

1. 9:30 A.M. Agenda

Documents:

[2021-05-06 Council Agenda.pdf](#)

2. Meeting Materials

[2021-04-RV-Park-Response---Danos](#)

Documents:

[Goals.pdf](#)

[2021-05-06 Financial Services Memo.pdf](#)

[2021-05-06 Supplemental Budget Proposal.pdf](#)

[2021-05-06 Supplemental Planning 2021.Pdf](#)

[2021-05-06 Capital YTD 3 31.Pdf](#)

[CIP Recommendations For 21 22.Pdf](#)

[2021-05-06 YMC On Recreational Vehicles - Planner Memo.pdf](#)

[2021-05-06 Parks And Commons Memo From Chair.pdf](#)



**CITY OF YACHATS  
CITY COUNCIL WORK SESSION & COUNCIL MEETING  
Yachats OR  
Thursday, May 6, 2021 at 9:30 am  
To Be Held Via Zoom**

Join Zoom Meeting

<https://us02web.zoom.us/j/88376972670?pwd=YllheENFRDJESzI1VStHb3k5S0xnZz09>

Meeting ID: 883 7697 2670

Passcode: 569731

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Find your local number: <https://us02web.zoom.us/u/kdMACOYuOQ>

## **AGENDA**

### **Work Session**

#### **I. Following up on Council goals**

*The Yachats City Council meetings are open to the public and interested citizens are invited to attend. These are open meetings under Oregon law, but a work session is not a community forum; audience participation is at the discretion of the Council. Meetings are audio-recorded. Public meeting minutes are available for review at City Hall. The meeting place is accessible to persons with disabilities. For accommodations, please call (541) 547-3565, or Oregon Relay 1-800-735-2900 TDD) two days in advance. City of Yachats does not discriminate on the basis of race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, sexual orientation, or any other legally protected status.*

*In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541-547-3565 or Oregon Relay 1-800-735-2900 (TDD) two days in advance.*

Posted 05/30/2021

## Regular Council Meeting

- I. Announcements, Correspondence, Proclamation
- II. Public Comment: **Topics not listed on the agenda**  
5-minute limitation per person
  
- III. New Business
  - a. Financial Services and organizational structure
  - b. Supplementary Budget
  - c. Capital Improvement Project (CIP) Plan
  - d. Workampers
  - e. July 4 festivities and enforcement
  
- IV. Old Business
  - a. Lighting Ordinance
  - b. Recommendation from Parks and Commons on opening facilities
  
- V. Other Business
  - a. From Mayor
  - b. From Council
  - c. From Staff

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*Posted 05/30/2021*

## **Work Session**

Following up on Council goals, we will discuss steps to take to further our goals. For example: How do we wish to go about appointing the housing taskforce? What steps do we wish to take soon to gather citizen input? What is our approach to addressing the Finance Committee. How should we direct our commissions to help with our goals? Councilors are asked to review all of the goals and each come with suggestions of constructive next steps. Due to the length of the agenda for the regular meeting, we will need to keep our Work Session somewhat short.

## **Council's 2021 Goals**

### **Improve timeliness, relevance, quality and effectiveness of city service delivery**

1. Recruit, evaluate, and hire city manager.
2. Survey residents to identify their experience with and expectations of the City services.
3. Evaluate the responsibilities of the City Manager, as well as those of staff members, to ensure that they meet the needs of the Yachats Community.
4. Improve effectiveness of code enforcement.
5. Bring Accounting Services in-house.
6. Finalize Water Master Plan and work on priority items, taking care to keep water plant running smoothly.

### **Prioritize and demonstrate environmental responsibility in all actions and decisions**

1. Identify priorities relative to water sustainability.
2. Review all city plans and Capital Projects with the objective of preserving and protecting the area's natural resources.
3. Effectively partner with local organizations committed to our community environment.
4. Encourage staff and commissions to act on opportunities that positively impact our planet.

### **Strengthen relationships with Community**

1. Communicate with citizens by providing written minutes, website content, and monthly newsletter, using updated contact information.
2. Develop collaborative relationships with business owners and the Chamber.
3. Organize public forums and surveys to gather citizen input and guidance on city projects and initiatives.
4. Sponsor low-cost events and activities that contribute to the well-being of the community.

**Provide a safe environment**

1. Monitor and complete Ocean View Drive Project. (Boardwalk Project will not be completed in 2021.)
2. Manage the city's response to the Pandemic using guidance from OHA, CDC and citizens' input.
3. Ensure that intersections and streets have appropriate signage and other modifications to protect citizens and visitors.
4. Prioritize maintaining adequate water flows for fire safety and user needs.

