

May 20, 2021
Regular City Council Meeting

**Discussion of Standing Down the Ketchikan Emergency Operations Center (EOC) -
Councilmember Zenge**



TRANSMITTAL MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Lacey G. Simpson, Assistant City Manager

DATE: May 14, 2021

RE: **Emergency Declaration Due To The Continued COVID-10 Pandemic - Ordinance No. 21-1927 and Resolution No. 20-2770 - Confirming the Mayor's Declaration of a Disaster Emergency in the City of Ketchikan Based on Serious Risk to the Public Posed by a COVID-19 Pandemic**

On March 16, 2020, City of Ketchikan Mayor Sivertsen, Ketchikan Gateway Borough Mayor Dial, and City of Saxman Mayor Frank Seludo jointly declared a local disaster emergency in response to the developing COVID-19 pandemic. The declaration was later ratified by the City Council through Resolution No. 20-2770 on March 19, 2020.

At the February 4, 2021 meeting, the City Council approved Ordinance No. 21-1927, Declaring an Emergency due to the Continuing COVID-19 Pandemic, which in turn extended Emergency Ordinance No. 20-1907 first approved on March 19, 2020 and later extended by Ordinance No. 20-1920 on October 15, 2020. These ordinances align with the City's emergency declaration and suspend certain requirements of the Ketchikan Municipal Code pertaining to City Council meetings and constituting a quorum in-person only and remain suspended through the ordinance's expiration on July 1, 2021 unless earlier extended or repealed.

To aid in the City Council's May 20, 2021 discussion of standing down the Ketchikan Emergency Operations Center (EOC), the City Council should be aware that the City's emergency ordinance and the corresponding emergency declaration remain in effect until expired, in the case of the ordinance, or until repealed, in the case of the declaration. Once these are repealed or lapse, several City Council operational items will need attention, including:

- The City Council's ability to meet by means other than in-person, such as Webex
- The City Council's ability to form a quorum with Councilmembers participating by remote means
- The City Council's ability to meet in-person in locations other than Council Chambers

The City Council may wish to discuss with the City Attorney how it can establish the above meeting parameters absent an active emergency ordinance or declaration should these actions be warranted.

Additionally, under the currently active federal declaration of emergency, the City is able to seek Federal Emergency Management Agency (FEMA) reimbursement for pandemic-related expenses, including several ongoing operational expenses attributable to the EOC. The federal emergency declaration is currently active until September 2021, and unless otherwise extended, any expenses incurred by the City after this date will not be eligible for reimbursement. As of the date of this memorandum, the City has yet to receive any FEMA reimbursement payments that have been submitted.

Given the July 1, 2021 expiration of the City's active emergency ordinance and the ongoing emergency declaration, the City Council may wish to consider a coordinated effort with the Ketchikan Gateway Borough and City of Saxman regarding all municipal emergency declarations and ordinances in tandem with actions taken regarding the status and activity of the EOC.

Lastly, EOC Incident Commander has provided the attached brief transmittal memorandum outlining several additional areas for consideration as the City Council discusses standing down the EOC and curtailing community emergency response.

The EOC Incident Commander, City Attorney, and Finance Director will attend the City Council meeting of May 20, 2021, in order to address any questions and/or concerns that Councilmembers may have.



Ketchikan Emergency Operations Center

70 Bawden Street Ketchikan, Alaska 99901
Phone (907) 228-2366 – Fax (907) 225-9613
Fire Chief/Emergency Manager Abner Hoage
e-mail: abnerh@city.ketchikan.ak.us

TO: Lacey Simpson, Acting City Manager
FROM: Abner Hoage, Incident Commander
DATE: May 13, 2021
SUBJECT: Council Agenda Item RE: Discussion of EOC Status and Future Operations

As you are aware there was a request made at the last meeting to have an item on a future agenda to discuss the Status of the EOC and Future Operations pertaining to COVID Response in Ketchikan. As I understand it the desire of this request is to try and gain a better understanding of when it may be appropriate to scale back, and or stand down the EOC response?

