Mayor
Clay Koplin

Council Members
Tom Bailer
Cathy Sherman
Jeff Guard
Melina Meyer
Anne Schaefer
David Allison
David Glasen

City Manager
Helen Howarth

City Clerk
Susan Bourgeois

Deputy Clerk
Tina Hammer

Student Council
Summer vacation

Special City Council Meeting
June 10, 2020 @ 12:00 pm
Cordova Center Community Rooms
and via YouTube and Teleconference
Agenda

A. Call to order

B. Roll call
Mayor Clay Koplin, Council members Tom Bailer, Cathy Sherman, Jeff Guard, Melina Meyer, Anne Schaefer, David Allison and David Glasen

C. Approval of agenda…… **(voice vote)**

D. Disclosures of Conflicts of Interest and Ex Parte Communications
- conflicts as defined in 3.10.010 https://library.municode.com/ak/cordova/codes/code_of_ordinances should be declared, then Mayor rules on whether member should be recused, Council can overrule
- ex parte should be declared here, the content of the ex parte should be explained when the item comes before Council, ex parte does not recuse a member, it is required that ex parte is declared and explained

E. Communications by and petitions from visitors
1. Guest Speakers
a. IMT Report, incident: COVID-19
2. Audience Comments regarding agenda items…… **(3 minutes per speaker)**

F. Correspondence
3. 05-28-20 Letter from A. and K. Roemhildt…… **(page 1)**

G. New Business
4. Resolution 06-20-25…… **(voice vote)(page 4)**
A resolution of the Council of the City of Cordova, Alaska, approving the license for a mobile restaurant for Jose Avila Jaguey, dba *CDV Mex Food*
5. Resolution 06-20-26…… **(voice vote)(page 8)**
A resolution of the Council of the City of Cordova, Alaska, adopting recommendations of the Incident Management Team Medical Unit of Medical Directors confirming implementation in Cordova of the revisions to State Mandate 10 effective June 11, 2020
6. Resolution 06-20-27…… **(voice vote)(page 11)**
A resolution of the Council of the City of Cordova, Alaska, continuing the City's declaration of a local emergency and acknowledgement of a state-wide emergency resulting from COVID-19
7. Council agreement of 2016 Pink Salmon Disaster funding projects…… **(voice vote)(page 12)**
8. Council discussion of CARES funding…… **(page 17)**
9. Discussion of COVID-19 Emergency Response

H. Audience participation

I. Council comments

J. Executive Session

Public Call-in number 907-253-6202, each call is placed on hold, calls will ring through in the order received, stay on the phone until you've been addressed or thanked by the Chair or Council, then hang up, comments limited to 3 minutes

City Council is permitted to enter into an executive session if an explicit motion is made to do so calling out the subject to be discussed and if that subject falls into one of the 4 categories noted below. Therefore, even if specific agenda items are not listed under the Executive Session on the agenda, any item on the agenda may trigger discussion on that item that is appropriate for or legally requires an executive session. In the event executive session is appropriate or required, Council may make a motion to enter executive session during debate on that agenda item or could move to do so later in the meeting.

K. Adjournment

Executive Sessions per Cordova Municipal Code 3.14.030
- **subjects which may be considered are:** (1) matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) matters which by law, municipal charter or code are required to be confidential; (4) matters involving consideration of governmental records that by law are not subject to public disclosure.
- **subjects may not be considered in the executive session except those mentioned in the motion calling for the executive session, unless they are auxiliary to the main question**
- **action may not be taken in an executive session except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations**

if you have a disability that makes it difficult to attend city-sponsored functions, you may contact 424-6200 for assistance.
full City Council agendas and packets available online at www.cityofcordova.net

May 28, 2020

To Cordova City Council,

One question that continues to not be discussed very specifically by our city leaders is: **What is Cordova's long-term objective or plan regarding the spread of COVID-19?** It was asked in our previous letter as well and not discussed.

Is the city council's goal to try to prevent COVID-19 from entering Cordova at all for an indefinite period of time? If this is the goal, then it is obvious that in order to do that Cordova will be under some pretty strict mandates and guidelines for a year or more if waiting for a safe and effective vaccine. Could be longer because we are not guaranteed a cure or a vaccine. Could be even longer unless you mandate said vaccine.

