



Saxman
Special City Council Meeting
February 09, 2021
5:30 PM

AGENDA

Call to Order

Prayer

Roll Call/Quorum

Public Comments

New Business

1. Resolution # 02.2021.02

Background: A Joint Resolution of the Assembly of the Ketchikan Gateway Borough, Council of the City of Ketchikan, and Council of the City of Saxman, Urging the Federal Government to Issue a Temporary Waiver to the Passenger Vessel Services Act and Asking the CDC to Issue Technical Guidance to Allow Cruise Lines to Resume Operations in Alaska in 2021

Staff Recommended Action: *"I make a motion to approve Resolution #02.2021.02 A Joint Resolution of the Assembly of the Ketchikan Gateway Borough, Council of the City of Ketchikan, and Council of the City of Saxman, Urging the Federal Government to Issue a Temporary Waiver to the Passenger Vessel Services Act and Asking the CDC to Issue Technical Guidance to Allow Cruise Lines to Resume Operations in Alaska in 2021"*

2. Emergency Ordinance #21.01

Background: An emergency ordinance of the City Council of the City of Saxman declaring an emergency and amending City of Saxman Code Section 2.05.110 Meetings Public, 2.05.130(b) Special Meetings, including Emergency Meetings and 2.05.140 Notice, and providing for an immediate effective date.

Staff Recommendation: *"I make a motion to set Ordinance #21.01 for Public Hearing, to be held today, after a brief recess."*

Public Hearing

3. Public Hearing for Ordinance #21.01

Background: A "same day" Public Hearing to allow for public comment on emergency, non-coded Ordinance #21.01. This Ordinance is a temporary Ordinance, only good for 60 days.

Staff Recommended Action: The Mayor will open the floor to public comment or testimony received through the City Clerk's Office. When the Mayor is confident that all person's wanting to make comment have made themselves heard, then he will close the Public Hearing section and call for the vote.

"I make a motion to approve Ordinance #21.01, An emergency ordinance of the city council of the city of saxman declaring an emergency and amending city of saxman"

code section 2.05.110 meetings public, 2.05.130(b) special meetings, including emergency meetings and 2.05.140 notice, and providing for an immediate effective date."

Council/Mayor Comments

Adjournment

**KETCHIKAN GATEWAY BOROUGH
CITY OF KETCHIKAN
CITY OF SAXMAN**

**BOROUGH RESOLUTION NO. 2887;
CITY OF KETCHIKAN RESOLUTION NO. 21-2802;
CITY OF SAXMAN RESOLUTION NO. 02.2021.02**

A Joint Resolution of the Assembly of the Ketchikan Gateway Borough, Council of the City of Ketchikan, and Council of the City of Saxman, Urging the Federal Government to Issue a Temporary Waiver to the Passenger Vessel Services Act and Asking the CDC to Issue Technical Guidance to Allow Cruise Lines to Resume Operations in Alaska in 2021

RECITALS

- A. WHEREAS**, on March 16, 2020, the Mayors of the Ketchikan Gateway Borough, City of Ketchikan and City of Saxman issued a joint Declaration of Local Disaster Emergency based on the significant health and economic threat posed to the Borough and its citizens by the COVID-19 virus; and
- B. WHEREAS**, since the onset of the COVID-19 pandemic, the Ketchikan Gateway Borough, City of Ketchikan, City of Saxman along with the State of Alaska and Federal government have implemented historic measures to address the pandemic. This includes robust contact tracing, widely available free COVID-19 testing, and community mitigation strategies; and
- C. WHEREAS**, as of February 4, 2021, 315 individuals staying or residing in Ketchikan have tested positive for COVID-19 with two patients deceased. The community has maintained lower COVID-19 rates compared to other parts of Alaska and the country in large part due to the COVID-19 mitigation efforts in place. Vaccination efforts are now in full force; and
- D. WHEREAS**, the community has simultaneously suffered massive social and economic effects of the COVID-19 pandemic from lost classroom time to the shuttering of local businesses and decreased municipal revenues that are used to provide critical services; and
- E. WHEREAS**, Ketchikan's cruise ship industry, which is a cornerstone of the local economy, has sustained substantial losses with the entire 2020 cruise ship season cancelled; and
- F. WHEREAS**, 1.25 million passengers were projected to visit the Ketchikan during the

