

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2020-49

A RESOLUTION OF THE UNALASKA CITY COUNCIL CONTINUING MEASURES TO PROTECT PUBLIC HEALTH

WHEREAS, the COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the City of Unalaska health system and the economy of our community, endangering the lives and wellbeing of our citizens; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska and Governor Dunleavy implemented several health mandates and recommendations to help reduce the spread of COVID-19; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 15, 2020, Mayor Vincent M. Tutiakoff, Sr. declared a local emergency in the City of Unalaska, authorizing the City Manager to take necessary actions to reduce the impact and spread of the coronavirus known as COVID-19 through the City of Unalaska; and

WHEREAS, on March 18, 2020, the Unalaska City Council passed Resolution 2020-16, declaring a local emergency to remain in effect for so long as the declaration of a Public Health Disaster in the State of Alaska Remains in effect; and

WHEREAS, beginning on March 24, 2020, the Unalaska City Council has passed resolutions instituting additional local public health protective measures; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) have issued public health guidance, including the social distancing measures, the recommendation that everyone wear a cloth face covering when in public settings where social distancing measures are difficult to maintain, and that certain individual take greater precautions; and

WHEREAS, local health officials have advised that in addition to practicing social distancing and staying at home as much as possible, additional measures that include the covering of an individual's nose and mouth will prevent asymptomatic individuals with COVID-19 from unknowingly spreading the disease; and

WHEREAS, local health officials have advised that stronger protective measures are required given Unalaska's remoteness, lack of road access to the mainland, and the fact that the majority of our community's businesses are designated as essential, critical or support critical infrastructure; and

WHEREAS, local health officials have advised that stronger protective measures are required to conserve limited local healthcare resources, as they strive to meet the needs of all community members and essential workforce employees; and

WHEREAS, as of July 20, 2020, there were 1,949 cumulative known COVID-19 cases in the state, including travel-related cases in geographically isolated and remote communities; and

WHEREAS, there have been cases of seasonal non-resident workers throughout Alaska, including Unalaska, which have not been counted toward state totals, and which have been contained due to effective quarantine measures; and

WHEREAS, as of July 20, 2020, there were 95 known positive test results in the City of Unalaska; and

WHEREAS, COVID-19 continues to pose a grave and imminent threat to the health, safety, order and welfare to the residents of the City; and

WHEREAS, this resolution shall have the same effect as a rule issued by the City Manager pursuant to Unalaska Code of Ordinances §2.96.040.

Now, Therefore, Be It Resolved by the Council:

1. **Governor Mandates.** Everyone in the City must follow all health mandated issued by the State of Alaska. Review local requirements carefully as some are more restrictive than state mandates.

2. **Face Coverings.** All customers and visitors of businesses and organizations that are open and operating must wear face masks covering their nose and mouth to provide additional protection for employees and customers. The face coverings need not be medical-grade masks or N95 respirators, but can be cloth face coverings. Face masks may be temporarily removed as necessary and incidental to utilizing the business or service.

A cloth face covering is a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand, or can be improvised from household items such as scarfs, T-shirts, sweatshirts or towels.

A business owner or operator may refuse admission or service to any individual who fails to wear a face covering as required by this resolution.

3. **Traveler Quarantine.** A person traveling into the City of Unalaska by vessel or airplane, from another community or port, must self-quarantine for 14 days upon arriving at their destination and monitor for symptoms of illness. During travel and following the quarantine period, adherence to CDC guidance, State of Alaska mandates, and local orders or resolutions is required. This includes appropriate social distancing measures and adherence to face covering requirements. People traveling for critical business purposes are required to follow all State of Alaska health mandates including complying with their approved state plans.

- a. Critical workforce employees must self-quarantine immediately upon arrival. If their employer has filed the required protocol with the City as required at paragraph 4, critical workforce employees may work during their self-quarantine period in accordance with that protocol. All workers under the critical workforce exception are required to self-quarantine during non-work hours within the 14 day time period.

