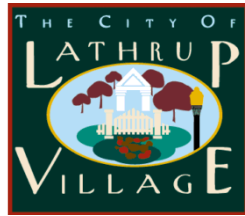
_____ Any close contact in the last 14 days with someone with a diagnosis of COVID-19

_____ Travel internationally or domestically in the last 14 days

Name

Date

Department



AGENDA ITEM 5.B

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: March 30, 2020

RE: **Resolution Declaring Local State of Emergency (COVID-19)**

There have been national, state and county declarations of a State of Emergency in an effort to control the COVID-19 pandemic.

Under the State of Michigan's Emergency Management Act, MCL 30.410(d), and also under Sections 3.5(b) of the City of Lathrup Village Charter, the Mayor has the authority to declare a local state of emergency if a large-scale emergency situation exists or is imminent.

Mayor Garrett declared the Local State of Emergency on March 23, 2020 (copy attached). Chief of Police, Scott McKee, was appointed as the Emergency Management Coordinator for all purposes, including coordination with any and all other federal, state, county, and local governmental entities.

The Mayor's Declaration of Local Emergency is limited to period of seven (7) days except with the consent of the governing body of the municipality.

Before City Council is a Resolution Declaring Local State of Emergency which:

- Continues the Mayor Declaration and appointment of Chief McKee as the Emergency Management Coordinator.
- City owned and occupied buildings area closed.
- Personnel staffing is determined by the City Administrator.
- City Administrator is authorized to take appropriate administrative measures.
- Addresses public meetings

SUGGESTED MOTION:

To adopt the Resolution Declaring Local State of Emergency (COVID-19)

**CITY OF LATHRUP VILLAGE
STATE OF MICHIGAN**

**MAYOR'S DECLARATION OF
LOCAL STATE OF EMERGENCY
(COVID-19)**

RECITALS:

A. The President of the United States, the Governor of the State of Michigan, and the Oakland County Executive have all declared a State of Emergency, and federal, state, and county orders, directives, guidelines, and recommendations have been issued in an effort to control the COVID-19 pandemic declared by the World Health Organization and the Centers for Disease Control (CDC).

B. These orders, directives, guidelines, and recommendations have included closing business establishments; cancelling, postponing, and limiting the numbers at gatherings of people; and postponing, or at least limiting the number of persons in attendance at, public meetings.

C. Under the State of Michigan's Emergency Management Act, MCL 30.410(d), and also under Sections 3.5(b) of the City of Lathrup Village Charter the Mayor has the authority to declare a local state of emergency if a large-scale emergency situation exists or is imminent.

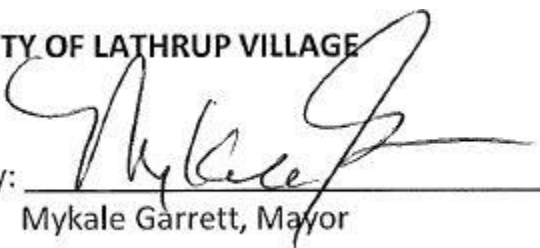
D. I have determined that, in order to provide for the health and safety of City personnel and the general public, it is appropriate to declare a Local State of Emergency and to direct perpetration of an Ordinance to address Emergency Preparedness. I further appointment the Chief of Police, Scott McKee, as the Emergency Management Coordinator for all purposes, including coordination with any and all other federal, state, county, and local governmental entities.

IT IS THEREFORE DECLARED that there is a Local State of Emergency in the City due to the facts, circumstances, and considerations underlying the COVID-19 State of Emergency already declared by the President, the Governor, and the Oakland County Executive; that the response and recovery elements of the City's emergency operations plan have been activated; and that local resources are to be used to the fullest extent possible.

NOTICE OF THIS DECLARATION SHALL BE PROVIDED TO:

- **Emergency Management and Homeland Security Division, Michigan State Police**
- **Oakland County Executive**
- **Oakland County Homeland Security Division Manager, Emergency Management Coordinator**

Effective: March 23, 2020

CITY OF LATHRUP VILLAGE
By: 
Mykale Garrett, Mayor

**CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION DECLARING LOCAL STATE OF EMERGENCY
(COVID-19)**

RECITALS:

