

CITY OF LINCOLN CITY

SPECIAL CITY COUNCIL MEETING AGENDA

WEDNESDAY SEPTEMBER 2, 2020 10:00 AM

10:00 AM - The Lincoln City Council Special Meeting for September 2, 2020 will be held via Zoom. The City Council Chambers will be open and the meeting will be broadcast live in the Council Chambers. It will also be live on Channel 4 and through streaming on the web at www.lincolncity.org.

Public Comments can be submitted to publiccomment@lincolncity.org and those comments will be entered into the record and provided to the City Council. The City Council may request that the public comments are summarized or read aloud.

Citizens present in the Council Chambers will be given the opportunity to comment via Zoom. Laptops will be set up for those comments. Citizens present in the Council Chambers will be required to wear a face covering and must observe social distancing. A member of the Information Technology staff will be present during the meeting to assist with any technical issues.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Cathy Steere, City Recorder, 541-996-1203.

The Lincoln City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

All information for this meeting is available at www.lincolncity.org under "Agenda, Packets & Video". This meeting will be televised live on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour.

- 1. CALL TO ORDER**
- 2. COMMENTS FROM CITIZENS PRESENT ON AGENDA AND NON-AGENDA ITEMS**
- 3. SPECIAL ORDER OF BUSINESS**
 - A. Consideration of the 24 Hour Hold Rule on Lodging Businesses**
 - B. Evaluation Criteria for Employees of the City Council**
- 4. ADJOURNMENT**

Council Communication

24 Hour Hold Rule

Meeting Date:	September 2, 2020	Primary Staff Contact:	Ronald F Chandler
Department:	Administration	E-Mail:	RChandler@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Ronald F Chandler	Estimated Time:	1 hour

In a joint meeting between the Lincoln County Board of Commissioners and the Mayors, City Councils and City Managers of Lincoln City, Depoe Bay, Newport, Waldport, Yachats, Toledo and Siletz, Lincoln City considered the 24 hour hold back of property before cleaning personnel may enter to clean the room. Lincoln City rescinded this rule.

The City Council was asked to reconsider this decision.

Attached, please find the following documents.

- Emails received by the City staff or City Council pertaining to the 24-hour rule
- The minutes of the joint meeting as published on the Lincoln County web page
- Lincoln County order 6-20-169.
- Points to Consider When Discussing the Question of a 24-Hour Hold on Rooms Between Guests at Lodging Facilities – This is research done by City Staff.
- The Oregon Health Authority Cleaning Guidance for Hotels and Motels During COVID-19
- The Centers for Disease Control and Prevention Resuming Business Toolkit.

Attachments:

24 Hour_Redacted (PDF)

Joint Meeting - Board of Commissioners and Mayors, City Councils, and City Managers of All Lincoln County Cities _ Lincoln County Oregon (PDF)

order_6-20-169_lodging_24_hour_cleaning_pause (PDF)

Points to Consider - 24 hour hold on rooms between guests at lodging facilities (PDF)

OHA cleaning guidance for hotels and motels during covid-19 (PDF)

CDC resuming business toolkit (PDF)

Hotel 24 hour hold

From In Shin
To Dick Anderson Courtney Liberato, Diana Hinton, Diane Kusz, Judy Casper, Mitch Parsons, Riley Hoagland, Rick Mark
Date 2020/06/08 15:13
Subject: Hotel 24 hour hold

Dear Lincoln City councilers,

Firstly, we would like to thank the city council for taking the pandemic seriously. We know this is a difficult time, and the council must make tough decisions. We wish there was a better and easier way to handle this, but we can see that the city council has been trying their best in these tough times.

This email follows up our previous email from last Friday concerning the lodging 24 hour hold.

Over the weekend, we had to cap our occupancy to 50% to meet the 24 hour hold rule. Many people, guests or otherwise, said “good for you” under the assumption that we were sold out. Unfortunately, despite the high traffic and call volume, we had to turn away many guests. We have had to explain to many travelers about the 24 hour hold and why we cannot rent the room during this period. Many travelers were confused and disappointed that they could not enjoy their stay in Lincoln City overnight due to the 24 hour hold rule.

We also did independent research about the US and people infected by coronavirus/covid-19 via hotel rooms. The CDC and OHA do not provide any statistics regarding infections regarding hotel rooms.

We could not find any international evidence of people getting sick from hotel rooms. If there is scientific proof that people can get sick from people staying in hotel rooms, then we will understand the 24 hour hold.

We are cleaning our rooms according to OHA and CDC guidelines.

Besides constantly disinfecting high traffic areas (which we are doing), there is not much else we can do besides cleaning to the best of our ability.

Finally, there is no other county in Oregon that requires 24 hour hold besides Lincoln City and Lincoln County.

We would be grateful to you see reconsider the 24 hour hold.

Thank you for your time and consideration.

Benny Shin
Owner
Sailor Jacks Inn

Reverse 24 hour Hold**From** Gene Scrutton**To** Public Comment**Date** 2020/06/16 21:52**Subject:** Reverse 24 hour Hold

My wife and I own whistling Winds Motel a small 16 unit Motel. It is very difficult to survive on a regular year with so few rooms in such a short summer season this year is extremely difficult because of the time we were close because of the pandemic. The 24 hour rule makes it even more difficult because if you want to rent Saturday night you have to hold out Friday night and Sunday night. We have about Three months to make our money before a long slow season the 24 hour hold Will probably be the end of small boutique motels. The rooms are thoroughly sanitized with 99% alcohol everything is wiped down windows are open and Lysol sprayed .In the latest CDC reports they say it's Unlikely to spread coronavirus on surfaces To humans it's mainly caused from droplets coming out of people's mouth to other peoples eyes nose and mouth. Please remove the 24 hour hold we have property taxes due shortly and a long winter. I Believe Lincoln county is the only county on the coast that has this rule and Newport Lincoln city are the only cities in Lincoln County that have them .

24 hour Rule Information

To Ronald Chandler
Date 2020/06/15 10:51
Subject: 24 hour Rule Information
Attachments: image001.png, commitment_to_safety-lodging_checklist-O RLA.pdf, OHA Cleaning Guidance for Lodging.pdf

Ron – Here is what I have found so far;

CDC – web site – The CDC has a tremendous amount of guidance on cleaning certain workplaces and surfaces. In checking there is no mention of cleaning of hotels or lodging in general. So far I have not seen the 24 hour rule mentioned anywhere in the CDC guidance.

United State Department of Labor – OSHA – No mention anywhere on web site of a 24 hour rule for lodging or anything else.

OHA – web site – OHA does recommend waiting 24 hours **if room was used by persons with COVID-19 symptoms**. No other mention about the 24 hour rule in their documents. (attached) The fallacy of this is a lodging owner may not know if a guest has COVID-19 and the guest(s) could be asymptomatic.

Oregon Restaurant and Lodging Association – initial document recommends 24 hold on room. (attached)

Lincoln County Public Health web site – Nothing on the web site that discusses lodging or the 24 hour rule



Ken Murphy
Emergency Preparedness Coordinator

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 P: 541-996-1229 | F: 541-994-7232 | C:541-921-8217
 E: kmurphy@lincolncity.org



COVID-19 • PHASE ONE REOPENING COMMITMENT TO SAFETY CHECKLIST FOR ORLA LODGING MEMBERS

The completion of the following checklist shows with ORLA Best Practices connected to customer and employee safety related to COVID-19. This checklist is in addition to following any federal, state or local guidelines, rules or regulations. Once completed and signed, return to ORLA by emailing JStarr@OregonRLA.org. You will then be sent a Commitment to Safety window decal for posting at your property and digital graphics for promotional use.

GUEST CONSIDERATIONS:

- Prominent signage is displayed, including any required physical distancing signage, floor markings indicating 6-foot distancing in common areas (including elevators and lobbies), and required hygienic practices and policies in all employees' and guests' common areas.
- Where physical distancing is not possible, 'sneeze guards,' face covering requirements, or usage limits and layout adjustments are in place.
- Request guests and visitors use hand sanitizer and provide dispensers, touchless whenever possible, at primary guest entrances and contact areas.
- An amenity bag is provided during check-in containing COVID-19 awareness information, hand sanitizer, and perhaps face coverings/gloves (optional).
- Guests enter through doors that are open or are automated or manually operated by an employee (if possible/practical).
- Employees do not open the doors of guest vehicles and there are no valet services if possible, unless requested or special circumstances.
- Guests requesting bell service are assisted and the bell cart is sanitized after each use.
- If face coverings are required, the hotel displays signage prominently, outlining proper face covering usage.
- Provide a spray bottle of sanitizer or wipes in each room for guest use (optional).
- Elevator button panels are sanitized at least once per hour, and/or hand sanitizer is available at or in elevators, and the number of guests per elevator is limited.
- Multi-use and unnecessary items and amenities are removed from guest rooms.
- Housekeeping does not enter guest rooms during a stay, unless by special request or circumstances (if possible).
- Procedures are specified for housekeeping, maintenance, and room service for a room during a guest stay. Including when guests are in and out of the room, and physical distancing is in effect.
- Room service is adjusted for proper pickup/delivery protocols, sanitation of cutlery and single use condiments.
- Dining services are updated to discontinue self-service buffets, using cafeteria style or grab-and-go services instead.
- The property website communicates expectations to guests, including cleanliness and safety features, as well as expectations for arrival and stay.
- Check-in statement read and sign by guest (optional).

EMPLOYEE CONSIDERATIONS:

- Employees are educated on COVID-19 and all guest protocols and procedures.
- Employees have been educated on proper hand cleaning practices and follow guidelines hourly and after activities such as using the restroom, cleaning, eating, and before and after starting shifts.
- Employees wear appropriate PPE in accordance with state or local regulations and are trained on proper use and disposal of PPE. Face coverings and gloves have been provided to employees when appropriate/required.
- Staff meetings are conducted with appropriate social distancing (outdoors, virtually, or in other appropriate areas).

CLEANING PROTOCOLS:

- The frequency of cleaning and sanitizing in all public spaces, with an emphasis on frequent contact surfaces, is increased.
- All cleaning and sanitizing schedules are clearly posted or communicated to all employees.
- Oregon Health Authority (OHA) approved cleaning and sanitizing protocols are in place to clean guest rooms, with particular attention paid to high-touch items.
- Rooms are 'sealed' or mechanisms/notices are in place for clean rooms not to be entered between guests.
- All bed linens and laundry are washed at a high temperature in accordance to CDC guidelines, and dirty laundry is bagged/contained in the guest room to eliminate excess contact while being transported.
- Rooms are left vacant for at least 24 hours prior to or after cleaning (if possible).
- The frequency of cleaning and sanitizing in all high traffic back of house areas, with an emphasis on employee dining rooms, locker rooms, restrooms and kitchens, is increased.
- Shared tools and equipment are sanitized during and after each shift or anytime the equipment is transferred to a new employee.
- The use of shared food and beverage equipment, including shared coffee/tea service, has been discontinued (optional).
- In the event of a positive case of Covid-19, the room is only returned to service after undergoing an enhanced sanitation protocol per OHA regulations.
- The frequency of air filter replacement and HVAC system cleaning is increased to maximize fresh air exchange.
- Suppliers, delivery drivers, and other individuals from third-party companies are reminded of social distancing requirements and signage is posted in areas frequented by those individuals.

I, _____ the _____
PRINT NAME JOB TITLE

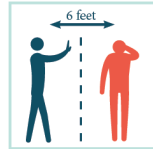
at _____ located at _____
PROPERTY NAME PHYSICAL ADDRESS

certify that the above checked items are correct and accurate to the best of my knowledge.

SIGNATURE

DATE

EMAIL



Cleaning Guidance for Hotels and Motels After Possible COVID-19 Occupancy

The Oregon Health Authority recommends hotels and motels not allow anyone to enter areas used by persons with COVID-19 symptoms for at least 24 hours after the persons leave. Staff can then begin cleaning and disinfection. This will reduce possible exposure to respiratory droplets. Before starting to clean, open outside doors and windows to increase air circulation in the area.

Cleaning refers to removing germs, dirt and impurities from surfaces.

- Cleaning does not necessarily kill germs. However, removing germs lowers the risk of spreading infection.
- Clean dirty surfaces by using a detergent or soap and water before disinfecting them.



Disinfecting refers to using chemicals to kill germs on surfaces.

- This process does not necessarily clean dirty surfaces or remove germs. However, killing any remaining germs on a surface **after** cleaning can further lower the risk of spreading infection.

How to clean and disinfect

- Clean and disinfect all areas that the ill persons used.
- Pay special attention to cleaning and disinfecting frequently touched surfaces such as light switches, doorknobs, handles, keyboards, bathroom fixtures, equipment screens, remote controls, coffee makers, ice buckets and other items.

Note: The guidance below is specific on how to disinfect a room where a COVID-19 patient has stayed. Another option is to leave the room vacant for 10 days; the risk of virus infection will be gone. You can then do routine cleaning.

Surfaces

To **disinfect hard (non-porous) surfaces**, properly apply any of the disinfectants below by following the manufacturer's instructions (e.g., concentration, application method and contact time):

- An alcohol solution with 70%–95% alcohol content
- An Environmental Protection Agency ([EPA](#))-[registered household disinfectant](#), or
- A diluted household bleach solution.
 - You can use diluted household bleach solutions if appropriate for the surface.
 - Follow manufacturer's instructions for application and proper ventilation.
 - Never mix household bleach with ammonia or any other cleanser.
 - Check to ensure the product is not past its expiration date. Unexpired household bleach will be effective against coronaviruses when properly diluted.
 - Prepare a bleach solution by mixing:
 - 5 tablespoons (one-third cup) bleach per gallon of water, or
 - 4 teaspoons bleach per quart of water.

To **disinfect soft (porous) surfaces** such as carpeted floor, rugs and drapes, remove visible contamination if present and clean with appropriate cleaners indicated for use on these surfaces.

- Launder washable items by following the manufacturer's instructions. Use the warmest appropriate water setting for the items and completely dry items.
- The EPA has approved hydrogen peroxide for use against the SARS-CoV-2 (coronavirus) that causes COVID-19 for disinfection of porous surfaces.
- Heat or steam can also be used to sanitize porous surfaces. The surfaces should be heated to 70° C (158° F) for five minutes or to 100° C (212° F) for one minute. Hot water extraction or steam cleaning are common tools used to achieve these temperatures for non-washable items.
- If you cannot use high temperature or hydrogen peroxide treatment, consider storing smaller objects for 10 days until the risk of virus infection is gone.

Electronics and appliances

- For items such as tablets, touch screens, keyboards, coffee makers and remote controls, remove visible contamination (such as debris, streaks or smudges), if present.
 - Follow the manufacturer's instructions for all cleaning and disinfection products.
 - Consider use of wipeable covers for electronics.
 - If you do not have the manufacturer's guidance, consider using alcohol-based wipes or sprays containing 70%–95% alcohol to disinfect touch screens. Dry surfaces thoroughly after wiping.

Linens, clothing and other items that go in the laundry

- Do not shake dirty laundry. Shaking can cause the virus to spread through the air.
- Follow the manufacturer's directions to wash items. If possible, launder items using the warmest appropriate water setting and completely dry them. You can wash other people's items with dirty laundry that was in contact with an ill person.
- Clean and disinfect hampers or other carts used to move laundry by using the above guidance for hard or soft surfaces.
- Remove and clean all bedding, including pillows and comforters, after guests who possibly have COVID-19 depart.

Personal protective equipment and hand hygiene

Cleaning staff's risk of exposure is low. Cleaning staff should wear disposable gloves and gowns for all tasks, including handling trash. Staff may choose to wear a cloth face covering while cleaning. If worn, cloth face coverings should be laundered daily in hot water and detergent. As restrictions begin to lift for businesses and public spaces, it may be difficult to make sure people stay 6 feet away from others at all times. So, we recommend people have a face covering to use in public settings. If everyone uses face coverings, we can all protect each other.

- Make sure to use disinfectants that do not ruin the gloves and gowns used.
 - Staff may need to use additional personal protective equipment (PPE) if the cleaning/disinfectant products they use could splash.
 - Launder cloth face coverings daily.
 - After cleaning a room, carefully remove gloves and gowns to avoid possible transfer of virus to the wearer and the surrounding area. Be sure to **clean hands immediately** after removing gloves.

- Coveralls, aprons or work uniforms can be worn to clean and disinfect if gowns are not available. Reusable (washable) clothing should be laundered each day. Staff may consider bringing a change of clothes to change into at the end of the day. Clean hands after handling dirty laundry.
- Cleaning staff should immediately report to their supervisor any breaches in PPE (e.g., tear in gloves) or potential exposures.
- **Cleaning staff and others should clean hands often.** This includes immediately after removing gloves and after contact with an ill person. Wash hands with soap and water for 20 seconds. If soap and water are not available and hands are not visibly dirty, you may use an alcohol-based hand sanitizer with 60%–95% alcohol. However, if hands are visibly dirty, always wash hands with soap and water.
- Follow normal preventive actions while at work and home. These include cleaning hands and avoiding touching eyes, nose or mouth with unwashed hands.
 - Additional key times to clean hands include:
 - After blowing one’s nose, coughing or sneezing
 - After using the restroom
 - Before eating or preparing food
 - After contact with animals or pets
 - Before and after providing routine care for another person who needs assistance (e.g., a child).

You can get this document free of charge in other languages, large print, braille or a format you prefer. Contact Mavel Morales at 1-844-882-7889, 711 TTY or OHA.ADAModifications@dhsosha.state.or.us.

Please reconsider 24-hour hold on VRD's

From Luda Kovalenko
To Judy Casper
Date 2020/06/18 21:59
Subject: Please reconsider 24-hour hold on VRD's

Dear Judy Casper,

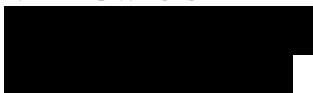
I am asking that the Lincoln City council reconsider the 24-hour hold rule on vacation rentals. We are grateful, that we're back open and can keep our business afloat. But, this 24-hour hold rule makes it hard to fill the dates. With the uncertainty of when the Lincoln county will move on to Phase 2, we would like to ask you to consider dropping the 24-hour hold requirement for VRD's.

Thank you for your understanding.

Thank you so much,

--

Ludmila and Vitlaiy Kovalenko
VRD Owners



24 hour hold rule

From Debra Saude
To Diana Hinton
Date 2020/06/20 17:14
Subject: 24 hour hold rule

Hello, Diana,

I saw your comment on Lincoln City Buy, Sell, Barter and Community Discussion Website regarding Your reasons for voting to keep the 24 hour hold rule on hotels and VRDs. I completely agree with your those reasons and applaud your actions. Not sure it makes any difference as from I have been hearing, many of these businesses have been pretty much been doing what they please from the very beginning. In fact one business I have reported never did abide by the 24 hour rule, even when they had other rooms available. Instead going by the Best Western policy of 3 hour hold. Now that the rule has been rescinded, they are not even doing that.

This situation with our lodging industry is completely out of control and very frustrating. When I heard one of the councilors refer to reports to police about noncompliance "unfounded" then go on to expound on how the housekeepers she had contacted were so "happy" with the way tThis is No where close to what I have been hearing my contacts in the hotel industry.

What I Have Been Hearing:

- Oversight/Compliance? None ...
- Availability and Use of Personal Protective equipment? Most of the time but not enforced...
- Use of appropriate Cleaning products? Yes, but no training on how they should be used (when,where, for how long)...
- 24 hour holds? When convenient ...
- Employee Health Monitoring? Uh kind of. Temps taken, questionnaires filled out but sick employees allowed to stay and work while sick...
- Bonuses/Hazard pay? LOL, No.

So, we have Corrupt Business Owners concerned about nothing beyond their bottom line, Employees who are undertrained and unsupervised, Guests with no interest in wearing face coverings moving in large groups, no attention paid to social distancing, completely oblivious to the fact that we are in the middle of a pandemic. Public officials who are unwilling or not up to task of ensuring that we as citizens are made to the right thing. It's beyond frustrating.

Sigh, Luckily we still have leaders like you who allow a ray of hope to peek through

all the muck. You are very much appreciated.

Thank you so much for all that you do,
Debra J Saude'

Lodging - 24 hour rule**From** Barbara Francis**To** Public Comment**Date** 2020/06/16 16:34**Subject:** Lodging - 24 hour rule

To those working diligently for Lincoln City,

I just wanted to write in and encourage support for the removal of the 24 hour hold period between guests at local hotels and lodging. This 'rule' is unique only to Lincoln City and a few other places in the county. Because of it, our ability to recover has been hamstrung and the reputation of the city marred in the minds of travelers. This pandemic has been difficult enough for our economy. Please don't continue to make it harder.

Sincerely,
Barbara

FW: 24-hour hold between hotel guests

From Ronald Chandler
To Public Comment
Date 2020/06/17 10:51
Subject: FW: 24-hour hold between hotel guests

-----Original Message-----

From: Susan Weakley
Sent: Friday, June 12, 2020 1:28 PM
To: Ronald Chandler
Cc: Greg Bedell
Subject: 24-hour hold between hotel guests

Mr. Chandler,

As I'm sure you know, Lincoln County is the only county in Oregon imposing the 24 hour hold between hotel guests. This is a hardship on our business, our guests that we have to turn down, and our staff who need full time employment after being laid off for several months. Having to close our businesses for 2 1/2 months and adapt to new cleaning protocols, we feel we should not have to be further punished by a rule no other areas are affected by.