**Demonstrate Financial Responsibility**

1. Practice long-term planning, making choices that allow the city to build up reserves.
2. Reevaluate the Finance Committee in terms of expertise needed on the committee and the role of the committee.
3. Seek a plan to address and prioritize city projects and apply for grants when available and useful to suggested projects.

**Housing**

1. Appoint a taskforce to seek and identify avenues to address the lack of affordable housing for moderate to low-income citizens.

## MEMORANDUM

**TO:** Mayor Vaalar and City Councilor's

**FROM:** Lee Elliott, Interim City Manager

**DATE:** May 5, 2021

**RE:** Financial Services and Structure

With the Council of Government's (COG) providing our financial service, and needing an answer by the end of Thursday, May 6, 2021, the following are options to consider for the city financial services:

**COG:** continue using the COG's services would entail a renegotiating of our contract. The COG Finance Director Sue Forty will need to hire a financial employee to continue providing financial services to the City of Yachats, which would require a contract guaranteed for at least two (2) years.

If the City chooses to not use the COG's services, Mrs. Forty has stated her organization will provide thirty days (30) more of financial services, and assist training the option we choose to use for the services within that time frame.

On the interim, if the council chooses to not use the COG's services and needing some time to either decide options to provide the service, or time delays to implement the new financial services option, Tom Lauritzen and the corporation he works with, has stated he would be open to assisting with financial services on the interim. The City would continue to contract with Janet Cline whether we stay with the COG or choose Mr. Lauritzen's organization to help keep financial services moving on the interim.

**City Recorder:** one discussed option, which would begin to generate more of a structure for the city manager form of government, would be to have a city recorder position, which would be a financial generalist (bookkeeper), which also would be over human resources and recording. The deputy recorder would be accountable to this position. This would help internal control, with the city manager not being the finance director, and provides a better human resource option for the organization. If this option is chosen, the administrative assistant position would not be necessary. Janet Cline's services would be needed.

**Accountant:** the city has discussed an accounting position performing the financial services. If this option is chosen, Janet Cline's services would still be needed. The administrative Assistant position would not be necessary. The City of Waldport is advertising a similar position and is struggling with numbers or quality of applicants for this position.

May 6, 2021

Yachats City Council Meeting, 9:30 AM

Supplemental Budget Proposal

Mayor and Councilors:

As a direct consequence of experiencing a change in City Manager's, the pace of the 2021-2022 budget preparation slowed considerably. Mayor Vaaler asked me to partner with fellow volunteer Don Groth to make sure Yachats had a timely and informative fiscal budget. A municipal budget for a fiscal year has two major categories: operational details (revenue and expenses) and financial planning details (fund balances, reserves, and capital planning). Don had a good grip on the operational part of the budget and only needed a little help with the financial side.

The first step in preparing a viable financial plan as part of the budget process was to look at Yachats' fund balances. Our review showed that the City had considerable fund balances spread among the three major operations areas of the City: City Hall, Water Operations Fund, and Wastewater Operations Fund.

As of March 31, 2021, the balances in the three areas were:

City Hall Department of the General Fund	\$1,032,721
Water Operating Fund	\$ 485,061
Wastewater Operating Fund	\$ 323,053

In consultation with the Interim City Manager, Lee Elliott, we concluded that Yachats should not carry these excess fund balances forward in operations categories but should utilize the balances to advance our resolution of interfund loans and repay a higher-interest loan from the Oregon Infrastructure Finance Authority (IFA). Repayment of that loan might serve as a catalyst to amend the terms of the South Tank loan that currently requires an annual transfer of \$100,000 from the URD to the Debt Service Reserves.

Four items were identified for our recommended Supplemental Budget. The attached worksheet shows all the pertinent details. This document provides a description to accompany the numbers.

- (1) Repay the balance of the Interfund Loan for the purchase of the 501 Building, which occurred in 2015. The original amount of \$300,000 has since been reduced to \$234,248. The Water Reserves will be increased, and the City Hall Fund Balance will be decreased. No actual dollars will leave the City. This is merely an internal repayment.
- (2) Repay the balance of the Interfund Loan related to the construction of the sidewalks and the undergrounding of utilities along our main street. The original amount of \$650,000 has been reduced to \$500,000 in the current fiscal year. The supplemental budget will transfer the remaining \$100,000 to the Water Fund and all of the original \$400,000 to the Wastewater Fund. The City Hall Fund Balance will be decreased by \$500,000. No actual dollars will leave the City. This is merely an internal repayment.