- A. The President of the United States, the Governor of the State of Michigan, and the Oakland County Executive have all declared a State of Emergency, and federal, state, and county orders, directives, guidelines, and recommendations, including from the Centers for Disease Control ("CDC"), have been issued in an effort to control the COVID-19 Coronavirus pandemic declared by the World Health Organization (WHO).
- B. These federal, state, and county orders, directives, guidelines, and recommendations have included closing business establishments; cancelling, postponing, and limiting the numbers at gatherings of people; postponing or limiting the number of persons required to physically attend public meetings; and calling for appropriate steps to be taken by local governments in an effort to control the spread of COVID-19.
- C. These federal, state, and county orders, directives, guidelines, and recommendations have been changed or updated on a frequent basis, and further changes or updates are expected. Most recently, on March 18, 2020, the Governor issued Emergency Executive Order 2020-15, temporarily authorizing remote participation in public meetings and hearings as a suspension of the rules and procedures for physical presence at meetings and hearings of public bodies under the Open Meetings Act.
- D. COVID-19, and the possible exposure to persons afflicted with it, constitute a clear and present danger to the health, safety, and welfare of City personnel and persons doing business with or residing in the City.
- E. Under the authority provided in Section 410 of the State of Michigan's Emergency Management Act, MCL 30.410, and also under Sections 3-5, 3-6, and 3-7 of Chapter 3 of the City Code, the City's Emergency Preparedness Ordinance, the Mayor has declared a Local State of Emergency due to COVID-19.
- F. Under the Emergency Management Act, the Mayor's Declaration of a Local State of Emergency is limited to seven (7) days without City Council consent.
- G. The City Council agrees with the Mayor's Declaration and finds it appropriate to extend such Declaration until its termination as set forth herein, including the appointment of

Police Chief Scott McKee as Emergency Management Coordinator, and has further determined that emergency certain additional measures and actions should be taken or authorized.

IT IS THEREFORE DECLARED by the City Council of the City of Lathrup Village, Oakland County, Michigan, that there is a Local State of Emergency in the City due COVID-19, on the basis of the States of Emergency already declared by the President of the United States, the Governor of the State of Michigan, and the Oakland County Executive; that the response and recovery elements of the City's emergency operations plan have been activated; and that local resources are to be used to the fullest extent possible.

IT IS FURTHER DECLARED THAT:

1. Except for legally required meetings and necessary exceptions that absolutely require physical presence, and subject to restrictions approved by the Mayor, City owned or occupied buildings are closed to the public, with the City Manager authorized and directed to determine and provide public notice of this closure and the manner in which the public may communicate with City offices, which shall continue to be staffed by City personnel in a manner and at a level determined by the City Manager.
2. The City Council authorizes the City Manager to take appropriate measures, in his discretion, to respond to or protect City citizens, businesses, and personnel from the declared State of Emergency by adopting and enforcing all appropriate measures, including but not limited to:
 - a. Taking actions necessary to comply with a federal, state, or county order or directive that is binding on the City.
 - b. Limiting City meetings and functions to those required by law.
 - c. Extending deadlines for City responses to submissions and applications for City approvals, permits, and inspections.
 - d. Temporarily releasing all non-essential City personnel from reporting to the City offices for work.
 - e. Approve the payment of bills after additional approval of the City Treasurer as necessary to avoid interest, penalties, or delinquency.
 - f. Authorize temporary employees or contractors, equipment rental, supply and material purchases, and necessary contracts.
 - g. Cancelling, postponing, or establishing emergency rules for any public meeting of a City board, commission, or committee (not including City Council).
3. That for public meetings that are subject to the Open Meetings Act, and where the attendance is not completely electronic/remote by members of the public and the public body (e.g., where some component of the meeting is held at the a city facility and the City determines that it is obligated to permit the public to attend in person under the OMA and/or Executive order 2020-15), the number of persons physically attending should be documented and limited, to the extent possible and legal, in an effort to protect the health and safety of persons that do attend by the following measures:

- a. The City will make reasonable efforts to implement the authority provided in the Governor’s March 18, 2020, Emergency Executive Order 2020-15, to allow remote participation in public meetings and hearings.
 - b. Persons that do physically attend a meeting are required to provide their name, address, and an email address or phone number for follow-up contact in the event someone at that meeting tests positive for COVID-19.
 - c. Members of the public desiring to attend a meeting are requested to refrain from doing so in person, in favor of attending remotely by viewing and participating in one of the ways provided in the Governor’s Emergency Executive Order 2020-15 to be described on the City’s website and in the Notice of the meeting, or may be prohibited from attending in person to the extent possible and legal or ordered by state or federal authorities, provided remote attendance is provided for the public in accordance with Executive Order 2020-15.
 - d. Members of the public that attend a meeting in person shall refrain from all physical contact with and maintain a minimum distance of six (6’) feet from other persons in attendance at the meeting or in the building in which it is held.
 - e. Members of the public that attend and speak at a meeting shall refrain from touching the microphones, podium, and tables and from approaching the members or support staff for the council/board/commission/committee.
 - f. Public comment as required by the Open Meetings Act and/or Executive Order 2020-15 shall occur at the beginning of the Agenda.
 - g. Measures as necessary shall be taken to comply with the maximum number of persons at a gathering as ordered, directed, or recommended by the President, CDC, Governor, or County Executive.
4. This Declaration shall remain in effect until the Governor's declared State of Emergency is terminated or the Mayor determines that the COVID-19 emergency upon which this Declaration is based no longer exists in the City.

