

CITY OF LINCOLN CITY

LINCOLN CITY COUNCIL AGENDA

MONDAY OCTOBER 26, 2020 6:00 PM

6:00 PM - The Lincoln City Council Meeting for October 26, 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, by attending the City Council meeting, or by attending through Zoom invitation.

Public comments submitted by email to publiccomment@lincolncity.org will be summarized and entered into the record.

Citizens present in the Council Chambers will be given the opportunity to comment via Zoom. The witness computer will be used for these comments. The microphone used by citizens will be sanitized by Information Technology staff between speakers. Citizens present in the Council Chambers are 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.

Citizens requesting to give public comment via Zoom must email publiccomment@lincolncity.org no later than 12 pm on the meeting day. The request must include the person's name, the subject the person wishes to address and the Zoom screen name the person intends to use for the meeting. A Zoom invitation will be sent to the person requesting prior to the meeting.

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 the 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.

- A. CALL TO ORDER
- B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Work Session – October 5, 2020 1:00 PM
2. Regular Meeting – Minutes of Regular Meeting – October 12, 2020 6:00 PM

E. COUNCIL DELIBERATIONS

3. REQUEST FOR CONTINUANCE - STATUTORY DEVELOPMENT AGREEMENT INCORPORATING ANNEX 2020-01 CPA/ZC 2020-02 -

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

4. Public Comment Received for the 10/26/2020 City Council Meeting

G. PRESENTATIONS

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

J. ORDINANCES

5. ORDINANCE NO. 2020-21 AN ORDINANCE OF THE CITY OF LINCOLN CITY GRANTING A NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO ASTOUND BROADBAND, LLC, DOING BUSINESS AS WAVE, SUCESSOR IN INTEREST TO COASTCOM, INC. AND DECLARING AN EMERGENCY

K. RESOLUTIONS

L. SPECIAL ORDER OF BUSINESS

6. July 4th
7. COVID-19 Update
8. Echo Mountain Complex Update

M. CITY MANAGER/CITY ATTORNEY REPORTS

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Q. ADJOURNMENT

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF WORK SESSION MEETING

October 5, 2020, 1:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets and Videos". The staff reports, resolutions, ordinances and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE:

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor	Present	1:00 PM
Judy Casper	Councilor Ward 3	Present	1:00 PM
Diana Hinton	Councilor Ward 1	Present	1:00 PM
Riley Hoagland	Councilor Ward 2	Late	1:07 PM
Rick Mark	Councilor Ward 3	Present	1:00 PM
Mitch Parsons	Councilor Ward 1	Present	1:00 PM

Staff present: Ken Murphy, Emergency Preparedness Coordinator; Jerry Palmer, Chief of Police; Ron Chandler, City Manager; Richard Townsend, Interim Planning Director; Richard Appicello, City Attorney; Jeanne Sprague, Parks and Recreation Director; David Twigg, I.T. Support Specialist.

2. DISCUSSION ITEMS

A. Echo Mountain Complex Emergency Debriefing

Mayor Anderson said this work session will provide a preliminary assessment of the Echo Mountain Fire Complex event and the efficiency of the emergency response. Council will be given an opportunity to comment, and public comments received will be presented.

Chief Palmer said that 6 City employees had lost their homes during the fire. 30 City Employees are Otis residents who were displaced for the longer evacuation period. 40 employees were evacuated in total; 5 employees remained at work while their families evacuated. Chief Palmer asked Council to be proud of

City employees. Chief Palmer said that a couple of staff members in Dispatch did not know if they had lost their property; however, they stayed on the job and focused on helping others. Chief Palmer said that from September 8 through September 11, there were 4,244 calls made to the Lincoln City Police Department. 372 of those were 911 calls. During the same time period in 2019, there were 75 911 calls made, and 380 other calls.

Chief Palmer said there is lots of disinformation being spread about this multi-jurisdictional event, which had other factors beyond City control, like road closures. Chief Palmer hopes that the information presented today will allow Council to make decisions about where resources should be focused in the future. Chief Palmer noted that there was no loss of life and no missing persons have been reported as a result of this emergency, and there weren't any traffic crashes during the evacuation.

Mr. Murphy gave an overview of citizen comments. Mr. Murphy said that reported problems included:

Evacuation Issues: No-one was directing traffic. 2 road projects were being undertaken at the same time on East Devils Lake Rd and West Devils Lake Rd;

Communications: sporadic Lincoln County Alerts; unclear information; no radio communications; residents didn't know how what frequency to use to access P.D. scanners; no power led to no internet access, no internet based phone service, and no email access. Vacation Rental Dwelling guests were not informed timely about the emergency and need to evacuate; cell service was down; broadband communications were shut down;

Fire suppression: There were no airplanes to deploy fire retardant;

Utilities: The hospital didn't have a power generator; natural gas was turned off without notice.

Mr. Murphy said that residents offered the following comments:

Clear and frequent communications;

Don't rely on Lincoln County to provide information;

More visible leaders;

Email communications are not adequate;

Develop a plan for Vacation Rental Dwelling education;

Develop workable channels of communication;

Use Social Media;

Retrofit the tsunami alert systems to cover wildfire alerts;

Widen Highway 101;

Encourage people to sign up for Lincoln Alerts;

Work with neighborhoods to find out what communication methods work best;

Deploy trained staff in traffic disaster quickly;

Make both lanes on Logan Road outbound;

Limit guest parking for Vacation Rentals;

Emergency Preparedness information and evacuation information must be required and posted in Vacation Rentals; ensure that guests read and sign before booking that they understand safety instructions and agree to abide by them. Make sure vacation rental properties have safety equipment such as flashlights;

All radio stations should broadcast emergency alerts;

Police should make more noise if they are alerting neighborhoods to "Go Now";

Lincoln Alerts should text evacuation notices to Level 1 residents and should change their evacuation sites much earlier;

Motels should be evacuated in zones, not all at once. In this disaster motels closer to the ocean were at far less risk than those located near woodlands;

ODOT should factor in major holidays, drought conditions, and wildfire danger before starting major projects;

A bypass for Lincoln City to reduce congestion;

A one way traffic evacuation plan;

Conduct more emergency preparation seminars in the fall. Make brochures and flyers available to the public.

Mr. Murphy said these comments would be posted in full on the City website.

Mr. Murphy said that, during any disaster, people, including City employees, need to think of their families first. Mr. Murphy said that, in his experience, people working in an Emergency Operations Center who don't know if their family is OK might not be 100% effective at work. Communications are always tricky, but in a disaster scenario like this, we are going to have some issues that are not within City control. Cell phone systems can be brought down by heavy traffic, never mind emergency situations. With so many cell providers it's hard to analyze who had the best coverage and service during the emergency. Even on a sunny day in Lincoln City, the Police Department cannot communicate in every inch of Lincoln City. The City is working on this.

Mr. Murphy discussed communications. They were hectic, and sporadic. The County were in as much of a crisis as everyone else, with people from all agencies and departments working to evacuate people from Kimberling Mountain and Echo Mountain. Lincoln City Police helped with the initial evacuation process in these unincorporated areas.

The City did not put out much information on its website at first. Mr. Murphy said the City's website is on an old platform that requires significant effort to update. You need a computer to update it, and a dedicated person to do the updates. Mr. Murphy said the City does not necessarily have a dedicated person to watch all City social media sites in Lincoln City. Explore Lincoln City has one person that monitors social media relating to tourism in Lincoln City. Mr. Murphy said that, during an emergency, the need to monitor social media sites is a 24 hour job, so at least 2 staff would be needed for day and night shift operations.

Mr. Murphy said that the City has now launched a Facebook page. The Police Department, Emergency Preparedness Department, Library, Parks and Recreation, and Explore Lincoln City also have Facebook pages. Explore Lincoln City also has Instagram and Twitter. These are lots of potential sources of information, but it's not easy to keep them all up-to-date during an event unless we have the resources.

Mr. Murphy said that media releases might not be a great help in these situations. Local newspapers publish on certain days of the week, and while they publish online news stories, access to those is dependent on power and internet.

Mr. Murphy said AM radio would be a possibility for communications. KBCH and KNPT / The Wave are local options, with KBCH being located in Lincoln City. KBCH is only manned at certain times.

Mr. Murphy said that amateur radio volunteers can communicate reliably during emergency situations, but the City would have to ensure that good information gets broadcast. Mr. Murphy said that satellite phones would not have worked well during this emergency due to the heavy clouds and smoke. While the City has a trailer that can boost the signal strength of these phones, that would only have helped to a point.

Mr. Murphy said that he is yet to get a report from the County regarding how many people were contacted and how many people responded to Lincoln Alerts. These communications were likely hampered by internet and phone service issues.

Mr. Murphy said that the City has radio systems for the Police Department, Public Works Department, and Parks Department.

Mr. Murphy tried to send information to City employees via Lincoln Alerts, and that message didn't go out successfully. Mr. Murphy noted that Lincoln Alerts relies on internet and power to transmit messages. It's not a 100% solution.

Mr. Murphy said that in the first stage of an emergency, communications tend to be hectic. Mr. Murphy recommends establishing a frequent schedule of communication alerts. Social media, radio, and message reader boards are all useful sources.

Mr. Murphy discussed Emergency Operations Center (EOC) policy groups. Mr. Murphy believes the City should have had a representative in the County EOC. This representative needs to be trained on handling EOC basics.

Mr. Murphy suggested that Mayor Anderson talk with Commissioner Kaety Jacobsen to see if Lincoln City should be a part of the County EOC policy group. Mr. Murphy observed that Lincoln City was extremely close to this disaster and many people think Otis is a part of Lincoln City.

Mr. Murphy said the City needs a crisis communication plan. Mr. Murphy said we should develop a plan regarding what we want to create and delegate a group of people for these communications. Mr. Murphy recommends a joint information center that deals with social media and handles communication inputs and outputs. Training on this subject is available. Mr. Murphy thinks this need could be handled right away.

Mr. Murphy discussed local radio station KBCH. It is privately owned, and doesn't have a generator. Mr. Murphy said he was in contact with KBCH frequently during his first 6 months as Emergency Preparedness Coordinator asking if they would like City assistance in procuring a generator and also asking them if they would consider moving location to be out of the tsunami inundation zone. KBCH has not responded to Mr. Murphy. Mr. Murphy will continue to work on contacting KBCH, and is willing to make contact with Newport area AM radio stations.

The City's tsunami sirens are owned by North Lincoln Fire and Rescue (NLFR). They are older sirens that have either been purchased or donated to NLFR from other agencies, such as the Trojan Nuclear Power Plant that was outside of Portland. They are a patchwork of systems that produce a single audible tone. City residents are familiar with the tsunami sirens from weekly testing. If the City wanted to use these sirens for other emergency notifications, the community would need to be educated on how they were being used to avoid confusion and misinformation. Mr. Murphy noted that the City's tourist population would not know how to respond to a tsunami siren being used for a fire evacuation.

The City could have stood up an EOC during this event. Many City employees would not have been available to staff the EOC due to the evacuation orders. Also, taking staff to the EOC takes staff away from their regular duties. Mr. Murphy noted that the City does not have enough staff to run its EOC 24 hours a day. Mr. Murphy suggests that, if a similar event happens again in the area with another agency leading the emergency response, the City take a graduated, phased-in approach to opening its own EOC. It takes 30 employees to run the EOC for each shift.

Mr. Murphy said there can never be enough training on how to run an EOC. He will continue consistently training staff on these operations, making sure to obtain departmental buy in. Mr. Murphy recommended the Policy Group- the City Council and City Manager- join these training sessions.

Mr. Murphy noted that the EOC was short of laptops during this emergency due to COVID-19. In March, many City employees started working from home and the new EOC laptops that were purchased were provided to these employees for remote access purposes. Mr. Murphy noted we need additional laptops for EOC purposes. Mr. Murphy noted the EOC needs Whiteboards, GIS capability, and signage. Further, staff may need to sleep at the EOC and so the EOC needs to have food and sleeping equipment available.

Mr. Murphy analyzed the evacuation issues. The main problem is the limited road network in the area. Area roads are managed by different groups- ODOT (Hwy 101), Lincoln County, and Lincoln City. The City needs to work with other agencies in the area to develop a better plan to use roads. For example, Highway 229 to Siletz was not used during this emergency. There was no traffic control, and the City doesn't have enough staff currently trained in providing traffic control. Road and traffic control issues will need to be worked through with other agencies.

Mr. Murphy said evacuation decisions were made by the Incident Commander (North Lincoln Fire and Rescue). These decisions were relayed to Lincoln County and the County proceeded with issuing evacuation orders. Mr. Murphy noted it would have been very helpful to have a City employee in the County EOC to get information to the City as quickly as possible.

Mr. Murphy said more training should be provided on the differences between evacuation levels 1, 2, and 3. Mr. Murphy noted people evacuated Lincoln City from areas that were at a level 1 evacuation level.

Mr. Murphy said that the return to the area was handled by North Lincoln Fire and Rescue. They based their decisions on fire conditions and risk.

Training and preparation for emergencies is always helpful. You cannot train employees and the public enough. Mr. Murphy noted that getting interest in emergency training is difficult. Mr. Murphy said he's tried to offer classes to businesses and to the public but he hasn't received favorable results. Now, there will be a lot of interest. Mr. Murphy wants to take advantage of this interest and wants to keep interest high even when nothing is going on from an emergency perspective. Mr. Murphy sees training and information as a form of an insurance policy. He noted that COVID-19 makes training more challenging; however, small classes and online information can be provided. Mr. Murphy recommends offering separate training sessions for the general public and local businesses.

Mr. Murphy discussed the need for local businesses and individuals to obtain generators. Mr. Murphy would like to educate local businesses about the value of a generator, and help them find sources of grant funding to purchase one. Mr. Murphy noted that generators allowed McKay's Market to stay up and running, and Carson Oil also could provide gasoline. Mr. Murphy thinks every family should have a small generator if they can afford one.

Mr. Murphy said that he will continue working on City preparedness. There's lots to reflect on after this event- radio systems, communications systems, and the City hasn't yet finished the disaster caches due to COVID-19. Mr. Murphy wants to get the caches completed and ready-to-go.

Mr. Murphy said he will provide extra information to Council upon request and direction. He cautioned Council that some of the issues aren't overnight fixes and some will cost money.

Mayor Anderson asked what happens next? Does a report get forwarded to Lincoln County? Will this be a public document?

Mr. Murphy said there was no requirement to send the County a report; however, he thinks it would be helpful to do so. Mr. Murphy would like to request a City staff member get added to the County EOC Policy Group. Further, Mr. Murphy said he would like to contact the County to see if Lincoln City can get permission to send out Lincoln Alerts to the whole County. Mr. Murphy noted that Newport might be the hub of a future disaster and then Lincoln Alerts wouldn't work at all.

Chief Palmer said he was talking with Sheriff Landers about what worked and what didn't work. Chief Palmer said that the County and City plan to have a joint debrief in a couple of weeks. Chief Palmer said the County should produce a report on this disaster as well.

Mayor Anderson asked what Mr. Murphy and Chief Palmer needed from Council? Mr. Murphy asked Council if they had observations and items he had missed in his summary. Also, Mr. Murphy wanted Council to provide direction on what to do first. Chief Palmer concurred with Mr. Murphy, asking Council to provide direction to allow for the most effective use of time and money towards improving emergency preparedness.

Councilor Casper said she had taken CERT classes with Mayor Anderson just prior to the March 2011 Tohoku earthquake and potential local tsunami. In March 2011 Councilor Casper was evacuated from Nelscott to Taft High School. Councilor Casper said the community learned a lot about how to evacuate people and pets during this event. Councilor Casper suggested doing evacuation drills, focusing on segments of the City.

Councilor Mark asked about utilizing radio stations. Could there be a City of Lincoln City radio station, with a tower out of the tsunami zone? What about a County radio station, or a coast-wide radio station? A radio station could also provide messaging for signs along Highway 101. Might state funding for this be available? Councilor Mark said that the Siletz Highway could have been used for evacuations. Also, people could have used South Drift Creek Road, getting there via SE 32nd St, High School Drive and Schooner Creek Road. Councilor Mark asked who makes emergency traffic decisions.

Chief Palmer said that creating a rural side-ride diversion to Highway 229 (the Siletz Highway) would have needed significant labor for traffic control and detour signs. Chief Palmer also said that the types of traffic being sent on those roads should be considered. Would you just send passenger cars that way, or also allow motorhomes and trucks? Chief Palmer also said that while East Devils Lake and West Devils Lake roads were closed, both of them end up on Highway 101, so having access to those wouldn't have helped with traffic issues. Chief Palmer suggests that controlling evacuations by evacuation levels is a better way to handle the situation.

Councilor Hinton said that she would have been willing to direct traffic if she had been given appropriate information. Councilor Hinton said that knowing that Highway 101 was closed to the north would have helped people understand why evacuation was taking so long. Also, knowing exactly where the fire was burning would have helped. Councilor Hinton noted that people in Level 3 evacuation zones couldn't evacuate quickly because people in Level 1 and 2 zones were also evacuating at the same time. Councilor Hinton said people received Lincoln Alerts, but couldn't open them to read them. She would like to see Lincoln Alert information on the front of the alert rather than embedded within it.

Councilor Hinton says that a Communications Plan for the City is important. Councilor Hinton asked if the City can work on alternate evacuation routes, perhaps partnering with other agencies. Might FEMA \$ be available for evacuation?

Councilor Hinton suggested an evacuation drill be tied in with October's Shakeout drill.

Councilor Hinton has received information on public radio services. Councilor Hinton said there are 2 available radio opportunities in this area that the City could apply to own and manage. The City could create a public information radio station for emergency notifications, with weather and tide information available day-to-day.

Councilor Hinton would like to see printed flyers on City property for after-event information, such as telling evacuees where to go and where to get help. Councilor Hinton also wants to make sure the City obtain as much FEMA funding as it can for emergency preparedness and mitigation.

Councilor Hinton asked how City Council can be utilized better in emergency situations, noting that she felt disconnected during this emergency situation. Councilor Hinton appreciated Mr. Chandler calling her twice a day with updates but feels that the value that Council could bring to an emergency was not used.

Mayor Anderson noted it was reported in rural areas that people in civilian clothes knocked on doors to order residents to evacuate. Mayor Anderson said that some people in the Schooner Creek area were suspicious of these orders, especially as they didn't see or feel the fire outside. Chief Palmer said that all County, State and Police staff deployed were in well-marked uniforms. Chief Palmer said that these people could have been local residents trying to spread the word about the evacuation. Chief Palmer reported there has been no reported burglaries or looting from this event.

Councilor Hoagland thanked Mr. Murphy for his report. Councilor Hoagland would liked to have seen Councilors and Volunteers working at critical intersections of local roads and Highway 101 to direct traffic. These areas include Holmes Road, and SE 3rd Street. Councilor Hoagland would like to see a radio station providing relevant information.

Councilor Parsons agrees with all points raised. Councilor Parsons would like to see radio being used for emergency notifications. Councilor Parsons wants to focus on prevention and mitigation, noting we have lots of forested land in the City limits. Councilor Parsons wants the City to be prepared for fire emergencies going forward.

Councilor Hinton asked how Council can discuss updating Lincoln City's part of the County Emergency Mitigation Plan with Mr. Murphy?

Mr. Murphy said he would schedule a meeting on this with Council.

Mayor Anderson asked how Council can be of help during an emergency?

Mr. Murphy said that dealing with rumors that were posted on Facebook took a tremendous amount of time. Mr. Murphy said he attended a debrief with Samaritan North Lincoln Hospital. Mr. Murphy wanted to state that the rumor that the hospital didn't have a generator was not true. The hospital evacuated because it was in a level 2 evacuation zone. The evacuation process for patients went well.

Mr. Murphy would like to propose what to look at and what to fix, with a graduated timeline. Some items can be worked on right away; others will require funding and staff time.

Councilor Mark asked about CERT involvement. Councilor Mark also asked what caused cell towers to go out, and if there was any backup technology available for cell towers in the event of failure? Councilor Mark would have liked a message to have gone to Level 2 and Level 1 areas encouraging those folks to stay home and free up the highway for Level 3 evacuees. Councilor Mark also encouraged the public to

take only one car if they are evacuating, to not tow boats during evacuations, and to prepare for emergencies.

Chief Palmer said that CERT had become a part of NLFR. Councilor Hinton said that CERT members in Roads End were delivering meals on behalf on the Red Cross to evacuees in hotels and motels.

Mr. Murphy said that he referred CERT members directly to the Red Cross during this emergency, knowing that NLFR would not have time to manage CERT during a fire emergency. He will ask Chief Dahlman from NLFR about having the City activating CERT directly during future fire emergencies.

Chief Palmer said education regarding evacuation procedures would be very helpful. Chief Palmer said that when the north end of town was in a level 3 evacuation zone and when people were stuck in traffic. Chief Palmer said that if the fire had been cresting near that area, he wondered how many people knew they could have parked their vehicles and walked to the beach or 1 /2 a mile south to a level 2 zone and been out of immediate danger. Chief Palmer noted that the word evacuation doesn't necessarily mean a journey to Newport or Portland; it can mean a short journey on foot to get yourself to safety.

Mr. Chandler said that public comments sent to the publiccomment@lincolncity.org email address will be posted. Mayor Anderson asked Mr. Chandler about a sensible expectation for the level of recommendations presented by Mr. Murphy? Mayor Anderson noted that there are limited Council meetings in November and December, and that in January Council focuses on its annual goals and the budget.

Mr. Chandler said he will ask Mr. Murphy and Chief Palmer to divide their recommendations into two parts- ones that won't cost much to implement and ones that would have a significant impact on the budget. Mr. Chandler noted that a radio system would be a major budgetary decision.

Mayor Anderson asked when Council could discuss these recommendations with Mr. Murphy and Chief Palmer? Mr. Murphy said he could organize the information into the two categories by the 1st of November.

Mr. Chandler noted how this was a multi-jurisdictional emergency. He also said he will ask Mr. Murphy and Chief Palmer to add a third category of recommendations- ones that need to be made to Lincoln County to improve responses to a multi-jurisdictional emergency.

Councilor Parsons asked Mr. Chandler to be specific about where public comments were being posted, and to share them on the new Facebook page. Mr. Chandler said they were being posted in 4 places- as part of the record for a particular meeting; on Facebook with a link; on the City webpage; and on the Ron's Report blog.

3. ADJOURNMENT

DICK ANDERSON, MAYOR

ATTEST:

CATHY STEERE, CITY RECORDER

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

October 12, 2020, 6:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets and Videos". The staff reports, resolutions, ordinances and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE:

A. CALL TO ORDER

Mayor Anderson called the meeting to order. Mayor Anderson advised the public that there are now three ways to provide public comment.

1. Comments can be made through email to publiccomment@lincolncity.org;
2. Comments can be made via Zoom if a request is emailed to publiccomment@lincolncity.org by 12 pm on the meeting day (this is a new feature);
3. Comments can be made in person at the Council Chambers (COVID-19 precautions are taken)

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor	Present	6:00 PM
Judy Casper	Councilor Ward 3	Present	6:00 PM
Diana Hinton	Councilor Ward 1	Present	6:00 PM
Riley Hoagland	Councilor Ward 2	Present	6:00 PM
Rick Mark	Councilor Ward 3	Present	6:00 PM
Mitch Parsons	Councilor Ward 1	Present	6:00 PM

Staff present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Lila Bradley, Public Works Director; Alison Robertson, Economic Development and Urban Renewal Director; Jeanne Sprague, Parks and Recreation Director; Richard Townsend, Interim Planning Director; Abby Edwards, H.R. Supervisor; David Mattison, Senior Planner; Sgt. Bomar, Lincoln City Police Department; David Twigg, I.T. Support Specialist.

C. PLEDGE OF ALLEGIANCE- SKIPPED DUE TO MEETING BEING HELD REMOTELY

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – September 28, 2020 6:00 PM
2. Approval of Final Order 2020-03 - The Cove Phase 3
3. THIRD AMENDMENT TO LICENSE AGREEMENT FOR NELSCOTT DECK (SCOTT PLAZA)

Mayor Anderson was going to pull item 3 for discussion, but Mr. Appicello advised him that necessary corrections were already made. Councilor Hinton said she had sent three corrections to the September 28 minutes to Mr. Twigg.

MOTION:	Motion to Approve the Consent Agenda with corrections to the September 28 minutes
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed

E. COUNCIL DELIBERATIONS**F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**

4. Public Comments via publiccomment@lincolncity.org

Mr. Chandler said he'd only received one comment via email, and it was already in the packet. No-one was present in Council Chambers or on Zoom.

