Council Business Meeting Agenda

ASHLAND CITY COUNCIL
BUSINESS MEETING AGENDA
Tuesday, December 19, 2023
Council Chambers, 1175 E Main Street

View on Channel 9 or Channels 180 and 181 (Charter Communications)
or live stream via rvtv.sou.edu select RVTV Prime.

HELD HYBRID (In-Person or Zoom Meeting Access)

Public testimony will be accepted for both general public forum items and agenda items.
Please complete the online Public Testimony Form (ashland.or.us/Council),
for WRITTEN and ELECTRONIC testimony only. Indicate on the Public Testimony Form if you wish to provide WRITTEN testimony, or if you wish to speak ELECTRONICALLY during the meeting.
Please submit your testimony no later than 10 a.m. the day of the meeting.

5 p.m. Executive Session

I. To consider the employment of a public officer, employee, staff member, or individual agent pursuant to ORS 192.660 (2)(a).

6 p.m. Regular Business Meeting*

I. **CALL TO ORDER**
   1. Land Acknowledgement**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

IV. **MAYOR'S/CHAIR OF THE COUNCIL ANNOUNCEMENTS**

V. **APPROVAL OF MINUTES *****
   1. Minutes of the December 4, 2023 – Study Session Meeting
   2. Minutes the December 5, 2023 - Business Meeting

VI. **SPECIAL PRESENTATIONS**

VII. **PUBLIC FORUM (15 minutes – Public input or comment on City business not included on the agenda)**

Better Together

Council Business Meeting Agenda

VIII. **CONSENT AGENDA**

1. Acceptance of Moss Adams Audit Report
2. Authorization to apply for DLCD Climate Friendly Implementation Grant
3. Acceptance of a DLCD Technical Assistance Economic Opportunity Analysis Grant
4. Liquor License Approval for Beat Farm Coop & Ola Loa General Store at 38 Lithia Way
5. Liquor License Approval for Mason GochE (dba Mason's on Main, LLC) at 345 East Main Street
6. Liquor License Approval for Dangerous Lee LLC (dba Dangerous Lee's Local 31 Pub) at 31 Water Street, Suite 2
7. Liquor License Approval for Carlitos Italian Cuisine at 691 Fair Oaks Avenue
8. SERJ Appointments

IX. **PUBLIC HEARINGS**

1. First Reading 3226 An Ordinance Establishing Hours of Parks Closure
2. Second Reading 3227 An Ordinance allowing Alcohol use in Parks
3. Second Reading CFEC Parking Code Ordinance 3229
4. Second Reading Prohibited Camping Ordinance 3228

II. **UNFINISHED BUSINESS**

1. Clarification and Detailed Direction on a Six-Month Review of Ordinance 3228
2. City Charter Amendments for May Election ~~-forthcoming~~
3. Council Chambers Audio-Video- Broadcast Updates

III. **NEW BUSINESS**

1. Support letter for Oregon Jail Medicine for Opioid-Use Disorder Grant Program Legislation
2. Consideration of League of Oregon Cities' Recommendations for Revisions to Measure 110
3. Authorization to accept potential grant money- Emergency Order Shelter
4. Severe Weather Temperature Thresholds

IV. **ORDINANCES, RESOLUTIONS AND CONTRACTS**

V. **OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS**

VI. **ADJOURNMENT OF BUSINESS MEETING**

Alissa Kolodzinski

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Tuesday, December 19, 2023 8:32 AM
To: City Recorder; Dorinda Cottle
Subject: Council Public Testimony Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Full Name: **Lauri Hoagland**
Phone: **707-695-6262**
Email: **lauri7757@aol.com**
Meeting Date : **12/19/23**
Type of Testimony: **WRITTEN**
Written Testimony: **I am opposed to dropping the temperature threshold from 32 degrees to 25 degrees before opening the community inclement weather shelter. I am not sure what other communities are basing their temperature thresholds on. I work as a Nurse Practitioner and have cared for houseless residents in Ashland on the La Clinica mobile. When considering weather impact we need to recognize that other factors affect a person's physical resilience. There is no certainty that houseless people are well equipped with clothing and bedding to be outside in winter, their health is generally compromised in one way or another due to this lifestyle. Often times chronic medical conditions and disability make them houseless and quite vulnerable. There is obviously age variability that needs to be taken into consideration. I have seen many cold related problems in patients who sleep outside in winter, obvious ones being chillblains but all medical conditions are worsened by extreme cold affecting circulation and creating stress on the body. The research I have read states that humans should not be outside with temperatures below 32 without intermittent breaks of warmer temperature every 20-30 minutes. Leave the temperature at 32 degrees. Lets not place our most vulnerable at risk of death and injury to save money!**

*** USER INFORMATION ***
SubscriberID: **-1**
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RemoteHost: **66.241.70.76**
RemoteUser:

Alissa Kolodzinski

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Monday, December 18, 2023 2:37 PM
To: City Recorder; Dorinda Cottle
Subject: Council Public Testimony Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Full Name: **Charisse Sydoriak**
Phone: **5053098011**
Email: **charsyd3@gmail.com**
Meeting Date : **Dec 18 Study Session and Dec 19 Council Meeting**
Type of Testimony: **WRITTEN**
Written Testimony: **I understand that City Council has directed three changes to the camping within City limits ordinance prior to the second reading: (1) Under occupancy of public spaces, a space limit, a two-hour time limit, (2) the word ?person? were eliminated; and (3) the definition of occupancy will no longer extend to public parks and a prohibition against camping near parks with a playground was changed to ?parks with child or youth recreation equipment.? I urge the Council not to make the wording change from a prohibition to extend to public parks and against camping near parks with a playground to "parks with child or youth recreation equipment". The change is too ambiguous and insufficient because there are areas within City parks where families congregate that do not have recreation equipment. For example, The Bill Patton Garden in Lithia Park used to have picnic tables that friends and family would congregate at. Since members of the unhoused/transient population would use this area containing tables, the tables were removed. This made the area much less attractive for picnickers, musical gatherings, and meditation. In addition, the volunteer run Tudor Guild Brass Rubbing program which enhances the OSF and City of Ashland experience during during about 5 months of the year can no longer use the tables to give the public access to a recreational activity that has been a tradition for decades. Visitors to Lithia and other park s should not be punished because the unhoused use the Park. Question: will the prohibition against camping in "parks with child or youth recreation equipment" extend to the entirety of Lithia (and other city) parks with equipment, or only to that portion of the park with an area dedicated to "child or youth recreation equipment"?**

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Alissa Kolodzinski

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Monday, December 18, 2023 11:52 AM
To: City Recorder; Dorinda Cottle
Subject: Council Public Testimony Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Full Name: **Jan Calvin**
Phone: **503-551-4352**
Email: **calvin.jan@yahoo.com**
Meeting Date : **12/19/23**
Type of Testimony: **WRITTEN**
Written Testimony: **Dear Mayor and City Councilors, Typically, I seek first to understand, but I do not think I could possibly understand any rationale to force people who have no other shelter options to endure freezing temperatures outside. The proposal to change the threshold for opening emergency warming shelter from 32 degrees to 25 degrees is simply inhumane. If you think this is about being cold or uncomfortable, it's not. This is about preventing death. If anything, the temperature threshold should be raised to 35 degrees, as it is in many caring and compassionate communities. If the argument is that there are not enough resources or volunteers, I urge a review of this premise. On a personal note, I have reached out twice about serving as a warming shelter volunteer. The first time, it was met with enthusiasm and a request to contact the coordinator after the first volunteer orientation (which I could not attend due to a work conflict). I received no response to my second email, which was more than a month ago. We can do better. Sincerely, Jan Calvin**

*** USER INFORMATION ***
SubscriberID: **-1**
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RemoteUser:

Alissa Kolodzinski

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Monday, December 18, 2023 9:21 PM
To: City Recorder; Dorinda Cottle
Subject: Council Public Testimony Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Full Name: **Rev. Ainsley Herrick**
Phone: **5412929672**
Email: **pastorainsley@gmail.com**
Meeting Date : **12-19-23**
Type of Testimony: **WRITTEN**
Written Testimony: **I am writing to address two related issues which are on the agenda for the December 19, 2023 meeting. The first is one I have spoken to before, the new camping ordinance. At the December 5, 2023 meeting, Mayor Tonya Graham began the meeting by speaking about the need to oppose hate in the face of the Israel-Palestine conflict. I was particularly moved by her warning against dehumanizing those we see as other, and her appeal to see people as siblings, parents, and children, rather than "them." I was very disturbed by how easily the city council was able to turn around and dehumanize our unhoused neighbors by voting for the camping ordinance. Perhaps it is easier to support such a sentiment when it concerns people on the other side of the world, rather than people who are right in front of us who are (wrongfully) viewed as the root of all problems in our community. I interact with unhoused people every day at my job at the Ashland library. I don't just check out library materials to them. I listen to their struggles, help them find resources, and advocate for them when housed patrons complain that unhoused patrons are simply existing in the library. I wonder how many of you, our city council members, have sat down and really talked to your unhoused neighbors. Do you know their names? Do you know about the struggles they face trying to access services that are woefully inadequate for the number of unhoused people in the valley? Do you know about the dangers of the night lawn? Do you know how hard it is to find a bathroom or clean water as an unhoused person? Do you know how frequently unhoused people are assaulted and robbed? I wonder how any of you would fare if you tried living on the streets for even a week. Perhaps you should try it before you pass any more laws that make unhoused people's lives harder. Even one night out in the c o ld might help you to understand a bit better. Those of you who voted in favor of the new ordinance at the December 5 meeting stated that you wanted to pass it quickly because Ashland is not in compliance with Oregon law. And it is true that the old ordinance is not in compliance. But there is a lot included in the new ordinance that is not required by Oregon law. First, there is the distinction between "voluntary" and "involuntary" homelessness, something that does not appear in the new Oregon laws. This is frankly the most dehumanizing part of the ordinance. "Voluntary" homelessness is a myth. On very rare occasions there is a person who left a home to live on the streets, but in those cases, we have to ask, what was so bad about where they were living that they would rather starve, freeze, and constantly be harassed and assaulted than stay there. But the myth of "voluntary" homelessness goes beyond that. The ordinance defines a "voluntarily" homeless person as someone who refuses to go to shelter. There are many legitimate reasons for people to refuse to go to a shelter. Many shelters don't allow pets, and dogs might be an unhoused person's only source of protection on the streets. Most shelters don't allow drug or alcohol use, but consider how difficult it would be to go through withdrawal while on the streets. With a months long w aiting list for addiction recovery centers, it is nearly impossible for unhoused people struggling with addiction to get the care they need and even be eligible to stay in a shelter. Shelters also frequently restrict how many belongings a person can bring, which means that people have to give up their tents, blankets, and other necessary survival gear, just to have one guaranteed night in the shelter. And what happens the next night if they can't go back and now have no way to stay warm? There are also the possibilities of interpersonal conflicts and legal problems that make it unsafe or impossible for people to be in a shelter with certain**

