

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2021-09

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, on November 10, 2020, the Unalaska City Council passed Resolution 2020-71, extending the local emergency declaration through June 30, 2021, to allow the City to continue to take necessary actions to reduce the impact and spread of the coronavirus known as COVID-19 in the City of Unalaska; and

WHEREAS, on January 14, 2021, Governor Dunleavy issued a new 30-day Declaration of Public Health Disaster Emergency, effective January 15 to February 14, 2021; 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 individuals 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 because 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 February 3, 2021, there were 54,820 (residents and non-residents) cumulative known COVID-19 cases in the state, including travel-related cases in geographically isolated and remote communities; and

WHEREAS, as of February 3, 2021, 380 patients have tested positive locally in Unalaska; and

WHEREAS, Unalaska has been able to keep multiple cases or outbreaks limited and isolated, and has been successful in stopping community transmission of the virus in the past; and

WHEREAS, as of January 7, 2021, Unalaska's Local Risk Level was changed to High in accordance with Unalaska's COVID-19 Response Plan; 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, although the COVID-19 vaccine serves as a vital tool in our efforts to slow the spread of the virus and keep our schools and businesses open, the vaccine rollout will take time and it is important that communities remain vigilant in practicing mitigation strategies and safety measures; 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:

1. Outbreak Health Orders. Everyone in the City of Unalaska (the City) must follow all current health orders, mandates, or other regulations issued by the State of Alaska related to COVID-19. Review this resolution carefully, as some local requirements are more restrictive than state regulations.

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. Additionally, employees and volunteers of open businesses and organizations must wear a face mask when interacting with customers and visitors. 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. Public Indoor Gathering Limitations. All individuals must wear face coverings and maintain six feet of physical distancing between household groups at all gatherings. Gatherings are defined as meetings or other events that bring together people from multiple households at the same time for a shared or group experience in a single room, space, or place such as auditorium, conference room, meeting hall, or other indoor space. All events and meetings are limited to 10 people. The following exceptions apply to the gathering limits:

- a. Educational institutions with grades pre-K through 12 are subject to an indoor capacity limitation of 50% of classroom occupancy or 10 people per room, whichever is greater, so long as they are in accordance their Smart Start 2020 Plan filed with the State of Alaska.
- b. Bars, restaurants and other establishments serving food or beverages to the public are subject to an indoor capacity limitation of up to 35% of maximum building occupancy or 10 people per room, whichever is greater, so long as 6 feet distancing is able to be maintained between tables. This in-person service is limited to sit-down table service only, with at least six feet of separation between customer tables. Tables shall be limited to 5 seats each or less. Sit-down table service only means no standing or seating at physical bars / bar tops. All patrons are required to be seated.
- c. Places of worship are subject to an indoor capacity limitation of up to 35% of maximum building occupancy or 10 people per room, whichever is greater, so long as 6 feet distancing is able to be maintained between people who are not members of the same household or social groups of 5 or less.

4. Traveler Quarantine. A person traveling into the City 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 health orders, and local orders and 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 orders including complying with their approved state plans.

- a. Employees of businesses engaged in Essential Services or Critical Infrastructure industries, traveling to Unalaska to provide such services, must self-quarantine immediately upon arrival, but may work during the 14-day quarantine period, subject to the requirements in this section.

If their employer has filed the required protocol with the City as required at Section 5, critical workforce employees may work during their self-quarantine period in accordance with that protocol or relevant section of Health Order 5 and any related appendices serving as that protocol. To be allowed to work during the initial 14 days, the worker's Entry Quarantine must meet or exceed the requirements of Health Orders 5 and 6 and any related appendices. This requirement to meet or exceed the quarantine requirements of Health Orders 5 and 6 is effective regardless of any expiration or rescission of those orders.

All workers under this critical workforce exception are required to self-quarantine during non-work hours within the 14-day time period. During the 14-day period, workers are not permitted to have contact with City residents that is not strictly necessary to perform their work, must follow the self-quarantine requirements at section d., below, and are otherwise restricted to the campus, bunkhouse, or vessel where they reside.