IT IS FURTHER ORDERED AND DECLARED THAT NOTICE OF THIS DECLARATION SHALL BE PROVIDED TO:

- Emergency Management and Homeland Security Division, Michigan State Police
- Oakland County Executive
- Oakland County Homeland Security Division Manager, Emergency Management Coordinator
- Any other individual or entity required by law or by the City’s Emergency Operations Plan

AYES:
NAYS:

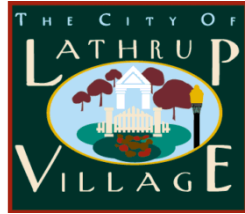
RESOLUTION DECLARED ADOPTED.

Yvette Talley, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lathrup Village, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of March, 2020, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and/or Executive Order 2020-15, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Yvette Talley, City Clerk
City of Novi



AGENDA ITEM 5.C

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: March 30, 2020

RE: AN EMERGENCY ORDINANCE TO AMEND THE CITY OF LATHRUP VILLAGE CODE OF ORDINANCES BY ADDING CHAPTER 3 - EMERGENCY PREPAREDNESS

The City of Lathrup Village Charter, 3.5 b, identifies the Mayor's ability to exercise certain "powers" during a time of emergency.

The Mayor shall be a conservator of the peace, and in emergencies may exercise within the city the powers conferred upon sheriffs to suppress riot and disorder, and shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the city and to suppress riot and disorder.

There is a lack of direction as to what those powers are and how they can effectively provide assistance to our citizens. Accordingly, the city attorney was requested to draft an emergency ordinance. The emergency ordinance waives the two (2) meeting introduction and approval requirement also allows for immediate to go into effect).

The ordinance:

- Confirms the appropriateness of the City Administrator closing municipal buildings and facilities to the public and acknowledges her authority to determine staffing throughout this situation.
- Authorizes the City Administrator to do appropriate things during the emergency situation—some of which might otherwise come to City Council—to make sure that there is continuity in City business operations.
- The third paragraph relates to public meetings that are held during the Declaration. To the extent the City is obligated or elects to allow physical public attendance at those meetings—which can have an electronic or remote attendance as a result of the Governor's Executive Order 2020-15 relating to Open Meetings Act compliance—the resolution sets some rules as to how the public is to behave during those meetings, including compliance with social distancing measures, etc.

SUGGESTED MOTION:

To adopt AN EMERGENCY ORDINANCE TO AMEND THE CITY OF LATHRUP VILLAGE CODE OF ORDINANCES BY ADDING CHAPTER 3 - EMERGENCY PREPAREDNESS

ORDINANCE NO. _____-20

CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN

AN EMERGENCY ORDINANCE TO AMEND THE CITY OF LATHRUP VILLAGE
CODE OF ORDINANCES BY ADDING CHAPTER 3 - EMERGENCY
PREPAREDNESS

THE CITY OF LATHRUP VILLAGE ORDAINS:

Section 1. Amendment.

Chapter 3, shall be added and shall read as follows:

Chapter 3 - EMERGENCY PREPAREDNESS

Sec. 3-1. - Intent and purpose.

It is the intent and purpose of this chapter to establish an organization that will ensure the complete and efficient utilization of all municipal resources during periods of emergency.

Sec. 3-2. - Scope.

This chapter will not relieve any elected officials or municipal departments of the normal responsibilities or authority given by general law or local ordinance, nor will it affect the work of the American Red Cross or other volunteer agencies organized for relief in a natural disaster.

Sec. 3-3. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Coordinator means the responsible head of the office of emergency management, appointed as prescribed by this chapter.

Disaster means an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or manmade cause, including fire, flood, snow, ice, windstorm, wave action, oil spill, water contamination requiring emergency action to avert danger or damage, utility failure, hazardous peacetime radiological incident, major transportation accident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military or paramilitary action. Riots and other civil disorders are not within the meaning of this term unless they directly result from and are an aggravating element of the disaster.

Emergency management means preparations for and relief from the effects or natural and manmade disasters.