Or

Is the city council's goal to ensure that Cordova is medically prepared and ready to deal with COVID-19 (which according to Dr. Sanders and her team, we are) and to monitor the spread of COVID-19 when it is here? If this is the case Cordova can eliminate the strict mandates and resume somewhat of a normal way of life for its residents while focusing on continued medical support and slowing the spread of the virus, while protecting the vulnerable population.

The citizens of Cordova have a right to know the objective of the city leaders because this gives us an opportunity to discern the direction Cordova's leaders are going to take and what life will be like in Cordova going forward. It gives us the ability to make decisions on how we want to live and if Cordova continues to fit into that.

At every council special meeting we hear all of the council members saying they want to help the businesses, open up the businesses but the actions all end up being what mandates do we or should we put in place as we move to these different phases. Should we put this rule in place or do this differently. We understand that no one on city council is qualified to be making these decisions. That's why you have the medical experts and epidemiologist at the state and Dr. Sanders and her team. Council should be focusing all of their efforts on what they can do to make things easier for the citizens and businesses of Cordova during this difficult time. People are struggling. Our way of life has been completely disrupted. We willingly for over two months now have done everything you've asked to "flatten the curve" and to give Cordova time to get prepared and ready. Dr. Sanders and her team are saying they are ready. That they feel confident for whatever comes. They have major federal and state support. Our testing capacity is exceptional. When did this go from we need all of these restrictions to get Cordova ready to, we need all of these restrictions until there's a cure? A cure may never come, so will you lock Cordova down indefinitely? It's time for the council to switch gears and focus on what they can do to ease the burden. Like when Tom bailer tried multiple times to get help for the gas station to get the resources they needed to help with infection control and it didn't seem like that was a priority for the rest of council. But those are the things that need to be done now. Find ways to open up the parks for the kids, use resources to help the businesses succeed right now, use

resources to help people get their lives back to normal, focus your energy on for when COVID gets here, because it will continue to come, how we **rationally** deal with it, by giving our medical staff the support they need is where the focus needs to be. Council even brought up when June 2nd comes around and Governor Dunleavy decides whether or not to end the two week out of state quarantine, basically how can Cordova stop that from happening. More mandates, more locking down Cordova. We appreciated Dr. Sander's answer to this and her ideas on helping to allow people to enter Cordova but still safely.

We have a lot of businesses that rely on summer tourism. I hope the council views them as "essential" and doesn't try to lock down Cordova now that the Governor is lifting that mandate. There are many ways that we can slow the spread of the virus and still be able to live mostly normal lives, without mandate after mandate. There are already a lot of creative ideas out there and Dr. Sanders had some that made perfect sense regarding out of state travelers. We also have known that June 2nd and this decision for lifting the two week quarantine for out of state travelers was coming. So I'm hoping that our incident management team and council have already been preparing for this and have put some of those ideas and systems Dr. Sanders had, in place. We shouldn't be waiting until June 2nd to decide what method we will utilize if any. Will we do temp checks at the airport, will we do rapid testing at the airport, or will we trust the state's method and not do anything extra? **Or has the city already decided that they will continue to lock Cordova down?**

We should be learning from things as we go through this process. We should never again deem any business non-essential, we should never again shut down our communities or businesses. We should brainstorm and find ways where we can still allow businesses to survive and continue and allow individuals to retain their "pursuit of happiness" while still ensuring the slow spread of this virus, in the least restrictive ways possible. The governor is putting in place reasonable measures as people arrive in Alaska. If Dr. Sanders says the medical team is prepared, there is absolutely no valid reason for city council to NOT follow the states lead and drop the two week quarantine so ALL business owners can make their living in the least restrictive way possible.

Comments regarding the cloth mask mandate:

- The science and medical community are actually split regarding the safety and efficacy of cloth masks as source control, although you only hear the one sided propaganda of it.
- The world's two leading health organizations, WHO and CDC can't even come to a consensus on this issue and are at odds with their recommendations.
- Multiple members of council admitted during the last meeting that mask wearing is split with your constituents, with strong feelings about it on both sides.
- A lady at the post office recently was told to put a mask on her infant child. This shows a complete lack of knowledge behind mask wearing and the bullying that comes with it. Not to mention the passive aggressive public ads of "Wearing a mask says I respect the health and wellbeing of myself and the health and wellbeing of my community".
- The City Manager made a blanket statement that mandated mask wearing is constitutional. This has not been proven to be true as of yet and is being worked out in the courts as we speak. **Judges** like Judge Mark Henry of Galveston County has

publicly stated that his county will not be mandating citizens to wear masks or face coverings in public because he believes it is **unconstitutional** to do so. There are lawsuits all over the country regarding these mandates. The courts will hear out and weigh the petitions of its citizens and rule on this issue, then we will know whether or not this mandate is constitutional. If Cordova isn't right on this you are opening yourself up to lawsuits.