- (3) Transfer \$400,000 from the Water Operations Fund and \$150,000 from the Wastewater Operation Fund to the respective reserve funds. The original budgets were conservative and did not allow for transfers that were consistent with pre-pandemic amounts. No actual dollars will leave the City. This is merely a normal transfer of reserves generated by operations.
- (4) Cost overruns in the construction of the Wastewater Plant led to a loan from the IFA to finish the project. Normal payments since 2009 have reduced the balance to \$344,006 as of March 31, 2021. The current budget has already authorized a \$100,000 transfer to Debt Service Reserves for Loan reduction. The remaining \$244,006 in the Supplemental Budget proposal allows the City Manager to repay the 2009 Loan in its entirety and enter a negotiation to reduce the \$100,000 annual URD transfer to the \$40,000 level necessary to meet the loan payments. In addition, we will have eliminated an obligation carrying a 5% interest price tag. This is an actual expenditure of City dollars and will reduce Debt Service Reserves. The reduced Debt Service Reserves will be adequate to meet all remaining loan reserve requirements.

Thank you for your consideration of this Supplemental Budget request.



**City of Yachats**

		Modified Cash Basis					Repay	Repay	Payoff	Reserves	Budgeted
				YTD	YTD	Full Year	501 Bldg	Hwy101	IFA WW	Transfer	Fund Balances
		30-Jun-19	30-Jun-20	28-Feb-21	31-Mar-21	Estimated					
City Hall	100-1010	829,068	921,273	1,126,052	1,032,721	1,096,633	(234,248)	(500,000)			362,385
Commons	100-1020	15,292	77,910	78,827	96,042	89,681					89,681
LLC & Museum	100-1025	583	6,722	(2,512)	(1,337)	(2,284)					(2,284)
Library	100-1030	0	8,122	15,035	24,053	25,229					25,229
Parks and Trails	100-1035	14,053	16,879	7,694	4,618	7,777					7,777
Visitor Amenities	100-1045	98,664	249,548	505,811	486,896	582,334					582,334
Streets	100-1040	93,513	43,350	15,947	17,201	1,571					1,571
Storm Drains	100-1050	110,146	88,495	73,229	72,580	65,419					65,419
Water	600-1700	164,050	325,623	481,300	485,061	584,192				(400,000)	184,192
WasteWater	670-1800	178,721	265,946	342,229	309,556	323,053				(150,000)	173,053
<b>Total Operating Funds</b>		<b>1,504,090</b>	<b>2,003,868</b>	<b>2,643,612</b>	<b>2,527,392</b>	<b>2,773,605</b>	<b>(234,248)</b>	<b>(500,000)</b>	<b>0</b>	<b>(550,000)</b>	<b>1,489,357</b>
SDC's	160-1605	413,285	519,487	577,747	576,238	578,000					578,000
General Construction (So Tank)	160-1630	213,305	213,305	0	0	0					0
Revenue Water Bond	155-1200	0	43,071	43,160	32,486	43,242					43,242
Water Gen Obl Bond	155-1218	0	(157)	7,317	9,569	5,018					5,018
South Tank Loan	155-1268	100,000	160,089	120,179	120,179	120,179					120,179
WasteWater Loans (2)	155-1276	668,616	736,214	832,921	669,695	769,538			(244,006)		525,532
Urban Renewal	900-9000	297,767	432,235	608,133	510,411	408,437					408,437
<b>Total Restricted Funds</b>		<b>1,692,973</b>	<b>2,104,244</b>	<b>2,189,457</b>	<b>1,918,578</b>	<b>1,924,414</b>	<b>0</b>	<b>0</b>	<b>(244,006)</b>	<b>0</b>	<b>1,680,408</b>
City Hall Reserves	150-1010	69,066	63,697	(50,805)	(27,490)	90,270					90,270
Commons Reserves	150-1020	118,449	145,449	145,449	145,449	145,449					145,449
LLC & Museum Reserves	150-1025	213,077	208,077	207,622	207,622	207,622					207,622
Library Reserves	150-1030	242,453	306,638	290,875	290,875	306,638					306,638
Parks and Trails Reserves	150-1035	103,486	153,486	137,591	137,591	137,591					137,591
Streets Reserves	150-1040	437,841	316,867	315,093	314,353	315,093					315,093
Storm Drains Capital	150-1050	0	40,000	40,000	40,000	40,000					40,000
Water Reserves	660-1705	167,522	252,358	366,925	400,520	366,925	234,248	100,000		400,000	1,101,173
WasteWater Reserves	670-1805	443,800	518,930	406,455	431,426	406,455		400,000		150,000	956,455
<b>Total Capital Reserves</b>		<b>1,795,694</b>	<b>2,005,502</b>	<b>1,859,205</b>	<b>1,940,344</b>	<b>2,016,043</b>	<b>234,248</b>	<b>500,000</b>	<b>0</b>	<b>550,000</b>	<b>3,300,291</b>
<b>Total Fund Balances</b>		<b>4,992,757</b>	<b>6,113,614</b>	<b>6,692,274</b>	<b>6,386,315</b>	<b>6,714,062</b>	<b>0</b>	<b>0</b>	<b>(244,006)</b>	<b>0</b>	<b>6,470,056</b>