Emergency management forces means the employees, equipment and facilities of all municipal departments, boards, institutions and commissions suitable for or adaptable to participation in emergency services activities as designated by the mayor with the approval of the council; and in addition shall include all volunteer personnel, equipment and facilities contributed by or obtained from volunteer persons and agencies.

Emergency management volunteer means any person duly registered and appointed by the coordinator and assigned to participate in the emergency management activity.

Emergency proclamation means a proclamation issued by the governor that a state of emergency exists under the provisions of Act No. 302 of the Public Acts of Michigan of 1945 (MCL 10.31 et seq., MSA 3.4(1) et seq.), as amended.

Emergency situation means any situation confronting a community requiring emergency actions of a lesser nature than a disaster to include but not be limited to civil disturbances, labor strikes, visits by national or international dignitaries, and build-up activities prior to an actual disaster.

Sec. 3-4. - Coordinating agency.

The office of emergency management will be the coordinating agency responsible for city-wide emergency preparedness. The office of emergency management will provide the means through which the council and the mayor may exercise the authority and discharge the responsibilities vested in them by this chapter and Act. No. 390 of the Public Acts of Michigan of 1976 (MCL 30.401 et seq., MSA 4.824(11) et seq.), as amended.

Sec. 3-5. - Organization for providing emergency services.

- (a) The mayor, with the approval of the council is hereby authorized and directed to create an organization to prepare for community disasters utilizing to the fullest extent existing agencies within the municipality. The mayor, as executive head of the city government, shall be the director of the emergency services forces of the city and shall be responsible for their organization, administration and operation, working through the coordinator.
- (b) The organization for providing emergency services shall consist of the following:
 - (1) An office of emergency management established within the city government. The office of emergency management shall have an administrative head appointed who will be known as the coordinator. Such assistants and other employees as are deemed necessary for the proper functioning of the organization will be employed.
 - (2) The employees, equipment and facilities of all municipal departments, boards, institutions and commissions suitable for or adaptable to emergency service

activities may be designated as part of the total emergency management forces. Such designation shall be by the mayor with the approval of the council.

- (c) All officers and employees of departments, commissions, boards, institutions and other agencies of the city government designated by the mayor, with the approval of the council, as emergency management forces shall cooperate with the emergency management coordinator in the formulation of the emergency operations plan and shall assist the coordinator in all matters pursuant to the provisions of this chapter.

Sec. 3-6. - Powers and duties of mayor.

- (a) The mayor may exercise the emergency power and authority as specified in this section. Whenever a situation requires or is likely to require that the mayor invoke such power and authority, they shall, as soon as reasonably expedient, convene the council to perform its legislative and administrative duties as the situation demands, and shall report to that body relative to emergency activities. Nothing in this chapter shall be construed as abridging or curtailing the powers of the council unless specifically provided in this chapter.
- (b) Under the following circumstances, the mayor may assemble and utilize the emergency management forces and may prescribe the manner and conditions of their use:
 - (1) Whenever, on the basis of information received from authoritative sources, he feels that a large scale disaster or emergency situation in the city or state is imminent;
 - (2) During any period of disaster in the city or state and thereafter as long as he shall deem it necessary.
- (c) Whenever the mayor finds that any condition in the city has attained or threatens to attain the proportions of a major disaster, they may assemble and utilize emergency management forces and he may prescribe the manner and conditions of their use. The mayor, with the approval of the council, is hereby empowered to enter into mutual aid agreements with other public and private agencies for reciprocal aid and assistance during disasters which are beyond local capabilities and resources. The Mayor may, when they deem it in the public interest, send emergency management forces of the city to the aid of other communities stricken by disaster as provided by mutual aid agreements; provided, that after the council convenes, the future continuance of any such disaster relief and the period thereof shall be subject to the action of the council.
- (d) The mayor, with the approval of the council, may make regulations permitting the coordinator to assemble and utilize the emergency management forces and provide disaster relief as prescribed in subsections (b) and (c) of this section.
- (e) When obtaining formal approvals would result in delay of relief activity, the mayor may, until the council convenes, waive procedures and formalities otherwise required pertaining to the performance of public works; entering into contracts; the incurring of obligations; the employment of temporary workers; the rental of equipment; the purchase and distribution of supplies, materials and facilities and the

expenditure of existing funds. The council is also empowered to waive any such procedures and formalities.

- (f) The mayor, with the approval of the council, shall establish procedures for the succession of government during emergencies where officials are unavailable for exercising the powers and discharging the duties of their respective offices under the provisions of Act No. 203 of the Public Acts of Michigan of 1959 (MCL 31.101 et seq., MSA 5.5000(1) et seq.), as amended.

