

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Final

Wednesday, April 29, 2020

6:00 PM

Special Meeting

Council Chambers

City Council

SPECIAL MEETING AGENDA - 6:00 PM**I. CALL TO ORDER**

Mayor O'Neil called the meeting to order at 6:00 p.m. in Valdez City Council Chambers.

II. ROLL CALL

Present: 7 - Mayor Jeremy O'Neil
Council Member Ron Ruff
Council Member Christopher Moulton
Council Member Sharon Scheidt
Council Member Darren Reese
Council Member Dennis Fleming (*by telephone*)
Council Member Alan Sorum (*by telephone*)

Also Present: 6 - City Manager Mark Detter
Assistant City Manager Nathan Duval
City Clerk Sheri Pierce
Deputy City Clerk Allie Ferko (*by telephone*)
Records Manager Shelley McMillen
City Attorney Jake Staser (*by telephone*)

III. CONSENT AGENDA**1. Approval To Go Into Executive Session Re: Pending Litigation Related to 3207 Aurora Permitting Requirements and Certificate of Occupancy Issue**

MOTION: Council Member Ruff moved, seconded by Council Member Moulton to approve Consent Agenda.

VOTE ON THE MOTION:

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Scheidt, Council Member Reese, Council Member Fleming and Council Member Sorum

MOTION CARRIED.

IV. NEW BUSINESS**1. Discussion Item: COVID-19 Update**

Mr. Detter shared current state and city case counts. He reminded Council of the pending COVID-19 mitigation agreements with the fish processing plants.

Mr. Detter stated, due to a recent influx of state mandates, the Unified Command Business & Tourism Task Force was working with local businesses to schedule individual question and answer sessions to discuss the new mandates. He summarized the expected content of the meetings, including an overview of the rapidly changing and complex rules, where to find online resources, and public messaging. He advised businesses reach out to the state for in-depth questions, as the mandates were not set by local government. City staff would be providing

assistance as a resource only.

Mr. Detter updated Council on the alternate care site, including location and number of beds available.

Mr. Brian Carlson, city finance director, provided a brief overview of current COVID-19 related expenses. Council Member Reese asked for the amount of additional cost to staffing outside of standard payroll costs. Mr. Carlson stated his calculations reflected existing staff with explicit Incident Command System (ICS) assignments factored by the time they were spending, as well as their wage and benefits. Council Member Reese expressed interest in reviewing additional information regarding costs for the COVID-19 response above and beyond normal city operational costs. Mr. Carlson stated those costs were primarily related to supplies and services. He explained, in ICS terminology, finance staff assign a "burn rate" for all expenses related to the response. The current COVID-19 burn rate for the city is approximately \$4,000 per day.

Mayor O'Neil asked for an update on state administered funding to the communities around the state. Mr. Detter outlined the Governor's recommendation to the State Legislature, which included \$1.7M allocated for Valdez.

Council Member Reese asked for details regarding applicability of State of Alaska Health Mandate # 016 to local businesses. Ms. Ferko reviewed clarifying information about the mandate provided by the state.

Mr. Detter invited Dr. Sam Shirk, Providence Valdez Medical Center (PVMC) chief of staff, to update Council on the status of COVID-19 testing in Valdez. Dr. Shirk explained PVMC had ramped up testing over the past six weeks. Results were typically coming back within two to four days. He went on to discuss testing through the state. He stated PVMC had two rapid test units allocated by the state, although rapid testing was currently limited due to supplies. Mr. Detter asked about the criteria for testing eligibility. Dr. Shirk explained the criteria had recently changed. Any person exhibiting symptoms of COVID-19 was now eligible for testing. He went on to explain the state had now empowered physicians to test as they saw fit.

Council Member Scheidt asked if antibody testing was available. Dr. Shirk explained the appropriate situation to use antibody testing from a clinical perspective. He added the state felt antibody testing was not robust or sensitive enough at this time for COVID-19 specific antibodies to determine if a person was exposed to the virus in the past.

Council Member Reese asked how many tests had been performed to date. Dr. Shirk explained he could not give an exact number until a threshold established by state public health had been met, but the current number was less than 1% of the population.

Mayor O'Neil verified those with symptoms were being tested. Dr. Shirk agreed, stating he and the other local physicians were actively looking for symptomatic patients. He requested anyone exhibiting symptoms reach out to PVMC or the Valdez public health nurse for testing within the first couple of days of symptom onset. Council Member Scheidt asked if the desire for more testing had been

broadcast to the community. Dr. Shirk stated it had been shared on social media, but he was unaware of other attempts to convey the message.

Mayor O'Neil requested information on the new telehealth program. Dr. Shirk explained his current telehealth appointments with patients consisted mostly of chronic disease management and were not COVID-19 related.

Council Member Moulton stated he knew of a number of symptomatic citizens had been turned away for testing. He suggested a change in message if the medical community was looking to expand testing to additional citizens. Mayor O'Neil explained the criteria for testing had only recently changed and testing was still limited.