G. PRESENTATIONS**H. PUBLIC HEARING / ORDINANCE****I. PUBLIC HEARINGS / PUBLIC COMMENTS****J. ORDINANCES****K. RESOLUTIONS****L. SPECIAL ORDER OF BUSINESS**

1. Review of Sustainability Committee Recommendations

Mr. Chandler advised Council that these recommendations had been presented to them previously by Dave Price, chair of the Sustainability Committee. Mr. Chandler wanted to ask Council where they wanted to go with some of these recommendations. Mr. Chandler said it's a good time to look at these again because it's time to prepare the 2021-22 budget and also COVID restrictions have loosened a bit.

Mr. Chandler covered the 3 recommendations of the Sustainability Committee- reducing plastics, sustainable landscaping, and sustainable food. Mr. Chandler told Council he had spoken with Mr. Price and asked him how the Sustainability Committee prioritized these recommendations. Mr. Price said reducing plastics was the committee's priority. Mr. Chandler noted it is also a priority of Council. Mr.

Chandler said the recommendations of the Sustainability Committee regarding plastics could be implemented by ordinance, incentives, or an education and marketing campaign.

Councilor Mark said that the City had passed an ordinance banning styrofoam containers at a future date. What was the effective date of the ordinance? Councilor Mark felt the City hadn't met the Sustainability Committee's concerns regarding engaging with local businesses on that change. Is there an opportunity to hear from businesses on their concerns?

Mr. Chandler said this ordinance would not be effective until after January 2021. It was intended to be the first step in a plastic reduction program. This ordinance would be a part of a larger package that would be discussed with the community and businesses, taking a "carrot and stick" approach with educational campaigns and incentives.

Councilor Casper asked if businesses could be surveyed to get their input. Councilor Mark said that was the piece missing from the ordinance. He feels the Sustainability Committee wanted the City to do outreach and the City glossed over it.

Mr. Appicello noted that the ordinance is not effective until April 13, 2021.

Mayor Anderson asked if Council were looking for a multi-step educational and surveying program, should Mr. Chandler go forward?

Mr. Chandler said he would work with the Sustainability Committee first to develop a framework. Once that was developed, there would be work sessions and public input. Mr. Chandler asked if Council was ready to move forward on plastics. Mayor Anderson said as this is a top priority of Council, Mr. Chandler should move forward. Mayor Anderson noted this project would likely take a while. Mr. Chandler said this will have budgetary impacts, so it's a good time to get started.

Mr. Chandler covered the sustainable landscaping proposals. These included a reduction in pesticides and herbicides, a focus on native plants, and better use of groundwater. A sample garden could be created. The City could host classes, workshops, and post signage regarding landscaping requirements. Mr. Chandler said that before moving forward he would review the Oregon State University Master Gardener program to make sure the City isn't duplicating content from that. Mr. Chandler asked Council if he should proceed?

Councilor Casper asked if the Public Works and Parks departments use pesticides? Mr. Chandler replied that they do. Mayor Anderson said that previous councils have voted to reduce pesticides. After a few years, Public Works and Parks came back to Council asking for pesticides to be permitted again because weeds were out of control. Mr. Chandler said that Lincoln County and ODOT use pesticides around the streets that they manage.

Councilor Hinton said that there are already sustainable landscaping plans available and the City should not reinvent the wheel. There are plenty of programs out there that encourage sustainable landscaping.

Mayor Anderson said that Planning has a recommended landscaping guide. This guide should be updated with any new information developed from these recommendations. Mayor Anderson asked Mr. Chandler what is Council's role here?

Mr. Chandler said Council's role is Financial. If the City is starting a program, the City would need to run it, or partner with an organization to run it. Running a program would have budgetary impacts.

Councilor Hoagland said he supported sustainable landscaping. Councilor Hoagland said he didn't think the City used pesticides and asked when Council could discuss the use of pesticides in City playgrounds. Councilor Hoagland wants to see the City be a good example to the community.

Councilor Hinton said she had professional experience in this area from a City perspective. Setting up a program like this is more involved than it sounds and it costs money. Councilor Hinton said she hired a 3 / 4 time consultant through a non-profit to obtain grants and incentives. Setting up a program like this is not as easy as it sounds on paper. Oregon Department of Fish and Wildlife and the DEQ has good information, and the City already has a good plant list. Council need to give the Sustainability Committee direction on how much Council wants to do with sustainable landscaping. The City can use existing resources or design its own plan.

Mayor Anderson asked Mr. Chandler if he was planning to come back to Council with more information? Mr. Chandler said he would. He recommends Council have a work meeting to provide more input on moving forward.

Councilor Casper said that the City's existing landscaping ordinances should be reviewed. She would like to see the City encouraging residents who wish to use sustainable landscaping principles to use existing resources, for example the OSU Master Gardener's program. Councilor Casper thinks these kinds of programs can reduce the use of pesticides without a big budgetary dent.

Councilor Hinton asked if the workbook she used when working on this issue previously would be helpful for Council and Mr. Chandler? Mr. Chandler said it would be very helpful.

Mr. Chandler discussed the Sustainability Committee's food program recommendations. The biggest feature in this recommendation is to create an event- Flavors 101, a food festival attracting locals and tourists that features healthy and easy eating in Lincoln City.

Mayor Anderson asked for more information about budget and Explore Lincoln City availability before moving forward. Mr. Chandler said he would get that information.

Mayor Anderson said that, depending on costs, Council should look at all 3 recommendations and decide which to move forward.

Mr. Chandler asked for confirmation that Council was ready to move forward? Mayor Anderson said yes, depending on staff time and costs.

Mr. Chandler said that he would work with Mr. Mattison to report back to the Sustainability Committee on this discussion and would come back to Council with more information.

2. Criteria for Installing Traffic Calming Devices

Mr. Chandler discussed various traffic calming measures designed to reduce speeding.

The first measure discussed was ticketing through the Police Department. Mr. Chandler said this is the most effective method, but it is the most labor intensive and expensive. Photo ticketing is an option, with speed signs being able to have cameras installed. "Speed being monitored by radar" signs are available.

Mr. Chandler discussed road modifications. On narrow roads you can use deceptive street striping to fool a driver that there's a barrier or speed hump ahead. You can also employ speed humps, bulb outs (NW

Harbor), roundabouts, islands, bollards, and pinch points. Mr. Chander discussed how landscaping islands can create pinch points. Mr. Chandler also said that tree-lined streets can give the illusion that a road is less wide, therefore making drivers slow down.

Mr. Chandler said he's looking for direction and approval from Council on a concept, and if there are traffic calming features Council doesn't want to use.

Mr. Chandler said that radar signs collect data which could be used to determine where traffic calming measures would be used. Criteria has not been established for when to use different traffic calming features. Mr. Chandler said that speed bumps cost between \$2-5,000; signs cost about the same amount as well.

Mr. Chandler said that speed humps need to allow a vehicle to travel over the hump at the speed limit. Mr. Chandler said speed humps are not used on "commercial" roads. Mr. Chandler also noted speed humps would impact sidewalks and bike routes.

Mr. Chandler asked Council how many complaints about speeding should be received in order for the City to take some sort of action? 1, or more than 1? If more than 1, how many are needed to conduct a traffic study and implement traffic calming features?

Councilor Hoagland said he likes speed bumps, and the deceptive street painting.

Councilor Casper said she finds speed bumps noisy, and they can irritate surrounding neighbors. She mentioned that rubber speed bumps are less intrusive.

Councilor Hinton likes the radar signs and street striping. Bumps might be an option depending on the location. Councilor Hinton does not like bulb outs on residential streets- she finds them confusing. She also doesn't think roundabouts are effective. citing how people drive around the Taft roundabout backwards.

Councilor Parsons likes radar signs. He is opposed to photo ticketing- those tickets are too easy to get out of. Councilor Parsons likes street striping and roundabouts, if roundabouts are properly constructed. He does not like bollards or bulb outs in residential areas.

Councilor Hoagland asked if the City has considered one way streets from SW Canyon to SW 15th? Councilor Hoagland said he had heard concerns about this area and perhaps one way streets would be slower. Mr. Chandler said this hasn't been discussed.

Councilor Mark said he likes bumps and radar signs. He feels people would ignore the striping once they're used to it. Councilor Mark would like to see a written policy on criteria used to avoid favoritism. Councilor Mark would like to see any radar signs being moved to different locations around the City.

Mayor Anderson asked if Mr. Chandler could obtain recommendations regarding traffic from other communities like Lincoln City? Mayor Anderson said roundabouts can be a problem, taking up more land than a 4 way stop. Mayor Anderson asked about the purpose of the roundabout in Roads End.

Mr. Chandler said the challenge that elected officials will have is that ODOT has an established set of criteria and no matter how hard you push, ODOT rarely varies from that criteria. People will still perceive there is a problem and will come to their local elected officials to report that issue.

Mr. Chandler has concluded that the City has received enough requests to create a policy. He will bring more information on cost and potential location of traffic calming devices back to Council.

Councilor Parsons asked how much a traffic study would cost? Mr. Chandler said he'd come back to Council with that information. Mayor Anderson asked for more information on where complaints about speeding are coming from now.

3. OPTION AGREEMENT - TAFT SCHOOL DISTRICT PROPERTY

Mr. Appicello said that Lincoln County School District (LCSD) had provided an option for \$1 for the City to purchase the property by December 15. This can be extended if the City closes on the property by December 29. Mr. Chandler said the City has funds available for the purchase. Mr. Appicello confirmed the budget for the property purchase is \$420,000- the \$1 is for the option to purchase (i.e. an exclusive right for the City to purchase the property). Mr. Appicello confirmed with Councilor Hinton this was an "as-is" purchase.

Councilor Parsons asked if the option was necessary. Can the City just purchase the property? Mayor Anderson said that the School District's attorney likes the option agreement approach. Mr. Appicello said there is a lot to do in order to close this property transaction.

Councilor Mark asked for an update on the environmental assessment of this property. Mr. Appicello said a "no further action required" letter was obtained by LCSD. This letter also provided an order not to remove a cap on parts of the property. Mr. Chandler said the cap was where buses were parked.

Councilor Hoagland asked if there were other steps in place in the event the City doesn't want to obtain the property? There doesn't seem to be an opportunity for further environmental assessment. Mr. Appicello said that the City could breach the contract terms and then the agreement to purchase would be terminated. Mr. Appicello noted that the City can enter the property before the sale is completed.

Councilor Hoagland noted the City would use this property as a park. Mr. Appicello said the City should complete an environmental assessment either before or after purchase. Councilor Hoagland asked what happens if nearby water tables or Drift Creek get impacted by the property? Mr. Appicello said that after purchase, the City would be responsible for mitigating any environmental contamination. Mr. Chandler said that there is contamination on the property, but no further action is needed. Councilor Hoagland asked what there was no action needed for? Can the City allow children to play on the property? Mr. Appicello said that the "no further action" letter and order restricts the use of the parcel and restricts the owner from altering covering of parts of the property. If the City purchases the property, the City will be responsible for mitigating any environmental damage caused by this property.

Councilor Hoagland said there's no guarantee LCSD will let the City perform further environmental testing. Mr. Appicello said that while the City would be responsible to repair any damage caused by further environmental testing, the City could choose not to exercise the option to purchase and not buy the property.

Councilor Mark asked why the City would need to perform more environmental testing? Mr. Appicello said there is a leaking storage tank on the property. While there is a no action letter regarding this tank, it is still a concern, and that Council has until December 15 to take any action on the property. Further, the "no further action" document does not cover the entire property.

Mayor Anderson outlined the history of the property, acknowledging that there was a gasoline tank on the premises and that it was a school with children playing on the premises for many years. Mayor

Anderson observed that tidewater is near the location. Mayor Anderson said the City wants this property as a park for the social good of the community. If the City doesn't purchase the property, it will become a blight on Taft. After purchase, the City can work with Economic Development on obtaining grants from state agencies to clean up the property. Mayor Anderson has no concerns and wants to move forward with the purchase.

Councilor Hinton agrees with Mayor Anderson and wants to do a two part motion regarding further testing. Councilor Hinton wants to pursue grant opportunities for further testing.

Councilor Hoagland said that if it is easy to make this lot into a park, someone else would do so, so he does not agree with Mayor Anderson. Councilor Hoagland would like a Level 2 environmental assessment to be performed by December 15, 2020. Councilor Hoagland said he's not opposed to the purchase of the property; he just wants to know exactly what the City is buying and for the property to be as safe as possible.

Councilor Mark asked if there was a way to get professional guidance based on the initial documents regarding the need for further environmental testing? Or do the initial documents say that testing has been adequate?

Mr. Appicello said the Level 1 environmental assessment was given to Council on thumb drives. The Level 1 assessment said that a Level 2 study should be performed.

Mayor Anderson said that DEQ should have alerted the City if there were more concerns. Mayor Anderson said the City can pay, or try to get a grant, for property clean-up by December 15, 2020. Mayor Anderson said that there was no oil floating in the river as a result of conditions on this property. Councilor Hoagland said water quality had not been tested.

Councilor Casper said that she is in favor of moving forward. There are things the City can do to mitigate concerns and the City should be ready to make a final decision by December 15.

MOTION:	Motion to Approve Option Agreement for the Taft School District Property and authorize the execution of all necessary documents to complete acquisition. The motion does not include exercising the accepted option to purchase.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

4. ORDER NO. 2020-04 AN ORDER APPROVING A SIX MONTH LEASE EXTENSION FOR MCKAY'S MARKET, INC.

Mr. Appicello said that more time was needed to get a new agreement ready for review. McKays Market agrees to a lease extension.

MOTION:	Motion to Approve a 6 month Lease Extension with McKays Market
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

5. COVID-19 Update

Mr. Chandler said that City offices would be partially opened for voting purposes. The ballot box will be just in front of the Information Desk, which will be open for citizen questions. The offices will be open from Friday October 16 until election day. Mr. Chandler asked that the public come in through the main parking lot, using the front doors to City Hall.

Councilor Hoagland asked Mr. Chandler what hours the ballot box would be open in City Hall. Mr. Chandler said 8 am until 5 pm, Monday through Friday.

Mr. Chandler said the Community Center is open, with limited capacity. The Community Center is asking patrons to make appointments; however, walk ins are accepted if capacity is available. The Community Center is opening a little later, closing earlier, and is closed on Sundays. The Senior Center is not open. ReckKids is operating. Mr. Chandler said that there were no layoffs during the COVID-19 pandemic, but many lifeguards have resigned their positions. The City is looking to recruit new lifeguards. FEMA and the Red Cross are using the Community Center currently to serve the needs of evacuees from the Echo Mountain Fire Complex. Meals on Wheels also uses the Community Center for meal delivery.

Driftwood Library has public access computers available by appointment. Curbside pickup is available. Driftwood Library will continue to gradually open. Library staff are working on establishing appointments to browse the Library for books. Mr. Chandler will provide more information to Council on this.

Councilor Hinton said she participated in a League of Oregon Cities meeting regarding COVID-19 and the fire emergencies. Councilor Hinton said that in Oregon, COVID cases have gone up. Councilor Hinton said that a representative from Governor Brown's office said at this meeting all options to reduce the spread of COVID are on the table, including going back to a baseline status. The focus is on getting children back into school. Councilor Hinton asked the public to do what they could to keep COVID numbers down by using a face covering and social distancing.

Mayor Anderson asked if kindergarten students were back in school? Councilor Parsons said that kindergarten students are now in a hybrid model of education, coming to class two days a week and then doing the rest of their studies from home. High school sports instruction is also open now.

Councilor Hoagland asked about Spanish signage regarding face coverings. Had it been changed to use the correct word for face covering? Mr. Twigg confirmed it had been changed, advising Mr. Hoagland the word for face covering had been changed from "tapadera de cara" to "cubreboca".

6. Echo Mountain Complex Update

Mr. Chandler said that Lincoln County was waiting to hear from FEMA regarding displaced housing. The County is going to do an after-action review, and they are in the process of hiring a consultant. Mr. Chandler confirmed that Mr. Murphy (Emergency Preparedness Coordinator) and Chief Palmer were working on their after action report and this would be presented to Council at their first November meeting. Mr. Chandler said that the report would present the low hanging fruit first.

FEMA will be at Suite 118 in the outlet mall next week.

Many organizations continue to provide relief opportunities. St. Augustine Church is leading a group of local churches in providing food weekly for at least the next three weeks on Wednesdays at 3 pm. The food will be taken to the Old Taft Firehouse, which has a walk-in fridge.

Mayor Anderson said that citizen comments regarding this emergency are available on Ron's Report. Mr. Chandler said comments will also be attached to the minutes for the last few Council meetings. If citizens would like a copy of the comments, they should email Mr. Chandler to request a copy.

Councilor Hoagland noted that many people and organizations were volunteering to help. Lots of groups are donating and delivering food, and they don't necessarily know each other. Councilor Hoagland asked if Council could have a work session with groups that are helping the community to thank them and to help coordinate their efforts to help?

Mr. Chandler said that Marci Baker and Amanda Cherryholmes are leading a group to work on this issue. Mr. Chandler said a work session would be a good opportunity for the City to say thank you, but he notes that the City doesn't have knowledge of many of these organizations. Councilor Hoagland said holding a work session would give the City an opportunity to ask, on Facebook and social media, who has been helping with relief.

Councilor Hinton said she is serving on the Governor's Regional Recovery Task Group. There are disaster recovery funds available for affected counties. Three counties have already been approved for funding and have received \$1,000,000. Lincoln County is in great need and the County believes it could qualify for this funding. If the funding is granted, it will be available for 2 years and it can go towards employing temporary staff to help with recovery for up to 12 months. Temporary staff that are hired must be displaced workers. The money can be used for temporary housing, child care, mental health, planning and building, appropriate clothing.

Councilor Hinton provided data from the task group. There are 474 displaced fire survivors. As of September 29, 24 are in emergent housing, 7 in vehicles, 2 are staying at their place of employment, 2 are in a shelter, 9 are homeless, 1 is living in a tent, and 365 are in short-term housing. 178 people are in hotels or motels; 6 are in second homes; 134 are living with family and friends. 23 people are living in campers; 24 are in new temporary rentals. 85 people have been permanently re-housed; 83 people are in new rental units, 1 person is living in FEMA housing, and one person is purchasing a new home.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Mr. Chandler reported that 36 people had expressed interest in attending workshops regarding parking in Lincoln City. He will start scheduling Zoom meetings with interested parties in the three City wards.

Mr. Chandler asked Council if they wanted to hold the second scheduled meetings in November and December? These meetings fall around the Thanksgiving and Christmas holidays. Mayor Anderson asked Mr. Chandler and Mr. Appicello if there were any time-sensitive issues that need action by the end of December? None were reported, apart from the Taft Property purchase option, which could be handled at the first December meeting (December 14). Council had no objections to cancelling the second scheduled meetings in November and December.

Mr. Appicello noted an initiative petition was recently submitted regarding the new Urban Renewal plan adoption. He will work with Mr. LaSoya (I.T. Director) on this submission. Mr. Appicello reminded Council that City employees can't advocate for or against any candidate or political measure while they are at work. Also, elected officials cannot influence or direct staff to do anything "for" or "against" any political candidate. Mr. Appicello will come back to Council with more information on the initiative petition at a future Council meeting.

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

Fran Lonnon: Ms. Lonnon had questions for Mr. Chandler. Ms. Lonnon asked about the Echo Mountain Fire. Where did Mr. Chandler post the public comments? Mr. Chandler said they are at ronsreport.org. Ms. Lonnon asked what meeting dates would have public comments added to the minutes? Mr. Chandler said the comments should start being in the minutes packets from September 28.

Ms. Lonnon asked Mr. Chandler if he had heard from North Lincoln Fire regarding an after-action report? Mr. Chandler said he had not heard from them.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Parsons asked about the special election to fill the vacant Ward 2 Council position. When would a new councilor be seated? Mayor Anderson said that the City has to wait until the election results are certified by Lincoln County. Most likely the City won't be ready to seat a new councilor until January- at the same time as the other election winners.

Councilor Hinton said that Explore Lincoln City had provided new information to the public about where to park to access the hiking trails to the Thumb and to the Knoll. The public should park at the cul-de-sac in the Villages at Sitka Woods at the end of West Devils Lake Road. Councilor Hinton said that the information is getting delivered successfully and that people are now parking in the correct place. Councilor Hinton thanked staff for doing incredible and creative work. Councilor Hinton also thanked local businesses and members of the public for helping others. Councilor Hinton is proud to be living in Lincoln City.

Councilor Hoagland thanked everybody. He will provide a specific list of people to thank at the next Council meeting. Councilor Hoagland said he feels fortunate to have been able to donate food for this emergency. He has worked alongside many people donating food and it feels good to connect with people. Councilor Hoagland said it's wonderful to work with everyone.

Councilor Mark asked about having the public offer public comment to Council via Zoom. Councilor Mark wants to make sure the public are aware of this opportunity. Perhaps information should be put on Facebook? Councilor Mark noted that there is a ballot box available outside the building as well as the one inside City Hall. Councilor Mark further noted that voting in Oregon is a pleasure compared to many other states, including his home state of Pennsylvania.

Councilor Mark asked for clarification on the St. Augustine church program. Mr. Chandler confirmed that volunteers could meet at Wednesday at 3 pm at the Old Taft Firehouse.

Councilor Mark noted that donations were being taken at Salmon River Grange and that B'Nai Brith distributed hundreds of food bags to people in need.

Q. ADJOURNMENT

DICK ANDERSON, MAYOR

ATTEST:

CATHY STEERE, CITY RECORDER

Council Communication

REQUEST FOR CONTINUANCE -ANNEX 2020-01 CPA/ZC 2020-02 Woods annexation and development agreement

Meeting Date:	October 26, 2020	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Administration	Secondary Contacts:	Ronald Chandler
Approval:	Ronald F Chandler	Estimated Time:	5 minutes

Question:

Should the City Council reopen the public hearing and continue the applications to April 26, 2021?

Staff Recommendation:

Staff recommends the Council reopen the hearing and continue the application to April 26, 2021. When appropriate, staff will re-notice the applications for the 2021 hearing.

Authority:

Oregon Revised Statutes concerning Annexation
Statewide Planning Goals as applicable
Lincoln City Comprehensive Plan
Lincoln City Municipal Code (LCMC). Title 17, including without limitation 17.96
(Development Agreements)

Background:

The record for pending land use applications ANNEX 2020-01 CPA/ZC 2020-02 Woods Annexation and Development Agreement closed on October 26, 2020 at 5 p.m.. The Council is scheduled to deliberate on October 26, 2020 at 6:00 pm. Staff and the applicant were to post changes to the development agreement by October 19, 2020; no changes have been made to the agreement. Instead, the applicant and staff have requested that the City Council re-opened the hearing and the record and continue the matter to April 26, 2021. This six (6) month continuance is intended to allow for the development of a more detailed concept plan for the project to be incorporated into the Development Agreement proposal. Staff will provide new notice of the hearing per the City Code for the April 26, 2021 hearing.

Council Options:

- 1) Re-open the hearing and continue to April 26, 2020 to allow for preparation of detailed concept plan for Development Agreement. Staff directed to re-notice 2021 public hearing before Council.

Financial Impact

Will add tax revenue if the request is approved. Additional impact to infrastructure in this area of the city, namely storm, sewer, water, and streets.

Potential Motions:

- 1) Motion to re-open the hearing and continue hearing to April 26, 2021. Staff to re-notice hearing per the Lincoln City Municipal Code.
See attached staff report

Council Communication

Public Comments for 10-26-2020 Meeting

Meeting Date:	October 26, 2020	Primary Staff Contact:	Ronald F Chandler
Department:	Administration	E-Mail:	RChandler@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Ronald F Chandler	Estimated Time:	

The attached comments were received at publiccomment@lincolncity.org.

Attachments:

2020-10-26 Public Comments_Redacted (PDF)

Ronald Chandler

From: Ronald Chandler
Sent: Tuesday, October 20, 2020 9:23 AM
To: Fran London
Cc: Public Comment
Subject: RE: Council meetings with Zoom

Dear Ms. Lonnon:

We began making this opportunity available at our last City Council meeting. Each agenda notice will include the following language. This will continue for the foreseeable future.

"Public comments can be submitted to publiccomment@lincolncity.org, by attending the City Council meeting, or by attending through Zoom invitation.

Public comments submitted by email to publiccomment@lincolncity.org will be summarized and entered into the record.

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 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.

Citizens requesting to give public comment via Zoom must email publiccomment@lincolncity.org no later than 12 pm on the meeting day. The request must include the person's name, the subject the person wishes to address and the Zoom screen name the person intends to use for the meeting. A Zoom invitation will be sent to the person requesting prior to the meeting."

I'll add your email, plus my response, to publiccomment@lincolncity.org so it can be added into the record.

