

Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 November 19, 2020 at 4:00 p.m.

SPECIAL NOTICE: Due to COVID-19, all attendees must wear a protective face mask. If possible, please bring your own mask. A limited amount will be available for visitors. Please do not attend if you have been exposed to, tested positive for, or are experiencing symptoms of COVID-19.

CITY OF EUFAULA, OK

Community Center
First & High Street
Eufaula, OK 74432



**SPECIAL MEETING
AGENDA
MONDAY
NOVEMBER 23, 2020
4:00 p.m.**

City Council

The City of Eufaula encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28CRF/36).

Council Rules of Decorum limit citizen comments on agenda items and public hearings to five (5) minutes. Any person desiring to address the Council during such period is required to sign in with the City Clerk, provide their name, address and specify the agenda item they wish to address. Remarks shall be directed to the matter being considered and the speaker is allowed to speak only one time. If written materials are to be submitted ten (10) copies should be made available, and may not be returned. Under Oklahoma Law, the Council Members are prohibited from discussing or taking any action on items not on today's agenda.

The complete packet of information for the agenda items is available online at
CityofEufaulaOK.com



City Council Agenda Item No. 3

Meeting Date: November 23, 2020

Agenda Item Memo

Item Title: Discuss and take any necessary action on the letter addressed to the City Council from Ron Henry, Xtreme RV Resort, regarding concessionaire sub-lease rates on U.S. Army Corps of Engineers properties and the development of the cove and marina areas, with possible transfer of leases from Eufaula Cove Marina.

Initiator: Ron Henry, Xtreme RV Resort.

Staff Information Source: Adam White, Tourism and Economic Development Director.

Background: At the November 2, 2020 City Council meeting, Mr. Henry presented his initial plan to possibly purchase the leases currently held by Eufaula Cove Marina. At that time the Council requested a special meeting to review the matter in more detail.

Council Pillar: Economic Development/ Tourism and Recreation / Fiscal Sustainability.

Financial Impact: Depends on final action.

Attachment: None.

Recommended Action: Direction from the City Council on how to proceed with this item.



City Council Agenda Item No. 4

Meeting Date: November 23, 2020

Agenda Item Memo

Item Title: Discuss and take any necessary action regarding COVID-19 and measures to protect the public health and safety.

Initiator: James Duty, Mayor.

Staff Information Source: Jacob Foos, City Manager.

Background: This item is to allow the City Council an opportunity to evaluate the changing COVID-19 data and take any necessary action.

Topics to review include:

- City Sponsored Events: Christmas Parade, Santa Land, Tree Lighting, Reindeer.
 - Make masks for attending these events mandatory, provide free masks, and place signage throughout the event areas.
- Most effective options for protecting public health and safety.
 - Require or Encourage the use of face masks.
 - Provide standard signage for businesses to use (if they wish).
 - Could possibly provide free masks to the businesses, or at a minimum make masks available to the public for free at City Hall.

Council Pillar: Health Care / Tourism and Recreation / Economic Development.

Financial Impact: None.

Attachment: White House COVID-19 Task Force Oklahoma Report, Examples of other Oklahoma communities.

Recommended Action: Direction from the City Council on how to proceed with this item.



OKLAHOMA

SUMMARY

- Oklahoma is in the red zone for cases, indicating 101 or more new cases per 100,000 population, with the 21st highest rate in the country. Oklahoma is in the red zone for test positivity, indicating a rate at or above 10.1%, with the 9th highest rate in the country.
- Oklahoma has seen an increase in new cases and an increase in test positivity.
- The following three counties had the highest number of new cases over the last 3 weeks: 1. Oklahoma County, 2. Tulsa County, and 3. Cleveland County. These counties represent 41.3% of new cases in Oklahoma.
- 95% of all counties in Oklahoma have moderate or high levels of community transmission (yellow, orange, or red zones), with 90% having high levels of community transmission (red zone).
- During the week of Nov 2 - Nov 8, 21% of nursing homes had at least one new resident COVID-19 case, 46% had at least one new staff COVID-19 case, and 6% had at least one new resident COVID-19 death.
- Oklahoma had 394 new cases per 100,000 population, compared to a national average of 294 per 100,000.
- Current staff deployed from the federal government as assets to support the state response are: 2 to support operations activities from FEMA.
- Between Nov 7 - Nov 13, on average, 220 patients with confirmed COVID-19 and 79 patients with suspected COVID-19 were reported as newly admitted each day to hospitals in Oklahoma. An average of 94% of hospitals reported either new confirmed or new suspected COVID patients each day during this period.

RECOMMENDATIONS

- Referring to the national profiles in the back of the packet, there is now aggressive, unrelenting, expanding broad community spread across the country, reaching most counties, without evidence of improvement but rather, further deterioration. Current mitigation efforts are inadequate and must be increased to flatten the curve to sustain the health system for both COVID and non-COVID emergencies.
- The spread in Oklahoma is exponential and unyielding, with hospitalizations increasing week over week and reported limited bed availability. Increases from the past two weeks correlate with Halloween and related activities. With Thanksgiving and upcoming holidays, Oklahomans must understand the COVID-19 situation statewide. Serious messaging and action are needed from state leadership; recommending Oklahomans wear masks in public settings communicates the current risk level and actions all Oklahomans need to take.
- With nearly all counties in the red zone and an increasing number of nursing homes, now nearly 50%, with at least one positive staff member, mitigation and messaging efforts need to be further strengthened as other states have recently done. Effective practices to decrease transmission in public spaces include limiting restaurant indoor capacity to less than 25% and limiting bar hours until cases and test positivity decrease to the yellow zone.
- We have updated the new hospital admissions graphs to include breakdown by age group. Within the past several weeks, hospitalizations are increasing across all age groups. We will continue to work with hospitals to improve quality information for action.
- As previously noted, proactive testing must be part of the mitigation efforts inclusive of mask wearing, physical distancing, hand hygiene, and immediate isolation, contact tracing, and quarantine. Start testing to identify and isolate asymptomatic silent spreaders-- those who are have the virus, feel fine, and are unknowingly spreading it. Incentivize people under 40 years to get tested.
- Conduct active testing in school for teachers and students where cases are increasing. In accordance with CDC guidelines, masks must be worn by students and teachers in K-12 schools. Consider pausing extracurricular school activities, even though athletics are not transmission risks, as the surrounding activities are where transmission is occurring.
- On university campuses, students are letting their guards down with Thanksgiving break less than a week away. Message to students to continue their mitigation actions on and off campus to protect others and themselves. If they are going home, they should follow CDC holiday guidelines for protective behaviors.
- Continuously monitor testing and contact tracing capacity in all counties to ensure rapid turnaround of test results (within 48 hours) and that all cases are immediately isolated and full contact tracing is conducted (within 72 hours of testing).
- Stay vigilant with regard to spread among nursing home staff and residents. Ensure all nursing homes, assisted living, and elderly care sites have full testing capacity and are isolating positive staff and residents.
- Ensure all hospitals, including rural hospitals, have access to antivirals, antibodies, PPE, and ventilators. Work through FEMA to secure supplies when stocks of less than a week's supply is confirmed.
- Specific, detailed guidance on community mitigation measures can be found on the [CDC website](#).

The purpose of this report is to develop a shared understanding of the current status of the pandemic at the national, regional, state and local levels. We recognize that data at the state level may differ from that available at the federal level. Our objective is to use consistent data sources and methods that allow for comparisons to be made across localities. We appreciate your continued support in identifying data discrepancies and improving data completeness and sharing across systems. We look forward to your feedback.





OKLAHOMA

STATE REPORT | 11.15.2020

	STATE, % CHANGE FROM PREVIOUS			
	STATE	WEEK	FEMA/HHS REGION	UNITED STATES
NEW COVID-19 CASES (RATE PER 100,000)	15,607 (394)	+52%	109,012 (255)	965,105 (294)
VIRAL (RT-PCR) LAB TEST POSITIVITY RATE	17.7%	+2.7%*	12.0%	10.1%
TOTAL VIRAL (RT-PCR) LAB TESTS (TESTS PER 100,000)	41,432** (1,047**)	+33%**	584,718** (1,369**)	8,782,353** (2,676**)
COVID-19 DEATHS (RATE PER 100,000)	64 (1.6)	-38%	1,126 (2.6)	7,608 (2.3)
SNFs WITH ≥1 NEW RESIDENT COVID-19 CASE	21%	+5%*	18%	17%
SNFs WITH ≥1 NEW STAFF COVID-19 CASE	46%	+17%*	34%	36%
SNFs WITH ≥1 NEW RESIDENT COVID-19 DEATH	6%	+0%*	6%	6%

* Indicates absolute change in percentage points.

** Due to delayed reporting, this figure may underestimate total diagnostic tests and week-on-week changes in diagnostic tests.

DATA SOURCES – Additional data details available under METHODS

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

Cases and Deaths: State values are calculated by aggregating county-level data from USAFacts; therefore, the values may not match those reported directly by the state. Data is through 11/13/2020; previous week is 10/31 - 11/6.

Testing: CELR (COVID-19 Electronic Lab Reporting) state health department-reported data through 11/11/2020. Previous week is 10/29 - 11/4.

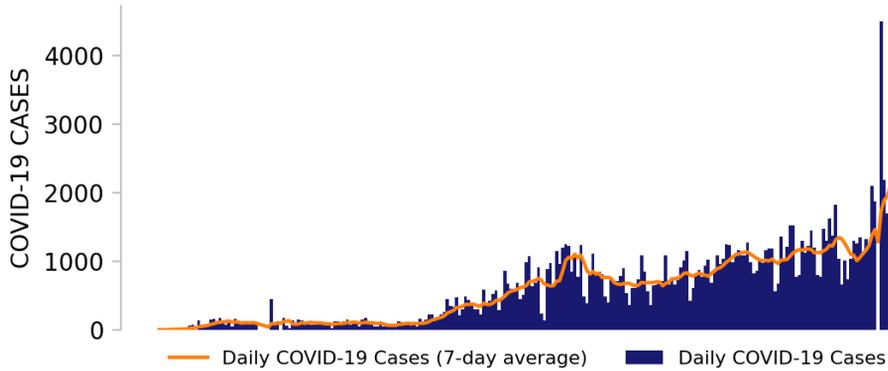
SNFs: Skilled nursing facilities. National Healthcare Safety Network. Data are reported separately for cases among residents and staff. Data is through 11/8/2020, previous week is 10/26-11/1. Facilities that are undergoing reporting quality review are not included in the table, but may be included in other NHSN analyses.



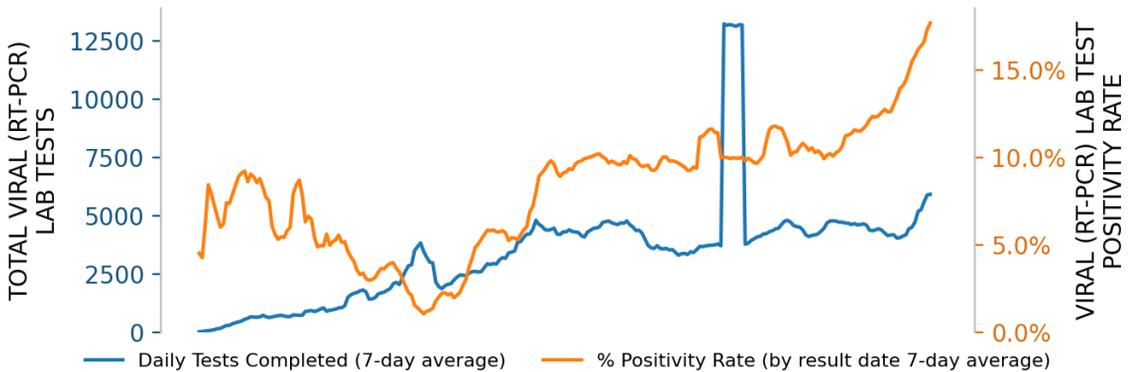
OKLAHOMA

STATE REPORT | 11.15.2020

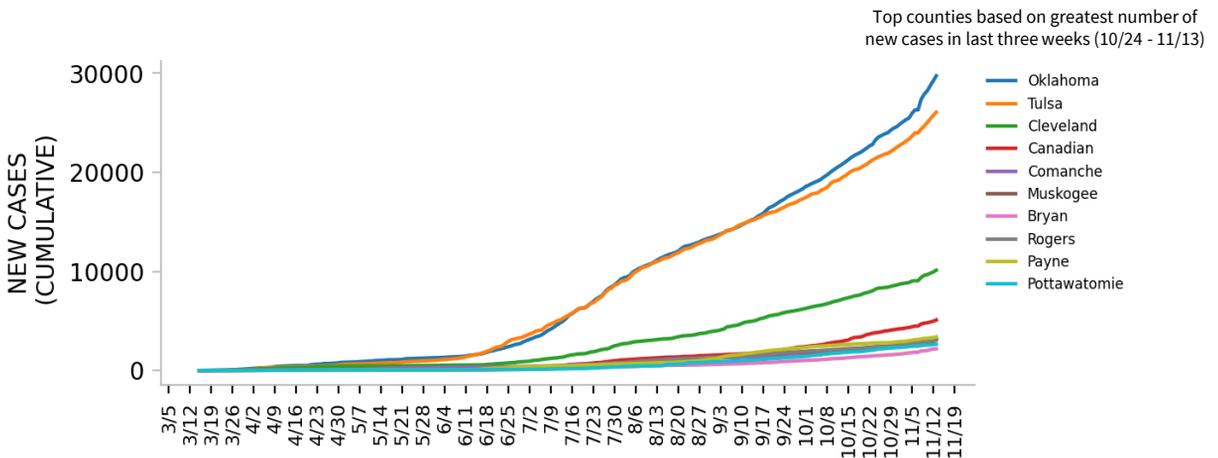
NEW CASES



TESTING



TOP COUNTIES



DATA SOURCES – Additional data details available under METHODS

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.
Cases: State values are calculated by aggregating county-level data from USAFacts; therefore, the values may not match those reported directly by the state. Data is through 11/13/2020.

Testing: HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs) through 11/11/2020.

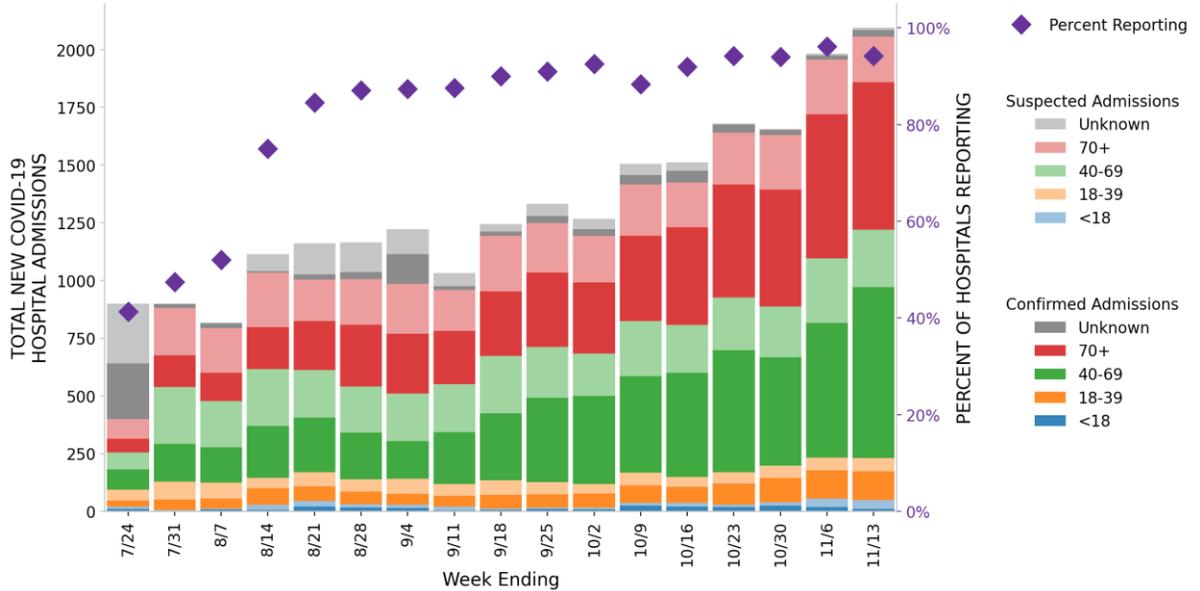


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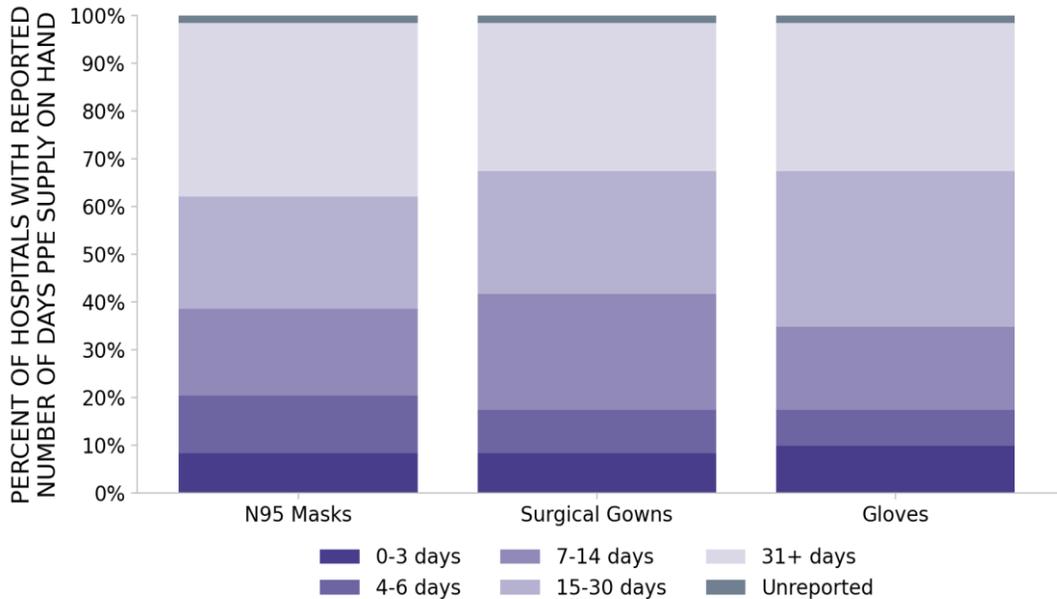
STATE REPORT | 11.15.2020

132 hospitals are expected to report in Oklahoma

HOSPITAL ADMISSIONS



HOSPITAL PPE SUPPLIES



DATA SOURCES – Additional data details available under METHODS

Hospitalizations: Unified hospitalization dataset in HHS Protect. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. In addition, hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure.