**City of Yachats**

**Capital Spending 3/31/2021 YTD**

Fund	Category	2021 Budget	2021 YTD 3/31	Full Year Estimate	Carryover?	Projects for 2022	
City Hall	Equipment	45,000.00	28,849.41	27,849.41	0.00	20,000.00	Emergency Containers
	Buildings	166,300.00	146,219.29	150,000.00	0.00		
Commons		0.00	0.00	20,000.00	30,000.00	80,000.00	Engin (50), Upgrade (50), landscape (20), N entrance (10)
LLCM	Buildings	150,000.00	0.00	0.00	0.00	0.00	Not enough information to project spending
	Bldgs - Cap Labor	22,500.00	456.00	600.00			
Library	Capitalized Labor	7,500.00	906.80	1,400.00	0.00	10,000.00	600K Fundraising to offset costs, budget is PM capitalized labor
	Buildings	50,000.00	14,856.90	14,856.90	0.00	0.00	Assumption is that soft costs will be borne by the bequests, for now
	Buildings - Fundraising/Reserves					0.00	
Parks & Trails	Capitalized Labor	7,500.00	0.00	0.00			
	Aqua Vista Infrastructure	50,000.00	15,895.00	18,895.00			
	Boardwalk	0.00	0.00	31,105.00		0.00	804 mitigation funds/Visitor Amenities will offset early soft costs
Streets	Capitalized Labor	27,750.00	4,063.17	0.00	0.00		
	Street Projects	185,000.00	8,901.71	0.00	0.00	93,000.00	E 2nd (13), Oceanview (50), Gimlet Gates (30)
Storm Drains		0.00	0.00	0.00	0.00	35,000.00	Gender drainage (35)
Water	Master Plan	65,000.00	59,899.00	65,000.00	0.00		
	Source Protection	30,000.00	18,075.00	30,000.00	0.00		
	Water Rate Study	20,000.00	13,000.00	13,000.00	0.00		
	Water Mgmt & Conservation	30,000.00	0.00	25,000.00	5,000.00		
	Earthquake Valve	70,000.00	435.50	435.50	50,000.00		
	Backwash Recycle	45,000.00	17,153.75	17,153.75	142,000.00		
	Equipment	90,000.00	84,775.35	84,775.35	0.00	82,000.00	Doors (34), Gate (7.5), Service Truck (25), WTP Truck (10)
	WTP Upgrades	0.00	5,265.97	5,265.97	0.00	30,000.00	
	Plan - Crestview	0.00	1,703.63	1,703.63	0.00		
	Asphalt Patch	0.00	10,114.67	10,114.67	0.00		
New	E 2nd Street					14,000.00	Engineering only
Waste Water	Equipment	90,000.00	85,113.21	85,113.21	0.00	273,500.00	125 KW Portable generator (45), Camera (95), Tractor (60), Electric Gate (7.5), Doors (66)
	Master Plan	90,000.00	28,936.75	60,000.00	30,000.00		
	Rate Study	10,000.00	11,000.00	11,000.00			
	Pole Building	80,000.00	16,985.91	40,000.00	20,000.00		
	Submersible Pumps	30,000.00	0.00	0	30,000.00		
	Variable Freq Drives	10,000.00	6,110.58	7,500.00	0.00		
	I&I Basin	30,000.00	0.00	25,000.00	0.00		
	Air Valve	5,000.00	0.00	0.00	0.00		
	Sliding UV Doors	0.00	720.00	720.00	0.00		
New	E 2nd Street					13,000.00	Engineering only

Totals

1,406,550.00

579,437.60

746,488.39

307,000.00

650,500.00

May 6, 2021

Yachats City Council Meeting 9:30 AM

Capital Projects for the 21-22 Budget cycle

The annual budget process vests the Finance Committee with the responsibility to also serve as the Capital Improvement Process (CIP) Committee. Commissions, Committees and City staff appear before the CIP Committee, answer questions about the requests for capital dollars and advocate for their project priorities. The Finance Committee evaluates the projects, ranks them, aligns the projects with City Goals, and provides Council with their recommendations for the coming fiscal budget. Recommendations generally arrive in March and Council accepts the recommendation in April.