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

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

From: Fran London [REDACTED]

Sent: Tuesday, October 20, 2020 7:54 AM
To: Ronald Chandler <rhandler@lincolncity.org>
Cc: [REDACTED]
Subject: Council meetings with Zoom

Good Morning Ron,

I know it was discussed in one of the Council meetings that the City was working on the Zoom platform. The Residents want to be able to ask the council questions via the Zoom platform without having to jeopardize their health by coming into City Hall.

Do you know if this work on the Zoom platform adjustment will be completed by the next council meeting? Do you plan to announce this accomplishment in the newspaper so everyone in the city will know about this development?

If this won't be completed by the next Council, could you please put this as an agenda item?

Thanks
Fran Lonnon

Ronald Chandler

From: Doug Pullen [REDACTED]
Sent: Monday, September 21, 2020 7:47 AM
To: Ronald Chandler
Subject: Evacuation idea

Good morning Mr Chandler, my name is Doug Pullen. I'm a resident of Lincoln city for the past 8 years and I would like to make a comment for the next meeting scheduled for tonight, September 21st. I sent a email to mayor Anderson last week after listening to everyones complaining about notification. First off I was out of town, BUT i still got my lincoln county department of emergency services warning of phase two, for me on Wednesday at 1130 am, 420 miles away. Great.... now how about the city investing in NEW battery back up tsunami warning sirens and place them every 12 blocks north to south and from west devils lake road to hwy 101...The others 2 or 3 blocks of the beach. So everyone can hear them. They can be both voice and siren programmed. Because it sounds like cell service was down in town. All lcpd would have to do is punch in the code and the sirens would go off. They do this every Wednesday anyway. The battery backup just incase electricity is off. Presently you can barely here the d river siren go off 15 blocks away. The message could be phrased for what ever situation. Please give it some discussion. We are going to need this updated system someday soon. Thank you. Doug pullen.

Council Communication

Ordinance 2020-21 Coast Com / Astound

Meeting Date:	October 26, 2020	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	Ronald Chandler
Approval:	Ronald F Chandler	Estimated Time:	10 mins.

Question: Should the City Council conduct and approve First Reading and Second Reading of Ordinance 2020-21 CoastCom (Astound Broadband LLC) Franchise Agreement?

ORDINANCE NO. 2020-21

AN ORDINANCE OF THE CITY OF LINCOLN CITY GRANTING A NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO ASTOUND BROADBAND, LLC, DOING BUSINESS AS WAVE, SUCESSOR IN INTEREST TO COASTCOM, INC. AND DECLARING AN EMERGENCY

Staff Recommendation:

Staff recommends Council conduct and approve First Reading of Ordinance 2020-21, Declare an emergency and, *if unanimous*, Conduct and approve Second Reading and adopt Ordinance 2020-21.

Authority:

City of Lincoln City Charter, Chapter IX. Section 9.2(1) provides that an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members voting when a quorum is present upon being read by title only. Adoption of an ordinance after second reading requires the express concurrence of a majority of the members present. Ordinances may be read by title only, after compliance with Charter procedures. A non-emergency ordinance takes effect on the thirtieth (30th) day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as it is adopted or on some other date specified in the ordinance.

Background:

The attached CoastCom Inc. (Astound Broadband LLC) franchise agreement has been negotiated by outside legal counsel. This agreement amends franchise agreement 2014-26.

Because the last extension of the franchise was to November 12, 2020, less than 30 days remain. Accordingly, to void an interruption in service, an emergency enactment is necessary to make the ordinance effective on November 12, 2020.

Council Options:

1. Conduct and approve First Reading. Read changes, if any. Declare an emergency. Conduct and Approve Second Reading and Adopt the Ordinance.
2. Continue First Reading to November 9, 2020.
3. Do not proceed with proposed ordinance.

Potential Motions:

City Attorney: [Conduct First Reading of Ordinance by Title only]

ORDINANCE NO. 2020-21

AN ORDINANCE OF THE CITY OF LINCOLN CITY GRANTING A NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO ASTOUND BROADBAND, LLC, DOING BUSINESS AS WAVE, SUCESSOR IN INTEREST TO COASTCOM, INC.

Council:

1. Motion to approve First Reading of Ordinance 2020-21.

If unanimous: conduct Second Reading

Council:

1. Motion to Declare an Emergency (to avoid interruption in service).

City Attorney: [Conduct Second Reading of Ordinance by Title only]

Council:

1. Motion to approve Second Reading and adopt Ordinance 2020-21 as an emergency enactment..

Attachments:

Astound Broadband-Lincoln City Or Telecom Franchise Renewal merged v.2 10.21.20
(00732785-5xB8084) 10-21-20 347pm (DOC)

1
2
3
4
5
6 **ORDINANCE NO. 2020-21**
7

8 **AN ORDINANCE OF THE CITY OF LINCOLN CITY GRANTING A NON-EXCLUSIVE**
9 **TELECOMMUNICATIONS FRANCHISE TO ASTOUND BROADBAND, LLC, DOING**
10 **BUSINESS AS WAVE, SUCESSOR IN INTEREST TO COASTCOM, INC. AND**
11 **DECLARING AN EMERGENCY**
12
13

14 *Annotated to show deletions and additions to the code sections being modified. Deletions are*
15 ***bold ~~lined through~~** and additions are **bold underlined**.*
16

17 **WHEREAS**, Chapter 2, Section 2.1 and 2.2., of the City of Lincoln City Charter provide:
18

19 **2.1 Powers of the City**

20 The city has all powers which the constitutions, statutes and common law of the
21 United States and of this state expressly or impliedly grant or allow municipalities as
22 fully as though this charter specifically enumerated each of those powers.
23

24 **2.2 Construction of Charter**

25 In this charter no mention of a particular power shall be construed to be exclusive or
26 to restrict the scope of the powers which the city would have if the particular power
27 were not mentioned. The charter shall be liberally construed to the end that the city
28 may have all powers necessary or convenient for the conduct of its municipal affairs,
29 including all powers that cities may assume pursuant to state laws and to the
30 municipal home rule provisions of the state Constitution.
31

32 **WHEREAS**, the above referenced grant of power has been interpreted as affording
33 all legislative powers home rule constitutional provisions reserved to Oregon Cities.
34 *City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop,*
35 *20 Or. App. 293; 531 P 2d 730, 734 (1975); LaGrande/Astoria v. PERB, 281 Or 137, 142 (1978),*
36 *aff'd on reh'g 284 Or 173 (1978); and;*
37

38 **WHEREAS**, in 2016 the City of Lincoln City ("Grantor" or "City") consented to the
39 assignment of a non-exclusive telecommunications franchise to Astound Broadband,
40 LLC, doing business as Wave ("Grantee" or "Wave"), continuing the 2014 non-
41 exclusive telecommunications franchise granted to its predecessor company
42 CoastCom in 2014, by Ordinance No. 2014-26 (the "Expired Franchise");
43

1 **WHEREAS**, Section 4 of the Expired Franchise (Duration) states as follows: "This
2 franchise is granted for a period of five (5) years from and after the effective date of
3 this ordinance, unless sooner terminated as provided in this ordinance".

4
5 **WHEREAS**, on July 2, 2019, Wave sent a letter to the City requesting a five-year
6 extension of the Expired Franchise;

7
8 **WHEREAS**, the original terms of the Expired franchise expired on November 12, 2019;
9 and

10
11 **WHEREAS**, the parties agreed to a temporary extension of the Expired Franchise to
12 May 12, 2020, to facilitate negotiations of a new franchise; and

13
14 **WHEREAS**, the parties agreed to a second extension of the franchise to November
15 12, 2020, to facilitate negotiations of a new franchise, with all terms and conditions of
16 the Expired Franchise remaining in effect through the effective date of this Ordinance;
17 and

18
19 **WHEREAS**, the City Council desires to approve an updated and re-negotiated
20 extension of a non-exclusive franchise to Wave for telecommunications service.

21
22
23 **CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:**

24
25 **SECTION 1. Recitals.** The recitals set forth above are true and correct and incorporated
26 herein by this reference.

27
28 **SECTION 2. Purpose.** The purpose of this Ordinance is to set forth the terms and
29 conditions upon which Grantee, may be permitted to occupy the right-of-way within
30 the City of Lincoln City pursuant to the powers of the City of Lincoln City, the Oregon
31 Constitution and Oregon State Law, and except as to matters preemptively regulated
32 by state or federal authorities. This Ordinance and the written acceptance by Grantee
33 constitutes a contract between the City and Grantee (hereinafter referred to as the
34 "Franchise") and is binding upon and inures to the benefit of Grantee and its
35 permitted successors, legal representatives and assigns under the conditions imposed
36 herein.

37
38 **SECTION 3. Definitions and Explanation.**

39
40 A. As used in this Franchise, the following words, except where the context
41 clearly indicates otherwise, mean:

- 1 i. City. Means the City of Lincoln City, an Oregon municipal corporation and
2 individuals authorized to act on the City's behalf, and includes the area
3 within its boundaries, and its boundaries as extended in the future.
- 4 ii. City Council. Means the legislative body of the City or as defined by the
5 Charter of the City of Lincoln City.
- 6 iii. Gross Revenue. Means all amounts, in whatever form and from all sources,
7 in connection with providing Telecommunication Services and the
8 operation of the Facilities using the right of way of the City, including but
9 not limited to: revenues from subscribers and customers; installation fees,
10 equipment fees and other fees related to the provided Telecommunications
11 Services; access and attachment charges paid to Grantee by other
12 Telecommunication Services providers and carriers; and, revenue from the
13 sale or lease of wire, cable, facility, pole, duct, conduit or similar
14 Transmission equipment less net uncontrollables. Gross Revenues do not
15 include proceeds from the sale of bonds, mortgage or other evidence of
16 indebtedness, or securities or stocks, or any revenues that are exempt from
17 franchise fees under federal or state law.
- 18 iv. Facilities. Means the cable, wire, equipment, antennas, poles and associated
19 facilities used by Grantee to provide Telecommunications Services.
- 20 v. Person. Includes an individual, corporation, association, firm, sole
21 proprietorship, company, partnership, co-partnership, joint stock company,
22 trust, limited liability company, governmental entity, or other organization,
23 including any natural person or any other legal entity.
- 24 vi. Public Place. Means any City-owned park, place or grounds, within the City
25 that is open to the public but does not include a right of way.
- 26 vii. Right-of-way. Means streets, roads, highways, bridges, alleys, sidewalks,
27 trails, paths, public utility easements and all other public ways for use by
28 the public for transportation purposes, including the subsurface under and
29 air space over these areas within the City, but only to the extent of the city's
30 right, title, interest or authority to grant a franchise to occupy and use such
31 spaces for Grantee's facilities.
- 32 viii. Telecommunications. Means the transmission of data over and through
33 any media capable of carrying the data, and includes fiber and copper
34 media.
- 35 ix. Telecommunications Facility. Means all wires, cables, conduits, poles,
36 equipment, appliances and associated structures used by grantee in
37 conducting its Telecommunications Services business.
- 38 x. Telecommunications Services. Means any service provided for the purpose
39 of voice, video or data transmission, including but not limited to local
40 exchange service, access service, extended area service, call origination,

1 interconnection, switching, transport, call termination and/or any other
 2 telecommunications service identified and authorized by the Federal
 3 Communications Commission (FCC) or the Public Utility Commission of
 4 Oregon. Telecommunications Service includes any service that enables a
 5 third party to provide such services, including but not limited to wholesale
 6 services, provision of dark fiber and/or authorization to use facilities to
 7 provide such services except where such authorization is required by
 8 applicable state or federal law or administrative rule. As used in this
 9 Franchise, Telecommunications Service does not include: 1) cable service as
 10 defined by 47 U.S.C. §522; 2) open video system service as defined in 47
 11 C.F.R 76; 3) private communications system services provided without using
 12 the right-of-way; 4) over-the-air radio or television broadcasting to the
 13 public-at-large from facilities licensed by the FCC or any successor thereto;
 14 and 5) direct-to-home satellite service within the meaning of Section 602 of
 15 the Telecommunications Act.

16
 17 B. As used in this Franchise, the singular number may include the plural and
 18 the plural number may include the singular.

19
 20 **SECTION 4. Rights Granted.**

21
 22 A. Subject to the conditions and reservations contained in this Franchise
 23 and subject to any applicable ordinances and regulations of the City, including but
 24 not limited to ordinances and regulations regarding zoning, development, tree
 25 pruning or removal, erosion control, excavation and any other work in the right-of-
 26 way, the City hereby grants to Grantee the privilege and non-exclusive Franchise to
 27 occupy right-of-way for the purpose of constructing, using, maintaining and
 28 operating a system to provide Telecommunications Services within the City. This
 29 grant includes the authority, subject to the conditions and reservations contained in
 30 this Franchise and subject to any applicable ordinances and regulations of the City, to
 31 place, erect, lay and maintain facilities customarily associated with
 32 telecommunications systems. Franchisee acknowledges that the City separately
 33 regulates the placement, erection, and operation of "Small Wireless Facilities" as
 34 defined by 47 C.F.R 1.60002(1), as amended or superseded, under Chapter 12.26 of
 35 the Lincoln City Municipal Code.

36
 37 B. This Franchise does not convey any right, title or interest in the right-of-
 38 way, but shall be deemed a grant to use and occupy the right-of-way for the limited
 39 purposes and term stated in this Franchise. This Franchise does not authorize
 40 Grantee to provide cable services or other services not included in the definition of

1 telecommunications services herein. Grantee agrees that prior to providing cable or
2 any non-telecommunications services in the City, it must obtain all necessary and
3 applicable authorizations from the City for use of the right-of-way for such provision,
4 including entering into a separate franchise with the City and paying a separate
5 franchise fee to the City.

6
7 C. Grantee shall, at all times during the term of this Franchise, be subject
8 to and comply with all applicable laws, including the lawful exercise of the police
9 power by the City and such regulation as the City shall hereafter provide.

10 D. Prior to use or occupation of City right of way, Grantee shall obtain all
11 lawfully required permits and other authorizations required by the City to do so, and
12 shall comply with any special conditions the City desires to impose on such use or
13 occupation.

14 **SECTION 5. Construction.** Grantee’s construction, installation, work or operation of
15 facilities within the right-of-way shall be subject to and comply with all applicable City
16 standards including, without limitation, Lincoln City Municipal Code (“LCMC”) Chapter
17 12.12, as amended from time to time, as if fully incorporated in this Franchise and
18 regardless of whether or not Grantee is a “telecommunications carrier,” provides
19 “telecommunications services” or has “telecommunications facilities” as those terms
20 are defined herein. The Grantee shall file with the City maps showing the location of
21 any material construction, extension or relocation of its Telecommunications Facilities
22 in the Rights of way and Public Places of the City and shall obtain all required permits
23 before commencing the construction, extension or relocation of any of its
24 Telecommunications Facilities.

25
26 **SECTION 6. Location and Relocation of Facilities.** The location and relocation of
27 Grantee’s facilities shall be subject to and comply with LCMC Chapter 12.12, as
28 amended from time to time, as if fully incorporated in this Franchise and regardless of
29 whether or not Grantee is a “telecommunications carrier,” provides
30 “telecommunications services” or has “telecommunications facilities” as those terms
31 are defined herein. Facilities shall be placed so that they do not materially interfere
32 with the use by the City and by the public of the rights-of-ways and other Public
33 Places, and in accordance with any specifications lawfully adopted and uniformly
34 applied by the City governing the location of such facilities. The City may require, in
35 the public interest, the removal or relocation of Telecommunication Facilities
36 maintained by the Grantee in the Right of ways and Public Places of the City, and the
37 Grantee shall remove and relocate such Facilities within a reasonable time after
38 receiving notice so to do from the City. The City shall provide the Grantee with timely
39 notice of any anticipated requirement to remove or relocate its Facilities. The cost of
40 such removal or relocation of its Facilities shall be paid by the Grantee. If the Grantee
41 fails to remove or relocate its Telecommunication Facilities as required in this

1 Franchise, upon fifteen (15) days written notice to the Grantee, the City or its
 2 contractor may relocate or remove Grantee's Telecommunication Facilities, and
 3 Grantee shall be responsible for paying the cost of such relocation or removal,
 4 including the City's cost of inspection, supervision and administration. When a removal
 5 or relocation is required for the convenience or benefit of any Person that is not a
 6 governmental agency or instrumentality, Grantee may refuse to accomplish such
 7 removal or relocation unless such party agrees to pay the reasonable costs thereof.

8
 9 **SECTION 7. Safety Standards and Work Specifications.** The Facilities shall at all
 10 times be maintained in a safe and workmanlike manner. For the purpose of carrying
 11 out the provisions of this section, the City may provide such specifications relating
 12 thereto as may be necessary or convenient for public safety or the orderly
 13 development of the City. The City may amend and add to such specifications from
 14 time to time. Subject to the provisions of this Franchise, the Grantee may make
 15 necessary excavations for the purpose of constructing, installing, maintaining and
 16 operating its Facilities. Except in emergencies, and in the performance of routine
 17 service connections and ordinary maintenance, prior to making an excavation in the
 18 traveled portion of any Right of way and, when required by the City, in any untraveled
 19 portion of any Right of way, the Grantee shall obtain from the City a permit approving
 20 the proposed excavation and its location. Grantee shall give notice to the City by
 21 telephone, electronic data transmittal or other appropriate means prior to the
 22 commencement of service or maintenance work requiring a permit. In the event of an
 23 emergency, Grantee shall give notice to the City by telephone, electronic data
 24 transmittal or other appropriate means as soon as is practicable and and for work
 25 requiring a permit shall obtain such permit approving the work as soon as is
 26 practicable, which may be after commencement or completion of the work. When any
 27 excavation is made by the Grantee, the Grantee shall promptly restore the affected
 28 portion of the Right of Way or Public Place to at least the same condition in which it
 29 was prior to the excavation. The restoration shall be in compliance with specifications,
 30 requirements and regulations of the City in effect at the time of such restoration. If
 31 the Grantee fails to restore promptly the affected portion of a Right of Way or Public
 32 Place to the same condition in which it was prior to the excavation, upon fifteen (15)
 33 days written notice to the Grantee, the City may make the restoration, and Grantee
 34 shall be responsible for paying the actual cost of such restoration, including the City's
 35 cost of inspection, supervision and administration.

36
 37 **SECTION 8. Duration.** The privileges set forth in this Franchise are hereby granted
 38 for a period of five (5) years from and after the effective date of this Franchise as set
 39 forth in Section 25. However, this Franchise shall be inoperative unless it is accepted
 40 in writing by Grantee as provided in Section 24.

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SECTION 9. Franchise Not Exclusive. This Franchise is not exclusive and except as otherwise indicated herein, shall not be construed as a limitation on the City in:

- i. Granting rights, privileges and authority to other persons similar to or different from those granted by this Franchise; or
- ii. Constructing, installing, maintaining or operating any City-owned public utility.

SECTION 10. Public Works and Improvements. Nothing in this Franchise shall be construed in any way to prevent the proper authorities of the City or other public entities operating within the City from sewerage, grading, paving, repairing, altering, maintaining, constructing or improving any right-of-way in or upon which facilities of Grantee may have been placed. Except to the extent caused by negligent, willful, intentional or malicious acts by the City, the City shall not be liable for any damage to or loss of any Grantee facility within the right-of-way as a result of or in connection with any public works, public improvements, construction, excavation, grading, filling, or work of any kind in the right-of-way by or on behalf of the City, or for any consequential losses resulting directly or indirectly therefrom. Without limitation, the City expressly reserves the right to:

- (i) Construct, install, maintain and operate any public improvement, work or facility;
- (ii) Do any work that the City may find desirable on, over or under any Right of Way or Public Place;
- (iii) Vacate, alter or close any Right of Way or Public Place, provided that the City shall make a reasonable effort to make available to Grantee an alternative Right of Way for the location of its Facilities, if an alternative Right of Way is necessary and if space in an existing Right of Way is available for Grantee's Telecommunications Facilities;
- (iv) Control or prevent the use of any Public Place by Grantee and require payment of additional compensation for use of the Public Place at a reasonable amount.
- (v) Whenever the City excavates or performs any work in any of the present and future Rights of Way and Public Places of the City, or contracts for such excavation or work, and where such excavation or work may disturb Grantee's Telecommunications Facilities, the City shall, in writing, notify Grantee sufficiently in advance of such contemplated excavation or work to

1 enable Grantee to take such measures as may be deemed necessary to
2 protect such Telecommunications Facilities from damage and possible
3 inconvenience or injury to the public. In any such case, the Grantee, upon
4 request, shall furnish maps or drawings to the City or contractor, as the
5 case may be, showing the approximate location of all its structures in the
6 area involved in such proposed excavation or other work.

7 (vi) Whenever the City shall vacate any Right of way for the convenience or benefit
8 of any person or governmental agency or instrumentality, Grantee shall, at
9 its own expense, remove its facilities from the Right of way unless the City
10 reserves a public utility easement, in its sole discretion.

11 **SECTION 11. Compensation.**

12
13 (1) As compensation for the Franchise granted by this Ordinance, Grantee
14 shall pay to the City an annual Franchise fee of seven percent (7%) of the Gross
15 Revenues. The City reserves the right to increase the fee rate at any time upon thirty
16 (30) days' written notice to Grantee, provided the rate is not greater than the
17 percentage rate charged to the incumbent provider, and that the rate and its
18 imposition must be consistent with all applicable state and federal law.. If the
19 incumbent provider's percentage rate is increased, Grantee's percentage rate will
20 automatically increase to the same percentage rate without protest.

21 (2) Compensation required by this Section shall be due and payable within
22 thirty (30) days after the close of each quarter. Late franchise fee payments will be
23 subject to a late fee calculated on the basis of nine percent (9%) per annum of the
24 amount past due. Within ninety (90) days after the termination of this Franchise,
25 compensation shall be paid for the period elapsing since the close of the last quarter
26 for which compensation has been paid and operations terminated.

27
28 (3) Grantee shall furnish to the City with each payment of compensation
29 required by this Section a written statement, executed by an officer of Grantee, or
30 such duly authorized agent showing the amount of Gross Revenue of Grantee within
31 the City for the period covered by the payment, and indicating that the statement has
32 been reviewed and approved by the officer or agent. The compensation for the
33 period covered by the statement shall be computed on the basis of the gross revenue
34 so reported. If Grantee fails to pay the entire amount of compensation due the City
35 through error or otherwise, the difference due the City shall be paid by Grantee within
36 fifteen (15) days from discovery of the error or determination of the correct amount.

37

1 (4) Grantee shall keep accurate books of account accessible at an office in
 2 Oregon for the purpose of determining the amounts due to the City under the
 3 provisions of this Franchise. The City may inspect the books of account as provided
 4 in Section 12, and may audit the books from time to time but no more often than
 5 once per calendar year and may not re-audit periods already audited and may not
 6 audit any period more than three (3) years prior to the date of the audit. For
 7 purposes of conducting the audit (which, as used in this Section, includes a franchise
 8 fee review), Grantee shall provide the City copies of requested records within thirty
 9 (30) days. Should such an audit reveal that payments tendered by Grantee to the City
 10 are less than the amounts due under the terms of this Franchise, Grantee shall
 11 promptly remit the amounts due the City, together with interest at a rate of nine
 12 percent (9%) per annum from the date such payment was originally due. If an audit
 13 reveals that payments tendered by Grantee to City were less than the amounts due
 14 under the terms of this Franchise by a differential of five percent (5%) or greater, all
 15 costs incurred by the City, including but not limited to accountant's fees and
 16 attorney's fees, for such audit are to be fully paid by Grantee. Any overpayment shall
 17 be refunded by City to Grantee within fifteen (15) days from the discovery or the error
 18 or determination of the correct amount.

19
 20 (5) Acceptance by the City of any payment due under this Franchise shall not
 21 be deemed to be a waiver by the City of any other obligation of Grantee under this
 22 Franchise, nor shall the acceptance by the City of any such payments preclude the
 23 City from later establishing that a larger amount was actually due, or from collecting
 24 any balance due to the City. Should Grantee fail or neglect to pay any of said
 25 quarterly payments provided for in this Section for thirty (30) days after any quarterly
 26 payment shall become due and payable and after thirty (30) days written notice from
 27 the City, the City, by its properly constituted authority, may at its option either
 28 continue this Franchise in force and/or proceed by suit or action to collect such
 29 payment or declare a forfeiture of this Franchise because of the failure to make
 30 payment, but without waiving the right to collect earned Franchise payment.