PPE: Unified hospitalization dataset in HHS Protect. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. In addition, hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure. Values presented show the latest reports from hospitals in the week ending 11/11/2020.



OKLAHOMA

STATE REPORT | 11.15.2020

COVID-19 COUNTY AND METRO ALERTS*

Top 12 shown in table (full lists below)

METRO AREA (CBSA)

COUNTIES

LOCALITIES IN RED ZONE	20 ■ (+0)	Oklahoma City Tulsa Lawton Muskogee Durant Stillwater Shawnee Enid Ada Ardmore Duncan Tahlequah	69 ▲ (+5)	Oklahoma Tulsa Cleveland Canadian Comanche Muskogee Bryan Rogers Payne Pottawatomie Garfield Pontotoc
LOCALITIES IN ORANGE ZONE	1 ■ (+0)	Ponca City	3 ▲ (+2)	Kay Love Greer
LOCALITIES IN YELLOW ZONE	0 ▼ (-1)	N/A	1 ▼ (-3)	Cotton
Change from previous week's alerts:		▲ Increase	■ Stable	▼ Decrease

All Red CBSAs: Oklahoma City, Tulsa, Lawton, Muskogee, Durant, Stillwater, Shawnee, Enid, Ada, Ardmore, Duncan, Tahlequah, Fort Smith, Weatherford, McAlester, Altus, Bartlesville, Guymon, Woodward, Miami

All Red Counties: Oklahoma, Tulsa, Cleveland, Canadian, Comanche, Muskogee, Bryan, Rogers, Payne, Pottawatomie, Garfield, Pontotoc, McClain, Garvin, Grady, Creek, Stephens, Wagoner, Le Flore, Cherokee, Carter, Delaware, Sequoyah, McCurtain, Custer, Okmulgee, Pittsburg, Jackson, Washington, Texas, Seminole, Osage, Adair, Caddo, Lincoln, Ottawa, Woodward, Mayes, Logan, Marshall, Okfuskee, Atoka, Haskell, McIntosh, Kingfisher, Murray, Craig, Major, Choctaw, Noble, Johnston, Woods, Coal, Hughes, Pawnee, Pushmataha, Nowata, Tillman, Blaine, Kiowa, Grant, Washita, Latimer, Alfalfa, Beaver, Harper, Ellis, Jefferson, Dewey

* Localities with fewer than 10 cases last week have been excluded from these alerts.

Note: Lists of red, orange, and yellow localities are sorted by the number of new cases in the last 3 weeks, from highest to lowest. Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

DATA SOURCES – Additional data details available under METHODS

Cases and Deaths: State values are calculated by aggregating county-level data from USAFacts; therefore, the values may not match those reported directly by the state. Data is through 11/13/2020.

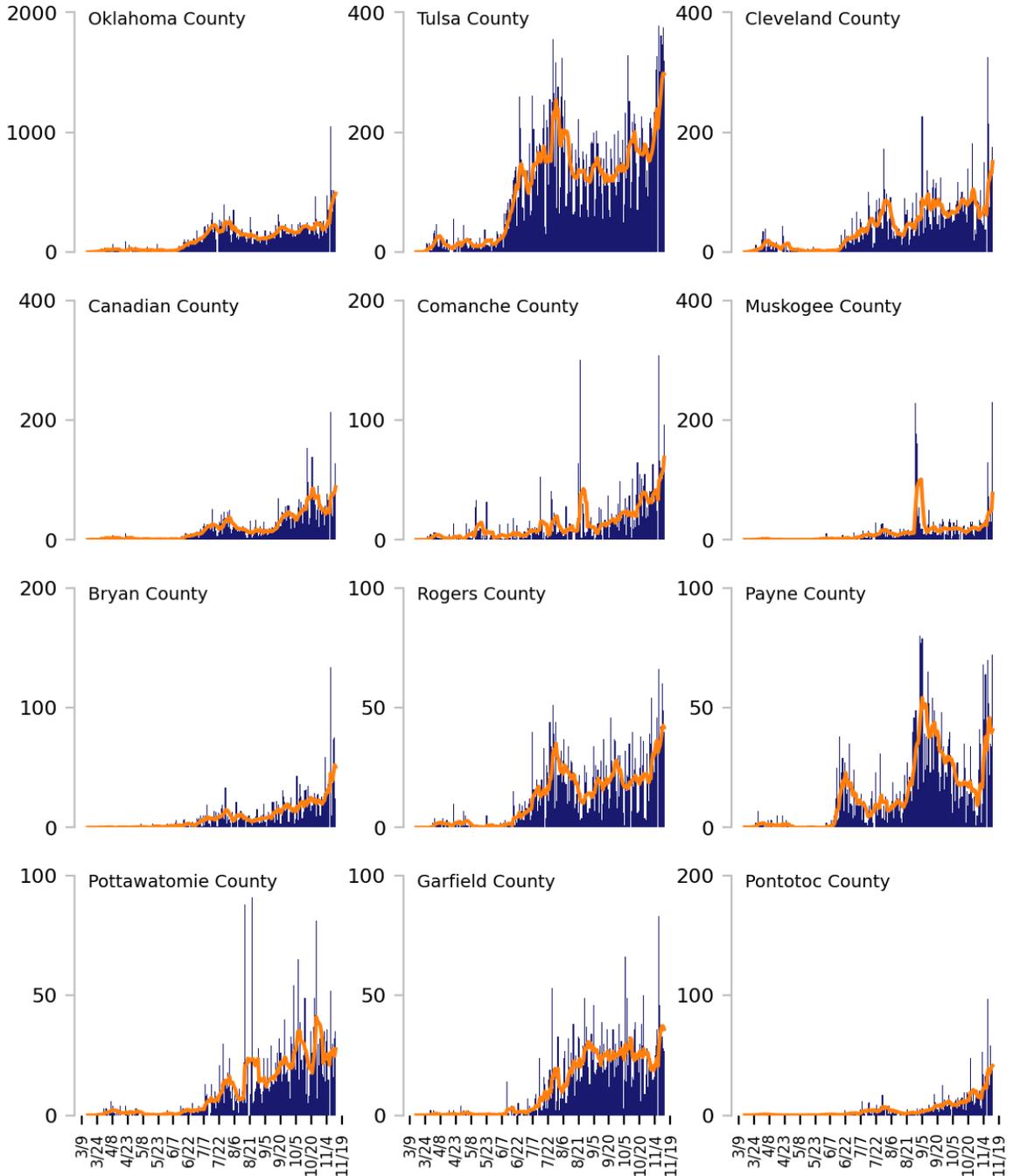
Testing: HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs) through 11/11/2020.



Top 12 counties based on number of new cases in the last 3 weeks

— Daily COVID-19 Cases (7-day average) ■ Daily COVID-19 Cases

TOTAL DAILY CASES



DATA SOURCES – Additional data details available under METHODS

Cases: State values are calculated by aggregating county-level data from USAFacts; therefore, the values may not match those reported directly by the state. Data is through 11/13/2020. Last 3 weeks is 10/24 - 11/13.

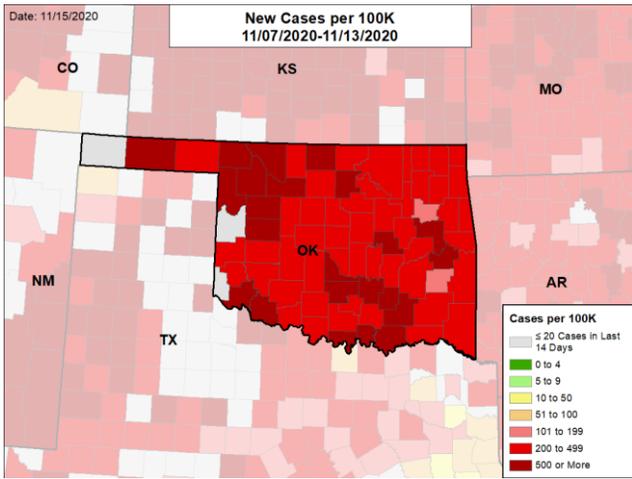


OKLAHOMA

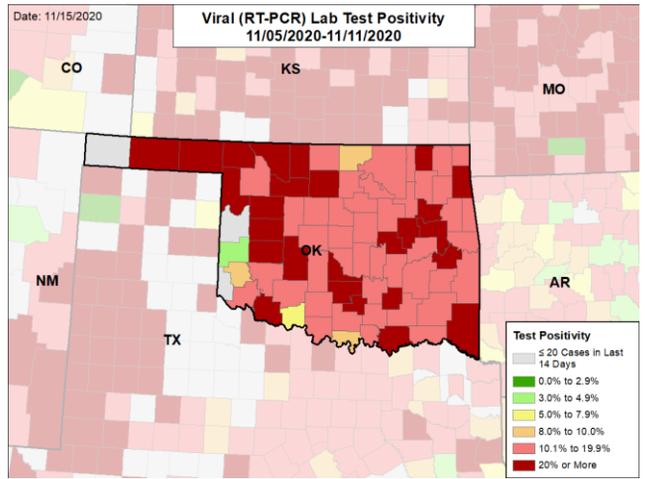
STATE REPORT | 11.15.2020

CASE RATES AND VIRAL LAB TEST POSITIVITY

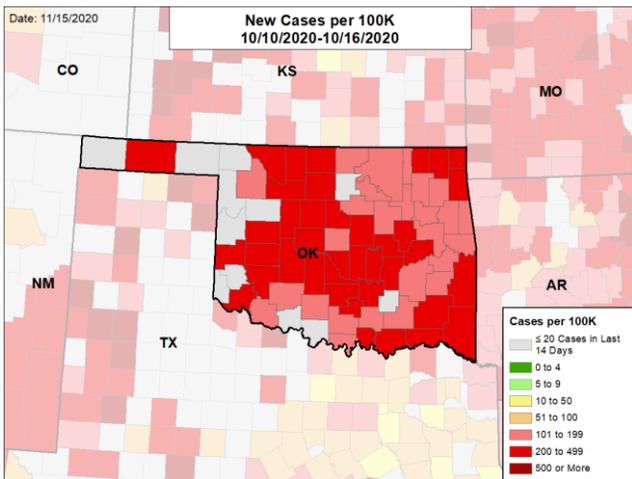
NEW CASES PER 100,000



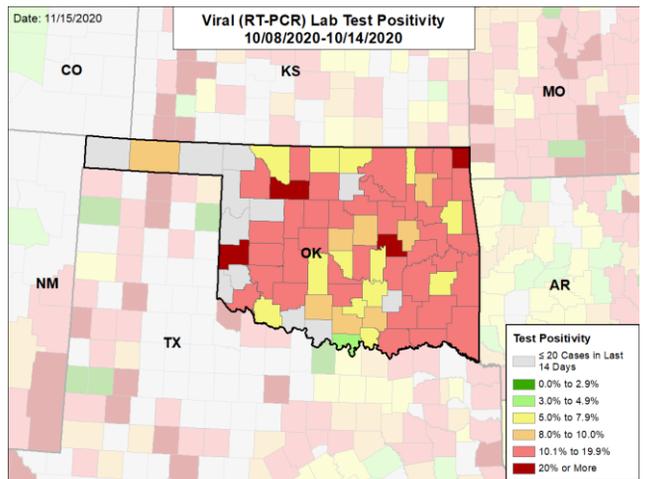
VIRAL (RT-PCR) LABORATORY TEST POSITIVITY



NEW CASES PER 100,000 ONE MONTH BEFORE



VIRAL (RT-PCR) LABORATORY TEST POSITIVITY ONE MONTH BEFORE



DATA SOURCES – Additional data details available under METHODS

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

Cases: State values are calculated by aggregating county-level data from USAFacts; therefore, the values may not match those reported directly by the state. Data is through 11/13/2020. The week one month before is 10/10 - 10/16.

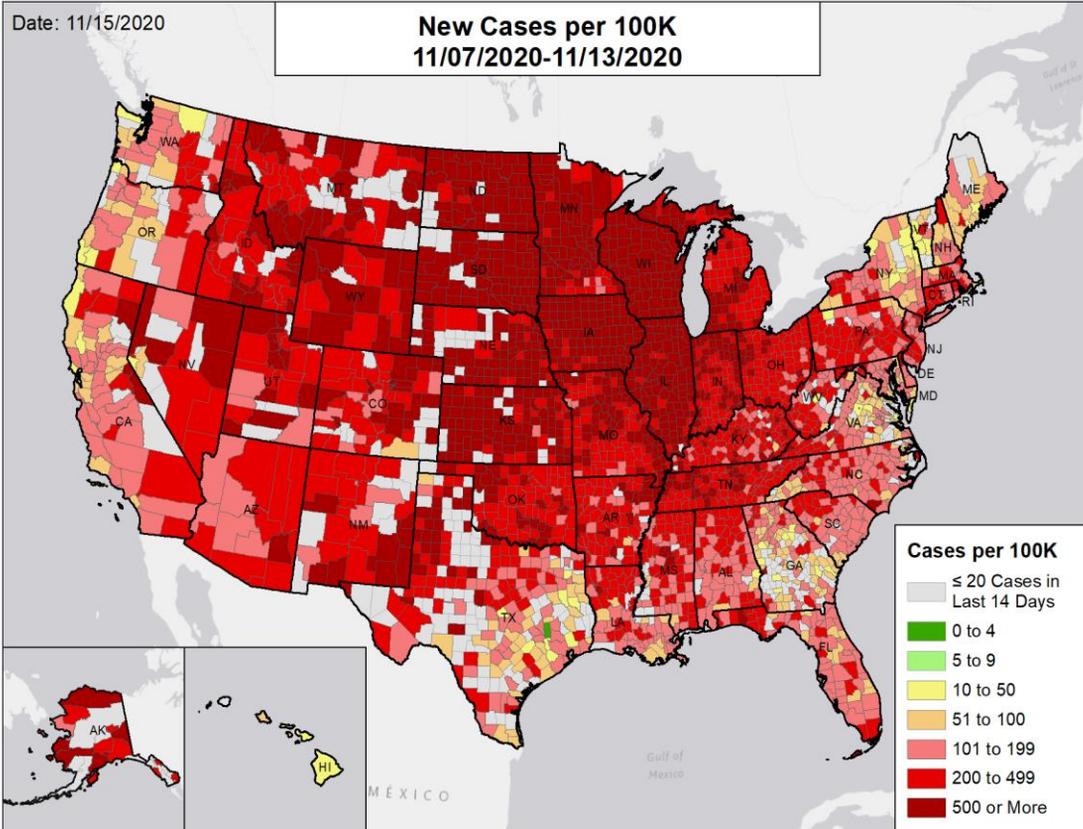
Testing: HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs) through 11/11/2020. The week one month before is 10/8 - 10/14.



National Picture

NEW CASES PER 100,000

NATIONAL RANKING OF NEW CASES PER 100,000



National Rank	State
1	ND
2	SD
3	IA
4	WY
5	WI
6	NE
7	IL
8	MN
9	KS
10	MT
11	UT
12	IN
13	CO
14	AK
15	ID
16	RI
17	MO
18	MI
19	NM
20	TN
21	OK
22	AR
23	OH
24	KY
25	NV
26	CT
27	WV
28	MS
29	PA
30	NJ
31	MA
32	AL
33	TX
34	AZ
35	DE
36	SC
37	FL
38	LA
39	MD
40	NC
41	WA
42	OR
43	NY
44	NH
45	CA
46	DC
47	VA
48	GA
49	ME
50	VT
51	HI

Europe is experiencing a fall surge similar to the USA and is showing early signs of improvement through country-specific mitigation efforts.

- 80% (48/60 countries) require wearing masks in all public settings
 - Most countries have imposed fines for non-compliance
- 93% (56/60) have significant restrictions on gathering size
- 63% (38/60) have some form of nonessential business closures, initially focused on bars and reducing restaurant capacity
- 60% (37/60) have some form of entertainment or public space restriction
- 65% (39/60) have deployed a contact tracing app

DATA SOURCES

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

Cases: County-level data from USAFacts through 11/13/2020.

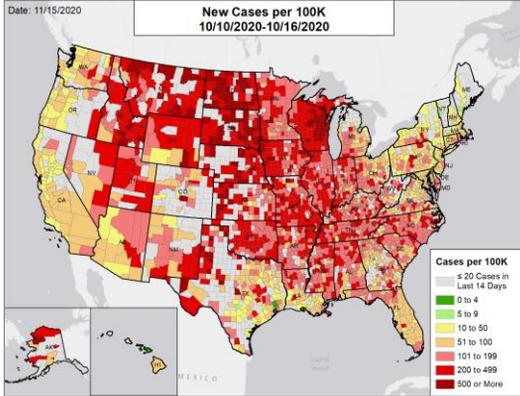
European community mitigation information sourced from European CDC — Situation Update Worldwide.



