

**SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

May 12, 2021 5:30 PM

Zoom Webinar & FB Live Stream

Meeting No. 2021-12 <https://juneau.zoom.us/j/93917915176> or 1-253-215-8782 Webinar ID:
939 1791 5176 Immediately Followed by Assembly Finance Committee

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

A. Instruction for Public Participation

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-5278 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. When attending the zoom webinar [login info listed at top of agenda] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

Please note that in accordance with the Assembly Rules of Procedure, no public testimony will be taken at this meeting on any Ordinances for Introduction.

V. AGENDA TOPICS

A. Introduction: Ordinance 2021-03 An Ordinance Regulating Fireworks and Providing for a Penalty.

This ordinance would create a comprehensive set of regulations to govern the use, sale, and possession of fireworks. Fireworks would be classified as concussive, holiday, and allowable. Notably, concussive fireworks, like mortars, would be prohibited inside the fire service area. Holiday fireworks, like bottle rockets and firecrackers, would only be allowed. The CBJ is working on fliers to help educate people when and where the different types of fireworks are allowed and prohibited. The Assembly Committee of the Whole discussed fireworks multiple times including: February 1, 2021; March 15, 2021; April 12, 2021; and May 10, 2021.

The Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

B. Introduction: Ordinance 2021-18 An Ordinance Regarding Taxing the Sale of Fireworks.

This ordinance would clarify the sale of fireworks is not exempt from sales tax. The Assembly Committee of the Whole discussed this ordinance at its meeting on May 10, 2021.

The Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

C. Public Hearing: Ordinance 2020-09(AV) An Ordinance Appropriating up to \$125,000 to the Manager as Partial Funding for the Pile Anodes Installation Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate up to \$125,000 to the Pile Anodes Installation CIP. This project would install zinc anodes to each steel piling in Harris Harbor as part of a maintenance plan to extend the longevity of all Docks and Harbors facilities.

Grant funding is provided by the Alaska Department of Transportation and Public Facilities. The 50% local match requirement is being met by previously appropriated capital improvement project funding from the Pile Anodes Installation CIP (H51-121).

The Docks and Harbors Board reviewed this request at its regular board meeting on April 29, 2021.

The City Manager recommends the Assembly adopt this ordinance.

D. Bid DH21-036 Harris Harbor Anodes Installation

This project would install zinc anodes to each steel piling in Harris Harbor as part of a maintenance plan to extend the longevity at all Docks and Harbors facilities. The zinc anodes are welded on the piles below the surface and provide a sacrificial benefit to the galvanized steel piling.

Funding for this project is provided by the Alaska Department of Transportation and Public Facilities' (DOT/PF) Harbor Grant program and the CBJ Harbor Enterprise CIP funds.

Bids were opened on April 14, 2021. The bid protest period expired at 4:30 p.m. on April 16. Results of the bid opening are as follows:

The Docks and Harbors Board recommended this bid award at a special public meeting held on April 19.

RESPONSIVE BIDDERS	TOTAL BID
Global Diving & Salvage, Inc.	\$174,650
Alaska Commercial Divers, Inc.	\$174,652
American Marine International	\$287,761
Engineer's Estimate	\$254,000

The City Manager recommends award of this project to Global Diving & Salvage, Inc. in the total bid amount of \$174,650.

VI. STAFF REPORTS

A. COVID Community Mitigation Measures - Update

VII. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

Presented by: COW
Presented: 5/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-03

An Ordinance Regulating Fireworks and Providing for a Penalty.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Title. Title 36, Health and Sanitation, is amended by adding a new chapter to read:

36.80 FIREWORK CONTROL CODE

36.80.010 Fireworks control.

- (a) This chapter shall be known as the Fireworks Control Code.
- (b) The intent of this chapter is to comprehensively regulate the use, possession, and sale of fireworks despite any contradictory provision of Title 19. Title 19 shall govern the storage of fireworks. Pursuant to Title 19, the fire chief may still prohibit or restrict the use of all fireworks at any time due to increased fire danger or any other reasons which may create a significant increased risk to public health and safety.