This being an unusual year, with a pandemic, resulting Zoom virtual meetings and a change in City Managers, the recommendations and submission to Council had not happened by the second April meeting. To avoid any further impact to the completion of the City's 21-22 fiscal budget preparation, the Interim City Manager convened an advisory panel which conducted the project review and generated recommendations.

The advisory panel consisted of:

Mayor Leslie Vaaler

Interim City Manager Lee Elliott

Water lead Rick McClung

Wastewater Lead Dave Buchwald

Community Services Coordinator Heather Hoen

PWC Chair Linn West

Finance Committee member Don Groth

Budget Committee member Tom Lauritzen

The Ad Hoc committee met via Zoom, discussed the projects, reviewed the priorities, aligned the projects with City Goals, discussed our ability to deliver the deliver the projects, weighed the complexities of the projects against our staff resources, considered the progress of the Master Plans for Water and Wastewater, reviewed the aggregate expenditures against the expected reserve balances, and agreed to the attached list as our recommendations for the 21-22 fiscal budget for the City of Yachats.

Our recommendations are primarily projects that can be classified as purchases, rather than engineered projects for construction. With the completion of our Master Plans and resulting engineering, we look at the next 12 months as preparation, leading to construction in future years. Our approach may lead to a revision of our CIP, but that is expected with most major projects in their early stages and/or incomplete as to descriptions and scope.

Please accept our recommendations for the current CIP dollars.

Date: May 5, 2021  
To: Yachats City Council  
From: Katherine Guenther, City Planner  
Re: Workampers

## Summary

The Workamper proposal falls under the YMC definition of a recreational vehicle park. Recreational vehicle parks are not a permitted or conditional use in any zone. The closest use allowed is a conditional use for a manufactured dwelling park. However, the definition of “manufactured dwelling” specifically excludes RV’s. Manufactured dwelling parks are allowed as a conditional use in the R3 through C1 zones. In R4 and C1, conditional uses also include “other buildings and uses similar” to those specifically allowed. For example, a recreational vehicle park may be allowed in the R4 or C1 zone if it is determined that it “shall not have any different or more detrimental effect” than a manufactured dwelling park.

## From Section 9.04.030 Definitions

“Recreational vehicle” means a vacation trailer or other unit with or without motive power, which is designed for human occupancy and to be used temporarily for recreational or emergency purposes, and has a gross floor space of less than four hundred (400) square feet. “Recreational vehicle” includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers and any vehicle converted for use or partial use as a recreational vehicle. The unit shall be identified as a recreational vehicle by the manufacturer.

“Recreational vehicle park” means a lot or tract where the primary land use is the parking on a fee or other basis of occupied recreational vehicles.

“Manufactured dwelling” means:

1. A residential trailer, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962;
2. A mobile home, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction;
3. A manufactured home, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

“Manufactured dwelling” does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.

“Manufactured dwelling park” means any place where four (4) or more manufactured dwellings as defined in ORS 446.003 are located within five hundred (500) feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of the facilities or to offer space free in connection with securing the trade or patronage of such person. “Manufactured dwelling park” does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the City under an ordinance adopted pursuant to ORS 92.010 to 92.190.

## RV Use By Zone

**R1 through C1 Permitted Use:** A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within ninety (90) days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction.

**R2 through C1 Additional Permitted Use:** [Section 9.68.060 Recreational Vehicles](#)

**R3 through C1 Conditional Use:** [Section 9.68.030 Manufactured dwelling parks](#)

**R4 and C1 Additional Conditional Uses:** Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or zones than the buildings and uses specifically listed, provided that retail sales uses, unless specifically listed, shall only be incidental and directly related to the operation of permitted uses.

## Other Sections of Interest

[Section 9.68.070 Disaster emergency housing provision](#)

[Section 8.08.030 Use of public sewers required](#)

## Memo

Date: May 4, 2021

From: Dawn Keller

To: City Council

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Since the Commons building is owned and operated by the city, we will have to satisfy all the requirements to limit liability for use of the space. Individuals cannot assume personal responsibility as they can for outdoor space. Proof of vaccination is irrelevant to the city (not to people personally, of course); there are no separate rules for vaccinated persons. There will be requirements for cleaning and security for everyone using the building. Everyone who wants to use space will have to present and execute a safety plan. When the risk level for Lincoln County allows us to, we will probably be opening the Commons on a limited basis by appointment only for selected meetings and maybe some presentation-type gatherings. The entire Commons Policy Manual, including the reservation system and the fees for building use (Pavilion excepted), is effectively rendered unworkable, is currently under review, and should no longer be considered an accurate reflection of how things will be done or what rents will be charged in the future.