- As far as our knowledge not one person on city council is an epidemiologist or specialist in disease control. The CDC isn't mandating masks, the federal government isn't mandating masks and even the state of Alaska isn't mandating masks. What special expertise do the five council members that are in favor of a mask mandate have that validates their actions of making public mask wearing mandatory in a city that has had **ONE** isolated case in the three months we have been dealing with COVID?

These reasons above are the exact reasons that there absolutely should not be a mask mandate in Cordova. We ask the council to repeal it or at the very least put a very near expiration date on it so the validity of the need for it can be reviewed.

In addition, should the mask mandate continue for the duration of the city's emergency order, we're assuming then the school will have to follow the mask mandate. We will be withdrawing our children from the public school if they will be forced to wear a mask. We encourage all parents to consider the possible negative effects long term mask wearing could have on your child.

So again, we ask the council to revisit the validity and the necessity of your mask mandate and to allow out of state travelers into Cordova without quarantine now that the governor is lifting the state mandate with measures in place, allowing ALL businesses the opportunity to stay in business.

With concern,

Allen and Katie Jo Roemhildt

AGENDA ITEM 4
City Council Meeting Date: 06/10/20
CITY COUNCIL COMMUNICATION FORM

FROM: **Susan Bourgeois, City Clerk**

DATE: **06/03/20**

ITEM: **Resolution 06-20-25 approving a mobile restaurant**

NEXT STEP: **Majority voice vote**

_____ ORDINANCE __x__ RESOLUTION
_____ MOTION _____ INFORMATION

I. **REQUEST OR ISSUE:** Resolution approving a mobile restaurant per CMC chapter 6.16 (attached).

II. **RECOMMENDED ACTION / NEXT STEP:** Council motion to approve Resolution 06-20-25.

III. **FISCAL IMPACTS:** This would allow the startup of a new business in Cordova that would contribute to sales tax revenue as well as enhance the food choices for citizens of and visitors to Cordova.

IV. **BACKGROUND INFORMATION:** Prospective business owner and requester of the mobile restaurant license, Jose Avila Jaguey, has written a letter explaining her business plan.

V. **LEGAL ISSUES:** n/a

VII. **SUMMARY AND ALTERNATIVES:** Council can approve the resolution or ask questions to further understand the business owner's plan and possibly ask for modifications.

CITY OF CORDOVA, ALASKA
RESOLUTION 06-20-25

A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA, APPROVING THE LICENSE FOR A MOBILE RESTAURANT FOR JOSE AVILA JAGUEY, DBA *CORDOVA MEX FOOD*

WHEREAS, CMC 6.16.010 defines a mobile restaurant as any restaurant or other stand, vehicle or cart or other movable structure or other means, by which food is sold to the public upon public streets, sidewalks, alleys or other public rights-of-way, or upon private property not in a structure affixed to the land; and

WHEREAS, applicants for mobile restaurant licenses shall be denied a license unless the applicant demonstrates to the council that public convenience and necessity will thereby be enhanced without causing undue risk or harm to the public health or safety; and

WHEREAS, operators of a mobile restaurant in Cordova must abide by Cordova Municipal Code Chapter 6.16.050 which reads as follows:

> A. A mobile restaurant may not be stopped or positioned in a manner or location that will congest or impede the flow of traffic or otherwise interfere with the use of the streets or access-ways by the public.
> B. A mobile restaurant selling foods that are dispensed or wrapped in disposable containers or packages shall be equipped with a sufficient number of accessible receptacles for disposal of litter produced by sales, and the operator shall police all resulting litter from each area of operation.
> C. A mobile restaurant may not be operated from any location on a public street, alley or right-of-way for a period of time in excess of two hours, unless the operator acquires written permission from the city manager to operate for a longer designated period of time to provide service to the public.
> D. A mobile restaurant may not be operated in front of or immediately adjacent to an established business offering the same or similar commodities from a fixed location.
> E. The overall dimensions of a mobile restaurant shall not exceed a length of twenty-five feet, a width of up to but not exceeding eight feet, nor a height of eleven feet, and the mobile restaurant must be licensed and registered with the state. The gross weight of the mobile restaurant shall not exceed ten thousand pounds.