- b. Patients or travelers arriving in Unalaska/Dutch Harbor, whose final destination is not Unalaska/Dutch Harbor, are required to self-quarantine during their stopover, 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 port of call, provided that no one has embarked or disembarked since that time. Vessel captains shall maintain a ship's log or equivalent record demonstrating compliance with State Health Orders, when applicable, and detailing all activities for which they seek credit for time at sea.

For vessels that have been at sea over 14 days and no one has disembarked or boarded the vessel, no additional 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.

A positive COVID-19 test result from any crew member will negate any previously acquired at-sea credit, and all crew will be required to quarantine again if returning to Unalaska.

- d. Anyone who is required to self-quarantine must adhere to the following:
 - 1) A person in self-quarantine may leave the designated quarantine location for:
 - i. medical emergencies or to seek medical care;
 - ii. to travel in the person's personal vehicle or vessel, individually or with members of the person's household, without contacting others, so long as the person goes 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 the person's household, without contacting others, so long as the person goes directly from the quarantine location to the recreational activity and directly back to the quarantine location.
 - 2) A person in self-quarantine may not visit any public spaces, including, but not limited to stores, pools, meeting rooms, fitness centers or restaurants.
 - 3) Visitors are not allowed in or out of the 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 a person is required to self-quarantine and there are other individuals in their residence, hotel room, or rented lodging, all persons in the quarantine location must comply with social distancing guidelines, sanitize regularly touched surfaces, and follow CDC best practices for hand washing.
- e. Travelers from other Alaskan communities, traveling to Unalaska on the Alaska Marine Highway System for critical personal needs, are exempt from the requirements of Sections 4(d)2 and 4(d)3, in that they may enter stores or businesses for critical personal needs. When not engaged in meeting critical personal needs, ferry travelers are required to follow self-quarantine requirements. Critical personal need is defined in State Health Order No. 8, issued January 14, 2021 and remains effective regardless of expiration or rescission of the Order.

5. 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 Outbreak Health Order No. 5 to the City. 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 the State discontinues its requirement of submitting business protocols under Outbreak Health Order No. 5, businesses operating in Unalaska shall submit COVID-19 mitigation plans directly to the City, in a format substantially similar to that required by the State, or in a format approved by the City. Such businesses shall submit their plans, protocols, or relevant notifications to the City by email to COVID19PLANS@ci.unalaska.ak.us.

The City has adopted by reference the Alaska Essential Services and Critical Workforce Order, Amended May 5, 2020 for purposes of defining “Critical Workforce,” “Essential Services,” and “Critical Infrastructure.” The definitions in the May 5 Order apply to businesses doing business in Unalaska regardless of the revocations of the State Health Mandates 10, 10.1 and 18. The definition of Essential Services and Critical Infrastructure in Resolution 2020-73, § 4 is extended and remains effective as long as the local emergency declaration is in place.

6. 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 Orders. By remaining open during the COVID-19 pandemic, organizations and businesses are expressly granting consent for entry during business hours under Unalaska Code of Ordinances § 1.16.010. This consent is limited to inspections of the public portions of the business and is for the limited purpose of enforcing state and local laws related to COVID-19. It does not alter UCO § 1.16.010 with regard to other violations or investigations.

All businesses and organizations, other than state, federal or municipal government facilities, 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.

7. Marine Tourism. Marine tourism includes travel to Unalaska for non-essential purposes by state ferry, a cruise ship of any kind, or private vessel. Marine tourism passengers and providers are required to adhere to resolutions, ordinances, orders of the City Manager, or any other local mandates related to public safety during the COVID-19 pandemic. Such mandates include, but are not limited to, the face covering or mask requirement, traveler self-quarantine requirements, gathering limitations, and industry safety protocol requirements. Local requirements are in addition to any laws, regulations, agreements or plans that apply to travelers, vessels, or businesses through the State of Alaska, the Center for Disease Control and Prevention (CDC), or the US Department of Homeland Security.

8. Penalties. 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.

9. Effective Date; Expiration. This resolution shall be effective at noon on Wednesday, February 10, 2021, and expires at noon on Wednesday, February 24, 2021. 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 2020-71. This resolution repeals and replaces any other inconsistent resolution or ordinance.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on February 9, 2021.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Estkarlen Magdaong
Acting City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Erin Reinders, City Manager
Date: February 9, 2021
Re: Resolution 2021-09: Continuing measures to protect public health

SUMMARY: Council has been considering resolutions instituting local mitigation strategies to protect the public health. Focus remains on what we can do to protect the health of our community and not overwhelm our health care system. By doing so, we also protect our local economy. We have demonstrated that mitigation strategies work, and it is important that we remain diligent in our efforts.