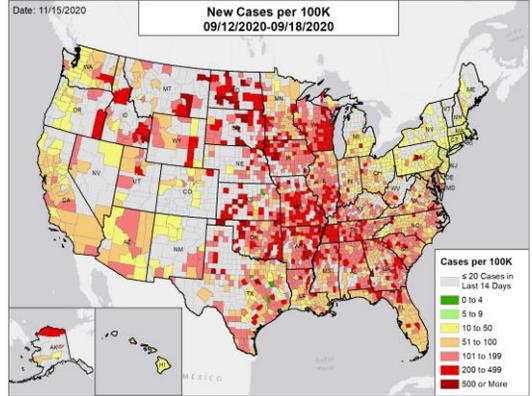
National Picture

NEW CASES PER 100,000 IN THE WEEK:

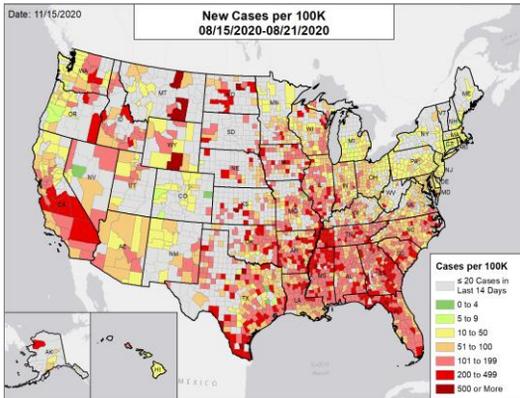
ONE MONTH BEFORE



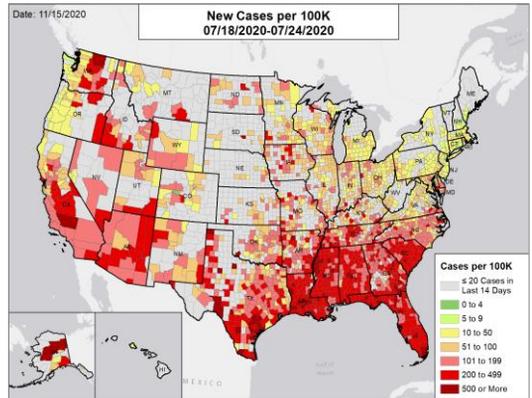
TWO MONTHS BEFORE



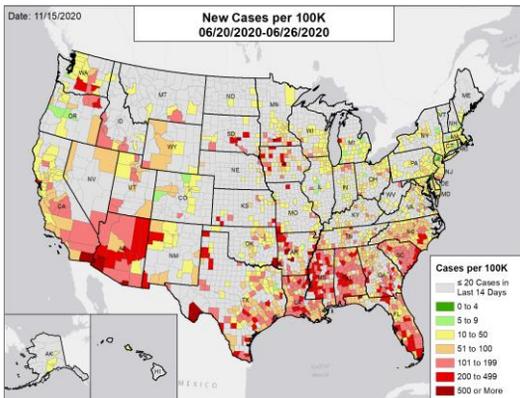
THREE MONTHS BEFORE



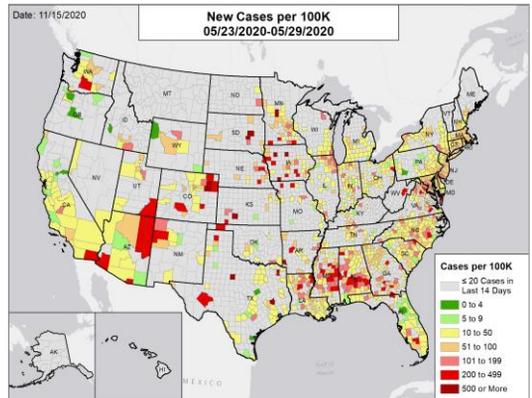
FOUR MONTHS BEFORE



FIVE MONTHS BEFORE



SIX MONTHS BEFORE



DATA SOURCES

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

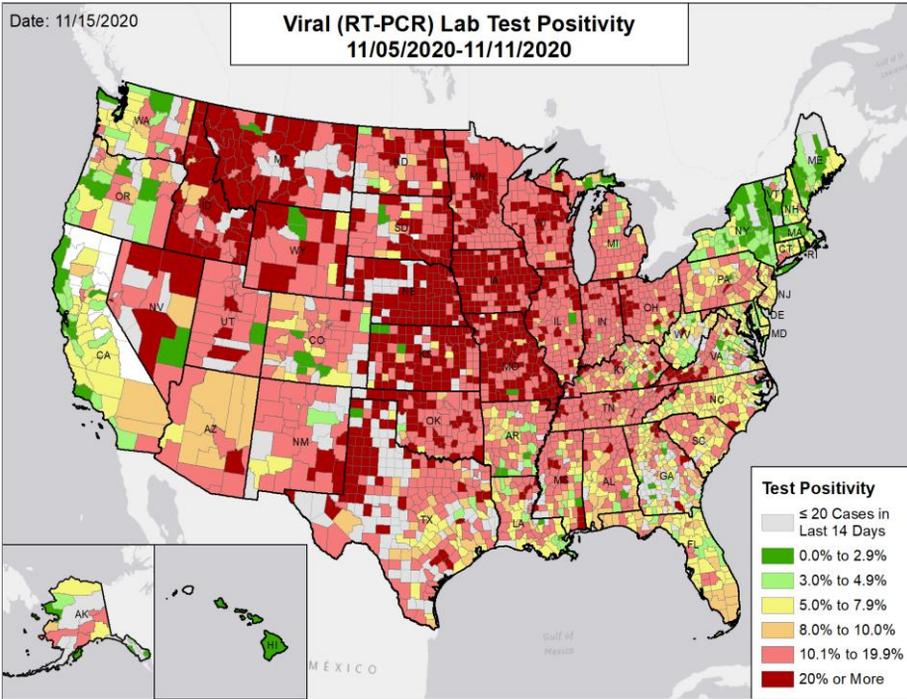
Cases: County-level data from USAFacts through 11/13/2020. The week one month before is 10/10 - 10/16; the week two months before is 9/12 - 9/18; the week three months before is 8/15 - 8/21; the week four months before is 7/18 - 7/24; the week five months before is 6/20 - 6/26; the week six months before is 5/23 - 5/29.



National Picture

VIRAL (RT-PCR) LAB TEST POSITIVITY

NATIONAL RANKING OF TEST POSITIVITY



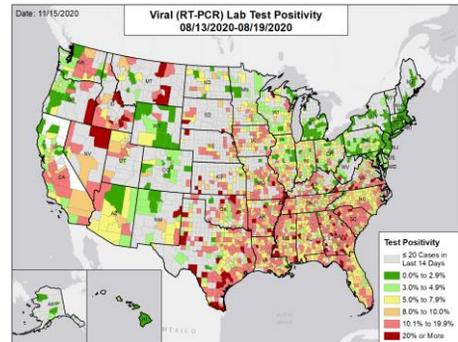
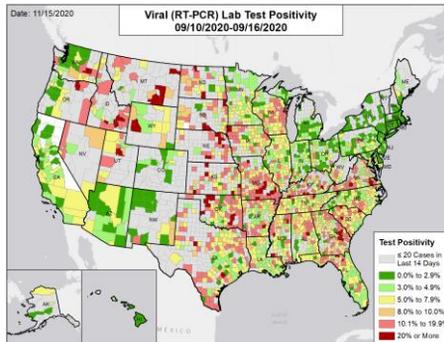
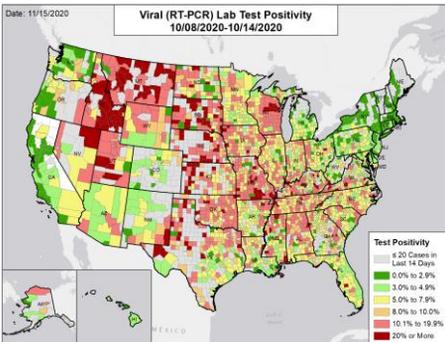
National Rank	State	National Rank	State
1	MT	27	AR
2	ID	28	OH
3	IA	29	PA
4	NE	30	AZ
5	KS	31	VA
6	SD	32	OR
7	MO	33	NJ
8	WI	34	CT
9	OK	35	GA
10	UT	36	FL
11	ND	37	NC
12	MN	38	LA
13	NV	39	MD
14	IL	40	WA
15	NM	41	NH
16	IN	42	WV
17	TN	43	DE
18	MI	44	CA
19	MS	45	RI
20	KY	46	ME
21	CO	47	NY
22	TX	48	MA
23	WY	49	DC
24	AL	50	HI
25	AK	51	VT
26	SC		

VIRAL (RT-PCR) LAB TEST POSITIVITY IN THE WEEK:

ONE MONTH BEFORE

TWO MONTHS BEFORE

THREE MONTHS BEFORE



DATA SOURCES

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

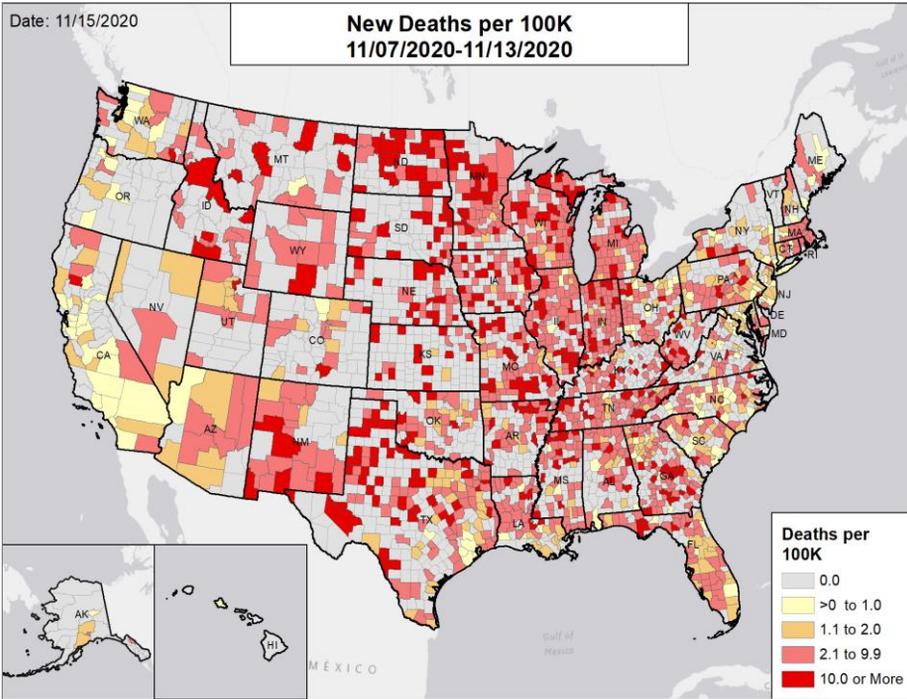
Testing: Combination of CELR (COVID-19 Electronic Lab Reporting) state health department-reported data and HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs) through 11/11/2020. The week one month before is 10/8 - 10/14; the week two months before is 9/10 - 9/16; the week three months before is 8/13 - 8/19.



National Picture

NEW DEATHS PER 100,000

NATIONAL RANKING OF NEW DEATHS PER 100,000



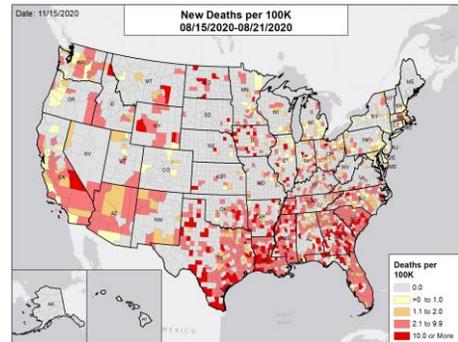
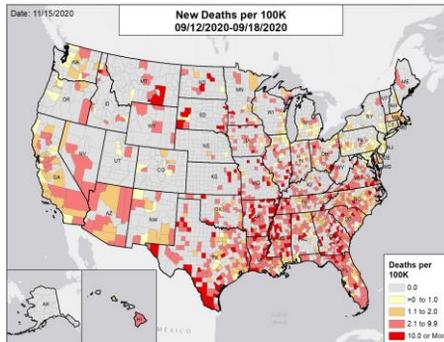
National Rank	State	National Rank	State
1	ND	27	CO
2	SD	28	LA
3	MT	29	AZ
4	WI	30	FL
5	NM	31	SC
6	IN	32	CT
7	TN	33	DE
8	WV	34	NY
9	MI	35	AK
10	IA	36	OH
11	ID	37	UT
12	WY	38	OK
13	NE	39	NV
14	MO	40	NC
15	AL	41	MD
16	MN	42	VA
17	IL	43	NJ
18	MS	44	WA
19	KS	45	ME
20	AR	46	OR
21	RI	47	NH
22	TX	48	CA
23	GA	49	DC
24	PA	50	HI
25	KY	51	VT
26	MA		

NEW DEATHS PER 100,000 IN THE WEEK:

ONE MONTH BEFORE

TWO MONTHS BEFORE

THREE MONTHS BEFORE



DATA SOURCES

Note: Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

Deaths: County-level data from USAFacts through 11/13/2020. The week one month before is 10/10 - 10/16; the week two months before is 9/12 - 9/18; the week three months before is 8/15 - 8/21.



METHODS

STATE REPORT | 11.15.2020

COLOR THRESHOLDS: Results for each indicator should be taken in context of the findings for related indicators (e.g., changes in case incidence and testing volume). Values are rounded before color classification.

Metric	Dark Green	Light Green	Yellow	Orange	Red
New cases per 100,000 population per week	≤4	5 – 9	10 – 50	51 – 100	≥101
Percent change in new cases per 100,000 population	≤-26%	-25% – -11%	-10% – 0%	1% – 10%	≥11%
Diagnostic test result positivity rate	≤2.9%	3.0% – 4.9%	5.0% – 7.9%	8.0% – 10.0%	≥10.1%
Change in test positivity	≤-2.1%	-2.0% – -0.6%	-0.5% – 0.0%	0.1% – 0.5%	≥0.6%
Total diagnostic tests resulted per 100,000 population per week	≥2001	1001 – 2000	750 – 1000	500 – 749	≤499
Percent change in tests per 100,000 population	≥26%	11% – 25%	1% – 10%	-10% – 0%	≤-11%
COVID-19 deaths per 100,000 population per week	0.0		0.1 – 1.0	1.1 – 2.0	≥2.1
Percent change in deaths per 100,000 population	≤-26%	-25% – -11%	-10% – 0%	1% – 10%	≥11%
Skilled Nursing Facilities with at least one resident COVID-19 case, death	0%		1% – 5%		≥6%
Change in SNFs with at least one resident COVID-19 case, death	≤-2%		-1% – 1%		≥2%

DATA NOTES

- Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes. It is critical that states provide as up-to-date data as possible.
- Cases and deaths:** County-level data from USAFacts as of 18:35 EST on 11/15/2020. State values are calculated by aggregating county-level data from USAFacts; therefore, values may not match those reported directly by the state. Data are reviewed on a daily basis against internal and verified external sources and, if needed, adjusted.
- Testing:** The data presented represent viral COVID-19 laboratory diagnostic and screening test (reverse transcription polymerase chain reaction, RT-PCR) results—not individual people—and exclude antibody and antigen tests, unless stated otherwise. CELR (COVID-19 Electronic Lab Reporting) state health department-reported data are used to describe county-level viral COVID-19 laboratory test (RT-PCR) result totals when information is available on patients’ county of residence or healthcare providers’ practice location. HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs) are used otherwise. Some states did not report on certain days, which may affect the total number of tests resulted and positivity rate values. Because the data are deidentified, total viral (RT-PCR) laboratory tests are the number of tests performed, not the number of individuals tested. Viral (RT-PCR) laboratory test positivity rate is the number of positive tests divided by the number of tests performed and resulted. Resulted tests are assigned to a timeframe based on this hierarchy of test-related dates: 1. test date; 2. result date; 3. specimen received date; 4. specimen collection date. Resulted tests are assigned to a county based on a hierarchy of test-related locations: 1. patient residency; 2. provider facility location; 3. ordering facility location; 4. performing organization location. States may calculate test positivity other using other methods. Last week data are from 11/5 to 11/11; previous week data are from 10/29 to 11/4; the week one month before data are from 10/8 to 10/14. HHS Protect data is recent as of 17:58 EST on 11/15/2020. Testing data are inclusive of everything received and processed by the CELR system as of 19:00 EST on 11/14/2020.
- Hospitalizations:** Unified hospitalization dataset in HHS Protect. This figure may differ from state data due to differences in hospital lists and reporting between federal and state systems. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. In addition, hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure. The data presented represents raw data provided; we are working diligently with state liaisons to improve reporting consistency. Data is recent as of 19:14 EST on 11/15/2020.
- Hospital PPE:** Unified hospitalization dataset in HHS Protect. This figure may differ from state data due to differences in hospital lists and reporting between federal and state systems. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. In addition, hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure. Data is recent as of 16:19 EST on 11/14/2020.
- Skilled Nursing Facilities:** National Healthcare Safety Network (NHSN). Data report resident and staff cases independently. Quality checks are performed on data submitted to the NHSN. Data that fail these quality checks or appear inconsistent with surveillance protocols may be excluded from analyses. Data presented in this report are more recent than data publicly posted by CMS. Last week is 11/2-11/8, previous week is 10/26-11/1. Facilities that are undergoing reporting quality review are not included in the table, but may be included in other NHSN analyses.
- County and Metro Area Color Categorizations**
 - Red Zone:** Those core-based statistical areas (CBSAs) and counties that during the last week reported both new cases at or above 101 per 100,000 population, and a lab test positivity result at or above 10.1%.
 - Orange Zone:** Those CBSAs and counties that during the last week reported both new cases between 51–100 per 100,000 population, and a lab test positivity result between 8.0–10.0%, or one of those two conditions and one condition qualifying as being in the “Red Zone.”
 - Yellow Zone:** Those CBSAs and counties that during the last week reported both new cases between 10–50 per 100,000 population, and a lab test positivity result between 5.0–7.9%, or one of those two conditions and one condition qualifying as being in the “Orange Zone” or “Red Zone.”