Sec. 3-7. - Appointment of emergency management coordinator, assistant coordinators.

- (a) The mayor, with the approval of the council, shall appoint an emergency management coordinator who shall be a person with the personal attributes, experience, and training needed to coordinate the activities of the agencies, departments, and individuals within the city to protect the public health, safety and welfare during emergency situations and disasters.
- (b) Assistant coordinators shall be designated to work with the coordinator on emergency planning matters. Assistant coordinators shall be selected to serve as follows:
 - (1) There shall be one (1) such assistant coordinator appointed from each city department designated by the department head, with the approval of the mayor, as part of the emergency management forces.
 - (2) Assistant coordinators shall assume the duties of the coordinator whenever they are unavailable during disasters or emergency situations in the order of designations by the mayor as part of the emergency management forces.

Sec. 3-8. - Powers and duties of emergency management coordinator.

- (a) The emergency management coordinator shall be responsible for the administration, planning, coordination and operation of all emergency preparedness activities in the city. They shall maintain liaison with county, state and federal authorities, and the authorities of adjacent and nearby political subdivisions so as to ensure the most effective emergency operations.
- (b) The duties of the coordinator shall include but not be limited to the following:
 - (1) Development of plans for the immediate use of all of the facilities, equipment, manpower, and other resources of the city for the purpose of minimizing or preventing damage to persons or property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and general welfare;
 - (2) Coordinating the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the city for emergency purposes;
 - (3) Through public information programs, educating the civilian population as to actions necessary and required for the protection of persons and property in case of disaster;

- (4) Conducting practice alerts and exercises to ensure the efficient operation of the city emergency organization and to familiarize residents of the city with emergency regulations, procedures and operations;
- (5) Coordinating the activity of all other public and private agencies engaged in any emergency or disaster relief programs;
- (6) Negotiating with owners or persons in control of buildings or other property for the use of such buildings or property for emergency or disaster relief purposes, and designating suitable buildings as public shelters;
- (7) Establishing and maintaining administrative control over a local radiological defense program, to include emergency preparations for both peacetime radiation incidents and international wartime disasters;
- (8) Establishing property accountability procedures for federal surplus property acquired by the city, federal excess property on loan to the city, or any other property or equipment loaned to the city for use in disaster or emergency situations;
- (9) Coordinating municipal emergency preparedness activities with those at the county level and adjacent municipalities.

Sec. 3-9. - Emergency management volunteers.

- (a) Each department, commission, board and other agency of city government may at any time appoint or authorize the appointment of volunteer citizens to augment the personnel of such city department, commission, board and agency in time of emergency. Such individuals shall be enrolled as emergency management volunteers and shall be subject to the rules and regulations set forth by the respective department, commission, board, or agency head for such volunteers.
- (b) The coordinator may enlist volunteer citizens to form the personnel of an emergency service for which the city has no counterpart, or to temporarily augment personnel of the city engaged in emergency activities. The coordinator shall maintain formal records of all such volunteers for worker's compensation purposes.

Sec. 3-10. - Federal surplus property.

- (a) The emergency management coordinator is hereby designated as the person responsible for accepting federal surplus property with the power and full authority to sign for such surplus property the mayor shall provide a written statement to appropriate county officials designating the current name of the coordinator as responsible for complying with the provisions of this section.
- (b) The coordinator is responsible for the accountability and will maintain the necessary records for all surplus property obtained for emergency purposes until relieved from accountability by city and county authorities.
- (c) The coordinator is further authorized to direct payment of service charges for surplus property to complete all transactions.

- (d) Misappropriation or unauthorized private use of such public property while still accountable is subject to prosecution under federal and state statute.

Sec. 3-11. - Rights of city employees.

City employees assigned to duty as a part of the emergency management forces pursuant to the provisions of this chapter shall retain all of the rights, privileges, and immunities of city employees and shall receive the compensation incident to their employment.

Sec. 3-12. - Liability.

- (a) This chapter is an exercise by the city of its governmental functions for the protection of the public health, safety, and general welfare. As such, neither the city nor agents and representatives of the city nor any individual, receiver, firm, partnership, corporation, association, nor trustee, nor any of the agents thereof, acting in good faith carrying out, complying with, or attempting to comply with this chapter shall be liable for any damage sustained to persons or property as a result of the activity.
- (b) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the city the right to inspect, designate and use the whole or any part of such real estate or premises for the purpose of sheltering persons during a disaster or during an authorized practice disaster exercise, shall not be civilly liable for the death of or injury to any person on or about such real estate or premises under such license, privilege or other permission or for loss of or damage to the property of such person.