other people. I could go on listing reasons people refuse to go to shelters, but I think you are getting the idea. The point is, someone refusing a shelter bed does not mean they are "voluntarily" homeless. It means that the shelter options available don't take into consideration all the complicated aspects of their lives. To say that someo n e who refuses a shelter bed is choosing to be homeless and therefore does not deserve our compassion our help is dehumanizing to say the least. You cannot simply make generalized statements about people you have never met and whose struggles you do not understand. Besides, a shelter is not housing. It is a band-aid solution. Long-term transitional housing has been proven to be far more successful at getting unhoused people into permanent housing than shelters. To say that refusing a temporary shelter means someone is refusing housing is simply a false equivalence. Furthermore, "voluntarily" homeless is not a legal category, no matter how you may have attempted to define it in your ordinance. It is a subjective term that is open to interpretation by those enforcing the law, and therefore creates the potential for abuse and inconsistency in enforcement. Second, there is the time restriction of day use of public space. HB 3115 states that "Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness" (emphasis mine). I don't know how anyone could consider forcing unhoused people to move every two hours "objectively reasonable". It is already inhumane that people staying on the night lawn, many of whom are disabled, are forced to pack up every day by 7:30am and remove their tents and other belongings from the lawn. It is an incredible burden for many of our unhoused neighbors to move everything they own off the lawn every single day just to move it back at the end of the day. But now to require that they keep picking up their belongings and moving them every two hours is even more cruel. And I have to wonder just how equitable th e enforcement of this law will be. I see people all the time at Lithia park using one space for more than two hours for all kinds of activities. Will the police be patrolling the park on a daily basis and forcing housed people to move every two hours? If not, the city is setting itself up for lawsuits once unhoused people start being fined for breaking a law that no one else is required to follow. Please do not insult my intelligence by claiming that this part of the ordinance is not intended to target unhoused people and make Ashland more hostile towards them. If that is not true, why was it not written as a separate law instead of being included in an ordinance that is entirely about policing unhoused people? The purpose of the new Oregon laws concerning camping was to ensure that we are in compliance with recent Supreme Court decisions that ruled against cities for inhumane treatment of unhoused people. These new laws are intended to protect unhoused people from being harassed and prosecuted for the crime of being poor. It is frankly shameful to take these laws and use them as justification to pass laws that further dehumanize unhoused people and make their lives even more difficult. The only moral thing to do is to throw out this ordinance and write a new one that follows Oregon law without all the extra parts added in. I would be happy to speak to any of you concerning my concerns about the new ordinance, but more importantly, I would like to connect you with unhoused people and their advocates so you can hear directly from the people who's lives you have so casually discarded with this ordinance. My second reason for writing to you today is that I have just learned that you intend to change the threshold for the Emergency Shelter from 32 to 25 degrees. You cannot put a cost on human lives, and yet the statement from City Council concerning this decision has chosen to prioritize the financial cost of running the shelter over the people who will die this winter if left out in the cold. A person can die of hypothermia in three hours in 40-50 degree weather. Under 32 degrees, that time drops to 15-45 minutes. Frostbite can occur at any temperature below freezing. Unfortunately, there is very little information on how many unhoused people freeze to death each year (a shameful reflection of our disregard for our unhoused neighbors), but if you search for news articles on unhoused people freezing to death in the Rogue Valley, you will find no shortage of examples. The city only just last month opened a new shelter, which to my understanding, will only serve as an Emergency Shelter after January 10, 2024, or possibly March 31, 2024 if further funding is secured. After years of struggling to find locations for the Emergency Shelter, why is the city cutting back on the number of nights it will operate now that we have a permanent location? I will be blunt: people will die because of this decision. And those deaths will be your responsibility. We cannot put a value on human lives. If the city needs to cut costs, find somewhere else to do it, somewhere that will not result in the loss of human lives. Should anyone like to discuss these issues more, you can reach me through email at pastorainsley@gmail.com or by phone at (541) 292-9672. I hope that you will make the right decision concerning both these issues and work to find real solutions to the homeless crisis rather than simply making life harder for our most vulnerable community members. Sincerely, Rev. Ainsley Herrick

ASHLAND CITY COUNCIL
STUDY SESSION MINUTES
December 4, 2023

Mayor Graham started the meeting at 5:30 p.m.

Mayor Graham, Councilor Hyatt, Bloom, Dahle, Kaplan, DuQuenne, and Hansen was present.

1. **Public Input**

Tam Masdon/Ashland/Noted the challenges increasing for people who were hungry and struggling to sleep. She encouraged humanity and basic kindness.

Jospeh Wise/Asland/Was staying at the dusk to dawn camping area and commented on his experience with the police while staying there.

Karen/Ashland/Was staying at the dusk to dawn camping area and explained how difficult it was to have to move their tents every day.

Rick Bevel/Ashland/Was staying at the dusk to dawn camping area and shared his experience getting tickets. He was in a wheelchair and moving tents every day was cruel.

Anamarie LeBeau/Ashland/Arrived two weeks ago and was staying at the dusk to dawn camping area and spoke against people having to move their tents twice a day.

Debbie Neisewander/Ashland/Described an incident where an individual knifed several tents at the dusk to dawn camping space. She wanted the people staying on the night lawn to have a say in who stayed there.

Austin Konzelman/Ashland/Was helping an individual in a wheelchair at the dusk to dawn camping space who had received several tickets over the past few weeks. Council was violating the City's community commitment statement and the 8th Amendment.

2. **Water Utility Rates Overview**

Public Works Director Scott Fleury provided a presentation on water and enterprise system utility rates (see Attached):

- Water Utility
- Water Utility Projected Rate Increase FY24/25 – 10%
- Water Treatment Plant Project
- Cost of Service – Water
- Wastewater Utility
- Wastewater Utility Projected Rate Increases FY25 – 6%
- Storm Drain Utility

- Storm Drain Utility – Projected Rate Increases FY25 – 7%
- Affordability Analysis
- Low Income Utility Assistance
- Questions

Council discussed progressive rates. Staff explained the 10% was across the meter and what customers were charged to generate the revenue to support the fund. They would capture commodity charges prior to the cost of service study to look at multiple levels of data and bring back options.

Fleury explained removing funds for the water treatment plant would cause a significant reduction in rates but cost more long term. The cost of doing nothing would put people in jeopardy through possible disasters. He provided an update on potential grants. They would have more information in the spring or summer of 2024 on what grant monies would be available.

Finance Manager Bryn Morrison explained how residents receiving SNAP benefits automatically qualified for assistance programs in the city. Council was interested in expanding the Ashland Low Income Energy Assistance Program (ALIEAP) throughout the year. Council agreed to look at progressive rates.

Fleury addressed an inquiry on reviewing income levels throughout the city to create a base structure. Staff could gather some level of income information from planning and the census. It would take four to six months to compile. Everything else should be considered in the cost-of-service study where the experts would walk council through the process.

3. Electric Master Plan Overview

Electric Utility Director Thomas McBartlett III introduced Martin Stoddard from Stoddard Power Systems LLC who provided the following presentation:

- Electric System Planning Study Renewable Energy Discussion
- Agenda
- Introduction
- Missing slides
- System Model vs. City's Elec Map
- Review of Existing Profile, 2013-2022
- Review of Existing Profile, 2013-2022
- Climate & Energy Action Plan (CEAP)
- CEAP – The City's Path
- CEAP Goals – Transition to clean energy
- CEAP Goal – Transition to clean energy Renewable Energy Portfolio/Potentials
- Solar Energy – Commercial & Residential PV
- Solar Energy – "Large" PV Integration
- Hydro Power
- Other Resources
- Electric Vehicles
- Electric Vehicle
- Electric Vehicle Charging Station
- Electric Vehicle Challenges
- Microgrid
- Other Considerations
- Thank you

Stoddard explained net zero was an aspirational goal at this time. Being grid free on a large scale was expensive and would require back up. The city should focus on inefficiencies within the current distribution system. The biggest game changer had been lightbulb changes. In addition to PV integration, things were becoming more efficient. Alternatively, residences were not being incentivize.