[State law reference, A.S. 18.72.060]

36.80.020 Fireworks prohibition and exceptions.

(a) General Prohibition. Except as specifically provided below, the use of a firework is prohibited within the City and Borough of Juneau.

(b) Exceptions.

(1) Concussive Fireworks. A person may use concussive fireworks for personal use when all three conditions are met: (i) on private property with the permission of the property owner or on designated public property, (ii) outside the fire service area, and (iii) only on New Year's and Fourth of July as defined by this chapter.

(2) Holiday Fireworks. A person may use holiday fireworks on private property with the permission of the property owner or on designated public property (i) inside the fire service area only on New Year's and Fourth of July as defined by this chapter; or (ii) outside the fire service area year-round from 10:00 AM to 10:00 PM.

(3) Allowable Fireworks. A person may use allowable fireworks on private property with the permission of the property owner or on designated public property (i) on New Year's and Fourth of July as defined by this chapter, or (ii) year-round from 10:00 AM to 10:00 PM.

(4) Year-round Outside the Roaded Service Area. A person may use concussive, holiday, and allowable fireworks for personal use on private property with the permission of the property owner or on designated public property outside the roaded service area.

(5) Public Display. A person or entity holding a valid firework display permit issued by the City and Borough of Juneau and the State may provide a public display of fireworks consistent with the permit.

1
2 (6) Official Use. Employees, contractors, and permittees of the City and Borough of
3 Juneau, State, or any federal agency may use fireworks in the interest of public safety or
4 wildlife control, including at the solid waste facility and the Juneau International Airport.

5 (c) Violations. A violation of this section is an infraction.
6

7
8 **36.80.030 City and Borough of Juneau fireworks display permit.**

9 (a) The fire chief, or designee, may issue a pyrotechnic permit for public fireworks displays,
10 provided the following conditions are satisfied:

11 (1) Dates, times, and location of the proposed display(s); and

12 (2) That all required state licenses or permits have been procured (e.g. State of Alaska
13 Fireworks Display Permit); and

14 (3) That a policy or certified true copy of a policy of public liability insurance and
15 products liability insurance coverage provided by the applicant or his or her employer has been
16 filed with the City and Borough of Juneau Risk Manager, which provides for both accident and
17 occurrence coverage in the amount of at least one million dollars for bodily injury and death and
18 at least five hundred thousand dollars for property damage; and

19 (4) That the fireworks display is to be conducted by a State of Alaska licensed
20 pyrotechnic operator; and

21 (5) That the CBJ fireworks display permit expires no longer than thirty days from the
22 date of issuance.
23

24 (b) Upon receipt of an application for a CBJ fireworks display permit, the fire chief shall
25 review the application for completeness and send the application out for agency review,
including to the Juneau Police Department, CBJ Risk Manager, CBJ Manager's Office, and to

the State fire marshal. The agency review should occur within two weeks. Upon the fire chief's determination that the application is complete, in consideration of the agency comments, the fire chief may approve the application, approve the application with conditions, or deny the application. If the fire chief imposes conditions or denies the application, the fire chief must articulate what public health, safety, or welfare reasons support the denial or imposition of conditions.

36.80.040 Sale of fireworks.

(a) Prohibition. The sale of fireworks, display of fireworks for sale, offer to sell, or possess with intent to sell fireworks is prohibited

(1) within the fire service area;

(2) outside of the fire service area unless authorized by a retail firework permit from the City and Borough of Juneau. A government vendor, including a federally recognized tribal government, is exempt from the permit requirement.

(b) Violation. A violation of this section is a Class B misdemeanor.

36.80.045 City and Borough of Juneau retail firework permit.

(a) A person may sell or offer for sale fireworks when all of the conditions are satisfied:

(1) The retail store is located outside the fire service area;

(2) The vendor has received a retail firework permit from the State of Alaska;

(3) The fire chief approves and issues a CBJ retail firework permit;

(4) Only saleable fireworks are sold or offered for sale;

(5) The Juneau area fire danger is low or moderate; and

(6) The vendor confirms each buyer is 18 year of age or older. A vendor is prohibited from giving fireworks to a person under 18 year of age.

