

City Council Agenda Memo

From: Paul M. Briseno, City Manager

Council Meeting: May 4 and May 12, 2020

Subject: Action on COVID 19 Legislation

Person(s) Responsible: Paul M. Briseno, City Manager

Summary:

The Brookings community and local businesses have successfully kept COVID-19 spread to a minimum. This has allowed the medical profession to adequately prepare. A recommendation for reduced regulation is presented to Council that allows the incremental opening of businesses while protecting employees and the public.

If approved, the City would have three (3) types of regulation available for action based on any spikes that need immediate action.

Background:

Emergency Ordinance 20-005 was set to expire May 6th and was amended through the adoption of Resolution 20-038 at the May 4 Special City Council meeting. Ordinance 20-005 was originally passed March 23rd and amended April 14th. The ordinance was implemented to reduce potential spread in Brookings. The first case of COVID-19 was realized March 23rd and as of May 1st, Brookings County had thirteen (13) cases.

On April 14th, the City Council passed the first reading of a Stay-at-Home ordinance should a spike in positive COVID-19 cases or other circumstances warrant implementation to counter an outbreak. On April 28th, the Governor issued a "Back to Normal" order that recognizes a community's ability to implement regulations.

The Brookings community partners and residents have worked diligently to flatten the curve which has given health care professionals time to prepare for a future peak and surge. It's essential all continue to be vigilant with prevention measures regardless of the regulation implemented. This includes social distancing and wearing of masks.

Item Details:

Staff engaged the Chamber of Commerce, health care professionals and peer cities to craft an incremental easing of the existing ordinance. The second reading of Ordinance 20-007 is desired to solidify the law. The proposed language impacts various businesses and a series of frequently asked questions is attached. Staff has prepared an occupancy calculator which is available on the City's website to assist businesses with determining their capacity.

Restaurants/Bars

- Maximum of ten customers or 50% occupancy, whichever is greater
 - Occupancy capacity posted at front entry
- Groups of ten (10) or less and six (6) feet apart
- Cleaning of high touch areas/materials between users
- Screening employees recommended
- Employees required to wear masks
- Cleaning of used spaces before and after each customer
- No self-serve buffets or salad bars
- No sharing of condiments unless wiped between use
- Grocery, Casino, Gyms, and Recreational Facilities
 - Cleaning of equipment after use by customer and/or employee
 - Maximum of ten customers or 50% occupancy, whichever is greater
 - Occupancy capacity posted at front entry
 - Employees will wear masks
 - Protective measures/operations will be provided
- Salons/Barber Shops
 - Customers six (6) feet spacing & recommend service by appointment-only
 - Employees will wear masks
 - Clean equipment before and after each customer
 - Adequate social distancing for waiting customers
- Administrative exemptions that allow modifications to allow flexibility that meets the CDC requirements.

Staff will continue to identify implementation for each phase of regulation desired based on positive COVID-19 cases, testing, spikes and hospitalization. This would include decreased or increased regulations based on the community impact of COVID-19.

Legal Consideration:

None.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Deny
3. Do nothing

Staff recommends approval.

Supporting Documentation:

1. Ordinance
2. Frequently Asked Questions
3. Quick Guide