



# City of Grand Island

Tuesday, February 9, 2021

Council Session

## Item F-4

**#9817 - Consideration of Amending Chapter 2-74 of the Grand Island City Code by Extending the Effective Date of the Mask Requirement to May 31, 2021**

Staff Contact: Jerry Janulewicz

# **Council Agenda Memo**

**From:** Stacy R. Nonhof, Interim City Attorney  
**Meeting:** February 9, 2021  
**Subject:** Amend City Code §2-74  
**Presenter(s):** Stacy R. Nonhof, Interim City Attorney

## **Background**

Teresa Anderson, Director of the Central District Health Department, is recommending that the City of Grand Island adopt an ordinance extending the requirement of facial coverings as a means to prevent or retard the spread of COVID-19 to May 31, 2021. Ms. Anderson's letter to council is attached to this memo for background information.

## **Discussion**

City Council has before it the option of extending the current facial covering requirement from midnight on February 23, 2021 to midnight May 31, 2021. This Council adopted changes to Chapter 2 of City Code in November of 2020 requiring the wearing of facial coverings. The option to either extend or end this requirement early is granted to the City Council. The request for extending the requirement to May 31, 2021, is from Teresa Anderson, Director of the Central District Health Department. City Administration has no position on this matter and brought this Ordinance forward at the request of Ms. Anderson. The current mask ordinance will expire on its own on February 23, 2021. No action on this proposed ordinance will allow the current mask requirement to expire on February 23, 2021.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration has no recommendation on Ordinance No. 9817.

February 3, 2021

Mayor Steele and Grand Island City Council,

We ask that the Grand Island City Emergency Ordinance No. 9807 extension be placed on the City Council agenda for February 9, 2021 for consideration and action. We recommend that the ordinance be extended to May 31, 2021. The rationale for such a recommendation is contained herein.

The following rationale (italicized) accompanied the Central District Health Department's recommendation to the Grand Island City Board of Health.

*"The week ending November 14, 2020, saw that average increase to 774 new cases/ 100,000 persons, more than doubling the rate of new cases. As of November 17, 2020, just over 50% of hospitalizations in the Central District are COVID-19 related. Hospitalizations have nearly doubled since November 1, 2020 when there were 28 inpatients, and as of November 17, 2020, there are 51 inpatients. Long term care facilities are experiencing COVID-19 outbreaks and some schools have been forced to temporarily close based on staff and administration illness."*

We provide here an update on the status of COVID-19 in our community. The week ending January 23, 2021, saw 181 new cases/ 100,000 persons, a significant decrease. As of January 25, 2021, 18% of hospitalizations in the Central District were COVID-19 related, down from a peak of 70% on November 22, 2020. Since the mask ordinance was implemented, we have seen a gradual decrease in the number of COVID-19 related inpatients, and as of January 25, 2021, there were 18 inpatients. However, in the last two-month period, CDHD has reported 32 (25% total) COVID-19 related deaths. Our positivity rate continues to be unacceptable but has decreased from 46% on November 28, 2020 to the most recent weekly positivity rate of 27% for the week ending January 23, 2021. Our goal is a positivity rate below 5%

We now have limited COVID-19 vaccine. Long term care facilities are currently in the process of receiving second COVID-19 vaccinations through federal pharmacy contractors. Central District has provided 1,765 first and second doses to Phase 1A healthcare personnel and has begun the Phase 1B priority vaccinations which include those over age 65 and those over age 18 with underlying health conditions that place them at high risk for serious complications as a result of contracting COVID-19. We know now that we will receive 1000 first doses of vaccine each week. Our Central District population over 65 and those with high -risk conditions is estimated at 22,000. Given just 1000 doses each week, it will take us 5 ½ months to get through this priority group. Once vaccinated, the use of nonpharmaceutical interventions including the use of masks, avoidance of crowds, staying home when ill, and frequent and thorough handwashing are still advised.

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Following is an excerpt from the Centers for Disease Control:

Scientific Brief: Community Use of Cloth Masks to Control the Spread of SARS-CoV-2:

<https://www.cdc.gov/coronavirus/2019-ncov/more/masking-science-sars-cov2.html>

“Experimental and epidemiological data support community masking to reduce the spread of SARS-CoV-2. The prevention benefit of masking is derived from the combination of source control and personal protection for the mask wearer. The relationship between source control and personal protection is likely complementary and possibly synergistic<sup>14</sup>, so that individual benefit increases with increasing community mask use.... Adopting universal masking policies can help avert future lockdowns, especially if combined with other non-pharmaceutical interventions such as social distancing, hand hygiene, and adequate ventilation.”

And we offer this excerpt from the Journal of the American Medical Association:

Preventing the Spread of SARS-CoV-2 With Masks and Other “Low-tech” Interventions:

<https://jamanetwork.com/journals/jama/fullarticle/2772459>

“Ultimately, a safe and effective vaccine will be essential to control the pandemic and allow resumption of the many activities of normal life. While results of phase 3 trials for multiple candidate vaccines are on the near horizon, “low-tech” tools to prevent the spread of SARS-CoV-2 are essential, and it must be emphasized that these interventions will still be needed after a vaccine is initially available. Even if one or more vaccines have high efficacy and uptake in the population, it will take at least several months for enough people to be vaccinated to confer herd immunity on a population basis.