cancelled season. The resulting economic loss is estimated at \$263 million; and

- G. WHEREAS**, on February 4, 2021, the Canadian Minister of Transport announced two interim orders, which ban cruise vessels in all Canadian waters until February 28, 2022; and
- H. WHEREAS**, the announcement would effectively cancel the Alaska cruise ship season for 2021 creating further devastation for the Ketchikan economy; and
- I. WHEREAS**, additionally, the cruise industry is awaiting Centers for Disease Control technical guidance for resuming operations; and
- J. WHEREAS**, local governments, through the Emergency Operations Center, are prepared to work collaboratively with cruise lines to develop local COVID-19 mitigation plans for the industry to safely resume in Ketchikan; and
- K. WHEREAS**, in acknowledgement of these historic events, the Federal government is able to issue a temporary waiver of the Passenger Vessel Services Act, allowing foreign flagged vessels to bypass Canada during its ban and visit Alaska to deliver much needed economic relief.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FACTS, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, COUNCIL OF THE CITY OF KETCHIKAN, COUNCIL OF THE CITY OF SAXMAN as follows:

Section 1. The Ketchikan Gateway Borough Assembly, Ketchikan City Council and Saxman City Council urge the Federal government to issue a temporary waiver to the Passenger Vessel Services Act to allow the Alaska cruise industry to resume operations in 2021.

Section 2. The Ketchikan Gateway Borough Assembly, Ketchikan City Council and Saxman City Council request that the CDC issue technical guidance to allow the cruise lines to resume operations in the coming months.

Section 3. The Borough Clerk shall transmit a copy of this resolution to Alaska Congressman Don Young, Alaska Senator Lisa Murkowski, Alaska Senator Dan Sullivan, and Governor Mike Dunleavy.

Section 4. Effective Date. This resolution shall be effective upon adoption by the Ketchikan Gateway Borough Assembly, Ketchikan City Council, and Saxman City Council.

ADOPTED by the Borough Assembly the 15th day of February, 2021.

ADOPTED by the Ketchikan City Council the 18th day of February, 2021.

ADOPTED by the Saxman City Council the 9th day of February, 2021.

Ketchikan Gateway Borough Signatures:

Rodney Dial, Borough Mayor

ATTEST:

Kacie Paxton, Borough Clerk

APPROVED AS TO FORM:

Glenn Brown, Borough Attorney

City of Ketchikan Signatures:

Bob Sivertsen, City Mayor

ATTEST:

Kim Stanker, City Clerk

City of Saxman Signatures:

Frank Seludo, City Mayor

ATTEST:

Lori Richmond, City Clerk

Introduced on: 02/09/2021
Public Hearing Date: 02/09/2021
Adopted on: 02/09/2021

**CITY OF SAXMAN
ORDINANCE NO. 21-01**

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAXMAN
DECLARING AN EMERGENCY AND AMENDING CITY OF SAXMAN CODE SECTION
2.05.110 MEETINGS PUBLIC, 2.05.130(B) SPECIAL MEETINGS, INCLUDING EMERGENCY
MEETINGS AND 2.05.140 NOTICE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE
DATE.**

- A. WHEREAS**, the United States Centers for Disease Control (CDC) has determined that COVID-19, a respiratory disease that can result in serious illness or death and that is a new strain of coronavirus not previously identified in humans, is a significant public health risk both globally and in the United States; and
- B. WHEREAS**, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 on January 31, 2020, retroactively applicable to January 27, 2020; and
- C. WHEREAS**, on March 11, 2020, the World Health Organization (WHO) Director-General declared COVID-19 to be a global pandemic, and the WHO situation report has determined the global risk assessment posed by COVID-19 to be “very high”; and
- D. WHEREAS**, on March 11, 2020, Alaska Governor Mike Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 in Alaska, and in order to ensure that the public is educated about the public health risk; and
- E. WHEREAS**, on March 12, 2020, the first positive case of COVID-19 was confirmed within the State of Alaska AND on March 17, 2020 a positive case was identified in the Ketchikan Gateway Borough; and
- F. WHEREAS**, on March 13, 2020, Governor Dunleavy closed all schools in Alaska for two weeks, and the US Center for Disease Control (CDC) has recommended that gatherings of more than 10 persons be avoided; and
- G. WHEREAS**, the CITY COUNCIL finds that the present public health risk posed by COVID-19 calls for immediate action to reduce the risk of transmission of COVID-19 while enabling the CITY COUNCIL to continue functioning if members are absent or attendance in person is contrary to CDC advice due to health concerns, or if attendance of the public must be limited due to public health concerns; and