PREVIOUS COUNCIL ACTION: 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.

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.

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.

Council approved Resolution 2020-25 on April 28, extending the orders in Resolution 2020-19. This resolution expired May 13, 2020.

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. 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 in Resolution 2020-34 and specifically addressing the Alaska Marine Highway System. This resolution expired June 10, 2020.

Council approved Resolution 2020-38 on June 9, extending and clarifying the orders in Resolution 2020-36 and removed the reference to the Alaska Marine Highway System. This resolution expired June 24, 2020.

Council approved Resolution 2020-41 on June 23, extending the orders in Resolution 2020-38 and allowing for individuals in traveler self-quarantine to go outside or in their personal vehicles and vessels with certain limitations. This resolution expired July 15, 2020.

Council approved Resolution 2020-45 on July 14, extending the orders in Resolution 2020-41 and clarified that time at sea counted toward the 14 day traveler self-quarantine time period. This resolution expired July 29, 2020.

Council approved Resolution 2020-49 on July 28, extending the orders in Resolution 2020-45, and removed a number of the “whereas” background statements to focus on the mitigation strategies and reduce the length of the document. This resolution expired August 12, 2020.

Council approved Resolution 2020-51 on August 11, extending the orders in Resolution 2020-49. This resolution expired August 26, 2020.

Council approved Resolution 2020-54 on August 25, extending the orders in Resolution 2020-51. This resolution expired September 9, 2020.

Council approved Resolution 2020-58 on September 8, extending the orders in Resolution 2020-54. This resolution expired September 23, 2020.

Council approved Resolution 2020-63 on September 22, extending the orders in Resolution 2020-58. This resolution expired October 14, 2020.

Council approved Resolution 2020-66 on October 13, extending the orders in Resolution 2020-63. This resolution expired October 28, 2020.

Council approved Resolution 2020-70 on October 27, extending the orders in Resolution 2020-66. This resolution expired November 11, 2020.

Council approved Resolution 2020-71 on November 10, 2020 extending the local declaration of the public health emergency through June 30, 2021. On that same date, Council approved Resolution 2020-72, extending the orders in Resolution 2020-70 and revising it to provide additional clarity if there is a change the State’s declaration of emergency. This resolution expired November 25, 2020.

Council approved Resolution 2020-73 on November 24, 2020, extending and further clarifying the orders in Resolution 2020-72. This resolution was set to expire on December 9 so that Council could reconsider the action at the December 8 Council Meeting.

In response to the change in the local risk level, Council approved Resolution 2020-74 at a Special meeting on December 1, 2020 extending the orders in Resolution 2020-73 and adding sections addressing a hunker down order, limits to public gatherings, and temporarily closing in person service at bars and restaurants.

Council approved Resolution 2020-77 on December 15, 2020 extending the orders in Resolution 2020-73 and revising it to provide additional clarity if there is a change the State’s declaration of emergency. This resolution was set to expire on January 13, 2021. Council decided it would call a Special Meeting to reconsider the restrictions if the local risk level was changed before then. The allowance for time spent at sea to count toward the local traveler self-quarantine was removed.

In response to the change in the local risk level, Council approved Resolution 2020-79 at a Special meeting on December 30, 2020. This resolution removed the hunker down order and public gathering size restriction, allowed for in person service at bars and restaurants to open to 50%

capacity, and added back in the allotment for time at sea to count toward the local traveler self-quarantine. Additional clarification was also included for critical infrastructure industries in the traveler quarantine section.

In response to the increase in the local risk level to High, Council approved Resolution 2021-01 at a Special meeting on January 8, 2021. This resolution reinstated the hunker down order and the limit to public gathering size, and temporarily stopped in person service at bars and restaurants.

Council approved Resolution 2021-04 at their regular meeting on January 12, 2021. This resolution removed the hunker down order; removed the temporary closure of in-person dining, allowed for exceptions to the public gather size for schools, places of worship, and bars/restaurants.