4. Adjournment of Study Session

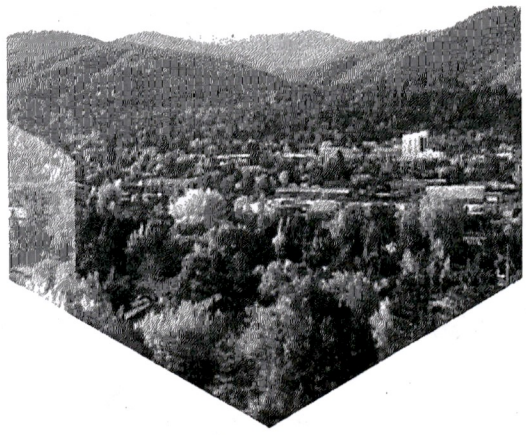
Councilor Bloom/DuQuenne m/s to adjourn the meeting at 8:20 p.m. Voice Vote ALL AYES: YES. The meeting was adjourned at 8:20 p.m.

City Recorder Alissa Kolodzinski

Attest:

Mayor Tonya Graham

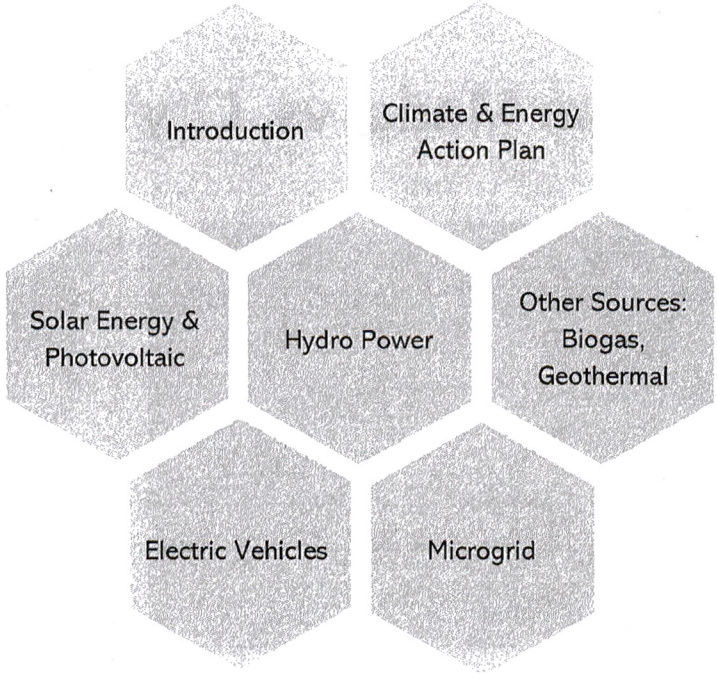
City of Ashland
Electric System Planning Study
Renewable Energy Discussion



Presented by:

Martin Stoddard, P.E.
Stoddard Power Systems, LLC

Agenda



STODDARD POWER SYSTEMS

Introduction

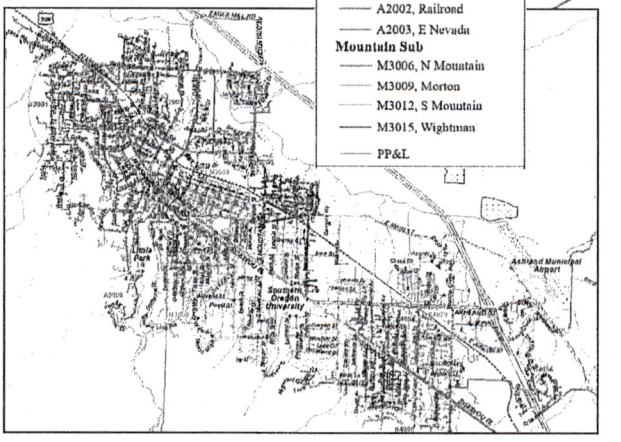
Stoddard Power Systems, LLC, is a small, veteran-owned, Oregon-based, consulting firm with consulting engineers having many years of experience providing services to government, municipal utilities, PUD, cooperatives, etc.

Currently, SPS is performing a 10-year Electrical System Master Plan study.

- The overall project progress is about 40% completed.
- A new GIS-based electrical system model is being developed as part of this study.
- The typical study scope focuses on electrical forecast, analysis, and a system improvement plan. For this study we are also addressing:
  - Opportunities and barriers for adding renewable energy resources,
  - An assessment of the City's readiness to accommodate high adoption of Electric Vehicles (EVs) and fuel-switching (natural gas reduction)
  - Recommendations for integration of the City's Climate and Energy Action Plan (CEAP) and looking at impacts on electrical infrastructure.

System Model vs. City's Elec Map





Review of Existing Profile, 2013-2022

Summer Mean High Temperature	
Year	Temperature (F)
2013	92.3
2014	92.2
2015	89.0
2016	91.1
2017	90.7
2018	91.4
2019	87.8
2020	90.1
2021	93.5
2022	92.2

Winter Mean Low Temperature	
Year	Temperature (F)
2013	19.2
2014	26.7
2015	29.1
2016	26.5
2017	25.9
2018	26.7
2019	28.2
2020	26.5
2021	28.9
2022	24.4

City of Ashland Population

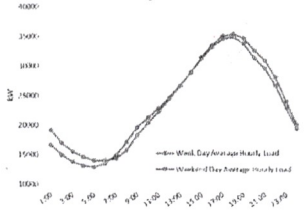
Year	Population	Percent change
2013	20,295	
2014	20,340	0.22%
2015	20,405	0.32%
2016	20,620	1.05%
2017	20,700	0.39%
2018	20,815	0.56%
2019	20,960	0.70%
2020	21,105	0.69%
2021	21,554	2.13%
2022	21,642	0.41%
	10	0.72%

Peak Power and Total Energy

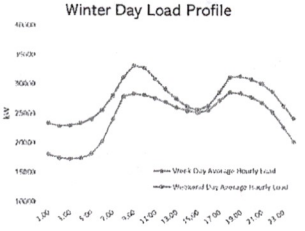
Year	Peak (kW)	Energy (kWh)
2013	40,650	19,636,870 (Note1)
2014	38,885	173,668,763
2015	38,940	173,668,763
2016	39,940	205,816,285
2017	38,505	178,273,030
2018	38,700	173,236,580
2019	37,605	172,884,771
2020	38,195	170,324,005
2021	45,920	175,664,178
2022	40,670	165,933,175

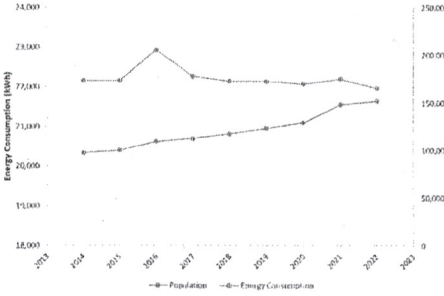
Note 1: Bad data ("0") for 11 months in 2013.

Summer Day Load Profile



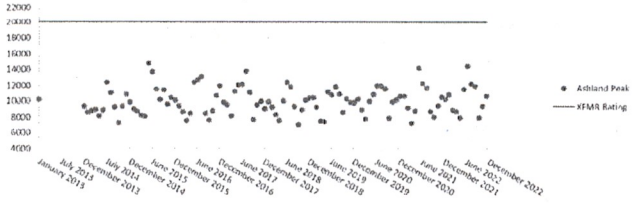
Winter Day Load Profile



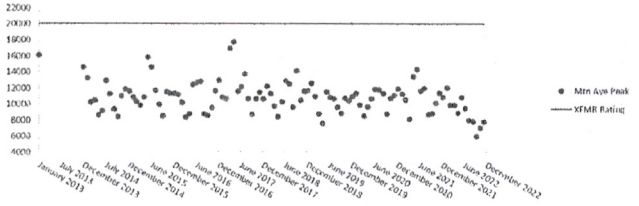


Review of Existing Profile, 2013-2022

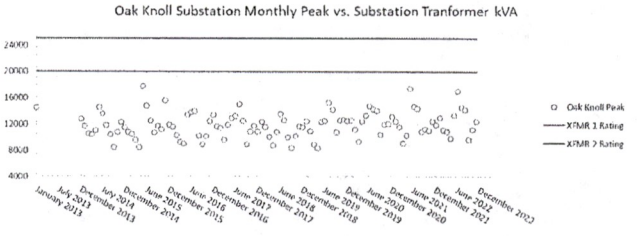
Ashland Substation Monthly Peak vs. Substation Tranformer kVA



Mth Ave Substation Monthly Peak vs. Substation Tranformer kVA



Oak Knoll Substation Monthly Peak vs. Substation Tranformer kVA



Climate & Energy Action Plan (CEAP)

- Initiated in 2011, the City's CEAP vision is to reduce Greenhouse Gas emissions and improve the resilience to the environment, infrastructure, and people from future impacts of climate change.
- Goal:
  - Reduce overall Ashland community greenhouse gas emissions by 8% on average every year to 2050
  - Attain carbon neutrality in City operations by 2030, and reduce fossil fuel consumption by 50% by 2030 and 100% by 2050
  - Be ready for projected climate changes
- The focus of the electric department planning study is to attempt to prepare the electrical infrastructure for future demands and align system planning with the City's CEAP to the extent possible.

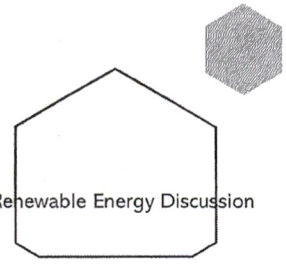
CEAP --- The City's path

- Transition to clean energy
  - Natural gas ban or Fuel switching policy
  - Increase renewable energy portfolio
  - Electric Vehicles
- Maximize water and energy efficiency and reuse
- Support climate-friendly land use and management
- Reduce consumption of carbon-intensive goods and services
- Inform and work with residents, organizations, and government
- Lead by example

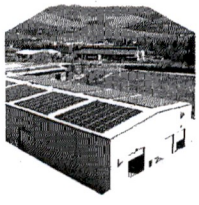
The City's vision is a collaborative effort over a long period.