(b) Fire Chief Review. Upon receipt of an application for a CBJ retail fireworks permit, the fire chief shall review the application for completeness. The application must include the same information submitted to the State of Alaska for an A.S. 18.72.020 permit. The fire chief's review should occur within two weeks. The fire chief may approve the application, approve the application with conditions, or deny the application. If the fire chief imposes conditions or denies the application, the fire chief must articulate what public health, safety, or welfare reasons support the denial or imposition of conditions. An applicant aggrieved by a decision of the fire chief may appeal to the manager whose decision shall constitute final agency action.

(c) Duration. A CBJ retail firework permit shall expire 12 months from the date the fire chief issues it. The fire chief may temporarily revoke a CBJ retail firework permit upon notice to the applicant that fire danger conditions are high, very high, or extreme. The fire chief may also revoke a CBJ retail firework permit upon violation of a condition of the permit, violation of this chapter, violation of A.S. 18.72, or violation of Title 19.

[State law reference A.S. 18.72.010—020]

36.80.050 Possession of fireworks.

(a) Possession of Saleable Fireworks. Except as pursuant to a valid permit, or similar authorization, by the City and Borough of Juneau, State, or federal agency, a person must not possess more than 75 gross pounds of saleable fireworks. The gross weight of fireworks includes the combined weight of each individual firework. All fireworks must be stored and transported consistent with Title 19, State, and federal law.

(b) Possession of Dangerous Fireworks. Except as pursuant to a valid permit, or similar authorization, issued by the City and Borough of Juneau, State, or federal agency, a person must not possess dangerous fireworks.

(c) Commercial Transportation. Consistent with federal and state law, a contract or common carrier may transport saleable fireworks in excess of the amount listed in subsection (a).

(d) Violation. A violation of this section is an infraction.

[Federal law reference 18 U.S.C. 836]

36.80.060 Miscellaneous fireworks provisions.

(a) It is unlawful for any person under the influence of any alcoholic beverage, intoxicating liquor, marijuana, controlled substance as defined in AS 28.33.190, or illegal drug to use a firework. In addition to other indicators, a person is under the influence of alcohol if a chemical test determines that at the time the test is administered, there is 0.08 percent or more, by weight, of alcohol in the person's blood or 80 milligrams or more of alcohol per 100 milliliters of blood, or when there is 0.08 grams or more of alcohol per 210 liters of the person's breath.

(b) It is unlawful for any person to use or attempt to use a firework in any manner that could reasonably cause harm to life or property.

(c) Violation. A violation of this section is an infraction.

36.80.070 Definitions.

For the purposes of this chapter, the following definitions apply:

Allowable firework means a saleable firework and limited to the following:

(A) Reserved;

(B) Reserved;

(C) Reserved;

(D) Cylindrical fountains, total pyrotechnic composition not to exceed 75 grams each in weight, and the inside tube diameter not to exceed $\frac{3}{4}$ inch;

(E) Cone fountains, total pyrotechnic composition not to exceed 50 grams each in weight;

(F) Wheels, total pyrotechnic composition not to exceed 60 grams for each driver unit or 240 grams for each complete wheel, and the inside tube diameter of driver units not to exceed $\frac{1}{2}$ inch;

(G) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed 100 grams each in weight;

(H) Dipped sticks, the pyrotechnic composition of which contains chlorate or perchlorate, that do not exceed five grams, and sparklers, the composition of which does not exceed 100 grams each and that contains no magnesium or magnesium and a chlorate or perchlorate;

(I) Reserved;

(J) Reserved;

(K) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

Concussive firework means a saleable firework (i) that has an inside tube diameter greater than $\frac{3}{4}$ inch or (ii) that is a mine and shell of which the mortar is an integral part.

1
2 *Dangerous firework* means all fireworks that are not defined as a saleable firework.

3
4 *Designated public property means* publicly owned property or publically controlled property (i.e.
5 lease, right-of-way) in which the government, governing board, agency, department, or person
6 with authority specifically identifies as eligible for use of fireworks.