- b. Patients or travelers whose final destination is not Unalaska/Dutch Harbor are required to self-quarantine during their stopover in Unalaska/Dutch Harbor, but not remain here for the entire 14 day time period. This includes, but is not limited to, air travel.
- c. For individuals arriving on a vessel, time spent at sea is credited to the 14 day quarantine period. The time at sea is counted from the time of departure from the last location at which a crew member disembarked the vessel, provided that no one has boarded the vessel in that time. Vessel captains shall maintain a ship's log or equivalent record demonstrating compliance with State Health Mandate 17, when applicable, and detailing all activities at port or contact with other vessels or personnel during the time for which they seek credit for time at sea. For vessels that have been at sea more than 14 days and no one has disembarked or boarded the vessel, no quarantine is required unless individuals are showing symptoms of COVID-19, including, but not limited to fever, chills, or respiratory symptoms. Vessels at sea for less than 14 days, where no one has disembarked or boarded the vessel, may complete their quarantine in port as long as quarantine is not broken for the remainder of the 14 days.
- d. Anyone who is required to self-quarantine must adhere to the following:
 - 1) You may leave your designated quarantine location for:
 - i. medical emergencies or to seek medical care;
 - ii. to travel in your personal vehicle or vessel, individually or with members of your household, without contacting others, so long as you go directly from the quarantine location to the vehicle or vessel and directly back to the quarantine location; and
 - iii. to participate in outdoor recreational activities (i.e. fishing, hiking) individually or with members of your household, without contacting others, so long as you go directly from the quarantine location to the recreational activity and directly back to the quarantine location.
 - 2) Do not visit any public spaces, including, but not limited to stores, pools, meeting rooms, fitness centers or restaurants.
 - 3) Do not allow visitors in or out of your designated quarantine location other than a physician, healthcare provider, or individual authorized to enter the designated quarantine location by Unified Command.
 - 4) Comply with all rules or protocols related to your quarantine as set forth by your hotel or rented lodging.
 - 5) If you are required to self-quarantine and there are other individuals in your residence, hotel room, or rented lodging, you are required to comply with social distancing guidelines, sanitize regularly touched surfaces, and follow CDC best practices for hand washing.

4. Essential Services/Critical Infrastructure State Protocols. Businesses identified as “essential services” or as “critical infrastructure” and operating in the City shall submit all protocols or plans required by State of Alaska Health Mandates to the Unalaska Department of

Public Safety. These plans are to be submitted as soon as possible after filing these protocols or plans with the State of Alaska and regardless of whether the State review of those protocols or plans has been completed. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than three days after receiving such approval. In the event a business plan or protocol requires amendment or is rejected by the State, the business submitting that plan or protocol must notify the City no more than 48 hours after receiving the State's notification of deficiency. Such businesses shall submit their plans, protocols, or relevant notifications to the City of Unalaska by email to COVID19PLANS@ci.unalaska.ak.us. The definitions of "essential services" and "critical infrastructure" may be found in the Alaska Essential Services and Critical Workforce Order, Amended May 5, 2020. The plan submission requirements and definitions in the May 5 Order apply to businesses doing business in Unalaska regardless of any modifications or revocations of the Order or State Health Mandates 10, 10.1 or 18.

5. Business COVID-19 Protection Measures and Protocols. All businesses and organizations open and operating within the City shall comply with all relevant State of Alaska Health Mandates. All businesses and organizations which are open to members of the public at a physical location within the City shall post "COVID-19 Protection Measures and Procedures" on all entrances to and exits from the business. The "COVID-19 Protection Measures and Procedures" shall include, at minimum:

- a. The sanitation measures taken by the business or organization to prevent the spread of COVID-19.
- b. The social distancing measures taken by the business or organization to prevent the spread of COVID-19.
- c. A description of a process for obtaining goods or services from the business or organization without entering the business, if such a process is at all feasible.
- d. A contact number for individuals to report any violations of these measures to the owner or designee.
- e. Clearly state that any person with symptoms consistent with COVID-19 may not enter the premises.
- f. Shuttles, van services and taxis shall clearly state that the total number of passengers shall be limited to three.

A "business" for purposes of this rule does not include state, federal or municipal government operations or facilities.

This resolution shall expire on August 12, 2020. The City Council may extend it as necessary, or the City Manager may extend it or amend it pursuant to the emergency management powers under Unalaska Code of Ordinances § 2.96 and Resolution 2020-16.

Violation of this resolution is punishable as a misdemeanor under Unalaska Code of Ordinances § 2.96.090 and is a Public Nuisance, subject to the remedies in Unalaska Code of Ordinances, Title 11, Chapter 8, including prosecution as a minor offense.