WHEREAS, Jose Avila Jaguey has made application to the Clerk to operate a mobile restaurant; and

WHEREAS, regardless of CMC 6.16.050 E above, this mobile restaurant shall be approved at a length in excess of 25 feet and a width in excess of 8 feet.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Cordova, Alaska, does hereby approve the application of Jose Avila Jaguey for a license to operate a mobile restaurant in Cordova.

PASSED AND APPROVED THIS 10th DAY OF JUNE 2020

_____
Clay R. Koplin, Mayor

ATTEST:

_____
Susan Bourgeois, CMC, City Clerk

DRAFT

June 3, 2020

CDV Mex Food
PO Box 364
Cordova, AK 99574

Dear Council Members,

We are seeking council's approval to operate a mobile food restaurant serving the community of Cordova, Alaska. CDV Mex Food has been serving authentic mexican food in Cordova since 2017. Up until now, we have been providing food options to the community via the occasional pop-up or catering event. We would now like to serve our customers on a more consistent basis via a mobile food trailer through September 2020.

CDV Mex Food is targeting all members of the community and will provide nutritious, fresh, authentic mexican food as our primary cuisine. We intend to lease the empty lot, owned by Cordova Telephone Cooperative, located on Main Street, which has water, sewer, and electricity for us to connect to. This lot is centrally located within the community and allows us to quickly serve our customers, while providing an ample amount of space for social distancing. Our online ordering will allow customers to browse our menu and place their orders ahead of time, with an estimated time for pick-up so we can better limit the number of individuals on the lot at any given time.

We will be leasing the trailer owned by Fork and Spoon, and prior to that, the Picnic Basket. This trailer weighs under 5000 pounds and is approximately 28'L x 8 ½'W x 9'H. We realize that these dimensions are slightly beyond what the city code allows, but hope that the city will consider making an exception since the trailer has been approved for use in Cordova for a decade, if not longer. The trailer will also be stationary, and not operated as a truly "mobile" unit.

Our cuisine, while primarily mexican, will also include some asian-fusion options. Our menu will be limited, so as to reduce order preparation time. We will also offer a limited variety of beverages for purchase. Our hours of operation will be Tuesday, Thursday, and Saturday from 10:00AM to 2:00PM. These days and hours are subject to change based on market conditions. We will also purchase, to the greatest extent possible, our supplies and raw materials locally.

Our food will be served in take-out containers which are made of compostable plant fibers. Beverages will be served in their original container. We will have a large waste bin on site which will be emptied at the end of each business day.

CDV Mex Food is fully insured, and will have all licenses, registrations, permits, utility accounts, and lease agreements in place prior to opening.

As a community supported by small business owners, we feel this is a great opportunity to offer Cordova a new stream of tax revenue. We can also “fill a void” on main street by operating out of a currently empty lot, while requiring minimal public services. Cordova citizens and visitors alike will benefit from the increased diversity of new food options.

Sincerely,

Jose M. Avila Jaguey
CDV Mex Food
Cordova Business License #7577

CITY OF CORDOVA, ALASKA
RESOLUTION 06-20-26

A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA ADOPTING RECOMMENDATIONS OF THE INCIDENT MANAGEMENT TEAM MEDICAL UNIT OF MEDICAL DIRECTORS CONFIRMING IMPLEMENTATION IN CORDOVA OF THE REVISIONS TO STATE MANDATE 10 EFFECTIVE JUNE 11, 2020

WHEREAS, Rule 17 of the Cordova Temporary COVID-19 Emergency Rules requires the Incident Management Team Medical Unit of Medical Directors ("Cordova Medical Team") to review any revision or repeal of State Public Health Mandates before the repeal or revision of a State of Alaska health mandate becomes effective within the City; and

WHEREAS, Rule 17 also requires the Cordova Medical Team to submit its recommendations regarding repeals and revisions to State Mandates to City Council so Council has the opportunity to delay the effective date of any repeal or revision to State Mandate within the City if doing so is necessary to protect public health and safety; and

WHEREAS, the Cordova Medical Team recommended that the City implement the revisions to State mandate 10 effective at 8am on June 11, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Cordova, Alaska, hereby:

Section 1. Adopts the recommendations of the Cordova Medical Team as identified in the Cordova Medical Team recommendation letter attached to this Resolution as Exhibit A.