Council approved Resolution 2021-05 at their regular meeting on January 26, 2021. The resolution clarified that police and other city employee may enter businesses for the purposes of monitoring compliance with the resolution or state health orders. This is set expire February 10, 2021 and is being be revisited at the Council Meeting on February 9, 2021.

BACKGROUND: The nation, state and our city are in a state of emergency and in the midst of a public health crisis. On November 6, the Governor announced a new 30-day Public Health Disaster Emergency, effective November 16 and extending to December 15, 2020. The Governor then issued a new emergency declaration effective until January 15, 2021. On January 14, the Governor then issued a new emergency declaration effective until February 14, 2021. SB56 has been filed to extend the declaration until September 2021, or until the Commissioner of DHSS declares, there is no longer public health threat whichever happens earlier. A final outcome is still to be determined, but it does appear as through there will be a time where no state-wide emergency declaration is in place. Since November, the City has anticipated the state emergency regulations may lapse and has drafted its resolution with this in mind. The resolution is currently designed to protect the City similarly if the state has no COVID-19 protections in place. There may be unforeseen consequences borne out through experience. Those variables will continue to be assessed and appropriate changes will be made in local regulations.

On November 10, the City Council declared a local state of emergency through June 30, 2021, and has continued passing resolutions addressing local public health protective measures for the community.

Together, Unalaska has been able to keep multiple cases or outbreaks limited and isolated since the beginning of this pandemic. In December, Unalaska was able to stop community transmission of the virus. We have demonstrated that mitigation strategies work. No single tool is enough. Hand washing, face coverings, getting the flu shot, keeping social circles small, and social distancing measures are effective strategies and things we can all do to help. These strategies are further complimented by other tools such as testing and contract tracing. The mitigation strategies outlined in local resolutions (face coverings, quarantine, and safety protocols) are other tools aimed to help us keep our community and economy healthy. As exposure to this virus increases locally, additional mitigation strategies (hunkering down, limits to gathering sizes, and closure of in person service at bars and restaurants) are also warranted and effective. All of these are further strengthened by statewide Health Orders and the local protective measures instituted by other municipalities throughout the state.

We remain optimistic about distribution of the COVID-19 vaccine, but it remains slow. The vaccine is a game changing tool in our efforts to slow the spread of the virus, and keep our schools and businesses open. The vaccine rollout is taking time, however, and it is important that we remain vigilant in practicing other mitigation strategies and safety measures.

On January 7, 2021 the local Risk Level was increased to High from Medium due to additional newly community acquired COVID-19 cases that could no longer be defined as isolated cases. Since the pandemic began the risk level and the community wide protective measures have been addressed in a two-step process. Risk level is determined by Unified Command based on cases and related information. The community wide protective measures are approved by City Council resolution. Ultimately, the decisions on what is contained in the resolutions and when those details change are policy decisions made by Council.

DISCUSSION: As of the drafting of this memo and resolution, we the local Risk Level remains at High. In accordance the Covid-19 response plan developed early on in this pandemic, this is the time where Council might consider measures to further limit contact with individual outside of households.

Resolution 2021-09 is set expire February 24, 2021 and will be revisited at the Council Meeting on February 23, 2021. This date coincides with the next regularly scheduled City Council meeting. If the Risk level is reduced before then, Council may wish to call a special meeting to consider a revision to the protective measure.

The following protective measures from the previous remain in this resolution, with the revisions noted:

- **Face Coverings** - Customers and visitors of businesses and organizations must wear a covering over their nose and mouth. Additionally, employees or volunteers of businesses and organizations to wear a face covering when interacting with customers or visitors. This section has not changed.
- **14 Day Traveler Self Quarantine** - Individuals traveling into the City by vessel or airplane must self-quarantine, with limited exceptions. This section has been changed to address Alaskan residents traveling on the Alaskan Marine Highway System for critical needs, such as shopping for goods that are not available in smaller communities. Council may choose to keep this in or remove it. It has been designed to be in keeping with the intent of the Health Order 8. No other changes are proposed at this time.
- **Public Gathering Limitations** - Indoor gatherings are limited to 10, with specific exceptions applying to schools, places of worship and bars/restaurants. This section has not changed.
- **Essential Services/Critical Infrastructure Plan Submittal** - Business that are required to submit plans to the State, must submit those to the City. This section has not changed.
- **Protective Protocols** - All business open to the public must post their basic measures to protect the public health on their doors. This section has not changed.
- **Marine Tourism** – This is a new section to provide guidance for those traveling for non-essential purposes on the ferry, cruise ship or private vessel. This clarify that local safety

protocols in this resolution do apply. This is what was discussed in the work session on January 26, 2021.