It is time to take action and rescind this rule.

Thank you,
Susan and Chuck Weakley
Westover Inns
Co-owners of Pelican Shores, Looking Glass Inn, Shearwater Inn.
Sent from my iPad

24 hour lodging room hold**From** Mark Wendt**To** Public Comment**Date** 2020/06/17 09:43**Subject:** 24 hour lodging room hold

Dear Lincoln City Commissioners,

I respectfully ask that you read this in its entirety prior to Friday's meeting. I will be as brief as possible.

I own the Comfort Inn & Suites in Lincoln City; at least for now. This letter is an appeal to you to consider lifting the 24 hour hold on hotel rooms. I am asking this for two reasons. **My first reason** is the severe financial distress it is causing. The room hold is absolutely devastating our business. It limits our income to less than 50% of normal. Simply put, we will not survive this limitation for long. Like most local hotels we operate in the red for much of the year and need summer revenue to survive. As you know Lincoln City depends heavily on tourism dollars and I am afraid we all will suffer greatly in the aftermath of the financial ruin of many of its service related businesses.

In addition to the huge income hit, implementation of the rule makes operations extremely inefficient. It is a logistical nightmare trying to manage the clumsy dance of immediately monitoring each reservation as it arrives, even if it's at 2 a.m., then assigning a specific room, then blocking that room before and after that reservation before another reservation violating the hold comes through, then scheduling housekeepers to clean rooms from two nights ago instead of the previous night. Reservation systems and booking engines were never designed to do this.

Guests don't understand. They become angry because what is allowed elsewhere is forbidden in Lincoln City for reasons they feel are arbitrary and unjustified. I wish you could spend a Saturday afternoon at our front desk explaining to upset guests why they are not allowed to stay even though we have half our rooms empty or that they cannot extend their stay one day because it would put us in violation due to another reservation that doesn't even arrive until the day after they leave. People remember negative experiences and I'm afraid Lincoln City will become known as the "Go Home" town. "We are keeping you safe" is not the message people are getting, it's "We don't want you here".

I am not aware of any other jurisdiction that has our type of room hold restriction. And I am unaware of data that shows others are wrong and we know better. We take all the recommended precautions. We health check our employees each day when they arrive. We sanitize and disinfect each room - twice, we all wear masks, gloves where appropriate, and social distance. We have closed down our breakfast room. Our gym is closed despite corporate gyms now being allowed to reopen. Even our pool and hot tub, our most popular amenity is closed. We should not be taking business ruining extraordinary measures compared to everywhere else. Removing the room hold restriction and replacing it with a recommended hold would allow us to hold rooms when possible but be flexible for times when it is not possible. Perhaps neither of us is completely satisfied with this solution which means it is probably a reasonable compromise.

My second reason for asking this is personal. I hope my situation will help you see there are also very real non-financial, non-political, ramifications of your decision. I understand the importance of preventing viral infection all too well. Mary, my wife of 35 years, is bedbound in a 24 hour care nursing home where she receives nutrition via PEG tube. Mary's doctor stated she is unlikely to survive a viral infection of any type much less Corona. State restrictions mean I haven't been able to

visit her in person for over 2 months. I accept the state issued restrictions as being necessary for the protection of high risk individuals living in an environment where they are unable to protect themselves. That makes sense and the rules are consistent statewide. The income from my business is needed to keep Mary in a safe environment. This will no longer be possible as my business is forced into failure by the hold rule. I am not wealthy and the \$63,000 a year it takes to pay for the care she relies on to live is a burden I cannot meet without a healthy business. And no, health insurance does not cover long term care. Not one dollar. The continued room hold will devastate our summer business which will literally jeopardize the life of someone who is unable to protect themselves. Although this is just one example I'm sure others are in similar situations.

Even without the room hold business will be tough for a long time to come due to the widespread economic destruction. Please make sure you articulate sound reasons before you enact or retain restrictions that might unnecessarily prolong the economic problem.

Should any of you wish to call me for discussion or have any questions or suggestions I would welcome it.

Please give Lincoln City hotels a fighting chance and do as other municipalities have already done and eliminate the 24 hour room hold.

Sincerely,

Mark Wendt [REDACTED]

PS. Please remove the phone number if this letter is posted publicly.

Extending the 24 hour Vacancy Rule

From Debra Saude
To Diana Hinton, Diane Kusz, Judy Casper, Mitch Parsons, Riley Hoagland, Rick Mark
Date 2020/06/19 00:48
Subject: Extending the 24 hour Vacancy Rule

Good Evening,

I understand that the Lincoln County City Councils and County Commissioners will be discussing whether or not to extend the 24 hour hold rule for Hotels and Vacation Rental Properties today. It is my opinion that not only should the rule stay in place but more effort should be put into enforcing the rule. While most hotels and property owners are obeying the rule many are not. Not only is this unethical it is Dangerous. Of the housekeeping staff I've talked to, the ones who's employers adhere to the rule feel relatively safe going to work. The ones who's employers do not, live in constant fear of contracting the virus and bringing it home to their love ones. On top of that, they dare not complain or report these violations for fear of losing their jobs. This is no way to treat our workers who we depend on to keep our towns running.

In addition, in a time where we should be 'tip-toeing' our way back to normal, there is something to be said for slowing down numbers of visitors coming to the coast. There are already far too many people crowding onto our streets with very little attention being paid to recommended COVID-19 guidelines. I understand that we remain a popular destination but there *will* be other summers. In times like these sacrifices need to be made, reality faced.

Thank you, I hope you will take my comments into consideration when making your decision.

Debra J Saude'

Resident thoughts on mandatory face coverings and the current "24 hour hold" policy for lodging

From Daniel Wentz
To Judy Casper, Public Comment, Rick Mark
Date 2020/06/16 16:31
Subject: Resident thoughts on mandatory face coverings and the current "24 hour hold" policy for lodging

Hello Judy, Rick, and other Councilors.

My name is Dan. I've been a resident of Lincoln City on and off for the past 5 years. I work & live within the city and a large portion of my family does as well.

Like many others I've tried to stay informed as the COVID-19 pandemic has unfolded. I've done my best to adhere to social distancing guidelines, but I've done this imperfectly as we all do to some degree. I have a few comments I hope you consider on both the mandatory face covering considerations as well as the 24 hour lodging hold. Neither of these are easy topics to address, but both have the potential to have significant impact.

I have a Masters of Public Health and with that I of course feel a duty to impress upon those around me the considerations I know to be important when looking at infectious disease. However, these decisions do not live in a vacuum and what's good for preventing infectious disease spread is rarely good for everything else. Over the last month we've all seen direct impacts these decisions have made on our community and I feel the need to stress **balance**. Each decision should be carefully considered in both (1) effectiveness at achieving the desired goal (*let's assume reducing infection rate*) and (2) potential other impacts of the decision.

I feel the mandatory face coverings in grocery stores & common areas is the easier of the two decisions here. Face coverings have been shown to greatly reduce carrier spread of respiratory illness, but only when used broadly since these protect the environment and others from the user, not vice-versa.

Masks are no longer in short supply, they've lost a significant amount of social stigmatization, and frankly the only downside to the general public is the minor inconvenience of needing to have a mask on-hand and wear it.

This alone won't stop infection but, as long as there is buy-in from the grocery stores for applying & enforcing this rule, it will absolutely help. That being said, if the grocery stores and local jurisdictions don't do anything to ensure this, all a rull is going to do is cause frustration and division.

I understand that the 24 hour hold is a more difficult decision: Is it effective at reducing infection rate? Possibly, but only in the aspect that we are reducing the total number of visitors coming through our town. This is an indirect impact.

Does it make a difference in transmission of COVID 19 following a stay of a carrier? Not likely; A virus can live on a surface for up 3-4 days depending on the surfaces' traits, such as porosity and material composition. This is especially true when it comes to fabrics & bedding!! The CDC guidance lays out cleaning recommendations, and assert that anything within a 7 day timeframe requires the same cleaning routine to address the virus.

https://www.cdc.gov/coronavirus/2019-ncov/community/pdf/Reopening_America_Guidance.pdf

Taking this into account, all we're doing with this 24 hour hold is reducing turn-over in the hotels which, in my mind, has a larger economic impact than it does a health impact. With this in mind I would encourage all of you to consider better ways to achieve our health goals. We need solutions with less financial impact to our economy, or at least solutions that directly impact transmission rather than indirectly.

Thank you and best regards.
Dan Wentz

Re: Phase 2 and 24 Hr Hold for lodging

From Rick Mark
To Ronald Chandler
Date 2020/06/15 20:24
Subject: Re: Phase 2 and 24 Hr Hold for lodging

Hello Ron,

In response to this woman's statement that no health authority requires a 24-hour hold, you might share the following info with her and with the governing bodies.

The American Hotel & Lodging Association published on June 3, 2020 what it calls Enhanced Industry-Wide Hotel Cleaning Guidelines:

<https://www.ahla.com/sites/default/files/SafeStayGuidelines061220.pdf>

AHLA notes: "The following health and safety guidelines represent best practices for the hotel industry, in accordance with CDC guidelines, during the re-opening phase of the economy. It is anticipated that these guidelines and protocols will evolve based on the recommendation of public health authorities and must be done in compliance with any federal, state and local laws."

Under the section labeled Cleaning & Disinfecting Products and Protocols, is a paragraph labeled Room Recovery Protocol, which states:

In the event of a presumptive case of COVID-19 the affected guestroom should be removed from service and quarantined for at least 24 hours in accordance with [CDC guidelines](#). The guest room should not be returned to service until undergoing an enhanced cleaning and disinfecting utilizing EPA approved products within CDC guidelines.

The CDC guideline referred to above says:

At a facility that ... house[s] people overnight:

- ...
- Close off areas visited by the ill persons. Open outside doors and windows and use ventilating fans to increase air circulation in the area. Wait 24 hours or as long as practical before beginning cleaning and disinfection

I do not believe these guidelines define "presumptive case." My personal opinion is that all hotel guests could possibly be carrying the virus while not showing any symptoms. Since there's no way for a hotel to know which guests have the virus and which don't, I still think it wise to proceed with caution and maintain the 24-hour rule for all guests.

Dianna Dunlap may be correct that no authority is recommending the 24-hour rule for all hotel rooms. The rule is for rooms used by people with the virus or "presumptively" with the virus. But how can the hotel possibly know who has or does not have the virus?

Ronald Chandler

From: John Haeckel [REDACTED]
Sent: Friday, June 19, 2020 7:36 PM
To: Public Comment
Subject: Put 24 hour rule back

Why did you betray the people of Lincoln City there were 31 new cases today in Lincoln County. Hotels and the casino will do nothing but hinder the the lessening of Covid-19. You sold us out and I am not going forget and I will make sure everyone I know knows.

John Haeckel

Sent from my iPhone

RE: Betrayal**From** Diana Hinton**To** John Haeckel**Date** 2020/06/20 14:41**Subject:** RE: Betrayal

John,

Thank you for your email message. The City Council voted 5-2 to rescind the 24-hour hold on Short Term Rentals between the time of check out and when the housekeepers can enter. The vote was not unanimous and every Councilor and the Mayor had reasons for why they voted the way they did. I suggest you watch the discussion of that meeting so you understand why the votes were made the way they were – here's the link <http://lincolncityor.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=2700&Format=Agenda>

I voted to keep the 24-hour hold on rental units. In everything that I have read, it allows for the airborne virus to dissipate and is not known to 'live' longer than 24 hours on cardboard (softer surfaces). My motivation was to provide some safety and health protection for the housekeepers as they are members of our community. Other Councilors have their reasons for voting the way they did, I just wanted you to know why I voted the way I did. In the end the vote was 5-2 as you stated. The 24-hour hold will be removed from Lincoln City STRs.

I believe the reason this was even a question is that the STR owners/managers and the Oregon Hotel and Motel Association sent emails to the County Commissioners and to the City Councilors requesting it be removed. That is how it was added as an agenda item to discuss and then a vote was asked to be taken. You may have watched the County/Cities video of the meeting where this was also discussed. The Council has not set a date for rescinding the 24-hour notice but it will probably be brought up at our Monday meeting. The vote was taken so the paperwork will follow on this one.

Thank you again for your message. I always want to hear what community members are thinking.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1
Lincoln City, Oregon
dhinton@lincolncity.org
541-283-6361

-----Original Message-----

From: John Haeckel [REDACTED]
Sent: Friday, June 19, 2020 7:52 PM
To: City Council <City_Council@lincolncity.org>
Subject: Betrayal

Why in the world would you remove the 24hr rule for motels, when we had 31 new cases of Covid-19. I think the Governor is probably going to put us back on phase zero then you will see how many suit cases they bring you. It's all about greed not peoples' lives...

John Haeckel

Sent from my iPhone

Benny Shin
Owner
Sailor Jacks Motel

From: Greg Staneruck [REDACTED]
Sent: Thursday, June 11, 2020 10:56 AM
To: sailorjack
Subject: Call to action for Lincoln County Lodging Accommodations

Hello Lodging Operators of Lincoln County,

I hope this email finds you well. I am reaching out to you regarding Lincoln County and local cities' decision to add a 24-hr hold restriction on all lodging rentals as part of Phase I reopening requirements. The lodging industry in the County will be severely impacted by this mandate, which does not follow the recommendations of CDC or American Hotel & Lodging Association (AHLA) guidelines. In addition to a significant loss in revenue during peak summer months, the 24-hr hold requirement is adding unnecessary complexity and added labor hours to manage. It should be noted that Lincoln County and many of the jurisdictions within it are the only places along the Oregon coast to institute such regulations. **OR does not support this mandate and we encourage the County to follow the CDC guidelines of allowing 15 minutes before entering a room to clean.**

ORLA released a Commitment to Safety checklist a few weeks ago for the industry to use as guidance for reopening that goes "above and beyond any federal, state, or local guidelines. Within the initial checklist it was recommended that: "Rooms are left vacant for at least 24 hours prior to or after cleaning (if possible)." This particular practice was presented as an optional idea for those who had the opportunity and ability to practice if they so choose. We never intended for these best practices to become mandates from public officials. **ORLA has since updated the checklist (click here) and we want to make it clear that we are not endorsing mandates with such practices.**

Through this process the County emailed operators our checklist stating that they are following our guidance on the matter. We have never been consulted on this issue and want to see the mandate removed immediately. We are in current contact with the county commissioners and local officials as we continue to address this matter.

We ask your help – please contact your elected officials. If you are in unincorporated Lincoln County, Lincoln City, Newport, Toledo, or Yachats, we are going to need the voices of the industry to speak out. Let them know you appreciate their trust in you to keep the public and your employees safe and express your opposition to a mandated 24-hour hold. It is important to share your story about how this mandate will affect your business.

I will be available for assistance with any questions or needs you may have. Thank you for your time and attention.

Greg

[Greg Staneruck](#)

Membership Representative

[Oregon Restaurant & Lodging Association](#)

[REDACTED]
Twitter: [@OregonRLA](#) | Facebook: [OregonRLA](#) | LinkedIn: [ORLA](#)
www.OregonRLA.org

Fw: Hotel Restrictions for Lincoln City

From Rick Mark
To Ronald Chandler
Date 2020/06/03 07:15
Subject: Fw: Hotel Restrictions for Lincoln City

Hello Ron,

I think this hotel owner makes some excellent points. I wonder if we should think about modifying the 24-hour rule to let someone from the hotel enter a room shortly after a guest leaves to be sure it is in order and not in need of immediate maintenance. An alternative would be to allow housekeeping to clean the room on the day the guest leaves and then leave it empty for 24 hours before renting it again.

I do want to keep some form of the 24-hour rule in place because that will ensure a smaller number of overnight visitors while allowing the hotels to continue operating.

This rule would essentially follow the county health guidelines regarding rooms used by someone who is Covid-positive. My concern is we will very likely have visitors who are Covid-positive but do not know it because they are asymptomatic and have not been tested.

Thanks
Rick Mark

From: [REDACTED]
Sent: Monday, June 1, 2020 12:28 PM
To: Dick Anderson; Mitch Parsons; Diana Hinton; Riley Hoagland; Diane Kusz
Cc: Judy Casper; Rick Mark; jenny@frankhotels.com; stephanie@innatthesea.com
Subject: Hotel Restrictions for Lincoln City

Dear Mayor and City Council,

I'm writing today to provide some common sense insight into the Covid 19 shut down and reopening. Specifically, the 24 hour hold and occupancy restrictions for hotels. We own 11 hotels in Oregon and Washington including hotels in Lincoln City, Seaside, Astoria, Long Beach, Westport, Winthrop, Kelso, and Ontario. We have experience reopening hotels and dealing with the local rules and modifying our hotels for safety. Most tourist towns where we operate did not place an occupancy restriction or 24 hour hold on rooms. Our housekeepers are well trained and have all the tools to stay safe. I'm sure every hotel owner across the Northwest has had the same experience and has made the same adjustments to their policies and procedures. However, Pacific County officials put the same restriction in Long Beach that Lincoln County is about to try. In Long Beach, Pacific County ended the restriction few days later.

Unfortunately, there are certain guests who trash our hotels rooms, and our housekeepers never know what to expect when they enter a room. Guest might leave water running, toilets plugged, heat on high, open burners on the stoves, and in our case in Lincoln City, a possible

fire going in the fireplace. I could list dozens of hazardous situations created by this order. It is an extreme hazard for us not to be able to clean rooms within a few hours after a guest leaves. We cannot function safely with these rules and may also be in violation of our insurance policies. I could also list many other reasons other than safety why this policy is unnecessary, but safety issues should be plenty to see why this is not a good idea.

Actions that restrict our ability operate at 100% puts our guests and my employees in danger and in a more hazardous work environment than can be justified by the low risk of Covid 19. These actions may also put Lincoln City in legal jeopardy if there are any accidents related to this order. Westport, Seaside, and Winthrop all avoided restriction due in part to safety issues and liability to the town.

Please call if you have any questions

Thank you,

Mark Frank
Frank Hotels



Re: Recent decision**From** Shawnn Kehr**To** Diana Hinton**Date** 2020/06/21 16:27**Subject:** Re: Recent decision

I think you will find that the majority of housekeeping staff are willing to quit rather than be subject to this outrageous life threatening situation. I want to see these council members complete these duties at one of the 4bd rentals after 15 people have been there in the FIVE hours allotted. Keep the 24 hour rule!

On Sun, Jun 21, 2020, 3:49 PM Diana Hinton <dhinton@lincolncity.org> wrote:

Shawnn,

Thank you for your email. I appreciate that you took the time to write about the STR 24-hour hold between check out and when the housekeepers can enter. The vote was taken and I don't know if anyone has reconsidered their vote, if not it will stand and the 24-hr hold will be rescinded.

Thank you again for your message.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1

Lincoln City, Oregon

dhinton@lincolncity.org

541-283-6361

From: Shawnn Kehr [REDACTED]

Sent: Sunday, June 21, 2020 9:43 AM

To: Dick Anderson <anderson@lincolncity.org>; Rick Mark <rmark@lincolncity.org>; Richard Appicello <rappicello@lincolncity.org>; Diana Hinton <dhinton@lincolncity.org>

Subject: Recent decision

I am very surprised by the CHOICE to ignore the safety of those who clean short term rentals and everyone else. The CHOICE is unfounded and irresponsible. I do not think our safety is your main concern and want you to reconsider this decision. Short term profits over long term health, sad. This decision right as we become the first county to have mandatory masks is counterproductive and puts US ALL in danger.

--

Shawnn

RE: Hotel staff

From Diana Hinton
To Dean Crandall
Date 2020/06/01 11:42
Subject: RE: Hotel staff

Dean,

Thank you for your email. I just wanted to let you know that I have asked our city attorney to address your question. He is consulting with the County's attorney and they will get back to me. When they do, I'll let you know but the section is narrowly written to address housekeeping/cleaning after the 24-hour period of hold. I wish I were aware of this consideration before we discussed and voted on this.

I'll pass on their interpretation when I get it.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1
Lincoln City, Oregon
dhinton@lincolncity.org
541-283-6361

-----Original Message-----

From: Dean Crandall [REDACTED]
Sent: Saturday, May 30, 2020 7:22 PM
To: Diana Hinton <dhinton@lincolncity.org>
Subject: Hotel staff

Hello, I work hotel maintenance here in Lincoln City. Our hotel has stayed open to serve essential employees. I have read the 24 hour no access rule for housekeepers. Can you tell me how it applies to maintenance and front desk staff in dealing with occupied rooms? We get calls ranging from a smoke alarm battery to TVs not working correctly. Thanks for any help. I have been watching all the meetings lately and I am very proud to have representatives who care about the community.

RE: Hotel staff

From Diana Hinton
To Dean Crandall
Date 2020/06/01 11:42
Subject: RE: Hotel staff

Dean,

Thank you for your email. I just wanted to let you know that I have asked our city attorney to address your question. He is consulting with the County's attorney and they will get back to me. When they do, I'll let you know but the section is narrowly written to address housekeeping/cleaning after the 24-hour period of hold. I wish I were aware of this consideration before we discussed and voted on this.