7
8
9 *Display* means the result of igniting, detonating, or explosion of a firework.

10
11 *Fire service area* means the area as defined by CBJC 01.30.100.

12
13 *Firework* means a saleable (concussive, holiday, or allowable) firework or a dangerous firework.

14
15 *Holiday firework* means a saleable firework and limited to the following:

16 (A) Roman candles, not exceeding 10 balls spaced uniformly in the tube, total
17 pyrotechnic composition not to exceed 20 grams each in weight, any inside tube
18 diameter not to exceed $\frac{3}{8}$ inch;

19 (B) Skyrockets with sticks, total pyrotechnic composition not to exceed 20 grams each
20 in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch, with the rocket sticks
21 being securely fastened to the tubes;

22 (C) Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each
23 in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch;

24 (D) Reserved;

25 (E) Reserved;

(F) Reserved;

(G) Reserved;

(H) Reserved;

(I) Reserved;

(J) Firecrackers with soft casings, the external dimensions of which do not exceed one and one-half inches in length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight;

(K) Reserved.

New Year's and Fourth of July are defined as follows:

New Year's	
December 31	10:00 am – midnight (14 hours)
January 1	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (14 hours)
Fourth of July	
July 3	10:00 am – midnight (14 hours)
July 4	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (14 hours)

Public display means to use, ignite, detonate or explode fireworks on public property or intended for a public audience.

Roaded service area means the area defined by CBJC 1.30.320.

Saleable firework means a 1.4 G firework, as defined by the National Fire Protection Association, and, more specifically, shall include and be limited to the following:

- (A) Roman candles, not exceeding 10 balls spaced uniformly in the tube, total pyrotechnic composition not to exceed 20 grams each in weight, any inside tube diameter not to exceed $\frac{3}{8}$ inch;
- (B) Skyrockets with sticks, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch, with the rocket sticks being securely fastened to the tubes;
- (C) Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch;
- (D) Cylindrical fountains, total pyrotechnic composition not to exceed 75 grams each in weight, and the inside tube diameter not to exceed $\frac{3}{4}$ inch;
- (E) Cone fountains, total pyrotechnic composition not to exceed 50 grams each in weight;
- (F) Wheels, total pyrotechnic composition not to exceed 60 grams for each driver unit or 240 grams for each complete wheel, and the inside tube diameter of driver units not to exceed $\frac{1}{2}$ inch;
- (G) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed 100 grams each in weight;
- (H) Dipped sticks, the pyrotechnic composition of which contains chlorate or perchlorate, that do not exceed five grams, and sparklers, the composition of which does not exceed 100 grams each and that contains no magnesium or magnesium and a chlorate or perchlorate;
- (I) Mines and shells of which the mortar is an integral part, total pyrotechnic composition not to exceed 40 grams each in weight;

(J) Firecrackers with soft casings, the external dimensions of which do not exceed one and one-half inches in length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight;

(K) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

State licensed pyrotechnic operator means an individual who has been licensed by the Alaska Department of Public Safety, Fire and Life Safety Division.

Use of a firework or use firework means to ignite, discharge, or attempt to ignite a firework.

[State law reference, A.S. 18.72.100]

Section 3. Amendment of Section. Section 03.30.053, Health and Sanitation fine schedule, is amended by adding the following:

CBJC	Offense	No. of Offense	Fine
36.80.020(a)	Use of firework	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.050(a) and (b)	Possession of fireworks	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.060(a)	Use of fireworks under influence	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.060(b)	Negligent use of fireworks	1 st	\$250
		2 nd and subseq.	\$500 and MCA

Section 4. Amendment of Section. CBJC 67.01.090, Prohibited uses, is amended by adding the following:

...

(m) Fireworks. Except for an area specifically designated for use of fireworks by the Assembly, use of a firework is prohibited within the limits of any area designated in section 67.01.030. Firework and use of firework have the same meanings as in CBJC 36.80.070. The Assembly, by resolution, may designate any area designated in section 67.01.030 for use of fireworks during specific times.