EOC's across the country have stood up to respond to the various impacts of COVID-19. In general, the purpose of an EOC is to coordinate response efforts among various entities, and to provide resource coordination and allocation when needs exceed capacity. Sometimes and in our case the EOC also serves as the Incident Management Team (IMT); often when activated an EOC/IMT will have clear objectives that signal when an emergency is complete.

For a better understanding and to help set the stage for discussion consider the following simplified example: There is a landslide that occurs in our community which results in damage to a neighborhood damaging 10 homes, threatening 10 others, and blocking Tongass Ave. The EOC activates and sets several objectives to respond to the situation and once those objectives are complete, they would stand down. The scenario objectives are:

1. Notify and evacuate the occupants of threatened homes.
2. Conduct search operation and rescue anyone in the damaged homes.
3. Stabilize the site and re-open Tongass Ave.
4. Restore utilities.

In this simplified example once, these objectives are complete the operation would be over and the EOC would stand down. This is relatively easy because once the event and damages happen there is not ongoing harm. In other types of incidents say a fire, although there may be ongoing harm, we have tools that can stop or contain the ongoing damage, then conduct operations like above. The problem with COVID is there continues to be ongoing harm without an ability to truly stop it. Because of this we continue to respond and react until we can stop the harm.

As much as we all, myself included want for this pandemic to conclude so we can all get back to normal life it seems a little strange for me to be discussing standing down the EOC while we are in the middle of the largest outbreak we have had in our community since standing up the EOC to respond to COVID in March of 2020.

As I write this memo our community broke four (4) of our all-time high COVID records yesterday with 20 new cases in a single day, 13 community spread cases in 7 days, 102 currently active cases, and a positivity rate at 5.2%.

Keeping all the previous information in mind we really have limited choices regarding moving forward at this point:

1. Continue to respond to the incident until the harm can be stopped and then restore things to normal before standing down the EOC.
2. Build up and ensure our regular systems (i.e. Public Health and Healthcare) are prepared to take over the full effort of monitoring and dealing with the ongoing harm.
3. Determine that we have stabilized the incident to the point that personal responsibility should take over in place of our ongoing government responsibility. Think of the saying “you can lead a horse to water, but you can’t make it drink” In our case, the horse is the public and vaccines and other mitigation measures are the water.

The big challenge with option 1 is determining what will stop the harm? For example, what level of vaccination and recovered infections results in herd immunity and who decides? With option 2 and 3 is the unknown factors and how much impact our ongoing mitigation efforts have had on the situation. In other words, we do not really know how many infections we have prevented through our efforts and once we stop those efforts how much the problem might grow.

At the beginning of the pandemic the EOC set out 6 objectives:

1. Safeguard health & safety of personnel and the public
2. Slow/stop the spread of COVID-19
3. Increase COVID-19 testing capacity.
4. Care for the sick
5. Provide public information.
6. Mitigate Community/Economic Impact

As we have progressed through the pandemic, we have added various strategies to accomplish each of these and react to the current situation. We have modified some as they may no longer apply or be outside the realm of the EOC. Our current objectives are:

1. Safeguard health & safety of personnel and the public
2. Prevent contain and stop the spread of COVID-19
3. Provide Public Information
4. Identify funding sources and work within constraints to ensure maximum reimbursement.
5. Support and Monitor community response efforts
6. Develop plans to demobilize EOC by transitioning tasks to normal government and private industry as appropriate.

As you can see the current objectives include developing plans to demobilize the EOC and we are actively working on those. For example, we have notified our local healthcare providers that we are intending to stop routine distribution of PPE and testing supplies by the end of this operational period 5/28. Over the last 30-60 days most providers have stopped routinely requesting supplies and have been able to re-establish supply from their normal vendors. Despite ending routine distribution however, we have prepped our logistics supply storage with enough material to immediately stand back up and provide 30+ day supply to all local providers if needed.

The EOC Unified Command is constantly evaluating the criteria that might be used to fully demobilize the EOC including options including establishment of an arbitrary date in the future, percentage of population vaccinated, a specified period at low risk level, availability of vaccine to the entire population regardless of age for a long enough period to allow anyone who wants to be vaccinated to do so, etc. We will continue evaluating potential criteria and consulting with the Policy Group and welcome input of the Council for consideration and evaluation.