I'll pass on their interpretation when I get it.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1
Lincoln City, Oregon
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To: Diana Hinton <dhinton@lincolncity.org>
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Fwd: COVID Issues and 24 hr Hold back Rule.

From

[REDACTED]

To

Diana Hinton

Date

2020/08/15 15:50

Subject:

Fwd: COVID Issues and 24 hr Hold back Rule.

[REDACTED]

majority of airborne droplets to settle (at least 3 hours) is the safest course of action. **A timeframe of up to 24 hours between the last exit from a property and next entry is reasonable, if the business needs can accommodate longer wait times.**

- VRHP/VRMA strongly emphasizes the importance of ensuring the appropriate use of all personal protective equipment (PPE), **including masks, disposable gloves, and, in some cases, splash goggles for any entry into a property, even after the 24-hour waiting period.** Splash goggles to cover the eyes and a mask that covers the nose and mouth and creates a good seal against the face should be required for any entry to a property within the 3-hour timeframe for respiratory droplet settling.

The VHRP Cleaning Guidelines are held out by ViaOregon as an Industry Standard. If someone challenges these Cleaning Guidelines claiming that transmission is by air, not surfaces, I'll ask them to cite studies related to the hospitality industry. What may be true in the home as not necessarily true in a motel or STR. Unless the VHRP Cleaning Guidelines were taken into account by the County Health Department or brought to their attention by the Property Managers, the decisionmaking was based on incomplete data. It needs to be reconsidered.

Besides the County's high positivity rate (how prevalent are COVID+ positive cases compared to the number of tests being done), the compelling data point for extending the COVID 24-hour Hold Back is the 55% Community Spread rate in the County. [This may change when the Reopening website is updated today.] Community Spread means "new cases not traced to a known source is below 30% for seven days." This is the only Phase 2 Reopening Criteria we do not yet meet. To my knowledge, the County Health Department has neither ruled STRs in nor out as a component of the Unknown Source.

With the existing maximum occupancy allowed by the STR Code, unincorporated Lincoln County can have as many as 4,808 transients on the Central Coast daily (601 STRs x the average licensed maximum occupancy of 8 renters). This does not include the transient contribution from the seven cities. What are the odds that transients are contributing to the Unknown Source of Community Spread?

As the County Health Department officials have said, it is impossible to know because we cannot do Contact Tracing on transients. Are there other populations where Contact Tracing is impossible? If not, when will we feel confident that we have ruled out all potential populations except transients

whether at motels, hotels, B&Bs, or STRs, as the Lincoln County's Unknown Source of Community Spread? Do we need to achieve a Positivity Rate of 1% or less? [As of August 13, Lincoln County's Positivity Rate is 5.6%.]

I would think someone from the Health Department could prepare a graph that compares our Positivity Rate or the Community Spread percentage over time from our first COVID positive test to today. **Controlling for Positivity Rate, is there a correlation between Reopening and Community Spread?**

The seven cities and the County, to the extent it continues to fail to enforce the BOC's 24-hour Hold Back Order, act like COVID is a hoax. At EPA, our risk assessors would have concluded that a source (contaminant) resulting in a death rate of 10^{-4} poses an unacceptable risk. EPA scientists would recommend additional controls because the measures taken to date were inadequate to manage the risk. In Lincoln County, the risk of death from COVID is 10^{-4} .

Basing a risk assessment on speculation ("if people would wear their mask") does not manage public health risks when the assumption is unattainable. Data-driven public health risk assessments are based on the data that exists, not data that *would* exist if people would comply.

I do not believe that voluntary compliance alone can manage this pandemic.

RE: Tentative Joint Meeting with the Board and Commissioners and Mayors and City Councils (Siletz, Toledo, Lincoln City, Depoe Bay, Yachats, Waldport and Newport)

From Ronald Chandler
To Wayne Belmont
Date 2020/06/16 09:14
Subject: RE: Tentative Joint Meeting with the Board and Commissioners and Mayors and City Councils (Siletz, Toledo, Lincoln City, Depoe Bay, Yachats, Waldport and Newport)
Attachments: image001.png

Dear Wayne:

I've been asked by one of our Council members if there's a basis for the 24 hour rule beyond the ORLA guidelines. That will probably come up during the joint meeting.

Sincerely yours,



Ron Chandler

CITY MANAGER

City of Lincoln City
 801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
 P: 541-996-1200 | F: 541-994-7232
 E: rhandler@lincolncity.org | W: LincolnCity.org

From: Wayne Belmont <wbelmont@co.lincoln.or.us>

Sent: Monday, June 15, 2020 7:37 PM

To: Rod Cross <Rod.Cross@cityoftoledo.org>; Judy Richter <judy.richter@cityoftoledo.org>; Willie Worman <william.worman.siletz@gmail.com>; Dean Sawyer <D.Sawyer@newportoregon.gov>; Spencer Nebel (s.nebel@newportoregon.gov) <s.nebel@newportoregon.gov>; Dick Anderson <anderson@lincolncity.org>; Ronald Chandler <rhandler@lincolncity.org>; Susan Woodruff <susan.woodruff@waldport.org>; Dann Cutter <Dann.cutter@waldport.org>; Mayor <Mayor@yachatsmail.org>; Shannon Beaucaire <citymanager@yachatsmail.org>

Cc: Richard Appicello <rappicello@lincolncity.org>; David Allen <D.Allen@newportoregon.gov>; david@osterlundlaw.com

Subject: Tentative Joint Meeting with the Board and Commissioners and Mayors and City Councils (Siletz, Toledo, Lincoln City, Depoe Bay, Yachats, Waldport and Newport)

The Board of Commissioners today authorized several actions related to Lincoln County's COVID -19 outbreak(s) response:

(1) A Public Health Directive will be issued by the Local Public Health Administrator and the County Health Officer concerning face coverings. This Directive is complementary to the Governor's Executive Orders (to date) concerning face coverings and will mandate wearing of face coverings in certain indoor and outdoor situations. It will focus first and foremost on the

primary actions continuing in place to stop the spread of the virus - - staying at home if ill, socially distancing at all times, limiting group contacts, and washing hands frequently, but will also provide directives on use of face coverings. These directives are self executing (that is they do not come with any enforcement mechanisms), but are more than just a recommendation - - they are a mandate. Many jurisdictions in Washington State have utilized these local health directives.

(2) The Board has asked that we schedule another joint meeting with the city governing bodies. Tentative date is **Friday June 19th at 1:30 pm**. We will use Newport's City Council Chambers for another virtual meeting. The Board has directed me to prepare an enactment for adoption at the meeting which will require, at minimum, mandatory face coverings beyond what is currently required in the Governor's Executive Orders. Based on our discussions with OHA and the State's Public Health Officer / State Epidemiologist Dr. Dean Sidelinger today about the efficacy of face coverings, the enactment will require face coverings for all employees *and customers* at pharmacies and grocery stores over 2500 square feet in size. This is intended to allow vulnerable community members (over 65, those with health conditions, others susceptible to complications from the disease) to get essential needs met - - medicine and food - - with the added protections coming from having everyone in those regulated environments taking maximum precautions to protect each other. This would be an enforceable requirement. At this point it will only apply to those businesses, but the Board has left it open to go further if there is a consensus reached with other Cities to expand the requirements. The Board will adopt this enactment for unincorporated areas of the County, but as was done with lodging properties, will allow for concurrence of cities to expand its application into jurisdictions that will desire the regulations to apply within their own city limits. Once again the Board would like to see uniformity of regulations within the County, but in this instance, it is likely the Board will adopt this enactment (or some amended version) whether or not any or all cities concur.

(3) The Board would also like to discuss with cities two other regulatory issues: (a) the 24 hour hold on lodging properties before the property can be cleaned and rented again. We have all heard now from lodging property owners asking this requirement be lifted as not applicable under current guidance and industry recommendations. This was only to continue through phase 1 and it is unknown at this time when we will move to phase 2; (b) the current guidance under phase 1 allows a broad array of gatherings generally up to 25 persons. Baseline guidance, which is before phase 1, now limits certain cultural, civic and faith based gatherings to 25 persons, but all other local and social gatherings are limited to 10 people. The Board, based on their understanding of the spread of the disease, may want to go back to that baseline guidance for gatherings (but not other baseline restrictions).

We will tentatively schedule this meeting for Friday and provide required notice for all the cities (but please provide notice as required for your respective entities if needed in order to have a quorum present for a vote). This is again a rapidly changing situation and more information (including draft enactments for consideration) will be provided prior to the meeting. If your city cannot participate, please let us know. We wanted to provide a quicker method of consideration of these vital issues given the changes in our local situation, rather than wait for each entity to take this up in the regular course of business.

Please let me know if you have any questions.

Wayne Belmont
Lincoln County Counsel
wbelmont@co.lincoln.or.us

Ronald Chandler

From: Rose Knee [REDACTED]
Sent: Tuesday, June 16, 2020 3:53 PM
To: Public Comment
Subject: Please remove the 24 hour hold between bookings on vacation rentals

Hello,

I'm writing to please employ you to remove the 24 hold required between bookings for vacation rentals in Lincoln city. We had 3 months with no income if we do not fill up summer we will not make it through the Winter to pay our mortgage.

From what I have read from the CDC with proper and extensive cleaning procedures there is very little chance of contracting the virus on a surface.

Your consideration is greatly appreciated.

Rose and Jake Knee

Owners of [REDACTED] And supporters of Lincoln city since 2005.

Ronald Chandler

From: Bill Johnson [REDACTED]
Sent: Tuesday, June 16, 2020 5:10 PM
To: Public Comment
Subject: Beach Rental 24 Hour Hold

CDC has said on their website that contracting the corona virus from surfaces is yet to be seen! Are we the the only county who thinks that we can? No on the 24 hour hold!

William Johnson

[REDACTED]

Lincoln City



Virus-free. www.avast.com

Ronald Chandler

From: Mary Jo Chapman [REDACTED]
Sent: Wednesday, June 17, 2020 6:59 PM
To: Public Comment
Cc: mjcanfamily@comcast.net
Subject: Re: Please no longer required the 24 Hold Requirement on VRD's

To whom it may concern,

My name is Mary Jo Chapman and my husband, John, and I are the owners of a small vacation rental cottage VRD#4598. We have been hit hard with cancellations for our little rental since March 9th, 2020. We have honored full refunds to ANYONE and EVERYONE who has requested a cancellations, despite this huge hit to our financial health. We would not be able to sleep at night knowing that we did not honor giving everyone back their money, during that scary time in all of our lives. We were very grateful when the ban on VRDs and Hotels, etc was lifted beginning June 1st, 2020. We have some new bookings to fill up some of the days, but I have to tell you the 24 hour hold is really making it much harder to book guests, on top of the fact that we may have several 2 day rentals bookings in one week and that adds up to three days that I CANNOT RENT during that time peiord. It is hard to be able to accommodate all the inquires because of so many days that we have to block out. It could be in the upwards of 7-10 days/mo that we will lose in revenue. When you couple that with what we have already lost in revenue for the entire months of April and May and all the cancellations, it is easy to see how this 24 hour hold is impacting our business. I have missed out on many bookings because of the 24 hour hold. We are abiding by all of the cleaning requirements and we feel the cottage is more than ready for its next guests by 4pm on the same day that a current guest checks out. We have also adjusted our check out time to an hour earlier to give our cleaners ALL the time that they need to make the cottage safe for the next guest.

In ending, I would like to place a vote to please end the 24 hour hold on VRD's.

I thank you in advance for your time,

Sincerely,
Mary Jo Chapman

[REDACTED]

Ronald Chandler

From: Shannon Reed [REDACTED]
Sent: Thursday, June 18, 2020 8:32 AM
To: Public Comment
Subject: 24 hour wait period

Thank you members, for consideration of lifting the 24 hour hold on VRD's between customers. The CDC has shown that approved practices for cleaning have succeeded in minimizing the spread of the Coronavirus in the hospitality industry. I would support lifting the 24 hour hold on Lincoln City VRDs. It is costing me income through the high season, which often supports the low season expenses. Thank you.

Shannon Reed
[REDACTED]

Ronald Chandler

From: Jenifer Kavanaugh [REDACTED]
Sent: Thursday, June 18, 2020 10:31 PM
To: Public Comment
Cc: Jenifer Kavanaugh
Subject: Please remove the 24 hour hold for short term vacation rentals.

Hello,

My husband and I have two vacation rentals in Roads End. We built these ourselves and have dedicated our life savings to these homes. We hope to one day retire in one of them. We care greatly about Lincoln City and the future of our community.

Due to the impact of the Corona Virus, and the subsequent rental restrictions, we have been seriously impacted financially. This summer, and moving forward, every day counts in order for us to recoup our lost revenue.

PLEASE remove the 24 hour hold for short term vacation rentals.

The current restriction of the “24 hour hold” will negatively impact our July and August reservations and will cause us to lose many guests in those months. Our reservations are often arranged one year, or more, in advance. If we are now unable to accommodate these guests, they will cancel and will then reserve homes in the nearby coastal communities that currently do not have this restriction. They may never return to our rentals or to Lincoln City.

We are following all of the Corona Virus health guidelines that have been set by the CDC and Lincoln City. We have many family members in the health care industry and we care greatly about the safety of our guests and also the community. We have taken all necessary precautions and we strongly believe that taking away the 24 hour hold will in no way have a negative health impact on our guests or on the community. We will continue to follow all CDC health guidelines.

We implore you to PLEASE remove this “24 hour hold” restriction. This is essential not only for our benefit, but also for the benefit and future of Lincoln City.

Thank you for your consideration as we all work together to make Lincoln City the very best it can be!

Respectfully,

Jenifer and Dan Kavanaugh

Gables by the Sea
Gables at Sandy Shores
[REDACTED]

Ronald Chandler

From: Ken Corson [REDACTED]
Sent: Friday, June 19, 2020 9:27 AM
To: Public Comment
Subject: Status of 24 hour hold for lodging facilities

Thank you for taking this comment...

As a resident of Lincoln City and a business owner, I would ask that the county and city remove the 24 hour hold on lodging facilities. Everyone has endured unusual economic hardships over the past 3 months. As anticipated to have been moving to Phase 2 in early June and not being able to do so, I know alot of hotels and motels have had to cancel and singe guests reservations.

Not only doe this effect the incomes for these properties by up to 25-30 Percent, guests are now having to adjust their summer vacations.

I know its not just about the income effect, I believe in safety as well. I would hope that the county commissioners and city council members will take this into consideration while trying to move forward and trust that the lodging providers are doing the appropriate cleaning for the protection of their guests and the community. Don't let a large outbreak in Newport which should have had no relationship to guests coming from out of town, extend the phase 1 requirement. This is the time of the year that most small business build up revenues to get through the rest of the fall and winter and wait again until next summer... Thank you again... Ken Corson

Ronald Chandler

From: high_andmighty [REDACTED]
Sent: Friday, June 19, 2020 3:54 PM
To: City Council; Public Comment
Subject: Short Term Rentals and other COVID Worries

Hello and good afternoon,

I just received word that today the leaders of our county once again chose greed over the safety of its residents. The decision was made to eliminate the 24 hour waiting period for short term rentals, which is at best, an awful and thoughtless decision.

That 24 hour hold is literally the only thing keeping those housekeepers safe while they are forced to clean up after the tourists who don't care about us. Why do I say they don't care? Because they are absolutely destroying these rental homes. Massive parties and puke stained homes are the norm right now because again, these are the worst of the worst tourists. They don't wear masks, they rob us of our resources (we still don't have easy access to toilet paper and paper towels in Safeway), And absolutely do not care about our towns safety.

We can no longer rely on the good of people to help keep us safe. I thought we could rely on our the leaders of this county for that, but I was wrong. To abolish something as simple, yet effective, as the 24 hour hold only shows the greed that is circulating.

I understand that right now is tough for everybody, but by caving now and promoting visitation to our town is only going to prolong this experience.

I would urge every leader of this county to start having conversations about how this county can be more self sufficient, instead of relying so heavily on tourists who don't care about us. If we were more self sufficient, keeping things like the 24 hour hold around would be much easier, because again I understand that this is all about money. So I'm trying to appeal to that side of this. If we want more money, we need to create jobs in this town. Not eliminate restrictions that may save the life of our residents.

I ask you, please reconsider the 24 hour hold on STRs for the safety of our citizens. Because I'll tell you right now, these companies that run the vacation rentals care even less about the people, and will cut every corner they are allowed to cut.

Best,
-Nate Young

Ronald Chandler

From: Mark Wendt [REDACTED]
Sent: Friday, June 19, 2020 5:35 PM
To: Public Comment
Subject: Transient Lodging Room Hold Release

Dear Lincoln City Commissioners,

Thank you for voting today to give our Lincoln City hotels and other service businesses a fighting chance at survival by removing the 24 hour room hold requirement. This change if implemented promptly will allow a significant portion of the critical summer business to be salvaged. Although nearly every other municipality in the region, state, and nation have done the same I know you faced local opposition and had to make a difficult decision. I appreciate that fact. In return we will continue to do all that we can to keep our staff and guests healthy and safe. I welcome discussion of any further recommendations that you may have towards that goal.

Sincerely
Mark Wendt

Ronald Chandler

From: [REDACTED]
Sent: Friday, June 19, 2020 9:25 PM
To: Public Comment; City Council
Subject: Public comment

Removing the 24 hr hold is a failure to look out for the community. This is profits over people. Hotels will be fine. They are at 75% revenue. Shame. Shame. Shame.

Ronald Chandler

From: John Haeckel [REDACTED]
Sent: Saturday, June 20, 2020 7:53 PM
To: Public Comment
Subject: 24hr rule and masks

Twenty four new cases today. Why the hell did you wait on masks. And why do you don't care about the housekeepers who keep the hotels running. You are going to put us back on phase zero. If the new cases keep adding up. Just for some greedy people.

John Haeckel

Sent from my iPhone

Ronald Chandler

From: aha99-comcast [REDACTED]
Sent: Sunday, June 21, 2020 11:08 AM
To: Public Comment; City Council
Cc: boc@co.lincoln.or.us
Subject: Public Comment

Lincoln City Mayor and City Council,

You are putting the housekeepers at risk by your decisions to go with the Hotel Lobby group of a 15 minute wait period instead of 24 hours recommended by the CDC. It is obvious to me you care more about your rental property Mr. Mayor, Mitch, and Diane K. than the residents and working class people of this City. I am completely disappointed with all of you for your decision to drop that wait period and it is completely irresponsible of you all to do that especially with the increase of Covid cases over the last couple weeks.

I have several acquaintances that work as housekeepers and they were already concerned about their health and well being, now you all have now made their situation worse.

Please stop voting for your own well-being. Also, please start working with the County so there is consistency throughout the County instead of creating confusing policies between the city and county.

I want to point out to the Mayor and Councilman Mitch, that laughing at other councilors during meetings is completely inappropriate. You should go back and watch your meeting video from Friday and your reaction to Diane Hinton's concerns about voting before speaking with the County about these issues. Laughing is not an appropriate, mature, or professional reaction to someone who is trying to make a serious point on an issue. You owe her an apology for your behavior. You all should have listened to her and waited to vote until the County meeting.

Kathy Aha

Ronald Chandler

From: Leoda Barr [REDACTED]
Sent: Sunday, June 21, 2020 12:03 PM
To: Public Comment; City Council
Subject: 15 Minute Wait Time for Rental Cleaners

Thank you Diane Hinton and Riley Hoagland for your "no" votes to change the 24 hour wait period for cleaning rentals.

The mayor and the rest of the council should be very ashamed of their greedy motives to vote yes for an ineffective 15 minute wait time for the cleaning workers. Do they not realize that Covid-19 is a pandemic? Do they not realize that they are putting these workers in danger? Disgusting. The CDC's guideline is 24 hours.

Leoda Barr
Lincoln City

council publiccomments@lincolncity.org city_council@lincolncity.org

Ronald Chandler

From: Rock Your World [REDACTED] >
Sent: Sunday, June 21, 2020 2:30 PM
To: City Council; Public Comment; Richard Appicello; Cathy Steere
Subject: Scientific basis for 24-Hour hold before cleaning an STR
Attachments: Capture+_2020-06-21-12-51-57.png

I invite council to reconsider their decisions. We need to treat every guest as if they were a carrier. Please listen to your community and science. Protect the vulnerable workers of our community.

<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>

Ronald Chandler

From: Rock Your World [REDACTED]
Sent: Sunday, June 21, 2020 2:35 PM
To: Public Comment; City Council; Richard Appicello; Cathy Steere
Subject: Industry best practices for STR overturn during Coronavirus Pandemic
Attachments: Capture+_2020-06-21-14-33-23.png

<https://www.cnn.com/2020/04/27/business/airbnb-cleaning-coronavirus/index.html>

As you can see, Airbnb one of the largest clearinghouses for short-term rentals has also adopted this policy.

We are not out of our minds asking you to keep the 24hr hold in place until we enter phase 2.

Please vote with with the community SAFETY in mind.