Mayor Bynum signed a mask ordinance, approved on July 15 by the Tulsa City Council, immediately mandating the use of masks in Tulsa. The ordinance to Title 27 of the Tulsa Revised Ordinances comes at the recommendation of Dr. Bruce Dart of the Tulsa Health Department.

On September 30, The Tulsa City Council approved a citywide addendum to the ordinance, lowering the age requirement for those who are required to wear a mask from ages 18 and over to ages 10 and over.

ORDINANCE NO. 24408
Published in the Tulsa World
July 19, 2020.

AN ORDINANCE OF THE CITY OF TULSA, OKLAHOMA, AMENDING THE PENAL CODE, TITLE 27, TULSA REVISED ORDINANCES CHAPTER 4, 'OFFENSES AGAINST THE PERSON' BY ADDING NEW SECTION 409 ENTITLED "FACE COVERING AND SOCIAL DISTANCING DURING COVID-19 PANDEMIC CIVIL EMERGENCY," ADDING DEFINITIONS, MANDATING THE USE OF FACE COVERINGS WITH SOME LISTED EXCEPTIONS, SETTING FORTH A SUNSET EXPIRATION DATE, CREATING PENALTIES FOR NON-COMPLIANCE; DECLARING AN EMERGENCY; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR THE SEVERABILITY THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY OF TULSA:

Section 1. That Title 27, Tulsa Revised Ordinances, "Penal Code" be amended by the addition of new Section 409, to read as follows:

Section 409 – Face Covering and Social Distancing During COVID-19 Pandemic Civil Emergency

A. Findings of Fact

WHEREAS, the City of Tulsa is charged with the solemn responsibility of protecting the public peace, health, order, morals, and safety, and promoting the general welfare of the City of Tulsa and its inhabitants;

WHEREAS, on March 15, 2020, the Governor of the State of declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety which remains in effect today; and

WHEREAS, on Tuesday, March 17, 2020, the Mayor of the City of Tulsa, issued Executive Order 2020-02 declaring a civil emergency in response to the COVID-19 pandemic, which poses an imminent threat to health, safety and welfare in the City of Tulsa; and

WHEREAS, on Thursday, July 2, 2020, the Mayor of the City of Tulsa, issued Executive Order 2020-13 extending the civil emergency, requiring a safety plan for all events and gatherings with 500 or more attendees, and requiring bar and restaurant employees to wear face coverings while working; and

WHEREAS, as of the 14th day of July, 2020, there were 1,099 active cases (5,448 total cases diagnosed) of COVID-19 in Tulsa County; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19, further measures are needed to achieve the least restrictive means for reducing the growing spread of COVID-19, and to avoid a need for more extreme measures; and

WHEREAS, it is deemed necessary for the protection of the public health and safety of the City of Tulsa and its inhabitants to prevent the introduction and spread of the contagious disease COVID-19 preserve the peace, and to provide civil defense and emergency functions; and

Therefore, pursuant to Title 11, Oklahoma Statutes, Section 22-120 (A), the City enacts this ordinance mandating that:

B. Definitions.

"Face Covering" means a covering that fully covers a person's nose and mouth. The term "Face Covering" includes, but is not limited to, cloth face masks, towels, scarves, and bandanas as recommended by the CDC or OSDH, an N95, KN95, or other mask that would be appropriate for a health care setting, or a surgical mask. The Face Covering should fit snugly on a person's face but allow the person to breathe easily and worn consistent with the guidance provided by the CDC or OSDH.

"Social" or "Physical Distancing" means maintaining six (6) feet of distance between persons who are not part of the same household while in a public accommodation, educational building, or public setting.

"Place of Public Accommodation" means all places offering items, goods or services for purchase or rent, including without limitation retail businesses, personal services and spas, entertainment venues, food service facilities, restaurants and bars, hotels, motels and travel related services, professional offices and services, banks and financial services, repair facilities, motor vehicle dealerships.

"Public Service Area" means areas of a Place of Public Accommodation or an Educational Institution wherein employees interact with the public in the normal course of business.

"Public Setting" means any public place where persons congregate which is not a place of public accommodation including without limitation offices, workplaces, houses of worship and ancillary facilities, child care facilities, hospitals and health facilities, gymnasiums and physical fitness facilities, adult and youth sports facilities, communal outdoor spaces such as sidewalks, trails, and parks, and food trucks and other outdoor retail entities.

"Educational Institution" means any building or facility used for academic or athletic purposes on public school campuses, and any private school or preschool. This term excludes the playing surface of any athletic facility during organized activities and practices.

Section 2. Severability Clause

If any section, sentence, clause, or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 3. Repeal of Conflicting Ordinance

That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 4. Emergency Clause

That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this Ordinance shall take effect immediately from and after its adoption and required approvals.

ADOPTED by the Council: JUL 15 2020
Date


Chair of the Council

ADOPTED as an emergency measure: JUL 15 2020
Date


Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____

G.T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: JUL 16 2020,
Date

at _____
Time

ORDINANCE NO.

24446

Published in the Tulsa World

October 4, 2020.

AN ORDINANCE AMENDING CITY OF TULSA PENAL CODE, TITLE 27, TULSA REVISED ORDINANCES; AMENDING CHAPTER 4, "OFFENSES AGAINST THE PERSON", SECTION 409, TITLED "FACE COVERING AND SOCIAL DISTANCING DURING COVID-19 PANDEMIC CIVIL EMERGENCY"; AMENDING SUBSECTIONS 409.C AND 409.E ONLY, BY LOWERING THE AGE EXEMPTION IN SUBSECTION 409.C.2; CLARIFYING IN SUBSECTION 409.C.5 THE EXEMPTION IN SETTINGS WHERE IT IS NOT PRACTICAL OR FEASIBLE TO WEAR A REQUIRED FACE COVERING; AMENDING THE SUNSET EXPIRATION DATE IN SUBSECTION 409.E; DECLARING AN EMERGENCY; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR THE SEVERABILITY THEREOF.

BE IT ORDAINED BY THE CITY OF TULSA:

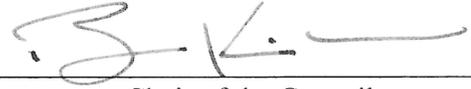
Section 1. That Title 27, Tulsa Revised Ordinances, "Penal Code", Section 409, Subsections C, be amended to read as follows:

"C. Face Coverings Mandate Under Certain Circumstances

Except as otherwise provided herein, persons located within Public Service Areas of Places of Public Accommodation or an Educational Building are required to wear face coverings at all times when present therein. Except as otherwise provided herein, persons in any Public Setting wherein social or physical distancing cannot be maintained are required to wear face coverings. The following persons, locations and activities are exempt from this requirement:

1. Persons who fall into the U.S. Centers for Disease Control and Prevention's guidance for those who should not wear Face Coverings due to a medical or mental health condition or developmental disability;
2. Children under 10 years of age;
3. Restaurant patrons while they are eating or drinking;
4. Persons exercising in communal outdoor spaces, or persons walking or exercising with other persons from the same household in communal outdoor spaces, as long as Physical Distancing is maintained. Persons congregating in communal outdoor spaces with other persons not in their same household are required to wear Face Coverings when Physical Distancing is not maintained;
5. Settings where it is not practical or feasible to wear a Face Covering, such as dental services, medical treatments, while swimming, or when engaged in athletic team activities where the level of exertion makes wearing a Face Covering impractical;

ADOPTED, as an emergency measure, on this 30th day of September 2020.



Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____.
Date Time

G.T. Bynum, Mayor

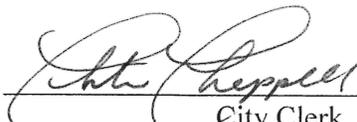
By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: OCT 01 2020,
Date
at _____.
Time



Mayor

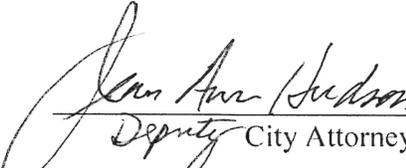
ATTEST:



City Clerk



APPROVED AS TO FORM AND LEGALITY:



Deputy City Attorney 10/1/2020



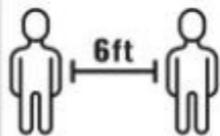
City of Marlow

November 17 at 10:40 AM · 🌐



Color signs are available for your business. Call 658-5401 and we will deliver.

**WE RESPECTFULLY REQUEST
YOU WEAR A MASK UPON
ENTERING**



Thank you for helping keep
Marlow safe

OKC

(Published in The Journal Record July 21, 2020

ORDINANCE NO. 76,514

ORDINANCE AMENDING CHAPTER 23, ENTITLED "HEALTH AND SANITATION," OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010 (CODE); ENACTING THE "OKLAHOMA CITY COVID-19 SAFETY CODE," TO BE CODIFIED AS SECTIONS 23-23 THROUGH 23-31, INCLUSIVE, OF ARTICLE III OF CHAPTER 23 OF THE CODE; PROVIDING A SHORT TITLE FOR ARTICLE III; PROVIDING THE FINDINGS AND DELCARATIONS OF THE CITY COUNCIL; PROVIDING A DEFINITION OF "FACE COVERING;" REQUIRING FACE COVERINGS SHALL BE WORN IN CERTAIN PLACES OR SETTINGS; PROVIDING SUGGESTED GUIDELINES FOR FACE COVERINGS; PROVIDING EXCEPTIONS; PROVIDING AN EFFECTIVE AND EXPIRATION DATE AND TIME; PROVIDING FOR ENFORCEMENT, VIOLATIONS, AND PENALTIES FOR VIOLATIONS; PROVIDING A DEFENSE; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY, OKLAHOMA:

SECTION 1. Sections 23-23 through 23-31, inclusive, of Article III of Chapter 23 of the Oklahoma City Municipal Code, 2010, is hereby enacted to read as follows:

CHAPTER 23. HEALTH AND SANITATION

ARTICLE III. COVID-19 SAFETY CODE

§23-23. Short Title.

This article is entitled and shall be known to as the OKLAHOMA CITY COVID-19 SAFETY CODE.

§23-24. Statement of Findings by the City Council of the City.

1. The United States is experiencing an outbreak of Novel Coronavirus-2019 also known as COVID-19; and
2. On March 11, 2020, the World Health Organization characterized the COVID-19

15. With the transmission of COVID-19 and COVID-related hospitalizations continuing at an elevated level, provisions for the safety of the life, health, and property of Oklahoma City residents are still necessary; and
16. The City Council of the City declares that the continuing occurrence and threat of widespread or severe damage, injury or loss of life or property from COVID-19, including severe economic damage to the City and the State of Oklahoma, which can result from COVID-19 justifies emergency action by the City to help avert such danger or damage and to protect the public health.
17. The City Council further declares an emergency need for an ordinance containing the COVID-19 safety measure for the mandatory wearing of face coverings over the nose and mask whenever persons are in any place or setting open to the general public; and
18. The City Council of the City notes that on Friday, July 10, 2020, Dallas Federal Reserve Bank President Robert Kaplan publicly stated that:
 - i. The “key to ensuring a faster U.S. economic recovery is wearing masks to slow the spread of the coronavirus;” and
 - ii. “How the [COVID-19] virus proceeds, and what the incidence is, is going to be directly related to how fast we grow [economically]”...; and
 - iii. “While monetary and fiscal policy have a key role to play, the primary economic policy from here is broad mask wearing and good execution of...health care protocols; if we do that well, we’ll grow faster”; and
 - iv. “The message I’d have today about the economy (is that) while monetary policy and fiscal policy are very important, they are not as important right now in us doing a good job of flattening this curve on the virus, and if we do that, we’ll grow faster.”
19. The City Council of the City further notes that the recent surge in COVID-19 cases in several U.S. states is raising concern that the economic recovery that likely began in May could falter if authorities re-impose lockdowns or consumers reduce spending out of fear that getting out and about could mean they get the sometimes fatal disease.
20. The City Council of the City further notes that Goldman Sachs Group Inc. economists have argued that a national mask mandate would boost the chances of a faster recovery; and that Mr. Kaplan, a former Goldman Sachs bank officer, reiterated that the U.S. economy will likely shrink by 4.5% to 5% in 2020, even after what he expects to be growth during the third and fourth quarters.
21. The City Council also finds that it is appropriate and in the interests of the public health, safety, and welfare and would further protect property and civil order, for the City Council to adopt this COVID-19 Safety Code with a regulation mandating the wearing

Face coverings may be of the disposable or non-disposable.

§23-28. Exceptions. Nothing herein shall require the wearing of face coverings by:

- a. persons under 11 years of age unless required by a school or day care to wear a face covering;
- b. persons working in a professional office who do not have any face-to-face interactions with the public;
- c. restaurant patrons while eating or drinking;
- d. persons in a setting where it is not practical or feasible to wear a face covering, such as when receiving dental services, medical treatments, or while swimming or at a splash park;
- e. persons engaged in any competitive sporting activities, whether professional or amateur or merely for recreational purposes;
- f. persons engaged in performing cardio exercise, but they should make a reasonable effort to practice social distancing from persons not from their household;
- g. persons inside any Federal, State, or county government building or other facility;
- h. persons inside any public or private school building or other facility unless required by the school to wear a face covering; and
- i. persons attending any indoor religious service or ceremony as long as all persons who do not live in the same household are social distancing from one another, meaning not less than 6 feet apart.
- j. persons with a development disability, including persons who are deaf and hard of hearing.

§23-28. Effective and Expiration Dates and Times.

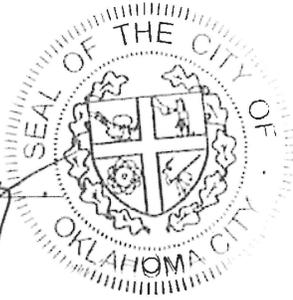
This article will become effective and enforceable upon adoption by City Council, and will expire and become unenforceable at 12:00 a.m. on September 8, 2020.

§23-29. Enforcement.

This article may be enforced by any legally authorized code-enforcement inspectors or sworn police officers, as follows: authorized OCCHD inspectors, authorized Development Services Department Inspectors, and sworn peace officers of the Oklahoma City Police Department. However, Council prefers that OCCHD inspectors or Development Services Inspectors become

ATTEST:
James Leroy

City Clerk



THE CITY OF OKLAHOMA CITY

David Holt

MAYOR

REVIEWED for form and legality.

Walt Jones

Municipal Counselor

Masks required in indoor public places in Oklahoma City

Post Date:07/17/2020 6:14 PM

The [City Council](#) voted in a special meeting Friday to approve an emergency public safety ordinance requiring face coverings in indoor public places throughout Oklahoma City.

The ordinance took effect immediately. Read it [here](#).

Public health officials say face coverings are key to slowing the spread of [COVID-19](#). Evidence shows there's a high risk of infected people spreading the virus with their breath if they don't use a face covering. Evidence also shows infected people can spread the virus even if they don't have symptoms.

Free signs about the requirements to print for display at local businesses and other public spaces, along with social media graphics and animations, are available [on a public shared drive](#) at covid19.okc.gov.

Visit covid19.okc.gov for the latest on the coronavirus in Oklahoma City, including other emergency restrictions in place to slow the spread of COVID-19.

Face covering requirements

Everyone in Oklahoma City age 11 and up is required to wear a face covering, like a mask or face shield, in indoor public spaces. There are some exceptions.

Public health officials also recommend face coverings for children age 3 and up, although it's not a requirement in the emergency ordinance.

Face coverings are required only in indoor spaces open to the public, including private property.

The face covering must cover both the nose and mouth. A face shield is an alternative to a cloth face covering or mask. [Here](#) are general CDC recommendations about cloth face coverings and masks.

Exceptions to face covering requirements are:

- Children age 10 and under, unless required by a school or daycare.
- People working in an office who don't have face-to-face interactions with the public.
- Patrons of restaurants, bars and similar establishments while eating or drinking.
- People in settings where it isn't practical or feasible to wear a face covering, like receiving dental services, swimming or playing at a sprayground.
- People engaged in sports (including for recreation).
- People engaged in cardio exercises. But people should make reasonable efforts to observe social distancing between groups of people from different households.
- People inside any federal, state or county building or facility.
- People inside a public or private school building or facility, unless required by the school.
- People at a religious service or ceremony where social distancing is observed between groups of people from different households.
- People with a developmental disability.
- People who are deaf or hard-of-hearing.

The requirements expire Sept. 8, unless the Council takes further action.

Enforcement

The ordinance allows for enforcement by the [Police Department](#), or code inspectors from the [OKC-County Health Department \(OCCHD\)](#) and the City's [Development Services Department](#). The Council prefers enforcement by code inspectors when possible.

When responding to calls for enforcement, inspectors or officers will first offer a mask or an opportunity for the person to leave the public, indoor space.

People who refuse to wear the mask or leave would be subject to a fine of \$9 on a conviction for a first or second offense. The fine would rise to a maximum of \$100 for third and subsequent offenses.

People with a medical condition preventing them from safely wearing a mask can produce a document from their physician confirming that information, and will not be subject to a conviction and fine.

Frequently asked questions

Here are some frequently asked questions (FAQs) about the requirements.