CEAP Goals - Transition to clean energy

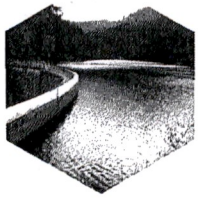
- Ashland becomes the third Oregon city to commit to developing a policy to transition new homes off fossil fuels.
- Once passed, appliances for heating or cooking would have to be all-electric for new home construction.
- Depending on the amount and the timeline of new residential development, this policy could have a big impact on the City's electric systems.
- Ashland's electric grid capacity may need to be upgraded to support the additional loads that come from natural gas reduction and future growth in the number of electric vehicles.



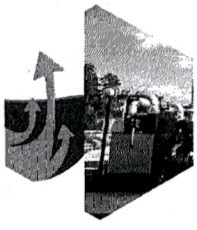
CEAP Goal --- Transition to clean energy Renewable Energy Portfolio/Potentials



Solar Energy & Photovoltaic



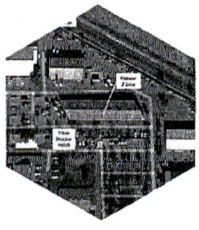
Hydro Power



Other Sources: Biomass, Biogas, Geothermal



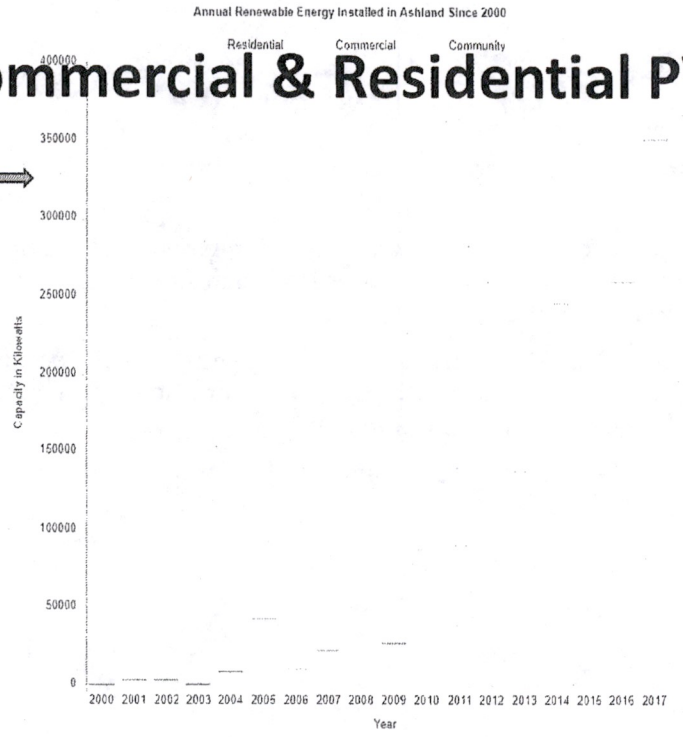
Electric Vehicles



Microgrid

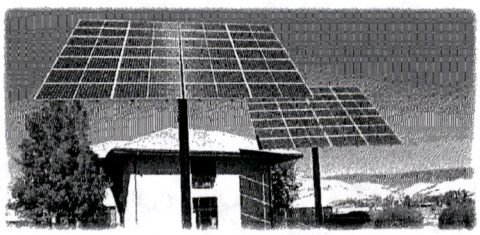
Solar Energy - Commercial & Residential PV

- Installed solar energy in Ashland since 2000.
- According to the latest information available:
  - Total installed commercial solar is about 1.28 MW,
  - Total installed residential solar is about 3.82 MW.
- Installed total is about 5.1 MW. The expected Summer peak output is about 3.8 to 4 MW assuming fixed axis stands, modern PV panel ratings, and Ashland's solar irradiance profile.



Solar Energy – Commercial & Residential PV

- For solar energy (or other renewables) <= 25 kW. No barriers or issues in general as long as they meet NEC and the City's metering and installation requirements.
- For solar energy (or other renewables) > 25 kW and <= 200 kW. Depends on the location and total installed capacity versus available capacity. This requires prior consultation and approval by the Electric Department and generally required engineering studies.
- Many potential renewable energy grants at Federal and State levels.

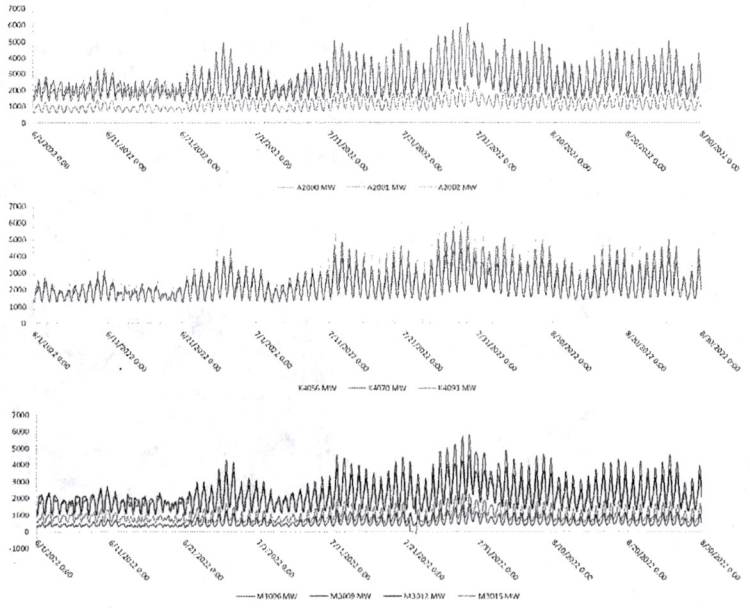


Solar Energy – "Large" PV Integration

- 'Large' is relative to where the generation is connected. For distribution level connections, large is >200 kW.
- BPA's standard classifies as small generation when a single or combined generating capacity is greater than 0.2 MW and equal to or less than 20 MW. This is primarily a function of transmission connection.
- Post-2028 BPA contracts under discussion with the City would allow the City to develop single combined generation of up to 5 MW. However, the City's electric infrastructure is distribution only. The City has no transmission resource.
- This requires Feasibility, Impact, and Facility studies on the feeder levels and substation levels.

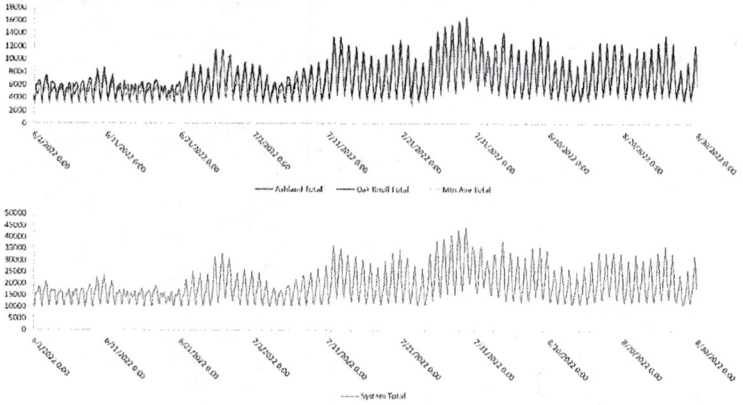
Solar Energy – "Large" PV Integration

- Example: ~2016, a 10 MW solar power generation facility on the Imperatrice property was under discussion.
- This aligns well with CEAP goals.
- Considerations:
  - Above the '5 MW' limit for a single combined development which requires a special interconnection application to be approved.
  - To interconnect with existing distribution feeders, the solar plant output cannot be greater than the load, to avoid reverse power flow and protection issues.



Solar Energy – "Large" PV Integration

- Considerations (Cont.):
  - Daytime peak load for feeder A2002 is around 1 MW to 2 MW.
  - Daytime peak load for M3006 is around 0.5 MW to 1.5 MW.
  - Result was a need to interconnect with multiple backbone feeder and curtailment functions reducing net production.
  - New substation or dedicated feeder could be considered but adds substantial cost.



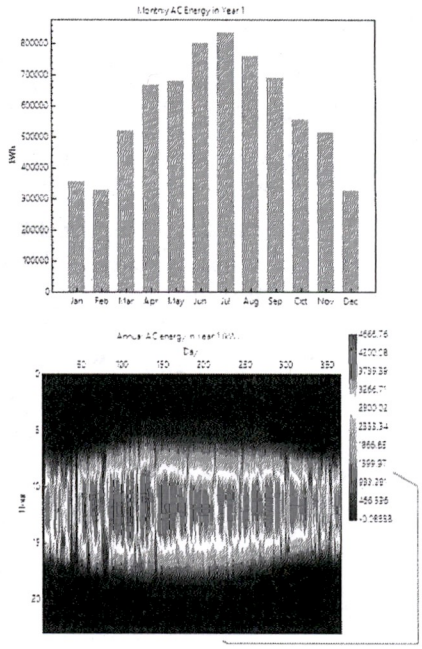
Solar Energy – "Large" PV Integration

Daily Power Profile Spring Minimum, May 15 2016 Ashland Subsation	Daily Power Profile Summar Maximum, Aug 19 2016 Ashland Subsation	Daily Power Profile Fall Minimum, Sep 5 2016 Ashland Subsation	Daily Power Profile Winter Maximum, Dec 18 2016 Ashland Subsation
With 1 MW PV	With 1 MW PV	With 1 MW PV	With 1 MW PV
With 5 MW PV	With 5 MW PV	With 5 MW PV	With 5 MW PV
With 10 MW PV	With 10 MW PV	With 10 MW PV	With 10 MW PV