31
 32 **SECTION 12. Duty to Provide Information.** Except as provided in Section 11, upon
 33 ten (10) days prior written request from the City, but no more than once per calendar
 34 year, Grantee shall furnish the City information demonstrating compliance with all
 35 requirements of this Franchise. The City may request periodic reports from Grantee
 36 relating to its operations, revenues, and services within the City. Grantee shall
 37 maintain current maps showing the location of its Facilities within the Right-of-Way
 38 of the City. The City shall be allowed to inspect such maps at any time upon at least
 39 ten (10) days prior written notice. If requested by City, Grantee shall furnish, up to

1 one time in a calendar year, without charge and within a reasonable time, maps
2 relating to specified areas of the City.

3
4 **SECTION 13. Indemnification.** Except to the extent due to the negligent or willful
5 misconduct of City, its agents or contractors, Grantee hereby agrees and covenants to
6 defend, indemnify and hold the City and its officers, employees, agents and
7 representatives harmless from and against any and all third party claims for damages,
8 losses and expenses, including reasonable attorney's fees and costs of suit or defense,
9 arising out of, resulting from or alleged to arise out of or result from: (i) the negligent,
10 careless or wrongful acts, omissions, failures to act or misconduct of the Grantee or its
11 affiliates, officers, employees, agents, contractors or subcontractors in the
12 construction, operation, maintenance, repair or removal of Grantee's facilities, and
13 from providing or offering telecommunications services over the facilities, whether
14 such acts or omissions are authorized, allowed or prohibited by this Franchise; and
15 (ii) Grantee's failure to remove, adjust or relocate all or any portion of its facilities in a
16 timely manner pursuant to provisions of this Franchise.

17
18 **SECTION 14. Performance Surety.** Before the effective date of this Franchise, the
19 Grantee shall provide the performance bond required by LCMC Section 12.12.070.

20
21 **SECTION 15. Assignment or Transfer of Franchise.**

22
23 A. Ownership or control of a majority interest in the Facilities or this
24 Franchise may not, directly or indirectly, be transferred, assigned or disposed of by
25 sale, lease, merger, consolidation or other act of the Grantee, by operation of law or
26 otherwise, without the prior written consent of the City, which consent shall not be
27 unreasonably withheld or delayed, and then only on such reasonable conditions as
28 may be prescribed in such consent.

29
30 B. Grantee and the proposed assignee or transferee of the Franchise or
31 Facilities shall provide and certify the following information to the City not less than
32 one hundred twenty (120) days prior to the proposed date of transfer:

- 33
34 i. Complete information setting forth the nature, terms and condition of the
35 proposed transfer or assignment;
36 ii. All information required of a telecommunications franchise applicant
37 pursuant to LCMC 12.12.020 with respect to the proposed transferee or
38 assignee;
39 iii. Any other information reasonably required by the City.

40

1 C. No transfer shall be approved unless the assignee or transferee has the
2 legal, technical, financial and other requisite qualifications to own, hold and operate
3 the facilities pursuant to this Franchise.

4
5 D. Grantee shall reimburse the City for all fees, costs, and expenses
6 reasonably incurred by the City in considering a request to transfer or assign this
7 Franchise.

8
9 E. Any transfer or assignment of this Franchise or the facilities without
10 prior approval of the City under this Section shall be void.

11
12 **SECTION 16. Reservation of Statutory Authority.** The City reserves the right to
13 exercise, with regard to this Franchise and Grantee, all authority now or hereafter
14 reserved or granted to the City by the Oregon Constitution, the City Charter and state
15 and federal laws.

16
17 **SECTION 17. Insurance.**

18
19 A. Grantee shall secure and maintain the following liability insurance
20 policies insuring both the Grantee and the City, and its elected and appointed
21 officers, officials, agents and employees as coinsured:

- 22 i. Comprehensive general liability insurance with limits not less than:
 - 23 (a) Three million dollars (\$3,000,000) for bodily injury or death to each
24 person;
 - 25 (b) Three million dollars (\$3,000,000) for property damage resulting from
26 any one accident; and
 - 27 (c) Three million dollars (\$3,000,000) for all other types of liability.
- 28 ii. Automobile liability for owned, non-owned and hired vehicles with a limit
29 of one million dollars (\$1,000,000) for each person and three million dollars
30 (\$3,000,000) for each accident.
- 31 iii. Worker’s compensation within statutory limits and employer’s liability
32 insurance with limits of not less than one million dollars (\$1,000,000).
- 33 iv. Comprehensive form premises-operations, explosions and collapse hazard,
34 underground hazard and products completed hazard with limits of not less
35 than three million dollars (\$3,000,000).

36
37 B. The liability insurance policies required by this Section shall be
38 maintained by the Grantee throughout the term of this Franchise or for such
39 time Grantee is engaged in the removal of its Facilities. Each insurance policy
40 shall contain the following endorsement: “It is hereby understood and agreed

1 that this policy may not be canceled nor the intention not to renew be stated
 2 until thirty (30) days after receipt by the City, by registered mail, of a written
 3 notice addressed to the Public Works of such intent to cancel or not to renew.”
 4

5 C. Within sixty (60) days after receipt by the City of the notice set
 6 forth in subsection B of this Section, and in no event later than thirty (30) days
 7 prior to cancellation, the Grantee shall obtain and furnish to the City evidence
 8 that the Grantee meets the requirements of this Section.
 9

10 **SECTION 18. Breach and Termination of Franchise.**

11 A. The City may declare a breach and terminate or revoke this
 12 Franchise as provided in this Section for the following reasons:

- 13 i. Construction or operation in the City or in the right-of-way of the City
 14 without all required permits.
 15 ii. Construction or operation at an unauthorized location.
 16 iii. Failure to comply with Section 14 with respect to transfer or assignment
 17 of the facilities or this Franchise.
 18 iv. Misrepresentation by or on behalf of Grantee in any application to the
 19 City.
 20 v. Abandonment of facilities in the right-of-way.
 21 vi. Installation of facilities or equipment in the right-of-way of a kind that
 22 are not covered by the scope of this Franchise.
 23 vii. Failure to relocate or remove facilities as required in this Franchise.
 24 viii. Failure to pay taxes, compensation, fees or costs when and as due the
 25 City.
 26 ix. Insolvency or bankruptcy of the Grantee.
 27 x. Violation of material provisions of this Franchise.
 28

29 B. In the event that the City believes that grounds exist for
 30 revocation of this Franchise, the City shall give the Grantee written notice of
 31 the apparent violation or noncompliance, providing a short and concise
 32 statement of the nature and general facts of the violation or noncompliance,
 33 and providing the Grantee a reasonable period of time not exceeding thirty
 34 (30) days to furnish evidence:

- 35 i. That corrective action has been, or is being actively and expeditiously
 36 pursued, to remedy the violation or noncompliance.
 37 ii. That rebuts the alleged violation or noncompliance.
 38 iii. That it would be in the public interest to impose some penalty or
 39 sanction less than revocation.
 40

1 C. In the event that the Grantee fails to provide evidence reasonably
2 satisfactory to the City as provided in subsection B of this Section, the City
3 Manager shall refer the apparent violation or noncompliance to the City
4 Council. The City Council shall provide the Grantee with notice and a
5 reasonable opportunity to be heard concerning the matter.
6

7 D. If persuaded that the Grantee has violated or failed to comply
8 with material provisions of this Franchise, after providing notice and a
9 reasonable opportunity to be heard as set forth in subsection C of this Section,
10 the City Council shall determine whether to revoke this Franchise, or to
11 establish some lesser sanction and cure, considering the nature, circumstances,
12 extent and gravity of the violation as reflected by one or more of the following
13 factors:

- 14 i. Whether the misconduct was egregious.
- 15 ii. Whether substantial harm resulted.
- 16 iii. Whether the violation was intentional.
- 17 iv. Whether there is a history of prior violations of the same or other
- 18 requirements.
- 19 v. Whether there is a history of overall compliance.
- 20 vi. Whether the violation was voluntarily disclosed, admitted or cured.

21
22 E. Other sanctions include, but are not limited to, penalties of not
23 less than one hundred dollars (\$100.00) nor more than one thousand dollars
24 (\$1,000) for each offense. A separate and distinct offense shall be deemed
25 committed each day on which a violation occurs.
26

27 F. Upon any termination of this Franchise, whether before or upon
28 the expiration of the Franchise, Facilities installed in the Right of Way by
29 Grantee under this Franchise shall be removed by Grantee at Grantee's
30 expense and the property upon which the facilities were used shall be restored
31 by Grantee to the same or better condition it was in before installation or use
32 by Grantee, as directed by the City. Notwithstanding the preceding sentence,
33 the City may in its sole discretion permit Grantee in writing to abandon its
34 Facilities, or any portion thereof, in place, in which case the ownership of such
35 facilities shall transfer to the City as of the date of termination or expiration.
36 Notwithstanding the other provisions of this section, Grantee, by written notice
37 to Grantor, may elect to abandon certain of the Facilities, including
38 underground conduit, wiring, and vaults, in which case Grantee shall have no
39 further obligation hereunder as to such abandoned Facilities, except that
40 within ninety (90) days of receipt of such abandonment notice Grantor may by

1 written notice require Grantee to remove wiring as deemed necessary by
2 Grantor to provide space for other authorized uses, or to accomplish or enable
3 the accomplishment or other public purposes.
4

5 **SECTION 19. Remedies Not Exclusive, When Requirement Waived.** All remedies
6 and penalties provided under this Franchise, the common law, the statutes of this
7 State, the statutes of the United States and the ordinances and regulations of the City,
8 are cumulative and the enforcement or recovery of one is not a bar to the
9 enforcement or recovery of any other remedy or penalty. The remedies and penalties
10 contained in this Franchise are not exclusive, and the City reserves the right to enforce
11 and to avail itself of any and all remedies available at law or in equity. Failure to
12 enforce any right accruing to or available to the City whether arising under this
13 Franchise or otherwise, shall not be construed as a waiver of a breach of any term,
14 condition or obligation of this Franchise or a violation of any requirement of law. A
15 specific waiver of any particular breach of any term, condition or obligation pursuant
16 to this Franchise shall not be a waiver of any other, subsequent or future breach of
17 the same or of any other term, condition, or obligation or as a waiver of the term,
18 condition or obligation itself.
19

20 **SECTION 20. Additional Remedy.** In addition to any rights available at law or in
21 equity, including, without limitation, any rights set out elsewhere in this Franchise, as
22 well as its rights under the City Code, if there is a material violation of this Franchise
23 by Grantee the City reserves the right at its sole option to suspend issuance of any
24 permits and/or approvals to Grantee until Grantee corrects or otherwise remedies the
25 violation.
26

27 **SECTION 21. Notice.** Any notice provided under this Franchise shall be sufficient if
28 in writing and (1) delivered to the other party or deposited in the U.S. Mail, postage
29 prepaid, certified mail; (2) sent by commercial air courier; or (3) sent by facsimile
30 transmission, provided receipt of such facsimile is confirmed in writing. Notice shall
31 be sent to the following address, or such other address as each party may specify in
32 writing:
33

34 If to City:
35
36 City Manager
37 City of Lincoln City
38 801 SW Hwy 101
39 Lincoln City, OR 97367
40

1 If to Grantee:

2
3 Astound Broadband, LLC
4 650 College Road East, Suite 3100
5 Princeton, NJ 08540
6

7 Any notice provided under this Franchise, other than pursuant to Sections 16 and 17,
8 may be by the methods set forth above or any other reasonable means, including
9 email.

10
11 **SECTION 22. Severability.** The provisions of this Franchise are severable. If any
12 portion of this Franchise is for any reason held to be invalid, such decision shall not
13 affect the validity of the remaining portions of this Franchise.

14
15 **SECTION 23. Findings Adopted.**

16 The findings contained in the Whereas Clauses of this ordinance together with the
17 competent substantial evidence in the record of this legislative proceeding are
18 incorporated into this section by reference as if fully set forth herein, and are adopted
19 in support of this legislative action.
20

21 **SECTION 24. Acceptance of Franchise.** Grantee shall, within thirty (30) days from
22 the date this Franchise takes effect, file with the City its written unconditional
23 acceptance of this Franchise in the form attached hereto as Exhibit A, and if Grantee
24 fails to do so, this Franchise shall be null and void and of no force or effect.
25

26 **SECTION 25. Emergency Declaration and Effective Date.** The existing Franchise
27 Agreement with Astound Broadband terminates on November 12, 2020. In order to
28 avoid disruption in telecommunications service, it is necessary to adopt the Ordinance
29 approving the franchise extension by emergency enactment. The Lincoln City
30 Charter Chapter IX, Section 9.3, expressly authorizes the City Council to adopt an
31 emergency ordinance for the immediate preservation of the public peace, health or
32 safety upon making a statement declaring the basis of the emergency. Council finds
33 and determines that conditions in the City of Lincoln City are such that this Ordinance
34 is necessary for the immediate preservation of the public peace, health, safety and
35 welfare; an emergency is declared to exist because of the imminent termination of the
36 existing franchise. Therefore, pursuant to the City Charter, this ordinance shall be in
37 full force and effect before the normal thirty (30) day effective date, specifically on
38 November 12, 2020. Provided, effectiveness is expressly conditioned on Grantee
39 filing with the City its written unconditional acceptance of this Franchise as required
40 in Section 24.

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**EXHIBIT A
ACCEPTANCE**

City Manager
City of Lincoln City
801 SW Hwy 101
Lincoln City, OR 97367

This is to advise the City of Lincoln City, Oregon that Astound Broadband, LLC, doing business as Wave (the "Grantee"), hereby unconditionally accepts the terms and provisions of Ordinance No. 2020-21, passed by the City Council on October 26, 2020 (the "Franchise") granting a Franchise to Grantee. The Grantee agrees to abide by each and every term and condition of the Franchise.

ASTOUND BROADBAND, LLC.

BY _____
TITLE _____
DATE _____

Council Communication

July 4th

Meeting Date: October 26, 2020 Primary Staff Contact: Ronald F Chandler
 Department: Administration E-Mail: RChandler@lincolncity.org
 Secondary Dept: Secondary Contacts:
 Approval: Ronald F Chandler Estimated Time:

The intent of this meeting is to update the City Council on changes the staff is proposing to the marketing, monitoring and enforcement of the July 4th event and activities.

Enforcement

Staffing

33 police persons were deployed for the July 4th event in 2020

	<u>2019</u>	<u>2020</u>
• LCPD Officers	23	22
• LCPD Reserve Officers	2	1
• Toledo PD Officers	2	3
• Parole and Probation Officers	3	2
• Police/Fire/Medical Dispatchers	3	3
• Evidence Technician	1	1

Area/Duty Assignments - 2020

- 4 Officers and 1 Patrol Sergeant assigned to regular patrol
- 2 Officers assigned to rove patrol (utilized to assist with custody transports, provide cover and handle overload calls)
- 8 Officers assigned to foot patrol in the SW 51st Street area (includes Siletz Bay beach, State beach and neighborhoods surrounding SW 51st Street.)
- 1 Officer assigned to foot/vehicle patrol in Cutler City neighborhood area, including the beaches.
- 3 Officers assigned to remain in the Roads End area.
- 2 Officers assigned to beach patrol utilizing an LCPD ATV to patrol beaches in Roads end
- 2 Officers assigned to beach patrol utilizing an LCPD ATV to patrol beaches between Canyon Drive and Roads End.
- 2 Officers assigned to beach patrol utilizing LCPD ATV to patrol beaches from Canyon Drive to Taft area.
- 1 Patrol Sergeant assigned to oversee the command post.
- 1 Chief of Police worked patrol and oversaw patrol operations.

- 1 Police Lieutenant worked patrol and oversaw patrol operations
- 1 Evidence Technician assigned to command post for collection of seized evidence
- 3 Dispatchers assigned to regular Police/Fire/Medical dispatch duties.

Event and Patrol Activity/Calls for Service

	<u>2019</u>	<u>2020</u>
• Total Events (includes calls for service/officer initiated activity 240	157	
• Calls for fireworks complaints 97	64	
• Fireworks related contacts made by officers	74	87
• Number of contacts resulting in fireworks seizures	29	22
• Total Non-emergency calls to 911 center	213	758
• Total 911 emergency calls to 911 center 157	48	
• Total persons arrested (criminal)	0	7
• Total fireworks citations 9	0	
• Estimated weight of seized fireworks	300 lbs	250 lbs

Significant Incidents - 2020

- Intoxicated individuals confronting a large group of beach visitors 1

Further Analysis from Lt. Broderick - 2020

“There are a number of factors that contribute to the difficulty in enforcing fireworks on a complaint driven basis. Staffing and calls for service are the main factors that prevent officers from simply sitting and waiting/watching for fireworks violations. . . On average an officer will spend 35 minutes investigating a call, sometimes less and sometimes much longer. During the typical shift an officer spends approximately 6 hours simply responding to calls for services. This does not include other duties such as civil paper service, community contacts, traffic and parking enforcement, etc. If a call for service is criminal in nature then the time on a call is extend, oftentimes significantly due to evidence collection, victim care and arrest, custody and transport. These calls are typically handled by multiple officers . . . When not handling a call for service or writing police reports, officers are directed to be conducting traffic/parking enforcement, business checks, serving civil papers, conducting follow up on pending investigations, keeping up with daily training protocols, etc.

When a call of illegal fireworks is received by dispatch it is then relayed to officers. If there is an officer clear to take the call at the moment it comes in, he/she responds to

the area . . . More times than not, when an officer is dispatched to the FWs call, he/she is given a location, 'illegal fireworks in the Roads End State Park.' When the officer arrives he/she than as to try and determine who in the area was shooting the FWs off, which is difficult to nearly impossible if the officer does not witness it or have specific information about the person lighting the FW"

Enforcement Proposal 2021

It is my intent, if approved by the City Council, to hire security guards – up to six – to assist the Police officers. Their primary duty will be to increase the number of fireworks contacts made by police or their representatives. They will be stationed where the need is greatest.

Marketing

The City will continue to run it's "Keep It Legal and Keep It Safe" marketing campaign. The emphasis has been on distinguishing between legal and illegal fireworks with some emphasis that the use of fireworks is prohibited on the beach. This campaign has included the following.

- Flyers – 1,500
- Paid Facebook Campaign through L.C. PD
- Organic Facebook through Explore Lincoln City
- Signs – 20 large signs are posted at all beach access points

Marketing Proposal 2021

- The City plans to increase the number of flyers, emphasizing their distribution to the lodging industry.
- Expand our use of social media
- Run a second marketing campaign that emphasis that all fireworks are illegal on the beach.
- Virus permitting, emphasize in our marketing that the "Independence Day at Siletz Bay" Festival is an excellent family activity and an alternative to personal fireworks.

July 4th Event

Virus permitting, it is our intent to host the "Independence Day at Siletz Bay" festival. This has expanded over the past five years and now includes the fireworks show accompanied by music and live music during the day and early evening. We propose to add an artisan fair to the festival in 2021.

Council Communication

COVID-19 Update

Meeting Date: October 26, 2020 Primary Staff Contact: Ronald F Chandler
 Department: Administration E-Mail: RChandler@lincolncity.org
 Secondary Dept: Secondary Contacts:
 Approval: Ronald F Chandler Estimated Time:

The following is a list of official outbreaks for Lincoln County as of October 21, 2020

1. **Active outbreaks** in care facilities, senior living communities and congregate living settings (requires 3 or more confirmed cases or one or more COVID-19 related deaths)
 - a. No active outbreaks in Lincoln County
2. **Resolved Care Facility outbreaks** in in care facilities, senior living communities and congregate living settings (requires 3 or more confirmed cases or one or more COVID-19 related deaths)
 - a. Avamere Rehabilitation (Newport), reported June 15, 2020, 51 cases and 7 deaths.
 - b. Lakeview Long Term Care (Lincoln City), reported June 21, 2020, 3 cases and no deaths
 - c. Hillside Place (Lincoln City), reported July 30, 2020. 28 cases and 4 deaths
3. **Active workplace outbreaks** (requires five or more confirmed cases)
 No active workplace outbreaks in Lincoln County
4. **Resolved workplace outbreaks** (requires five or more confirmed cases)
 - a. Pacific Seafood (Newport), reported June 2, 2020, 187 cases
 - b. Local Ocean Restaurant (Newport), reported June 10, 2020, 12 cases
 - c. Georgie's Beachside Grill (Newport), reported June 12, 2020, 8 cases
 - d. McDonald's (Newport), reported June 16, 2020, 7 cases
 - e. Clearwater Restaurant (Newport), reported June 5, 2020, 7 cases
 - f. Inn at Spanish Head (Lincoln City) reported August 20, 2020, 9 cases
 - g. Surftides Resort (Lincoln City), reported August 8, 2020, 6 cases

Current Zip Code case count update for Lincoln County

97341 – Depoe Bay 1-9 cases 97368 – Rose Lodge/Otis 1-9 cases

97343 – Eddyville cases	No cases	97376 – Seal Rock	1-9
97388 – Lincoln Beach cases	No cases	97380 – Siletz	13
97367 – Lincoln City cases	97 cases	97366 – South Beach	10
97357 – Logsden cases	No cases	97390 – Tidewater	No
97364 – Neotsu cases	No cases	97391 – Toledo	28
97365 – Newport cases	323 cases	97394 – Waldport	1-9
97369 – Otter Rock cases	No cases	97498 – Yachats	1-9

Attachments:

LCPD_COVID-19_20201021_OHA Weekly-Report (PDF)

LCPD_COVID19_20201019 Statewide Mask Guidance (002) (PDF)

COVID-19 Weekly Report

Oregon's Weekly Surveillance Summary
Novel Coronavirus (COVID-19)



Oregon Public Health Division

Published October 21, 2020

Background

COVID-19 Weekly Report data will be finalized every Sunday at 11 p.m. PDT, and the report will be published on Wednesday. **Please note that the data reported here are continually being updated. For daily up-to-date information, visit the OHA COVID-19 web page: <https://govstatus.egov.com/OR-OHA-COVID-19>.**

As of 11 p.m. Sunday, October 18, there have been 39,794 cases of COVID-19 reported to the Oregon Health Authority. Of these, 2,013 (5.1%) are “presumptive” cases—i.e., people with COVID-19-like symptoms and close contact with a confirmed case, but who did not have a confirmatory laboratory test. Though not confirmed, presumptive cases are highly likely to have COVID-19, given their specific symptoms and known exposure. Presumptive cases are encouraged to seek testing to confirm that they do have COVID-19. Presumptive cases who test positive are recategorized as confirmed cases.

These data represent a snapshot of COVID-19 risk factors and clinical and demographic characteristics of cases, and they include data on cases with pending investigations. Not all cases have been interviewed at the time of this report. The data shown in this report come from Oregon’s electronic disease surveillance system for reportable diseases.

During the week of October 11–October 17,^{*} 28,960 Oregonians were tested for COVID-19, and 6.5% of them had a positive result.[†] Not all positive tests represent new cases; some are from specimens collected from people who had already been counted as presumptive cases. The number includes tests done at all locations, including commercial non-hospital-based laboratories, hospital laboratories and Oregon State Public Health Laboratory.

Weekly Report Summary

During Monday, October 12, through Sunday, October 18, OHA recorded 2,327 new cases of COVID-19 infection—down 4% from last week’s record-high tally of 2,418. The number of Oregonians newly tested rose another 1.6%, to 28,960, and the percentage of tests that were positive rose slightly to 6.5%. Twenty-seven Oregonians were reported to have died in association with COVID-19—compared to 25 last week. One hundred forty-three Oregonians were hospitalized. The 39,794 COVID-19 cases reported in Oregon to date computes to 939 cases per 100,000 Oregonians; of these, 627—1.6% of all cases reported to date—have died in association with COVID-19, giving a mortality rate of 14.8 deaths per 100,000 Oregonians. Recent data on mortality in Oregon, including deaths related to COVID-19, are available at <https://public.tableau.com/profile/oha.center.for.health.statistics>.

The incidence of reported infection has been highest in persons 20–49 years of age, who account for 39% of Oregon’s population and 56% of reported cases. Persons <30 years of age make up 37% of Oregon’s population and have accounted for 37% of reported cases but only 9% of hospitalizations and 0.3% of deaths. Hospitalization and death rates increase with age; 321 (51%) of the 627 deaths have been among persons at least 80 years of age, and 472 (75%) in persons 70 and older. Additional data are available at <https://public.tableau.com/profile/oregon.health.authority.covid.19#/vizhome/OregonCOVID-19CaseDemographicsandDiseaseSeverityStatewide/DemographicData>.

^{*} This date range aligns with CDC’s “MMWR week.”

[†] Does not include antibody (serology) tests. Percent positivity is now calculated using specimen collection date.