Council Member Scheidt shared her appreciation for the upcoming meetings with local businesses. She asked what the general public should be doing to find information. Ms. Ferko offered multiple information sources available to the public.

2. Approval of Amendment #2 to City of Valdez COVID-19 Mandate #001 Regarding Travel

MOTION: Council Member Moulton moved, seconded by Council Member Scheidt, to approve Amendment #2 to City of Valdez COVID-19 Public Health Mandate # 001 Regarding Travel.

Mr. Detter reminded Council of the origin of the mandate and why the amendment was necessary. Mayor O'Neil expressed his concern over reconciling state guidelines with local government's responsibility to protect its people. He reviewed the recently released Alaska Department of Fish & Game travel safety guidelines. Mr. Detter explained the need to accommodate guidance set by the state within local public health mandates. Mr. Staser explained how the amendment and state guidelines affected the city's travel quarantine requirement.

Mayor O'Neil and Mr. Staser discussed how state level health mandates provided allowances for lodging, overnight camping, and outdoor day recreation. Council Member Moulton asked for clarification on overnight lodging. Mayor O'Neil explained the state health mandate only directed requirements for the purveyors of overnight lodging. Council Member Moulton stated Council needed to discuss if the desire was to encourage people to come to Valdez. He stated it should also be discussed if Council wanted Valdez residents to participate in activities allowed by the state and then return home without a fourteen day quarantine. Council Member Scheidt agreed Council needed to determine what direction it wanted to take.

Mayor O'Neil reviewed State of Alaska Health Mandate # 012. He asked Mr. Staser if he interpreted the mandate to include recreational sport fishing. Mr. Staser stated he believed the intent of State Health Mandate # 016 was to allow for recreational travel. Mayor O'Neil expressed his concern over ambiguous state mandate language. He asked if the local travel restriction held up against State of Alaska Health Mandate # 012, which stated travel between communities should

only be for critical reasons and critical personal travel may be subject to any automatic quarantine or isolation. Mr. Staser agreed the local health mandate was more restrictive than the state mandate.

Mr. Staser explained the goal of the amendment before Council was to make the local health mandate line up with the state mandate as closely as possible. Mayor O'Neil suggested Council provide better clarification regarding the intent of the local mandate. Council Member Reese explained it was not right to penalize visitors or workers traveling to Valdez more than they were willing to penalize residents. He explained it needed to be an equal balance. Council Member Scheidt agreed, stating she would like to find a happy medium. Council Member Ruff shared concerns he had received from residents over the mandate.

Council Member Sorum stated he felt Council was almost in the position where it would be more beneficial to simply follow the state mandates and not continue to amend local mandates. Council Member Fleming explained the most important thing was to find the best way to protect the citizens of Valdez. He stated there needed to be a happy medium between state and local mandates. Mayor O'Neil expressed his concern over several layers of governmental instruction which did not have the same objective. He stated the proposed amendment before Council put the community at a disadvantage when it came to protecting itself from potential exposure.

Council Member Moulton suggested replacing local mandates with proclamations outlining how Council expected both residents and visitors to protect the community. Mayor O'Neil explained how businesses reopening in other areas of the state affected Valdez. He discussed how he expected those recreating in Valdez should use the tools created by local businesses to maintain a physical distance. Council Member Scheidt stated the message being sent was an encouragement to recreate and to refrain from nonessential activities while in other communities. She explained this did not prevent visitors from going to the grocery store, gas station, or other essential activities, and still left the community open to potential exposure. Council Member Reese explained how the mandate affected local small non-essential businesses, and his desire to not handicap those types of businesses.

MOTION TO AMEND: Council Member Reese moved, seconded by Council Member Moulton, to approve repeal of City of Valdez COVID-19 Mandate #001 Regarding Travel and replace it with an advisory or proclamation to be approved at the City Council special meeting on April 30th.

Council Member Moulton requested if the motion passed, to have a replacement document put in place by the following day. Council Member Scheidt agreed, stating she would like the new document, be it an advisory or proclamation, put in place as soon as possible and distributed to the community. Council Member Sorum and Council Member Fleming shared their support of a proclamation. Mayor O'Neil shared his desire to maintain the mandate, explaining how he

wanted the safety of local critical infrastructure to be protected.

VOTE ON THE MOTION TO AMEND:

Yays: 6 - Council Member Ruff, Council Member Moulton, Council Member Scheidt, Council Member Reese, Council Member Fleming and Council Member Sorum

Nays: 1 - Mayor O'Neil

MOTION TO AMEND CARRIED.

Valdez Resident Tammy Jo shared her objection to the repeal of the mandate. She explained how she had followed the mandate. She stressed how important she felt maintaining the mandate was for the health of the community.

VOTE ON THE MAIN MOTION AS AMENDED:

Yays: 6 - Council Member Ruff, Council Member Moulton, Council Member Scheidt, Council Member Reese, Council Member Fleming and Council Member Sorum

Nays: 1 - Mayor O'Neil

MAIN MOTION AS AMENDED CARRIED.