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

The following reflects the changes made at the Assembly COW on April 12, 2021 to Ord. 2021-03. FSA means Fire Service Area.

Saleable Class of Firework	CBJC 36.80.070 Category	CBJC 36.80.020 Restrictions	Existing Fireworks Policy
Mines and shells (mortars) and tubes > 3/4")	Concussive Firework	- Inside FSA: prohibited - Outside FSA: Allowed only Jan. 1 and July 4	- Inside FSA: allowed Jan 1 and July 4 - Past Cohen Drive: allowed year-round, 10am to 10pm
Roman candle	Holiday Firework	- Inside FSA: Allowed Jan. 1 and July 4 - Outside FSA: Allowed year-round 10am to 10 pm	- Inside FSA: allowed Jan 1 and July 4 - Past Cohen Drive: allowed year-round, 10am to 10pm
Skyrockets with sticks	Holiday Firework		
Helicopter rockets	Holiday Firework		
Firecrackers with soft casing	Holiday Firework		
Cylindrical fountain	Allowable Firework	- Allowed year round, 10 am to 10 pm - Expanded hours around Jan. 1 and July 4	Allowed Year-round, anytime anywhere
Cone fountain	Allowable Firework		
Wheels	Allowable Firework		
Illuminating torches	Allowable Firework		
Dipped sticks	Allowable Firework		
Novelties	Allowable Firework		

CBJ ROADED SERVICE AREA

Service Area #9- The Roaded Service Area- R
includes all other former Service Areas R
nd extends 1/2 mile beyond any existing road
(Serial No. 88-25 -adopted 5/31/1988)R

Service Area #10- Fire Protection AreaR
(Serial No. 94-11- adopted 3/7/1994)R

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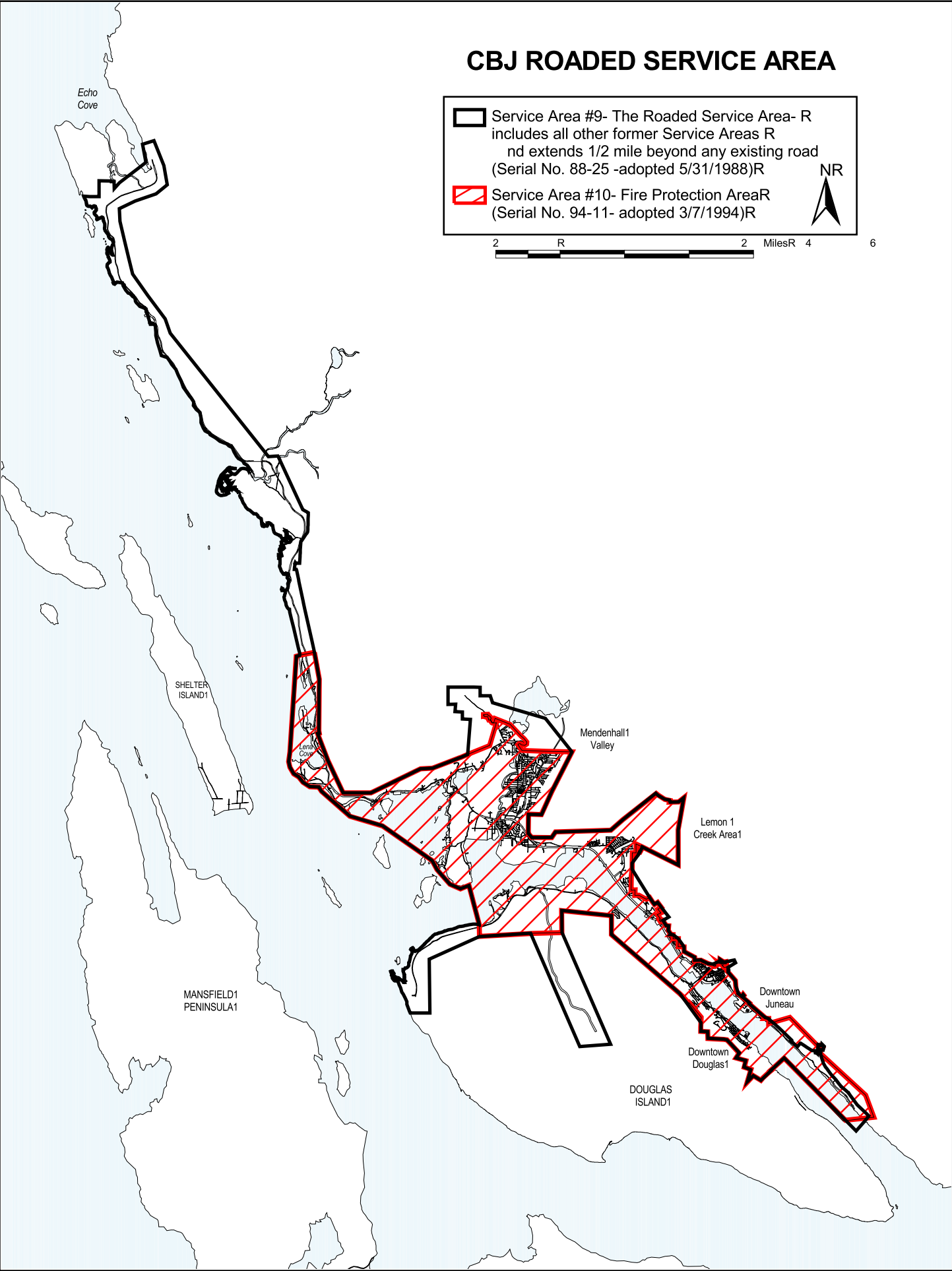
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Presented by: COW
Presented: 05/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-18