Q: Who is required to wear a face covering, and in what situations?

A: Everyone in Oklahoma City age 11 and over is subject to the requirements when inside most buildings accessible to the public. There are narrow exceptions. Public health officials recommend children age 3 and up should also wear face coverings, but that is not required by the emergency ordinance.

Q: Why are face coverings required?

A: Public health officials say face coverings are key to slowing the spread of COVID-19. Evidence shows there's a high risk of infected people spreading the virus with their breath if they don't wear a face covering. Evidence also shows infected people can spread the virus even if they don't have symptoms. You protect others by wearing a mask, and others protect you by wearing theirs.

Q: What kind of face covering is required?

A: It must cover your nose and mouth. A face shield is an alternative to a cloth face covering or mask.

Here are some [general CDC recommendations](#) about cloth face coverings and masks:

- It should cover your nose and mouth.
- It should be secured under your chin, and fit snugly against the side of your face.
- Make sure you can breathe easily.
- Wash cloth masks after using them. Read more [here](#).
- Read more [here](#) about how to wear a mask.
- Read more [here](#) about how to make a mask at home.

Q: Are face coverings required for children and staff at schools and day cares?

A: It's at the discretion of the school or daycare operator. Public health officials recommend face coverings in public settings for anyone age 3 and up.

Q: Are face coverings required for people inside office buildings, warehouses and other workplaces closed to the public?

A: No, if it's closed to the public. But public health officials recommend wearing face coverings when

in shared spaces inside those buildings, including all shared work spaces, hallways, bathrooms, conference rooms, elevators, stairwells and similar locations.

Q: Are face coverings required outdoors?

A: No. But public health officials recommend wearing face coverings outdoors in public settings for anyone age 3 and up.

Q: Are face coverings required for people at restaurants, bars and similar places?

A: Yes, except for when eating or drinking.

Q: Are face coverings required for people in parks, trails and similar outdoor spaces?

A: No. But public health officials recommend face coverings in public settings for anyone age 3 and up.

Q: Are face coverings required for walking in neighborhoods, or playing sports?

A: No. But public health officials recommend face coverings in public settings for anyone age 3 and up.

Q: I have a health condition that makes it unsafe for me to wear a face covering, but businesses are refusing to grant me access. What can I do?

A: Businesses are allowed to deny entry and refuse service.

Q: Can I carry a gun while wearing a face covering?

A: There's no restriction related to wearing a face covering while carrying a gun.

Other COVID-19 issues

[Mayor David Holt](#) and public health officials encourage everyone in Oklahoma City to wear a face covering in any situation when it's hard to stay at least 6 feet away from people outside of your household.

It's also important to wash your hands regularly, avoid unnecessarily touching your face, and practice social distancing.

All businesses are encouraged to consult and follow [U.S. Centers for Disease Control and Prevention \(CDC\)](#) protocols and OCCHD guidelines, which are available at occhd.org/reopen.

What to do if you're sick

COVID-19 symptoms are:

- Fever
- Dry cough
- Shortness of breath, or difficulty breathing
- Chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- [Here's a symptom tracker](#).

If you're sick, stay home. Avoid public areas. Stay away from others. Wear a mask or other face covering when you are around other people.

If you're sick, **do not** go to the ER. Consult first with a health care provider. Regardless of whether tests show you have a common cold, the flu or COVID-19, doctors will tell most people to stay home, rest, get plenty of fluids and avoid contact with others.

If your symptoms worsen, you have difficulty breathing or you have a fever for more than 72 hours, call your doctor. If you don't have health insurance or a doctor, call (405) 425-4489.

[Click here](#) for the state's testing site dashboard.

[Learn more here.](#)

Face coverings

Federal, state and local public health authorities recommend you wear a face covering in public.

They're primarily to protect you from accidentally infecting others. They keep germs away from others.

Many people infected with the coronavirus take a long time to develop symptoms, or never do. If everyone wears face coverings, it will slow down COVID-19.

[Here's a do-it-yourself face covering guide from the CDC.](#)

[Read more from the CDC.](#)

Changes to Norman mask ordinance explained by city

- [By Mindy Ragan Wood | Transcript Staff Writer](#)

- Sep 24, 2020

NORMAN — Norman City Council extended its mask ordinance Tuesday to large social gatherings at private homes, but city officials say it does not mean police will be beating down anyone's doors.

The ordinance redefined "public setting" for mask requirements to private property for gatherings of more than 25 people. It also established a fine from \$50 to \$500 for violators who refuse to comply.

During the Tuesday night meeting, several residents viewed the restriction as "draconian" and a violation of U.S. constitutional rights.

Officers will not enter private property to enforce the ordinance because of the Fourth Amendment to the Constitution, City Attorney Kathryn Walker told The Transcript Wednesday.

"The city can regulate all kinds of things on private property, including parties, but it doesn't mean the Fourth Amendment doesn't still apply," Walker said in an email. "If the officers respond to a complaint on a party, and the party is indoors and no one lets them in, then they cannot gain entry without a warrant. Typically, in a large party situation, guests are not all inside and it's pretty easy to observe violations without going into the home."

Several councilors said Tuesday night they continue to receive complaints about large parties since the return of University of Oklahoma students this fall.

Under the city's nuisance ordinance, which is designed to cite and break up large parties, officers look for three reasons to disperse the crowd and issue a citation: nudity, loud music and public intoxication. The council approved adding the lack of wearing masks to that Tuesday night.

Norman Police Deputy Chief Ricky Jackson told the council officers do not enter a home on nuisance complaints but ask the tenant or owner to speak with them outside.

Walker said having three violations helps with prosecuting a nuisance case.

"The three violations don't necessarily have to be ticketed, but from a prosecution standpoint, the officer will have to provide sufficient information about the three violations he/she observed to support the nuisance party charge," her email reads. "If a property has three citations of [a] nuisance party or other related charges on three different dates within a 365-day period that result in a plea of guilty or no contest or result in a finding of guilty, then the city council can hold a public hearing and declare the property a nuisance property. This enables council to order city services to the location, including water, to be disconnected for [up] to six months."

The mask ordinance and changes to the nuisance ordinance will remain in effect through Nov. 30.

Mayor Breea Clark released a statement Wednesday saying her reasons for the changes are due to the influx of students and targets house parties.

"With students back in town, Norman has had an influx of 20,000-plus new residents, and with it, we have seen an escalation in the number of large social gatherings where the mask ordinance is not being followed, along with a rise in reported cases of COVID-19. Council felt more guidance was needed in how to manage these potential

'superspreader' events that are really unique to college towns," Clark's statement reads. "We are not limiting social gatherings, as we did previously. We are simply asking that if you do have a large social gathering, you wear a mask and practice social distancing."

A spokesman for the NPD said officers will keep the rights of the public in view as they respond to nuisance properties.

"The Norman Police Department will continue to have the rights and safety of each citizen in mind during this pandemic. The department recognizes that a citizen's residence is their personal and private space, and officers will not impede the citizen's rights in that area," Maj. David Teuscher's statement reads. "The department will focus on addressing large party gatherings by utilizing the newly adopted changes to the nuisance party ordinance to help slow the spread of COVID-19. We ask that citizens and guests of Norman protect one another by following social distancing measures and the face-covering ordinances.

Posted: Nov 12, 2020 / 09:06 AM CST / Updated: Nov 12, 2020 / 09:06 AM CST

NORMAN, Okla. (KFOR) – As the coronavirus pandemic continues to affect communities across the globe, a local city has announced that it is extending its COVID-19 precautions.

On Tuesday, the Norman City Council voted unanimously to extend the city's mask mandate until March 1, 2021.

Officials say the face coverings do not need to be a medical mask, but must cover the nose and mouth.

The ordinance allows for the following exceptions:

- People or situations identified by the CDC where the wearing of a cloth face covering may exacerbate a physical or mental health condition, lead to a medical emergency, or introduce significant safety concerns. People exempted under this category shall consider the use of a face shield and the use of carryout, curbside pickup and online delivery services.
- Restaurant and bar patrons while they are eating or drinking;
- People exercising in communal outdoor spaces, or walking or others from the same household in communal outdoor spaces, provided social distancing is maintained;
- Children under the age of six years old;
- Settings where it is not practical or feasible to wear a face covering such as when receiving dental or medical treatment and services;
- Occupants inside a personal vehicle, personal office, or similarly private space while others outside the occupant's household are not present;
- Private homes;
- Private lodging rooms in places of public accommodation; and
- Offices and workplaces that are not public service areas where physical distancing between employees and other occupants can be consistently maintained during hours of operation.



McAlester City Council

NOTICE OF MEETING

Special Meeting of the City Council Agenda

Thursday, July 23, 2020 - 5:30 pm

McAlester City Hall – Council Chambers

28 E. Washington

Attending in Person

John Browne Mayor
BJ Boatright..... Ward Five
Peter J. Stasiak City Manager
Cora M. Middleton..... City Clerk

Attending by Teleconference

Weldon Smith Ward One
Cully Stevens, Vice Mayor..... Ward Two
Steve Cox Ward Three
James Brown..... Ward Four
Zach Prichard..... Ward Six
William J. ErvinCity Attorney

This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: www.cityofmcalester.com within the required time frame. Public call-in number is 1-866-899-4679, Access Code 294-239-789..

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The McAlester City Hall is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 918.423.9300, Extension 4956.

CALL TO ORDER

Announce the presence of a Quorum.

ROLL CALL

PUBLIC HEARING

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter

AN ORDINANCE AMENDING CHAPTER 54, HEALTH AND PUBLIC WELFARE, OF THE MCALESTER CITY CODE, TO CREATE ARTICLE IV, COVID-19 PANDEMIC FACE COVERINGS; CREATING AND ESTABLISHING FINES FOR CHAPTER 54, HEALTH AND PUBLIC WELFARE, ARTICLE IV, COVID-19 PANDEMIC FACE COVERINGS, SECTION 54-52, FACE COVERINGS MANDATED IN PUBLIC PLACES; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Discussion and possible action authorizing the Mayor to sign an Ordinance amending Chapter 54, Health and Public Welfare, of the McAlester, City Code, to create Article IV, COVID-19 Pandemic Face Coverings mandating the use of face coverings in public areas and declaring an emergency. *(John Browne, Mayor)*

Executive Summary

Staff recommends approval and authorization for the Mayor to sign the ordinance and due to the state of emergency rendered by the COVID-19 Pandemic, shall become effective upon signature of the Mayor.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2020 at _____ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

Cora M. Middleton, City Clerk



McAlester City Council

AGENDA REPORT

Meeting Date: July 23, 2020 Item Number: 1
Department: City Council
Prepared By: John Browne, Mayor Account Code: _____
Date Prepared: July 20, 2020 Budgeted Amount: _____
Exhibits: 1

Subject

Discussion and possible action authorizing the Mayor to sign an Ordinance amending Chapter 54, Health and Public Welfare, of the McAlester, City Code, to create Article IV, COVID-19 Pandemic Face Coverings mandating the use of face coverings in public areas and declaring an emergency.

Recommendation

Staff recommends approval and authorization for the Mayor to sign the ordinance and due to the state of emergency rendered by the COVID-19 Pandemic, shall become effective upon signature of the Mayor.

Discussion

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head		
City Manager	P. Stasiak <u><i>PJS</i></u>	<u>7-20-2020</u>

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 54, HEALTH AND PUBLIC WELFARE, OF THE MCALESTER CITY CODE, TO CREATE ARTICLE IV, COVID-19 PANDEMIC FACE COVERINGS; CREATING AND ESTABLISHING FINES FOR CHAPTER 54, HEALTH AND PUBLIC WELFARE, ARTICLE IV, COVID-19 PANDEMIC FACE COVERINGS, SECTION 54-52, FACE COVERINGS MANDATED IN PUBLIC PLACES; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, that

SECTION 1. That Chapter 54, Health and Public Welfare, Article IV, Covid-19 Pandemic Face Coverings, of the McAlester City Code, is hereby created to read as follows:

Sec. 54-52. Findings of Fact

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 (Coronavirus) to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 Virus pandemic; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma has declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

WHEREAS, on March 16, 2020, the Pittsburg County Commissioners declared an emergency from the potential effects of COVID-19; and

WHEREAS, on March 17, 2020, the Mayor of McAlester proclaimed a state of emergency in the city limits of McAlester; and

WHEREAS, according to the Center for Disease Control and Prevention ("CDC"), the COVID-19 virus spreads between people who are within six feet of one another and through respiratory droplets produced when an infected person coughs, sneezes, talks, or raises their voice; and

WHEREAS, currently there is no vaccine, treatment, or cure for COVID-19; and

WHEREAS, on March 20, 2020, the McAlester City Manager declared a civil emergency pursuant to City of McAlester Code of Ordinances, Chapter 38, Article IV, Section 80; and

WHEREAS, on March 23, 2020, the McAlester City Council met in an Emergency Meeting and voted to continue the invocation of the extraordinary powers conferred by the McAlester City Codes, Chapter 38, Title IV, Section 80, as necessary to ensure or to restore the public peace; and

WHEREAS, March 25, 2020, the McAlester City Council declared a civil emergency pursuant to the McAlester City Codes, Chapter 38, Title IV, Section 80, adopting the Governor's Executive Order 2020-07 with Amendments, limiting gatherings to no more than ten (10) people. This order also closed

bars, gyms and fitness facilities, entertainment venues, and restaurant dining areas, beauty parlors, barber shops, nail salons, and all non-essential retailers. These actions were implemented to flatten the projected curve of COVID-19 transmission, and to preserve medical resources and prevent widespread infection; and

WHEREAS, in Pittsburg County, on May 14, 2020 there were 39 positive cases of COVID-19, on June 14, 2020, there were 43 positive cases of COVID-19, and on July 14, 2020, there were 81 cases of COVID-19; and

WHEREAS, data from the Oklahoma State Department of Health indicates that statewide, the marked increase in COVID-19 cases are generally the result of gatherings of people in close proximity including church services, bars, restaurants, pool parties, weddings, and funerals; and

WHEREAS, the United States Center for Disease Control (CDC) recommends all people two years of age and older wear a cloth face covering in public settings and when around people who don't live in your household, especially when other social distancing measures are difficult to maintain; and

WHEREAS, the CDC recommends that people limit close contact with others outside of your household in indoor and outdoor spaces by keeping space of at least six feet between yourself and other people outside of your home; and

WHEREAS, the passage of an ordinance mandating the wearing of face coverings and limiting operations and gatherings in certain public settings is necessary to protect the health and safety of McAlester residents and to keep businesses open.

Sec. 54-53. Definitions.

- (a) "Face Covering" means a covering, or mask, that fully covers a person's nose and mouth, including, but not limited to, cloth facemasks, towels, scarves, and bandanas as recommended by the CDC. The Face Covering should fit snugly on a person's face but allow the person to breath easily and worn consistent with the guidance provided by the CDC.
- (b) "Place of Public Accommodation" means all places offering items, goods, or services for purchase or rent, including without limitation retail businesses, personal services and spas, entertainment venues, food service facilities, restaurants and bars, hotels, motels, and travel related services, professional offices and services, banks and financial services, repair facilities, and motor vehicle dealerships.
- (c) "Public Service Area" means areas of a Place of Public Accommodation wherein employees interact with the public in the normal course of business.
- (d) "Public Setting" means any public place where persons congregate which is not a place of public accommodation including without limitation offices, workplaces, houses of worship and ancillary facilities, child care facilities, hospital and health facilities, gymnasiums and physical fitness facilities, adult and youth sports facilities, places and situations where in-person contact is made at the door or window in residential or commercial settings, communal outdoor spaces such as sidewalks, rails, and parks, food trucks, and other outdoor retail entities.
- (e) "Social Distancing" or "Physical Distancing" means the maintenance of at least a 6-foot minimum social distancing from other individuals outside of your household.

Sec. 54-54. Use of Face Coverings.

Except as otherwise provided herein, persons located within Public Service Areas or Places of Public Accommodation are required to wear face coverings at all times when present therein.

Except as otherwise provided herein, persons in any Public Setting wherein Social or Physical Distancing cannot be maintained are required to wear face coverings.

The following persons, locations, and activities are exempt from this requirement:

1. Persons who fall into the U.S. Centers for Disease Control and Prevention's guidance for those who should not wear Face Coverings due to a diagnosed medical or mental health condition or developmental disability, or the wearing of a Face Covering would lead to a medical emergency. Persons exempted under this subsection should consider the use of a face shield provided that said shield wraps around the sides of the wearer's face and extends below to the chin. Persons who may fall into this exemption include, but are not limited to:
 - a. Those who are caring for, or interacting with, a person who is hearing impaired and relies on lip reading to communicate;
 - b. Individuals with diagnosed: developmental disabilities, sensory integration concerns or tactile sensitivities, certain mental health conditions, limited cognitive ability, or other disability or medical condition warranting accommodation;
 - c. Individuals engaged in activities that may cause the cloth face covering to become wet, like when swimming;
 - d. Individuals who are engaged in high intensity activities, like exercising or running, when wearing a mask causes difficulty breathing.
 - e. Individuals while working in a setting where cloth face coverings may increase the risk of heat related illness or cause safety concerns due to introduction of a hazard; and
2. Children under five (5) years of age unless required by a school or day care to wear a face covering;
3. Restaurant patrons while they are eating or drinking;
4. Persons exercising in communal outdoor spaces, or persons walking or exercising with other persons from the same household in communal outdoor spaces, as long as Physical Distancing is maintained;
5. Settings where it is not practical or feasible to wear a Face Covering, such as dental services, medical treatments;
6. Occupants in a personal vehicle, personal office, or similarly private space while other persons outside of the person's household are not present;
7. Private homes; and
8. Offices and workplaces that are not Public Service Areas where Physical Distancing between employees and other occupants can be consistently maintained during hours of operation.

