

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2021-57

A RESOLUTION OF THE UNALASKA CITY COUNCIL ENCOURAGING COMMUNITY WIDE
COVID-19 PROTECTIVE MEASURES

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 if gone unmanaged; 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 February 14, 2021, Governor Dunleavy issued four Health Advisories with guidance and recommendations on general safety and best practices, international and interstate travel (modified April 26, 2021), intrastate travel (modified April 26, 2021), and critical infrastructure; and

WHEREAS, the Commissioner of the State of Alaska, Department of Health and Social Services, Adam Crum, pursuant to and in accordance with the authority granted by the Alaska State Legislature in House Bill 76, Chapter No. 2, SLA 2021, declared a Public Health Emergency effective at 12:02 a.m. on May 1, 2021, which shall remain in effect until rescinded or until the federal public health emergency issued under Section 319 of the Public Health Services Act expires, whichever is sooner; and

WHEREAS, on June 22, 2021, the Unalaska City Council passed Resolution 2021-47, extending the local emergency declaration through December 31, 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, local health officials have advised that protective measures are beneficial given Unalaska's remoteness, lack of road access to the mainland; and

WHEREAS, the State of Alaska has specifically recommended communities with limited health care infrastructure or high-risk populations may consider more restrictive protective measures than the State; and

WHEREAS, as of August 16, 2021, there were 77,343 (residents and non-residents) cumulative known COVID-19 cases in the state, including travel-related cases in geographically isolated and remote communities; and

WHEREAS, on April 26, 2021, Unalaska's Local Risk Level was changed to Medium in accordance with Unalaska's COVID-19 Emergency Response Plan; and

WHEREAS, on August 17, 2021, Unalaska Local Risk Level was moved to High in accordance with the Emergency Response Plan; and

WHEREAS, COVID-19 continues to pose a threat to the health, safety, 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; and

WHEREAS, the Aleutians West Census Area is at 60% fully vaccinated and 73% with at least one dose of the vaccine.

NOW THEREFORE BE IT RESOLVED:

1. State Health Advisories. Everyone in the City of Unalaska (the City) is encouraged to follow current Health Advisories issued by the State of Alaska related to COVID-19.

2. Face Coverings. All customers and visitors of businesses and organizations that are open and operating are encouraged to wear face coverings over their nose and mouth to provide additional protection for employees and customers. Additionally, employees and volunteers of open businesses and organizations are encouraged to wear face coverings when interacting with customers and visitors. Face coverings may be temporarily removed as necessary and incidental to utilizing the business or service. The City encourages anyone that is feeling ill to stay home from work and public facing business to ensure that Unalaska remains healthy throughout the year.

A business owner or operator may refuse admission or service to any individual who fails to wear a face covering in violation of the business's policy.

3. Reserved.

4. Traveler Quarantine. A person traveling into the City by vessel or airplane, from another community or port, is encouraged to self-quarantine for 10 days upon arriving at their destination. A quarantine period of 7 days is recommended for those travelers with a negative PCR test result obtained on days 6 or 7 of quarantine. No quarantine is necessary for travelers who have tested positive for COVID-19 within the past 3 months and who have recovered, as long as no new symptoms develop. No quarantine is necessary for travelers who have been fully vaccinated for at least 14 days prior to the date of travel.

People traveling for critical business purposes should follow their approved plan according to State Health Advisory No. 4.

5. Essential Services/Critical Infrastructure Safety Plans and Protocols. Businesses identified as "essential services" or as "critical infrastructure" that are recommended to submit plans or protocols to the State under Health Advisory No. 4 or its appendices should submit COVID-19 plans directly to the City if they are operating in Unalaska. The plans should be in a format substantially similar to that recommended by State Health Advisory No. 4. Such

businesses may submit their plans, protocols, or relevant notifications to the City by email to COVID19PLANS@ci.unalaska.ak.us.

6. Business COVID-19 Protection Measures and Protocols. All businesses and organizations which are open to members of the public at a physical location within the City are encouraged to post “COVID-19 Protection Measures and Procedures” on all entrances to and exits from the business. The measures should address sanitation and physical distancing approaches taken by the business or organization and any masking requirements of the business or organization.

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. 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. Reserved.

9. Effective Date; Expiration. This resolution shall be effective at noon on Wednesday, August 25, 2021, and expires at noon on Wednesday, October 13, 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 Resolutions 2020-71 and 2021-47. 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 August 24, 2021.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Patrick Shipp, Acting Incident Commander
Date: August 24, 2021
Re: Resolution 2021-57: Encouraging community wide COVID-19 protective measures

SUMMARY: This resolution was developed with close consultation of local health care providers, after consideration of CDC and State guidance in our local context, and continues encouraging community wide protective measures. The primary changes include the effective duration of the resolution and removal of several “whereas” statements that were no longer applicable. This resolution is set to expire on October 13, 2021, but can be revisited as necessary.

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.

Council approved Resolution 2020-19 on April 14, 2020, extending and clarifying the orders outlined in Resolution 2020-17, and instituted additional measures protecting the public health.

Council approved Resolution 2020-25 on April 28, 2020, extending the orders in Resolution 2020-19.

Council approved Resolution 2020-34 on May 12, 2020, extending the orders in Resolution 2020-25 and replacing the “Hunker Down” section with a “Social Distancing” section. 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, 2020, extending and clarifying the orders in Resolution 2020-34 and specifically addressing the Alaska Marine Highway System.

