
MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Erin Reinders, City Manager
Date: March 3, 2021
Re: Resolution 2021-13: Continuing measures to protect public health

SUMMARY: On March 1, 2021 the local Risk Level was reduced to Medium. 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. The resolution eliminates the restrictions on indoor public gatherings and provides further clarification to traveler self-quarantine requirements for vaccinated individuals.

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.

Council approved Resolution 2021-09 at their regular meeting on February 9, 2021. The resolution addressed marine tourism and Alaskan residents traveling on the Ferry to access critical needs. This was set to expire February 24, 2021 and will be revisited at the Council Meeting on February 23, 2021.

On February 10, 2021 the local Risk Level was reduced to Medium from High. A special meeting was scheduled for Council to consider Resolution 2021-10 removing the capacity restrictions currently in place. Council voted that resolution down given new information that would likely result in an increased risk level once again.

On February 23, 2021, Council approved Resolution 2021-11 extending previous protective measures, updating references to State Health Advisories and treating them as requirements, and updating Traveler Self Quarantine requirements to align with CDC guidance.

BACKGROUND: The COVID-19 pandemic continues. Since November, the City has anticipated the state emergency declaration and regulations may lapse and has drafted its resolutions 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.

The State of Alaska's COVID-19 disaster declaration was allowed to expire on February 14, 2021. However, the support infrastructure of the State's Unified Command remains.

The State issued four health advisories, listed below, addressing general safety, travel and critical infrastructure, with appendices focusing on the seafood industry. The advisories are based on the latest epidemiological data and expertise within the Alaska Department of Health and Social Services and outline best practices to continue mitigating the spread of COVID-19.

Health Advisory 1 – Recommendations to Keep Alaskans Safe – Addresses the safety measures Alaskans can take to mitigate the spread of COVID-19.

Health Advisory 2 – International and Interstate Travel – While Alaska resident and nonresident travelers will no longer be required to have pre-travel negative tests upon arrival, it is still considered one of the best mechanisms to track the virus and prevent community spread. The existing airport testing infrastructure will remain in place to protect Alaskans and visitors alike.

Health Advisory 3 – Intrastate Travel – Outlines expectations of communities for allowing travel Critical Infrastructure personnel, as well as for community members and Critical Personal needs. The advisory recommends COVID testing three days prior to travel to locations on the road system and the Alaska Marine Highway System. For locations off the road system and the Alaska Marine Highway System, a test is recommended for trips lasting longer than 72 hours before returning to a rural community. Without a test, strict social distancing should be followed.

Health Advisory 4 – Critical Infrastructure – The advisory provides clear guidance for Critical Infrastructure businesses operating in Alaska to protect both communities and industries. There are appendices for Seafood Processing Workers; Independent Commercial Fishing Vessels; and Independent Commercial Harvesters

On March 1, 2021 the local Risk Level was reduced to Medium. 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.

Together, Unalaska has been able to keep multiple cases or outbreaks limited and isolated since the beginning of this pandemic. 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 Advisories and the local protective measures instituted by other municipalities throughout the state.

We remain optimistic about 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 takes time, however, and it is important that we remain vigilant in practicing other mitigation strategies and safety measures.

DISCUSSION: As of the drafting of this memo and resolution, the local Risk Level is at Medium. In response to this, Council may wish to adjust the community wide protective measures. Resolution 2021-13 is set expire March 24, 2021 and will be revisited at the Council Meeting on March 23, 2021.

The section entitled **Public Indoor Gathering Limitations**, which was in Resolution 2021-11, has been removed from this Resolution 2021-13 and the section labeled as **“Reserved”** to reduce

future reference errors. This restriction was not included in previous resolutions when we were at Medium Risk Level. Council may wish to consider keeping this section but revise the number and exceptions. To aid in a potential discussion, the wording from Resolution 2021-11 is provided below.

3. Public Indoor Gathering Limitations. *All individuals must wear face coverings and maintain six feet of physical distance 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 an 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 comply with 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 physical distance is 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. United States Coast Guard vessels are exempt from "sit-down table service only" when occupying a closed establishment.*
- 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 physical distance is maintained between people who are not members of the same household or social groups of 5 or less*

The following protective measures from Resolution 2021-11 approved February 23 remain in this resolution, with the revisions noted:

- **State Health Advisories** - This section references and requires everyone in the City to follow the State's Health Advisories. This section has not changed.
- **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.
- **Traveler Self Quarantine** - Individuals traveling into the City by vessel or airplane must self-quarantine, with limited exceptions.

This resolution provides further clarification to the exception for individuals who have been vaccinated, based on CDC guidance at this time. No traveler self-quarantine is required for individuals who are fully vaccinated for at least 14 days prior to the date of travel and are ***within 3 months of receiving their final dose of the vaccine.***

City Staff and Local Health Care Professionals will continue monitoring CDC and State guidance on this topic. As more is understood about reinfection and the vaccinations, this time period is anticipated to be adjusted accordingly.

- **Essential Services/Critical Infrastructure Safety Plans** - Businesses that are recommended to submit plans to the State as a result of Health Advisory 4, are required submit those to the City if they are operating in Unalaska. 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 section provides guidance for those traveling for non-essential purposes on the state ferry, cruise ships or private vessels and clarifies that local safety protocols in this resolution do apply. This section has not changed.

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 2021-13.