COVID-19 Weekly Report

Oregon's Weekly Surveillance Summary
Novel Coronavirus (COVID-19)



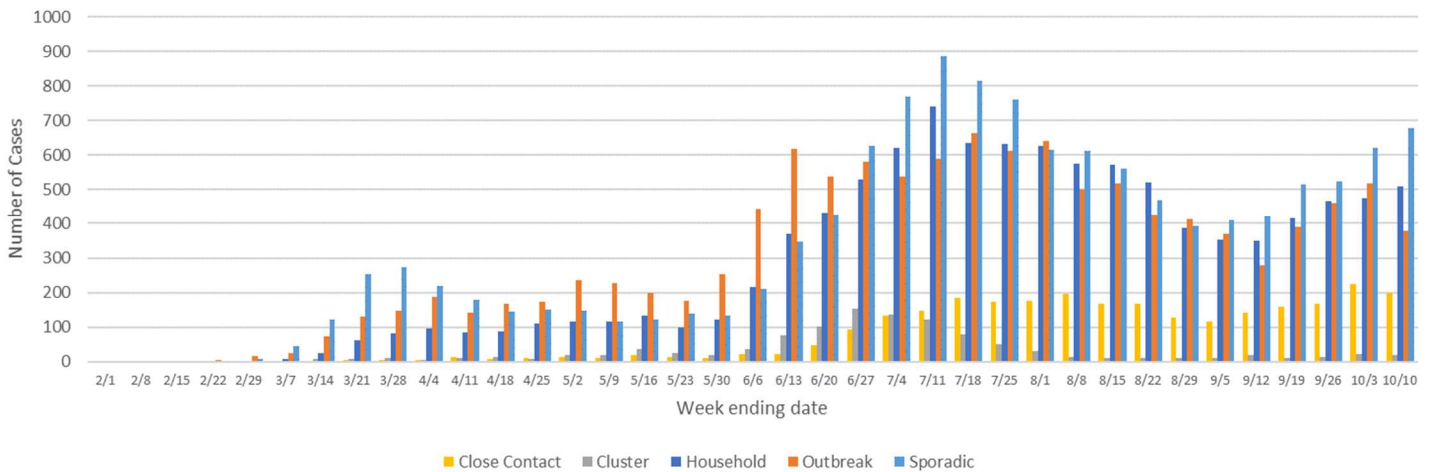
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Clinical Characteristics, Risk Factors and Demographic Characteristics

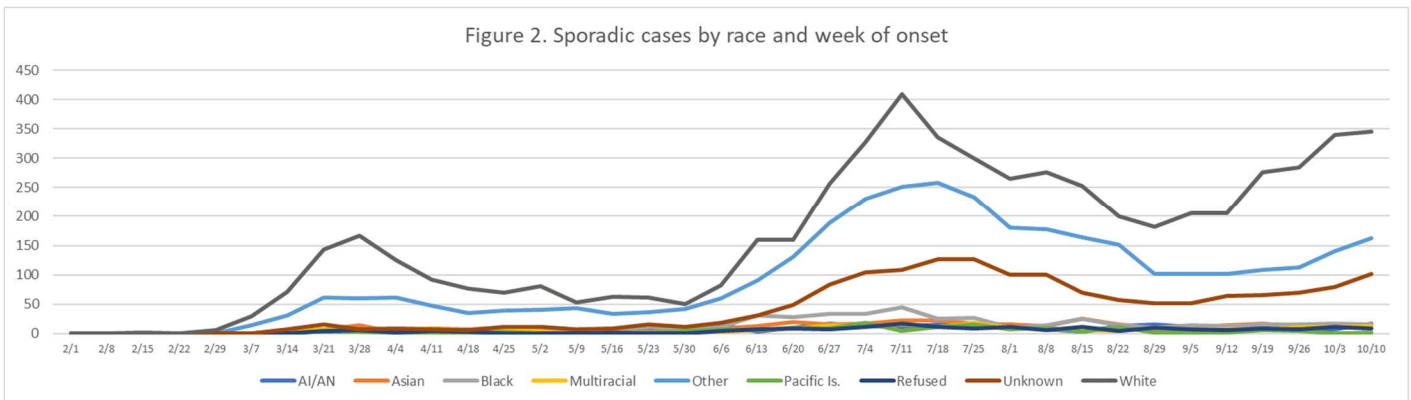
Figure 1 shows the number of cases reported by week of onset and epidemiologic link. Figure 2 shows the number of sporadic cases reported by week of onset and race. Figure 3 shows the number of sporadic cases reported by week of onset and ethnicity. Figure 4 provides information on signs and symptoms from all COVID-19 cases. Of 39,794 cases, 30,362 (76.3%) reported having signs and symptoms of COVID-19. The most commonly reported symptoms are cough (n=20,271, 50.9%) and headache (n=19,274, 48.4%). Figure 3 provides information on the percentage of COVID-19 cases that report symptoms. Figure 4 provides information on risk factors from all COVID-19 cases. The most common risk factors are having contact with a known COVID-19 case prior to symptom onset (n=26,865, 67.5%) and having underlying medical conditions (n=17,824, 44.8%). Note that a person may report more than one sign/symptom or risk factor.

Figure 1. Epidemiologic link of COVID-19 cases by week of onset



Where displayed by week in this report, case data are categorized by week of reported symptom onset, not by date of case report. This results in reduced numbers in the most recent week or more due to reporting lags.

Figure 2. Sporadic cases by race and week of onset



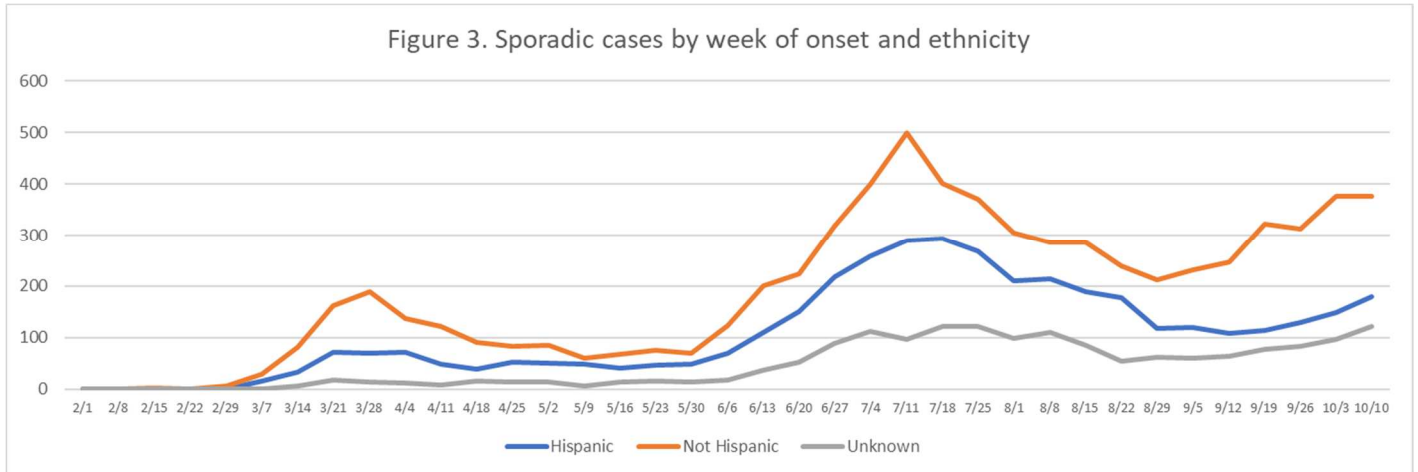
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Epidemiologic link designations

Sporadic: Cases who do not have known exposure to another case or outbreak.

Outbreak: Cases who have a shared, defined exposure with at least one other case. For example, a defined exposure could be an event, a workplace, a congregate facility, etc.

Cluster: Cases who had contact with another case, but the exposure is not well defined. For example, cases from two households who interacted many times prior to illness onset.

Household: Cases who were exposed to another case in their household.

Close contact: Cases who were exposed to another case, not in their household. This designation was added on 7/15.

Due to the lag between case reporting and case investigation, the proportion of cases categorized as sporadic is high in the most recent week or more; some of these cases will be recategorized after investigation is completed.

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Figure 4. Reported signs and symptoms for all COVID-19 cases

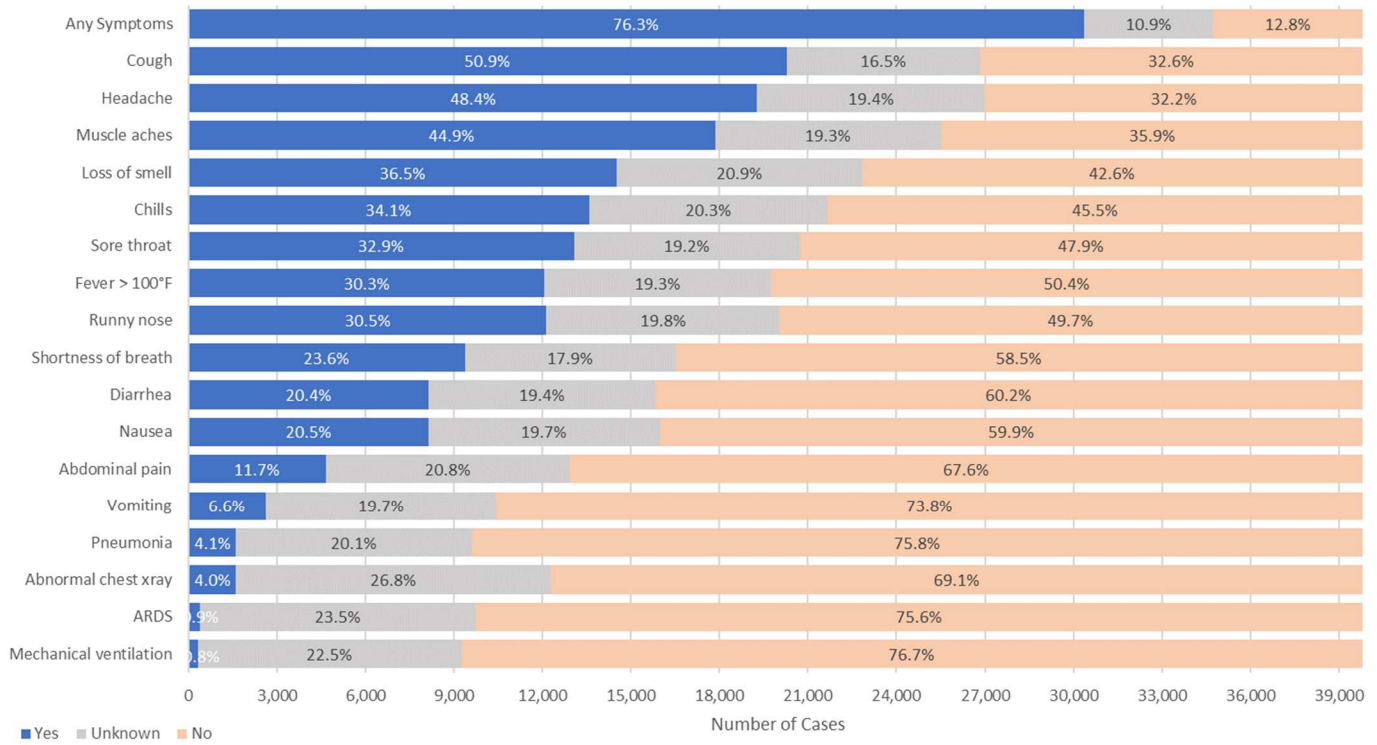
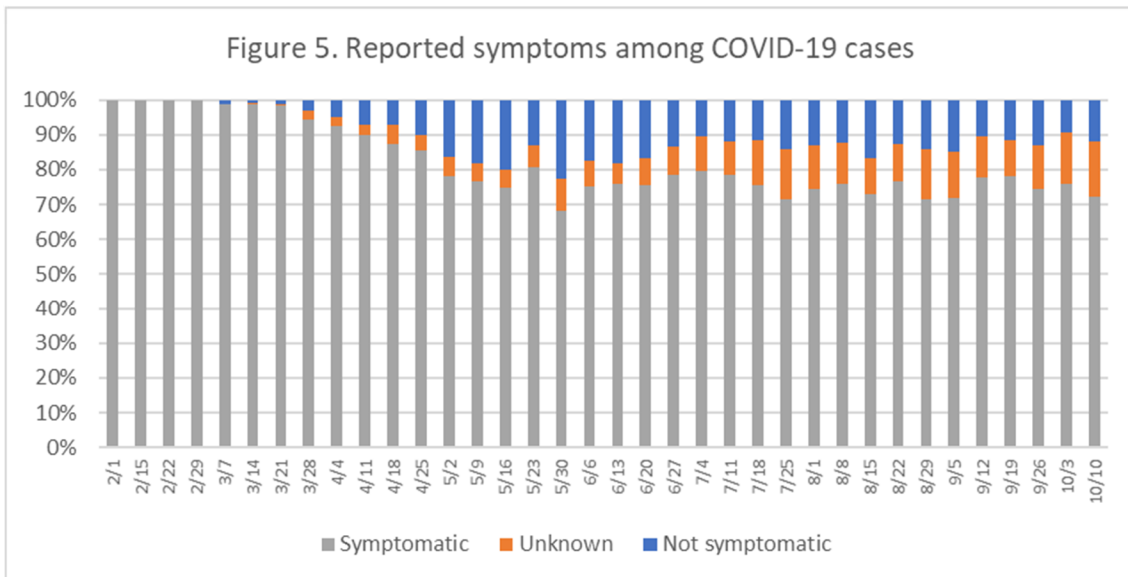


Figure 5. Reported symptoms among COVID-19 cases



COVID-19 Weekly Report

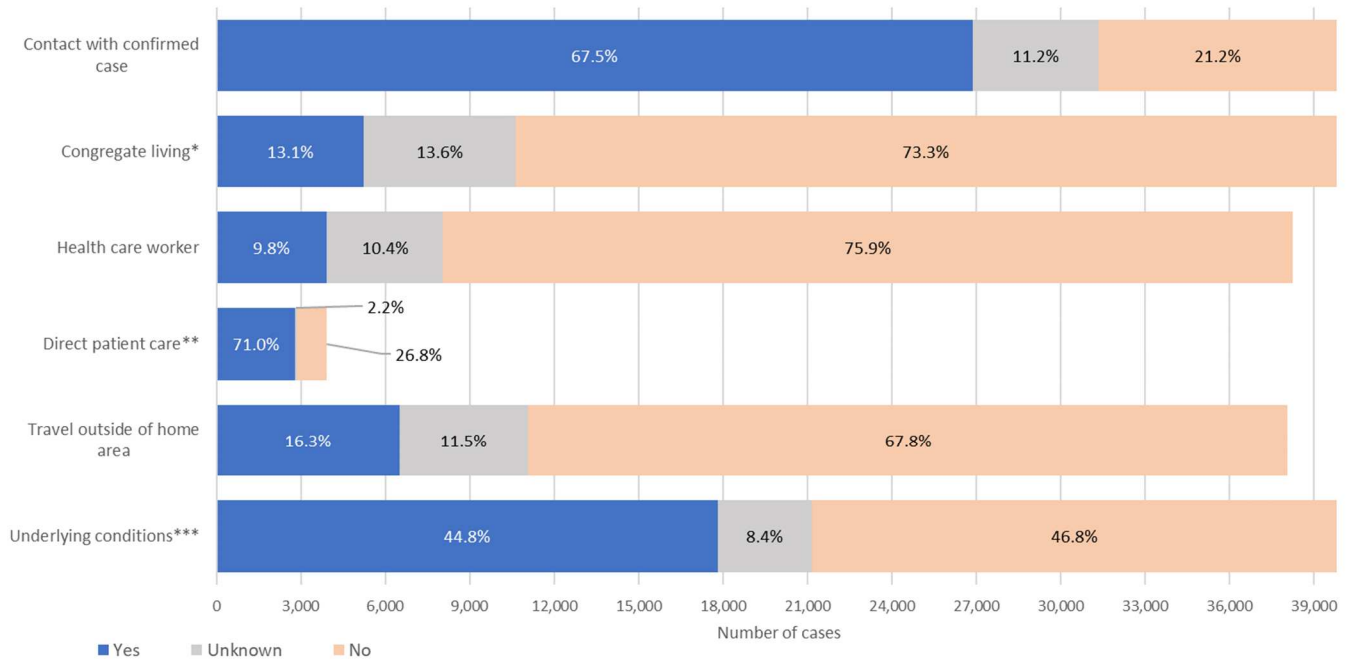
Oregon's Weekly Surveillance Summary
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Figure 6. Reported risk factors from all COVID-19 cases



*Congregate living situations include, but are not limited to, long-term care facilities, group homes, prisons, and shelters. Data include people with confirmed cases who live or work in congregate living situations.

**Direct patient care is only asked if a case is a healthcare worker or volunteer. The denominator is the number of healthcare workers or volunteers.

***Underlying medical conditions include cardiovascular disease, chronic liver disease, chronic lung disease, chronic renal disease, current or former smoker, diabetes mellitus, immunocompromised condition, neurologic and neurodevelopmental conditions, obesity, or other chronic diseases.

The following tables show the demographic characteristics for all COVID-19 cases. Tables 1 and 2 show case counts and severity by demographic categories. Figures 7 and 8 show the case demographic distribution by week of onset. Tables 3 and 4 show race and ethnicity, respectively. Figures 9 and 10 show race and ethnicity by week of onset, respectively.

Table 1. Severity and rates of COVID-19 by sex

Sex	Cases	% of total cases	Cases per 100,000 ^a	Hospitalized	% Hospitalized	Deaths	Case fatality
Male	19,137	48.1%	889.8	1554	8.1%	352	1.8%
Female	20,513	51.5%	953.8	1390	6.8%	275	1.3%
Non-Binary	4	0%	n/a	0	0.0%	0	0%
Not available	140	0%	n/a	3	2.1%	0	0%
Total	39,794	100.0%	939.3	2,947	7.4%	627	1.6%

^a Population data were compiled from the 2019 Annual Oregon Population Report, which is produced by the Population Research Center, Portland State University

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Figure 7. COVID-19 cases by sex and week of onset

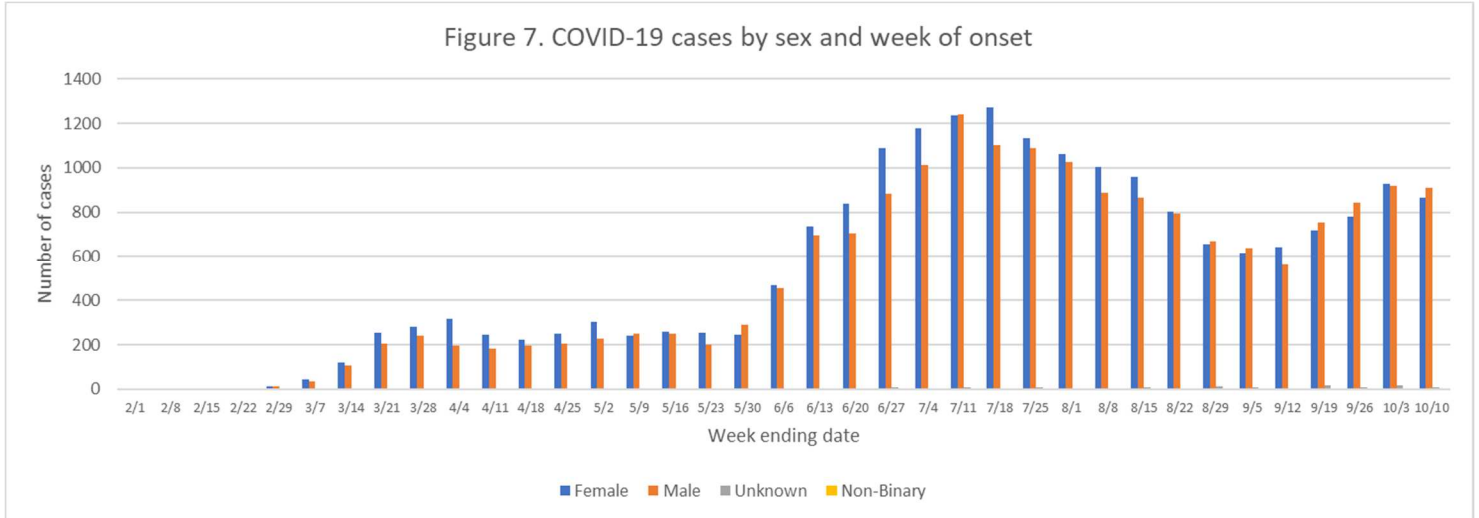
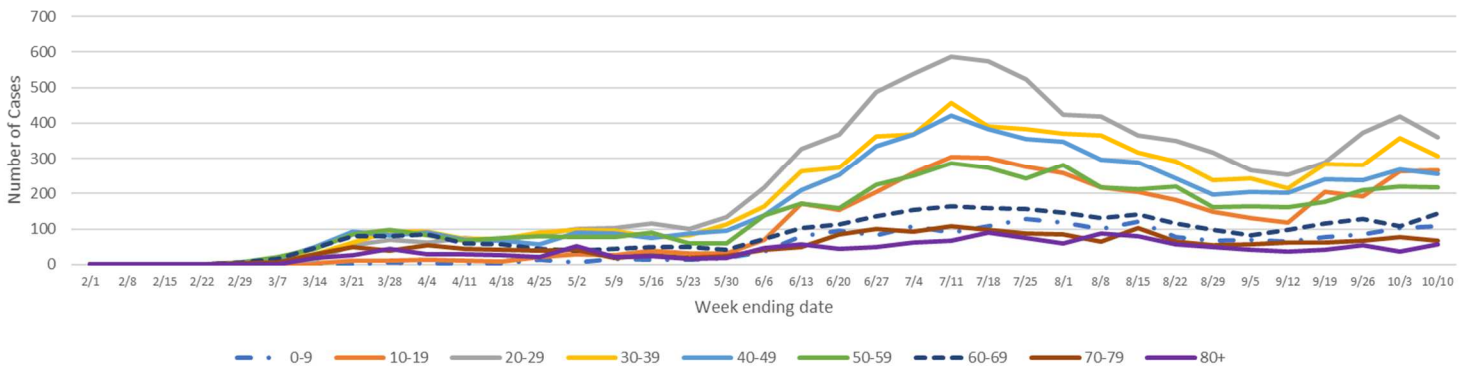


Table 2. Severity and rates of COVID-19 by age group

Age group	Cases	% of total cases	Cases per 100,000 ^a	Hospitalized	% Hospitalized	Deaths	Case fatality
0-9	1,882	4.7%	392.1	33	1.8%	0	0%
10-19	4,285	10.8%	862.6	38	0.9%	0	0%
20-29	8,669	21.8%	1561.2	205	2.4%	2	0%
30-39	7,085	17.8%	1224.0	234	3.3%	4	0%
40-49	6,349	16.0%	1168.5	341	5.4%	13	0.2%
50-59	5,019	12.6%	938.0	474	9.4%	39	0.8%
60-69	3,149	7.9%	583.8	571	18.1%	97	3.1%
70-79	1,889	4.7%	555.4	570	30.2%	151	8.0%
80+	1,433	3.6%	854.8	480	33.5%	321	22.4%
Not available	34	0.1%	-	1	-	0	0.0%
Total	39,794	100.0%	939.3	2,947	7.4%	627	1.6%

^aPopulation data were compiled from the 2019 Annual Oregon Population Report, which is produced by the Population Research Center, Portland State University

Figure 8. COVID-19 cases by age group and week of onset



Data are provisional and subject to change.

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Table 3. Severity and rates of COVID-19 by race^a

Race	Cases	% of total cases	Cases per 100,000 ^b	Hospitalized	% Hospitalized	Deaths	Case fatality
White	17,191	43.2%	480.7	1660	9.7%	423	2.5%
Black	1,322	3.3%	1637.5	118	8.9%	13	1.0%
Asian	1,114	2.8%	615.1	105	9.4%	19	1.7%
American Indian/Alaska Native	969	2.4%	1988.2	96	9.9%	12	1.2%
Pacific Islander	641	1.6%	3858.7	86	13.4%	7	1.1%
Other	12,986	32.6%	n/a	666	5.1%	69	0.5%
>1 race	789	2.0%	392.6	43	5.4%	11	1.4%
Not available	4,782	12.0%	n/a	173	3.6%	73	1.5%
Total	39,794	100.0%	939.3	2,947	7.4%	627	1.6%

^aDuring the case investigation, people are asked to self-report their race, ethnicity, tribal affiliation, country of origin, or ancestry.

^bNational Center for Health Statistics (NCHS). Estimates of the resident population of the U.S. by year, county, age, bridged race, Hispanic origin, and sex (Vintage 2018). 2) Census Bureau Population Estimates: U.S. Census bureau, Population Division, Annual Estimates of the Resident Population by Age, Sex, Race, and Hispanic Origin for counties (Vintage 2018)

^c11,959 (97.2%) of the 12,308 persons who identify as "Other" race also self-identify as Hispanic or Latino.