Sec. 3-13. - Conflicting ordinances, orders, rules and regulations.

At all times when the orders, rules and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede all other existing ordinances, orders, rules, and regulations, insofar as the latter may be inconsistent therewith.

Sec. 3-14. - Prohibited acts; penalty for violations.

It shall be unlawful for any person willfully to obstruct, hinder or delay any emergency management forces in the enforcement of accomplishment of any rule or regulation issued pursuant to this chapter, or to do any act forbidden by any rule or regulation issued pursuant to the authority contained in this chapter. It shall likewise be unlawful for any person to wear, carry or display any emblem, insignia or other means of identification as a member of the emergency management forces of the city unless authority to do so has been granted to such person by proper officials. Convictions for violations of the provisions of this chapter shall be punished as provided in section 1-7.

Section 2. Repealer.

This Ordinance hereby repeals any ordinances in conflict herewith.

Section 3. Savings Clause.

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. Severability.

The various parts, sections, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 5. Emergency Adoption and Effective Date.

This Ordinance being deemed an emergency in order to protect the public health, it is necessary to take appropriate precautions to control and limit the spread of the COVID-19 coronavirus, a communicable disease. Pursuant to City Charter Section 7.3 this ordinance is to be enacted at the meeting at which it is introduced and shall become effective immediately upon adoption. A copy of the ordinance shall also be made available for public use and inspection in the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL, CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN THIS ____ DAY OF _____, 2020.

Yvette Talley, City Clerk

Date of Introduction: , 2020
Date of Adoption: 2020
Date of Publication of
Notice of Adoption: 2020

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is a true and complete copy of the ordinance passed at a meeting of the City of Lathrup Village held on the day of , 2020.

Yvette Talley, City Clerk



A HERITAGE OF GOOD LIVING

AGENDA ITEM 5.D

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: March 30, 2020

RE: Resolution Authorizing And Directing Administration To Enter Into A Letter Of Agreement With Union Employees And To Draft A Personnel Policy Supplement For Non-Union Employees Regarding Covid-19 Emergency Sick Time

The United States Congress recently passed the Families First Coronavirus Response Act (FFCRA) H.R. 6201 which expands certain benefits provided by employers.

The FFCRA generally provides that covered employers provide to employees:

- 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 health care 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 bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or 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 Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

The resolution authorizes the City Manager to complete and execute the Letter of Agreement and the supplement to the Personnel Policy in order to temporarily supplement sick time provisions consistent with the Families First Coronavirus Response Act.

SUGGESTED MOTION:

To adopt A Resolution Authorizing And Directing Administration To Enter Into A Letter Of Agreement With Union Employees And To Draft A Personnel Policy Supplement For Non-Union Employees Regarding Covid-19 Emergency Sick Time

**CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN**

RESOLUTION NO. _____-20

**RESOLUTION AUTHORIZING AND DIRECTING ADMINISTRATION TO ENTER INTO
A LETTER OF AGREEMENT WITH UNION EMPLOYEES AND TO DRAFT A
PERSONNEL POLICY SUPPLEMENT FOR NON-UNION EMPLOYEES REGARDING
COVID-19 EMERGENCY SICK TIME.**

At a special meeting of the City Council of the City of Lathrup Village, Oakland County, Michigan, (the "City"), held on the 30th day of March, 2020.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and seconded by _____.

WHEREAS, the United States Congress recently passed the Families First Coronavirus Act (FFCA) H.R. 6201 which expands certain benefits provided by employers.

WHEREAS, the City of Lathrup Village intends comply with H.R. 6201 and provide the expanded benefits to both Union and Non-Union Employees of the City.

WHEREAS, the City of Lathrup Village will require a Letter of Agreement with the Union to supplement the provisions of the collective bargaining agreement and a personnel policy amendment for the non-Union Employees.

NOW, THEREFORE, BE IT RESOLVED that in accordance with City of Lathrup Village's desire to comply with H. R. 6201 City Council hereby authorizes the City Manager to complete and execute the Letter of Agreement and the supplement to the

Personnel Policy in order to temporarily supplement sick time provisions consistent with the Families First Coronavirus Response Act.

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

STATE OF MICHIGAN)

)ss

COUNTY OF OAKLAND

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Lathrup Village, Oakland County, Michigan at a special meeting duly called and held on the 30th day of March, 2020, the original of which resolution is on file in my office, and that notice of said meeting was given, the meeting was held and the minutes filed in accordance with the Open Meetings Act, Act No. 267, Public Acts of Michigan, 1976, as amended.

Yvette Talley
City Clerk



AGENDA ITEM 5.E.