Ronald Chandler

From: Mac Smith [REDACTED]
Sent: Sunday, June 21, 2020 3:27 PM
To: city_counsel@lincolncity.org; Public Comment; Dick Anderson; Mitch Parsons; Diana Hinton; Riley Hoagland; Diane Kusz; Judy Casper; Rick Mark; Richard Appicello; Cathy Steere; Ronald Chandler

From: Mac Smith, Lincoln City Resident

To: Lincoln City Council, et al.

I would like the city council to answer why they are not operating in an over abundance of caution when we are in the middle of an outbreak? This sends the message that businesses are more valuable then the people who they employ. During the surprise 6-19-2020 meeting prior to the joint county meeting, it was brought up how one employer in the hospitality industry operates, but that is only one example out of many. If City Council had greater engagement with the community, especially through social media, they would see that an employer supplying proper PPE and sanitizing equipment like a fogger, is the outlier.

Furthermore, more research shows that nasal swab testing is, at best, partially effective at detecting novel Coronavirus. We don't know who is infected and our guests aren't necessarily going to announce themselves. We also know that people can carry the disease without showing symptoms. Therefore, we need to treat everyone everywhere as if they have it, even if they don't.

As a business owner one of the major realities I have to face daily is that my business may fail no matter how hard I work. Sometimes there are just some circumstances outside of our control that make our business not viable anymore. This should not come as a surprise to anybody on city council as the community has been asking you to help diversify our economy for years. Monoculture of industry is not sustainable. Your collective decision to rescind the 24 hour hold sends the message that a troubled industry is more important than the people who make it work, and is unconscionable.

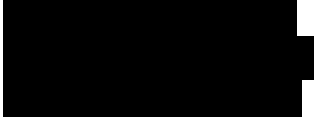
Thank you to the counselors who voted to protect the people of Lincoln City. To those who did not, please do better moving forward. We are trusting you with our lives.

Ronald Chandler

From: Sandcastle Motel [REDACTED]
Sent: Monday, June 22, 2020 2:28 PM
To: Public Comment
Subject: 24 Hour hold restriction

I want to pass on my appreciation to the council on their removal of the 24 hour restriction. Thank you for listening to our needs and struggles as an industry as we attempt to protect our employees and guest along with trying to keep our businesses open. Our ward council member took the time to understand the effects of these decisions and listened to our concerns and struggles in complying with them. We will continue to take the steps necessary to protect our employees and community knowing that our council is here to support local businesses and the people who keep them running.

JoVincent Getty
General Manager
Sandcastle Beachfront Motel



www.SandcastleMotel.net

Ronald Chandler

From: Ronald Chandler
Sent: Thursday, July 23, 2020 3:05 PM
To: Riley Hoagland
Cc: Public Comment
Subject: RE: Covid

Dear Councilor:

I'll have it entered into the record.

Ron

From: Riley Hoagland <rhoagland@lincolncity.org>
Sent: Thursday, July 23, 2020 10:53 AM
To: Ronald Chandler <rhandler@lincolncity.org>
Cc: Tony LaSoya <tlasoya@lincolncity.org>
Subject: Fw: Covid

I spoke with them and they would like this to be part of the record. They wish to be anonymous in all ways due to their job being at risk.



Riley Hoagland
City Councilor Ward 2

City of Lincoln City
 801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.418.1787 |
E: rhoagland@lincolncity.org | **W:** LincolnCity.org

From: [REDACTED]
Sent: Wednesday, July 22, 2020 3:59 PM
To: Riley Hoagland
Subject: Covid

Riley
 I am writing to you to let you know how terrified I am with the way our council has handled this pandemic I do appreciate you standing up and with those of us that actually work in and with the public here in Lincoln City but it is obvious the rest of the council only seems to care about pleasing the business owners and not the people who actually wear a mask 12-14 hours a day while serving food to all the tourist you so welcomed even though it puts us in danger I am in the hospitality industry and I see cases starting here in the hospitality industry you understand that cook who is now infected works with someone who works housekeeping etc these individuals do not have testing available because no health insurance or even a doctor,so even if you were exposed you still have to work because a health authority did not tell you to quarantine. I believe it was extremely selfish to lift the 24 hour hold t hat the county mandated it is great for the business owners until a housekeeper were sick and infects the whole crew

the 24 hour would somewhat control this madness it will be solely in the Lincoln City Council hands when we have our outbreak because lifting the hold was negligent at best. Because I fear I will lose my job for seeking my mind please leave my email anonymous.

Sent from my LG Mobile

Ronald Chandler

From: Rock Your World [REDACTED]
Sent: Tuesday, August 25, 2020 9:09 AM
To: Public Comment; City Council
Subject: Shouting into the void

I feel like I'm shouting into the void.

How many outbreaks and do we need to have before the city takes measures to protect its citizens?

It's obvious private business isn't going to do it. Bring back the 24-hour hold and protect our hospitality workers better.

Lincoln City is a stewpot for Covid-19 it's conscionable for us to send people home possibly sick for them to register in their counties instead of ours even though they caught it here due to our negligence and care for money over human welfare.

Signed,
Tourism related business owner and citizen of Lincoln City

Ronald Chandler

From: Leoda Barr [REDACTED]
Sent: Tuesday, August 25, 2020 10:31 AM
To: Public Comment; City Council; leodaj@hotmail.com
Subject: Pandemic in Lincoln City

You pushed opening up "life as usual" and actually allowed only a 15 minute wait between hotel/vrd guests leaving and arriving. Look what you have done! Do you not realize that subjecting workers to this ridiculous practice has resulted in more victims of this horrible virus. I completely understand that people need their jobs. I also understand greed. Your idea of managing this town urgently needs rethinking.

We have an influx of tourists just like any other summer except this isn't any other summer. There is a world wide pandemic and you sure wouldn't know it. Permanent residents like us, in order to stay safe, are self isolating while visitors flout the rules, use our limited resources at the stores, set off fireworks on the beach in August, crowd the waysides and more. No one enforces anything. What good are your signs if there are no consequences.

It's as if the City management, city council and a mayor who spends his time campaigning learned to do their jobs on You Tube. Get it together and start protecting those of us who live and work here. If you don't you will soon have no workers or visitors and a city full of sick people.

Leoda Barr
Lincoln City
[REDACTED]

Joint Meeting - Board of Commissioners and Mayors, City Councils, and City Managers of All Lincoln County Cities

Calendar Date:

Friday, June 19, 2020 - 1:30pm

[Add this event to your Outlook calendar \(iCal\).](#) [Add this event to your Google calendar](#)

Special Joint Meeting between the Lincoln County Board of Commissioners And the Mayors, City Councils and City Managers of Lincoln City, Depoe Bay, Newport, Waldport, Yachats, Toledo and Siletz.

24 Wait Between Room Rentals (Beginning June 19, 2020 the 24 hour hold back of property before cleaning personnel may enter to clean the property remains in effect for 30 days from the date of this Order. The Board will review continuation or modification of that requirement before the end of the 30-day extension.)

Lincoln City - Rescinded

Depoe Bay - Did not have it to begin with

Newport - Kept it in place

Toledo - Did not have it to begin with

Siletz - Did not have it to begin with

Waldport - Did not have it to begin with

Yachats - Kept it in place

Lincoln County - Extended for 30 days and will review at that time.

Reducing Social Gatherings Down to 10 (Beginning June 24, 2020, the County will restrict private social gatherings only to no more than 10 persons in accordance with statewide baseline requirements as currently set by the Governor's Executive Order. All other gatherings and activities authorized under statewide guidelines, and under Phase 1 including business and activities with specific OHA guidance, shall be allowed to operate at the gathering size set by the State.)

Lincoln City - No

Depoe Bay - Yes

Newport - Yes

Toledo - No

Siletz - Yes

Waldport - No - May discuss at July 9th Council Meeting

Yachats - Yes

County - Yes

Face Coverings

County: <https://www.co.lincoln.or.us/hhs/page/face-covering-directive>

Governor: https://www.co.lincoln.or.us/sites/default/files/fileattachments/health_amp_human_services/

Virtual Location: Newport City Hall Council Chambers, City Hall, 169 SW Coast Highway, Newport



This meeting will be held electronically. The public can live-stream the meeting at: <https://www.newportoregon.gov/citygov/comm/cc.asp>

The meeting will also be shown on Charter Channel 190.

Public comment may be made, via email, up to two hours before the meeting start time at publiccomment@newportoregon.gov or to the Board of Commissioners at boc@co.lincoln.or.us.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

**BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON**

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In the Matter of)
)
Modifying Order Nos. 4-20-118 and 5-20-136) **ORDER NO. 6-20-169**
Exercising Authority to Act to Protect Lincoln County)
Citizens and Minimize the Effects of the)
COVID-19 Emergency)

Lincoln County Orders Nos, 4-20-118 and 5-20-136 (hereafter Lodging Restrictions) placing restrictions on short term lodging are incorporated herein as if fully set forth:

WHEREAS Lodging Restrictions in place for short term rentals to combat the spread of the COVID-19 virus include several specific requirements around use, cleaning, and rental of the properties; and

WHEREAS pursuant to paragraph 2 of Order No. 4-20-118 it was recognized by the County and the Cities that the Orders could be rescinded, extended, or modified; and

WHEREAS after discussion and consultation with the Cities at a joint public meeting of the County and Cities held on June 19, 2020 the Board determined that it is necessary to modify the Order in respect to the 24 hour hold back of a property before cleaning personnel may enter to clean the property before it is rented again.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. That Order No. 4-20-118 is hereby modified beginning June 19, 2020 as follows:

a. The 24 hour hold back of property before cleaning personnel may enter to clean the property remains in effect for 30 days from the date of this Order. The Board will review continuation or modification of that requirement before the end of the 30-day extension.

b. That in all other aspects the framework plan from Order 5-20-136 continues unchanged. This Order may be modified, rescinded or extended by authority of the Board of Commissioners in consultation with the Cities and Local Public Health Administrator as

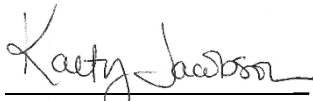
1 more information from the Governor on Phase 2 and 3 restrictions is developed. If so
2 modified, a copy shall be provided to the cities of Newport and Yachats.

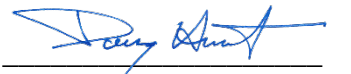
3 2. This Order was presented and concurred to by either authorized city personnel or
4 the direct action of the City Councils of Yachats and Newport¹. At any time, the City
5 Council of either of these cities may opt by Council Action to rescind that concurrence, at
6 which time the Order will have no effect within the boundaries of that city without necessity
7 of any further action.

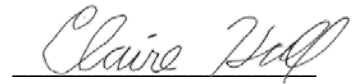
8 3. Copies of this Order shall be provided to Rebecca Austen, Public Health
9 Administrator; Jenny Demaris, Emergency Manager; Wayne Belmont, County Counsel, and
10 representatives of each of the cities listed above.

DATED: June 19, 2020

LINCOLN COUNTY BOARD OF COMMISSIONERS


Kaety Jacobson, Chair


Doug Hunt, Commissioner


Claire Hall, Commissioner

¹ Depoe Bay and Waldport did not continue the 24 hour hold back previously. Lincoln City rescinded the 24 hour hold back requirement just prior to this meeting. Toledo is acting on the matter on June 24. The requirement was not applicable in Toledo and Siletz as they do not have regulated short term lodging. Newport and Yachats did not place the 30-day extension limit on the requirement.
Order # 6-20-169 Page 2 of 6

Exhibit A¹
Lincoln County
and
Cities of Yachats, Waldport, Newport, Depoe Bay, Lincoln City, Toledo, and Siletz
Reopening Framework Plan for Short Term Rentals, Hotels/Motels, RV parks and
Campgrounds

Lodging Reopens June 1, 2020²

Applicable Requirements for Lodging Properties including Hotels, Motels, Bed and Breakfasts, Homestays, Short Term Residences (STRs and aka Vacation Rental Dwellings, VRDs), RV Parks and Campgrounds to reopen on June 1, 2020:

Service Changes

Hotels Motels

- Remote check in if available
- Alternative: curbside check in with conditions below
- Touch free check-in instituted
- Barrier in place at check in – i.e. plexiglass
- Hand sanitizer in lobby
- Owner/Employee wellness checks
 - Health questions and Temp checks – start of each day
- Breakfast
 - Grab and go / sealed items / room service
 - No public space consumption

STRS/VRDs

- Remote check in

RV PARKS / CAMPGROUNDS

- Remote check in or alternative as described above for Hotels/Motels

¹ Modifications in this Order are noted as: deletions in ~~striketrough~~ additions in ***bold italics***

² This framework plan is based on Lincoln County continuing to move forward to phases 1, 2 and 3 of the State of Oregon reopening plan. If there is a reemergence of COVID cases which requires reinstating restrictions on social distancing under state guidelines, the County and cities may revisit the original prohibitions. Note in Paragraph 2 of this Order and the associated footnote 6 that there are different operative dates and requirements for some cities.

Signage

Hotels Motels

- Covid health sign at entrances and check in. Sign templates to be provided.
- Public spaces closed (more detailed designation - - no public in pools, spas, gyms, lounges or seating areas) all cordoned off and signed appropriately)

STRs/VRDs, Homeshares and Bed and Breakfasts

- Covid health signage posted on front entrance. Sign templates to be provided.

Restrictions

Hotels Motels

- Owners/Employees required to wear face covering when in public areas when in presence of guests
- Guests encouraged to wear face covering in public places while in town per State of Oregon's guidance (Template language to be provided)
 - Communicated prior to arrival – electronically and via phone
- No stayover guest room service (daily room cleaning for multiple day stays)
- Pools, spas, gyms and any other recreational amenities stay closed unless otherwise authorized by the state
- ~~A minimum 24 hours hold be maintained between check out and the time the room is cleaned and put out for rental again~~ **or amended requirements**
- Staff must be able to maintain social distance from each other in work stations and meet all other business guidelines as set by the state or local health authority

STRs/VRDs, Homeshares and Bed and Breakfasts

- Owners/Employees required to wear face covering at all times when in presence of guests
- Guests required to wear a face covering when in shared spaces in Homeshares and Bed and Breakfasts-and encouraged to wear while in public via State of Oregon guidance
 - Communicated prior to arrival – electronically and via phone
- ~~A minimum 24 hours hold be maintained between check out and the time the room is cleaned and put out for rental again~~ **or amended requirements**
- Bed and Breakfasts and Homestays, no communal meals.

Housekeeping Minimums for Both STRs/VRDs and Hotels

- Use of CDC/EPA approved disinfectant
 - Sanitizing all high touch items in guest rooms
 - Door handles, elevator buttons...
 - Gloves for housekeepers

Order # 6-20-169 Page 4 of 6

Office of Lincoln County Legal Counsel
225 West Olive Street, Room 110
Newport, Oregon 97365
(541) 265-4108

- Linen washed with approved disinfectant chemicals at correct temperatures
- Removal of paper products
 - Any required items are laminated and cleaned or replaced
- Hair dryers removed from bag
 - Dryer cleaned at each checkout
- All unused linen and terry are removed and exchanged

Required clean up if Guest is suspected of having COVID 19 (positive, presumptive or symptomatic) for all lodging properties and types

- Clean room in accordance with OHA guidelines. Current guidelines shown in link below:
<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2288y.pdf>

RV Parks and Campgrounds

- RV parks and Campgrounds
 - all group and public areas closed
 - camping allowed except no group tent camping in this phase
 - restrooms cleaned in accordance with state guidance; patrons bring own soap, hand sanitizer and toilet paper
 - check in and check out contact free
- Employees required to wear face covering at all times when in public areas when guests are present
- Guests encouraged to wear face coverings while in town per State of Oregon’s guidance (Template language to be provided)
 - Communicated prior to arrival

Phase 2

- Leisure travel resumes based on Phase 2 requirements – unless this changes
- Limitations on number of nights and occupancy lifted but cleaning practices remain except 24 hour minimum between cleaning
- Limitations on grouping (up to 50 persons and conferences)
 - Pools, spas other amenities open with appropriate restrictions

Phase 3

- Limitations lifted except for state law requirements including but not limited to group size limitations (may apply to conferences, meetings, events, etc.)

Each establishment that will reopen shall submit a plan detailing how they will meet the minimum requirements established in this Order. The plans will be sent to the respective jurisdictions via email at the addresses below. Failure to adhere to the plan shall be grounds for revocation of permission to open and may subject owner/operator to other remedies available under state and local law.

Lincoln County's website for submitting a plan is found at:

<https://www.co.lincoln.or.us/boc/page/lodging-reopen-application>

Detailed information and application forms, and links to City processes will be posted on this website as developed.

Points to consider when discussing the question of a 24 hour hold on rooms between guests at lodging facilities

Note – Most information that County Public Health has on cases is determined to be private and is not shared.

Question posed to the Lincoln County Public Health Department = Do we know if the recent outbreaks at local hotels might have been averted if we had 24-hour holds in place?

Answer = Lincoln County Public Health Director Rebecca Austen on August 26, 2020 stated.

“Thanks for the question about the 24 hour hold between renting rooms out.

We are seeing a spike in Covid cases among hospitality workers in Lincoln City, unfortunately we cannot pinpoint the cause to be related to the hold. This has been our limitation all along of not being able to correlate travelers with our confirmed cases of Covid. However, it makes sense that an increased number of people coming into our County will put workers (all of us) at higher risk.

In addition, more science is coming out about transmission and ventilation. There are indicators that some of the aerosolized particles stay in the air longer than originally expected which was for 3 hours. It can stay on some surfaces for up to 24 hours. Ventilation is becoming an important factor in keeping inside environments safe.

I continue to recommend to the Board of Commissioners the 24 hold because I think it is a safer practice with so many unknowns. I have yet to hear any country or State say that they wished they had not been so cautious when trying to reduce the spread of Covid 19. Caution seems to be working in our favor and against the virus spreading”.

Points to Consider from Lincoln City Staff Research

Point 1 = The National Institutes of Health have stated through studies and experiments;

Scientists found that SARS-CoV-2, the virus that causes COVID-19, can be detected in aerosols for up to three hours and on plastic and stainless steel surfaces for up to three days.

SARS-CoV-2 remained active on plastic and stainless steel surfaces for two to three days under the conditions in this experiment. It remained infectious for up to 24 hours on cardboard and four hours on copper. The virus was detectable in aerosols for up to three hours. These times will vary under real-world conditions, depending on factors including temperature, humidity, ventilation, and the amount of virus deposited.

Viruses can live for a time on surfaces outside the human body. According to the CDC, it may be possible to contract the virus responsible for the current outbreak, SARS-CoV-2, by touching a surface or object with the virus on it and then touching your face. However, SARS-CoV-2 is believed to mostly spread from person-to-person through respiratory droplets produced when an infected person coughs or sneezes.

Point 2 = No evidence has been provided that the outbreaks in Lincoln City lodging facilities were caused by tourist.

In Director Austen's email she states: "that this has been a limitation all along of not being able to correlate travelers with our confirmed cases of COVID".

Point 3 = No evidence has been provided that the 24 hold did or did not make a difference when it was in place in Lincoln City.

Point 4 = The American Hotel and Lodging Association provides a great deal of on-line resources to assist the lodging industry with COVID-19 issues.

The CDC has published a resuming business toolkit focused on restarting your business and worker protection tool kit.

The Oregon Health Authority (OHA) has produced cleaning guidance for hotels and motels. The guidance does recommend a 24-hour period of time before entering a room. Additionally, OHA provides another option for disinfection is to leave the room vacant for 7 days. After 7 days there is no risk of virus infection.



Cleaning Guidance for Hotels and Motels During COVID-19

The Oregon Health Authority recommends that staff at hotels and motels consider that any visitor might have COVID-19. Therefore, staff should only begin cleaning and disinfection after visitors have checked out of the room. A 24-hour period of time before entering a room is recommended, but not required. This will allow time to reduce possible exposure to respiratory droplets and aerosols from the virus. Before starting to clean, open doors and windows to increase air circulation in the area. All personnel should wear face coverings and gloves while cleaning and disinfecting. The length of stay of a visitor, including for houseless people, does not change the cleaning practices for COVID-19 purposes.



Cleaning refers to removing germs and dirt from surfaces.

- Cleaning does not necessarily kill germs. Cleaning removes germs and lowers the risk of spreading infection.
- Clean dirty surfaces by using a detergent or soap and water before disinfecting them.

Disinfecting refers to using chemicals to kill germs on surfaces.

- This process does not necessarily clean dirty surfaces or remove germs. However, killing any remaining germs on a surface **after** cleaning can further lower the risk of spreading infection.

How to clean and disinfect

- Clean and disinfect all areas that guests used.
- Pay special attention to cleaning and disinfecting frequently touched surfaces such as light switches, doorknobs, handles, keyboards, bathroom fixtures, equipment screens, remote controls, coffee makers, ice buckets and other items.

Note: Another option for disinfection is to leave the room vacant for seven (7) days. After seven (7) days there is no risk of virus infection and hotel personnel can proceed with routine cleaning.

