

City Council Agenda Memo

From: Paul M. Briseno, City Manager

Council Meeting: October 27, 2020

Subject: Ordinance Renewal 20-010 & Mask Mandate

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

Summary:

The current ordinance (Phase 3) is set to expire November 7th. Based on threshold metrics an extension is warranted of the ordinance regulating bars, restaurants, salons, retail and requires face coverings for indoor businesses and indoor public spaces. Brookings is in substantial spread with all triggers met but hospitalization. Staff recommends renewal of the existing ordinance and any amendments desired by Council.

Background:

On September 2nd City Council renewed the existing 20-010 ordinance that requires bars, restaurants, casinos, grocery, retail, and fitness businesses to operate at half capacity and all employees are required to wear face coverings at all times. The ordinance has other requirements outlined.

September 8th Council approved an amendment that mandated face coverings where social distancing could not be achieved for indoor businesses and public places. A resolution was passed further detailing the implementation of the mask mandate.

The City collaborated with many local professionals to develop a weekly report to monitor COVID 19 within Brookings. The guiding document considers metrics of control, testing and hospitalization.

Discussion:

Metrics within the guiding document have been triggered to a degree. Brookings has seen an ebb and flow over the past few weeks of cases and percentage positive. The state of South Dakota Department of Health now provides a report of regional hospitalization and capacity.

A work session was held October 20th to allow City Council discussion of the ordinance. Additional insight was given from local professionals including Bonny Specker Director of EAM Program, Jason Merkley President and CEO of Brookings Health System, Amy Hockett Sanford RN Clinic Director, Patrick Siegling Avera Clinic Director, Barry Dunn SDSU President, and Klint Willert Superintendent of Brookings School District.

A renewal of ordinance 20-010 and face coving ordinance is recommended. In summary the renewal defines requirements of businesses and residents:

Restaurants/Bars

- Maximum of ten (10) 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 (10) customers or 50% occupancy
 - Occupancy capacity posted at front entry
- Employees of Grocery stores 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

Face Covering required if adequate social distancing cannot be achieved

- Required for all indoor businesses and indoor public spaces
- Required for all City permitted events
- Exceptions include children under 5, medical conditions, religious place, educational units, certain non-profits, organized sports activity that have an approved plan

Administrative exemptions allow for requested flexibility.

Businesses and residents who violate sections of this ordinance will be subject to fines.

Legal Consideration:

There are no legal considerations at this time.

Financial Consideration:

There are no financial considerations at this time.

Recommendation:

City Staff recommends approval of the proposed ordinance.

Options:

City Council has the following options:

1. Approve as recommended
2. Deny
3. Refer to a Work Session for further discussion

Supporting Documentation:

Ordinance

Threshold Report (uploaded Oct 19)

Phasing Plan