PASSED AND APPROVED THIS 10th DAY OF JUNE 2020.

_____
Clay R. Koplin, Mayor

ATTEST:

_____
Susan Bourgeois, CMC, City Clerk

Exhibit A

June 8, 2020

Re: Cordova's Medical Unit Medical Directors Recommendations to Council Regarding UPDATED Health Mandate 010: International and Interstate Travel – Order for Self-Quarantine

Dear Council Members,

Upon careful review of the State of Alaska Public Health Mandates Cordova's Medical Unit Medical Directors ("Cordova Medical Team"), as organized in accordance with the Cordova Emergency Operations Plan, Annex L, recommend the following actions by the Cordova Emergency Operations Unified Command and the Cordova City Council:

1. Adopt the State of Alaska UPDATED Health Mandate 010: International and Interstate Travel – Order for Self-Quarantine effective June 11, 2020 so long as the City continues to impose the Temporary COVID-19 Emergency Rules.

State Plan Metric Analysis

The Cordova Medical Team understands the need to lift business operation and social distancing restrictions as quickly as reasonable, it is also obligated to recommend restrictions that protect and preserve public health and safety. In making its determination, the Cordova Medical Team applied the State Plan metric analysis, which weighs 1) Epidemiology; 2) Testing; 3) Public health capacity; and 4) Healthcare capacity in determining the social distancing and business operation restrictions necessary within the City to protect the Cordova community and its visitors.

1. *Epidemiology*

In weighing this factor, the Cordova Medical Team considers COVID-19 disease trends and trend forecasting. Recently nearby City of Whittier recorded 20 positive cases in a local seafood processing plant. The influx of summer workers and the fishing fleet requires the City to carefully monitor for COVID-19 transmission within Cordova to determine anticipated trends specific to Cordova.

2. *Testing*

Cordova's ability and capacity to screen and test widely continues to increase. The State of Alaska has lifted all travel restrictions but now requires testing for travelers arriving from outside of Alaska. Both CCMC and Ilanka Clinic are providing free COVID-19 testing to any resident or visitor to Cordova, and results have a fast turnaround. The Cordova Medical Team continues to develop methods and internal protocols for monitoring overall testing volume and changes in the percentage of positive tests at the community, regional, and statewide levels.

3. *Public health capacity*

The Cordova Medical Team has only one case for which monitoring and contact investigations has been required. The Team has found that individual businesses are working diligently to protect their employees and follow their own protocols and protective measures. The Cordova Medical Team is monitoring cases and conducting necessary contact investigations for positive cases.

Business owners operating in Cordova are independently adopting reopen health protocols following the State of Alaska advisory documents and mandates.

4. *Healthcare capacity*

The Cordova Medical Team is prepared to treat and respond to multiple cases of COVID-19 within the City but also recognizes that the Cordova Community Medical Center hospital facilities do not have the type of facilities necessary to treat severe cases of COVID-19. To protect hospital staff, patients, and the greater Cordova community, COVID-19 patients will be transported to Anchorage or other communities that have the facilities, staff and equipment to care for those requiring intensive care. The State of Alaska has indicated that it will provide medical transportation out of Cordova which decreases our risk. The Cordova Medical Team estimates it has sufficient PPE for all healthcare workers and first responders but continues to focus on building up Cordova's reserves. The City also continues to have sufficient shelter capacity.

Recommendations

After Cordova's first COVID-19 positive case, the City has not yet had another, which suggests social distancing and business operation protocols are effective. Consequently, the Cordova Medical Team is confident in Cordova's ability to respond to an increase in COVID-19 cases in the upcoming weeks and months. The City's preparedness to respond to COVID-19 does not yet warrant repealing the City's COVID-19 Emergency Rules, which include a facial covering requirement and certain local agreements and notifications regarding sanitation and protection measures adopted by individual businesses operating within Cordova. Instead, the metric analysis supports the Cordova Medical Team's recommendation that implementation of the State's updated Health Mandate 010: International and Interstate Travel, effective June 11 , 2020, unless the spread of COVID-19 within the City requires otherwise.