"UNAPPROVED"

May 6, 2021

EOC Incident Commander Hoage answered questions from the Council regarding the continuation and ultimate endgame of the EOC. He felt this topic needs to be a discussion by elected officials and staff. He stated the EOC has an incident and action plan in place which is done currently on a four week basis. He said they started a new one last Saturday, and a big portion of that plan is to determine and set these thresholds for when the EOC can spin down operations. He informed they intend to stop distributing PPE & supplies on a regular basis by May 15, 2021. He indicated our local providers all have a decent supply established at this point, and are able to get new supplies so they don't need the EOC for that any more. He said they are starting to look at ways to transition testing and other types of operations over to normal businesses. He said in many way the EOC is looking at ways to dial down, and get back to normal government and have regular businesses take it over.

Councilmember Gage questioned if the EOC has considered testing for COVID Variants to make sure it is not in Ketchikan. She said she had concerns and felt we need to acknowledge this pandemic based on historic pandemics, because sometimes they don't go away for many years.

EOC Incident Commander Hoage said the genomic sequencing to determine the COVID Variants is happening with certain specimens from throughout the State. He indicated none of the local providers have that capacity internally, noting the specimens have to be sent to the State lab. He informed specimens have been sent from Ketchikan, but to date he has not been informed of any variants being detected. He said ultimately we should be able to transfer the operations to the normal health care and public health systems. He indicated they deal with infectious diseases all the time, noting it is just a matter of getting to a point where their systems are ready to handle it. He said the vaccine is widely available for anyone who is old enough to receive it, noting our providers are not out of the vaccine.

Councilmember Gass said he has heard from many people who are upset because their kids school activities are being shut down. He felt at this point in the game where the vaccine is readily available, noting each person makes their own decision and risk assessment. He said his direction would be to let people make their own decision.

Councilmember Zenge felt this should be made a future agenda as there is a lot to be said here. She said she was also getting a lot calls asking when the EOC will sunset. She said businesses are constantly shutting down and opening back up. She stated we need to take a look at this and it needs to be a separate agenda.

PERSONS TO BE HEARD

Tiffany Cook thanked the EOC and Council for their leadership during these times. She questioned where do we go from here? She said the City's emergency ordinance should be reviewed more often like other municipalities' emergencies ordinances. She stated the vaccine has been available for over two months now and those who want to receive it have had ample opportunity to get it. She questioned how long is it our responsibility to manage individual risk? She said to move forward people need an incentive and the ongoing limitations are no longer working to continue compliance. She asked what are the City's benchmarks moving forward, the plan for deescalating and eventually deactivating the EOC. She thanked the Council for their time and hard work.

Alan Jacobson, Director of Maintenance for the Ketchikan Gateway Borough School District, said he was here regarding their proposal to purchase surplus vehicles from the City. He said they are aware of the work required for these specific vehicles and they are able and willing to work on them. He stated the district maintenance could really use these vehicles and with their shrinking budgets, buying these surplus vehicles will give them time to purchase new vehicles at a more

Civic Center Audio Visual Upgrades

Manager Amylon included a memorandum for Council review from the Civic Center Manager Nelson regarding the Civic Center facility audiovisual upgrades. He indicated Ms. Nelson is requesting to make a brief presentation to the City Council at its meeting of May 20, 2021 to demonstrate the new features of the system and the benefits that can be afforded to future tenants. No objections were heard.

Plan for Placement of Portable Restrooms on the Port for the 2021 Visitor Season

Manager Amylon included for Council review a copy a memorandum from Acting Port & Harbors Director Hilson summarizing how the Port & Harbors Department staff intend to follow through on direction provided by the City Council beginning May 7, 2021. The City Council should note that the placement of the portable restrooms at the corner of the Berth III pavilion is different from the Berth I-Berth II area as was previously suggested by Mayor Sivertsen. He indicated the placement at Berth III was based on increase security and the ability to physically secure them to the Port.

Vice-Mayor Kiffer asked if there were any objections from the Council, and none were heard.

Public Works Director's Project Status Report – April 2021

Manager Amylon provided the Council review a project status report of the Public Works Director for the month of April 2021.