An Ordinance Regarding Taxing the Sale of Fireworks.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 69.05.040 Exemptions, is amended to read:
69.05.040 Exemptions.

The tax levied under this chapter shall not apply to the following transactions:

...

(12) Sales, services and rentals to a buyer, or made by a seller, organized and administered solely by an organization that has a current 501(c)(3) or 501(c)(4) exemption ruling from the Internal Revenue Service and an exemption certificate from the manager, provided this exemption applies to sellers only if the income from the sale is exempt from federal income taxation. This exemption does not apply to the

(a) sale of pull-tab games, or

(b) sale of fireworks.

(13) Retail sales, services, and rentals of real or tangible personal property to or by the state, a rural education attendance area or like entity, a federally recognized Indian tribe, or a municipality. This exemption does not apply to the following:

(a) Sales of pull-tab games by federally recognized Indian tribes, political subdivisions, and municipalities; or

(b) Retail sales, services, and rentals of real and tangible personal property by the City and Borough listed in this subsection (13)(b):

1. Bartlett Regional Hospital sales, services and rentals;
2. Capital transit passenger fares and passes;
3. Sales of municipal real property, gravel and minerals;
4. Parks and recreation department sales, services and rentals;
5. Eaglecrest ski area sales, services and rentals;
6. Hagevig Fire Training Center sales, services and rentals;
7. Juneau International Airport sales, services and rentals;
8. Sewer utility and water utility sales, services and rentals;
9. Port and harbor sales, services and rentals authorized by title 85 of this Code.

(c) Sales of fireworks.

...

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 26, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AV)

An Ordinance Appropriating up to \$125,000 to the Manager as Partial Funding for the Pile Anodes Installation Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of up to \$125,000 as funding for the Pile Anodes Installation Capital Improvement Project (H51-121).

Section 3. Source of Funds

Alaska Department of Transportation and Public Facilities	\$125,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

DATE: May 12, 2021

TO: Mayor Beth Weldon

FROM: Mila Cosgrove, Deputy City Manager,
Incident Commander, City and Borough of Juneau Emergency Operations Center

RE: Revisions to COVID Community Risk Mitigation Strategies

Background:

On April 26, 2021, the Assembly revised the COVID Community Risk Mitigation Measures and gave the City Manager's Office the direction to revise the strategies as needed to reflect changes in the CDC guidance on COVID related mitigation strategies. Shortly thereafter, the CDC updated their guidance for fully vaccinated individuals in outdoor settings. The EOC revised the Community Mitigation Measures accordingly.