Solar Energy – "Large" PV Integration

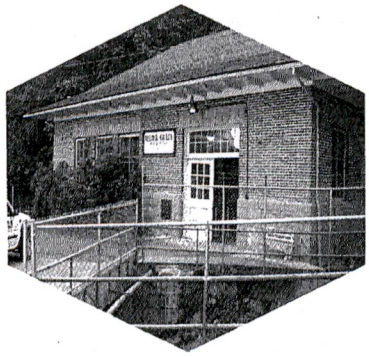
- Using a 5 MW solar farm as an example using Ashland's weather data:
  - DC capacity 5.6 MW
  - AC capacity 4.8 MW
  - DC/AC ratio 1.17
  - Total module area 32,000 m^2 or 7.9 acres
  - 1st Year AC energy 7052 MWh
  - LCOE 12.03 cents/kWh nominal
  - Total installed cost ~$11M, PV system only (cost subject to many other factors)
  - Acre/MW (1st Year) 1.65
  - Acre/1,000 MWh (1st Year) 1.12
  - $/Acre $1.56M

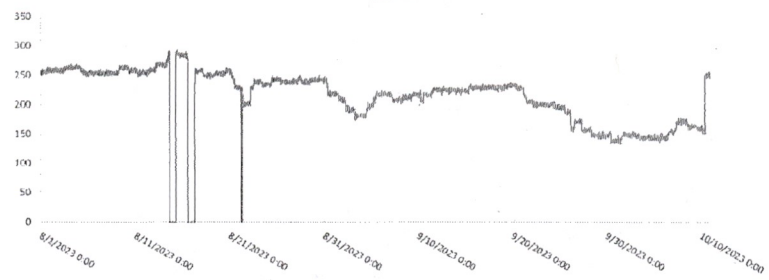
  Average kWh usage for 1,500 sq. ft home - 37 kWh per day, 13,500 kWh per year
  => ~66 homes per acre



Hydro Power

- Reeder Gulch Hydroelectric (RGH), Hosler Dam
- 845 kVA generator, limited by penstock and water demand
- ~250 kW power output continuously during normal conditions
- ~0.56% of the total peak consumption (~45 MW)
- ~1% to 4% of the total consumption during non-peak hours



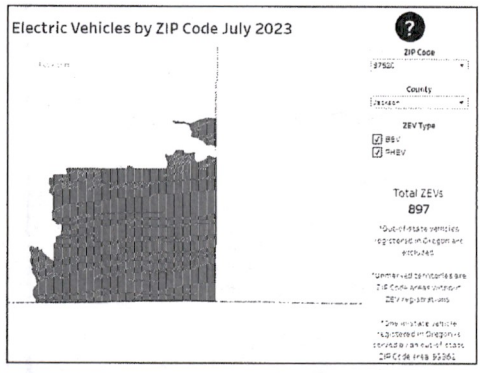


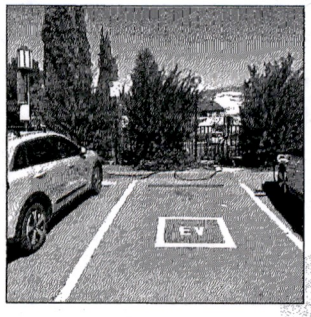
Other Resources

- Biomass:
  - Potential biomass plant expansion in the Rogue Valley
  - Potential biomass cogen plant at Southern Oregon University.
- Biogas:
  - Methane gas from food waste, yard waste and manure that can be used to generate electricity or as a vehicle fuel.
- Geothermal:
  - Geothermal for power generation (e.g., geothermal plant in OIT campus, about 2 MW)
  - Direct use for heating
- Wind:
  - County-level collaborative effort

Electric Vehicles

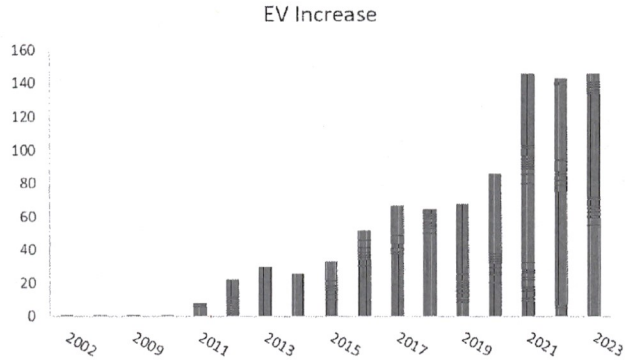
- An important part of the City's CEAP.
- Electric Vehicle Incentive Program: https://ashlandor.org/climate-energy/find-resources/transportation/
- According to Oregon.gov, the total number of registered electric vehicles in Oregon by July 2023 is 74,427.
- The City of Ashland (Zip Code: 97520) has about 900 by July 2023.

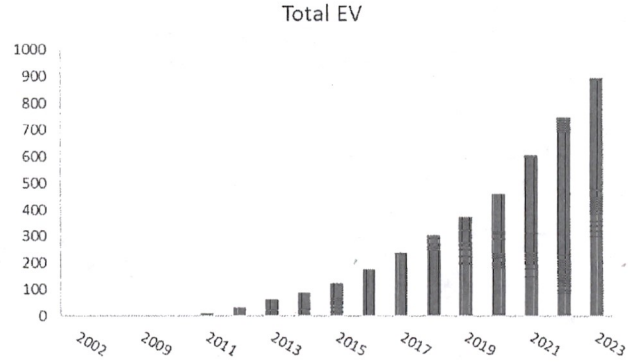




Electric Vehicle

- Based on the current growth speed, expect close to 1000 EVs increase in the next 4 to 5 years in Ashland, and 3000 to 5000 EVs in the next 10 years (affected by regulating & incentive policies and supply chain).

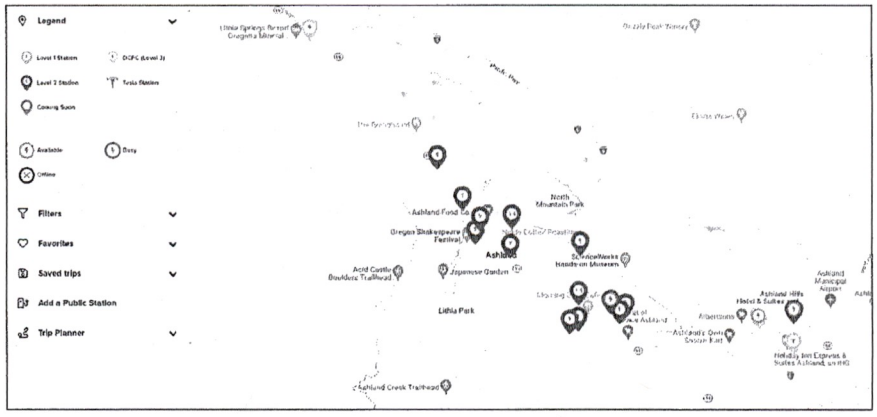




Note: The above statistic data stops in July 2023

Electric Vehicle Charging Station

- Currently 16 City-owned, Level 2 chargers [Public]
- 24 Tesla superchargers [Public]
- 11 City-owned Level 2 chargers at the service center
- Plan to add 20 more City-owned Level 2 public chargers in 2024
- Plan to add six more Level 2 and two Level 3 chargers at the service center

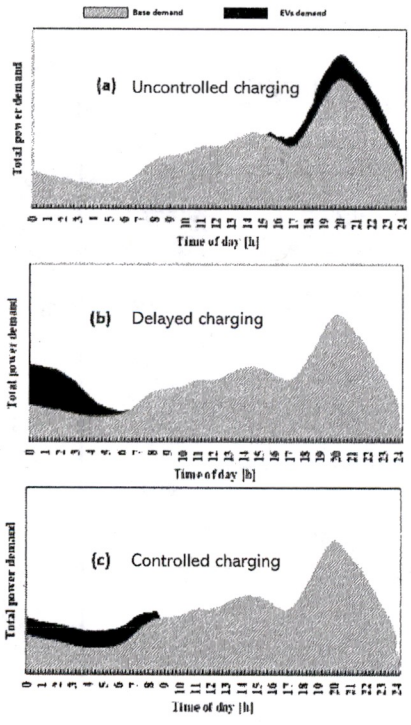


Electric Vehicle Challenges

- Increased EV brings the following challenges
  - Increase power demand. EV charging requires a significant amount of electricity, especially during peak charging periods. This increased demand can strain the existing infrastructure of the electricity system, leading to potential issues such as voltage fluctuations and load imbalances.
  - Potential equipment overload. Simultaneous charging during peak times can overload local transformers and distribution circuits, which can result in power outages or require expensive infrastructure upgrades to meet the growing demand.
  - Cost from
    - Infrastructure upgrade
    - Distribution transformers have to be sized with future EV additions. However, City has to cover the transformer no-load losses
    - Technology upgrade for smart charging based on demand response

Electric Vehicle Challenges

- It increases the system peak when using uncontrolled charging.
- Smart charging
  - Delayed charging
  - Controlled charging
  - Demand response
  - Using a dynamic rate structure to reshape the load curve (Peak Shift or Shaving)