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: March 30, 2020

RE: Temporary Amendment To The Personnel Manual Adopted 4-15-2019 Regarding Covid-19 Emergency Sick Time

The Temporary Amendment for The City of Lathrup Village is effective April 2, 2020. It allows for the temporary supplement of sick time provisions in the Personnel Manual in relation to the State of Emergency for Covid-19 declared by the Governor of the State of Michigan and to comply with and supplement the sick time provisions of H.R. 6201, the Families First Coronavirus Response Act (the Act).

The amendment creates the 80 hours of emergency sick time for qualified employees. The amendment expires December 31, 2020.

Voluntary or routine requests for sick time which are not directly connected to a documented suspicion or diagnoses of COVID-19, as defined in this agreement and the Act, shall be debited from the employee sick time bank as normal, according to the Personnel Manual.

COVID-19 Emergency Sick Time shall not accumulate or be credited to any employee's sick time bank. Access to COVID-19 Emergency Sick Time shall cease immediately upon expiration of this agreement and as defined in the Act. The police officers, as emergency responders, will be addressed in Letter of Agreements with their Union.

SUGGESTED MOTION:

To approve the Temporary Amendment To The Personnel Manual Adopted 4-15-2019 Regarding Covid-19 Emergency Sick Time

TEMPORARY AMENDMENT TO THE PERSONNEL
MANUAL ADOPTED 4-15-2019 REGARDING
COVID-19 EMERGENCY SICK TIME

This Temporary Amendment has been created by The City of Lathrup Village (hereinafter referred to as the Employer), effective April 2, 2020, the Employer will temporarily supplement the sick time provisions of the Personnel Manual in relation to the State of Emergency for Covid-19 declared by the Governor of the State of Michigan and to comply with and supplement the sick time provisions of H.R. 6201, *the Families First Coronavirus Response Act* (the Act).

The Employer agrees to and amends the Personnel Manual as follows:

1. COVID-19 Emergency Sick Time is an emergency provision which shall not be construed as a precedent, permanent amendment or expansion of benefits to any employee.
2. This agreement fully complies with the sick leave provisions of the Act as approved by the United States Congress and signed by the President of the United States.
3. An employee is eligible for COVID-19 Emergency Sick Time under the following circumstances:
 - a. The employee is subject to a Federal, State or local quarantine or isolation order related to COVID-19.
 - b. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 - c. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
 - d. The employee is caring for an individual who is subject to an order as described in the Act or has been advised as described in the Act.
 - e. The employee is caring for a son or daughter of such employee if the school or place of care or care provider of such son or daughter is unavailable, due to COVID-19 precautions.
 - f. 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.
 - g. He/she has been involuntarily quarantined at the direction of the Employer due to localized suspicion or diagnosis of COVID-19 among other employee groups of the City. COVID-19 Emergency Sick Time in this instance will continue until further notice at the discretion of the City Manager.
4. COVID-19 Emergency Sick Time shall be limited as follows:

- a. In compliance with Section 5102(b) of the Act, an employee shall receive 80 hours of Emergency Sick Time for use in any of the scenarios described in Paragraph 3 of this Amendment.
 - b. COVID-19 Emergency Sick Time shall not exceed 80 hours.
 - c. Employees may take addition regular sick time if needed for recovery, however any sick time in excess of 80 hours shall be debited from the Employee’s sick time bank.
 - d. Reasonable documentation of the need for use of COVID-19 Emergency Sick Time shall be provided to the Employer within 48 hours.
 - e. The Employer reserves the right, as allowed under section 5102(a) of the Act, to deny COVID-19 Emergency Sick Leave to any employee designated as an “emergency responder,” as required to maintain the public health, safety and welfare of the community.
5. Voluntary or routine requests for sick time which are not directly connected to a documented suspicion or diagnoses of COVID-19, as defined in this agreement and the Act, shall be debited from the employee sick time bank as normal, according to the Personnel Manual.
 6. COVID-19 Emergency Sick Time shall not accumulate or be credited to any employee’s sick time bank. Access to COVID-19 Emergency Sick Time shall cease immediately upon expiration of this agreement and as defined in the Act.
 7. This agreement shall expire on December 31, 2020, as defined by the Act.

City of Lathrup Village

Mayor

City Manager



Families First Coronavirus Response Act: Employer Paid Leave Requirements

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick or family leave for specified reasons related to COVID-19.[1] The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.