K.P.U. MANAGER'S REPORT

"Quest to Connect" - A Documentary of KPU Telecommunications Division's Placement of a Subsea Fiber Cable Between Ketchikan and Prince Rupert

General Manager Amylon attached for Council review a memorandum from Telecommunications Division Manager Cushing on his assessment of the project, and would urge all Ketchikan residents to watch the documentary of what is likely one of the most import infrastructure projects in Ketchikan's recent history. He indicated the link has been provided to Council and it is now available on the City's Website.

CITY CLERK'S FILE – None

CITY ATTORNEY'S FILE

Report of Significant Activities for the Month of March 2021 - Office of the City Attorney

FUTURE AGENDA ITEMS

Vice-Mayor Kiffer said in regards to comments made earlier by Councilmembers, and Councilmember Zenge's request for a future agenda item for discussion on the directive of the Emergency Operations Center and other COVID issues.

Councilmember Gage said now that we have a baseline of sales tax paid by the community without cruise, she asked staff for a comparison report by community sectors versus sales tax paid in 2019 with cruise.

February 4, 2021

Ordinance No. 21-1927 – Declaring an Emergency Due to the Continuing COVID-19 Pandemic; Extending Emergency Ordinance No. 20-1907 Until July 1, 2021

Copies of Ordinance No. 21-1927 were available.

Moved by Bradberry, seconded by Kiffer the City Council approve Ordinance No. 21-1927 declaring an emergency due to the continuing COVID-19 pandemic; extending Emergency Ordinance No. 20-1907 until July 1, 2021; and establishing an effective date.

Motion passed with Bergeron, Flora, Gass, Gage, Kiffer, Zenge and Bradberry voting yea.

Ordinance No. 21-1926 – Amending Chapter 13.10 of the Ketchikan Municipal Code, Entitled “Passenger Wharfage Fees”; to Impose such Fees Directly on Passengers and to Provide for the Collection, Payment and Enforcement of Such Fees – First Reading

Copies of Ordinance No. 21-1926 were available.

Moved by Kiffer, seconded by Flora the City Council defer consideration of Ordinance No. 21-1926 to a special meeting after staff has consulted with the cruise industry and other Southeast communities.

Manager Amylon informed that our outside Attorney Blascoe has been working on this ordinance.

Motion to defer passed with Zenge, Flora, Bergeron, Kiffer, Bradberry, Gage and Gass voting yea.

Ordinance No. 21-1928 – Tourism Steering Committee for the Mayor and Council – First Reading

Copies of Ordinance No. 21-1928 were available.

Moved by Kiffer, seconded by Gage the City Council defer consideration of Ordinance No. 21-1928 to a special meeting.

Motion to defer passed with Gass, Zenge, Bradberry, Flora, Bergeron, Kiffer and Gage voting yea.

Ordinance No. 21-1924 – Increasing Electric Rates By One and One-Half Percent (1.5%); Establishing a Date for a Public Hearing – First Reading

Copies of Ordinance No. 21-1924 were available.

Moved by Gage, seconded by Flora the City Council approve in first reading Ordinance No. 21-1924 increasing electric rates by one and one-half percent (1.5%); establishing a date for a public hearing; and providing for an effective date.

Councilmember Gage felt this has been a long time coming and unfortunately, it couldn't be at a worst time. She said this utility has continued to operate in the red, and she would support this motion.

Councilmember Bergeron said he would not support a rate increase in the middle of a pandemic, and felt it was unethical.

Mayor Sivertsen informed that Canada is now in the second wave of the pandemic, and they are concerned on how they will respond and what things will look like moving forward. He didn't feel at this time Canada had any intention of adjusting their boarder restrictions.

Ongoing Review and Discussion of State of Alaska COVID-19 Health Mandates –Councilmember Bergeron

Mayor Sivertsen asked EOC Incident Commander Hoage to explain the protocols the schools have in place in the case of a positive COVID student.

EOC Incident Commander Hoage explained the different levels of safety measures implemented at the various schools in regards to how they were set up to handle cases of COVID-19. He said generally speaking they have taken action to minimize the number of times the students interact with each other in order to have less students per class. He said in the case of a positive student it would minimize the number of students that would need to be quarantined for seven to fourteen days.