Surfaces

To **disinfect hard (non-porous) surfaces**, properly apply any of the disinfectants below by following the manufacturer's instructions (e.g., concentration, application method and contact time):

- An alcohol solution with 70%–95% alcohol content
- An Environmental Protection Agency ([EPA](#)) [registered household disinfectant](#), or
- A diluted household bleach solution:
 - You can use diluted household bleach solutions if appropriate for the surface.
 - Follow manufacturer's instructions for application and proper ventilation.
 - Never mix household bleach with ammonia or any other cleaner.
 - Check to ensure the product is not past its expiration date. Unexpired household bleach will be effective against coronaviruses when properly diluted.
 - Prepare a bleach solution by mixing:
 - 5 tablespoons (one-third cup) bleach per gallon of water, or
 - 4 teaspoons bleach per quart of water.

To **disinfect soft (porous) surfaces** such as carpeted floor, rugs and drapes, remove visible dirt, if present, and clean with appropriate cleaners indicated for use on these surfaces.

- Launder washable items by following the manufacturer's instructions. Use the warmest appropriate water setting for the items and completely dry items.
- The EPA has approved hydrogen peroxide for use against the SARS-CoV-2, the virus that causes COVID-19, for disinfection of porous surfaces.
- Heat or steam can also be used to sanitize porous surfaces. The surfaces should be heated to 70° C (158° F) for five minutes or to 100° C (212° F) for one minute. Hot water extraction or steam cleaning are common ways to reach these temperatures for non-washable items.
- If you cannot use high temperature or hydrogen peroxide treatment, consider storing smaller objects for 10 days until the risk of virus infection is gone.

Electronics and appliances

- For items such as tablets, touch screens, keyboards, coffee makers and remote controls, remove visible dirt, such as crumbs, streaks or smudges, if present:
 - Follow the manufacturer's instructions for all cleaning and disinfection products.
 - Consider use of wipeable covers for electronics.
 - If you do not have the manufacturer's instructions, use alcohol-based wipes or sprays containing 70%–95% alcohol to disinfect touch screens. Dry surfaces fully after wiping.

Linens, clothing and other items that go in the laundry

- Do not shake dirty laundry. Shaking can cause the virus to spread through the air.
- Follow the manufacturer's directions to wash items. Launder items using the warmest appropriate water setting and completely dry them.
- Clean and disinfect hampers or other carts used to move laundry by using the above guidance for hard or soft surfaces.
- For all guests, remove and clean all bedding covers. If a guest is known to have or highly suspected of having COVID-19, wash all covers. Quarantine comforters, duvets and pillows for 72 hours between guests. This will help reduce or eliminate any virus in bedding and save washing and dry-cleaning resources.

Long-term stays

Some guests might stay in a room for two weeks or longer, including during a quarantine period. For these long-term stays, hotel and motel operators must clean rooms *during* the guest's stay in one of the following ways:

For guests who are **NOT confirmed or suspected to have COVID-19**, hotel and motel operators may choose to clean rooms weekly, or as needed, using the following guidance:

- Open doors and windows and let room air out before entering for cleaning.
- Require cleaning staff to wear a mask, face shield or face covering, disposable gloves and gowns for all tasks, including handling trash.
- Avoid vacuuming as this may cause virus in the carpet to become airborne and increase the chances of exposure to cleaning staff.
- Hotel and motel operators must clean the room using the cleaning guidance above once the guest checks out.

For guests who are **confirmed or suspect COVID-19 cases**, hotel and motel operators must offer cleaning supplies and cleaning tips so that guests may clean their own rooms during their stay.

- Hotel and motel management must provide cleaning supplies free of charge to long-term guests.
- Hotel and motel operators must clean the room using the cleaning guidance above once the guest checks out.

Personal protective equipment and hand hygiene

The risk of exposure is low for cleaning staff. Cleaning staff should wear a mask, face shield or face covering, disposable gloves and gowns for all tasks, including handling trash. If worn, cloth face coverings should be washed daily in hot water and detergent. As businesses and public spaces begin to reopen, it may be difficult to make sure people stay six (6) feet away from others at all times. If everyone uses face coverings, we can all protect each other.

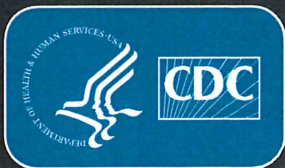
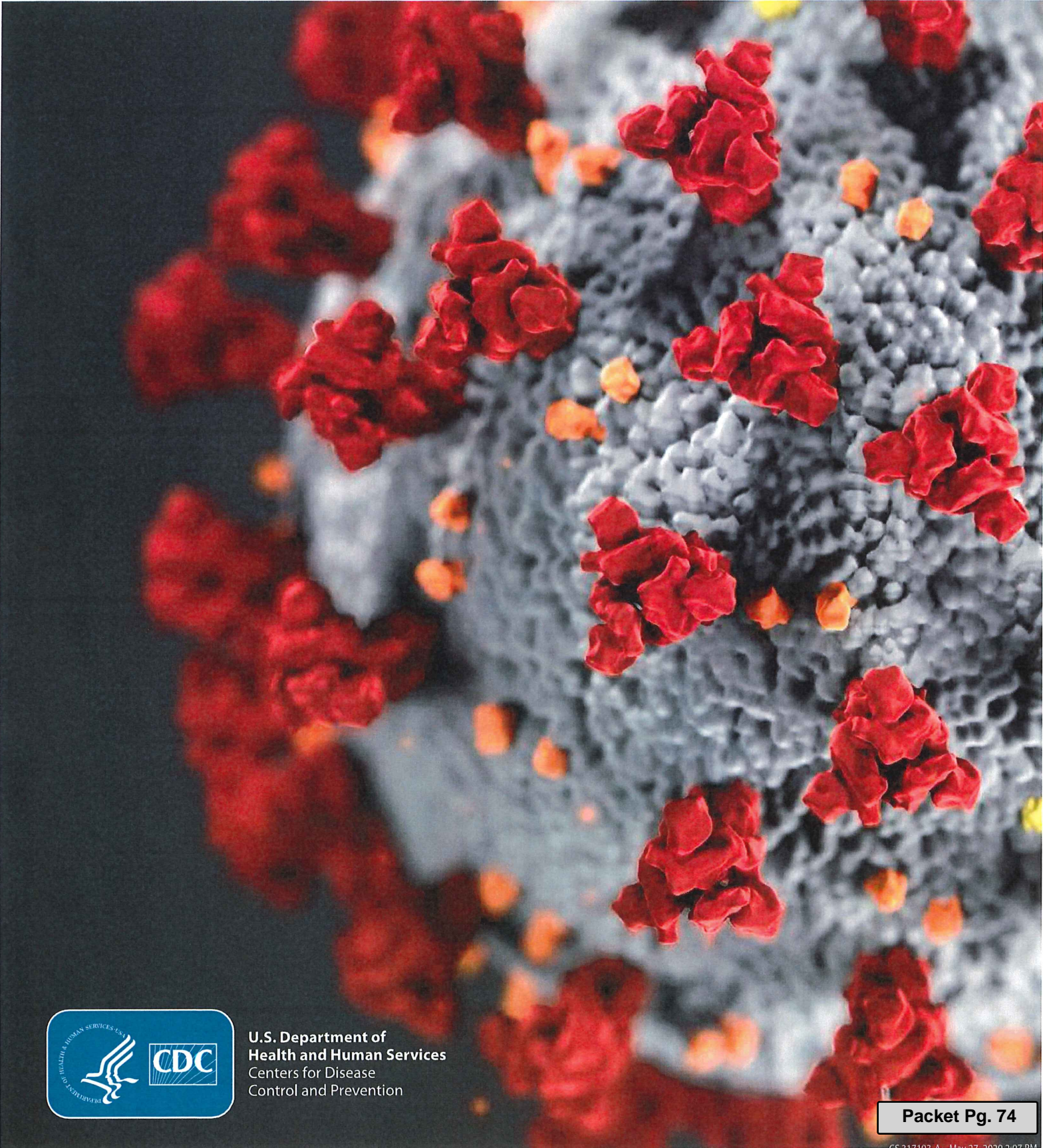
- Make sure to use disinfectants that do not ruin the gloves and gowns used.
 - Staff may need to use additional personal protective equipment (PPE) if the cleaning/disinfectant products they use could splash.
 - Launder cloth face coverings daily.
 - After cleaning a room, carefully remove gloves and gowns to avoid possible transfer of virus to the wearer and the surrounding area. Be sure to **clean hands immediately** after removing gloves.
 - Coveralls, aprons or work uniforms can be worn to clean and disinfect if gowns are not available. Reusable (washable) clothing should be laundered each day. Staff may consider bringing a change of clothes to change into at the end of the day. Clean hands after handling dirty laundry.
- Cleaning staff should immediately report to their supervisor any problems with PPE (e.g., tear in gloves) or potential exposures.
- **Cleaning staff and others should wash hands often.** This includes immediately after removing gloves and after contact with guests. Wash hands with soap and water for 20 seconds. If soap and water are not available and hands are not visibly dirty, you may use an alcohol-based hand sanitizer with 60%–95% alcohol content. However, if hands are visibly dirty, always wash hands with soap and water.
- Follow normal preventive actions while at work and home, including washing hands and not touching eyes, nose or mouth with unwashed hands.

-
- Additional key times to wash hands include:
 - After blowing one's nose, coughing or sneezing;
 - After using the restroom;
 - Before eating or preparing food;
 - After contact with animals or pets, and
 - Before and after providing routine care for another person who needs assistance (e.g. a child or parent).

Accessibility: For individuals with disabilities or individuals who speak a language other than English, OHA can provide documents in alternate formats such as other languages, large print, braille or a format you prefer. Contact Mavel Morales at 1-844-882-7889, 711 TTY or OHA.ADAModifications@dhsoha.state.or.us.

Resuming Business TOOLKIT

Coronavirus Disease 2019 (COVID-19)



U.S. Department of
Health and Human Services
Centers for Disease
Control and Prevention



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INFORMATION



Contents

Employer Sheet 5

Restart Readiness Checklist 6

 Prevent and reduce transmission among employees 6

 Maintain healthy business operations 9

 Maintain a healthy work environment 12

Worker Protection Tool 15

 Worker Protections 15

Keep yourself and others safe from COVID-19 when returning to work 17

Resources referred to throughout the Toolkit 18

Additional Resources 21

The **Resuming Business Toolkit** is designed to assist employers in slowing the spread of COVID-19 [1] and lowering the impact in their workplace when reintegrating employees into non-healthcare business settings. Not sure whether you're ready to resume business? Use CDC's decision tools [2-3] as a start.

This toolkit includes the following materials:



Employer Sheet to introduce employers to the contents of the toolkit and how to use the materials in non-healthcare workplaces



Restart Readiness Checklist to help make returning to work and resuming business operations as safe and healthy as possible for employers, employees, and the public



Worker Protection Tool for employers to identify protective measures for workers when interacting with each other and the public



Returning to Work Infographic to remind employees how to protect themselves and others from COVID-19 and address their potential concerns about returning to the workplace



Resources to easily access additional information using hyperlinks, URLs, and QR codes



Employer Sheet

Resuming Business Toolkit for Coronavirus Disease

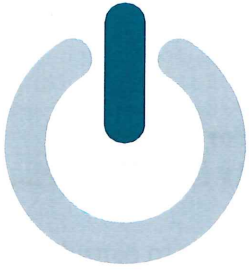
The information in this toolkit is based on **CDC's Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19)** [4]. Be sure to thoroughly review this guidance for complete information.

Before resuming your non-healthcare business operations, it is important to consider how much the disease is spreading in your community and the readiness of workplace management to protect the safety and health of employees and the public. CDC's decision tools [2-3] can help with determine if it is time.

For information about conditions in your community, contact your local health department [5].

This toolkit provides a **checklist** to prepare the workplace for operations and a **tool** to navigate protective options for workers. Revisit materials regularly as the COVID-19 situation can change in your community.

1. **Get started with the Restart Readiness Checklist**, working with others in management to identify which checklist items apply to your business. Revisit the list as you make progress on items and as conditions in your area change.
2. **Select protective measures in the Worker Protection Tool**, based on the nature of your employees' interactions with other workers and/or the public. Consider whether multiple categories apply to your business, then work through those items.
3. **Share the Returning to Work Infographic with employees.** Depending on your business, consider the following ways of incorporating the infographic into the workplace:
 - ✓ Print and post in common areas such as break rooms, hallways, elevators, or bathrooms.
 - ✓ Email to employees, encouraging them to print a copy and place it where they will see it often in their office or workspace.
 - ✓ Read content during team meetings, reminding employees to reach out with any questions.



Restart Readiness Checklist

For Coronavirus Disease 2019 (COVID-19)

Use this checklist (for non-healthcare employers) as a guide to resuming business operations as safely and healthy as possible for you, your employees, and the public. Some items may need to be ongoing, so regularly revisit the checklist while COVID-19 cases exist. Only complete those items that apply to your business. See the Resources section for links and QR codes to web resources.

1. Prevent and reduce transmission among employees

Monitor federal, state, and local public health communications about COVID-19.

Item	Completed	Ongoing	Not Started	Not Applicable
Ensure workers have access to current information.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Check local public health information [5] and the CDC COVID-19 website [1] daily, or as needed depending on local conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reinforce how employees can protect themselves and others from COVID-19 by communicating the following:

Item	Completed	Ongoing	Not Started	Not Applicable
If you have symptoms [6], notify your supervisor and stay home.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you are sick, follow CDC-recommended steps [7], and do not return to work until you meet criteria to discontinue home isolation [8].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you are well, but have someone in your household who has COVID-19, notify your supervisor and follow CDC recommended precautions [9].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wash hands [10] often with soap and water for at least 20 seconds, or use hand sanitizer with at least 60% alcohol if soap and water are not available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avoid touching eyes, nose, and mouth.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cover mouth and nose with a tissue or inside of the elbow when coughing or sneezing, immediately throw tissue in trash, then wash hands.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item	Completed	Ongoing	Not Started	Not Applicable
Develop a cleaning and disinfecting plan [11]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clean and disinfect [12] frequently touched objects and surfaces at the beginning and end of each shift.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avoid using other employees' phones, desks, offices, or other work tools and equipment. Clean and disinfect between employees if sharing occurs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avoid large gatherings, [13] and stay at least 6 feet from others when possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use cloth face coverings (if appropriate) [14] when social distancing is not possible, and especially in areas of with high levels of cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Plan for conducting daily in-person or virtual health checks [15] (e.g., symptom and/or temperature screening) before employees enter the facility:

Item	Completed	Ongoing	Not Started	Not Applicable
Use social distancing (about 6 feet distance), barriers or partitions, and/or personal protective equipment (PPE) to protect screeners.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If taking temperatures, use touchless thermometers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consider providing multiple screening entries.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consider designating doorways as "entry only" or "exit only."	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Make employee health screenings as private as possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do not determine risk based on race or country of origin; be sure to maintain confidentiality of each individual's medical status and history [16].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Conduct a hazard assessment of the workplace.

Item	Completed	Ongoing	Not Started	Not Applicable
Identify potential hazards that might expose workers to COVID-19.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use the Worker Protection Tool to identify appropriate engineering, administrative, and personal protective equipment (PPE) options for your workplace.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Plan for what to do if an employee is sick at work.

Item	Completed	Ongoing	Not Started	Not Applicable
Immediately separate employees who appear to have symptoms [6] from others in the workplace.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have a procedure for safe transport of a sick employee to home or a healthcare facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Develop an action plan for suspected/confirmed cases.

Item	Completed	Ongoing	Not Started	Not Applicable
If it has been fewer than 7 days since the sick employee has been in the facility:				
Close off areas that have been used by the sick person for long periods of time (e.g., their desk or workstation).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wait 24 hours (or as long as possible), then clean and disinfect [12] the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open outside doors and windows to increase air circulation during the waiting period.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If it has been 7 days or more since the sick employee used the facility, additional cleaning and disinfection beyond routine efforts is not necessary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continued

Item	Completed	Ongoing	Not Started	Not Applicable
Determine which employees may have been exposed to the virus and may need to take additional precautions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inform employees of their possible exposure to COVID-19 in the workplace, but maintain confidentiality [17].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most workplaces can follow the Public Health Recommendations for Community-Related Exposure [18].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Critical infrastructure [19] workplaces can follow appropriate safety practices [20].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Maintain healthy business operations

Establish a COVID-19 coordinator.

Item	Completed	Ongoing	Not Started	Not Applicable
Identify a coordinator who will be responsible for COVID-19 issues and their impact at the workplace.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inform employees who this person is and how to communicate with that person.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Implement sick leave policies and practices that are flexible and supportive.

Item	Completed	Ongoing	Not Started	Not Applicable
Ensure sick leave policies and practices are consistent with public health guidance, follow state and federal workplace laws and policies, and are shared with employees.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allow employees to stay home, without penalty, to care for a sick family member or take care of children due to closures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you do not offer sick leave, consider implementing non-punishing "emergency sick leave" policies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do not require a COVID-19 test result or a healthcare provider's note for employees who are sick to validate their illness, qualify for sick leave, or to return to work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Protect higher risk employees [21].

Item	Completed	Ongoing	Not Started	Not Applicable
Support and encourage telework, if available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consider offering vulnerable workers [22] duties that minimize their contact with customers and other employees (e.g., restocking shelves).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Communicate supportive workplace policies. You may need to communicate with non-English speakers in their preferred languages.

Item	Completed	Ongoing	Not Started	Not Applicable
Train workers on how new policies to reduce the spread of COVID-19 may affect existing health and safety practices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communicate to contractors or on-site visitors about changes to help control the spread of COVID-19.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Create and test communication systems that employees can use to self-report if they are sick that you can also use to notify employees of exposures and closures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Assess essential functions and the reliance that others have on your services or products.

Item	Completed	Ongoing	Not Started	Not Applicable
Prepare to change your business practices, if needed, to maintain critical operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify alternate supply chains for critical goods/services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When resuming onsite business operations, prioritize job functions for continuous operations. Resume business operations in phases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Plan for employee absenteeism spikes.

Item	Completed	Ongoing	Not Started	Not Applicable
Monitor absenteeism at work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Implement plans to continue essential business functions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cross-train employees to perform essential functions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Establish social distancing [23] policies and practices.

Item	Completed	Ongoing	Not Started	Not Applicable
Implement flexible worksites, work hours, and meeting and travel options.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Modify the workplace to increase physical space between employees, and between employees and customers, to 6 feet or more, where feasible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use signs, tape marks, or other visual cues to indicate where to stand when physical barriers are not possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have employees and customers wear cloth face coverings (if appropriate) [14] when physical barriers or social distancing is not possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discourage handshaking or other close contact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deliver services remotely.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Move the electronic payment terminal/credit card reader farther away from the cashier, if possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shift primary stocking activities to off-peak or after hours, when possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Delegate authority to local managers of your business locations.

Item	Completed	Ongoing	Not Started	Not Applicable
Take appropriate actions outlined in their COVID-19 response plans based on their local conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Maintain a healthy work environment

Implement controls according to the hierarchy of controls [24] to protect employees and the public.

Item	Completed	Ongoing	Not Started	Not Applicable
Use the Worker Protection Tool to identify appropriate engineering, administrative, and personal protective equipment (PPE) options for your workplace.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Modify ventilation systems [25]

Item	Completed	Ongoing	Not Started	Not Applicable
Work with building maintenance staff to determine if the ventilation system can be modified to increase ventilation rates or the percentage of outdoor air that circulates into the system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure ventilation systems operate properly and provide acceptable indoor air quality.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disable demand-controlled ventilation (DCV).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Further open minimum outdoor air dampers (as high as 100%) to reduce or eliminate recirculation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Improve central air filtration to MERV-13, or the highest compatible with the filter rack, and seal edges of the filter to limit bypass.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Ensure the safety of the water system of your building after a prolonged shutdown.

Item	Completed	Ongoing	Not Started	Not Applicable
Follow the CDC Guidance for Building Water Systems [26].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Supply employees, customers, and visitors with what they need to clean hands and cover coughs and sneezes.

Item	Completed	Ongoing	Not Started	Not Applicable
Provide tissues, no-touch trash cans, and touchless hand sanitizer stations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide soap and water. If soap and water are not readily available, provide alcohol-based hand sanitizer that is at least 60% alcohol.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Direct employees to visit CDC's coughing and sneezing etiquette [27] and clean hands webpage [28].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place posters that encourage cough/sneeze etiquette and hand hygiene [29-30] at the entrance to and throughout your workplace (e.g., bathrooms and kitchens). Include signs for non-English speakers, as needed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Perform routine cleaning and disinfecting.

Item	Completed	Ongoing	Not Started	Not Applicable
Follow CDC's Guidance for Cleaning and Disinfecting [11] to develop, implement, and maintain a plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clean all frequently touched surfaces at the beginning and end of each shift, at minimum.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clean dirty surfaces using a detergent or soap and water before you disinfect them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disinfect using EPA-registered disinfectant that is effective against SARS-CoV-2 [31].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide disposable disinfecting wipes so employees can wipe down commonly used surfaces before each use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Store and use disinfectants in a responsible and appropriate manner according to the label.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do not mix cleaning and disinfection products together.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advise employees to always wear gloves and other PPE appropriate for the chemicals being used.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Limit travel and advise employees who must travel to take additional precautions and preparations.