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

Council approved Resolution 2020-41 on June 23, 2020, 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.

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

Council approved Resolution 2020-49 on July 28, 2020, 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.

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

Council approved Resolution 2020-54 on August 25, 2020, extending the orders in Resolution 2020-51.

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

Council approved Resolution 2020-63 on September 22, 2020, extending the orders in Resolution 2020-58.

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

Council approved Resolution 2020-70 on October 27, 2020, extending the orders in Resolution 2020-66.

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.

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.

On March 3, 2021, Council approved Resolution 2021-13 at a Special Meeting extending many of the protective measures, removing limit to public gatherings because in response to the decreased Local Risk level, and updating Traveler Self Quarantine requirements to align with CDC guidance.

On March 23, 2021, Council approved Resolution 2021-15 extending previous protective measures. The resolution removed the three month time limitation for fully vaccinated individuals in the traveler quarantine section, based on updated guidance; and removed the passenger limit in taxis, consistent with the opening up of other business and gatherings.

On April 13, 2021, Council approved Resolution 2021-18 extending previous protective measures. Council chose to keep the measures as they were, even though the local Risk Level increased from Medium to High. The situation continued to be monitored.

On April 27, 2021, Council approved Resolution 2021-20 extending previous protective measures. The Risk Level returned back to Medium on April 26, 2021.

On May 11, 2021, Council approved Resolution 2021-28 extending previous protective measures.

On May 25, 2021, Council approved Resolution 2021-34 transitioning the previous required community wide protective measures into recommended ones. This resolution was developed with close consultation of local health care providers, after consideration of CDC and State guidance in our local context.

On June 8, 2021, Council approved Resolution 2021-43 continuing support for the recommend community wide protective measures. The local Risk Level was reduced to Low on June 8, 2021 as well.

On June 22, 2021, Council approved Resolution 2021-48, encouraging community wide COVID-19 protective measures.

BACKGROUND: The State of Alaska's COVID-19 disaster declaration was officially ended by Governor Dunleavy on April 30, 2021. Pursuant to HB 76 and the Department of Health and Human Services COVID-19 Declaration of Public Health Emergency dated April 30, 2021, the State will continue to assist with testing, vaccinations, contact tracing, and take other limited, necessary actions. The State has issued four health advisories, listed below, addressing general safety, travel and critical infrastructure, with appendices focusing on the seafood industry.

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 – Other than prohibiting persons who are currently positive with COVID-19, the State no longer has entry or travel testing requirements. The existing airport testing infrastructure will remain in place to protect Alaskans and visitors alike, but testing is voluntary.

Health Advisory 3 – Intrastate Travel – Like Health Advisory 2, the State's guidance regarding intrastate travel was modified April 26. It continues to permit local travel restrictions, and outlines expectations of communities for allowing travel of Critical Infrastructure personnel, as well as for community members and those traveling for critical personal needs.

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.

The City's current local declaration is set to expire on August 25, 2021, and the continued emergency declaration is being considered by City Council this evening.

DISCUSSION: Our local numbers continue to be at a level that allow for patient care to be managed by local health care providers. Vaccination rates continue to rise, and the vaccine itself is widely available. Yet, B-Season is underway with an influx of workers from all over the globe living and working in close quarters and supporting our primary economic driver.

Recently there was a spike in the wastewater sampling causing the EOC concern after a weekend filled with large public gatherings. The week following the gatherings we saw some additional positive cases. After monitoring throughout the week following, The EOC believes that our local healthcare systems are functioning normally. While we are at the high risk level the EOC will monitor throughout the weekend and a decision will be made weather to decrease our risk level or recommend action from council.

The effective duration of this resolution is about two months. The hope is that this will provide much desired consistency, but we will continue to monitor the situation and adjust as necessary. Resolution 2021-57 is set expire October 13, 2021 and will be revisited at the Council Meeting on October 12, 2021.

The resolution's subject matter itself is unchanged from previous meetings, and outlines recommended – but not required – community wide protective measures. With adequate support in place, this focus on personal responsibility and education seems to be working. This resolution was developed with close consultation of local health care providers, after consideration of CDC and State guidance in our local context. An overview is provided below.

- **State Health Advisories** - This section references and encourages everyone in the City to follow the State's Health Advisories. This is not mandated locally.
- **Face Coverings** - Customers and visitors of businesses and organizations are encouraged, but not locally mandated, to wear a covering over their nose and mouth. Additionally, employees or volunteers of businesses and organizations are encouraged, but not locally mandated, to wear a face covering when interacting with customers or visitors.
- **Traveler Self Quarantine** - Individuals traveling into the City by vessel or airplane are encouraged, but not locally mandated, to self-quarantine.
- **Essential Services/Critical Infrastructure Safety Plans** - Businesses that are recommended to submit plans to the State as a result of Health Advisory 4 are encouraged, but not locally mandated, to submit those to the City if they are operating in Unalaska.
- **Protective Protocols** - All business open to the public are encouraged, but not locally mandated, post their basic measures to protect the public health on their doors.

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 are policy decisions made by Council.

FINANCIAL IMPLICATIONS: Unknown at this time.

LEGAL: This resolution's subject matter, like all the other public health measures 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 and consultation with local health officials. Council may wish to alter some of the details based on further discussion.

PROPOSED MOTION: I move to adopt Resolution 2021-57.