The attached documents are the COVID Community Mitigation strategies adopted on April 26, 2021; the revised strategies that were put into effect on April 28, 2021, and; a brief chart showing what changed between the two documents. The additional language is presented in bold.

The Assembly has asked to be updated on any revisions made and retained the authority to ratify or not any revisions to the document.

Requested Action:

The EOC requests that the Assembly ratify the changes put in place on April 28, 2021, which provide a relaxation of masking for fully vaccinated individuals when they are in outdoor settings.

Community Risk Mitigation Strategies: April 28, 2021 Revisions

Community Risk Level	Masks / Social Distancing	Large Gatherings	Restaurants, Bars	Personal Services, Gyms	Travel
Minimal: 1c - >70% of total population fully vaccinated	Masks/Face coverings must be worn indoors in public areas when children not yet eligible for vaccine by age are present.	No size limitations; however, masks must be worn indoors when children not yet eligible for vaccine by age are present. There are no limits or required safety measures if all individuals at the gathering are fully vaccinated.	R: Wear masks when not actively eating or drinking. B: No restrictions.	Masks/face coverings must be worn when indoors in public areas when children not yet eligible for vaccine by age are present. There are no limits or required safety measures if all individuals using the facility are fully vaccinated.	Follow State Health Advisories
Minimal: 1b - 50 - 69.9% of total population fully vaccinated - [Projected Date: May 12]	Masks/Face coverings must be worn indoors in public areas when unvaccinated individuals may be present. Vaccinated individuals must wear masks outdoors during crowded outdoor events (e.g. live performance, parade, sports event) and unvaccinated individuals must wear masks outdoors when 6 ft of social distancing cannot be maintained.	Indoor gatherings should be limited to the number of participants that will allow 6 ft of social distancing to be maintained (masks required). Outdoor gatherings are recommended. There are no limits or required safety measures if all individuals at the gathering are fully vaccinated.	Maintain 6 ft of social distancing and wear masks when not actively eating or drinking.	Masking & social distancing protocols appropriate to the level must be observed (See masking and social distancing column). 6 ft of social distancing should be maintained where possible. There are no limits or required safety measures if all individuals using the facility are fully vaccinated.	Follow State Health Advisories
Minimal: 1a - <50% of total population fully vaccinated	Masks/Face coverings must be worn indoors in public areas. Vaccinated individuals must wear masks outdoors during crowded outdoor events (e.g. live performance, parade, sports event) and unvaccinated individuals must wear masks outdoors when 6 ft of social distancing cannot be maintained.	Indoor gatherings should be limited to 100* people with safety measures (masks required). Limit gathering size so a minimum distance of 6 feet can be maintained. Outdoor gatherings recommended	Maintain 6 ft of social distancing and wear masks when not actively eating or drinking.	Masking & social distancing protocols appropriate to the level must be observed (See masking and social distancing column). 6 ft of social distancing should be maintained where possible.	Follow State Health Advisories

Comparison of Language between April 26 and April 28 Versions

Community Risk Level	Masks / Social Distancing	Large Gatherings	Restaurants, Bars	Personal Services, Gyms	Travel
Minimal: 1c - >70% of total population fully vaccinated	Same as adopted	Same as adopted	Same as adopted	Same as adopted	Same as adopted
Minimal: 1b - 50 - 69.9% of total population fully vaccinated - [Projected Date: May 12]	Masks/Face coverings must be worn indoors in public areas when unvaccinated individuals may be present. Vaccinated individuals must wear masks outdoors during crowded outdoor events (e.g. live performance, parade, sports event) and unvaccinated individuals must wear masks outdoors when 6 ft of social distancing cannot be maintained.	Same as adopted	Same as adopted	Masking & social distancing protocols appropriate to the level must be observed (See masking and social distancing column). 6 ft of social distancing should be maintained where possible. There are no limits or required safety measures if all individuals using the facility are fully vaccinated.	Same as adopted
Minimal: 1a - <50% of total population fully vaccinated	Masks/Face coverings must be worn indoors in public areas. Vaccinated individuals must wear masks outdoors during crowded outdoor events (e.g. live performance, parade, sports event) and unvaccinated individuals must wear masks outdoors when 6 ft of social distancing cannot be maintained.	Same as adopted	Same as adopted	Masking & social distancing protocols appropriate to the level must be observed (See masking and social distancing column). 6 ft of social distancing should be maintained where possible.	Same as adopted