V. RESOLUTIONS

1. #20-24 - Amending the 2020 Budget by Transferring \$2,890,600 from Permanent Fund Reserve to the Newly-created "Local Economic Assistance - COVID 19" Account, and Authorizing Expenditure There-from

MOTION: Council Member Reese moved, seconded by Council Member Ruff, to approve Resolution # 20-24.

Mr. Detter reminded Council of the origins of the resolution and the end goal of its approval. He explained the estimate of \$1800 per household and the process of accepting applications. Mr. Carlson summarized the application process. He explained how the energy assistance program database would assist in processing applications. He hoped to find a balance between the necessary verification process and expedient distribution.

Council Member Reese asked if small business owners would qualify for both their business and their home. Mr. Carlson explained how applicants would be verified using tax ID numbers and physical location, and how applicants might qualify for both home and business payments.

Mayor O'Neil explained his support of including a pledge in the application to spend the funds within the community of Valdez.

Council Member Moulton requested the application be brought before Council for approval. Mr. Carlson agreed he would be able to present a draft of the application during the next regular Council meeting. He encouraged Council to reach out to him with any questions or ideas. Council Member Moulton requested

the topic be added as a discussion item on the agenda for the upcoming Special Meeting on April 30th.

Valdez Resident Kathy Neilson asked why the city would be giving businesses and residents such a generous amount of money at this point in the pandemic, when other assistance options were readily available. She suggested putting off the program until later in the year, when the need would be higher. Council Member Moulton explained the clearest and easiest way for Council to help the community at this point was a direct payment to families and businesses. Ms. Neilson shared her enthusiasm for the Mayor's COVID Recovery Task Force, and discussed a survey put out by the Valdez Convention and Visitor's Bureau. Council Member Scheidt explained how those involved in addressing community relief had come to the decision to provide broad relief to the community at this time. She outlined how the Task Force would be addressing more specific relief in the future. Ms. Jo expressed her approval of direct payments to the community.

Mayor O'Neil shared his support of approving the resolution, as well as why he felt it would benefit the community. Council Member Sorum agreed, sharing his desire to get funds into the community as quickly as possible. Council Member Fleming stated his support.

Valdez Resident Maggie Nylund asked for clarification if businesses should apply for the program. Mayor O'Neil explained businesses would qualify for the program, based on unique tax status. Ms. Nylund shared her appreciation for Council's willingness to assist local businesses.

VOTE ON THE MOTION:

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Scheidt, Council Member Reese, Council Member Fleming and Council Member Sorum

MOTION CARRIED.

2. #20-25 - Waiving Interest Charges for Past Due Harbor Services and Lease Payments

MOTION: Council Member Moulton moved, seconded by Council Member Reese, to approve Resolution # 20-25.

Mr. Detter explained the resolution was similar to Council's prior approval of waiving late fees for utilities.

Council Member Reese asked if the resolution included the Port. Mr. Jeremy Talbott, city ports & harbors director, stated he believed the resolution covered all harbor fees and city lease late fees.

Mayor O'Neil explained he had read 50% of harbor slips in Valdez were held by Fairbanks residents. Mr. Talbott confirmed that number included recreational slips only.

Council Member Reese asked for clarification on how slip fees are paid. Mr. Talbott explained there was a monthly payment option, which was more expensive than the quarterly or annual fee. Council Member Moulton asked if the

Mayor was suggesting limiting the waiver to residents only. Mayor O'Neil explained he did not think it was possible to delineate between different types of harbor users. Mayor O'Neil and Council Member Reese asked what happened if payments were missed. Mr. Talbott explained how the process would work if a payment was not made. Council Member Scheidt asked for clarification that no late fees, penalties or loss of slip would occur if the resolution passed. Mr. Talbott confirmed. Council Member Sorum encouraged letting other communities know the city would be waiving these fees for now. Council Member Moulton explained Council would only be waiving interest and late fees. Moorage and lease bills would still be received by tenants.

Ms. Pierce brought Council's attention to a written comment submitted to them by a Valdez resident with concerns on the topic. Mr. Talbott explained he had been in contact with the community member and had addressed the concern.

Mr. Carlson stated after a discussion with Planning Director Kate Huber, it had been pointed out temporary land permits were similar to the items addressed in the resolution. She requested consideration of amending the resolution to include these permits. Council Member Scheidt asked if the permits had been included in the waiver of other penalties Council had passed prior to this meeting. Mayor O'Neil asked if there were other fees which would come up in the future. After a brief discussion, Council agreed not to include the permits in this resolution and to discuss the topic during their upcoming regular meeting.

VOTE ON THE MOTION:

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Scheidt, Council Member Reese, Council Member Fleming and Council Member Sorum

MOTION CARRIED.

VI. EXECUTIVE SESSION

City Council transitioned into executive session at 8:48 p.m.

VII. RETURN FROM EXECUTIVE SESSION

City Council transitioned out of executive session at 9:48 p.m.

VIII. ADJOURNMENT

There being no further business, Mayor O'Neil adjourned the meeting at 9:48 p.m.