Figure 9. COVID-19 cases by race and week of onset

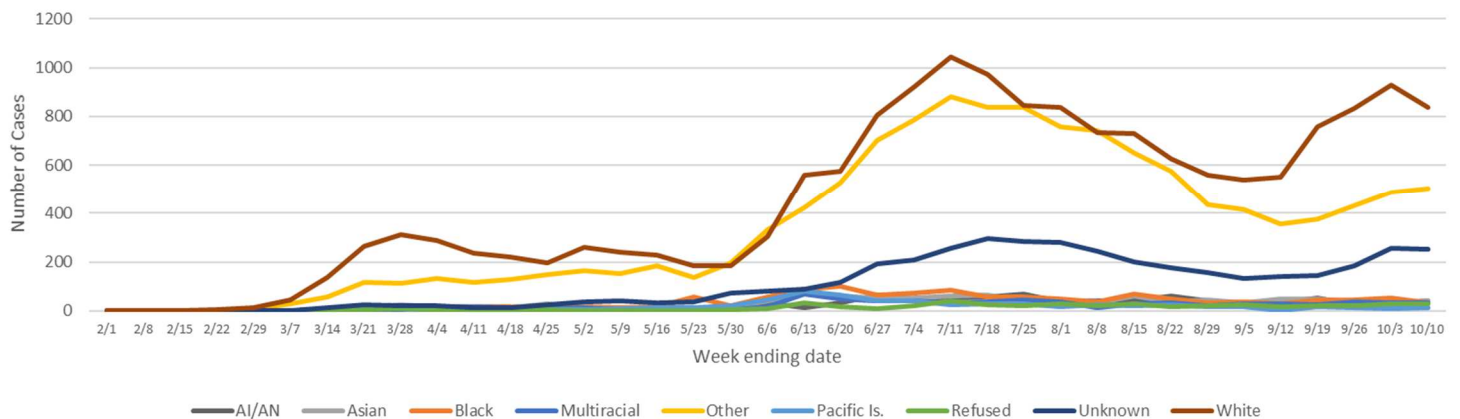


Table 4. Severity and rates of COVID-19 by ethnicity

Ethnicity	Case count	% of total cases	Cases per 100,000 ^a	Hospitalized	% Hospitalized	Deaths	Case fatality
Hispanic	14,830	37.3%	2727.2	779	5.3%	82	0.6%
Non-Hispanic	20,175	50.7%	546.4	1911	9.5%	436	2.2%
Not available	4,789	12.0%	n/a	257	5.4%	109	2.3%
Total	39,794	100.0%	939.3	2,947	7.4%	627	1.6%

^aNational Center for Health Statistics (NCHS). Estimates of the resident population of the US by year, county, age, bridged race, Hispanic origin, and sex (Vintage 2018). 2) Census Bureau Population Estimates: U.S. Census bureau, Population Division, Annual Estimates of the Resident Population by Age, Sex, Race, and Hispanic Origin for counties (Vintage 2018)

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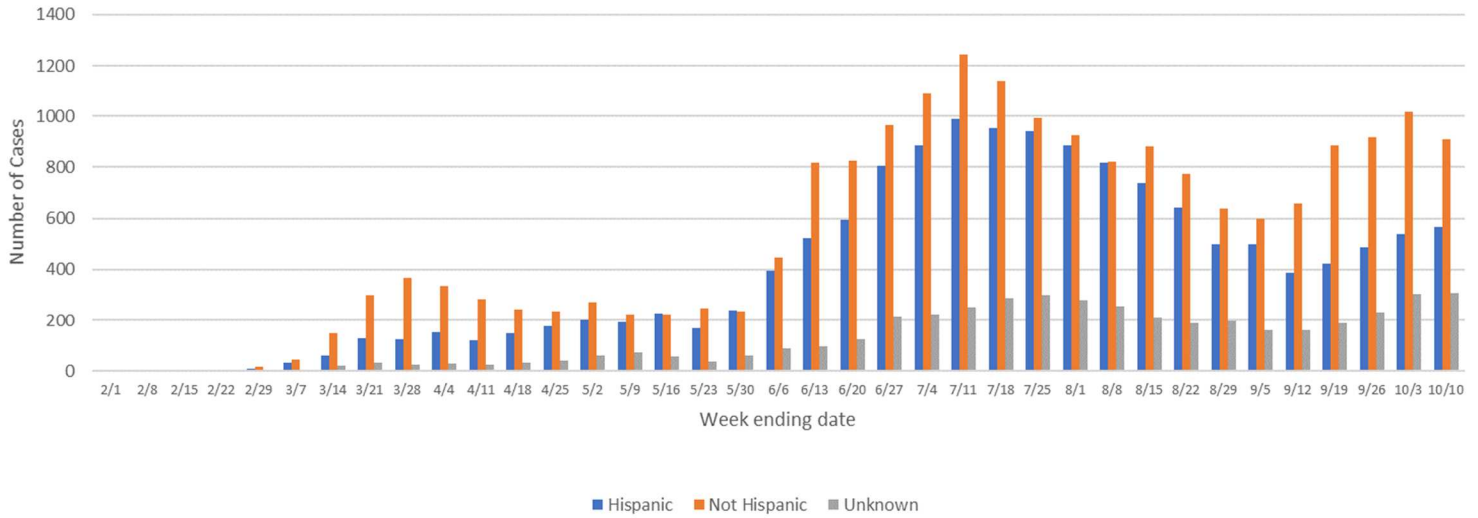
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Figure 10. COVID-19 cases by ethnicity and week of onset



Follow-up

Figure 11 shows the percentage of cases that were called within 24 hours of being reported to public health by race. Figure 12 shows the percentage of cases that were called within 24 hours of being reported to public health by ethnicity. Figure 13 shows the percentage of cases that were interviewed, by race. Figure 14 shows the percentage of cases that were interviewed, by ethnicity.

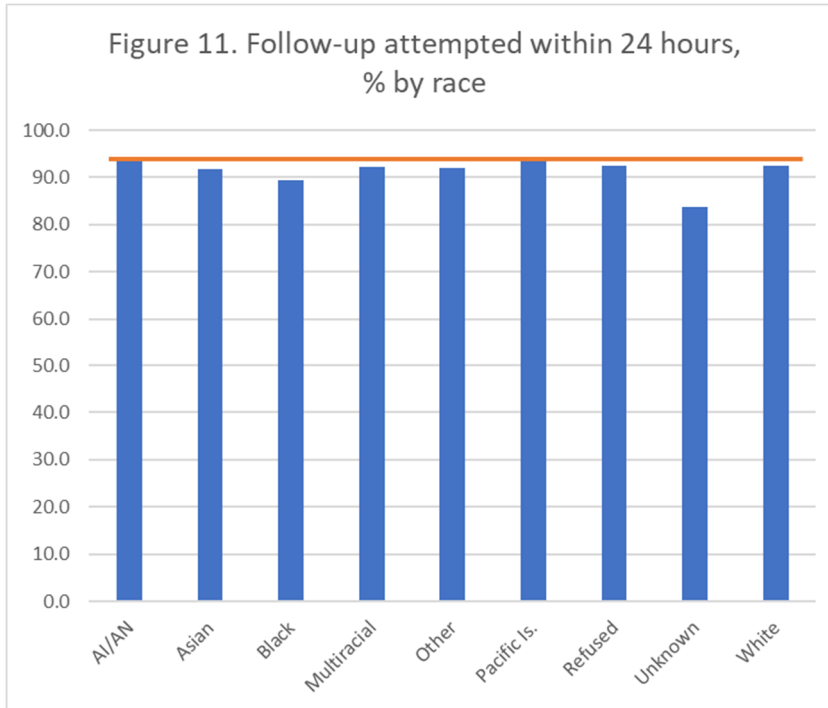
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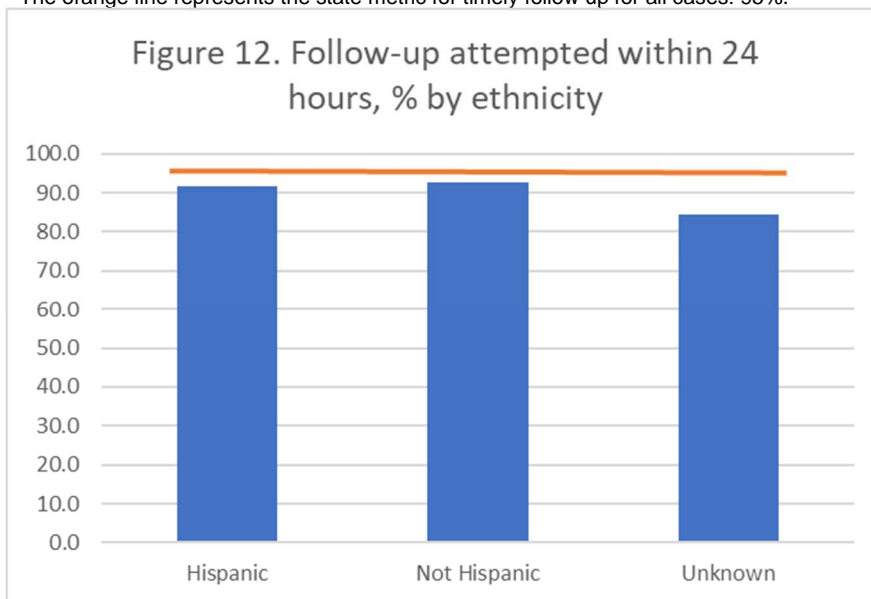
Oregon Public Health Division

Published October 21, 2020



^a Race and ethnicity data are collected when cases are interviewed. Race and ethnicity data for cases that were not interviewed are abstracted from laboratory reports and medical records if it is available.

^b The orange line represents the state metric for timely follow up for all cases: 95%.



^a Race and ethnicity data are collected when cases are interviewed. Race and ethnicity data for cases that were not interviewed are abstracted from laboratory reports and medical records if it is available.

^b The orange line represents the state metric for timely follow up for all cases: 95%.

Data are provisional and subject to change.

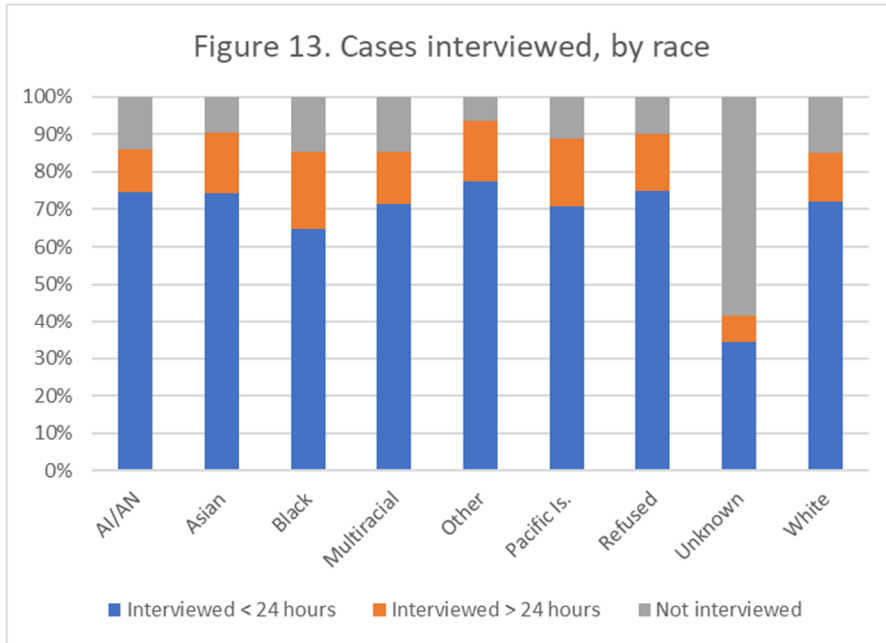
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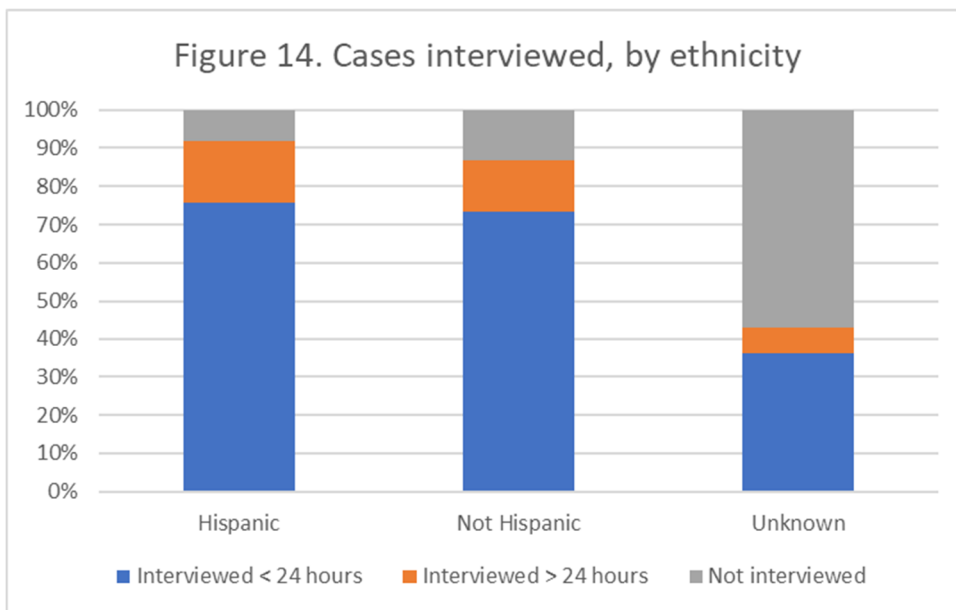


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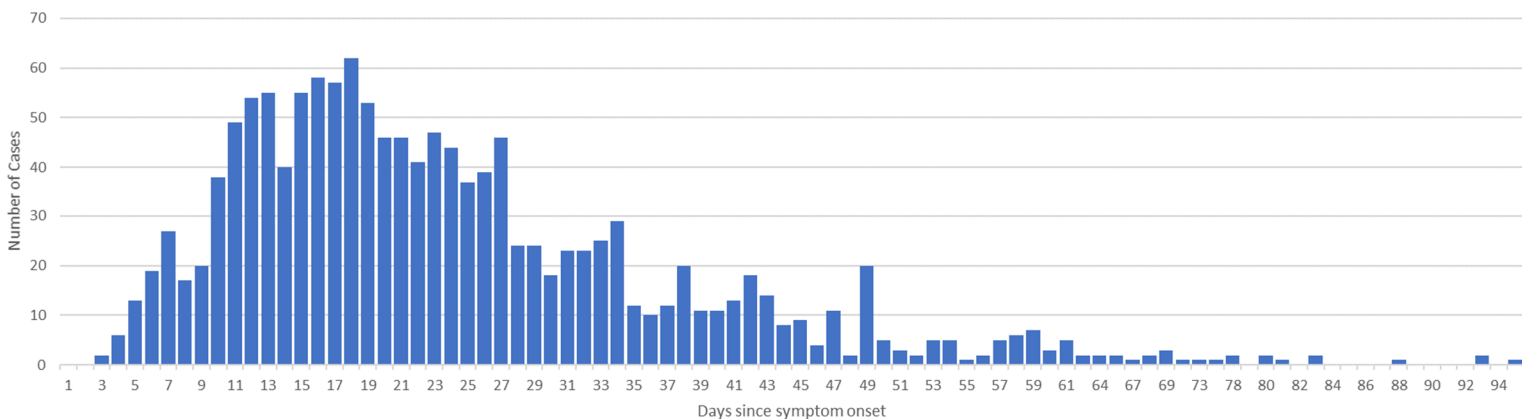
Oregon Public Health Division

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Recovery

OHA staff periodically call people with reported COVID-19 who experienced fever, cough, shortness of breath or diarrhea and were initially interviewed before May 1, when OHA changed its definition of recovery, to inquire about resolution of symptoms. This group includes 1,884 people who were all diagnosed before mid-April and have not succumbed to their illness. Among these, 1,682 (88.8%) are considered to have recovered, and a recovery date is available for 1,387 people; their time to recovery is depicted in Figure 15. Of these 1,884 people, 16 (0.8%), have not yet recovered; and recovery status is not available for 186 (9.8%). People are assumed to have recovered three days after resolution of all symptoms. The median time to recovery among non-hospitalized symptomatic cases is 20 days (interquartile range: 15–29 days); among symptomatic cases who were hospitalized it is 26 days (interquartile range: 18–37 days).

Figure 15. Time to recovery* among symptomatic people** with confirmed COVID-19 (n=1,387)



*Three days after reported resolution of diarrhea, cough, shortness of breath and fever.

** Includes cases who were interviewed about their date of recovery before a change in recovery definition on May

*** This was last updated on 9/16; Data will be updated again as new information is available.

Weekly Care Facility, Senior Living Communities and Congregate Living Settings Report

OHA is publishing data on cases and deaths in care facilities, senior living communities, and congregate living settings that have three or more confirmed COVID-19 cases or one or more deaths (Table 5). Facilities with outbreaks that are considered resolved are moved to the closed outbreak list (Table 6). An outbreak is considered resolved if no new cases are identified for 28 days after the last case onset. Facilities will be removed from the closed outbreak list after 56 days. This list does not include correctional facilities.

In addition to the facilities listed, OHA is aware of 62 congregate settings of five or fewer beds that have three or more confirmed COVID-19 cases or one or more deaths. Because foster homes typically have relatively few residents, OHA follows the Oregon Department of Human Services practice in not naming these locations to protect patient privacy.

To date, there has been one death of a staff person who worked in a congregate care setting from COVID-19. To protect patient privacy, OHA does not report employee deaths by workplace or other potentially identifying information. Similar information will be released in the future in weekly reports only if OHA determines that such information, in addition to other information it releases, and information released by other agencies, like the Centers for Medicaid and Medicare Services, cannot be used to identify an individual. To date, there have been 3,606 cases and 363 deaths associated with congregate care settings.

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Table 5. Active outbreaks in care facilities, senior living communities and congregate living settings with three or more confirmed COVID-19 cases or one or more COVID-19 related deaths (n=53)

Facility name	County	First reported	Total cases ^a	Total deaths ^a
Miramont Pointe Assisted Living	Clackamas	7/19/2020	15	1
Touchmark in the West Hills	Washington	7/22/2020	18	3
Tierra Rose Care Center	Marion	7/28/2020	21	0
Maryville	Washington	8/9/2020	70	7
Countryside Living of Canby	Clackamas	8/22/2020	11	0
Umpqua Valley	Douglas	8/31/2020	11	0
Marquis Centennial	Multnomah	9/5/2020	70	1
St. Anthony Village	Multnomah	9/7/2020	7	0
Springs at Willow Creek	Marion	9/9/2020	22	0
Flagstone Senior Living	Wasco	9/13/2020	51	12
West Hills Health & Rehab	Multnomah	9/15/2020	3	0
Battlecreek Memory Care	Marion	9/18/2020	16	1
Rosewood Memory Care	Washington	9/20/2020	13	0
Sapphire at Gateway	Multnomah	9/21/2020	58	2
Farmington Square	Lane	9/22/2020	21	5
The Oaks at Sherwood Park	Marion	9/22/2020	6	0
Horton Plaza	Jackson	9/23/2020	4	0
Gateway Living	Lane	9/23/2020	10	0
Elder Health and Living	Lane	9/24/2020	5	0
Marquis Vermont Hills	Multnomah	9/25/2020	11	0
Arbor at Avamere	Marion	09/26/2020	6	0
Rose Villa	Clackamas	09/28/2020	5	0
Forum at Town Center Happy Valley	Clackamas	09/29/2020	3	0
Royalton Place Memory Care	Clackamas	10/01/2020	10	0
The Ackerly at Timberland	Washington	10/01/2020	6	0
Hearthstone at Murrayhill	Washington	10/02/2020	3	0
Avamere Riverpark of Eugene	Lane	10/02/2020	7	0
Seaview Senior living memory care unit	Curry	10/02/2020	25	0
Timber Pointe Senior Living	Lane	10/02/2020	4	0
Cascade Terrace	Multnomah	10/03/2020	9	0
Sweet Bye N Bye	Marion	10/03/2020	21	0
Hillside Brookdale	Yamhill	10/05/2020	3	0
Ashley Manor Senior Living	Klamath	10/05/2020	5	0
Avamere Health Services of the Rogue Valley	Jackson	10/05/2020	3	0

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Marquis Mill Park Post Acute Rehab	Multnomah	10/07/2020	7	0
Robison Health & Rehabilitation Center	Multnomah	10/07/2020	7	1
Bend Transitional care	Deschutes	10/07/2020	3	0
Salem Transitional Care	Marion	10/08/2020	6	0
Tanner Spings Memory Care	Clackamas	10/08/2020	4	0
Holladay Park Plaza	Multnomah	10/09/2020	6	1
Parkhurst Place	Hood River	10/11/2020	1	1
Sweet Bye N Bye	Marion	10/12/2020	28	2
Ochoco Manor Apartments	Crook	10/13/2020	6	1
Advocate Care	Multnomah	10/14/2020	4	0
Mennonite Home Skilled Nursing Facility	Linn	10/14/2020	3	0
Avamere Transitional Care at Sunnyside	Marion	10/14/2020	3	0
Avamere Rehabilitation of Clackamas	Clackamas	10/14/2020	3	0
Forest Grove Rehabilitation & Care Center	Washington	10/15/2020	3	0
Linda Vista Nursing & Rehab	Jackson	10/16/2020	6	0
Marquis Tualatin Post Acute Rehab	Washington	10/16/2020	6	0
NW Memory Care in Florence	Lane	10/18/2020	3	0
Gracelen Terrace	Multnomah	10/19/2020	3	0
Total	-	-	634	38

^aCase and death counts include all cases and deaths associated with the outbreak (e.g., staff, residents, close contacts)

Table 6. Recently resolved outbreaks in care facilities, senior living communities and congregate living settings with three or more confirmed COVID-19 cases or one or more COVID-19 related death (n=77)

Facility name	County	First reported	Total cases ^a	Total deaths ^a
Arcadia Senior Living	Multnomah	6/16/2020	10	1
Laurelhurst Village Rehabilitation	Multnomah	6/18/2020	3	1
Farmington Square Salem Assisted Living	Marion	6/23/2020	34	8
Brookdale Assisted Living	Malheur	6/25/2020	37	5
Guardian Angel Homes	Umatilla	6/26/2020	18	1
Avamere Rehabilitation of Beaverton	Washington	6/28/2020	8	0
Hillside Independent Living	Yamhill	6/30/2020	12	0
Gresham Post Acute Care & Rehab	Multnomah	7/6/2020	3	0
Capitol Manor	Polk	7/6/2020	9	0
Monterey Court	Clackamas	7/7/2020	22	5
Cedar Village	Marion	7/9/2020	4	0
Marquis Mt. Tabor	Multnomah	7/9/2020	7	0
Avamere Rehabilitation of Coos Bay	Coos	7/10/2020	5	0

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Mt Bachelor Memory Care	Deschutes	7/11/2020	66	8
Hood River Care Center	Hood River	7/13/2020	4	0
Regency Hermiston	Umatilla	7/13/2020	97	14
Mountain Park Memory Care	Clackamas	7/14/2020	34	4
Dorian Place Assisted Living	Malheur	7/15/2020	23	3
Sun Terrace	Umatilla	7/15/2020	10	2
Forest Grove Rehabilitation and Care Center	Washington	7/19/2020	4	0
Wellsprings Assisted Facility	Malheur	7/20/2020	6	1
Tabor Crest	Multnomah	7/20/2020	24	3
Terwilliger Plaza	Multnomah	7/21/2020	12	0
Friendship Health Center	Multnomah	7/21/2020	4	0
Regency Park	Washington	7/23/2020	22	1
St. Andrews Memory Care	Multnomah	7/23/2020	22	0
Farmington Square Beaverton	Washington	7/23/2020	14	1
Harold Schnitzer Center for Living	Multnomah	7/24/2020	4	0
The Springs at Tanasbourne	Washington	7/26/2020	6	1
Marquis Forest Grove Assisted Living	Washington	7/28/2020	8	0
Emerson House	Multnomah	7/29/2020	46	5
Laurel Parc Bethany Village	Washington	7/29/2020	6	0
Waterford Grand	Lane	7/30/2020	3	0
Avamere Rehabilitation of Oregon City	Clackamas	7/30/2020	3	0
The Taft House	Multnomah	7/30/2020	7	0
Hillside Place	Lincoln	7/30/2020	28	4
Parkland Village	Yamhill	7/30/2020	4	1
Pear Valley Senior Living	Jackson	7/30/2020	4	0
Rock of Ages	Yamhill	7/30/2020	38	2
O'Hara's Manor	Multnomah	7/31/2020	31	2
Dallas Retirement Village	Polk	7/31/2020	6	2
Murray Highland Memory Care	Washington	8/1/2020	35	5
Avamere Crestview of Portland	Multnomah	8/1/2020	29	2
Creekside Rehabilitation and Nursing	Multnomah	8/1/2020	50	6
Prestige Senior Living Orchard Heights	Polk	8/3/2020	3	0
Morning Star Assisted Living and Memory Care	Washington	8/4/2020	21	9
Silver Creek Senior Living	Marion	8/5/2020	4	0

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French Prairie Nusing and Rehab	Marion	8/5/2020	92	13
Life Care Rehabilitation	Yamhill	8/7/2020	21	1
Regency Village Prineville	Crook	8/8/2020	7	0
Meadowbrook Place	Baker	8/9/2020	27	2
Country Meadows	Marion	8/10/2020	8	0
Gracelen Terrace	Multnomah	8/10/2020	11	0
Marquis Hope Village	Clackamas	8/13/2020	4	0
Lancaster Village	Marion	8/13/2020	7	1
Ashley Manor Hermiston	Umatilla	8/13/2020	13	0
Marquis Mill Park Post Acute Rehab	Multnomah	8/14/2020	3	0
Mary's Woods	Clackamas	8/15/2020	5	0
Providence Benedictine Mt. Angel	Marion	8/17/2020	7	0
Springs Clackamas Woods	Clackamas	8/20/2020	3	0
Redwood Heights	Marion	8/22/2020	7	0
Prestige Care Milwaukie	Clackamas	8/31/2020	3	0
Riverside Manor	Malheur	8/21/2020	3	1
Windsor Health and Rehab	Marion	8/24/2020	7	0
Robinson Health and Rehab Center	Multnomah	8/25/2020	3	0
Evergreen Memory Care Facility	Lane	8/25/2020	40	13
Nyssa Gardens	Malheur	8/28/2020	9	0
Regency Redmond	Deschutes	8/28/2020	6	0
Prestige Care Milwaukie	Clackamas	8/31/2020	3	0
Avamere at Sandy	Clackamas	8/31/2020	9	0
Pioneer Place	Malheur	8/31/2020	40	2
Pacific Health and Rehab	Washington	9/5/2020	4	0
Melody Court Memory Care	Multnomah	9/5/2020	11	0
Heartwood Place	Marion	9/10/2020	23	2
Avamere at Three Fountains	Jackson	9/18/2020	4	0
Spings at Veranda Park	Jackson	9/22/2020	5	0
Total	-	-	1,227	132

^aCase and death counts include all cases and deaths associated with the outbreak (e.g., staff, residents, close contacts)

Weekly Workplace Outbreak Report

OHA is publishing data on cases in workplace outbreaks. Given a cluster of cases in space and time, within plausible incubation periods for the pathogen, OHA epidemiologists will consider cases to be related—i.e., part of a workplace outbreak—unless a more likely alternative source for acquisition is identified. Any suspected workplace outbreak is required to be reported to the local public health authority (see OAR 333-018-015). Local health department and tribal partners investigate to identify workplace outbreaks. This list of outbreaks will be

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updated as investigations continue, and we learn about epidemiologic links between cases. This list may not reflect all the workplace outbreaks in Oregon.

