

Submitted by: Chair of the Assembly
at the

Request of the Mayor

Prepared by: Dept. of Law

For reading: November 16, 2020

ANCHORAGE, ALASKA
AR No. 2020-398(S)

A RESOLUTION OF THE ANCHORAGE ASSEMBLY FOR A SIXTH EXTENSION OF THE DECLARATION OF CIVIL EMERGENCY (COVID-19) ISSUED BY THE MAYOR OF THE MUNICIPALITY OF ANCHORAGE ON MARCH 12, 2020.

WHEREAS, the requests by resolution for extending the Mayor's Proclamation of Emergency have been submitted by the Mayor's Administration to date, but with the additional requirement to hold a public hearing two weeks prior to the expiration of the emergency proclamation, as imposed by AR 2020-379, As Amended, the Administration has not provided a Resolution document for that public hearing; and

WHEREAS, historically a public hearing has been held only with an accompanying Ordinance or Resolution document proposed for action, for public review of content prior to opening a public hearing for testimony on the action; and

WHEREAS, to provide context and substance for the public hearing required two weeks before the current expiration date of the Mayor's proclamation of emergency (COVID-19), the Assembly Acting Chair has submitted this Resolution for consideration, generally duplicating the Mayor's last request for an extension in AR 2020-379, As Amended; and

WHEREAS, a novel coronavirus or COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

WHEREAS, pursuant to the Proclamation of Emergency (COVID-19), on March 12, 2020, the Mayor made the following provisions:

THE FOLLOWING EMERGENCY REGULATIONS TO BE EFFECTIVE IMMEDIATELY TO PRESERVE PUBLIC SAFETY AND WELFARE WITHIN AND ADJACENT TO THE MUNICIPALITY. THE FOLLOWING EMERGENCY REGULATIONS HAVE THE POWER OF LAW, SHALL REMAIN IN EFFECT FOR THE DURATION OF THIS EMERGENCY, AND SHALL SUPERSEDE ALL CONFLICTING LAWS DURING THE EXISTENCE OF THIS EMERGENCY.

1. The Municipality is authorized to request assistance from the State of Alaska for fire protection, law enforcement, and the provision of any other funds, services, functions, supplies or materials determined by the Mayor, in consultation with the Office of Emergency Management, to be necessary to meet public safety and

1 welfare needs arising from or incidental to COVID-19 and to recover
2 from the damages caused.

3
4 2. The Mayor may implement any orders necessary to prevent the
5 transmission of infectious disease and to ensure that all cases of
6 contagious disease are subject to proper control and treatment.

7
8 3. The requirements of Chapters 7.15 and 7.20 of the Anchorage
9 Municipal Code (AMC) are hereby suspended for the duration of this
10 emergency, except for the requirements set forth in AMC 7.20.090,
11 for the acquisition of supplies, equipment, services, personnel, fuel
12 or food as may be necessary to implement the Comprehensive
13 Emergency Operations Plan or otherwise to preserve and protect the
14 public safety, health and welfare from COVID-19 and from the effects
15 thereof.

16
17 4. All resources of the municipal government, including municipal
18 personnel, are hereby available as necessary to cope with this
19 emergency. Municipal departments, agencies, or personnel may be
20 transferred or altered in function for the purpose of performing or
21 facilitating performance services responsive to this emergency.;

22
23 and

24
25 **WHEREAS**, the Assembly has extended the Declaration of Emergency five times,
26 most recently on October 13, 2020 (AR No. 2020-379, As Amended) until November
27 30, 2020 at eleven fifty-nine (11:59) p.m.; and

28
29 **WHEREAS**, as of November 12, 2020 [~~NOVEMBER 3, 2020~~], the United States
30 has experienced almost 10.5 [~~9.5~~] million confirmed cases of COVID-19 and over
31 240,000 [~~233,000~~] deaths from the virus; and

32
33 **WHEREAS**, as of November 12, 2020 [~~NOVEMBER 3, 2020~~], the State of Alaska
34 has experienced 20,688 [~~17,448~~] total confirmed cases of COVID-19, 1,124 [~~1088~~]
35 of those among visitors, and the virus is responsible for the deaths of 96 [~~84~~]
36 **Alaskans**; and