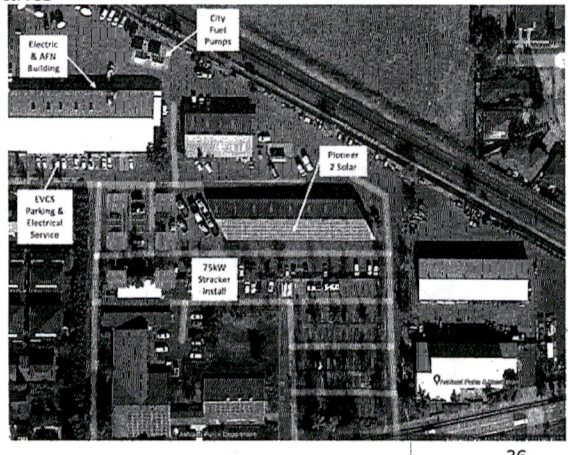
Electric Vehicle Challenges

- For 1000 EVs, assuming
  - Each has a charger
  - 70% are Level 1, ~1.5 kW
  - 30% are Level 2, ~15 kW
  - Uncontrolled charging
  - A diversity factor of 2.5 (40% of them are in use concurrently)
- The estimated total kW increase during the charging hours is about 2.2 MW
- Without diversifying the total estimated peak is about 5.5 MW

Charger Type	Typical Output Power	Estimated Charging Time (40 kWh)	Estimated Range per Hour	User Case
Level 1	1 – 1.8 kW	22 – 40 hours	3 – 7 miles/hour	Home / Backup
Level 2	3 – 22 kW	2 – 13 hours	10 – 75 miles/hour	Work / Hotel / Public chargers
Level 3	30 – 360 kW	15 mins – 1.5 hours	120 – 1400 miles/hour	Fleets / Dealer / Hwy service / Supercharger

Microgrid

- A microgrid can connect and disconnect from the grid to operate in grid-connected or island mode. Improves reliability and resilience to grid disturbances.
- The Oregon Department of Energy Renewable Energy Grants
- **Project: City Service Center Microgrid Grant**
  - $940,000 Grant
  - Stracker Solar System
  - 75 kW dual-axis tracking system and lithium battery
  - Expected to generate 170,000 kWh each year
  - Level 3 charging stations



Other Considerations

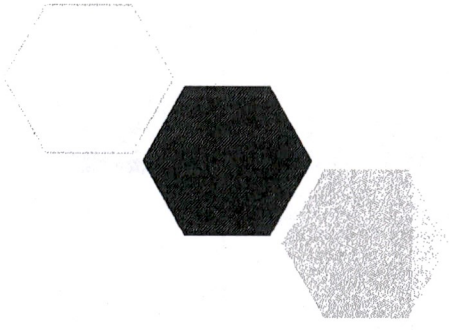
- Besides the benefits of greenhouse gas emission reduction, increased renewable portfolios can result in some level of instability, reduced power quality, and system operation challenges.
- Infrastructure upgrades may be needed on various levels:
  - Substation
  - Feeder
  - Distribution transformers
  - Communication and situation awareness (i.e., SCADA)
- The City may want to consider additional efforts on:
  - Public education (e.g. charging times that have most impact on electric infrastructure)
  - Dynamic rate structure

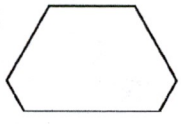


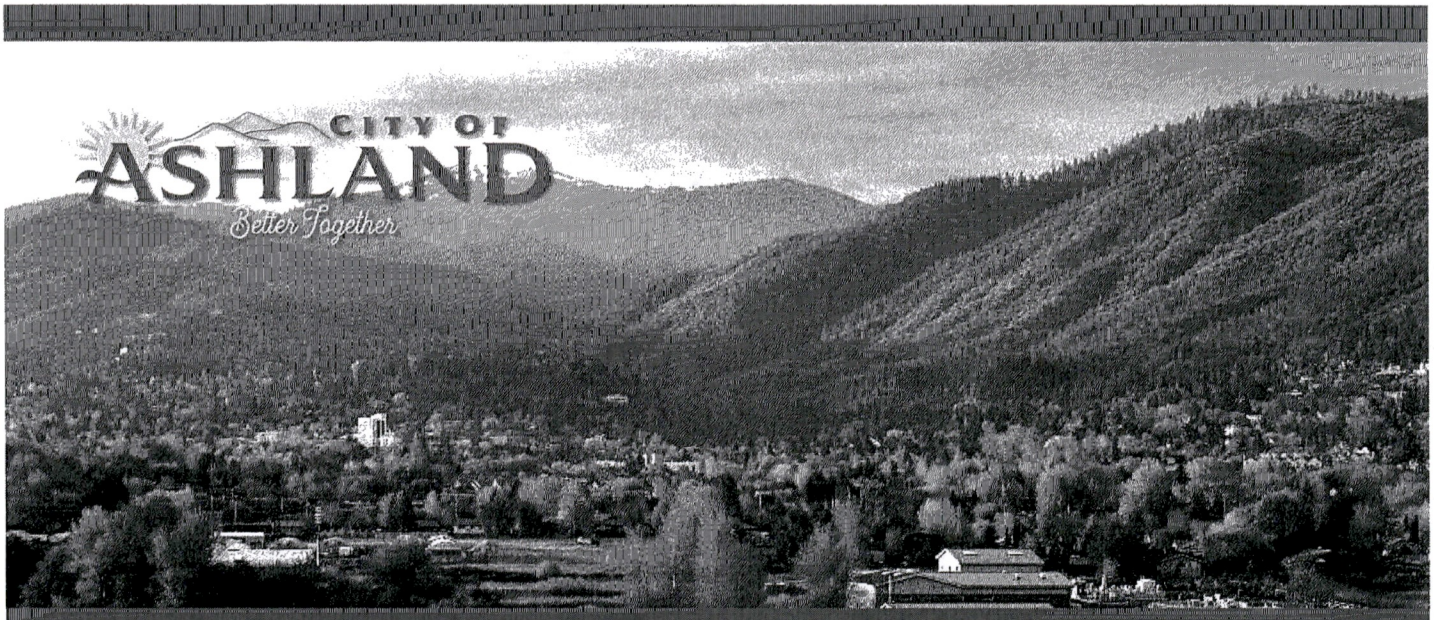
Thank You

Martin Stoddard

martin.stoodard@stoddardpower.com







Water and Enterprise System Utility Rates

December 4, 2023 Council Study Session

Water Rates

Water Utility

The Water Division consists of Supply, Treatment, Distribution and Conservation. The core of the water system includes Hosler Dam and Reeder Reservoir, a water treatment plant, over 119 miles of distribution piping, six booster pump-stations, telemetry equipment, 32 pressure relief valves, 1,281 hydrants and four potable water storage reservoirs providing 6.7 million gallons of storage

Regulatory:

- The Oregon Health Authority provides regulatory oversite for the treatment and distribution of potable water
- The Federal Energy Regulatory Commission provides regulatory oversite on Hosler Dam as the City is a generator of hydroelectric power

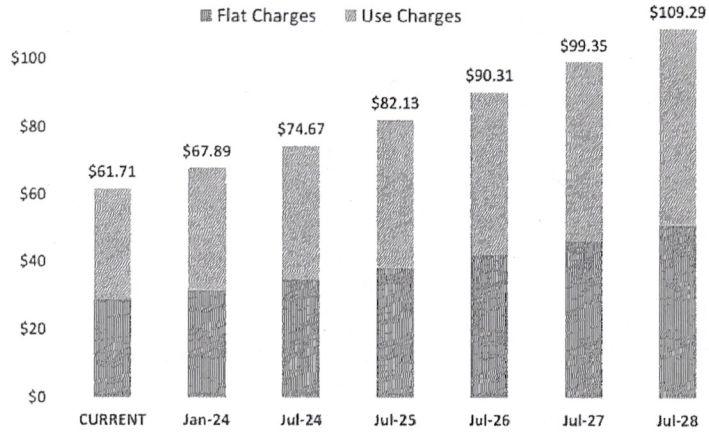


19.5 FTE

Water Rates

Water Utility

- Projected Rate Increase FY24/25 – 10%



Water Rates

Water Treatment Plant Project

- Currently at 90% design
  - Design Complete by end of 2023
  - Bid in Winter/Spring of 2024
  - Construction Start Summer 2024
- Environmental Protection Agency – 100% funding
  - $75 Million Maximum Award
- Next Steps
  - Update Borrowing Resolution – January 2024
  - Finalize Master Bond Declaration
  - Close Loan with EPA – April/May 2024
  - Grant Funding Opportunities

Cost Summary

Summary of Opinion of Probable Construction Cost		
High Range		Low Range
+15%	WTP Construction Costs	-10%
$ 70,424,000	$ 61,238,000	$ 55,115,000
Summary of Opinion of Probable Construction Cost		
High Range		Low Range
+15%	Solar Array Construction Costs	-10%
$ 2,458,000	$ 2,137,000	$ 1,924,000
Summary of Opinion of Probable Construction Cost		
High Range		Low Range
+15%	BESS Construction Costs	-10%
$ 3,063,000	$ 2,663,000	$ 2,397,000

Water Rates

Cost of Service – Water

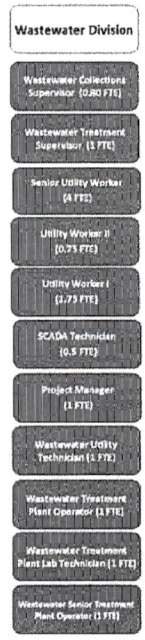
- Last Water Utility Cost of Service Completed in 2016
  - Creates a Defensible Rate Structure
  - Equitable over Customer Classes
- Recommend Updating
  - Equity and Progressive Structure (Commodity Charge)

Wastewater Rates

Wastewater Utility

The Wastewater Division consists of collection and treatment of wastewater. The core of the system includes 112.9 miles of collection system piping, 2,245 manholes, six (6) lift stations, telemetry equipment and a wastewater treatment plant.

