



P.O. Box 46
Kotzebue, Alaska 99752

City Hall
(907) 442-3401

Police Dept.
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Fire Dept.
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Public Works
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**CITY OF KOTZEBUE
RESOLUTION NO. 20-08
Amended on Record**

A RESOLUTION OF THE CITY OF KOTZEBUE DECLARING A LOCAL EMERGENCY IN RESPONSE TO COVID-19 AND REQUESTING STATE AND FEDERAL ASSISTANCE.

- WHEREAS,** COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus (“virus”), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person;
- WHEREAS,** on March 11, 2020, the World Health Organization (“WHO”) declared the virus a pandemic;
- WHEREAS,** on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska, and since the declaration was announced, the state received confirmation of a positive case of the virus on March 12, 2020;
- WHEREAS,** on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic;
- WHEREAS,** on March 13, 2020, the State of Alaska Legislature announced initial actions to limit the spread of COVID-19, including limiting access to the State Capitol;
- WHEREAS,** on the afternoon of March 13, 2020, Governor Dunleavy closed all schools in Alaska for two weeks;
- WHEREAS,** state and federal actions/reactions to cope with this pandemic are rapidly evolving and changing day-by-day;

- WHEREAS,** a substantial number of the workforce in the City of Kotzebue have children in the Northwest Arctic Borough School District (“NWABSD”) and are now desperately searching for child care solutions;
- WHEREAS,** the economy of the Northwest Arctic Borough (“NAB”)/NANA Region is dependent upon the City of Kotzebue continuing to serve as a viable, responsive hub for the NAB/NANA Region;
- WHEREAS,** First Responders in the City of Kotzebue will be on the frontline of the response to this pandemic;
- WHEREAS,** COVID-19 poses an imminent threat to human health, safety and welfare to the residents of the City of Kotzebue;
- WHEREAS,** due to the highly contagious nature of the virus, the available City of Kotzebue and local partners infrastructure and resources, including Maniilaq Health Center, Kotzebue Fire Department, Kotzebue Police Department, Kotzebue Airport and the NWABSD, among others, will be likely inadequate to handle the consequences of a COVID-19 outbreak unless the City of Kotzebue implements emergency powers;
- WHEREAS,** it is essential to implement local emergency powers given the potential ability of the virus to cause death or injury to people, necessitating measures to protect the public health, safety, and welfare;
- WHEREAS,** in order to contain any potential harm that may be caused by the virus, State and Federal assistance is needed to supplement local efforts to respond to this public health emergency;
- WHEREAS,** in 2001, the City of Kotzebue established a Department of Disaster Emergency Services as set forth in Kotzebue Municipal Code, Chapter 2.41, a copy of which is attached hereto as Exhibit “A,” and incorporated by reference herein, which designated the City Manager to perform the executive and administrative duties thereunder;
- WHEREAS,** the City Council deems it necessary to declare a local emergency to protect the health, safety and welfare of the residents of the City of Kotzebue and residents of the NAB/NANA Region who frequent the City of Kotzebue;

- WHEREAS,** the City Council requests the Governor of Alaska provide state assistance to the City of Kotzebue in its response to the virus, including assistance for fire protection, law enforcement, and the provision of other funds, services, functions, supplies, or materials determined by the City Manager, in consultation with local emergency providers and local partners, to be necessary to meet the public safety and welfare needs arising from or incidental to COVID-19 and to recover from the damages caused;
- WHEREAS,** the City Council further authorizes the City Manager to implement any orders necessary to prevent the transmission of infectious disease and to take measures to ensure that all cases of contagious disease are subject to proper control and treatment;
- WHEREAS,** the City Manager must seek City Council approval prior to issuing any orders (1) related to private property; (2) related to mass quarantine or isolation; or (3) related to rationing of goods or supplies;
- WHEREAS,** a public health related order, if any, shall be consistent with state, federal or NAB public health official recommendations;
- WHEREAS,** purchasing provisions under KMC Chapter 3.16, "Contracts and Purchasing," Sections 3.16.010, 3.16.020, 3.16.030, 3.16.040, 3.16.050, 3.16.060, 3.16.070 and 3.16.080 (for the purchase of supplies and services) may be suspended by the City Manager during this emergency for the purpose of combatting and alleviating this pandemic;
- WHEREAS,** all resources of the municipal government, including City of Kotzebue personnel, are hereby available as necessary to deal with the emergency, and municipal departments, agencies, and/or personnel may be transferred or altered in function for the purpose of performing or facilitating performance services responsive to this pandemic as provided in KMC 2.48.510(E);
- WHEREAS,** while the potential extent and effect of COVID-19 cannot yet be known, it remains vital for the City of Kotzebue to be prepared and take all needed precautions throughout the entire timeframe of the emergency related to COVID-19; and,
- WHEREAS,** because of the ongoing nature of the emergency, this declaration of local emergency shall remain in effect until November 30, 2020, or until the virus is no longer declared a federal, state or NAB emergency, whichever occurs first.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
KOTZEBUE, ALASKA:**