Effective Date. This resolution shall be effective at noon on July 29, 2020.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on July 28, 2020.



Dennis M. Robinson
Vice Mayor

ATTEST:



Marjie Veeder, CMC
City Clerk



MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Erin Reinders, City Manager
Date: July 14, 2020
Re: Resolution 2020-49: Continuing measures to protect public health

SUMMARY: Council has been considering resolutions instituting local measures to protect the public health. The sire of these measures was approved on March 24, 2020. The measures continue to be evaluated as this situation unfolds.

PREVIOUS COUNCIL ACTION: Council approved Resolution 2020-17 on March 24, 2020. The focus of Resolution 2020-17 was on hunkering down, traveler quarantine and the closure of non-essential business. The resolution expired April 15. The date was set so that Council could reconsider the action at the April 14 Council Meeting.

Council approved Resolution 2020-19 on April 14, extending and clarifying the orders outlined in Resolution 2020-17, and instituted additional measures protecting the public health. The resolution expired April 29, 2020. The date was set so that Council could reconsider the action at the April 28 Council Meeting.

Council approved Resolution 2020-25 on April 28, extending the orders in Resolution 2020-19. This resolution expired May 13, 2020. The date was set so that Council could reconsider the action at the May 12 Council Meeting.

Council approved Resolution 2020-34 on May 12, extending the orders in Resolution 2020-25 and replacing the “Hunker Down” section with a “Social Distancing” section. This resolution expired May 27, 2020. The date was set so that Council could reconsider the action at the May 26 Council Meeting. Also on May 12, Council discussed the topic of Cruise Ships and the Alaska Marine Highway System passengers.

Council approved Resolution 2020-36 on May 26, extending and clarifying the orders the orders in Resolution 2020-34 and specifically addressing the Alaska Marine Highway System. This resolution expired June 10, 2020. The date was set so that Council could reconsider the action at the June 9 Council Meeting.

Council approved Resolution 2020-38 on June 9, extending and clarifying the orders the orders in Resolution 2020-36 and removed the reference to the Alaska Marine Highway System. This resolution expires June 24, 2020. The date was set so that Council could reconsider the action at the June 23 Council Meeting.

Council approved Resolution 2020-41 on June 23, extending the orders the orders in Resolution 2020-38 and began allowing for individuals in traveler self-quarantine to go outside or in their personal vehicles and vessels with certain limitations. This resolution expires July 15, 2020. The date was set so that Council could reconsider the action at the July 14 Council Meeting.

Council approved Resolution 2020-45 on July, extending the orders the orders in Resolution 2020-41 and clarified that time at sea counted toward the 14 traveler self-quarantine time period. This resolution expires July 29, 2020. The date was set so that Council could reconsider the action at the July 28 Council Meeting.

BACKGROUND: The nation, State and our City are in a state of emergency and in the midst of a public health crisis. New and updated State Mandates are coming out on a regular basis, and the State has eased back on a number of the state wide restrictions.

The state has significantly loosened restrictions in an effort to restart the economy, but State Health Mandates still provide protective requirements that apply locally. Of particular interest is Mandate 10.1, regarding traveler quarantine requirements that went into effect on June 6, 2020. It still contains a 14 day quarantine requirement for those coming in from out of state, but provides exceptions for people who provide negative SARS-CoV2 PCR tests, and for critical workforce following an approved plan. Companies with workers deemed critical under the Alaska Essential Services and Critical Workforce Infrastructure Order, who travel from out-of-state, remain subject to the Protective Plan requirements of State Health Mandate 10.1. A quarantine during nonworking hours is still required, even for critical workers. Health Mandate 10, Appendix 1 applies to all workers traveling into Alaska to work in a seafood processing plant, or onboard a processor or catcher-processor vessel. It provides six alternative methods to quarantine, depending, in part on whether the processing workers are shore-based or working on processor vessels. Appendix 1 contains detailed screening requirements for seafood processing workers, and also adopts by reference the CDC and OSHA requirements for Meat and Poultry Processing Workers and Employers.