Regulatory:
•The City operates under a National Pollution Discharge Permit (NPDES) that is overseen by the Department of Environmental Quality (DEQ)

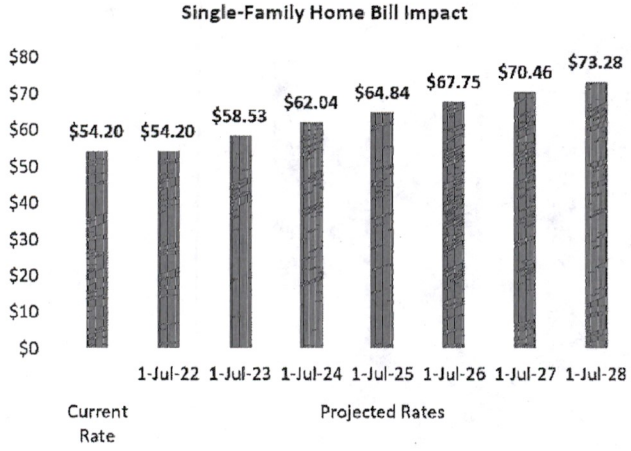


13.8 FTE

Wastewater Rates

Wastewater Utility

- Projected Rate Increases FY25 – 6%



FY25 - $57.45/month

Storm Drain Rates

Storm Drain Utility

The Stormwater Division consists of collections with staff support included with the Street and Wastewater Divisions. The core of the storm drain system includes 133.4 miles of storm drainage pipe and culverts, 4,348 inlets/catch basins, 990 manholes, and 449 outfalls.

The stormwater conveyance and outfall system operate under a Department of Environmental Quality (DEQ) MS4* permit, which regulates maintenance and inspection schedules in additional to public outreach and education regarding stormwater conveyance and treatment.

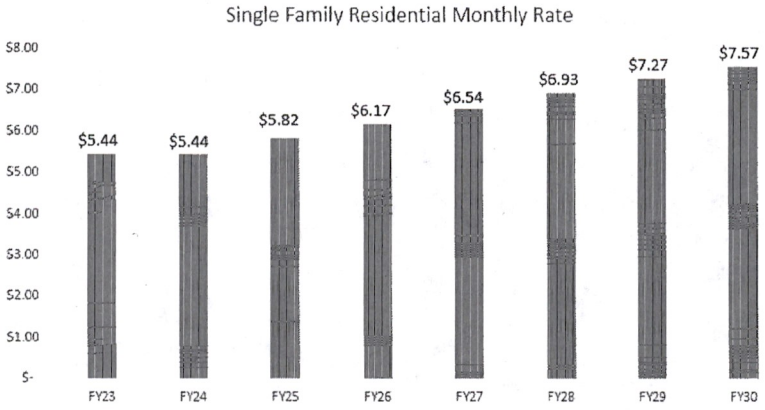


4.5 FTE

Storm Drain Rates

Storm Drain Utility

- Projected Rate Increases FY25 – 7%



Utility Rates

Affordability Analysis

- Metrics – 6 to 10% of Monthly Median Income for utilities
- Current Comprehensive Bill ~ 6.63%

Utility Bill Affordability Analysis

2021 Median Household Income $ 5,303.42

2% of Median Household Income Per Utility

Last Update	Utilities	Monthly Rate	% of Median Income
2019	Street Utility Fee	$ 9.56	0.18%
2021	Storm Drain Utility Fee	$ 5.44	0.10%
2019	Wastewater (average)	$ 54.20	1.02%
2019	Water (average)	$ 61.71	1.16%
2021	Electric (average)	$ 76.88	1.45%
2021	Ashland AFN	$ 65.00	1.23%
2022	Recology	$ 22.67	0.43%
N/A	Natural Gas	$ 56.00	1.06%
	Totals	**$ 351.46**	**6.63%**

Utility Rates

Affordability Analysis

- Metrics – 6 to 10% of Monthly Median Income for utilities
- Proposed Comprehensive Bill ~ 6.82%

Projected Update	Utilities	Monthly Rate	% of Median Income
2023 (3%)	Street Utility Fee	$ 9.85	0.19%
2024 (7%)*	Storm Drain Utility Fee	$ 5.82	0.11%
2024 (6%)**	Wastewater (average)	$ 57.45	1.08%
2024 (10%)***	Water (average)	$ 67.88	1.28%
2023	Electric (average)	$ 76.88	1.45%
2023	Ashland AFN	$ 65.00	1.23%
2022	Recology	$ 22.67	0.43%
N/A	Natural Gas	$ 56.00	1.06%
	Totals	**$ 361.55**	**6.82%**

*Projected in the adopted Storm Drain System Master Plan (July 1, 2024)

**Projected in the adopted Collection System Master Plan (July 1, 2024)

***Projected in October 2023 Water Rate Analysis

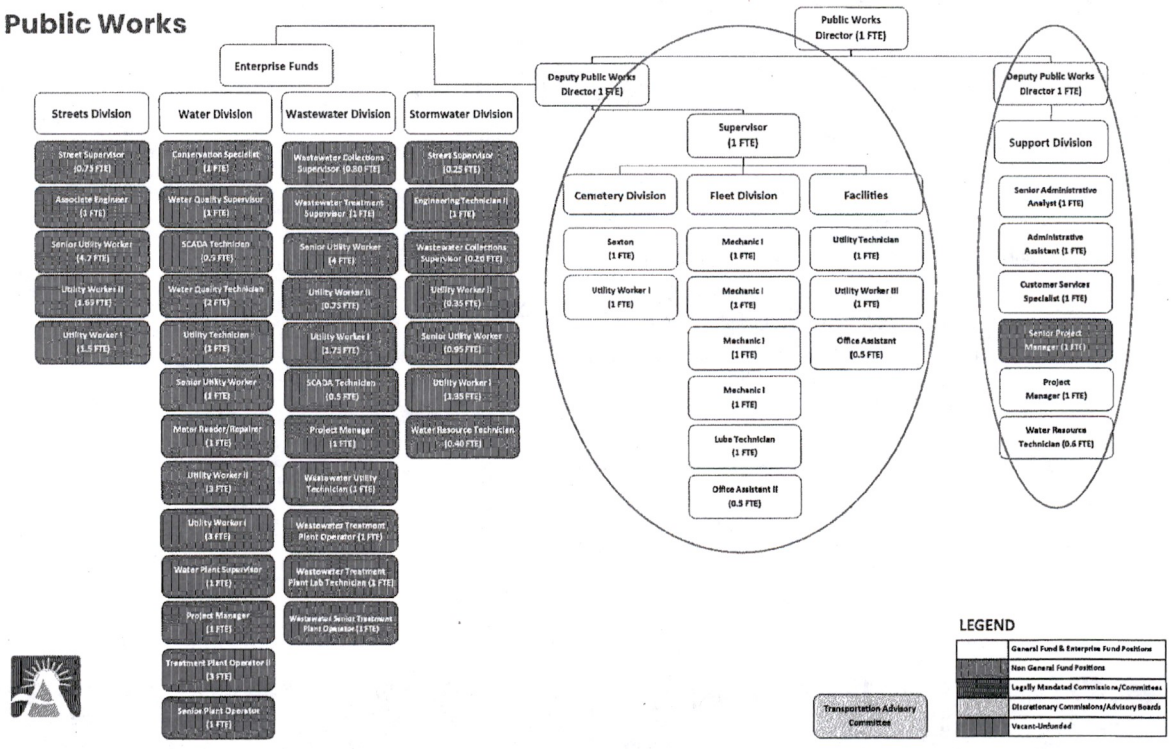
Utility Assistance

Low Income Utility Assistance

- Hansford Economic Review of the City's Senior Assistance Program
- Recommendations
  - Update/Eliminate Age Threshold
  - Change Income Level Threshold
  - New Resolution(s) To Replace 92-22
  - Update Ashland Municipal Code Section 14.02.015

QUESTIONS?

Public Works



Dana Smith

From: Mariane Berry
Sent: Monday, December 4, 2023 3:29 PM
To: City Council
Subject: RE: City Council Contact Form Submitted

Hello Council –

I wanted to address and clarify item #5 in the below comments. As you may know, our enterprise resource planning system (ERP), Tyler Munis, is undergoing a scheduled system upgrade, one that has been planned for months. This affects utility billing, accounting, procurement, planning/building, public works and courts, and is in effect today and tomorrow. We should be live again on Wednesday. As with all technology upgrades, we anticipate meaningful improvements and are hopeful that our residents will see and experience those improvements, and that our departments will also realize additional functionality with the new upgrade.

As we move forward with the upgrade, we will continue to assess the system for reliability, accessibility, performance and other attributes that will best serve our overall operations. Any software changes, particularly at the ERP level, must take into consideration the collective needs of the city.

We are close to being fully staffed in Utility Billing but as I have indicated previously, there is a training arc that simply takes time. We have kept up with our 48-hour turnaround time for non-emergency inquiries, and quite often it is 24-hours; we have opened up at the Grove on Fridays for in-person service; and soon, we are planning on opening phone lines in the new year. We will not be publicizing that until we are certain we are able to. However, if anything comes up with your constituents, I wanted to let you know of our good efforts to this end.