Item	Completed	Ongoing	Not Started	Not Applicable
Minimize non-essential travel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Check the CDC's Traveler's Health Notices [32].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advise employees to check for symptoms of COVID-19 [6] before travel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure employees who become sick while traveling or on temporary assignment know what to do.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Call a healthcare provider for advice, if needed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify their supervisor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Follow company policy for obtaining medical care when traveling outside the United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Plan meetings and gatherings [13] to lower risk.

Item	Completed	Ongoing	Not Started	Not Applicable
Use videoconferencing or teleconferencing, when possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cancel, adjust, or postpone large work-related meetings or gatherings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If videoconferencing or teleconferencing is not possible:				
Hold meetings in open, well-ventilated spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Continue to maintain 6 feet between people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wear cloth face coverings (if appropriate) [14].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Worker Protection Tool

For Coronavirus Disease 2019 (COVID-19)

Consider the exposure that your workers will have to potential sources of COVID-19 when you resume business operations. Use this tool to identify protective measures for interactions between workers and/or the public; revisit the tool on an ongoing basis while COVID-19 cases exist. Only complete items that apply to your business. See appendix for web resources.

Worker Protections

Engineering

Facilities and Equipment	Completed	N/A
Assess job hazards for potential benefit of engineering protections.	<input type="checkbox"/>	<input type="checkbox"/>
Ensure ventilation and water systems operate properly.	<input type="checkbox"/>	<input type="checkbox"/>
Alter the workspace to maintain social distancing [23]. Examples include:	<input type="checkbox"/>	<input type="checkbox"/>
Arrange partitions as a barrier shield.	<input type="checkbox"/>	<input type="checkbox"/>
Move electronic payment reader away from cashier.	<input type="checkbox"/>	<input type="checkbox"/>
Use verbal announcements, signs, and visual cues to promote social distancing.	<input type="checkbox"/>	<input type="checkbox"/>
Remove/rearrange furniture.	<input type="checkbox"/>	<input type="checkbox"/>
Provide remote shopping alternatives (e.g., delivery, pick-up).	<input type="checkbox"/>	<input type="checkbox"/>

Administrative—three categories

Management and Communications	Completed	N/A
Monitor state and local public health communications about COVID-19.	<input type="checkbox"/>	<input type="checkbox"/>
Encourage sick workers to report symptoms, stay home, and follow CDC guidance.	<input type="checkbox"/>	<input type="checkbox"/>
Consider conducting daily in-person or virtual health checks [15] (e.g., symptom and/ or temperature screening) before employees enter the facility:	<input type="checkbox"/>	<input type="checkbox"/>
Develop strategies to communicate with workers and manage concerns.	<input type="checkbox"/>	<input type="checkbox"/>
Remind workers of available support services.	<input type="checkbox"/>	<input type="checkbox"/>
Communicate to partners, suppliers, and contractors on policies and practices.	<input type="checkbox"/>	<input type="checkbox"/>
Encourage social distancing and use of cloth face coverings (if appropriate) [14] for both employees and customers.	<input type="checkbox"/>	<input type="checkbox"/>
Use technology to promote social distancing (e.g., telework, virtual meetings).	<input type="checkbox"/>	<input type="checkbox"/>
Cancel group events.	<input type="checkbox"/>	<input type="checkbox"/>

Management and Communications**Completed****N/A**

Close/limit use of shared spaces.

Ask sick customers to stay home; post signs asking them not to enter if they are sick.

Consider policies that encourage flexible sick leave and alternative work schedules.

Schedule stocking during off-peak hours.

Cleaning and Disinfection**Completed****N/A**

Develop a plan for cleaning and disinfecting [11].

Clean and disinfect frequently touched surfaces (e.g., counters, shelving, displays).

Provide employees with disposable disinfectant wipes, cleaner, or sprays that are effective against the virus that causes COVID-19.

Training**Completed****N/A**

Provide training on:

Policies to reduce the spread of COVID-19

General hygiene

Symptoms, what to do if sick

Cleaning and disinfection

Cloth face covers

Social distancing

Use of PPE

Safe work practices

Stress management

Personal Protective Equipment (PPE)**PPE****Completed****N/A**

Conduct a workplace hazard assessment.

Determine needed PPE for workers' job duties based on hazards and existing protections.

Select and provide appropriate PPE to workers at no cost.



Keep yourself and others safe from COVID-19 when returning to work

Clean your hands often



- ✓ **Wash your hands** often with soap and water for at least 20 seconds especially after you have been in a public place, after blowing your nose, coughing, or sneezing, and after using others' or shared equipment.
- ✓ If soap and water are not readily available, **use a hand sanitizer that contains at least 60% alcohol.**
- ✓ **Avoid touching your eyes, nose, and mouth** with unwashed hands.

Avoid close contact



- ✓ Put **distance (at least 6 feet)** between yourself and other people.
- ✓ Wear **cloth face coverings** (if appropriate) when social distancing is difficult to maintain.
- ✓ Avoid using other employees' phones, desks, offices, or other **work tools and equipment**, when possible. **Clean and disinfect** between employees if sharing occurs.
- ✓ Remember that some **people without symptoms** may be able to spread virus.

If you are at increased risk for severe illness...



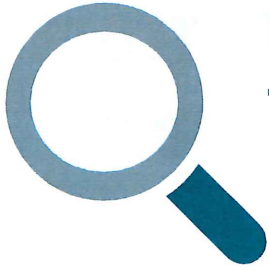
- ✓ Contact management to **request special accommodations** that will allow you to perform your job duties safely.



Protect yourself and others from COVID-19 by taking everyday preventive actions.



[cdc.gov/coronavirus](https://www.cdc.gov/coronavirus)



Resources referred to throughout the Toolkit



1. [Coronavirus \(COVID-19\)](https://go.usa.gov/xvHEE)
go.usa.gov/xvHEE



6. [Symptoms of Coronavirus](https://go.usa.gov/xvHmR)
go.usa.gov/xvHmR



2. [Workplaces During the COVID-19 Pandemic](https://go.usa.gov/xvucp)
go.usa.gov/xvucp



7. [What to Do If You Are Sick](https://go.usa.gov/xvHsF)
go.usa.gov/xvHsF



3. [Restaurants and Bars During the COVID-19 Pandemic](https://go.usa.gov/xvuc7)
go.usa.gov/xvuc7



8. [Discontinuation of Isolation for Persons with COVID -19 Not in Healthcare Settings](https://go.usa.gov/xvHem)
go.usa.gov/xvHem



4. [Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](https://go.usa.gov/xvHma)
go.usa.gov/xvHma



9. [Caring for Someone Sick at Home](https://go.usa.gov/xvHew)
go.usa.gov/xvHew



5. [Directory of local health departments](https://bit.ly/LHDDirectory)
bit.ly/LHDDirectory



10. [When and How to Wash Your Hands](https://go.usa.gov/xvz7T)
go.usa.gov/xvz7T



11. [Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes](https://www.ehponline.org/doi/10.4236/ehp.2020.281000)
go.usa.gov/xvz7R



17. [Americans with Disabilities Act](https://www.aud.dhs.gov/2020/03/20/2020-03-20-amerians-with-disabilities-act/)
go.usa.gov/xvHtF



12. [Cleaning and Disinfecting Your Facility](https://www.epa.gov/clean-air-act/part-262)
go.usa.gov/xvzH2



18. [Public Health Recommendations for Community-Related Exposure](https://www.hhs.gov/2020/03/20/2020-03-20-public-health-recommendations-for-community-related-exposure/)
go.usa.gov/xvHz3



13. [Gatherings and Community Events](https://www.ehponline.org/doi/10.4236/ehp.2020.281000)
go.usa.gov/xvHeJ



19. [CISA's Guidance on the Essential Critical Infrastructure Workforce](https://www.cisa.gov/2020/03/20/2020-03-20-cisa-guidance-on-the-essential-critical-infrastructure-workforce)
go.usa.gov/xvHuV



14. [Use of Cloth Face Coverings to Help Slow the Spread of COVID-19](https://www.cdc.gov/media/releases/2020/s110320-cloth-face-coverings.html)
go.usa.gov/xvzH8



20. [Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19](https://www.dhs.gov/2020/03/20/2020-03-20-implementing-safety-practices-for-critical-infrastructure-workers-who-may-have-had-exposure-to-a-person-with-suspected-or-confirmed-covid-19)
go.usa.gov/xvHus



15. [General Business Frequently Asked Questions](https://www.ehponline.org/doi/10.4236/ehp.2020.281000)
go.usa.gov/xvHtY



21. [People Who Are at Higher Risk for Severe Illness](https://www.aud.dhs.gov/2020/03/20/2020-03-20-people-who-are-at-higher-risk-for-severe-illness/)
go.usa.gov/xvHJ8



16. [EEOC's What You Should Know About the ADA, the Rehabilitation Act and the Coronavirus](https://www.ehponline.org/doi/10.4236/ehp.2020.281000)
go.usa.gov/xvHt5



22. [People Who Need to Take Extra Precautions](https://www.aud.dhs.gov/2020/03/20/2020-03-20-people-who-need-to-take-extra-precautions/)
go.usa.gov/xvHSR



23. [Social Distancing](https://www.go.usa.gov/xvHhV)
go.usa.gov/xvHhV



29. [Print Resources](https://www.go.usa.gov/xv6qa)
go.usa.gov/xv6qa



24. [Hierarchy of Controls](https://www.go.usa.gov/xvHhM)
go.usa.gov/xvHhM



30. [Health Promotion Materials](https://www.go.usa.gov/xv6q4)
go.usa.gov/xv6q4



25. [ASHRAE's Guidance for Building Operations During the COVID-19 Pandemic](https://bit.ly/ASHRAECOVID19)
bit.ly/ASHRAECOVID19



31. [List N: Disinfectants for Use Against SARS-CoV-2](https://www.go.usa.gov/xv635)
go.usa.gov/xv635



26. [Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation](https://www.go.usa.gov/xvHhh)
go.usa.gov/xvHhh



32. [CDC's Travel Health Notices](https://www.go.usa.gov/xv63R)
go.usa.gov/xv63R



27. [Coughing and Sneezing](https://www.go.usa.gov/xv6qN)
go.usa.gov/xv6qN



28. [Handwashing: Clean Hands Save Lives](https://www.go.usa.gov/xv6qJ)
go.usa.gov/xv6qJ

Additional Resources



[COVID-19 Factsheets for Businesses and Employers](https://go.usa.gov/xv63M)
go.usa.gov/xv63M



[Hazard Identification and Assessment](https://go.usa.gov/xv6dT)
go.usa.gov/xv6dT



[Personal Protective Equipment](https://go.usa.gov/xv63h)
go.usa.gov/xv63h



[How to Protect Yourself and Others](https://go.usa.gov/xv6dV)
go.usa.gov/xv6dV



[Occupational Safety and Health Administration \(OSHA\) Standards](https://go.usa.gov/xv6ph)
go.usa.gov/xv6ph



[OSHA Ten Steps](https://go.usa.gov/xv6dd)
go.usa.gov/xv6dd



[U.S. Department of Labor](https://go.usa.gov/xv6da)
go.usa.gov/xv6da



[State & Territorial Health Department Websites](https://go.usa.gov/xv6dG)
go.usa.gov/xv6dG



[U.S. Equal Employment Opportunity Commission](https://go.usa.gov/xv6dY)
go.usa.gov/xv6dY



[Coping with Stress](https://go.usa.gov/xv6dg)
go.usa.gov/xv6dg

cdc.gov/coronavirus



**U.S. Department of
Health and Human Services**
Centers for Disease
Control and Prevention

Council Communication

Evaluation Criteria for Employees of the City Council

Meeting Date:	September 2, 2020	Primary Staff Contact:	Abigail Edwards
Department:	Administration	E-Mail:	ADonowho@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Ronald F Chandler	Estimated Time:	

Mayor and Council,

The following information is for review and discussion regarding the evaluation process for employees of the City Council. Thank you for your comments. We will work together to incorporate your ideas and input at the meeting.

Sincerely,

Abigail Edwards
Human Resource Director

City Attorney Note:

The City Attorney's 2012 response to the RFP was included in your training materials downloaded to your laptops. See also the Municipal Court memo for discussion of the change in municipal court prosecutions approved by Council after the Benoit/Fuller cases (misdemeanors reduced to violations).

Attachments:

Evaluation Content for Discussion with CC 9.2.2020 (PDF)

City Council Work Session—Evaluation Criteria for Employees of the City Council

Outline for Review and Discussion

1. City Attorney
 - a. Current Evaluation and Timeline
 - i. Utilize current form with additional instructions for current evaluation
 - ii. Modify timeline to coincide with the end of each fiscal year—July/August
 - b. Contract Notes
 - c. Charter Provisions related to the City Attorney
 - d. Council and Attorney Suggested Modifications to Date
 - e. Discussion and Editing
 - i. If the form needs modification for 2021, another meeting on this specific format is requested.
2. Municipal Court Judge
 - a. Current Evaluation and Timeline
 - i. Utilize modified evaluation with additional instructions for current evaluation
 - ii. Modify timeline to coincide with the end of each fiscal year—July/August
 - b. Contract Notes
 - c. Charter Provisions
 - d. Council Suggested Modifications to Date
 - e. Discussion and Editing
 - i. If the form changes in content (not necessarily instruction to evaluators) there is a three-month evaluation criteria notice required in the contract.
3. City Manager
 - a. Current Evaluation and Timeline
 - i. Utilize current form with additional instructions for current evaluation
 - ii. Modify timeline to coincide with the end of each fiscal year—July/August
 - b. Contract Notes
 - c. Charter Provisions
 - d. Council and Attorney Suggested Modifications to Date
 - e. Discussion and Editing

Municipal Judge Performance Evaluation

These are the recommended sources that you can use to evaluate the performance of the Municipal Judge.

1. Visit court and observe proceedings.
2. Talk to department heads.
3. Refer to the documents provided on number of tickets written for speeding, un-insured motorist, code violations, and low level misdemeanors.
4. Grade the court on evaluation form with a numbered grading system.
5. Have staff expand on the information to include police tickets for speeding, un-insured motorist, code violations, and low level misdemeanors with regard to the number of convictions, fines levied, tickets dismissed and fines collected for each citation.
6. Set Goals and Objectives for the next year, so the City Council has measurable expectations that can be evaluated at the next evaluation.
7. Evaluation shall be done annually or no less than every other year on or about the end of each Fiscal Year.

MUNICIPAL COURT JUDGE PERFORMANCE EVALUATION

INSTRUCTIONS: Place a check mark on the line underneath the number you feel is appropriate for each item. The numerical rating (1 through 5) is an effort to quantify opinions and judgement about specific management responsibility. While subjective, it suggests a useful emphasis or relative degree of acceptability. Please use the comment space to record specific comments on each point. Use the back of the form if more space is needed.

A (5) rating represents very satisfactory/excellent performance or behavior; (4) indicates performance or behavior that exceeds standards or is good; (3) is satisfactory; (2) is indicative of performance or behavior that is not satisfactory; (1) represents an area that needs improvement.

Professionalism

- a. Projects a professional and positive image
- b. Courteous to public and staff at all times
- c. Controls emotions effectively in difficult situations

1	2	3	4	5	Comments

City Council Relationship

- a. Effectively handles City Council concerns
- b. Keeps City Council informed on issues concerning the court
- c. Effectively aids the City Council in achieving long range goals

1	2	3	4	5	Comments

Communications

- a. Communicates effectively with Police Department
- b. Oral communications are clear, concise and accurate
- c. Written Communications are clear, concise and accurate

1	2	3	4	5	Comments

Court Administration

- a. Creative in developing practical solutions to problems faced in the course of work
- b. Seeks to improve own skills and knowledge
- c. Controls uncollected fines
- d. Shows consistency in courtroom proceedings

1	2	3	4	5	Comments

Based on your overall evaluation of the Municipal Judge, what areas would you list as strong points.

- 1.
- 2.
- 3.
- 4.
- 5.

City Council goals and objectives for next evaluation.

- 1.
- 2.
- 3.
- 4.
- 5.

Evaluator: _____

Date: _____

To: The City Council
Fr: Ron Chandler
Dt: July 8, 2015
Re: Agreement between the City of Lincoln City and Jim Ruggeri

Executive Summary

Appointment: To retain the services of Jim Ruggeri as the Municipal court Judge.

Qualifications: Must be a member in good standing of the Oregon State Bar.

Duties: Hold court at least three times per month.

Compensation: \$1,640 per month. The Judge is considered an employee of City but is not eligible for PERS, vacation or sick leave benefits. The City agrees to pay for Workman's Compensation coverage and dues for the Oregon state Bar.

Evaluation: The City Council may evaluate the Judge once a year but shall do so no less than once every other year.

Term: The agreement will continue until terminated by either party. Either party may terminate this Agreement by giving written notice to the other party at least thirty (30) days prior to termination.

Post Contract Judge agrees not to represent any party in a suit or action against the City, its officers and employees, or agents in their official capacity, or to represent any client in a proceeding before the City Council, or its committees, for a period of three (3) months or such longer time as provided by Oregon Statutes, Administrative rules or Rules of the Oregon State Bar following the termination of this agreement.

EMPLOYMENT AGREEMENT
FOR
MUNICIPAL COURT JUDGE

THIS AGREEMENT is made and entered into this 24th day of August 2015, by and between the CITY OF LINCOLN CITY, State of Oregon, a municipal corporation, hereinafter called the "City", and Jim Ruggeri, hereinafter called "Judge".

WHEREAS, Judge has served as Municipal Court Judge since July, 1995 and City desires to retain the services of Jim Ruggeri as Municipal Court Judge; and

WHEREAS, Judge desires to continue employment as Municipal Court Judge for the City of Lincoln City.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

Section 1. APPOINTMENTS AND DUTIES, QUALIFICATIONS

- A. **Section 1: Appointment and Duties, Qualifications.** The City Council appoints Jim Ruggeri as the Lincoln City Municipal Court Judge to perform the functions and duties specified in the Lincoln City Charter, Chapter 6, Municipal Code, including without limitation Chapter 2.40 and Chapter 9.04, and applicable Oregon Revised Statutes. The Municipal Court Judge shall be the judicial officer for the City and shall hold within the City, at least three times per month, at a place and time(s) the Court specifies, a court known as the Municipal Court for the City of Lincoln city, Lincoln County, Oregon.
- B. The Municipal Court Judge shall be a member in good standing of the Oregon State Bar and shall hold a current license from the OSB at all times while performing Judicial Services for the City. By agreement of the parties, the conduct of the Municipal Court Judge shall be governed by ORS Chapter 244 as well as the Oregon Code of Judicial Conduct, specifically, incorporated herein and made a part hereof by this reference.

Section 2. CITY RESPONSIBILITIES

- A. **Compensation:** Judge shall receive a fee in the amount of \$1,640.00 per month for time spent in Municipal Court. Said fee shall be due and payable, through regular payroll schedule, for the work of the preceding month.
- B. **Conflicts:** City agrees to allow Judge to appoint Municipal Court Judges pro tem for terms of office set by the Judge. City agrees to pay for the services of a Municipal

Court Judge pro tem at a fee to be determined by the Judge, where the Judge has a conflict of interest, or is unavailable. In the event the Municipal Court Judge does not sit, the monthly compensation for Judge shall be reduced by the amount paid the Municipal Court Judge pro tem. Judge's authority to obligate the City to pay for the services of Municipal Court Judge pro tem shall be subject to the limitation that the amount of such obligation shall not exceed the amount the City has budgeted.

C. Performance Evaluation.

City Council supervises the performance of the Municipal Court Judge. The Council may formally review and evaluate the performance of the Municipal court Judge once a year but shall do so no less than once every other year. The Council shall provide the Municipal Court Judge with evaluation criteria at least three months prior to the first evaluation. City Council shall provide Judge with a summary of the findings of the evaluation process and provide an adequate opportunity for Judge to discuss his evaluation with City Council.

- D. Judge is considered a contract employee of the City and is entitled only to those benefits specified herein. City will withhold state, federal, and F.I.C.A. taxes from the fee paid Judge. City will also provide Workman's Compensation coverage and dues for the Oregon State Bar for Judge. The Judge will be working less than fifty (50) hours per month and will not be eligible for PERS, vacation or sick leave benefits.

E. Professional Liability

City will, pursuant to ORS 30.285 and ORS 30.287, indemnify and defend Judge from and against claims brought against Judge that fall within the scope of the Oregon Tort Claims Act, ORS 30.260-30.300, and the course and scope of City Judge's employment, and Judge shall fully comply with such legal requirements as are applicable at the time of any demand by Judge for indemnity or defense thereunder.

Section 3. GENERAL PROVISIONS

- A. The parties jointly agree that this Agreement shall continue until terminated by either party.
- B. In the event that a change in the duties or case load of the Judge occurs, or as mutually agreed between City and Judge, City and Judge will negotiate a commensurate adjustment in the compensation paid to Judge.
- C. Either party may terminate this Agreement at any time by giving written notice to the other party at least thirty (30) days prior to termination.

D. Judge agrees that the position of Municipal Court Judge serves in such capacity solely at the will and pleasure of the Lincoln City City Council.