Conclusion

For all of the reasons stated above, the Cordova Medical Team respectfully requests Council adopt the recommendations included above. The undersigned will be available to answer Council's questions and address its concerns at the Council meeting addressing the recommendations in this letter.

Sincerely,

Hannah Sanders, MD

CITY OF CORDOVA, ALASKA
RESOLUTION 06-20-27

A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA CONTINUING THE CITY'S DECLARATION OF A LOCAL EMERGENCY AND ACKNOWLEDGEMENT OF A STATE-WIDE EMERGENCY RESULTING FROM COVID-19

WHEREAS, the United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public risk; and

WHEREAS, on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 within Alaska's communities; and

WHEREAS, on March 11, 2020, The World Health Organization designated the COVID-19 outbreak a pandemic; and

WHEREAS, various organizations, agencies, and local governments throughout the State of Alaska continue to restrict public gatherings, school sessions and programs, and other activities as well as travel in efforts to contain the virus; and

WHEREAS, the recommendations of global, federal, state, and local organizations and government entities are changing almost daily in response to new information regarding COVID-19, which requires the City to be able to act swiftly to comply with these recommendations in its emergency operations.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. Emergency Declaration. Council hereby renews and reiterates the declaration of local emergency ratified by Council and its acknowledgement of state-wide emergency declared by Governor Dunleavy on March 11, 2020.

Section 2. Request for Assistance. Council hereby reiterates its acknowledgement of the City's need for financial assistance from the United States and the State of Alaska to protect the City from a COVID-19 outbreak within the City and to recover from the economic and health impacts of the threat and outbreak of COVID-19 within the City.

Section 3. Effective Date. The declaration of emergency reiterated in this Resolution shall expire on August 20, 2020 if not renewed by Council on or before that date.

PASSED AND APPROVED THIS 10th DAY OF JUNE 2020.

_____
Clay R. Koplin, Mayor

ATTEST:

_____
Susan Bourgeois, CMC, City Clerk

DRAFT

AGENDA ITEM 7
City Council Meeting Date: 6/10/2020
CITY COUNCIL COMMUNICATION FORM

FROM: **Public Works, Harbor, Finance**

DATE: **June 8, 2020**

ITEM: **Action on Use of 2016 Pink Salmon Disaster Funds**

NEXT STEP: **Council direction to staff to pursue/develop projects**

_____	INFORMATION	_____	RESOLUTION
__X__	MOTION	_____	ORDINANCE

I. <u>REQUEST OR ISSUE:</u> Motion to approve use of 2016 Pink Salmon Disaster funds allocated to City for "pink salmon" support projects.

II. <u>RECOMMENDED ACTION / NEXT STEP:</u> I move to approve City expenditure of $669,488.03 allocated to the City of Cordova for loss experienced due to the 2016 Gulf of Alaska Pink Salmon disaster approximately as follows: 1) half for new and/or refurbishment of existing cranes in the Cordova Small Boat Harbor; and 2) half to engineer and install water system upgrades to enhance water capabilities for pink salmon processing needs.

III. <u>FISCAL IMPACTS:</u> $669,488.03 worth of projects/infrastructure in Cordova.

IV. <u>BACKGROUND INFORMATION:</u> Municipalities were included in the declared 2016 Gulf of Alaska Fishery Disaster Relief as participants based on demonstrated lost revenue. In April 2020 the City received word of the amount allocated to Cordova. The funds are to be used for developing, improving, or maintaining infrastructure that supports pink salmon commercial fisheries in Cordova. City Harbormaster, Public Works Director and Finance Director met to discuss options and arrived at 2 projects as detailed in the suggested motion. Harbor Commissioner Ken Jones emailed his suggestions and Mayor Koplin offered a suggestion via email (attached).

V. <u>LEGAL ISSUES:</u> Per the enclosed letter from PSMFC projects must be completed by March 31, 2024.

VI. <u>SUMMARY AND ALTERNATIVES:</u> Council should discuss/inquire of staff as to more specifics of these suggested projects. Council may suggest/explore/support alternative projects.