Alternatives to 14 Day Traveler Self Quarantine. City Council asked at the last meeting about potential changes to the Traveler Self Quarantine, particularly as it relates to the general community members as a result of vaccines and other changing circumstances. The State is not made any changes to their approach as a result of vaccines and is monitoring CDC recommendations. We continue to monitor and consider alternate approaches here locally. The 14-day traveler self-quarantine remains the gold standard and the CDC's recommendation. CDC alternatives, include:

- A 10-day quarantine with no test, in combination with monitoring for symptoms for the remainder the 14-day time period; or
- A 7-day quarantine with test approach, in combination with monitoring for symptoms for the remainder the 14-day time period.

These alternatives are predicted to have a 10-12% post quarantine infection rate. However, these have appeared to be an acceptable risk for the CDC and the State.

Possible Additional Protective Measures. At previous Council meetings, Council indicated that they wished to continue to monitor the community acquired cases and would consider adding additional protective measures. If Council wishes to add measures, Council may wish to consider protective measures they had implemented in the past. These include Hunker Down, closing of bars and restaurants to in-person service, and additional limitations on gatherings. Specific guidance is provided below.

- Council may wish to add in a section to the resolution calling upon individuals to stay at home as much as possible. Potential wording is as follows:

Hunker Down. *Everyone in the City shall stay at home as much as possible, except for the following activities while adhering to applicable protective measures:*

- To go to work or school when remote work and learning is not feasible;*
 - To buy, sell or deliver essential groceries and goods;*
 - To receive or provide essential health care and services; or*
 - To get fresh air without contacting others.*
- Council may wish to add in a section temporarily closing in-person services at bars and restaurants. Research indicates that limits to in person service at bars and restaurants is a sound and effective approach to mitigating transmission of the virus. These actions also have less negative impacts to local businesses and community well-being than fully closing down all non-essential businesses. If Council chooses to add this section, the section on gatherings would need to be revised as well. Potential wording is as follows:

Temporary Closure to In-Person Services at Bars and Restaurants. *All bars, restaurants, and other establishments serving food or beverages within the City shall be temporarily closed for dine-in service. All buffets and salad bars are closed to self-service. A copy of this resolution, or a sign communicating the closure information, shall be prominently posted by the person in control of the establishment.*

Food and beverage establishments are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing.

Food and beverage establishments subject to this section may permit up to 5 members of the public at one time in the establishment for the limited purpose of picking up their food or beverage orders, so long as those individuals are at least 6 feet apart from one another while on premises and wear face coverings.

The restrictions do not apply to:

- a. Businesses that offer food and beverage not for on premises consumption, including grocery stores, markets, convenience stores, and food pantries, with the exception of their self-service buffets and salad bars.*
 - b. Health care facilities, childcare facilities, residential care facilities and congregate care facilities.*
 - c. Crisis shelters, soup kitchens or similar institutions.*
 - d. Employee cafeterias within a business, with the exception of their self-service buffets and salad bars.*
- Council may wish to revise the section addressing gathering limitations to **remove some of the exceptions now outlined for the schools, places of worship and bars/restaurants**. Council may also wish to have this apply to both **indoor and outdoor gatherings**. Again, this section was designed to allow for businesses and organizations to continue operating. Research indicates that limits to gatherings is a sound and effective approach to mitigating transmission of the virus.

ALTERNATIVES: Council may choose to approve, amend or disapprove this resolution. Ultimately, the decisions on what is contained in the resolutions addressing community wide protective measures – regardless of risk level – are policy decisions made by Council.

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: The City Manager recommends approval of the form of this resolution, as it has been developed based on Council discussions. Council may wish to alter some of the details based on further discussion.

PROPOSED MOTION: I move to approve Resolution 2021-09.