Sec. 54-55. Signage.

Places of Public Accommodation, Educational Institutions, and indoor Public Settings shall post conspicuous signs at all entrances that employees, customers, users, students, and visitors must wear Face Coverings pursuant to this ordinance to be admitted into the premises. The City Manager shall direct the development of a uniform sign meeting this requirement and distribute it free of charge to all regulated entities.

Sec. 54-56. Entry.

Places of Public Accommodation, Educational Institutions, and indoor Public Settings may deny entry to persons who refuse to wear Face Coverings as required by this ordinance.

Owners, managers, or employees of Places of Public Accommodation, Educational Institutions, and indoor Public Settings who have denied or attempted to deny entry to persons who

refuse to wear Face Coverings shall notify law enforcement personnel immediately of any such persons refusal to comply or leave said place.

Sec. 54-57. Refusal of Entry and Actions of Refused Persons.

Any employee, customer, user, student, or visitor denied entry to a Place of Public Accommodation, Educational Institution, or indoor Public Setting shall immediately leave said place, any person who refuses to leave, reacts to denial of entry with violence, or threats of violence, of any sort shall be subject to prosecution under criminal trespass, disturbing the peace, disorderly conduct, or similar offenses as circumstances warrant.

Sec. 54-58. Sunset.

This ordinance shall expire the earlier of: November 30, 2020; the expiration of all COVID-19 related emergency declarations issued by the City; or repeal, modification, or extension by the City Council through a subsequent ordinance.

Sec. 54-59. Penalties.

Any person who knowingly violates this article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$10.00, nor more than \$100.00.

Individuals: Persons refusing to wear a Face Covering in a Place of Public Accommodation, Educational Institution, or indoor Public Setting as defined herein, or refusing a request to leave said place, may be subject to a fine of up to \$100, and/or prosecution under criminal trespass, disturbing the peace, disorderly conduct or similar offenses as circumstances warrant.

Individuals, Places of Public Accommodation, Educational Institutions, or indoor Public Settings failing to comply with this ordinance may be subject to a fine up to \$100, regulatory discipline, and/or civil action as appropriate. Every day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Sec. 54-60. Severability.

If any provision, section, or portion of this ordinance is found or determined by a court for any reason to be invalid or unenforceable, those provisions shall be severed from the remaining portion of this ordinance which shall remain effective in the absence of any invalid or unenforceable provision.

SECTION 2. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

SECTION 4: Emergency Clause. That an emergency is hereby declared to exist, and for the preservation of the public peace, health and safety, by reason whereof it is necessary that all acts take effect immediately and be in full force and effect from, and after the passage and approval.

PASSED AND APPROVED and the EMERGENCY CLAUSE enacted separately BY THE COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA on THIS _____ DAY OF _____, 2020.

CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation

ATTEST:

By: _____
John Browne, Mayor

Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____ 2020.

By: _____
William J, Ervin, City Attorney

Here are some highlights and things to know about the ordinance McAlester city councilors approved to require protective face coverings in public.

1. When does the ordinance go into effect and when does it expire?

Councilors voted 4-3 on July 23 to approve the ordinance — but the emergency clause for it to immediately go into effect did not receive enough votes, so it will go into effect after 30 days. The ordinance is set to expire Nov. 30, 2020.

2. What counts as a protective face covering?

The ordinance states a face covering is "a covering, or mask, that fully covers a person's nose and mouth." The definition includes cloth facemasks, towels, scarves, and bandannas as recommended by the Centers for Disease Control and Prevention.

3. Where and when do I have to wear a protective face covering?

McAlester's ordinance states protective face coverings are required at all times in public service areas or places of public accommodation, or in a public setting where social distancing of six feet can't be maintained.

Places of public accommodation are places offering items, goods, or services for purchase or rent — including retail businesses, spas, entertainment venues, food service facilities, restaurants and bars, hotels, motels and more.

Public services areas are places of public accommodation where employees interact with the public in normal course of business.

Public settings are places where people congregate that are not places of public accommodation. this includes workplaces, houses of worship, child care facilities, hospital and health facilities, gyms and fitness facilities, and more.

4. Who is exempt from wearing a protective face covering?

- Anyone who falls into the CDC's guidance for those who should not wear them due to a diagnosed medical or mental health condition or development disability, or wearing a face covering would lead to a medical emergency. But the ordinance states any of these people should consider a face shield.
- Children younger than 5 unless required by a school or day care to wear a face covering.
- Restaurant patrons while eating or drinking.
- People exercising in communal outdoor spaces or exercising with others from the same household while practicing social distancing.
- Anyone in settings where it is not practical or feasible to wear a covering, such as dental services or medical treatments.
- Anyone in a personal vehicle, personal office, or similar private space while others are not present.
- Anyone in a private home.
- Anyone in offices and workplaces that are not public services areas where social distancing between employees and other occupants can be maintained.

5. What happens if I don't wear a mask?

The ordinance states "any employee, customer, user, student, or visitor denied entry to a Place of Public Accommodation, Educational Institution, or indoor Public Setting shall immediately leave said place, any person who refuses to leave, reacts to denial of entry with violence, or threats of violence of any sort shall be subject to prosecution under criminal trespass, disturbing the peace, disorderly conduct, or similar offenses as circumstances warrant." Any person in violation is guilty of a misdemeanor and conviction shall warrant a fine of between \$10 and \$100.

Muskogee City Council Strikes Down Mask Mandate

Monday, November 9th 2020, 9:16 pm

By: Cal Day

MUSKOGEE, Okla. -

Proposals for three different city-wide mask mandates were struck down by the Muskogee City Council on Monday night.

The first proposal was from Mayor Marlon Coleman. He proposed an ordinance that would have required businesses to have a mandate, but carrying no fine for violators.

Another proposal was presented by councilman Ivory Vann. He even brought in a coffin to demonstrate the importance of a mandate and demonstrate the worst case scenario.

The Muskogee COVID-19 Task Force had a similar plan requiring masks with certain exceptions. It would have gone into effect as early as midnight but also carried no fine.

Mayor Coleman went on to plea with people in the city to wear a mask despite the mandates not receiving enough votes.

“This is not political, because at the end of the day, we are all trying to do the same thing; that’s to live and die in this COVID time,” said Mayor Coleman.

“It’s just a mask, it’s not a punishment

With casket in chamber, Muskogee City Council shoots down three mask mandate proposals

Tuesday, November 10, 2020 – by [Jamison Faught](#)

At the Muskogee City Council meeting Monday evening, three different proposals to mandate the wearing of masks in public buildings or areas were voted on. Each failed to receive enough votes to pass.

City Councilman Ivory Vann has pressed the council for months to pass a mask mandate, and went so far tonight as to have a casket (pictured above) placed in front of the council chamber as a prop in advance of the vote. **Yes, a literal casket.**

The first ordinance, proposed by Councilman Vann (coauthored by Vice Mayor Derrick Reed), [can be read here](#), and stated the following: "All persons shall wear face coverings when entering and while inside any indoor place open to the public, or in any outdoor location where more than 50 people are gathered." There were a number of exceptions - children under the age of 10, those with health issues prohibiting the wearing of masks or face coverings, exercise, sporting or recreational activities, inside your own home or vehicle ("while other persons outside of the person's household are not present"), schools, and a few other listings.

Vann's mask mandate further required all businesses to require their customers wear masks, *under threat of fines and revocation or suspension of business licenses*: "Each business located within the City of Muskogee in which members of the public are invited to enter shall require face coverings be worn in accordance with this Ordinance. Failure to do so shall be deemed a violation of this section and may subject the business to the imposition of a fine as set forth herein, or revocation or suspension of a business license in accordance with the procedures set forth in the licensing ordinance."

In addition to the threat of shutting down a business for lack of adherence by its customers, the Vann ordinance called for a \$100 fine for offending persons or businesses. Vann also submitted an amendment to his ordinance that would require law enforcement members to wear masks during any interaction with civilians.

The second ordinance was proposed by the **Muskogee City-County COVID-19 Task Force**, presented by District Attorney Orvil Loge. Their mask mandate was almost identical to Vann's (with the exception of the law enforcement mask clause), but focused at individuals as opposed to business, and - key point - without any enforcement or penalty mechanisms.

The third ordinance was proposed by **Mayor Marlon Coleman**. His mask mandate, like the Task Force recommendation, had no enforcement or penalty procedures. His was the most lenient, only calling for "retail businesses" to require masks or face coverings, as opposed to the all-encompassing nature of the other two proposals. Coleman's proposal also allowed businesses to apply for exemptions in the case of it causing an undue burden or hardship on their operations.

There was some heated discussion and debate among the council, particularly from Councilman Vann. Eight citizens spoke to the council on the matter (3 in favor and 5 against, several of which made pointed comments toward Councilman Vann over his use of the casket prop).

After discussion, Councilman Vann indicated that he would be open to re-proposing his motion without the penalty provisions, so the council voted his initial ordinance down and he remade the motion without the penalty clauses.

← a Hatched.

When it came to voting, all three measures failed. 6 votes were required for passage of Vann's ordinance, with 7 votes needed to approve the 'emergency' (basically, an expedited effective date earlier than is usual). The other two resolutions needed 5 votes for passage. Here's how the voting broke down on each of them:

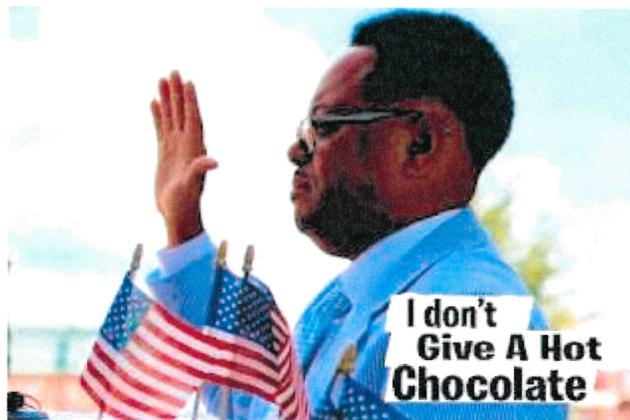
- **Vann's ordinance (with penalty provisions removed)**
 - Yes (3): Traci McGee, Ivory Vann, Derrick Reed
 - No (6): Tracy Hoos, Stephanie Morgan, Alex Reynolds, Evelyn Hibbs, Jaime Stout, Mayor Marlon Coleman
- **The City-County Task Force's recommendation**
 - Yes (4): Tracy Hoos, Traci McGee, Ivory Vann, Derrick Reed
 - No (5): Stephanie Morgan, Alex Reynolds, Evelyn Hibbs, Jaime Stout, Mayor Marlon Coleman
- **Coleman's proposal**
 - Yes (4): Tracy Hoos, Traci McGee, Derrick Reed, Mayor Marlon Coleman
 - No (5): Stephanie Morgan, Alex Reynolds, Evelyn Hibbs, Jaime Stout, Ivory Vann

Just prior to the vote on his resolution, Councilman Vann said "As long as we get something down in writing, that we have a mask mandate, I'll be happy. I'll be happy."

At one point just prior to voting on the Task Force's proposal, Councilman Vann asked about combining that measure with Mayor Coleman's. Vann asked Coleman, "Mayor, would that be alright with you?" Mayor Coleman replied, "No. Simply because what I want is to have the businesses be able to do it with the flexibility that I'm providing, versus having a mask mandate for every individual." (*<--- After which every business owner and freedom-loving citizen applauded, even if they don't want a mask mandate to begin with.*)

Vann became exasperated after this exchange, accusing Mayor Coleman of "politicking" and tailoring his proposal around reelection campaign (which... is two years away). Coleman, very calmly I might add, rebutted Vann's diatribe by saying that "the only one politicking up here is you. I don't call you out when you have a difference of opinion. It's your's to have. You don't know if I'm running for reelection or not. But when I do something for the citizens of Muskogee, I don't give a hot chocolate about reelection. It's for their benefit." He went on to chide Vann on the use of the casket. (This exchange is well worth the watch, beginning around the 2:16:00 mark).

Mayor Coleman's calm, mature handling of the heated discussion led to great applause on social media, including this graphic, as well as some DoorDash orders to deliver hot chocolate to the mayor in the morning on behalf of the citizens of Muskogee:



Upon the failure of the three mask proposals, Mayor Coleman moved for the council to recess for the purpose of removing the casket-prop from the chambers before proceeding to other, normal business.

And.... Ivory Vann was the sole vote against Coleman's motion to remove the casket-prop.

ORDINANCE NO. 4111-A

AN EMERGENCY ORDINANCE OF THE CITY OF MUSKOGEE, AMENDING CHAPTER 30, CIVIL EMERGENCIES, ARTICLE I, IN GENERAL; ADDING SECTION 30-1, FACE COVERINGS REQUIRED; EXCEPTIONS; ADDING SECTION 30-2, DUTY OF BUSINESSES OPEN TO THE PUBLIC; PENALTY; ADDING SECTION 30-3, ENFORCEMENT; ADDING SECTION 30-4, PENALTIES, IN GENERAL; ADDING SECTION 30-5, SUNSET PROVISION; PROVIDING FOR REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY.

AN EMERGENCY ORDINANCE

WHEREAS, the novel coronavirus, COVID-19 was first detected in Wuhan City, Hubei Province, China in December 2019, and the Centers for Disease Control (CDC) considers this virus to be a significant public health threat that has and continues to spread globally; and

WHEREAS, on January 30th, 2020, the World Health Organization (WHO) declared COVID-19 to be a public health emergency of International concern; and

WHEREAS, on January 31st, 2020, the United States Secretary of Health and Human Services declared a public health emergency due to COVID-19; and

WHEREAS, on March 11th, 2020, the World Health Organization (WHO) declared COVID-19 to be a pandemic; and

WHEREAS, on March 13th, 2020, the President of the United States of America declared a National Emergency due to COVID-19; and

WHEREAS, on March 15th, 2020, the Governor of the State of Oklahoma declared an emergency due to the threat of the COVID-19 to the people of the State and the public's peace, health and safety; and

WHEREAS, it is the duty of the City Council of the City of Muskogee to insure the health, safety and welfare of the citizens of the City of Muskogee; and

WHEREAS, COVID-19 will have serious and immediate economic consequences for the City of Muskogee ("City"); and

WHEREAS, the widespread nature of COVID-19 constitutes a threat to the life, health, safety and welfare of the City of Muskogee, and its residents, and create an emergency situation within the meaning of Title 63, Section 683.1. *et seq.*, Oklahoma Emergency Management Act of 2003;

WHEREAS, the City previously adopted Resolution 2801, including two amendments, which among other things: declared a state of local emergency; established prohibitions on public event facilities owned and operated by the City; mandated closure or restricted operations of certain businesses; suspended purchasing procedures for purchases related to dealing with the COVID-19 Pandemic until April 27, 2020; and ceased cutoff activity for delinquent City utility accounts until April 30, 2020;

WHEREAS, the City finds that Governor Stitt’s Plan to reopen Oklahoma, known as the “Open Up and Recover Safely (OURS)” Plan, was adopted by the City under Second Amended Joint City-County Resolution No. 2803, and was subsequently amended by the Third Amended Joint City-County Resolution No. 2803;

WHEREAS, the City finds that positive cases of COVID-19 are rising, and that according to the CDC, the Muskogee County Health Department, and the White House Coronavirus Task Force, the use of face coverings measurably reduce the spread of COVID-19 from those who are infected and reduce the severity of an infection;

WHEREAS, the City finds that it is necessary to mandate the use of face coverings under certain circumstances in an effort to reduce the upward trend of new infections, as well as, reduce the severity of infection by limiting the volume of the virus that enters the body;

WHEREAS, the City finds it prudent to join with other municipalities such as Edmond, Oklahoma City, Norman, and Tulsa and impose a mask mandate as recommended by the White House Coronavirus Task Force, and the CDC;

WHEREAS, the City finds that Saint Francis Hospital – Muskogee has experienced significant staffing issues as a result of the pandemic; that the staffing issues have had the effect of limiting the number of patients that can be treated locally. According to correspondence submitted by Michelle Keeling, “it is scientifically proven that masking can lower the severity and symptoms of COVID-19 and in turn can reduce the number of hospitalizations and associated mortality of the virus.”

WHEREAS, the City finds that its authority to enact regulations in protection of the public health, such as this instant ordinance, under the Oklahoma Emergency Management Act of 2003 and under 11 O.S. §22-120 of the Oklahoma Municipal Code.

WHEREAS, the City hereby declares that the above referenced recitals shall constitute the findings of the Council, and shall serve as the public policy statement of the City.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, AS FOLLOWS:

Section 1. That Chapter 30, *Civil Emergencies*, Article I, *In General*, is hereby amended in the Muskogee City Code of Ordinances and section 30-1, *Face Coverings Required; Exceptions*, is hereby added as follows:

City Code 30-1: Face Coverings Required; Exceptions.

A. All persons shall wear face coverings when entering and while inside any indoor place open to the public, or in any outdoor location where more than 50 people are gathered. "Face coverings" shall mean a uniform piece of material that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands and/or face shield. Face coverings should fit snugly but comfortably against the side of the face and allow for breathing without restriction.