- 44 **H. WHEREAS,** the CITY COUNCIL finds that in times of declared disasters the
 45 CITY COUNCIL may be unable to get a proper notice with more than 24 hours'
 46 notice may need to meet by teleconference to address pending issues; and
 47
- 48 **I WHEREAS,** the CITY COUNCIL finds that COSC 2.05.110 should be amended to
 49 allow CITY COUNCIL meetings to be held and members to participate
 50 telephonically and public access to a council meeting be limited when a public
 51 health emergency or disaster has been declared by the President, Governor or
 52 Mayor; and
 53
- 54 **J. WHEREAS,** the CITY COUNCIL finds, pursuant to COSC 1.20.050, which
 55 allows adoption of an emergency ordinance effective for up to 60 days, that the
 56 present progression of COVID -19 limitations is moving so swiftly that an
 57 emergency exists calling for adoption of this ordinance as an emergency
 58 ordinance, and that the CITY COUNCIL should follow up with a regular ordinance
 59 adopting substantially similar provisions within the next 60 days prior to expiration
 60 of this ordinance;
 61
- 62 **H. WHEREAS,** after the expiration of Ordinance 20-13 there continues to be a public
 63 health emergency that necessitates amending the above ordinances for another
 64 60 days.
 65

66
 67 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAXMAN**
 68 **THAT:**
 69

70 **Section 1:** This ordinance is NOT of permanent nature and shall NOT become a part of the CITY
 71 OF SAXMAN Code of Ordinances.
 72

73 **Section 2:** That section 2.05.110, 2.05.130(b), and 2.05.140 of the CITY OF SAXMAN Code of
 74 Ordinances is amended to read as follows:
 75

76 **2.05.110 Meetings Public.**
 77

78 (a) Meetings of the Council shall be public. The only exception to the requirement of
 79 public Council meetings is when an executive session is lawfully justified, as provided in
 80 SMC 2.05.150. *The journal of proceedings shall be open to public inspection. When a*
 81 *disaster has been declared which makes attendance by the public in person*
 82 *inappropriate, physical attendance by the public may be limited by the mayor or vice-*
 83 *mayor. All efforts shall be taken to broadcast, or otherwise make the meeting available*
 84 *to the public.*
 85

86 (b) The Council shall provide reasonable opportunity for the public to be heard at regular
 87 and special meetings. [Ord. 01-77 Ch. 6 § 1].
 88

89 **2.05.130 (b) Special meetings, including emergency meetings.**
 90

(a) Advance notice of at least 24 hours shall be given each Councilmember prior to a special meeting *unless there is emergency business that necessitates less notice. If less than 24 hours notice is given, it will first be approved by the Mayor or Vice-Mayor. The notice shall specify the time, place, and business of the meeting. Business may be transacted at the meeting which is not mentioned in the notice at the Mayors approval.* Such notice shall be given personally to each member of the Council or left at his or her usual place of business or residence by the Clerk or the Clerk's designee.

2.05.140 Notice.

For the purpose of giving notice of meetings, reasonable public notice is given if a statement containing the date, time, and place of the meeting is posted in at least three public places not less than 24 hours before the time of the meeting. *If a meeting must be held with less than 24 hours notice, public notice is given if a statement containing the date, time, and place of the meeting is posted in at least three public places AND sent to a form of public media AND approved by the Mayor.* [Ord. 01-77 Ch. 6 § 4].

Effective Date: This ordinance takes effect upon adoption. This ordinance will cease to be effective 60 days after adoption in accordance with COSC 1.20.050.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAXMAN

THIS _____ DAY OF _____, 2021.

CITY OF SAXMAN

ATTEST:

Frank Seludo, Mayor

Lori Richmond, Clerk

VOTES:

Ayes:

Noes:

Absent: