

## **CITY OF SEWARD, ALASKA COVID-19 EMERGENCY ORDER 03**

City Manager Scott Meszaros, in his capacity as the Director of Civil Defense and Disaster, hereby institutes the following revisions to City of Seward, Alaska's Temporary Emergency Rules and Procedures Regarding the COVID-19 Public Health Emergency ("Seward Emergency COVID-19 Rules"). These revisions become effective upon implementation by the City Manager 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 revised 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. Except as otherwise provided in this revision, the Emergency COVID-19 Rules previously implemented by the City Manager remain in full force and effect. The revised dates contained in this Emergency Order are bolded and underlined.

**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

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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 May 3, 2020. Non-essential action items shall also be postponed until no earlier than May 3, 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 May 3, 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 **May 3, 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 11.1 Business COVID-19 Protection Measures and Protocols.** All businesses operating within the City shall comply with all relevant State of Alaska Health Mandates. All businesses serving 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. A brief statement identifying the essential service or critical infrastructure operation permitting the business to continue operations under the “State of Alaska Essential Business and Critical Infrastructure Workforce Order”
- B. The sanitation measures taken by the business to prevent the spread of COVID-19
- C. The social distancing measures taken by the business to prevent the spread of COVID-19
- D. The description of a process for obtaining goods or services from the business without entering the business, if such a process is at all feasible.
- E. A contact number for individuals to report any violations of these measures to the business owner or his or her designee.

An example of COVID-19 Protection Measures and Procedures will be posted on the City website. A “business” for purposes of this rule does not include state, federal or municipal government operations or facilities.

**Rule 11.2 Essential Business/Critical Infrastructure State Protocols.** Businesses identified as “essential” or as “critical infrastructure workforce” under the State of Alaska Essential Business and Critical Workforce Infrastructure Order (State Health Mandate 12 Attachment A) shall submit all protocols or plans required by State of Alaska

Health Mandate to the City as soon as possible after filing these protocols or plans with the State of Alaska. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than five 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. Businesses required to submit a State plan or protocol under this rule shall complete a "State Protocol Acknowledgement" form and submit that form to the City with its protocol or plan. Submissions under this rule should be submitted electronically to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses submitting a State plan and State Protocol Acknowledgement form under this rule are exempt from filing a mutual aid agreement under Rule 11.3.

**Rule 11.3 Mutual Aid Agreements.** All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees must complete and file a Large Operator Mutual Aid Agreement with the City. This agreement will be available on the City's website. Submissions required under this rule shall be electronically submitted to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses filing a State protocol or plan and State Protocol Acknowledgement form under Rule 11.2 are not required to file a mutual aid agreement under this rule. "Businesses" under this rule do not include state, federal or municipal government operations or facilities.

**Rule 12. Social Distancing.** All individuals shall comply with all State of Alaska Health Mandates while located within the City and no person shall enter City boundaries for an activity or in a manner that violates any State of Alaska Health Mandate. The City reserves the right to enforce these rules and State health mandates to the maximum extent permitted under law.

**Rule 13. 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.

**Duration.** These rules, as revised, are effective for 90 days from their date of implementation. 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. These rules shall expire immediately upon the repeal or expiration of the City of Seward declaration of emergency arising from COVID-19.