Modalities in the combination prevention “toolbox” against the spread of SARS-CoV-2 include wearing masks, physical distancing, hand hygiene, prompt testing (along with isolation and contact tracing), and limits on crowds and gatherings. If a vaccine has only moderate efficacy, or if vaccine uptake is low, these other modalities will be even more critical.

Wearing face coverings—masks—in the community setting to prevent the spread of SARS-CoV-2 is a key component of this combination approach. Multiple lines of evidence support the effectiveness of masks for the prevention of SARS-CoV-2 transmission. Mandates for the wearing of masks in public have been associated with a decline in the daily growth rate of COVID-19 cases in the US. The implementation of such mandates averted more than 200 000 cases of COVID-19 by May 22, 2020, according to modeling estimates.”

Lastly, we provide the UNMC Statement on Face Mask Mandates: February 2, 2021 (on UNMC letterhead) following this summary statement.

Certainly, these are uncertain times. Certainly, there are divided opinions on the value of masks in the community as well as policy on mask requirements. And most certainly, we should be tuned into experts

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who base their findings on research. The Center for Global Health Studies at UNMC is recognized as a world leader in public health education, research, and practice. On a more familiar note, UNMC is where many of us go when we need a second opinion on a health condition or to consult for treatments and surgeries. It is UNMC's united opinion that universal masking is an effective tool in reducing community transmission of COVID-19, especially when faced with the treat of more infections coronavirus variants taking hold of our communities. This is clearly not the time to sunset the mask ordinance.

Thank you for your consideration in this critical public health measure.

Sincerely,

Teresa Anderson MSN, APRN- PH/CH CNS  
Health Director

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**UNMC Statement on Face Mask Mandates**  
**February 2, 2021**

Cases of coronavirus disease 2019 (COVID-19) in Nebraska have reduced to levels last seen in early October 2020, hospitalization levels remain high but have also lowered to levels last seen in late October 2020 and Nebraska deaths have eased to levels last seen in November 2020. The easing of these key COVID-19 indicators are encouraging and indicate that preventative measures implemented during the October through December months were impactful. That being said, the current disease levels remain concerning and have the same potential for explosive growth in cases, hospitalizations and deaths if community prevention measures are relaxed. Communities must continue to take action to suppress transmission to prevent excess deaths and hospitalizations that have stressed our hospitals to their breaking point for over four months. The available scientific evidence clearly shows that mask mandates can significantly reduce community transmission of COVID and are particularly important community prevention measures as we face a rise in infections of COVID-19 variants from the UK, South Africa and Brazil that have been characterized as more infectious than the virus Nebraska has battled to date. Therefore, ordinances mandating the wearing of face masks outside of one's home are a low-cost and effective tool that can help communities protect vulnerable populations, health system function, and economic vitality even as more easily transmitted viruses take hold in our community.

The consensus of infectious disease and public health experts continues to strengthen in support of the efficacy of face masks, including multi-layered cloth masks, for reducing community transmission of COVID-19. The U.S. Centers for Disease Control and Prevention (CDC) has published a scientific brief documenting the role of face masks in COVID-19 transmission, citing 45 supporting papers and studies.<sup>1</sup> Recently, a team of leading U.S. researchers examined the breadth of evidence and found a "preponderance of evidence indicates that mask wearing reduces transmissibility" of virus and strongly recommended widespread use of and regulations for widespread mask use published in the Proceedings of the U.S. National Academy of Science.<sup>2</sup> Many population centers across Nebraska enacted mask ordinances in late fall that contributed to the reduction of COVID-19 infections and reaped the benefits outlined in the Goldman Sachs economists study of improved community compliance, reduced cases, and reduced negative economic consequences in communities by avoiding shut downs and school closures.<sup>3</sup>

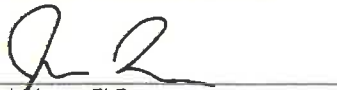
In conclusion, the public health and infectious disease experts in the Global Center for Health Security at the University of Nebraska Medical Center agree that mandatory, universal face mask use is an effective tool for reducing community transmission of COVID-19 especially when faced with the threat of more infectious coronavirus variants taking hold in our communities. Mask mandates should be used in a layered combination of community non-pharmaceutical interventions in order to create the largest reduction in COVID-19 cases.



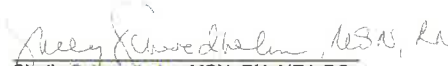
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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/more/masking-science-sars-cov2.html>

<sup>2</sup> <https://www.pnas.org/content/118/4/e2014564118.short>

<sup>3</sup> <https://www.goldmansachs.com/insights/pages/face-masks-and-gdp.html>

Global Center for Health Security

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unmc.edu/healthsecurity

ORDINANCE NO. 9817

An ordinance to amend Chapter 2 of Grand Island City Code; to amend Section 2-74; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 2-74 of the Grand Island City Code is hereby amended to read as follows:

**§2-12. Sunset Provision**

The requirements imposed by this Article shall expire and terminate at 11:59 p.m. on May 31, 2021, unless otherwise extended or earlier terminated by ordinance of the City Council.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication pursuant to law.

Enacted: February 9, 2021.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 4, 2021	☐ City Attorney