Other State Health Mandates remain in effect as well:

- Health Mandate 15 regulates certain local healthcare practices. It contains detailed guidance as to certain types of procedures and types of practices. It requires “universal masking procedures” and other strict testing, screening and distancing measures to protect providers and patients.
- Health Mandate 17 and Appendix 1 regulate independent commercial fishing vessels. Appendix 1 reiterates the 14 day quarantine requirement and outlines not just onboard conduct, but also contains a detailed list of requirements to limit interaction with the public at times when the fishing vessels are in communities. All fishing vessels should have a completed, signed acknowledgment of Health Mandate 17, which is found at Appendix 2.
- Health Mandate 18 governs intrastate travel. As a community on the Alaska Marine Highway system, there is essentially no restriction on travel to Unalaska. The mandate does expressly allow communities to enact local travel restrictions, but the local restrictions cannot require automatic quarantine or measures that prevent travel for critical personal needs or conduct of essential services and critical infrastructure.

As with previous Council Resolutions addressing protective measures, Resolution 2020-49 addresses what is different locally from statewide mandates or additional protective measures specific to our community.

DISCUSSION: The resolution is set expire August 12, 2020 but may be amended or extended as necessary, and will be revisited at the Council Meeting on August 11, 2020.

Resolution 2020-49 may look a bit shorter than previous versions. This is due to several non-substantive changes as this pandemic continues. Several “whereas” statements that referenced previous resolutions addressing public health protective measures have been deleted from Resolution 2020-49. Other “whereas” statements have been refined to incorporate general references to state mandates and CDC guidance on social distancing measures. Previous sections with advisory statements for CDC Guidance and Social Distancing have been removed for the primary section in Resolution 2020-49.

The following protective measures from previous resolutions remain in Resolution 2020-49, with the revisions noted:

- **Face Coverings** - Customers and visitors of businesses and organizations must wear a covering over their nose and mouth (*no change*).
- **14 Day Traveler Self Quarantine** - Individuals traveling into the City by vessel or airplane must self-quarantine, with limited exceptions (*revised to clarify that critical workforce employees are expected to self-quarantine when not working by combining former subsection b with the subsection a*).
- **State Approved Plan Submittal** - Business that are required to submit plans to the State, must submit those to the City (*no change*).
- **Protective Protocols** - All business open to the public must post their basic measures to protect the public health on their doors (*no change*).

All along we have noted that the **14 Day Traveler Self Quarantine** is one of the most effective protective measures for our community. This remains so and is still supported by our local health care professionals. Given our unique location, limited access to urgent and long term health care facilities, and the fact that we have new positive cases on island, this protective measure is also supported by members of the local Unified Commend. There is no doubt that this impacts many of our local residents and businesses. Although alternatives that incorporate testing and reduce the self-quarantine time period do exist, they are not as effective and would increase pressure for testing supplies and local medical capabilities.

ALTERNATIVES: Council may choose to approve, amend or disapprove this resolution.

In regards to local Traveler Self Quarantine, the following are additional alternatives for consideration or to generate discussion now and in the future.

1. Delete Section 3 altogether. The City would only be following state mandates in regard to quarantine and testing requirements.
2. Council may wish to allow for “day travelers”, traveling for critical personal needs on the Alaska Marine Highway System, to disembark in Unalaska. Proposed Section 3 could be amended to include a new subsection with the following language:

Alaska Marine Highway System day travelers obtaining essential goods or services in Unalaska are exempt from required self-quarantine during their stopover in Unalaska/Dutch Harbor, but they are to follow all other local orders and resolutions and State mandates. Alaska Marine Highway System travelers arriving to Unalaska/Dutch Harbor as their final destination or who are

transferring to air travel after arriving to Unalaska/Dutch Harbor must self-quarantine upon arrival.

3. Council may wish to provide an alternative to the 14 day traveler self-quarantine, but still be stricter than the State. Proposed Section 3 could be revised to include a new subsection with the following language:

Self-quarantine may be reduced to 7 days, if upon arrival in Unalaska the traveler tests negative for COVID-19 and tests negative again at the end of the 7 day quarantine period.

FINANCIAL IMPLICATIONS: Unknown at this time.

LEGAL: This resolution, like all the other resolutions protecting public health that Council has considered during this pandemic, was drafted in close collaboration with Sam Severin, one of our City Attorneys.

STAFF RECOMMENDATION: With heavy consideration of our local health care professionals, the City Manager recommends approval.

PROPOSED MOTION: I move to approve Resolution 2020-49.