Councilmember Bergeron questioned if the EOC has given thought to how they would handle the homeless population as they could potentially bog down our health care system.

In answer to Councilmember Bergeron, EOC Incident Commander Hoage stated they have had discussions regarding this topic, and they work in conjunction with the First City Homeless Shelter. He said they have designed locations for isolation, and they have reached out to Juneau to gather information on what lessons they have learned from their outbreak. He stated from that we will meet locally and continue to work on planning and implementing solutions.

Ordinance No. 20-1920 – Declaring an Emergency Due to the Continuing COVID-19 Pandemic; Extending Emergency Ordinance No. 20-1907 until March 1, 2021

Copies of Ordinance No. 20-1920 were available for all persons present.

Moved by Kiffer, seconded by Zenge the City Council approve Ordinance No. 20-1920 declaring an emergency due to the continuing COVID-19 pandemic; extending Emergency Ordinance No. 20-1907 until March 1, 2021; and establishing an effective date.

Motion passed with Bergeron, Gage, Kiffer, Bradberry, Gass, Zenge and Flora voting yea.

Budget Transfer – Settlement Agreement Between the City of Ketchikan, Ketchikan Youth Initiative and Residential Youth Care to Transfer Ownership of 632 Park Avenue to the City

Moved by Kiffer, seconded by Gage the City Council approve a budget transfer of \$271,000 from the Community Facilities Development Fund to the 2020 Public Health Department's Overnight Warming Center Capital Account and authorize staff to negotiate a settlement agreement between the City of Ketchikan, Ketchikan Youth Initiative (KYI) and Residential Youth Care, Inc. (RYC) providing for renovation of 632 Park Avenue to serve as an overnight warming center (\$119,354); payment of outstanding KYI Contractor claims (\$76,646); payment to RYC for Ketchikan youth programming activities (\$75,000); and transfer of the property back to the City as detailed in the city manager's report dated October 8, 2020, said agreement to be submitted to the City Council for formal consideration and approval.

Councilmember Bradberry questioned the length of time the outstanding balances were to the contractors.

NEW BUSINESS

Quarterly PeaceHealth Ketchikan Medical Center Update

This item was cancelled.

Resolution No. 20-2770 – Confirming the Mayor’s Declaration of a Disaster Emergency in the City of Ketchikan Based on Serious Risk to the Public Posed by a COVID-19 Pandemic

Moved by Zenge, seconded by Coose the City Council confirm the Mayor’s declaration of a disaster emergency in the City of Ketchikan based on serious risk to the public posed by a COVID-19 pandemic; and establishing an effective date.

Motion passed with Coose, Gage, Flora, Kiffer, Bergeron, Chapel and Zenge voting yea.

Award of Contract No. 20-05, Creek Street Viewing Platform – BAM LLC

Moved by Coose, seconded by Flora the City Council accept the bid of BAM LLC in the amount of \$194,110 for Contract No. 20-05, Creek Street Viewing Platform; establish a ten percent contingency in the amount of \$19,411, bringing the total project cost to \$213,521; authorize funding from the Department of Tourism and Economic Development’s 2020 Creek Street Viewing Platform Capital Account; and direct the city manager to execute the contract documents on behalf of the City Council.

Moved by Coose, seconded by Zenge to defer consideration of this project for thirty days.

Councilmember Coose stated he is not opposed to this project, however, he would like to postpone it for a month based on the following; he has not seen any plans for this project and the money might be able to be used elsewhere. He said the idea was to have this project completed for the cruise ships coming in late April, but now that is not going to happen.

Public Works Director Hilson explained the scope of the project. He answered questions from the Council.

Councilmember Gage said this is money that was designated for this project and it is worth doing while no ships are in port.

Councilmember Flora informed the money designated was from CPV funds and cannot be directed to the current emergency we are dealing with. He said if this is deferred for 30 days the contractor might not be available to work on this project.

Councilmember Chapel said her concern is the contractor employs several local people, and if we delay this project it will be contributing to the loss of employment in Ketchikan.

Councilmember Kiffer said he does not want to push this back and then later have to spend more money on this project to get it done.

Councilmember Bergeron asked if the Council has seen designs for this platform.