

CITY OF SEWARD TEMPORARY OPERATION RULES AND PROCURES REGARDING THE COVID-19 PUBLIC HEALTH EMERGENCY

City Manager Scott Meszaros, in his capacity as the Director of Civil Defense and Disaster, hereby institutes the following temporary emergency rules and procedures in response to the COVID-19 public health emergency. These rules and procedures shall be effective until April 24, 2020 and are necessary to protect the public health, welfare, and safety within the boundaries of the City of Seward. These rules and procedures may be identified as the “Emergency COVID-19 Rules” for ease of reference. These rules shall be posted on the City website and the City Clerk shall provide City Council members notice of these rules within five days of their adoption. City Council may repeal these rules in whole or in part via resolution.

Rule 1. Electronic City Council Meetings. Any regular or special meetings of the City Council should be conducted via electronic means, including audio or video conference, unless the Mayor determines that a meeting must be conducted at City Hall and that doing so does not pose a risk to the public health, safety, and welfare. The City Clerk shall post telephone number(s) to call into telephonic or video conference meetings on the City of Seward website and on the written agenda for all regularly scheduled and special meetings. Council shall ensure that reasonable accommodations are made to afford the public a right to be heard telephonically. Telephonic participation by the public is not ideal but is reasonable when weighed against the substantial risk to public health, welfare, and safety posed by group gatherings during the COVID-19 outbreak. In the event the Mayor determines an in-person meeting is necessary and does not pose a risk to public health, welfare, and safety, no more than five members of the public shall enter the same space to make comments at one time. The public may also submit written public comments for all telephonic or video conference Council meetings. The public written comments shall be read into the record during the public comment period at all Council meetings held electronically, except Council work sessions. If written public comments exceed three minutes, the first three minutes of the written comment shall be read during the meeting. Written comments must include the name of the contributor in order to be read publicly during telephonic or video conference meetings. Current time limits placed on public comments and testimony shall apply to telephonic and written public comments submitted under this rule. The City must continue to comply with meeting attendance and scheduling requirements under the Seward City Charter Section 3.2.

Rule 2. Council Meeting Notice and packet materials. The City Clerk shall provide the public and media notice that is reasonable under the circumstances for all emergency special meetings held by Council. All special meetings and agenda items shall be posted on the City website no less than six hours before a special meeting. Failure to post the meeting materials shall not invalidate the actions taken by Council during an emergency meeting if Council states the reason for the failure to post adequate

notice or provide materials and clearly finds that the notice and material access provided during the meeting was sufficient and reasonable in light of the emergency circumstances underlying the meeting.

Rule 3. Meetings of Boards and Commissions. The City Manager may cancel meetings of any board or commission if he finds that cancellation is necessary to protect public health, safety, and welfare. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. All board and commission meetings may be held electronically in the same manner proscribed for Council meetings in Rule 1.

Rule 4. Suspension of all Non-essential meetings and agenda items. All non-essential government meetings shall be postponed until no earlier than April 24, 2020. Non-essential action items shall also be postponed until no earlier than April 24, 2020 unless doing so would pose substantial financial harm on the City or another party. Any person objecting to the postponement of an action item may notify the City Manager in writing regarding his or her objection. The City Manager shall review any written objections received and shall determine if the objection warrants consideration of an action item by Council or the appropriate commission or board before April 24, 2020. The City Manager shall notify the Mayor of all written objections received and his determination. Upon receipt of a written objection, the Mayor may override the City Manager's decision to postpone an action item.

Rule 5. Licensed or Permitted Activities. The City Manager may suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

Rule 6. Purchases. The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following each formal requirement of Title 6 of the Seward City Code.

Rule 7. Personnel Policies. The City Manager may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency while protecting City employees and the community from COVID-19.

Rule 8. Bargaining Units. The City Manager is hereby authorized to enter into such temporary agreements, including memoranda of understanding with the City's bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.

Rule 9. City Facilities. The City Manager may close City facilities or limit hours of operation as is reasonably required to protect the health of the public and employees of the City.

Rule 10. Public Access to City Facilities. City offices and facilities are closed to the public until April 24, 2020 except as specified in this rule. The Harbormaster office and the Police Department dispatch window remain open to the public for service. City services and departments remain accessible to the public via telephone and email. Individuals may request appointments for in-person meetings with City staff, which will be accommodated if doing so will not jeopardize the health or safety of the community of Seward or its members.

Rule 11. Private Facilities. The City Manager may require businesses and commercial enterprises operating within the City to close or limit operations if necessary to protect public health, welfare, and safety. The City Manager may only order such closures or impose limitations on private businesses and commercial enterprises when the State of Alaska formally recommends that such action be taken. Any action by the City Manager under this rule must be narrowly tailored to meet State of Alaska recommendations.

Rule 12. Amounts Due and Owing. The City Manager, upon the recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City.

Rule 13. Duration. These rules are adopted and immediately effective by Emergency Order March 19, 2020. These rules are effective up to the date specified within the rule. If no date is specified within the rule, the rule is effective for 90 days from the date of enactment. Council may repeal any or all of these rules by resolution. No rule shall remain in effect for longer than is necessary to protect the public health, safety, and welfare from the emergency public health crisis caused by COVID-19.