B. Nothing herein shall require the wearing of face coverings as contemplated above for the following persons:

1. Persons who fall into the CDC guidance for those who should not wear Face Coverings due to medical or mental health condition or developmental disability;
2. Children under 10;
3. Restaurant patrons while they are eating and drinking;
4. Persons exercising in communal outdoor spaces, or persons walking or exercising with other persons from the same household in communal outdoor spaces, as long as physical distancing is maintained. Persons congregating in communal outdoor spaces where more than 50 people are gathered are not exempt;
5. Persons engaged in competitive sporting activities, whether professional, amateur or recreational purposes;
6. Occupants in settings where it is not practical or feasible to wear a face covering, such as dental services, medical treatments or while swimming;
7. Occupants in a personal vehicle, personal office, or similarly private space while other persons outside of the person's household are not present;
8. Residents of private homes;
9. Occupants of offices and workplaces that are not generally considered to be open to the public where physical distancing between employees and other occupants can be consistently maintained during house of operation;
10. Persons inside any public or private school building, unless required by the school;
11. Persons inside any State, Federal or County building, unless required by the respective government agency.

Section 2. That Chapter 30, *Civil Emergencies*, Article I, *In General*, is hereby amended in the Muskogee City Code of Ordinances and section 30-2, *Duty of Businesses open to the Public*, is hereby added as follows:

City Code 30-2: Duty of Businesses open to the Public; Penalty.

Each business located within the City of Muskogee in which members of the public are invited to enter shall require face coverings be worn in accordance with this Ordinance. Failure to do so shall be deemed a violation of this section and may subject the business to the imposition of a fine as set forth herein, or revocation or suspension of a business license in accordance with the procedures set forth in the licensing ordinance.

Section 3. That Chapter 30, *Civil Emergencies*, Article I, *In General*, is hereby amended in the Muskogee City Code of Ordinances and section 30-3, *Enforcement*, is hereby added as follows:

City Code 30-3: Enforcement

This Ordinance may be enforced by any legally authorized code-enforcement officer, or other designee of the City Manager, as well as, any law enforcement officer.

Section 4. That Chapter 30, *Civil Emergencies*, Article I, *In General*, is hereby amended in the Muskogee City Code of Ordinances and section 30-4, *Penalties*, is hereby added as follows:

City Code 30-4: Penalties, In General.

Upon initial contact by an enforcement officer of a person or business not in compliance with this Ordinance, a verbal warning shall be issued. If after the warning, the persons refuses to wear a face covering, or refuses to leave place, a citation shall be issued, which upon a finding of guilt shall subject the person or business to a fine of \$100, plus Court Costs.

Section 5. That Chapter 30, *Civil Emergencies*, Article I, *In General*, is hereby amended in the Muskogee City Code of Ordinances and section 30-5, *Sunset Provision*, is hereby added as follows:

City Code 30-5: Sunset Provision.

The requirements imposed by this Ordinance shall expire and become unenforceable on January 2, 2021.

Section 6. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed to the extent of the conflict only.

Section 7. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

Section 8. EMERGENCY DECLARED. This ordinance being necessary for preservation of the public health, safety and general welfare shall be effective immediately upon publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS _____ DAY OF NOVEMBER, 2020.

CITY OF MUSKOGEE

MARLON COLEMAN, Mayor

ATTEST:

TAMMY L. TRACY, City Clerk

APPROVED as to form and legality this **9th day of November, 2020.**

ROY D. TUCKER, City Attorney



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

To: City Councilmembers

From: Teresa Nowlin, City Attorney

Date: November 4, 2020

Re: Ordinance No. 1538, Mask Mandate

Proposed Ordinance No. 1538 is a mask mandate generally requiring persons of at least 10 years of age to wear a face covering in a public setting with limited exceptions.

The Recitals/Findings of Fact portion of the ordinance contains data supporting a mask mandate that is current as of the date of this memo. You can view up to date COVID-19 data for Tulsa County at <https://www.tulsa-health.org/coronavirus-disease-2019-covid-19/tulsa-county-covid-19-data>. Specific City of Jenks numbers are posted daily on the City of Jenks Facebook Page. State of Oklahoma data can be found at <https://coronavirus.health.ok.gov/>. National data can be found at https://covid.cdc.gov/covid-data-tracker/#cases_casesinlast7days.

Also included in your packet as back-up is a letter from Jenks Public Schools Superintendent Stacey Butterfield in support of a mask mandate for the City of Jenks.

November 3, 2020

Honorable Members of the Jenks City Council:

As the COVID-19 pandemic shows no signs of slowing down, it is my hope the City Council will support a mask ordinance. We want our schools to remain open, and we want our businesses to continue to succeed during this difficult time. We are learning if citizens are wearing masks, our entire community is safer. It is a simple step to take in slowing the spread of COVID-19.

An article on the website for the Centers for Disease Control states: "Cloth face coverings are a critical tool in the fight against COVID-19 that could reduce the spread of the disease, particularly when used universally within communities. There is increasing evidence that cloth face coverings help prevent people who have COVID-19 from spreading the virus to others." (<https://www.cdc.gov/media/releases/2020/p0714-americans-to-wear-masks.html>)

Please consider passing a mask ordinance. Thank you!

Sincerely,



Dr. Stacey Butterfield, Ed.D.
Superintendent of Schools

ORDINANCE NO. 1538

AN ORDINANCE AMENDING JENKS CITY CODE CHAPTER 14 “OFFENSES,” ARTICLE 4 “OFFENSES AGAINST PERSONS,” BY ADDING A NEW SECTION 14-4-3 ENTITLED “FACE COVERING AND SOCIAL DISTANCING DURING COVID-19 PANDEMIC CIVIL EMERGENCY;” PROVIDING DEFINITIONS; MANDATING THE USE OF FACE COVERINGS WITH CERTAIN EXCEPTIONS; PROVIDING AN EXPIRATION DATE; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED AND ENACTED BY THE CITY OF JENKS:

Section 1. That Jenks City Code Chapter 14, “Offenses,” Article 4 “Offenses Against Persons,” be amended by the addition of new Section 14-4-3, to read as follows:

Section 14-4-3. – Face Covering and Social Distancing During COVID-19 Pandemic Civil Emergency.

A. Findings of Fact

WHEREAS, the City of Jenks is charged with the solemn responsibility of protecting the public peace, health, order, morals, and safety, and promoting the general welfare of the City of Jenks and its inhabitants;

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the coronavirus COVID-19 disease to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 Virus pandemic; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma issued Executive Order 2020-07 declaring an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

WHEREAS, it is the duty of the City of Jenks to protect the health and safety of the City and its inhabitants, to preserve the peace, and to provide civil defense and emergency functions; and

WHEREAS, it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers and facilities to handle and care for the influx of new patients in order to safeguard public health and safety; and

WHEREAS, Oklahoma Statutes Title 11, Section 22-120, provides that municipal governing bodies may enact and enforce ordinances, rules and regulations to prevent the spread of contagious disease in the community; and

WHEREAS, according to a study in the October 30, 2020 Oklahoma weekly epidemiology report, COVID-19 cases in areas without mask mandates grew by 88% whereas in areas covered by mask mandates rose only 21% during the same period; and

WHEREAS, according to an October 27, 2020 COVID-19 hospitalization report from the federal Department of Health and Human Services, the Tulsa metropolitan area's estimated ventilator utilization was the highest in the nation, and the area ranked among the top ten for estimated staffed intensive care unit bed utilization and ventilator utilization; and

WHEREAS, as of the 3rd day of November, 2020, there were 2,442 active cases (23,153 total cases diagnosed) of COVID-19 in Tulsa County with a rolling seven day average of 189.1 new cases per day, and 80 active cases (1009 total cases diagnosed) of COVID-19 in the City of Jenks; and

WHEREAS, as of the 3rd day of November, 2020, there were 219 COVID-19 positive patients in Tulsa-area hospitals, 83 of those persons in the Intensive Care Unit (ICU). At the previous peak in July, there were 185 COVID-19 cases in the hospital; and

WHEREAS, as of the 10th day of November, 2020, the State of Oklahoma is not meeting the White House Opening Up America Again gating criteria for downward trajectory of cases or the downward trajectory of positive tests as a percentage of total tests, nor is Tulsa County meeting the 14 day trend of such downward trajectory, and

WHEREAS, the Mayor of the City of Jenks issued emergency proclamations and the City Council of the City of Jenks issued multiple ordinances in response to COVID-19 using the least restrictive means available to protect public health, safety and welfare in the City of Jenks and ensure an effective response to this disaster; and

WHEREAS, as the City of Jenks reopened in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping the City of Jenks safe is for all people to consistently follow good hygiene and social-distancing practices; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) recommends that people wear cloth face coverings in public settings, particularly when other social distancing measures are difficult to maintain, and when around people who do not live in the same household and;

WHEREAS, the City of Jenks has consistently encouraged people to use face coverings, and health authorities have repeatedly emphasized that wearing face coverings is one of the most important and effective tools for reducing the spread of COVID-19; and

WHEREAS, given the current status of COVID-19 in the City of Jenks and Tulsa County, requiring the use of face coverings is a targeted response that can combat the threat to public health

using the least restrictive means, and if people follow this requirement, more extreme measures may be avoided; and

WHEREAS, wearing a face covering is important not only to protect oneself, but also to avoid unknowingly harming fellow citizens and others with whom they may come into contact, especially given that many people who go into the public may have COVID-19 without knowing it because they have no symptoms; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19, further measures are needed to achieve the least restrictive means for reducing the growing spread of COVID-19, and to avoid a need for more extreme measures; and

WHEREAS, it is deemed necessary for the protection of the public health and safety of the City of Jenks and its inhabitants to prevent the introduction and spread of the contagious disease COVID-19, to preserve the peace, and to provide civil defense and emergency functions;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JENKS, OKLAHOMA:

B. Definitions.

"Face Covering" means a covering that fully covers a person's nose and mouth. The term "Face Covering" includes, but is not limited to, cloth face masks, towels, scarves, and bandanas as recommended by the CDC or OSDH, an N95, KN95, or other mask that would be appropriate for a health care setting, or a surgical mask. The Face Covering should fit snugly on a person's face but allow the person to breathe easily and worn consistent with the guidance provided by the CDC or OSDH.

"Social" or "Physical Distancing" means maintaining six feet of distance between persons who are not part of the same household while in a public accommodation, educational building, or public setting.

"Place of Public Accommodation" means all places offering items, goods or services for purchase or rent, including without limitation retail businesses, personal services and spas, entertainment venues, food service facilities, restaurants and bars, hotels, motels and travel-related services, professional offices and services, banks and financial services, repair facilities, and/or motor vehicle dealerships.

"Public Service Area" means areas of a Place of Public Accommodation or an Educational Institution wherein employees interact with the public in the normal course of business.

"Public Setting" means any public place where persons congregate which is not a place of Public Accommodation including without limitation offices, workplaces, houses of worship and ancillary facilities, child care facilities, hospitals and health facilities, gymnasiums and physical fitness

facilities, adult and youth sports facilities, communal outdoor spaces such as sidewalks, trails, parks, food trucks and other outdoor retail entities.

“Educational Institution” means any building or facility used for academic or athletic purposes on public school campuses, and any private school or preschool. This term excludes the playing surface of any athletic facility during organized activities and practices.

C. Face Coverings Mandated Under Certain Circumstances.

Except as otherwise provided herein, persons located within Public Service Areas of Places of Public Accommodation or an Educational Institution are required to wear face coverings at all times when present therein. Except as otherwise provided herein, persons in any Public Setting wherein social or physical distancing cannot be maintained are required to wear face coverings.

The following persons, locations and activities are exempt from this requirement:

1. Persons who fall into the U.S. Centers for Disease Control and Prevention's guidance for those who should not wear Face Coverings due to a medical or mental health condition or developmental disability;
2. Children under 10 years of age;
3. Restaurant patrons while they are eating or drinking;
4. Persons exercising in communal outdoor spaces, or persons walking or exercising with other persons from the same household in communal outdoor spaces, as long as Physical Distancing is maintained. Persons congregating in communal outdoor spaces with other persons not in their same household are required to wear Face Coverings when Physical Distancing is not maintained;
5. Settings where it is not practical or feasible to wear a Face Covering, such as dental services, medical treatments or while swimming;
6. Occupants in a personal vehicle, personal office, or similarly private space while other persons outside of the person's household are not present;
7. Private homes, and
8. Offices and workplaces that are not Public Service Areas where Physical Distancing between employees and other occupants can be consistently maintained during hours of operation.

D. Expiration of Ordinance.

This Ordinance shall expire the earlier of: January 31, 2021; the expiration of all emergency proclamations and declarations related to COVID-19; or repeal, modification or extension by the City Council through a subsequent ordinance.

E. Severability Clause.

If any section, sentence, clause, or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

F. Repeal of Conflicting Ordinance.

That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

G. Emergency Clause.

That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this Ordinance shall take effect immediately from and after its adoption.

Approved this ____ day of _____, 2020.

CITY OF JENKS, OKLAHOMA

MAYOR

Attest:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Emergency Clause approved separately this ____ day of _____, 2020.

CITY OF JENKS, OKLAHOMA

MAYOR

A very Covid Christmas: Mall Santas will see kids from behind plexiglass snowglobes

By [Parija Kavilanz](#), [CNN Business](#)

Updated 6:18 AM ET, Wed October 7, 2020

New York (CNN Business) – Be prepared for awkward family photos with Santa this year.

While [the pandemic](#) won't keep Santa Claus from making an appearance at the mall or at [Macy's Thanksgiving Day parade](#), don't count on touching Santa, hugging Santa, or having the kids sit on his lap this year. Some mall operators are even offering [Zoom](#) calls with Santa instead of in-person visits.

Brookfield Properties, a subsidiary of Brookfield Asset Management ([BAM](#)) Property Partners and the second largest [mall](#) operator in the country, said Santa will be in 134 of its more than 150 malls.

CNN

LIVE TV  

"touchless experience" with Santa.



Malls are implementing social distancing for Santa. This means no sitting on his lap for family photos.

That means no sitting on Santa's lap, said Viniard.

Santa will also wear a mask in states with a mask mandate, and guests will be required to do the same. In states with no mask requirement, Santa can wear a mask if he wants to, she said.

Brookfield said it is not requiring Santa or mall visitors to sign waivers in locations where masks are not a local or state requirement. Social distancing stickers will show people where to stand, and many properties will have

special decor that keeps people six feet away from Santa.

Related Article:

"Every [visit] will be contactless. So kids can sit on wrapped packages near Santa, or across the table from Santa and have a conversation. We can still capture the memory for family photos," said Viniard.



CNN

● LIVE TV



Rendering of a Santa set at a mall where children will maintain 6 feet distance during their visit.

In some of its malls where Santa will make an appearance beginning November 20, he'll meet and greet with families while appearing to sit inside a giant snow globe. In other locations, Santa will be behind a giant picture frame.

"Think of this like a drive-up window type of scenario," said Viniard. "Guests will be able to walk up and have their conversation with Santa and then turn for the framed photo."

Related Article: CVS and other stores want to help you safely trick-or-treat

For anyone who wants to skip a trip to the mall, Viniard said Brookfield is also launching a virtual visit with Santa experience, which kicks off on Nov. 1. Reservations can be made through the website [ExperienceJingle.com](https://www.experiencejingle.com).

Simon Properties, the largest mall operator in the US, said Santa will also be coming to its malls this year but declined to

offer any details.

Santa on Zoom and behind plexiglass

Mall operator Preit, which owns 19 malls primarily on the East Coast, including the Cherry Hill mall in New Jersey and the Willow Grove mall in Pennsylvania, is placing Santa behind plexiglass.



● LIVE TV



In some malls, Santa will sit inside a giant snow globe this year.

"It's a plexiglass barrier and Santa in each of our locations will sit behind it. It will have a bench in front of it so kids can sit down and take a photo with Santa," said Heather Crowell, spokesperson for Preit.

Another option is a Zoom visit with Santa for families from their own homes, said Crowell. "In lieu of a photo with Santa, you can have a recording of your Zoom call," she said, adding that both the in-person and virtual visit with Santa will require a reservation.

Santa will be behind protective plexiglass in some malls.

Crowell said visitors to Preit malls are required to wear masks but children can remove their mask for the photo with Santa and Santa can as well, "since he's behind Plexiglass."

Related Article: Home Depot to offer two months of Black Friday deals

At the 43 malls operated by Macerich, Santa will start his appearances in late November. Macerich said it will also implement safety protocols for Santa visits, including social distancing, wearing a mask (if the local municipality requires it) and making a reservation to avoid crowding, said Kurt Ivey, vice president of marketing with Macerich.

Safety is paramount for Santas working this holiday, according to the head of one Santa school.

Rick Rosenthal, or "Santa Rick" as he calls himself, has played Santa at malls and private events for 50 years. He is also dean and cofounder of the Northern Lights Santa Academy, a Santa school in Atlanta which holds training classes twice a year in the spring and fall.

Based on his conversations with graduates of the school and other Santas elsewhere, he expects more than 30% of Santas who worked last year won't be working this holiday season because of the pandemic.

"Santas are typically in a minimum of two high-risk categories for the coronavirus. They are usually individuals over the age of 65 and they are overweight," he said. "So even to do this job in a pandemic can be life-threatening."

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● LIVE TV





City Council Agenda Item No. 5

Meeting Date: November 23, 2020

Agenda Item Memo

Item Title: Discuss and take any necessary action on the review of Government Obligation bonds as a means for funding street repairs and improvements.

Initiator: Council's Strategic Pillars Adopted 9/9/2019

Staff Information Source: Jacob Foos, City Manager.

Background: This item is to allow the City Council an opportunity to discuss the presentation by Ben Oglesby made on November 2, 2020.