Section 4. POST CONTRACT:

Due to the nature of the position, Municipal Court Judge is privy to information and confidences relating to the normal operation and function of Lincoln City municipal government. To facilitate the candid exchange of information between the parties and to promote a relationship of trust, Judge agrees not to represent any party in a suit or action against the City, its officers and employees, or agents in their official capacity, or to represent any client in a proceeding before the City Council, or its committees, for a period of three (3) months or such longer time as provided by Oregon Statutes, Administrative rules or Rules of the Oregon State Bar following the termination of this agreement.

Section 5 OTHER TERMS AND CONDITIONS OF EMPLOYMENT

- A. All provisions of the City of Lincoln City Charter and other personnel policies, practices and rules of the City, as they now exist or may hereafter be modified, apply to Municipal Court Judge and Judge shall comply with all such policies and rules at all times while employed by City.
- B. The parties may amend this Agreement at any time by attaching a written addendum approved by City Council and signed by the parties.

IN WITNESS WHEREOF, the City of Lincoln City has caused this Agreement to be signed and executed in its behalf by its Mayor and by its City Manager, and the Judge has signed and executed this Agreement, both in duplicate, the day and year first above written.

CITY OF LINCOLN CITY:


MAYOR


JUDGE


CITY MANAGER

CHAPTER VI JUDICIAL DEPARTMENT

6.1 Municipal Court.

- (1) The judicial power of the city of Lincoln City shall continue to be vested in the Municipal Court for the city of Lincoln City, Lincoln County, Oregon.
- (2) Except as this charter or city ordinance prescribes to the contrary, proceedings of the court shall conform to general laws of this state governing justices of the peace and justice courts.
- (3) All area within the city and, to the extent provided by state law, area outside the city is within the territorial jurisdiction of the court.
- (4) The municipal court has original jurisdiction over every offense that an ordinance of the city makes punishable. The court may enforce forfeitures and other penalties that such ordinances prescribe.
- (5) The municipal court has concurrent jurisdiction over state traffic or misdemeanor offenses when permitted by state law.

6.2 Municipal Judge.

- (1) The council shall appoint a municipal judge to serve for an indefinite term and to hold office at the pleasure of the council. The municipal judge shall be the judicial officer of the city and shall hold within the city, at a place and times that the court specifies, a court known as the Municipal Court for the city of Lincoln City, Lincoln County, Oregon.
- (2) The municipal judge may:
 - (a) Render judgments and, for enforcing them, impose sanctions on persons and property within the court's territorial jurisdiction;
 - (b) Order the arrest of anyone accused of an offense against the city;
 - (c) Commit to jail or admit to bail anyone accused of such an offense;
 - (d) Issue and compel obedience to subpoenas;
 - (e) Compel witnesses to appear and testify and jurors to serve in the trial of matters before the court;

- (f) Penalize contempt of court;
 - (g) Issue process necessary to effectuate judgments and orders of the court;
 - (h) Issue search warrants or inspection warrants; and
 - (i) Perform other judicial and quasi-judicial functions prescribed by ordinance.
- (3) The council may authorize the municipal judge to appoint municipal judges pro tem for terms of office set by the judge or the council.

Municipal Judge Performance Evaluation

~~These are the recommended sources that you can use to~~ Please use the following information to evaluate the performance of the Municipal Judge.

1. Visit court and observe proceedings. ~~Contact the Finance Director or Court Clerk to determine court dates and times to visit.~~
2. Talk to department heads ~~—The Finance Director has the most interaction with the judge.~~
3. ~~Have staff expand on the information to include police tickets for speeding, un-insured motorist, code violations, and low level misdemeanors with regard to the number of convictions, fines levied, community service assigned, tickets dismissed and fines collected for each citation. Refer to the documents provided on number of tickets written for speeding, un-insured motorist, code violations, and low level misdemeanors.~~
4. Grade the court on evaluation form with a numbered grading system. ~~Refer to the documents provided by staff on number of tickets written for speeding, un-insured motorist, code violations, and low level misdemeanors.~~
5. Set Goals and Objectives for the next year, so the City Council has measurable expectations ~~that can be evaluated~~ to use for ~~at~~ the next evaluation.
6. Evaluation shall be done annually or no less than every other year on or about the end of each Fiscal Year. ~~The City Council will pool all evaluations to present a final evaluation to the judge with combined comments and scoring~~

MUNICIPAL COURT JUDGE PERFORMANCE EVALUATION

INSTRUCTIONS: Place a check mark on the line underneath the number you feel is appropriate for each item. The numerical rating (1 through 5) is an effort to quantify opinions and judgement about specific management responsibility. While subjective, it suggests a useful emphasis or relative degree of acceptability. Please use the comment space to record specific comments on each point. Use the back of the form if more space is needed.

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Professionalism

- a. Projects a professional and positive image
- b. Courteous to public and staff at all times
- c. Controls emotions effectively in difficult situations

1	2	3	4	5	Comments

City Council Relationship

- a. Effectively handles City Council concerns
- b. Keeps City Council informed on issues concerning the court
- c. Effectively aids the City Council in achieving long range goals

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- a. Communicates effectively with Police Department
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Court Administration

- a. Creative in developing practical solutions to problems faced in the course of work
- b. Seeks to improve own skills and knowledge
- c. Controls uncollected fines
- d. Shows consistency in courtroom proceedings

1	2	3	4	5	Comments

Based on your overall evaluation of the Municipal Judge, what areas would you list as strong points.

- 1.
- 2.
- 3.
- 4.
- 5.

City Council goals and objectives for next evaluation.

- 1.
- 2.
- 3.
- 4.
- 5.

Evaluator: _____

Date: _____



PERFORMANCE EVALUATION 2020--CITY ATTORNEY

City Council Relations

Keeps Council informed of problems, issues, current plans and activities, legislation, governmental practices, etc as they relate to legal issues. Provides timely and effective representation of the City's interests consistent with Council's direction. Staff reports are thorough and timely. Accepts direction or instructions in a positive manner. Effectively aids the Council in establishing and achieving long-range goals. Participates in Council discussions when appropriate and makes recommendations where appropriate, but allows the Council to make policy decisions without exerting undue pressure. Anticipates and advises the Council regarding important foreseeable legal problems, needs and opportunities.

Improvement Needed	Meets Job Standards			Exceeds job standards
1	2	3	4	5

Score: _____

Comments: _____

Community Relations

Personally projects a positive public image. Is courteous to public at all times. Keeps commitments to the public. Seeks to use criticism of self or City in positive ways. Available and visible to citizens as directed by Council. Resolves citizen complaints consistent with Council policy in a timely manner if directed by Council. Open and honest with citizens. Takes a consistent position with different audiences. Engaged and invested in the community.

Improvement Needed	Meets Job Standards			Exceeds job standards
1	2	3	4	5

Score: _____

Comments: _____

Personal Traits

Controls emotions effectively in difficult situations. Is creative in developing practical solutions to problems faced in the course of work. Is flexible in accepting and adjusting to change. Uses common sense. Has positive attitude. Demonstrates personal honesty and frankness in day-to-day relationships. Seeks to improve own skills and knowledge. Completes work in acceptable time periods. Performs work accurately. Opinions, legislation, briefs and other work is of high quality. Has the respect of the legal community.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score:_____
Comments:_____

Responsibility

Takes initiative to get job done correctly, thoroughly, and within time frames. Perceives new responsibilities and proceeds independently to undertake and/or expand those responsibilities, making sure priorities are consistent with Council direction. . Accepts responsibility for own work. Achieves work assigned by or in conjunction with City Council. Develops effective, efficient legal plans and strategies for Council’s goal achievement and policy implementation. Establishes appropriate priorities.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score:_____
Comments:_____

Communication

Provides City Council with legal activity reports and reports on status of litigation. Written communications are clear, concise and accurate. Oral communications are clear, concise, expressed self effectively. Thorough, concise, articulate and in constant communication with necessary people. Provides clean and timely legal opinions. Responds to inquiries from Council and/or Council members in a timely and understandable manner.

Improvement Needed	Meets Job Standards				Exceeds job standards

1 2 3 4 5

Score: _____
Comments: _____

General Legal Counsel

Works productively with staff to accomplish Council directives. Works in support of City policies and goals. Presents options and advice in a positive fashion and with a practical outlook. Approaches role from a preventative rather than a corrective view of legal services. Provides effective and efficient legal assistance to City Council, Boards and Commissions. Avoids unnecessary litigation through tactful and professional handling of potential claims against the City. Review of ordinances and contracts are accurate and timely. Ordinances and resolutions are prepared in a timely manner. Provides timely, helpful and responsive legal advice during City Council and other meetings. Displays knowledge and understanding of general municipal law.

	Meets Job Standards			Exceeds job standards
Improvement Needed				
1	2	3	4	5

Score: _____
Comments: _____

Decision Making

Attempts to obtain all available facts prior to giving legal advice. Is objective in providing legal advice. Considers all possible legal alternatives and their consequences before providing recommendations to Council. Ability to reach timely conclusions, and initiate action, without being compulsive. Ability to make suggestions regarding problem solving under strained and unpleasant conditions. Uses common sense, tact, and diplomacy. Ability to use logical and sound judgments in use of resources, determining courses of action, and defining solutions to problems.

	Meets Job Standards			Exceeds job standards
Improvement Needed				
1	2	3	4	5

Score: _____
Comments: _____

Cooperative Relationships

Provides information to City Manager and Department Heads on routine legal matters. Provides legal advice as needed to Planning Commission and supporting staff. Builds a strong working relationship with the City Manager, Judge, and City Department Heads.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score: _____
Comments: _____

Evaluation Time Period: February 19, 2018 – February 19, 2020

Date Signed by Evaluator: _____

Printed Name of Evaluator: _____
(Print Name Here)

Signature of Evaluator: _____

This is an average score from all Councilors and their comments.
Score: _____

Section 1: Appointment and Duties. The City Council appoints Richard Appicello as the City Attorney of the City of Lincoln City to perform the functions and duties specified in the Lincoln City Charter, Oregon Statutes and Municipal Code and to perform such other legally permissible and proper duties and functions as the City Council shall assign. The scope of services shall be as generally described in the Request for Proposal (RFP) attached hereto as Exhibit A and Employee's responses attached hereto as Exhibit B. The City Attorney shall devote full-time (minimum 40 hours per week) to the performance of his duties as an Exempt employee pursuant to the Fair Labor Standards Act (FLSA).

Section 3: Performance Evaluation.

City Council shall informally review and evaluate the performance of the City Attorney after six (6) months. City Council shall provide Employee with a summary of the findings of the evaluation process and provide an adequate opportunity for Employee to discuss his evaluation with City Council. Thereafter, City Council will evaluate the performance of City Attorney after twelve (12) months of service and annually thereafter.

Office of
CITY MANAGER



**CITY OF LINCOLN CITY
REQUEST FOR PROPOSALS**

The City of Lincoln City hereby invites interested individual attorneys and law firms to submit written proposals to provide City Attorney services to the City.

The City Attorney currently provides all legal services needed by the City and its Urban Renewal Agency, with an emphasis on land use and contract law, except for occasional services that require unusual expertise not ordinarily within the scope of City Attorney services. For example, we generally retain condemnation counsel for the acquisition of real property and bond counsel as needed. Water law and water rights are also outside the scope of this position. In addition, the City is insured by the City-County Insurance Service (CIS) both for tort-type claims and for workers compensation claims. As a result, the City generally receives pre-loss employment advice and defense services from CIS legal staff, except for monitoring of significant cases and occasionally assisting lead CIS defense counsel as appropriate.

The City Attorney will be expected to **do work involving Indian law issues**. However, advance knowledge of municipal-related Indian law is not a requirement. The Confederated Tribes of Siletz Indians of Oregon own and operate the Chinook Winds Gaming and Convention Center on Tribal reservation/trust land within the City and also own other land in the City that is Tribal trust land, is the subject of trust applications, or is likely to become the subject of trust applications.

The City Attorney will also be responsible for **prosecution of traffic offenses and violations (including minor misdemeanors converted to violations) in the Municipal Court, in those cases in which defendants have legal counsel. This involves handling appropriate paperwork, occasionally conducting negotiations with opposing counsel, and in very rare cases handling Municipal Court trials.**

The City Attorney also assists with drafting and interpreting City ordinances and resolutions in addition to monitoring changes in pertinent State and Federal legislation and regulations and case law, as appropriate.

The ideal candidate will have experience providing **practical legal advice for a municipality, excellent verbal and written communication skills and strong time management skills.**

The City Council meets regularly on the second and fourth Mondays of each month, with open meetings beginning at 6:00 pm. The Urban Renewal Agency (whose governing body is comprised of the City Council members) meets at 5:00 PM (though not every Council meeting day). Executive sessions begin earlier (typically not earlier than 4:00 pm). The Planning Commission meets regularly at 6:00 pm on the first and third Tuesdays of each month.

“PRIDE IN SERVICE”

801 S.W. Highway 101 • P.O. Box 50 • Lincoln City, Oregon 97367 • (541) 996-1202 • FAX (541) 994-7232 • davidh@lincolncity.org

The City Council, by the vote of at least four of its seven members, appoints the City Attorney for an indefinite term. The City Attorney serves at the pleasure of the Council and may be removed at any time by the vote of at least four members. The current City Attorney has served for seven years and is retiring from the City effective January 1, 2013. The previous attorney served for ten years and retired.

The City pays its employees every two weeks. We currently pay invoices every week, though that could change to every two weeks in the future.

The City is prepared to review proposals from individuals to serve as an employee City Attorney as well as from individuals and firms to serve as an independent contractor City Attorney. City employees are provided with PERS coverage (with the City picking up the employee contribution) health insurance (subject to employee premium sharing), life insurance, disability insurance, and the ability to participate in a deferred compensation program. For those proposing to serve as an independent contractor City Attorney, the City is prepared to review proposals to work on an hourly basis, on a flat fee retainer basis, or on a combination thereof.

The City will be able to provide City Hall office space, equipment, and supplies to an employee City Attorney. The City will be able to provide temporary office space to an independent contractor City Attorney who proposes to have some office hours at City Hall.

Proposers must submit their proposals "City Attorney Proposal." Proposals may be delivered by email addressed to davidh@lincolncity.org or by U. S. mail, addressed to:

David A. Hawker, City Manager
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

Alternatively, proposals may be delivered to the Office of the City Manager, Third Floor, 801 SW Highway 101, Lincoln City, Oregon. **The City only will consider proposals that it has received by 4:00 p.m., Friday, October 26, 2012.**

If a proposer wishes to have the proposer's identity kept confidential, the proposer should include the statement "CONFIDENTIAL" at the upper right hand corner of the first page of its proposal. The City will make its best effort to keep the proposer's identity confidential.

The City reserves the right to reject all proposals, to request additional information concerning any proposal, to accept or negotiate modifications to any proposal, and to waive any irregularities in any proposal following the proposal submission deadline date, in order to serve the best interests of the City as determined by the City Council.

The City anticipates executing a contract for City Attorney services if it selects a proposal from an independent contractor (whether an individual or a firm) to provide City Attorney services. The City anticipates that if it selects an employee to provide City Attorney services, the employee will be employed as an employee at the will of the City Council and otherwise will be governed by the City's Personnel Policies and Procedures Manual.

All inquiries about this Request for Proposals and current legal services received by the City, including inquiries about past and current litigation, should be directed by email to City Attorney

- 4% Administration & Finance
- 19% City Council & Urban Renewal (including ordinances & resolutions)
- 7% Municipal Court
- 22% Land Use (including Planning Department, Planning Commission, County, State)
- 22% Litigation & Risk Management
- 7% Public Works
- 3% Contracts & Property Transactions
- 3% Public Records Requests
- 2% General Government (including intergovernmental relations)
- 10% Miscellaneous & Small Projects (including Library, Visitor Bureau)

Requested Information:

Proposals must provide the following information. Proposers may submit additional information as they deem appropriate.

1. For individual proposers, employment history since 2000, and for firm proposers, legal status of firm or predecessor forms of organization since 2000, including specialization of individual, firm, or predecessor organization.

2. Qualifications for providing City Attorney services, for each attorney likely to provide City Attorney services, including:

A. Law school (including year of graduation), year of admission to Oregon State Bar, and years of practice.

B. Years of municipal or other public sector law practice as a full time government attorney or specializing in municipal or other public sector law practice in a law firm or as a sole practitioner.

C. Particular areas of knowledge and experience in Oregon government law, including but not limited to law related to cities. Examples of areas may include but are not necessarily limited to law related to (a) land use, (b) personnel matters and labor negotiations, (c) franchises and franchise fees, (d) taxes, fees, and charges such as systems development charges and water and sewer service charges, (e) annexation, (f) police matters, (g) public contracting and purchasing, (h) municipal court prosecutions, (i) public facilities such as street, water, sanitary sewer, and storm drainage facilities, (j) urban renewal, (k) tribe-city relations, (l) open meetings and public records, and (m) elections.

D. Litigation experience, including descriptions of representative cases and outcomes.

E. Drafting experience, such as drafting of contracts, memoranda, ordinances, and resolutions.

F. Experience giving oral advice such as during the course of City Council and Planning Commission meetings.

G. Other types of clients represented.

I. Affiliations or clients that could cause conflicts of interest regarding likely City Attorney matters.

3. How you propose to provide City Attorney services to the City. This should address issues such as office location; accessibility to City Council members, employees, and Planning Commissioners; attendance at City Council, Planning Commission, and occasional other meetings; services (such as secretarial services if you propose to work as an employee) you would expect to receive from the City; if a firm, how you propose to manage the firm's provision of services to the City – for example, would there be a lead attorney and, if so, who would that attorney be and how would other attorneys be involved.

4. Proposed compensation for City Attorney services. For a proposal to serve as an employee City Attorney, this should state the proposed salary, but does not need to state the proposed benefits unless the proposer wishes to propose benefits (such as City payment of Oregon State Bar dues and Professional Liability Insurance Fund premiums) additional to the standard City benefits. For a proposal to serve as an independent contractor, this should include any proposal for expense reimbursements beyond payments for time. For a firm's proposal, if the proposed compensation will vary depending on which attorney does work, this should include the proposed method of charging for each attorney who will be doing work.

5. Any work, whether by subject area or nature of work, that would not be covered by your compensation proposal.

October 1, 2012

2.04.100 Preparation of ordinances.

All ordinances shall be prepared by the city **attorney**. No ordinance shall be prepared for presentation to the council unless ordered by a majority vote of the council, the mayor, city manager, or prepared by the city **attorney** with the approval of the mayor or city manager. (Ord. 87-1 § 11)

2.04.150 Executive session records.

A. A record of each city council executive session meeting shall be kept in the form of a sound tape recording. Written minutes shall not be required. The tape of each executive session meeting shall be identified with a label stating "City Council Executive Session" and stating the date of the executive session meeting.

B. The city recorder shall be responsible for maintaining possession of tapes of city council executive session meetings. The city recorder shall maintain the tapes, at City Hall, in a secure file or lock-box, accessible only by key maintained by the city recorder.

C. Any current city council member may review the tape of any city council executive session meeting. Any current city employee who was present at an executive session meeting may review the tape of any portion of the meeting at which the employee was present. The current city **attorney** may review the tape of any portion of an executive session meeting at which the city **attorney**, past or current, was present and, in addition, may review the tape of any executive session meeting for which a copy of the tape has been provided to a court for a determination whether the contents of the tape are admissible in a court proceeding or for a determination whether the executive session was properly held.

D. The city recorder shall maintain a written log book, for purposes of identifying each person who reviews executive session tapes. Each person who wishes to review a tape shall enter his or her name, signature, and city position, and the date of the tape reviewed, in the log book prior to reviewing an executive session tape. The city recorder, except as to current council members, shall determine whether the person seeking review was present at the portion of the meeting the person is seeking to review and, if so, shall allow the person to review that portion of the tape. Executive session tapes may be reviewed only at City Hall on equipment provided by the city, under the supervision of the city recorder. (Ord. 99-5 § 2)

2.04.170 Violation of council rules.

A. General. The city council may enforce the city Charter and municipal code (including incorporated council rules), as well as Oregon Revised Statutes applicable to governing bodies. If a member of council violates council rules, city ordinances, the city Charter or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member with a public reprimand, censure, citation or, in extreme cases, removal from office (for offenses provided for in the Lincoln City Charter).

B. Investigation. The council may investigate the actions of any member of the governing body and may meet in executive session under ORS [192.660\(2\)\(b\)](#) to discuss any finding that reasonable grounds exist that a violation of council rules, local ordinance, the city Charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS [192.660\(2\)\(b\)](#).

C. Due Process and Sanctions. Due process requirements of notice and the opportunity to be heard will be met with regard to any proceeding to reprimand, censure or remove a member of the governing body. No matter discussed or disclosed in executive session may be discussed or disclosed in any reprimand, censure, or removal proceeding, except by approved motion of the city council and upon advice of the city **attorney**. Sanctions should be generally geared towards changing problem behavior rather than punitive in nature, and measured against the severity and frequency of the violation(s) and the impact on the city organization and/or council operations and effectiveness.