To protect privacy, OHA is only reporting workplace outbreaks with five or more cases and only for workplaces with at least 30 workers. If more than 50% of the workers are COVID-19 cases, specific case numbers will not be reported. Case counts include all persons linked to the outbreak, which may include household members and other close contacts. The list below includes active workplace outbreaks (Table 7), meaning that there has been a case within the past 28 days. Outbreaks that are resolved are moved to a separate table of resolved outbreaks (Table 8). Outbreaks are removed from the closed outbreak list after 56 days.

The presence of correctional facilities and food packing and agricultural worksites on this list highlights the challenges of controlling COVID-19 in settings where people must work or live in proximity. People of color are overrepresented in agricultural and correctional settings, contributing to the higher rates of COVID-19 observed in these groups. OHA publishes these data in response to public request, but with some concern that workers or staff members at these workplaces might be subject to discrimination.

State and local public health officials work intensively with staff at workplaces where outbreaks are identified to isolate sick workers, test and quarantine those who have been exposed and implement workplace changes to reduce risk of transmission. Unless otherwise noted, public health officials have determined that these workplaces, their workers and their products do not pose significant risk to the public. Workers of a business with a workplace outbreak should never be subjected to discrimination or excluded from patronizing other businesses. In fact, discriminating against workers or avoiding products might jeopardize the economic viability of essential local businesses.

Employers can support their workers with policies that ensure that ill workers are not in the workplace and are not penalized for taking sick leave. Employers should ensure that workers are aware of and understand these policies.

There have been 29 deaths and 7,882 cases associated with all workplace outbreaks that have been reported to date. To protect patient privacy, OHA does not report employee deaths by workplace. Cases that are associated with more than one workplace outbreak will be reported in the case count for all relevant workplace outbreaks.

Table 7. Active workplace outbreaks with five or more confirmed COVID-19 cases (n=79)

Workplace	Address	County ^a	Investigation start date	Most recent onset	Total cases
Snake River Correctional Institution	777 Stanton Blvd, Ontario, OR 97914	Malheur	6/24/2020	10/16/2020	518
Eastern Oregon Correctional Institution	2500 Westgate, Pendleton, OR 97801	Umatilla	7/8/2020	10/14/2020	423
Lamb Weston	78153 Westland Road, Hermiston, OR 97838	Umatilla	6/16/2020	10/6/2020	190
Two Rivers Correctional Institution	82911 Beach Access Rd, Umatilla, OR 97882	Umatilla	6/24/2020	10/2/2020	128
Pacific Seafood	450 NE Skipanon Dr, Warrenton, OR 97146	Clatsop	9/15/2020	9/25/2020	94
Oregon State Correctional Institution	3405 Deer Park Dr SE, Salem	Marion	9/28/2020	10/10/2020	77

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Lamb Weston East	750 Columbia Ave NE, Boardman, OR 97818	Morrow	7/13/2020	10/5/2020	72
Walmart Distribution Center	2650 US-395, Hermiston, OR 97838	Umatilla	6/30/2020	9/30/2020	70
Amazon Troutdale	1250 NW Swigert Rd, Troutdale, OR 97060	Multnomah	5/21/2020	10/7/2020	70
Planasa Oregon Operations, LLC	8383 Short Rd, Klamath Falls, OR 97603	Klamath	10/1/2020	10/9/2020	62
Walmart	1350 N 1st St, Hermiston, OR 97838	Umatilla	7/9/2020	9/23/2020	57
J. Frank Schmidt & Son Co.	9500 SE 327th Ave, Boring, OR 97009	Clackamas	7/28/2020	10/8/2020	57
Salem Hospital	890 Oak Street SE, Salem, OR 97301	Marion	5/27/2020	10/12/2020	55
Lamb Weston Boardman Pac Center	730 Columbia Ave NE, Boardman OR 97818	Morrow	7/1/2020	10/4/2020	47
Good Shepherd Hospital	610 NW 11th St, Hermiston, OR 97838	Umatilla	7/16/2020	10/9/2020	46
Amy's Kitchen	441 W Antelope Rd, White City, OR 97503	Jackson	7/28/2020	10/11/2020	43
Columbia River Processing (TCCA)	79588 Rippe Rd, Boardman, OR 97013	Morrow	6/16/2020	9/27/2020	41
Amazon Aumsville	4775 Depot Ct SE, Salem, OR 97317	Marion	5/21/2020	10/7/2020	41
Oregon State Hospital	2600 Center St NE, Salem, OR 97301	Marion	7/13/2020	10/15/2020	35
Georgia Pacific	30470 American Dr, Halsey, OR 97348	Linn	10/7/2020	10/14/2020	33
Threemile Canyon Farms	75906 Threemile Rd, Boardman, OR 97818	Morrow	6/30/2020	9/24/2020	27
Don Pancho Authentic Mexican Food Work	3060 Industrial Way NE, Salem, OR 97301	Marion	7/19/2020	10/16/2020	23
New Season Foods, Inc	2329 Yew St, Forest Grove, OR 97116	Washington	9/23/2020	9/28/2020	21
SYGMA Network	13019 SE Jennifer St #404, Clackamas, OR 97015	Clackamas	9/24/2020	10/6/2020	20
Seneca Sawmill Co	22476 Fir St, Noti, OR 97461	Lane	9/23/2020	10/4/2020	18
CabDoor	2900 Pringle Rd SE Ste #150, Salem, OR 97302	Marion	7/24/2020	10/3/2020	17
Westside Drywall	2755 Pacific Hwy, Hubbard, OR 97032	Marion	8/21/2020	10/16/2020	17
Oregon Beverage Recycling Cooperative	2105 W Broadway, Eugene, OR 97402	Lane	9/19/2020	10/6/2020	17
Eagle Veneer, Inc	450 Lasalle St, Harrisburg, OR 97446	Linn	10/5/2020	10/9/2020	16
Pacific Coast Fruit	201 NE 2nd Ave Ste 100, Portland, OR 97232	Multnomah	6/22/2020	10/5/2020	16
Home Depot	300 W Harper Rd, Hermiston, OR 97838	Umatilla	7/24/2020	10/8/2020	16
White City VA Rehab Center & Clinics	8495 Crater Lake Hwy, White City, OR 97503	Jackson	9/23/2020	10/14/2020	15
Freres Lumber	141 14th St, Lyons, OR 97358	Linn	8/16/2020	10/7/2020	15
Mercy Medical Center	2700 NW Stewart Pkwy, Roseburg, OR 97471	Douglas	9/25/2020	10/5/2020	15
MHA Resource Company	5120 NE 42nd Ave, Portland, OR 97218	Multnomah	9/12/2020	9/30/2020	14
Ascentron	994 Antelope Rd, White City, OR 97503	Jackson	8/24/2020	10/1/2020	14

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North American Plants	9375 SE Warmington Rd, McMinnville, OR 97128	Marion	10/1/2020	10/11/2020	14
Eugene Water and Electric Board	500 E 4th Ave, Eugene, OR 97402	Lane	9/27/2020	9/28/2020	13
Boardman Foods Inc	71320 Columbia Blvd, Boardman, OR 97818	Morrow	7/12/2020	9/23/2020	12
Lowes Distribution Center	1001 Reeves Pkwy, Lebanon, OR 97355	Linn	9/17/2020	10/6/2020	12
Coffee Creek Correctional Facility	24499 SW Grahams Ferry Rd, Wilsonville, OR 97070	Washington	9/15/2020	9/30/2020	12
BrucePac	380 S Pacific Hwy, Woodburn, OR 97071	Marion	6/4/2020	10/7/2020	12
SDLA Courier Service	15000 N Lombard St, Portland, OR 97203	Multnomah	8/4/2020	10/2/2020	11
Chick-fil-A	12520 SE 93rd Ave, Clackamas, OR 97015	Clackamas	9/28/2020	10/2/2020	11
J & J Snack Foods	103 E Depot St, Weston, OR 97886	Umatilla	7/30/2020	10/9/2020	11
Harry and David's	2800 S. Pacific Hwy, Medford, OR 97501	Jackson	10/15/2020	10/15/2020	11
Essex General Construction	1604 NE Glisan St, Portland, OR 97232	Multnomah	9/24/2020	9/23/2020	10
Travel Centers of America	790 NW Frontage Rd, Troutdale, OR 97060	Multnomah	10/7/2020	10/9/2020	10
Oregon Spice Company	13320 NE Jarrett St, Portland, OR 97230	Multnomah	7/31/2020	10/4/2020	10
Roseburg VA Health Care System	913 NW Garden Valley Blvd, Roseburg, OR 97471	Douglas	9/18/2020	10/16/2020	9
Flexpack Corporation	1006 SE 9th St, Bend, OR 97702	Deschutes	9/28/2020	9/28/2020	9
Vigor Industrial	5555 N Channel Ave, Portland, OR 97217	Multnomah	10/17/2020	10/10/2020	9
LMC Construction	11090 SW 68th Pkwy, Tigard, OR 97223	Washington	10/8/2020	10/3/2020	8
Lithia Chrysler Dodge Jeep RAM of Portland	633 NE 12th Ave, Portland, OR 97232	Multnomah	10/5/2020	10/10/2020	8
Jacobs Heating & Air Conditioning	4474 SE Milwaukie Ave, Portland, OR 97202	Multnomah	10/1/2020	10/10/2020	8
All Trades General Contractors	4945 NE 109th Ave, Portland, OR 97220	Multnomah	10/6/2020	10/5/2020	8
Disdero Lumber Company	12301 SE Carpenter Dr, Clackamas, OR 97015	Clackamas	10/14/2020	10/11/2020	8
Yamhill County Mushrooms	7246 NW Lilac Hill Rd, Yamhill, OR 97148	Yamhill	10/12/2020	10/12/2020	8
Walmart	2051 Newmark Ave, Coos Bay, OR 97420	Coos	10/16/2020	10/18/2020	8
GEM Equipment of Oregon, Inc	1010 North Main St, Mount Angel, OR 97362	Marion	9/23/2020	9/23/2020	7
Dennis Uniform	135 SE Hawthorne Blvd, Portland, OR 97214	Multnomah	8/11/2020	9/28/2020	7

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Cardinal Glass Industries, Inc	3125 Neal Creek Mill Rd, Hood River, OR 97031	Hood River	10/7/2020	10/5/2020	7
Jet Industries	1935 Silverton Rd NE, Salem, OR 97301	Marion	9/12/2020	10/13/2020	7
Beaudry's Custom Woodworking	653 S Springbrook Rd, Newberg, OR, 97132	Yamhill	9/8/2020	9/26/2020	7
Leupold & Stevens, Inc	14400 NW Greenbriar Pkwy, Beaverton, OR 97006	Washington	10/6/2020	10/5/2020	7
PacWest Drywall and Painting	1015 Molalla Ave, Oregon City, OR 97045	Clackamas	10/10/2020	10/8/2020	7
Dynalectric	2225 NW 20th Ave, Portland, OR 97209	Multnomah	10/15/2020	10/11/2020	7
ValleyScapes	14577 SE Anderson Rd, Damascus, OR 97089	Washington	8/11/2020	9/24/2020	6
Kingsford Charcoal Manufacturing	3315 Marcola Rd, Springfield, OR 97477	Lane	9/23/2020	9/23/2020	6
Diamond Fruit Growers	3515 Chevron Dr, Hood River, OR 97031	Hood River	10/7/2020	10/7/2020	6
BedMart	10200 SW Commerce Cir, Wilsonville, OR 97070	Clackamas	10/1/2020	10/4/2020	6
Roseburg Forest Products	3064 Riddle Bypass, Riddle, OR 97469	Douglas	9/11/2020	10/9/2020	5
Do It Best	333 S Woodland Ave, Woodburn, OR 97071	Marion	9/20/2020	9/23/2020	5
Pacific NW Marble & Granite	2840 Industrial Ave, Hubbard, OR 97032	Marion	9/26/2020	9/26/2020	5
WARN Industries	12900 SE Capps Road, Clackamas, OR 97015	Clackamas	9/4/2020	9/24/2020	5
Culver Glass Company	2619 NW Industrial St, Portland, OR 97210	Multnomah	9/10/2020	10/5/2020	5
Wells Fargo Bank	6305 NE Bennett St, Hillsboro, OR 97214	Washington	10/14/2020	9/25/2020	5
McMinnville Water & Light	855 NE Marsh Ln, McMinnville, OR 97218	Yamhill	10/6/2020	10/11/2020	5

^aCounty of workplace. COVID-19 cases may reside in multiple counties.

Table 8. Recently resolved workplace outbreaks with five or more confirmed COVID-19 cases (n=36)

Workplace	Address	County ^a	Investigation start date	Most recent onset	Total cases
Shearer's Foods	78035 Highway 207, Hermiston, OR 97838	Umatilla	6/26/2020	8/29/2020	72
Milgard Windows and Doors	20789 SW 115th Ave, Tualatin, OR 97062	Washington	8/21/2020	9/7/2020	43
Smith Frozen Foods, Inc.	101 E Depot St, Weston, OR 97886	Umatilla	7/24/2020	9/21/2020	39
Lamb Weston West	600 Columbia Ave NW, Boardman, OR 97818	Morrow	7/28/2020	8/31/2020	28
McDonald's	245 Barnett Rd, Medford, OR 97504	Jackson	9/6/2020	9/16/2020	28
Independent Transport LLC	207 NW 1st St, Boardman, OR 97818	Morrow	7/28/2020	8/31/2020	26

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Classic Manufacturing	9325 SW Barber St, Wilsonville, OR 97206	Clackamas	7/28/2020	8/31/2020	25
Port of Morrow Warehousing	73336 Lewis and Clark Dr, Boardman, OR 97818	Morrow	8/1/2020	8/26/2020	22
The Kraft Heinz Company	175 NE 6th Ave, Ontario, OR 97914	Malheur	6/15/2020	8/27/2020	20
Beaverton Toyota	4300 SW Murray Blvd, Beaverton, OR 97005	Washington	8/27/2020	9/13/2020	19
Gingerich Farms	29995 S Elisha Rd, Canby, OR 97013	Clackamas	8/18/2020	9/13/2020	18
Oregon Potato Company	650 Columbia Ave NE, Boardman, OR 97818	Morrow	6/26/2020	9/19/2020	18
Triplett Wellman, Inc	14650 SW 97th Ave, Tigard, OR 97224	Washington	9/29/2020	9/20/2020	18
Pacific Seafood	16797 SE 130th Ave, Clackamas, OR 97015	Clackamas	7/29/2020	8/30/2020	14
Timber Products Company	25 E McAndrews Rd, Medford, OR 97501	Jackson	8/19/2020	9/14/2020	14
Beef Northwest Feeders	66407 Taggares Ln, Boardman, OR 97818	Morrow	8/10/2020	9/22/2020	11
Willamette Valley Pie Company	1651 Eska Way, Silverton, OR 97381	Marion	8/9/2020	9/13/2020	10
Precision Cast Parts	5001 SE Johnson Creek Blvd, Portland, OR 97222	Clackamas	7/19/2020	9/5/2020	9
Ranch and Home	2500 S Hwy 395, Hermiston, OR 97838	Umatilla	9/3/2020	9/10/2020	9
Amalgamated Sugar	105 E Main Street, Nyssa, OR 97913	Malheur	8/21/2020	9/14/2020	9
Bailey Nurseries	14301 SE Wallace Rd, Dayton, OR 97114	Yamhill	9/9/2020	9/9/2020	8
Nissan of Salem	2755 Mission St SE, Salem, OR 97302	Marion	9/14/2020	9/15/2020	8
Ezequiel Labor Contracting	320 N Pacific Hwy #130, Woodburn, OR 97071	Marion	7/3/2020	8/28/2020	7
General Sheet Metal Works	16345 SE Evelyn St, Clackamas, OR 97015	Clackamas	8/30/2020	9/1/2020	7
Marion Ag Service, Inc	7746 St Paul Hwy, St Paul, OR 97137	Marion	8/26/2020	9/4/2020	7
Willamette Valley Fruit Company	2994 82nd Ave NE, Salem, OR 97305	Marion	8/4/2020	8/31/2020	7
Panda Express Keizer	2675 Jorie Lane NE, Keizer, OR 97303	Marion	9/11/2020	9/21/2020	7
Kaiser Permanente Lancaster	2400 Lancaster Dr NE, Salem, OR 97305	Marion	7/19/2020	8/28/2020	6
Pacific Seafood	63501 Boat Basin Rd, Charleston, OR 97420	Coos	8/26/2020	8/31/2020	6
Summit Bank	96 E Broadway, Eugene, OR 97401	Lane	9/6/2020	9/6/2020	6
West Coast Metals	17401 NE Halsey St, Ste B, Portland, OR 97230	Multnomah	8/29/2020	8/30/2020	6
Skanska USA Building, Inc	1100 Klaskanine Ave, Astoria, OR 97103	Clatsop	9/14/2020	9/12/2020	6
Ardent Mills	21151 SW 115th Ave, Tualatin, OR 97062	Washington	9/20/2020	9/15/2020	6

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WinCo Foods	7330 NE Butler St, Hillsboro, OR 97124	Washington	9/1/2020	8/29/2020	5
The Nile Gentlemen's Club	1030 OR-99, Eugene, OR 97402	Lane	9/21/2020	9/18/2020	5
River Lodge and Grill	6 Marine Dr NE, Boardman, OR 97818	Morrow	8/10/2020	9/22/2020	5

Weekly Child Care Outbreak Report

OHA is publishing data on cases in child care settings. Given a cluster of cases in space and time, within plausible incubation periods for the pathogen, OHA epidemiologists will consider cases to be related—i.e., part of a child care outbreak—unless a more likely alternative source for acquisition is identified. Any suspected child care outbreak is required to be reported to the local public health authority (see OAR 333-018-015). Local health department and tribal partners investigate to identify outbreaks in these settings. This list of outbreaks will be updated as investigations continue, and as we learn about epidemiologic links between cases. This list may not reflect all of the outbreaks in child care settings in Oregon.

As of September 23, 2020, OHA will report child care outbreaks with 2 or more cases in child care settings with the capacity for more than 16 students. Previously, OHA reported child care outbreaks with five or more cases and in settings with at least 30 students. Case counts include all persons linked to the outbreak, which may include household members or other close contacts. The list below includes active child care outbreaks (Table 9), meaning that there has been a case within the past 28 days. Outbreaks that are resolved will be moved to a separate table (Table 10) of resolved outbreaks. Outbreaks will be removed from the list of resolved outbreaks after 56 days. There are currently 13 child care facilities that serve 16 or fewer students that have outbreaks of 2 or more cases.

Table 9. Child care facilities reporting active COVID-19 outbreaks (n=9)

Facility	Address	County	Investigation start date	Most recent onset	Total cases
Gresham Kinder Care	2180 NE Division St, Gresham, OR 97030	Multnomah	10/16/2020	10/14/2020	2
KLA School of Hillsboro	1855 NE 48th Ave, Hillsboro, OR 97124, Hillsboro, OR 97124	Washington	10/13/2020	10/12/2020	4
Kindercare	2506 Oakmont Way, Eugene, OR 97401	Eugene	10/11/2020	10/11/2020	3
Kings Kids	3990 NW 1st, Gresham, OR 97030	Multnomah	10/08/2020	10/14/2020	4
Trinity Early Learning Center	552 NE Killingsworth St, Portland OR 97218	Multnomah	10/7/2020	10/7/2020	4
The Children's Garden	2035 NW Front Ave Suite 100, Portland OR 97209	Multnomah	10/2/2020	10/5/2020	3
South Lake Preschool	1555 SW Borland Rd, West Linn, OR 97068	Clackamas	10/1/2020	10/1/2020	6
New Dream Family Center	1295 W 18th Ave, Eugene, OR 97402	Lane	09/29/2020	10/5/2020	13
Gresham Heights Learning	4400 SW 11th St, Gresham, OR 97060	Multnomah	09/21/2020	09/26/2020	7
Oregon Child Development Center-Malheur	308 E 2nd St, Nyssa, OR 97913	Malheur	09/16/2020	10/12/2020	7

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Oregon Child Development Center-Ontario	482 SE 3rd St, Ontario, OR 97914	Malheur	09/05/2020	10/02/2020	5
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Table 10. Recently resolved child care facilities reporting recently resolved COVID-19 outbreaks (n=4).

Facility	Address	County	Investigation start date	Most recent onset	Total cases
Mari's Place Childcare	865 NW Reiman Ave, Corvallis, OR 97266	Benton	09/04/2020	08/26/2020	3
Faces of America Daycare	1687 Summer Street, Salem, OR 97756	Marion	08/24/2020	08/26/2020	5
Little Village Learning Center	445 High St SE #140, Salem, OR 97761	Marion	09/07/2020	09/14/2020	22
Blue Skies and Butterflies Daycare	15760 SW Davis Rd, Beaverton, OR 97351	Washington	09/08/2020	09/09/2020	3
Adventure Club Daycare	4646 Barger Dr, Eugene, OR 97030	Lane	09/21/2020	09/18/2020	5

Weekly COVID-19 and Kindergarten-12th Grade School Report

OHA is publishing data on COVID-19 cases associated with schools that offer in-person instruction. This is to inform the public of potential COVID-19 exposure and to provide transparency surrounding COVID-19 in schools. School is defined as any place of learning for students from kindergarten through twelfth grade, or a subset, with at least 30 students enrolled. This includes, but is not limited to, public schools, private schools, parochial and charter schools. Staff is defined as any person who works full time or part-time at the school, regardless of their position. A volunteer is defined as any person who volunteers onsite.