SECTION 1. Emergency Declared. The City Council of the City of Kotzebue hereby declares a local emergency to exist within the City of Kotzebue. A copy of this Resolution shall be filed promptly with the Alaska Division of Homeland Security and Emergency Management, NAB, NWABSD, Maniilaq Association, NANA Regional Corporation, Native Village of Kotzebue and Kikiktagruk Inupiat Corporation.

SECTION 2. State and Federal Assistance Requested. The City of Kotzebue requests that the Governor of Alaska provide such state assistance as may be available to meet the ongoing emergency created by COVID-19 and to request additional assistance from federal agencies where state capability is not adequate.

SECTION 3. Effective Date. This Resolution shall be effective immediately after its adoption.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 19th day of March, 2020.



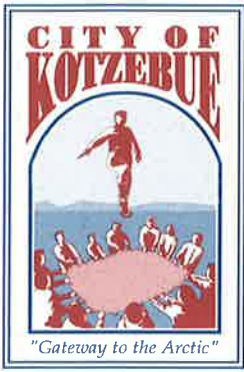
~~Lewis Page, Mayor~~
Thomas Baker, Vice-Mayor

[SEAL]

Attest:



Linda B. Greene, City Clerk



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PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 19th day of March, 2020.



Lewis Pagel, Mayor
~~Thomas Baker, Vice-Mayor~~

[SEAL]

Attest:



Linda B. Greene, City Clerk

Kotzebue Municipal Code Chapter 2.41 - DEPARTMENT OF DISASTER EMERGENCY SERVICES

Sections:

2.41.010 - Department established.

There is established, as required by the Alaska Division of Emergency Services, a department of disaster emergency services. Executive and administrative duties are vested in the office of the city manager. The city manager may appoint such personnel as shall be found necessary to properly and safely accomplish the purpose of the department of disaster emergency services.

(Ord. 01-6 § 2 (part), 2001).

2.41.020 - Purpose.

It is the desire of the city to protect and to preserve the lives, health, safety, well-being and property of the people living in or visiting the city. To this end, the department of disaster emergency services shall be responsible for implementing the approved disaster response plan and shall be the liaison agency with the Alaska Division of Emergency Services.

(Ord. 01-6 § 2 (part), 2001).

2.41.030 - Disaster response plan.

There shall be a disaster response plan, developed jointly with the Alaska Division of Emergency Services, which shall be adopted by ordinance and may be amended by resolution with notification to the Alaska Division of Emergency Services.

(Ord. 01-6 § 2 (part), 2001).

2.41.040 - No governmental or private liability.

- A. No disaster emergency department or authorized emergency response personnel while in proper performance of their required duties shall be held liable for any damages sustained to persons or property as a result of emergency response activity except and unless gross negligence or willful misconduct is proven.
- B. No person owning or controlling real property, who allows the use of that property for disaster response activities, shall be held liable for death or injury resulting from that use, except and unless gross negligence or willful misconduct is proven.

(Ord. 01-6 § 2 (part), 2001).

Exhibit "A"

Resolution 20-08