PACIFIC STATES MARINE FISHERIES COMMISSION
205 S.E. SPOKANE STREET, SUITE 100
PORTLAND, OREGON 97202-6487
PHONE: (503) 595-3100 • FAX: (503) 595-3232
www.psmfc.org

April 21, 2020

Gulf of Alaska Pink Salmon Fishery Disaster Relief Participants:

Municipality: **CORDOVA**
Contact: Ken Fay, Finance Director, finance@cityofcordova.net

The Pacific States Marne Fisheries Commission is administering the Gulf of Alaska Pink Salmon Fishery Disaster Relief funding from National Marine Fisheries Service for eligible municipalities/boroughs that have been identified meeting specific criteria, which was outlined in our federal grant. The criteria are as follows:

a) Municipality/Borough must be located within the affected areas,
b) 2016 pink salmon landings in the municipality/boroughs must have had a minimum ex-vessel value of $10,000,
c) Eligible municipalities/boroughs must have demonstrated revenue (ex-vessel value) loss in 2016 as compared to the five even year average from 2006 through 2014 based on Commercial Operator's annual Report data.

The funds must be used for developing, improving, or maintaining infrastructure that supports pink salmon commercial fisheries in your community. Eligible municipalities/boroughs must identify project(s) that support infrastructure for commercial pink salmon fishing and other related shoreside fishery support facilities and/or equipment (e.g. cold storage, ice houses, docks, storage facilities).

Detailed project proposals for funding are to be submitted to the Commission office for review and approval. When approved, the Commission will enter into a subaward with your municipality. The projects must be completed by March 31, 2024. The proposals are to include a description of the problem addressing, how work will be accomplished, and a detailed budget. The amount of funds identified for your municipality/borough is **$669,488.03**

In addition to the project proposals, the Commission must perform risk assessments on entities who are receiving federal funds. Under the Uniform Guidance 2 CFR 200 for subrecipient monitoring, we need to gather information and documents from your entity. As part of our risk assessment of a subrecipient, we perform the following process:

1. Check SAM (System Award Management) for suspended or debarred agencies
2. Review recent agency annual audit reports
3. Review a completed Subrecipient Survey
4. Request a FFATA Sub-awardee Certification
5. Request a W-9
6. If an agency is requesting indirect cost, a current Indirect Cost Agreement must be provided to the Commission office.

We have attached the necessary documents that need to be completed and returned to our office for the process to begin. Upon receipt of these documents the Commission will begin reviewing and should any questions arise, will contact your entity for further information.

If you have any questions, feel free to contact me at bbissell@psmfc.org or (503) 595-3100.

Sincerely,

Brian Bissell
Project Manager
Fishery Disaster Programs
VMS Reimbursement Program

Pacific States Marine Fisheries Commission
205 SE Spokane Street, Suite 100 Portland, Oregon 97202
Phone: 503.595.3100 | Fax: 503.595.3232
bbissell@psmfc.org | www.psmfc.org

"To promote the conservation, development and management of Pacific coast fishery resources through coordinated regional research, monitoring and utilization"

Susan Bourgeois

From: Sam Greenwood
Sent: Monday, June 8, 2020 9:42 AM
To: Susan Bourgeois
Subject: FW: Pink salmon disaster funds

Samantha Greenwood
Public Works Director
City of Cordova
907-424-6231

From: Helen Howarth <citymanager@cityofcordova.net>
Sent: Monday, June 08, 2020 9:37 AM
To: Sam Greenwood <publicworks@cityofcordova.net>
Subject: FW: Pink salmon disaster funds

From: Clay Koplin <mayor@cityofcordova.net>
Sent: Monday, June 8, 2020 9:09 AM
To: Kenneth Jones <fvserenity@gmail.com>; Helen Howarth <citymanager@cityofcordova.net>
Cc: Tony Schinella <Harbor@cityofcordova.net>
Subject: Re: Pink salmon disaster funds

I would add the the City Harbor ramp is not an "all tides" dock - the low tides over the weekend did not allow launching through the low tide hours.

CK

From: Kenneth Jones <fvserenity@gmail.com>
Sent: Friday, June 5, 2020 7:48 PM
To: Helen Howarth <citymanager@cityofcordova.net>
Cc: Tony Schinella <Harbor@cityofcordova.net>; Clay Koplin <mayor@cityofcordova.net>
Subject: Pink salmon disaster funds

Hi Helen,

I hear that the city received some pink salmon disaster funds from the 2016 PSMFC disaster program.