Table 11 below includes all schools that have 1 or more cases of COVID-19 in students or staff/volunteers where the most recent onset occurred within the past 28 days. Schools that have 1 or more cases of COVID-19 in students or staff/volunteers where the most recent onset occurred more than 28 days ago will be moved to a separate table. Archived schools with COVID-19 cases, defined as a school with no new cases for 56 days after the last case's onset, will be removed from the COVID-19 Weekly Report.

Table 11. Schools with recent COVID-19 Cases (n=21)

School Name	Address	County	Students	Staff/volunteer	Most recent onset
Sutherlin East Elementary School	323 E 3 rd Ave, Sutherlin, OR 97479	Douglas	2	0	9/24/2020
A C Houghton Elementary School	1105 N Main Ave NE, Irrigon, OR 97844	Morrow	2	0	9/25/2020
South Medford High School	1551 Cunningham Ave, Medford, OR 97501	Jackson	0	1	9/26/2020
Forest Hills Lutheran Christian School	4221 SW Golf Course Road, Cornelius, OR 97113	Washington	0	1	9/27/2020
Nyssa High School	824 Adrian Blvd, Nyssa, OR 97913	Malheur	1	4	9/30/2020

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Nyssa Middle School	101 S 11th St, Nyssa, OR 97913	Malheur	0	4	9/30/2020
Amity Elementary School	300 Rice Lane, Amity, OR 97101	Yamhill	1	0	9/30/2020
Griffin Creek Elementary	2430 Griffin Creek Rd, Medford, OR 97501	Jackson	0	1	9/30/2020
Thurston Elementary School	7345 Thurston Rd, Springfield, OR 97478	Lane	0	1	9/30/2020
The Siskiyou School	631 Clay St, Ashland OR 97520	Jackson	0	1	9/30/2020
Elgin High School	1400 Birch St, Elgin, OR 97827	Union	0	1	10/2/2020
Heppner Elementary School	235 Stansbury St, Heppner, OR 97836	Morrow	2	0	10/2/2020
Stella Mayfield Elementary	1111 Division St, Elgin, OR 97827	Union	0	1	10/2/2020
Nyssa Elementary School	809 Bower Ave, Nyssa, OR 97913	Malheur	1	3	10/5/2020
Waldorf School Bend	2150 NE Studio Rd #2, Bend, OR 97701	Deschutes	3	4	10/15/2020
South Umpqua High School	501 Chadwick Ln, Myrtle Creek, OR 97457	Douglas	1	0	10/8/2020
Hamilton Creek School	32135 Berlin Rd, Lebanon, OR 97355	Linn	0	1	10/9/2020
Sunset Elementary School	245 S Cammann st, Coos Bay, OR 97420	Coos	1	0	10/11/2020
Madison Elementary School	400 Madison St, Coos Bay, OR 97420	Coos	1	0	10/11/2020
St John Fisher School	4567 SW Nevada St, Portland, OR 97219	Multnomah	1	0	10/13/2020
Sherwood Heights Elementary School	3235 SW Nye Ave, Pendleton, OR 97801	Umatilla	0	1	10/13/2020

Table 12. Schools with recently resolved COVID-19 Cases (n=9)

School Name	Address	County	Students	Staff/volunteer	Most recent onset
St. Mary's Academy	1112 Cherry Heights Rd, The Dalles, OR 97058	Wasco	1	3	9/4/2020
Irrigon Junior Senior High School	315 E Wyoming St, Irrigon, OR 97844	Morrow	0	2	9/14/2020
Kennedy Elementary	2860 N Keene Way Dr, Medford, OR 97504	Jackson	0	1	9/14/2020
Kingsview Christian School	1850 Clark St, North Bend, OR 97459	Coos	2	0	9/17/2020
Kalmiopsis Elementary School	650 Easy St, Brookings, OR 97415	Curry	1	0	9/18/2020

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Roosevelt Elementary School	1212 Queen Anne Ave, Medford, OR 97504	Jackson	0	1	9/19/2020
Four Rivers Community School	2449 SW 4th Ave, Ontario, OR 97914	Malheur	0	4	9/20/2020
Hedrick Middle School	1501 E Jackson St, Medford, OR 97504	Jackson	0	1	9/22/2020
Vale Elementary School	403 E Street West, Vale, OR 97918	Malheur	0	1	9/22/2020

Weekly COVID-19 Hospitalizations

OHA is publishing data on the number of COVID-19 hospitalizations by hospital in the prior week; data are from HOSCAP. Table 11 lists all hospitals which, at some time during the week reported, had 10 or more suspected/confirmed COVID-19 patients. The left column shows the highest number of suspected and confirmed COVID-19 hospitalized patients for each hospital between 10/12/2020 and 10/18/2020. The right column shows the highest number of confirmed COVID-19 patients hospitalized during the same time period.

Table 13. Hospitals reporting 10 or more COVID-19 patients.

Hospital	Maximum Patients (Suspected and confirmed)	Maximum Patients (Confirmed only)
Salem Health Hospital	25	18
Providence Portland Medical Center	19	17
PeaceHealth Sacred Heart MC at Riverbend	17	17
Providence St. Vincent Medical Center	17	14
OHSU Hospital	16	<10
St. Charles Bend	16	<10
Hillsboro Medical Center	14	<10
Kaiser Permanente Westside Medical Center	13	13
Legacy Emanuel Medical Center	12	<10

The hospitals listed in Table 12 reported 1–9 suspected or confirmed COVID-19 patients 10/12/2020 through 10/18/2020. Hospitals not listed in either table did not report any suspected or confirmed patients during the week.

Table 14. Hospitals reporting 1–9 COVID-19 patients.

Hospital
Adventist Health Tillamook
Asante Ashland Community Hospital
Asante Rogue Regional Medical Center
Asante Three Rivers Medical Center
Bay Area Hospital
Curry General Hospital

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Good Samaritan Regional Medical Center
Good Shepherd Health Care System
Grande Ronde Hospital
Kaiser Permanente Sunnyside Medical Center
Legacy Silverton Medical Center
McKenzie-Willamette Medical Center
Mercy Medical Center
Mid-Columbia Medical Center
OHSU Doernbecher Children's Hospital
Providence Hood River Memorial Hospital
Providence Milwaukie Hospital
Providence Newberg Medical Center
Providence Willamette Falls Medical Center
Randall Children's Hospital at Legacy Emanuel
Samaritan Albany General Hospital
Samaritan Lebanon Community Hospital
Samaritan North Lincoln Hospital
Santiam Hospital
Sky Lakes Medical Center
St. Anthony Hospital
St. Charles Prineville
VA Portland Health Care System
Willamette Valley Medical Center

Cases by ZIP Code

OHA is publishing data on cases at the ZIP code level (Table 15). To protect patient privacy, ZIP codes with small populations or small numbers of cases will be aggregated. Cases from ZIP codes with fewer than 1,000 people will be reported as one number. ZIP codes that have fewer than 10 cases will be reported as "1–9". ZIP codes with no cases will have a "0". ZIP code populations were retrieved from the 2010 US Census Bureau ZIP Code Tabulation Area.

Table 15. COVID-19 cases by ZIP code

ZIP code	Case count	Cases per 100,000
97002	52	924.8
97003	293	1132.0
97004	25	569.7

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97005	357	1433.4
97006	427	677.4
97007	405	604.9
97008	237	818.1
97009	81	1043.5
97013	314	1384.0
97014	1-9	n/a
97015	235	1203.8
97016	37	608.3
97017	1-9	n/a
97018	13	666.0
97019	38	1202.2
97021	1-9	n/a
97022	33	886.6
97023	61	620.4
97024	280	2733.8
97026	134	3512.5
97027	67	552.3
97030	596	1624.3
97031	203	1104.8
97032	121	2399.4
97034	90	476.1
97035	116	485.1
97038	121	800.6
97040	10	803.9
97041	41	1455.4
97042	23	786.9
97045	418	813.9
97048	53	792.1
97049	1-9	n/a
97051	77	482.5
97053	1-9	n/a
97054	1-9	n/a
97055	91	524.5
97056	51	443.6
97058	293	1477.0
97060	316	1488.7

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97062	324	1181.0
97063	1-9	n/a
97064	12	346.4
97067	14	654.8
97068	118	416.9
97070	186	887.5
97071	1150	3992.6
97078	309	1441.8
97080	647	1582.4
97086	281	1080.4
97089	121	1009.5
97101	30	790.7
97103	80	474.5
97106	33	725.3
97107	0	0.0
97110	1-9	n/a
97111	19	602.0
97112	0	0.0
97113	349	2465.6
97114	58	1218.0
97115	33	797.3
97116	360	1493.5
97119	25	565.6
97121	12	867.7
97123	715	1605.4
97124	438	905.9
97127	37	989.3
97128	493	1364.1
97131	1-9	n/a
97132	218	770.9
97133	14	350.0
97136	1-9	n/a
97137	1-9	n/a
97138	30	299.4
97140	104	443.0
97141	43	327.2
97146	87	1473.3

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97148	19	557.8
97201	95	613.5
97202	187	482.4
97203	387	1246.7
97204	10	965.3
97205	29	377.2
97206	351	737.5
97209	163	1090.3
97210	54	496.0
97211	235	751.9
97212	111	460.1
97213	175	598.9
97214	166	697.1
97215	116	708.4
97216	207	1327.4
97217	232	738.0
97218	218	1497.1
97219	220	568.3
97220	396	1389.7
97221	59	507.3
97222	268	766.2
97223	325	695.9
97224	222	713.3
97225	165	682.5
97227	40	1039.8
97229	290	498.1
97230	628	1579.8
97231	21	490.7
97232	59	514.3
97233	1010	2565.6
97236	898	2436.8
97239	94	664.3
97266	467	1402.4
97267	227	736.1
97301	936	1748.9
97302	286	770.2
97303	523	1352.7

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97304	350	1230.1
97305	949	2362.1
97306	297	1085.5
97317	354	1453.5
97321	166	665.9
97322	267	784.4
97324	1-9	n/a
97325	50	756.0
97327	1-9	n/a
97330	194	467.8
97331	28	1162.8
97333	91	425.7
97338	74	369.2
97341	1-9	n/a
97344	1-9	n/a
97347	10	532.5
97348	1-9	n/a
97351	110	1067.2
97352	25	446.1
97355	173	604.6
97358	1-9	n/a
97360	1-9	n/a
97361	79	701.7
97362	72	1659.8
97365	323	3006.3
97366	10	684.9
97367	97	1030.2
97368	1-9	n/a
97370	47	568.3
97374	23	436.8
97375	16	1278.0
97376	1-9	n/a
97378	31	349.0
97380	13	530.8
97381	149	1012.8
97383	79	824.0
97385	27	829.0

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97386	38	280.1
97389	15	895.0
97391	28	524.0
97392	46	886.1
97394	1-9	n/a
97396	1-9	n/a
97401	465	1147.6
97402	312	619.8
97403	136	1170.2
97404	174	539.5
97405	132	295.7
97408	79	674.6
97411	1-9	n/a
97415	45	320.3
97417	1-9	n/a
97419	1-9	n/a
97420	123	447.7
97423	13	190.9
97424	63	358.1
97426	26	267.6
97431	1-9	n/a
97435	1-9	n/a
97437	1-9	n/a
97438	1-9	n/a
97439	30	209.2
97442	1-9	n/a
97443	1-9	n/a
97444	1-9	n/a
97446	48	997.5
97448	44	359.4
97449	1-9	n/a
97452	1-9	n/a
97454	1-9	n/a
97455	12	472.8
97456	12	402.0
97457	39	382.1
97458	1-9	n/a

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97459	65	461.1
97462	14	355.5
97463	13	335.3
97465	1-9	n/a
97467	1-9	n/a
97469	1-9	n/a
97470	59	295.2
97471	80	274.9
97477	185	501.7
97478	211	570.1
97479	50	526.0
97487	44	520.8
97488	1-9	n/a
97495	1-9	n/a
97496	14	183.4
97497	0	0.0
97498	1-9	n/a
97499	1-9	n/a
97501	525	1246.5
97502	158	570.5
97503	188	1785.7
97504	308	693.0
97520	79	322.9
97523	15	239.5
97524	91	629.4
97525	21	456.4
97526	106	309.9
97527	102	302.6
97530	20	289.2
97532	1-9	n/a
97535	31	614.2
97537	22	318.0
97538	1-9	n/a
97539	1-9	n/a
97540	50	630.5
97541	1-9	n/a
97544	0	0.0

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97601	139	618.9
97603	182	616.4
97623	1-9	n/a
97624	28	800.0
97630	34	667.2
97632	1-9	n/a
97633	13	955.2
97641	0	0.0
97701	270	457.7
97702	322	793.4
97703	160	482.1
97707	13	223.6
97708	1-9	n/a
97720	1-9	n/a
97734	31	1112.7
97738	1-9	n/a
97739	24	217.8
97741	205	1721.0
97753	1-9	n/a
97754	78	419.9
97756	208	619.9
97759	35	556.1
97760	36	532.8
97761	339	8502.6
97801	744	3457.1
97813	10	768.0
97814	103	831.9
97818	375	9016.6
97820	0	0.0
97824	11	662.3
97826	28	2580.6
97827	22	837.1
97828	18	576.2
97836	12	605.1
97838	1628	6423.1
97844	139	3652.1
97845	1-9	n/a

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97846	1-9	n/a
97850	389	2294.3
97862	174	1491.5
97865	1-9	n/a
97868	25	1255.7
97869	1-9	n/a
97875	136	5210.7
97882	489	6301.5
97883	11	444.8
97885	14	1012.3
97886	13	1140.4
97913	305	5518.4
97914	1359	7076.3
97918	146	3218.0
Cases with unknown ZIP codes	277	n/a
ZIP codes with <1000 population or no population data	576	n/a



OFFICE OF THE DIRECTOR

Kate Brown, Governor

Oregon Health Authority

500 Summer St NE E20

Salem OR 97301

Voice: 503-947-2340

Fax: 503-947-2341

Effective Date: October 19, 2020

Statewide Mask, Face Covering, Face Shield Guidance

This guidance is specific to requirements for wearing masks, face coverings or face shields.

Authority: Executive Order No. 20-27, paragraphs 9 and 21, ORS 431A.010, ORS 433.441, ORS 433.443.

Applicability: This guidance applies statewide to:

- All businesses, as defined below.
- All persons responsible for indoor spaces open to the public
- All persons responsible for outdoor spaces open to the public
- All public and private workplaces
- The general public when:
 - Visiting businesses as defined below
 - Visiting indoor spaces open to the public
 - Visiting outdoor spaces open to the public
 - Visiting all public and private workplaces

Enforcement: To the extent this guidance requires compliance with certain provisions, it is enforceable as specified in Executive Order 20-27, paragraph 26.

Oregon Health Authority Public Health Recommendations on Masks, Face Coverings and Face Shields:

- In general, it is recommended that people wear a mask or face covering, with or without a face shield, whenever they are within six (6) feet of people who do not live in the same household.
- ***It is not*** recommended that individuals wear a face shield instead of a mask or face covering. Face shields can be very good at blocking droplets that individuals release, but they are not as effective at limiting the release of aerosols that can go around the shield.

- When possible, use technology that can help maintain a low risk of virus transmission:
 - Using a microphone while wearing a mask or face covering will amplify your voice while speaking to an audience, allowing more distance between the speaker and the audience, and
 - Videoconferencing allows a person to speak to a remote audience and minimizes the need for people to be in the same room with a speaker.
- Use of a face shield alone should only be done on very limited basis. Wearing a face shield alone without a mask or face covering increases the potential for transmission of viruses to those in the same room as the individual without the mask or face covering. It is recommended that wearing a face shield alone be limited to situations when wearing a mask or face covering is not feasible, such as:
 - When a person has a medical condition that prevents them from wearing a mask or face covering.
 - When people need to see mouth and tongue motions in order to communicate (e.g., for communicating with children in certain developmental stages or people with hearing impairments).
 - When an individual is speaking to an audience for a short period of time and clear communication is otherwise not possible. In this situation it is important to consider:
 - » Ways to lower risk to the audience including all audience members wearing masks or face coverings.
 - » Having enhanced building ventilation (see CDC’s guidance on ventilation and filtration, Ready Schools, Safe Learners – section 2j, and American Society of Heating, Refrigerating, and Air-Conditioning Engineers’ guidance).

Requirements for other businesses and sectors: There may be mask, face covering and face shield requirements and recommendations that apply to other businesses or sectors not specifically identified in this guidance. Businesses and sectors should review and comply with any mask, face covering, face shield requirements in the other applicable [sector guidance](#) that may apply.

For purposes of this guidance the following definitions apply:

- “Business” means:
 - Grocery stores
 - Fitness-related organizations
 - Indoor and outdoor entertainment facility operators (zoos, museums, drive-in movie theaters, raceways, outdoor gardens and aquariums)
 - Indoor and outdoor licensed swimming pools, licensed spa pools, and sports court operators in Phase One and Two counties
 - Indoor and Outdoor Markets and Street Fairs
 - Indoor and outdoor recreational sports operators for specified sports
 - Outdoor recreation organizations
 - Pharmacies

- Private career schools, except where other sector guidance applies
- Public transit agencies and providers
- Public and private colleges and universities, except where other sector guidance applies
- Personal services providers
- Restaurants, bars, breweries, brewpubs, wineries, tasting rooms and distilleries
- Retail stores, shopping centers and malls
- Ride sharing services
- Youth programs
- Phase Two counties only:
 - » Indoor and outdoor entertainment facility operators
 - » Indoor and outdoor venue operators
- “Face covering” means a cloth, polypropylene, paper or other face covering that covers the nose and the mouth and that rests snugly above the nose, below the mouth, and on the sides of the face.
 - The following **are not** face coverings because they allow droplets to be released: a covering that incorporates a valve that is designed to facilitate easy exhalation, mesh masks, lace masks or other coverings with openings, holes, visible gaps in the design or material, or vents.
- “Face shield” means a clear plastic shield that covers the forehead, extends below the chin, and wraps around the sides of the face.
- “Fitness-related organizations” include but are not limited to gyms, fitness centers, personal training, dance studios and martial arts centers.
- “Indoor spaces open to the public” include but are not limited to indoor spaces, whether publicly owned or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not. In addition to the public areas of the businesses defined above, such spaces may include, but are not limited to, building lobbies or common spaces, classrooms, elevators, bathrooms and buildings or meeting rooms outside of private homes where people gather for social, civic, cultural or religious purposes.
- “Mask” means a medical grade mask.
- “Outdoor spaces open to the public” means outdoor spaces where at least six (6) feet of distance cannot be maintained between individuals in different households, whether publicly owned or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not.
- “Personal services providers” means barber shops, hair salons, estheticians, medical spas, facial spas, day spas, non-medical massage therapy services, nail salons, tanning salons and tattoo/piercing parlors.
- “Public and private workplaces” means indoor or outdoor places where people work, including but not limited to banks, food processing plants, manufacturing facilities, construction sites, warehouses and farms.

Businesses, Indoor/Outdoor Spaces Open to the Public, Public and Private Workplaces:

Businesses and persons responsible for an indoor or outdoor space open to the public and persons responsible for public and private workplaces:

- Require employees, contractors, volunteers, students, customers and visitors to wear a mask, face covering or face shield, except as follows:
 - Employees, contractors and volunteers: Masks, face coverings or face shields are **strongly recommended** in all indoor work spaces, but not required when at or in a location where the employee, contractor or volunteer does not have a job that requires interacting with the public or with other employees, such as a large warehouse **and** at least six (6) feet of distance can be maintained between other people. When six (6) feet of distance cannot be maintained, such as in a restroom or break room, masks, face coverings or face shields are required.
 - Masks, face coverings or face shields are not required while eating or drinking.
 - Masks, face coverings or face shields are not required when engaged in an activity that makes wearing a mask, face covering or face shield not feasible, such as when swimming.
- Provide masks, face coverings or face shields for employees.
- Provide for accommodations for employees, contractors, students, customers and visitors if such accommodations are required by:
 - State and federal disabilities laws, if applicable, including the Americans with Disabilities Act (ADA) which protects people with disabilities from discrimination in employment and requires employers to engage in the interactive process for accommodations.
 - State or federal labor laws.
 - State and federal public accommodations laws that provide all persons with full and equal access to services, transportation and facilities open to the public.
 - OHA public health guidance if applicable.
- Post clear [signs](#) about the mask, face covering or face shield requirements.

Businesses and persons responsible for an indoor or outdoor space open to the public and persons responsible for public and private workplaces:

- Provide, at no cost, face coverings for customers and visitors who do not have one.
- [Post signs](#) about the mask, face covering or face shield requirement in languages that are commonly spoken by customers, visitors and students.
- Educate employees:
 - On how to safely work and communicate with people who cannot wear masks, face coverings or face shields.
 - That they may need to replace a mask or face covering with a transparent cover such as a face shield while communicating with an individual who needs to read lips or see facial expressions to communicate.

Public and Private Workplaces:

- Masks, face coverings or face shields are required at all times for employees, contractors and volunteers in public and private workplaces, including hallways, bathrooms, classrooms, elevators, lobbies, break rooms, meeting rooms and other common and shared spaces, unless employees, contractors or volunteers are at a private, individual workspace not shared with other people.

The Public:

All persons when visiting a business, an indoor or outdoor space open to the public or a public or private workplace are required to:

- Wear a mask, face covering or face shield unless the individual is under five (5) years of age, except as follows:
 - Masks, face coverings or face shields are not required while eating or drinking.
 - Masks, face coverings or face shields are not required when engaged in an activity that makes wearing a mask, face covering or face shield not feasible, such as swimming.
 - Masks, face coverings or face shields can briefly be removed in situations where identity needs to be confirmed by visual comparison, such as at a bank or if interacting with law enforcement. If possible, limit speaking while the cover is off as speaking generates aerosols and droplets that can contain viruses.

Individuals who have a medical condition that makes it hard to breathe or a disability that prevents the individual from wearing a mask, face covering or face shield can request an accommodation from the business or indoor/outdoor space operator to enable full and equal access to services, transportation and facilities open to the public.

For children younger than 12 years:

- It is not recommended that children under the age of two (2) wear a mask, face covering or face shield. Therefore, children under the age of two (2) are not required to wear a mask, face covering or face shield.
- It is strongly recommended that children between two (2) and five (5) years of age, wear a mask, face covering or face shield at all times in all indoor and outdoor spaces open to the public, particularly in places where it is likely that physical distancing of at least six (6) feet from other individuals outside their household unit cannot be maintained, and where vulnerable people may go.
- Because children between the ages of two (2) and 12 years of age can have challenges wearing a mask, face covering or face shield properly (e.g., excessively touching the face covering, not changing the face covering if visibly soiled, risk of strangulation or suffocation, etc.) we urge that when masks, face coverings or face shields are worn by this age group, that they be worn with the assistance and close supervision of an adult. Masks, face coverings or face shields should never be worn by children when sleeping.
- Individuals five (5) years of age and older must wear a mask, face covering or face shield when visiting an outdoor space open to the public if at least six (6) feet of physical distance cannot be maintained between individuals in different households.

- There may be mask, face covering and face shield requirements and recommendations that apply to other sectors applicable to children. Refer to other [sector guidance](#), including child care, schools and summer camp locations.

Additional Resources

- [OHA Mask and Face Covering Accommodations Sign](#)
- [OHA General Guidance for Employers](#)
- [OHA Sector-specific Guidance](#)
- [OHA Frequently Asked Questions for Statewide Mask, Face Covering, Face Shield Guidance](#)
- [Oregon OSHA COVID-19 Workplace Advisory Memo](#)
- [ADA and Face Mask Policies – Disability Issues Brief](#)
- [Early Learning Division COVID-19 Resources](#)
- [Higher Education Coordinating Commission COVID-19 Resources](#)
- [Oregon Department of Education Resources](#)
- [OHA Mask and Face Covering webpage](#)

Document accessibility: For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact the Health Information Center at 1-971-673-2411, 711 TTY or COVID19.LanguageAccess@dhsoha.state.or.us.

Council Communication

Echo Mountain Complex Update

Meeting Date:	October 26, 2020	Primary Staff Contact:	Ronald F Chandler
Department:	Administration	E-Mail:	RChandler@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Ronald F Chandler	Estimated Time:	

Staff will provide an update on recovery efforts from the Echo Mountain Complex emergencies. In particular, we will update you on the temporary housing activities by governmental and private organizations.