Community Risk Level	Masks / Social Distancing	Large Gatherings	Restaurants, Bars	Personal Services, Gyms	Travel
Very High	Masks/Face coverings required outside the home. Residents are required to stay at home except as needed for groceries, medical care, and essential workforce needs.	Outdoor gatherings limited to no more than 10 people with proper social distancing. Indoor communal events not allowed.	Restaurants and bars limited to delivery and curbside pickup if allowed by law.	Personal Services and Gyms closed.	Follow State Health Advisories
High	Masks/Face coverings must be worn indoors and outdoors in public areas where 6ft of social distancing cannot be maintained. Keep social bubble contained to family members.	Indoor gatherings should be limited to 20* people with safety measures (masks required). Outdoor gatherings with 6ft distancing recommended.	Bars and Restaurants reduce capacity to ensure at least 6 feet of physical distancing between parties and not to exceed 50% with reservations / contact list required. Delivery/curbside pickup if allowed by law. Bars and restaurants closed at 11:00 pm.	Personal Services by appointment only, one customer per service provider, no waiting areas. Gyms, no group activities, limit capacity to 25%	Follow State Health Advisories
Moderate	Masks/Face coverings must be worn indoors in public areas where 6ft of social distancing cannot be maintained. Masks/face coverings recommended when: outdoors and 6 feet of distance can't be maintained from others. Keep social bubble limited to family members and critical contacts.	Indoor gatherings should be limited to 50* people with safety measures (masks required). Outdoor gatherings with 6ft distancing recommended.	Bars not to exceed 50% indoor capacity. Strongly recommend restaurants reduce capacity to ensure physical distancing between parties, recommend reservations required. Recommend delivery/ curbside pick up if allowed by law.	Personal Services by appointment only, no waiting areas. Gyms, small group activities outdoors, limit capacity to 50%.	Follow State Health Advisories..
Minimal: 1a <50% of total population fully vaccinated	Masks/face coverings must be worn indoors in public areas and outdoors when 6ft of social distancing cannot be maintained.	Indoor gatherings should be limited to 100 people with safety measures in place (masks required). Limit gathering size so minimum distance of 6 feet can be maintained. Outdoor gatherings are recommended.	Maintain 6ft of social distancing and wear masks when not actively eating or drinking	Masking & social distancing protocols appropriate to the level must be observed (See masking and social distancing column).	Follow State Health Advisories
Minimal: 1b 50 – 69.9% of population fully vaccinated	Masks/face coverings must be worn indoors in public areas when unvaccinated individuals may be present and outdoors when 6ft of social distancing cannot be maintained and unvaccinated individuals may be present.	Indoor gatherings should be limited to the number of participants that will allow 6ft of social distancing to be maintained (masks required). Outdoor gatherings are recommended. There are no limits or required safety measures if all individuals at the gathering are fully vaccinated.	Maintain 6ft of social distancing and wear masks when not actively eating or drinking.	Masking & social distancing protocols appropriate to the level must be observed (See masking and social distancing column). There are no limits or required safety measures if all individuals using the facility are fully vaccinated.	Follow State Health Advisories
Minimal: 1c >70% of population fully vaccinated.	Masks/face coverings must be worn when indoors in public areas when children not yet eligible for vaccine by age are present.	No size limitations, however masks must be worn indoors when children not yet eligible for vaccine by age are present. There are no limits or required safety measures if all individuals at the gathering are fully vaccinated.	R: Wear masks when not actively eating or drinking. B: No restrictions.	Masks/face coverings must be worn when indoors in public areas when children not yet eligible for vaccine by age are present. There are no limits or required safety measures if all individuals using the facility are fully vaccinated.	Follow State Health Advisories