

CITY OF WINONA, MN
CITY COUNCIL RESOLUTION _____

RESOLUTION DECLARING A LOCAL EMERGENCY AND REQUIRING FACE COVERINGS IN INDOOR SPACES OF PUBLIC ACCOMMODATION

WHEREAS, Minn. Stat. § 12.29 and Winona City Code § 23.06 authorizes the Mayor of the City of Winona to declare a local emergency, and further provides that the state of local emergency may not be continued for a period in excess of three days except by or with the consent of the City Council of the City of Winona; and

WHEREAS, COVID-19, which is a respiratory disease that can result in serious injury or death, is spreading throughout the United States and has been identified by the World Health Organization (“WHO”) as a pandemic; and

WHEREAS, the United States Center for Disease Control (“CDC”) and Minnesota Department of Health (“MDH”) have advised that aggressive community mitigation strategies are necessary to slow the transmission of COVID-19, reduce illness and deaths, and limit the economic impacts of the pandemic; and

WHEREAS, COVID-19 and specifically the more contagious Delta Variant has been confirmed to exist and be spreading rapidly within the State of Minnesota and in Winona County; and

WHEREAS, the COVID-19 Delta variant has been shown to be 50% more transmissible than other COVID-19 variants; and

WHEREAS, the MDH on August 17, 2021 declared that the State is now in a fourth wave of the virus driven by the high transmission rate of the Delta variant and as of August 25, 2021 the MDH reported 1,404 newly reported cases for the prior day; and

WHEREAS, as of August 13, 2021, the CDC, Minnesota Department of Health, and the American Academy of Pediatrics recommend the following guidance for people who should wear face coverings:

1. People, including children older than 2, who are not fully vaccinated;
2. Fully vaccinated people with weakened immune systems;
3. To maximize protection from the Delta variant and prevent possibly spreading it to others, fully vaccinated and unvaccinated people should wear a mask indoors in public if you are in an area of substantial or high transmission;
4. Children, teachers and staffers in K–12 schools across the nation in the coming school year, regardless of COVID-19 vaccination status;
5. Where there is a high risk of COVID-19 spread or complications from COVID-19 infection, such as schools, health care settings, homeless shelters, and correctional facilities;

6. If a person lives or frequently interacts with someone who is immunocompromised, not fully vaccinated, or at an increased risk for severe disease from COVID-19; and

WHEREAS, the COVID-19 pandemic is an unforeseen, present, sudden, and unexpected situation, which requires immediate action to be taken to prevent damage to the health, safety, and welfare of the citizens of the City of Winona; and

WHEREAS, the CDC has currently determined that there is a high rate of spread of COVID-19 in Winona County; and

WHEREAS, according to the CDC, MDH, and other public health experts, wearing a face covering reduces the risk of COVID-19 being spread through the community; and

WHEREAS, the purpose of this declaration is to protect health and safety, and minimize the potential that local businesses and employers may need to reclose due to an increase in state or local COVID-19 cases; and

WHEREAS, the necessary resources to respond to and recover from this pandemic will likely exceed those resources available within the City, and additional resources may be needed from county, state and federal sources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winona, Minnesota, that:

1. By signing this Resolution, Mayor Sherman declares that the COVID-19 pandemic constitutes a local emergency within the City of Winona with all the powers and responsibilities attending thereto as provided in Minn. Stat. Ch. 12, and as otherwise provided for in the City of Winona's Charter, City Code and Emergency Operations Plan ("EOP").
2. The City Council, by adopting this Resolution, agrees with and hereby adopts the Mayor's declaration of a local emergency, dated August 25, 2021, within the City of Winona, including the emergency face covering regulations contained therein, and hereby extends such state of local emergency and regulations until the earlier of the following:
 - a. The enactment of a statewide order by Governor Walz requiring face coverings in indoor areas accessible to the public;
 - b. The Winona City Council resolves to rescind this resolution; or
 - c. 30 days after the effective date of this resolution, unless the same is extended by the City Council.
3. The Mayor and City Council hereby direct City staff in their ongoing review of City ordinances, regulatory requirements, operations, practices, events, and resources to determine whether the foregoing should be adjusted or suspended,

and to make recommendations regarding additional emergency regulations to support the employees and residents of the City of Winona.

4. The Mayor and City Council hereby direct City staff in their ongoing operations and support of this response to this emergency, under the direction and coordination of the City Manager, to implement new employee protocols, strategies, and processes to ensure that public services are maintained while best protecting the health, safety and welfare of the public and the City's employees.
5. The Mayor and City Council hereby direct the City Manager and other appropriate City staff to request and coordinate appropriate aid and resources from surrounding jurisdictions, Winona County, the State of Minnesota, and the Federal government, as needed.
6. As the emergency progresses, it may be necessary to declare, under Minn. Stat. § 13D.021, that in-person meetings of the City Council and its subcommittees, Planning Commission, and other advisory boards and commissions of the City of Winona may not be practical or prudent due to the COVID-19 health pandemic pursuant to Minnesota Statutes, Chapter 12. In such event, meetings of the City Council and its subcommittees, Planning Commission, and other advisory boards and commissions of the City may be conducted by telephone or other electronic means, and the City Manager may take such action as may be necessary to enable such meetings to occur via telephone or other electronic means pursuant to Minn. Stat. § 13D.021, until such time as it is no longer impractical or imprudent for the City Council, Planning Commission, and other advisory board or commission to resume in-person meetings.
7. The Mayor and City Council hereby orders that this declaration be given prompt and general publicity and that it be filed promptly by the City Clerk.

PASSED by the City Council of the City of Winona on this ____ day of _____, 2021.

Scott D. Sherman
Mayor

Attest:

Monica Hennessy Mohan
City Clerk