Questions:

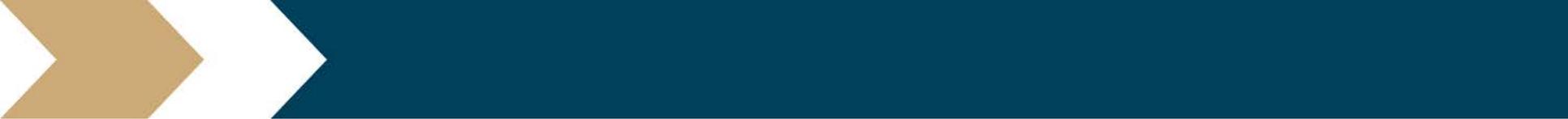
- Does Council want to consider this funding option?
- If yes, how does Council want to determine which roadways should be considered for repair/improvement?

Council Pillar: Reliable Infrastructure / Fiscal Responsibility.

Financial Impact: None.

Attachment: Copy of Oglesby Presentation.

Recommended Action: Direction from the City Council on how to proceed with this item.



City of Eufaula

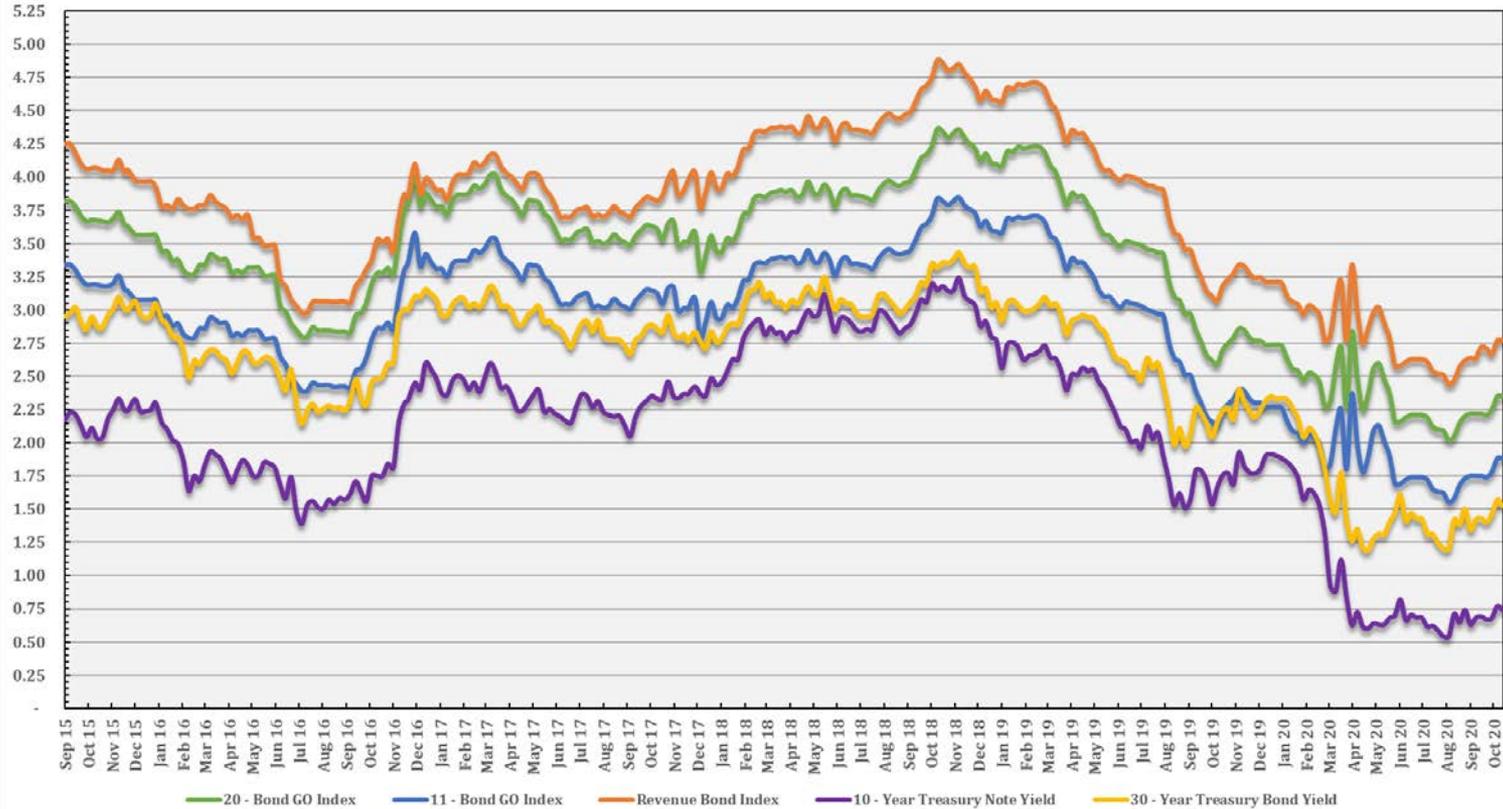
G.O. Bonds for Streets

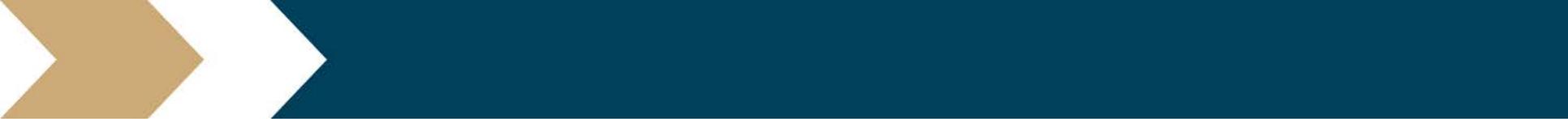
November 2, 2020





Bond Buyer Indexes 5-Year History





OBJECTIVES:

1. Fund as much up-front as possible.
Allows big jobs to be done correctly instead of just patching over.
2. Provide future funding capacity
3. Quantify tax impact



General Obligation Bonds:

- Repaid by ad valorem (property) taxes. **Taxes based on property values. The more property you have, the more you pay. Renters will pay through their rent payments.**
- For City G.O. Bonds, require voter authorization (simple majority required for approval)
- Fixed interest rate
- Term of bonds can be up to 25 years
- Sometimes the City will obtain a credit rating from a major rating agency such as Standard & Poor's or Moody's. Usually depends on dollar amount of bonds.



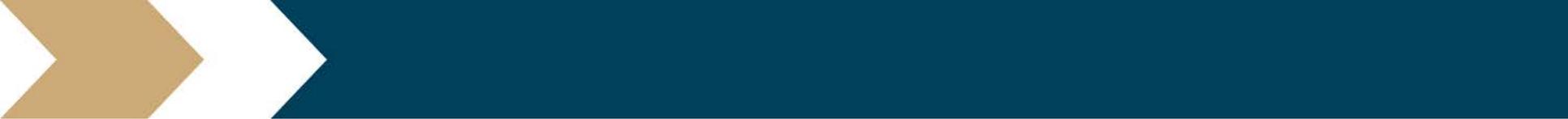
General Obligation Bonds:

- Sold on a competitive basis. Potential purchasers are regional and national bond underwriters and sometimes local banks. Often the bonds end up being owned by small retail investors.
- Because of ad valorem tax pledge, generally provide lowest possible interest rates to borrowers
- Issuer must comply with IRS tax regulations and SEC market regulations.



General Obligation Bonds:

- Bonds will generally be sold on a tax exempt basis, which provides the bond purchaser tax-free interest income, and thus results in the bond issuer paying generally lower interest rates.
- 5% of the bond proceeds must be obligated within 6 months of the date of issue.
- 85% of the bond proceeds must be expended within 3 years of the date of issue.



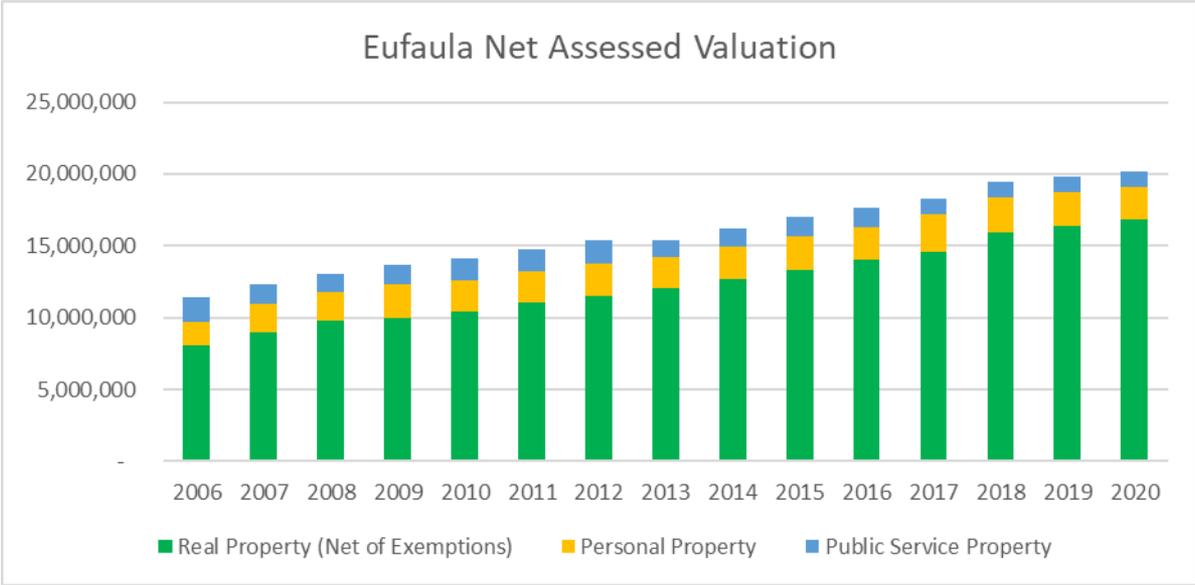
Ad Valorem Taxes:

1. Usually expressed in terms of dollar value per thousand dollars of net assessed valuation, call a millage levy, or a “mill”.
2. Ad valorem taxes are assessed on real, personal, and public service property in the municipal boundaries of the City.
3. Cities can only assess ad valorem taxes to repay general obligation debt authorized by the voters or to pay judgments.

Net Assessed Valuation

Annual Growth Rates

3-Yr Average 3.47%
5 - Yr Average 3.51%
10 - Yr Average 3.67%



Net Assessed Value Example

Home Market Value	\$100,000
Assessment Rate	11%
Assessed Value	\$11,000
Less Homestead Exemption	-\$1,000
Net Assessed Value	\$10,000

Mill Levy Example

Net Assessed Value	\$10,000
Ad Valorem Mill Levy	15 mills (\$15 per thousand)
Dollar Levy (Annual)	\$150
Dollar Levy (Monthly)	\$12.50

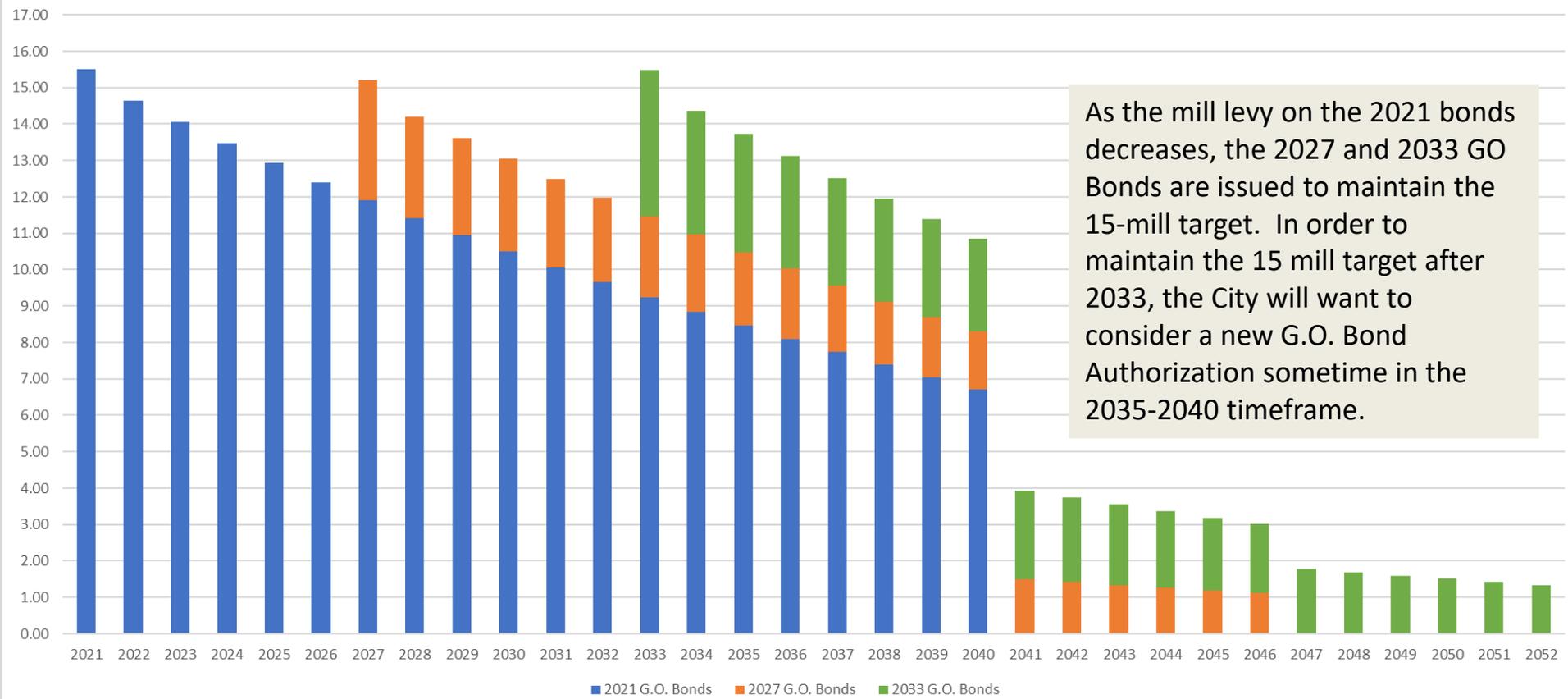
Hypothetical G.O. Bond Program for Streets: \$7.5 Million Authorization

2021 G.O. Bond Issue	\$5,000,000
2027 G.O. Bond Issue	\$1,000,000
2033 G.O. Bond Issue	<u>\$1,500,000</u>
Total Authorized Bonds in 2021	\$7,500,000
Assumes 3.5% annual NAV Growth rate and current market interest rates. Actual timing of GO Bonds after the 2021 Bonds will be based on actual market conditions and actual NAV growth.	

Hypothetical G.O. Bond Program for Streets:

Mill Levy Target	15 mills
Max Mill Levy	15.5 mills
Average Mill Levy (2021-2040)	13.35 mills
Assumes 3.5% annual NAV Growth rate and current market interest rates	

15 Mill Levy Target



As the mill levy on the 2021 bonds decreases, the 2027 and 2033 GO Bonds are issued to maintain the 15-mill target. In order to maintain the 15 mill target after 2033, the City will want to consider a new G.O. Bond Authorization sometime in the 2035-2040 timeframe.

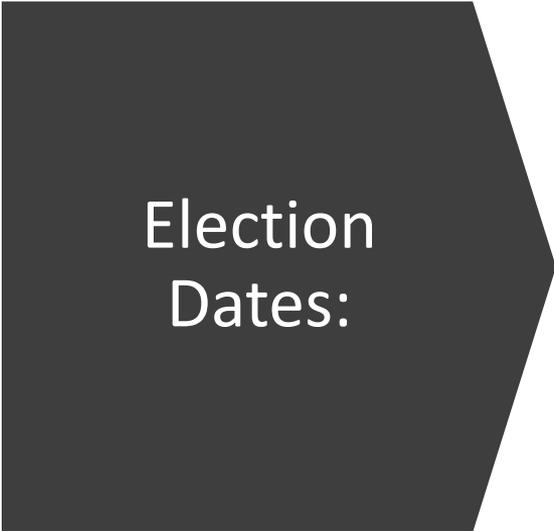
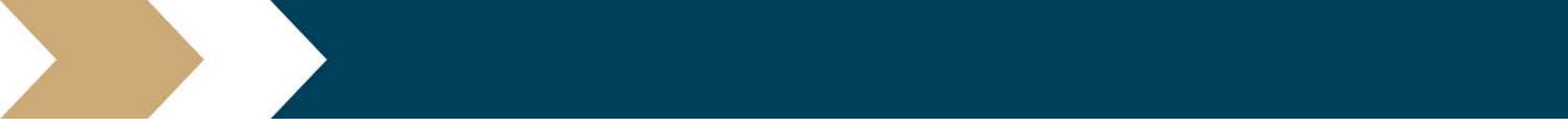
Hypothetical G.O. Bond Program for Streets:

	Average Mill Levy: 13.35 Mills	Mill Levy Target: 15 Mills
\$100,000 Home with Homestead Exemption (Annual)	\$133.50	\$150.00
\$100,000 Home with Homestead Exemption (Monthly)	\$11.13	\$12.50



Next Steps:

1. Determine Projects. Need some specificity as far as types of projects, locations, cost estimates, funding priority.
2. Choose an election date and pass resolution calling election.
3. Election day.
4. Develop City's Official Statement – document used to market the bonds to potential investors.
5. Sell bonds.
6. Close bonds and receive funds.



Election Dates:

2021 Election Dates and Filing Deadlines

<u>Election Date</u>	<u>Resolution Due Date*</u>
1/12/2021	11/12/2020
2/9/2021	12/10/2020
3/2/2021	12/31/2020
4/6/2021	2/4/2021
5/11/2021	3/11/2021
6/8/2021	4/8/2021
7/13/2021	5/13/2021
8/10/2021	6/10/2021
9/14/2021	7/15/2021
10/12/2021	8/12/2021
11/9/2021	9/9/2021
12/14/2021	10/14/2021

*Special Elections called by the Governor can effect the due dates of the resolution

Comparative Ad Valorem Mill Levies by Community