D. Citation. The city governing body, exclusively, may, by motion, initiate a violation citation against a member pursuant to Chapter [1.16](#) LCMC for violation of council rules. The general penalty provisions of LCMC [1.04.065](#) shall apply to any such violation. For continuing violations, each day the offense continues shall be a separate offense. (Ord. 2017-20 § 2)

COUNCIL RULES

13. ETHICS

13.1 Councilors shall be familiar with and observe the requirements of the State Ethics Law (ORS [244.010](#) to ORS [244.390](#)) dealing with the use of public office for private financial gain. Any questions about ethics shall be directed to the city manager or city **attorney**.

13.2 Generally, conflicts of interest arise in situations in which a Councilor, as a public official deliberating in a quasi-judicial proceeding, has a potential or actual financial (pecuniary) interest in the matter before the Council. Under Oregon Government Ethics Law, a Councilor must publicly disclose a potential or actual conflict of interest and, in the case of an actual conflict of interest, must step down and not participate in the matter. [See also LCMC Section 17.[76.030](#) and ORS Chapter 244.]

13.3 Although a determination of conflict of interest is a personal Councilor decision, any Councilor may seek the advice of the city **attorney** prior to disclosure of any potential or actual conflict of interest.

14.2 Electronic Records. All communications on electronic communications devices have the same public records character as they would have had they been sent on paper. Any electronic communications that may be exempt from disclosure under Oregon public records law should be clearly marked as confidential and exempt from disclosure. Unless exempt, electronic records in any way relating to the business of the city created on electronic communication devices not owned or provided by the city are subject to review and disclosure under Oregon Public Records law. Electronic records, including emails sent and received on city systems are the property of the city and public records. Councilors should assume that most correspondence about city business, even if contained on personal electronic communication devices, is a public record subject to disclosure. There is no protected right of privacy if the electronic record is a public record. Unless the City **Attorney** determines a records exemption applies, on an individual case basis, you should assume no privacy right in these areas.

15. CITY **ATTORNEY**

15.1 Requests to the City **Attorney** for advice requiring significant legal research shall not be made by a Councilor except with the concurrence of the Council. Before requesting research or other

action by the city **attorney**, the Council is encouraged to first consult with the city manager to ascertain whether there is already information available on the matter. Outside a Council meeting, a Councilor should make requests of the city **attorney** by direct contact with the city **attorney** or through the city manager.



The City Attorney’s suggestion was to utilize the current form for the 2020 evaluation and adopt an format that is agreed upon and could be in-line with similar evaluations as noted by his affiliated association(s).

As a matter of information, I have highlighted some areas of the current evaluation that address his specific duties outlined by the City Charter and LCMC, and RFP. The current employment contract states his duties are outlined in the original RFP, Response to the RFP, and City Code/State Law. The current evaluation is based more on communication style/effectiveness than work quality, duties, or goals.

PERFORMANCE EVALUATION 2020--CITY ATTORNEY

City Council Relations

Keeps Council informed of problems, issues, current plans and activities, legislation, governmental practices, etc as they relate to legal issues. Provides timely and effective representation of the City’s interests consistent with Council’s direction. Staff reports are thorough and timely. Accepts direction or instructions in a positive manner. Effectively aids the Council in establishing and achieving long-range goals. Participates in Council discussions when appropriate and makes recommendations where appropriate, but allows the Council to make policy decisions without exerting undue pressure. Anticipates and advises the Council regarding important foreseeable legal problems, needs and opportunities.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score: _____
Comments: _____

Community Relations

Personally projects a positive public image. Is courteous to public at all times. Keeps commitments to the public. Seeks to use criticism of self or City in positive ways. Available and visible to citizens as directed by Council. Resolves citizen complaints consistent with Council policy in a timely manner if directed by Council. Open and honest with citizens. Takes a consistent position with different audiences. Engaged and invested in the community.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score: _____
Comments: _____

Personal Traits

Controls emotions effectively in difficult situations. Is creative in developing practical solutions to problems faced in the course of work. Is flexible in accepting and adjusting to change. Uses common sense. Has positive attitude. Demonstrates personal honesty and frankness in day-to-day relationships. Seeks to improve own skills and knowledge. Completes work in acceptable time periods. Performs work accurately. Opinions, legislation, briefs and other work is of high quality. Has the respect of the legal community.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score:_____
Comments:_____

Responsibility

Takes initiative to get job done correctly, thoroughly, and within time frames. Perceives new responsibilities and proceeds independently to undertake and/or expand those responsibilities, making sure priorities are consistent with Council direction. . Accepts responsibility for own work. Achieves work assigned by or in conjunction with City Council. Develops effective, efficient legal plans and strategies for Council’s goal achievement and policy implementation. Establishes appropriate priorities.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score:_____
Comments:_____

Communication

Provides City Council with legal activity reports and reports on status of litigation. Written communications are clear, concise and accurate. Oral communications are clear, concise, expressed self effectively. Thorough, concise, articulate and in constant communication with necessary people. Provides clean and timely legal opinions. Responds to inquiries from Council and/or Council members in a timely and understandable manner.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

1 2 3 4 5

Score: _____
Comments: _____

General Legal Counsel

Works productively with staff to accomplish Council directives. Works in support of City policies and goals. Presents options and advice in a positive fashion and with a practical outlook. Approaches role from a preventative rather than a corrective view of legal services. Provides effective and efficient legal assistance to City Council, Boards and Commissions. Avoids unnecessary litigation through tactful and professional handling of potential claims against the City. Review of ordinances and contracts are accurate and timely. Ordinances and resolutions are prepared in a timely manner. Provides timely, helpful and responsive legal advice during City Council and other meetings. Displays knowledge and understanding of general municipal law.

	Meets Job Standards			Exceeds job standards
Improvement Needed				
1	2	3	4	5

Score: _____
Comments: _____

Decision Making

Attempts to obtain all available facts prior to giving legal advice. Is objective in providing legal advice. Considers all possible legal alternatives and their consequences before providing recommendations to Council. Ability to reach timely conclusions, and initiate action, without being compulsive. Ability to make suggestions regarding problem solving under strained and unpleasant conditions. Uses common sense, tact, and diplomacy. Ability to use logical and sound judgments in use of resources, determining courses of action, and defining solutions to problems.

	Meets Job Standards			Exceeds job standards
Improvement Needed				
1	2	3	4	5

Score: _____
Comments: _____

Cooperative Relationships

Provides information to City Manager and Department Heads on routine legal matters. Provides legal advice as needed to Planning Commission and supporting staff. Builds a strong working relationship with the City Manager, Judge, and City Department Heads.

Improvement Needed	Meets Job Standards				Exceeds job standards
	1	2	3	4	5

Score: _____
Comments: _____

Evaluation Time Period: February 19, 2018 – February 19, 2020

Date Signed by Evaluator: _____

Printed Name of Evaluator: _____
(Print Name Here)

Signature of Evaluator: _____

This is an average score from all Councilors and their comments.
Score: _____

its Agreement with other city officials) during the course of the employment relationship.

C. Assignment. This Agreement may not be assigned by either party without the written consent of the other party.

C. Severability. If this Agreement contains any unlawful provision not an essential part of the Agreement and which shall not appear to have been a controlling or material inducement to the making of this Agreement, the unlawful provision shall be deemed of no effect and shall, upon agreement by the parties, be deemed stricken from the Agreement without affecting the binding force of the remainder.

Optional Section 23. Performance Evaluation

Sample contract language from IMLA--Richard is checking for a model evaluation form as well.

A. Employer should annually review the performance of the Employee in [month] subject to a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by the Employer and Employee. The annual evaluation process, at a minimum, shall include the opportunity for both parties to: (1) conduct a formulary session where the governing body and the Employee meet first to discuss goals and objectives of both the past twelve (12) month performance period as well as the upcoming twelve (12) month performance period, (2) following that formulary discussion, prepare a written evaluation of goals and objectives for the past and upcoming year, (3) next meet and discuss the written evaluation of these goals and objectives, and (4) present a written summary of the evaluation results to the Employee. The final written evaluation should be completed and delivered to the Employee within 30 days of the initial formulary evaluation meeting.

B. Unless the Employee expressly requests otherwise in writing, the evaluation of the Employee shall at all times be conducted in executive session of the governing body (if authorized by law) and shall be considered confidential to the extent permitted by law. Nothing herein shall prohibit the Employer or Employee from sharing the content of the Employee's evaluation with their respective legal counsel.

C. In the event the Employer determines that the evaluation instrument, format and/or procedure are to be modified by the Employer, such modifications shall be adopted by the Employer at least 9 months before being used to evaluate the Employee's performance.

D. Annually, the Employer and the Employee shall define such goals and performance objectives which they determine necessary for the proper operation of the Employer's organization in the attainment of the Employer's policy objectives, and the Employer and the Employee shall further establish a relative priority among those various goals and objectives to be reduced to writing. The annual performance reviews and evaluations shall be reasonably related to the Employee's written job description and shall be based, in whole or in part, on goals for the Employee's performance that are jointly developed and adopted by the Employer and the Employee.

Comment: IMLA encourages the Employer to conduct regular and timely employment evaluations. If the state's Open Meeting Laws allow, these evaluations should be conducted in private and if the Open Meetings Laws do not allow the full board to conduct the evaluations in private, then the Employer is encouraged to have individual meetings with the Employee that would not violate the law but would allow for full and frank discussion of the Employee's performance.

[insert Name of Employer]

By: _____

[insert name of Governing Body Representative]

Executed this the (number) day of (month), (year).

Employee

Signature: _____

Executed this the (number) day of (month),(year).

Suggested Project List Format for City Attorney

Date Opened	Est / Date Closed	Title	Description	Priority	Department	Steps	Notes
COMPLETED PROJECTS THIS EVALUATION							

This is from my point of view for reviewing the work and what I would like to know.

- Add dates of importance. It will be important to know that a project is estimated to take 2 years vs 6 months.
- Identify what are the most important tasks with Council’s agreement
- Group the entries into categories such as by priority or department or date.
- Add number of projects – this can be done at intervals such as by 15, 30, 45, etc. Or number each project as another idea.
- This list is too long. Think about shortening the list even if you farm things out to get them done.
- Consider priorities as high, medium, low or 1, 2, 3 (note: *average* denotes what? Point is it is hard to measure)
- Good additions this year of these two categories: ‘Steps to Take’ and ‘Notes’ (although I think we/I need more information)
- Consider adding an area that you can move completed projects down to the bottom of the page – see above example. This will provide a quick glance for council and a sense of accomplishment to attorney’s office.

Ideas and suggestion from Diana Hinton, June 24, 2019.



CITY OF LINCOLN CITY
City Manager Evaluation
Date of Evaluation: June 10, 2019
Date of Last Evaluation: February 26, 2018
Date of Hire: January 20, 2015

Evaluation Period: January 1, 2018 to December 31, 2018

Assisting the Council

Attending all council meetings unless excused by the council or mayor; keeps the council advised of the affairs and needs of the city; sees that provisions of all ordinances are administered to the satisfaction of council.

This section covers
City Charter provisions of City Manager
duties:
6 a, b, & c

Comments

Meets Expectations: _____

Needs Improvement: _____

Policy Advice & Leadership on Key Issues

See that all terms of franchises, leases, contract, permits and privileges granted by the city are fulfilled.

Comments

City Manager Duties 6 d from the Charter

Meets Expectations: _____

Needs Improvement: _____

Leadership of the Administrative Team

Appoint, discipline and remove appointive personnel, except appointees of the mayor or council. Organize and reorganize the departmental structure of city government. Supervise and control the manager's appointees in their service to the city.

Comments

Meets Expectations: City Charter Duties of the City Manager sections 6 e, f, & g

Needs Improvement: _____

Fiscal Management

Prepare and transmit to the council an annual city budget. Supervise city contracts. Supervise all purchasing. Supervise operation of all city-owned public utilities and property.

Comments

City Charter Duties of the City Manager 6 h, i, j, & k

Meets Expectations: Other duties as prescribed consistently with the Charter could be "goals"

Needs Improvement: _____

5.2 City Manager.

- (1) The city manager is the administrative head of the city government.
- (2) The manager shall be appointed, solely on the basis of administrative qualifications, by an affirmative vote of four or more members of the council.
- (3) The manager need not reside in the city or the state when appointed.
- (4) The manager shall be appointed for an indefinite term and may be removed by the council at its pleasure in accordance with Section 3.6 of this Charter.
- (5) Within six consecutive months after a vacancy occurs in the office of city manager, the council shall fill the vacancy by appointment.
- (6) The manager shall:
 - ✓(a) Attend all council meetings unless excused by the council or mayor;
 - ✓(b) Keep the council advised of the affairs and needs of the city;
 - ✓(c) See that the provisions of all ordinances are administered to the satisfaction of the council;
 - ✓(d) See that all terms of franchises, leases, contracts, permits, and privileges granted by the city are fulfilled;
 - ✓(e) Appoint, discipline and remove appointive personnel, except appointees of the mayor or council;
 - ✓(f) Supervise and control the manager's appointees in their service to the city;
 - ✓(g) Organize and reorganize the departmental structure of city government;
 - ✓(h) Prepare and transmit to the council an annual city budget;
 - ✓(i) Supervise city contracts;
 - ✓(j) Supervise operation of all city-owned public utilities and property;
 - ✓(k) Supervise all purchasing; and
 - (l) Perform other duties as the council prescribes consistently with this charter.

**This section could be considered goals or assignments

- (7) The manager shall not control:
- (a) The council;
 - (b) The municipal judge in the judge's judicial functions, or the city attorney;
 - (c) Except as the council authorizes, appointive personnel of the city whom the manager does not appoint.
- (8) The manager and other personnel whom the council designates may sit with the council but may not vote on questions before it. The manager may take part in all council discussions.
- (9) When the manager is absent from the city or disabled from acting as manager, or when the office of manager becomes vacant, the council may appoint a manager pro tem, who has the powers and duties of manager, except that the manager pro tem may appoint or remove personnel only with approval of the council. No person may be manager pro tem for more than six consecutive months.

Summary of City Manager Evaluation Formats

2017

- Simple format with numbered scoring system of 1-5:
 - 1--improvement needed
 - 2-4--meets job expectations
 - 5--exceeds job expectations
- 15 categories to evaluate, no clear definitions for evaluation criteria
- Quality of Municipal Services section to help define future goals
- Goal review and setting sections

2018

- Simple format with non-numbered scoring system with three options:
 - Does not meet job requirements
 - Meets job requirements
 - Exceeds job requirements
- Six categories with descriptive examples to evaluate performance
- Annual Objectives and Key Results Section
- Goals and Areas for Improvement comment sections

2019

- Simple format with comments only (no scores)
- Four categories all *directly related to City Charter* delegation of duties for City Manager
- Comment sections to cover:
 - Goals Accomplished
 - Area for Improvement
 - Goals for Next Review

Feedback from the City Council and City Manager draw on aspects of each of the past three evaluations. The following is a first-attempt to pull them together for a comprehensive form. A job description is available to edit and incorporate if desired.

This initial draft does not break down the descriptions of what could be considered in each category—that can also be separated into individual questions if you prefer to grade and comment on them more individually. This has been expressed as a point of interest. A draft showing that type of separation will be sent to the Council before the work session for additional information to consider. I am also working to incorporate additional content from council members and will provide that in a track-changes version of the following document to show the improvements and changes from prior criteria.

Thank you for your review of the information.



City Manager Evaluation

Date of Hire: January 20, 2015

Evaluation Period: _____ to _____

ASSISTING THE COUNCIL

Attends all council meetings unless excused by the council or mayor; keeps the council advised of the affairs and needs of the city; sees that provisions of all ordinances are administered to the satisfaction of council.

This can include: Preparing an orientation program and suitable materials for new Council members, Identifying the needs/priorities of the Council, Committing equal treatment/courtesy/assistance, providing advice on potential areas of conflict/pecuniary issues, seeking to develop a relationship based on mutual respect, trust and integrity, being responsive to feedback and input received from members of the Council, communicating advice to Council that will assist in governance responsibilities, communicating any issues of concern to Council impacting its relationship to administration, monitoring legal implications of issues; being aware of Council's legal and legislative requirements, ensuring ready access to useful policy-based information, maintaining appropriate boundaries; assuring equal treatment, providing quality control on advice going forward, and ensuring an ongoing degree of open communication with Council presenting reasonable and professional views in a straight-forward yet pleasant manner.

Does Not Meet

1

Improvement Needed

2

Meets Requirements

3

Exceeds Requirements

4

COMMENTS

Expectations Met:

Areas that need improvement:

POLICY ADVICE & LEADERSHIP ON KEY ISSUES

See that all terms of franchises, leases, contract, permits and privileges granted by the city are fulfilled.

This can include assistance in identifying key issues; offering strategic advice addressing such issues, ensuring both Council and administration are aware of importance of policy development, providing quality advice and guidance to Council on identified issues, coordination and preparation of draft policy statements, strength of administrative leadership as observed in terms of the City Manager's decision making ability (e.g. decisiveness, quality of decisions), advice to Council on importance of strategic planning as a leadership tool; assistance to Council in planning/designing a strategic planning session, implementing approved policy; monitoring policy implications, and review/monitoring of financial controls/audit reports/business plan and budget.

Does Not Meet	Improvement Needed	Meets Requirements	Exceeds Requirements
1	2	3	4
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Expectations Met:

Areas that need improvement:



LEADERSHIP OF THE ADMINISTRATIVE TEAM

Appoint, discipline and remove appointive personnel, except appointees of the mayor or council. Organize and reorganize the departmental structure of city government. Supervise and control the manager’s appointees in their service to the city.

This can include providing ongoing, consistent leadership to department heads and through them to the full administration, communicating effectively and regularly; providing ongoing guidance/direction, making administrative decisions within constraints of bylaws/policies, providing inspiration and modeling of a desire to be the best, delegating/empowering with reasonable limits, supervising direct reports and expecting results, disciplining behavior and correcting promptly, ensuring sound communications plan, and ensuring that senior staff are involved in the process of developing Municipality goals and priorities; providing a forum for Council and senior staff to engage in discussion relative to the Municipality's strategic plan.

Does Not Meet	Improvement Needed	Meets Requirements	Exceeds Requirements
1	2	3	4
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Expectations Met:

Areas that need improvement:



FISCAL MANAGEMENT

Prepare and transmit to the council an annual city budget. Supervise city contracts. Supervise all purchasing. Supervise operation of all city-owned public utilities and property.

This can include ensuring the development of a comprehensive, inclusive and transparent process of business planning and budgeting, ensuring that Council provides guidance to the administration in the development of both plans and budgets, providing Council with accurate, comprehensive advice on the current status of the fiscal condition of the Municipality, and advising Council on the status of any changes required by the external auditor, and acting promptly on audit recommendations.

Does Not Meet	Improvement Needed	Meets Requirements	Exceeds Requirements
1	2	3	4
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Expectations Met:

Areas that need improvement:

GOALS ACCOMPLISHED SINCE LAST REVIEW:

AREA FOR IMPROVEMENT:

GOALS FOR NEXT REVIEW:

Signature of City Manager _____ Date: _____

Signature of City Mayor _____ Date: _____

Summary of City Manager Evaluation Formats

2017

- Simple format with numbered scoring system of 1-5:
 - 1--improvement needed
 - 2-4--meets job expectations
 - 5--exceeds job expectations
- 15 categories to evaluate, no clear definitions for evaluation criteria
- Quality of Municipal Services section to help define future goals
- Goal review and setting sections

2018

- Simple format with non-numbered scoring system with three options:
 - Does not meet job requirements
 - Meets job requirements
 - Exceeds job requirements
- Six categories with descriptive examples to evaluate performance
- Annual Objectives and Key Results Section
- Goals and Areas for Improvement comment sections

2019

- Simple format with comments only (no scores)
- Four categories all *directly related to City Charter* delegation of duties for City Manager
- Comment sections to cover:
 - Goals Accomplished
 - Area for Improvement
 - Goals for Next Review

Feedback from the City Council and City Manager draw on aspects of each of the past three evaluations. The following is a first-attempt to pull them together for a comprehensive form. A job description is available to edit and incorporate if desired.

This initial draft does not break down the descriptions of what could be considered in each category—that can also be separated into individual questions if you prefer to grade and comment on them more individually. This has been expressed as a point of interest. A draft showing that type of separation will be sent to the Council before the work session for additional information to consider. I am also working to incorporate additional content from council members and will provide that in a track-changes version of the following document to show the improvements and changes from prior criteria, including a set of questions for speaking to department heads.

Thank you for your review of the information.



City Manager Evaluation

Date of Hire: January 20, 2015

Evaluation Period: _____ to _____

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COMMENTS

Expectations Met:

Areas that need improvement:

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Does Not Meet	Improvement Needed	Meets Requirements	Exceeds Requirements
1	2	3	4
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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COMMENTS

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Areas that need improvement:



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Does Not Meet	Improvement Needed	Meets Requirements	Exceeds Requirements
1	2	3	4
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Expectations Met:

Areas that need improvement:

GOALS ACCOMPLISHED SINCE LAST REVIEW:

AREA FOR IMPROVEMENT:

GOALS FOR NEXT REVIEW:

Signature of City Manager _____ Date: _____

Signature of City Mayor _____ Date: _____