37
38 **WHEREAS**, as of November 12, 2020 [~~NOVEMBER 3, 2020~~], the Municipality of
39 Anchorage has experienced 10,959 [~~8,839~~] confirmed cases and 58 [~~51~~]
40 deaths among residents; and

41
42 **WHEREAS**, the virus is still present and spreading in Anchorage, with a recent 14-
43 day rolling average of new cases of 78.76 [~~46.1~~] per 100,000 population; and

44
45 **WHEREAS, on November 9, 2020, Joint Base Elmendorf-Richardson**
46 **announced a new 30-day public health declaration with tight restrictions on**
47 **airmen and soldiers, including strict limits on gatherings both on and off base,**
48 **and a prohibition against dining or drinking at establishments off base; and**
49
50

1 **WHEREAS, on November 12, 2020, Governor Dunleavy sent an emergency**
2 **alert to citizens across the State urging everyone to socially distance and/or**
3 **stay at home as much as possible to combat the current escalation of COVID-**
4 **19, which he deems an imminent threat to the safety of Alaskans; and**
5

6 **WHEREAS**, until a vaccine or effective treatment has been found, Anchorage
7 remains susceptible to surges in infection that could overwhelm the hospital system
8 if not swiftly contained, such that the lifting of our emergency response would very
9 likely result in larger loss of life; and
10

11 **WHEREAS**, the full potential extent and effect of COVID-19 cannot yet be known, it
12 nonetheless remains vital to be prepared and take all needed precautions
13 throughout the entire timeframe of the emergency to allow the MOA to be able to
14 rapidly address any public health emergency related to COVID-19 as it arises; and
15

16 **WHEREAS**, these circumstances make it necessary for the Mayor's proclamation
17 of emergency to remain activated and in place to address the ongoing public health,
18 safety and welfare issues resulting from this emergency beyond its current
19 November 30, 2020 termination date; and
20

21 **WHEREAS**, individual emergency orders issued by the Mayor are issued with
22 individual expiration dates that have previously had and may continue to have dates
23 shorter than the length of the full emergency proclamation,
24

25 **WHEREAS**, the State Legislature has extended the State's declaration of
26 emergency until November 15, 2020, **and the Governor announced a new 30-day**
27 **emergency declaration to begin November 16, 2020,**
28

29 **WHEREAS**, pursuant to AMC section 3.80.080, the Assembly may terminate the
30 emergency proclamation at any time, and pursuant to AMC section 3.80.085 may
31 alternatively terminate specific emergency orders or emergency regulations,
32

33 **WHEREAS**, pursuant to AMC section 3.80.080, the Assembly now deems it
34 necessary to extend the terms of the Proclamation of Emergency at this time
35 through **January 15, 2021** [~~DECEMBER 31, 2020~~] at eleven fifty-nine (11:59) p.m.
36 to protect the health, safety and welfare of the residents of the Municipality; now,
37 therefore,
38

39 **THE ANCHORAGE ASSEMBLY RESOLVES:**
40

41 **Section 1.** The Municipality of Anchorage Proclamation of Emergency (COVID-
42 19) issued March 12, 2020 is hereby extended through **January 15, 2021**
43 [~~DECEMBER 31, 2020~~] at eleven fifty-nine (11:59) p.m. The Administration shall
44 submit not less than weekly regular reports to the Assembly on any emergency
45 measures taken under the Proclamation of Emergency (COVID-10) as this health
46 emergency evolves.
47

48 **Section 2.** The Mayor shall, if an additional extension of the Proclamation of
49 Emergency (COVID-19) is requested beyond the date approved in this Resolution,
50 submit to the Assembly a written report detailing reasons the additional extension is

1 requested.

2
3 **Section 3.** This resolution shall be effective immediately upon passage and
4 approval by the Assembly.

5
6 **Section 4.** Any further extension of the emergency order shall be subject to a
7 public hearing to occur at least three days before the expiration of the declaration of
8 emergency.

9
10
11 PASSED AND APPROVED by the Anchorage Assembly this ____ day of
12 _____, 2020.

13
14
15 _____
16 Chair

17 ATTEST:

18
19
20
21 _____
22 Municipal Clerk