Generally, the Act provides that covered employers must provide to **all employees**:[2]

- *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 health care 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 bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or 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 Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

A covered employer must provide to **employees that it has employed for at least 30 days**:[3]

- *Up to an additional 10 weeks of **paid family leave** at two-thirds the employee's regular rate of pay* where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Covered Employers: The paid sick leave and expanded family and medical leave provisions of the FFCRA apply to certain public employers, and private employers with fewer than 500 employees.[4] Most employees of the federal government are covered by Title II of the Family and Medical Leave Act, which was not amended by this Act, and are therefore not covered by the expanded family and medical leave provisions of the FFCRA. However, federal employees covered by Title II of the Family and Medical Leave Act are covered by the paid sick leave provision.

Small businesses with fewer than 50 employees may qualify for exemption from the requirement to provide leave due to school closings or child care unavailability if the leave requirements would jeopardize the viability of the business as a going concern.

Qualifying Reasons for Leave:

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (**or unable to telework**) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the FFCRA, an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

Duration of Leave:

For reasons (1)-(4) and (6): A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

For reason (5): A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Calculation of Pay:^[5]

For leave reasons (1), (2), or (3): employees taking leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4) or (6): employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

For leave reason (5): employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave).^[6]

Tax Credits: Covered employers qualify for dollar-for-dollar reimbursement through tax credits for all qualifying wages paid under the FFCRA. Qualifying wages are those paid to an employee who takes leave under the Act for a qualifying reason, up to the appropriate per diem and aggregate payment caps. Applicable tax credits also extend to amounts paid or incurred to maintain health insurance coverage. For more information, please see the Department of the Treasury’s website.

Employer Notice: Each covered employer must post in a conspicuous place on its premises a notice of FFCRA requirements.^[7]

Prohibitions: Employers may not discharge, discipline, or otherwise discriminate against any employee who takes paid sick leave under the FFCRA and files a complaint or institutes a proceeding under or related to the FFCRA.

Penalties and Enforcement: Employers in violation of the first two weeks’ paid sick time or unlawful termination provisions of the FFCRA will be subject to the penalties and enforcement described in Sections 16 and 17 of the Fair Labor Standards Act. 29 U.S.C. 216; 217. Employers in violation of the provisions providing for up to an additional 10 weeks of paid leave to care for a child whose school or place of care is closed (or child care provider is unavailable) are subject to the enforcement provisions of the Family and Medical Leave Act. The Department will observe a temporary period of non-enforcement for the first 30 days after the Act takes effect, so long as the employer has acted reasonably and in good faith to comply with the Act. For purposes of this non-enforcement position, “good faith” exists when violations are remedied and the employee is made whole as soon as practicable by the employer, the violations were not willful, and the Department receives a written commitment from the employer to comply with the Act in the future.

[1] Wage and Hour Division does not administer this aspect of the law, but notes that every dollar of required paid leave (plus the cost of the employer’s health insurance premiums during leave) will be **100%** covered by a dollar-for-dollar refundable tax credit available to the employer. For more information, please see the Department of the Treasury’s website.

[2] Employers of Health Care Providers or Emergency Responders may elect to exclude such employees from eligibility for the leave provided under the Act.

[3] Employers of Health Care Providers or Emergency Responders may elect to exclude such employees from eligibility for the leave provided under the Act.

[4] Certain provisions may not apply to certain employers with fewer than 50 employees. See Department FFCRA regulations (expected April 2020).

[5] Paid sick time provided under this Act does not carry over from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.

[6] An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for the first two weeks of partial paid leave under this section.

[7] The Department will issue a model notice no later than March 25, 2020.

- Topics
- For Workers
- For Employers
- Resources
- Interpretive Guidance
- State Laws
- News



Wage and Hour Division

An agency within the U.S. Department of Labor

200 Constitution Ave NW
Washington, DC 20210

1-866-4-US-WAGE
1-866-487-9243

www.dol.gov

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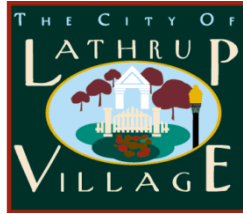
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AGENDA ITEM 5.F

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: March 30, 2020

RE: Proposed Budget Study Session Dates

The following are proposed dates:

Date	Meeting	Action
April 6, 2020	Study Session	
April 20, 2020	Council Meeting	Budget Study Session Set Budget Hearing Date
May 4, 2020	Study Session	Budget Study Session
May 18, 2020	Council Meeting	Budget Study Session Adoption of FY 20/21 Budget Adoption of CIP *Adoption of FY 19/20 Budget Amendments
June 1, 2020	Study Session	
June 15, 2020	Council Meeting	FY 19/20 Budget Amendments – if needed

SUGGESTED MOTION:

To approve the proposed schedule for Budget Study Sessions and adoption