I would like to throw in my 2 cents for what projects this money could fund.

1 - Wilson's construction did a great job rebuilding the science center and old harbor loading docks. The three stage dock is in an accelerated stage of disrepair, and could use the same type of rebuilding. My suggestion would be to source the materials locally like they did with the old harbor and science center docks, and Do a full rebuild the bulwarks, front piles, and the tread planks of the three stage dock. This dock is the single most utilized piece of infrastructure in the harbor, from loading seines gillnet and supplies to having welding trucks back down. The entire fleet uses this dock.

Hiring Wilson's construction and sourcing the lumber from a local distributor would circulate these disaster funds into our economy. On a year when our economy could use a boost.

2 - Leverage marketing associating match, and buy 2 New cranes, the harbor needs new, and more cranes. We have small fish buyers monopolizing the use of the old harbor loading dock, which is intended for fleet use. I suggest we buy 2 new cranes, one for the 3 stage dock, and one for the old harbor loading dock. Then hire alpine diesel to do a complete overhaul on the existing cranes, and install them both out on the old coast guard dock. Move all fish buying operations out of the harbor basin, and onto the coast guard dock. This would also help to circulate these dollars with a local vendor.

3 - shipyard improvements such as a bathroom facility and expanded electrical pedestals would greatly increase capacity for the seine fleet to do pre season work at the shipyard. Put the bathroom out to bid and help out a smaller contractor for the construction. This would circulate the dollars into the local economy.

I believe all of these would fill the conditions of this funding being utilized to help the fleet that was adversely effected by the 2016 disaster

Thanks!

Kenneth B Jones
Samani Fisheries LLC
Cell : 9073603456
FV Serenity
FV Second Wind

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MEMO

DATE: **June 10, 2020**

TO: **City Council**

RE: **CARES ACT FUNDING DISCUSSION**

City of Cordova has been awarded $3,414,908.44 in Federal CARES Act funding passed through the State of Alaska to alleviate community impacts associated with the COVID-19 Public Health Emergency. This funding must be fully expended by December 31, 2020.

A first distribution of $ 1,701,983.44 has been received and future disbursements will be made once 80% of the disbursement has been expended.

Staff recommends an allocation plan for expenditure of these funds in broad categories where financial assistance is needed to cover COVID response and recovery. All recommendations follow the CARES ACT guidelines (see attached), and all expenditures will follow City procurement requirements.

COUNCIL ACTION: Ratification of Staff Recommendations

$1,000,000 – First Responder and Incident Management Team Payroll.
This allocation includes a reimbursement of City payroll expenses for Incident Management Team, Fire Department, Police Department, Public Safety Dispatch for the duration of the public health emergency.

$300,000 – CARES Act Administration & Non-Payroll Expenditures.
This allocation covers City contractual and other administrative expenses incurred to develop, implement and communicate mandates and rules necessary to ensure the health and safety of City employees and residents.

$900,000 – Facility Enhancements
This allocation includes reimbursement of City purchases incurred to ensure the health and safety of City employees and residents thorough state recommended improvements.

$100,000 – Non-Profit Grants
Direct investment in the Cordova Community Foundation to provide support for community programs and services provided by local non-profit organizations.

$1,114,908 – Individual Assistance Grants.
Staff recommends a “bottom up” approach to our local economic recovery by distributing CARES funds directly to individuals for expenditure at local businesses. The City will develop a program and determine eligibility restrictions and requirements which will be brought to Council in the form of a resolution for consideration.

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
April 22, 2020

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"). The CARES Act established the Coronavirus Relief Fund (the "Fund") and appropriated $150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.[1]

The guidance that follows sets forth the Department of the Treasury's interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred "due to" the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be "necessary." The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

[1] *See* Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The "most recently approved" budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

A cost is "incurred" when the responsible unit of government has expended funds to cover the cost.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
    - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
    - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
    - Costs of providing COVID-19 testing, including serological testing.
    - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
    - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
    - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
    - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
    - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
    - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
    - Expenses for public safety measures undertaken in response to COVID-19.
    - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
    - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
    - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
    - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
    - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
    - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
    - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
    - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
    - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
    - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures[2]

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.[3]
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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[2] In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

[3] *See* 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.