If you have any questions please reach out – best,
Mariane

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Monday, December 4, 2023 1:38 PM
To: City Council <council@ashland.or.us>
Subject: City Council Contact Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Full Name: **Jeff Sharpe**

Subject: **Electric Master Plan and 1MW CREP grant**
Message: **Greetings Counselors, Happy you will be getting an update from Stoddard on the City Master Plan this evening; I know they will be doing a great?job for?us. When SES considered responding to that project's RFP there were?several critical items I felt missing that?I would like to mention now. It is notable that the City has received a $100,000 CREP Planning Grant to explore/plan 1MW City solar projects and the infrastructure to support them. All of the?items below could potentially be addressed in that plan. Thomas related that the grant project is being given to Stoddard, and so this might be an opportunity to help direct that project to the City's best interests. Suggestions- 1) Development of a credible Integrated Resource Plan (IRP) is crucial to moving our utility into the 21st century 2)**

Exploration of our future 2025 BPA contract options and how they will?effect our? unique (non-IOU) position for local self-reliance? 3) Exploration of the Current BPA contract Take or Pay provisions and what the real financial effects might be, as well as rules being implemented that are not in our current contract?(eg BPA's Wally Roghair's 200kW /transformer limit I negotiated in 2020) 4) Consider the cost and benefits of establishing an Ashland Electric Board to help staff and the City make wise decisions as we seek safety,?sustainability and equity for our City 5) Consider the cost and benefits of upgrading the utility billing system to highlight the savings and impact of City renewable energy projects; as well as policy, incentive and possible financing services Ashland Electric could offer to help achieve City Goals 6) Quantify the vulnerabilities?of the current transmission system serving Ashland, and how we can best prepare for its failure 7) Explore the specific costs and benefits of the three 1MW solar system types we presented when suggesting the 1-MW CREP Planning Grant. These include both before and behind the meter, with 3 funding options (notably we already have investors interested in building each of these systems now) So sorry to hit you all with this at the last minute (I just learned of the?worksession). Happy to discuss anytime, Jeff Sharpe PE?

*** USER INFORMATION ***
SubscriberID: **-1**
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RemoteAddress: **66.241.70.76**
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Dana Smith

From:
Sent: Monday, December 4, 2023 9:38 AM
To: City Council
Subject: Water rates proposal

[EXTERNAL SENDER]

Hello Council,
Please focus more on utility rate affordability in our city. Besides high rents, we also have relatively high utility rates which make the housing crunch even more burdensome on much of our community. There are many ways that lower income individuals and families could be helped when it comes to the utility bill:
1. A more robust program of subsidies based on income.
2. Lower the rates for smaller multifamily units.
3. Raise rates for large/mega large homes.
4. Look carefully at how we might phase our WTP project. We still have a functional WTP; we need to be sure that our dam and reservoir is in good shape; we should recognize the value of water conservation and make sure we provide adequate support for wisely reducing our per capita water consumption which will result in less $ and less greenhouse gas production from energy and materials used to treat and transport our water.

Thank you,
Larry Cooper
Ashland

--
Larry

Dana Smith

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Sunday, December 3, 2023 6:27 PM
To: City Recorder; Dorinda Cottle
Subject: Council Public Testimony Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Full Name: **John Engelhardt**

Meeting Date : **Monday, Dec. 4, 2023**
Type of Testimony: **WRITTEN**
Written Testimony: **Society of St. Vincent de Paul Utility Assistance Time Frame: Fiscal Year October 2022-September 2023 Purpose: To provide some context and insight into utility assistance we provide to residents of Ashland. Although one of our guiding principles is that no work of charity is foreign to the Society, the bulk of or work and expenditure involves helping people stay housed. This primarily means assisting people with rent or utilities. Last fiscal year 62% of our funds went to rent and 16% to utilities. Totals: We assisted 132 households with utility help, including customers of the City of Ashland, Avista, Pacific Power, Recology and City of Talent. Of those, 91 households were clients of the city of Ashland, or 69%. Financially we paid the city of Ashland $22,143 or 65% of our utility outlay. Demographics: Of those assisted, 2/3 were adults, 1/3 children. 15% of the adults were disabled. Regarding household size, 41% were singles and 28% were 2-person. Only 15% were 3-person households. With respect to age, 19% were 65 and over. Utility Assistance Programs: When we assist people, we find that very few are on any of the city?s utility assistance programs (ALIEAP, Sr./Disabled Year-Round, or One-Time). I realize these are advertised in the City Source newsletters, and it?s disheartening to find so many who are eligible but not signed up. We recommend they sign up, but we don?t have the means or availability to follow up on that. Utility Base Rates: When one looks at a current city utility bill, the base charges total over $100 (see table). This is before a light switch or a faucet is turned on. That base rate is 8% of the maximum income threshold for a year-round 30% discount for a senior or disabled person ($14,580/12=$1215, $100/$1215=.08). Recommendations: In March of 2020, an ad-hoc group representing the city of Ashland (Kelly Madding), the City Council (Dennis Slattery), OHRA (Ken Gudger), SVdP (myself), and the H&HS Commission (Rich Rohde) developed a set of Utility Policy Recommendations. Then COVID shut things down. I am enclosing these recommendations as many of them are still worthy of consideration. 1. Increase awareness of utility assistance programs to those in need a) Mailer included with utility bill and city source newsletter showing programs and income levels associated with each. Make it colorful and easy to read! b) When client calls Utility office for help in paying their bill, work with them to see if they are eligible for any assistance programs. c) When client calls Utility office for help and is not eligible for programs, refer them to sources of help: OHRA, SVdP, Access, Salvation Army, etc. d) Get ACCESS involved in signing people up for assistance here in town. 2. Expand awareness of ways citizens can contribute to Assistance Funding a) Expand Round Up program to allow for additional $ contributions b) Make donation process easy for ongoing contributions as well as one-time donations. c) Make it clear that the donations are dedicated to Assistance programs d) Reach out to churches and other NGOs to spread the word about the assistance programs and donation process 3. Reorganize the utility shut-off door hanger a) Mention all 3 assistance programs on the door hanger b) Reorder the list of agencies that can provide help: OHRA, SVdP, Access, Salvation Army, AFS, JCFC 4. Track signups for assistance programs for historical data analysis and success of efforts going forward a) Provide periodic reports to Ashland?s Housing and Human Service Commission in collaboration with OHRA and SVdP on success of recommendations being implemented (ex: # clients on each assistance program, # accounts participating in Round Up and other donation options, etc.) 5. Analyze the Call-Out process for efficiency, success, and response in collaboration with OHRA & SVdP to include: a) Comparison with pre-callout success rate (# responding after 1st door**

hanger) b) Exploration of why the # of door notices and disconnects increased substantially in 2019, concomitant with implementation of Call-Out process c) Send analysis to city?s H&HS Commission Utility Policy Recommendations to Ashland Housing and Human Services Commission Utility Ad Hoc Group (SVdP, OHRA, H&HSComission, City Council liaison, City Manager) Utility AdHoc Committee Recommendations 6. Increase awareness of conservation and energy audit programs a) Mention energy audit and conservation programs in City Source newsletter b) Suggest helping agencies inform clients to initiate contact with city regarding energy assistance/conservation programs c) Suggest a meter check if bill seems abnormally high. 7. Consider increasing the financial benchmarks for the 3 assistance programs. a) Use the financial thresholds from Access as a starting point, but allow for increase as allowed by city ordinance b) Consider a higher income threshold for single households, as they bare a disproportionate share of the fixed costs (base rates).

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Society of St. Vincent de Paul Utility Assistance

Time Frame: Fiscal Year October 2022-September 2023

Purpose: To provide some *context and insight* into utility assistance we provide to residents of Ashland. Although one of our guiding principles is that *no work of charity is foreign to the Society*, the bulk of or work and expenditure involves helping people stay housed. This primarily means assisting people with rent or utilities. Last fiscal year 62% of our funds went to rent and 16% to utilities.

Totals: We assisted 132 households with utility help, including customers of the City of Ashland, Avista, Pacific Power, Recology and City of Talent. Of those, **91 households** were clients of the city of Ashland, **or 69%.** Financially **we paid the city of Ashland $22,143** or **65%** of our utility outlay.

Demographics: Of those assisted, 2/3 were adults, 1/3 children. **15%** of the adults were disabled. Regarding household size, **41% were singles** and 28% were 2-person. Only 15% were 3-person households. With respect to age, **19% were 65 and over**.

Utility Assistance Programs: When we assist people, we find that very few are on any of the city's utility assistance programs (ALIEAP, Sr./Disabled Year-Round, or One-Time). I realize these are advertised in the City Source newsletters, and it's disheartening to find so many who are eligible but not signed up. We recommend they sign up, but we don't have the means or availability to follow up on that.

Utility Base Rates: When one looks at a current city utility bill, the base charges total over $100 (see table). This is before a light switch or a faucet is turned on. That base rate is **8%** of the maximum income threshold for a year-round 30% discount for a senior or disabled person ($14,580/12=$1215, $100/$1215=.08).

Service Description	Base Charge
Electric Residential	$16.25
Water Residential	$15.62
Water Customer	$13.33
Sewer Residential	$33.94
Electric Users Tax	$4.06
Street User Fee S.F.	$9.56
Storm Drain S.F.	$5.43
AFR 3/4 Inch	$3.00
Public Safety Support	$1.50
TOTAL BASE FEE	**$102.69**

Recommendations: In March of 2020, an ad-hoc group representing the city of Ashland (Kelly Madding), the City Council (Dennis Slattery), OHRA (Ken Gudger), SVdP (myself), and the H&HS Commission (Rich Rohde) developed a set of *Utility Policy Recommendations*. Then COVID shut things down. I am enclosing these recommendations as many of them are still worthy of consideration.

1. **Increase awareness of utility assistance programs to those in need**
    a) Mailer included with utility bill and city source newsletter showing programs and income levels associated with each. Make it colorful and easy to read!
    b) When client calls Utility office for help in paying their bill, work with them to see if they are eligible for any assistance programs.
    c) When client calls Utility office for help and is not eligible for programs, refer them to sources of help: OHRA, SVdP, Access, Salvation Army, etc.
    d) Get ACCESS involved in signing people up for assistance here in town.
2. **Expand awareness of ways citizens can contribute to Assistance Funding**
    a) Expand *Round Up* program to allow for additional $ contributions
    b) Make donation process easy for ongoing contributions as well as one-time donations.
    c) Make it clear that the donations are dedicated to Assistance programs
    d) Reach out to churches and other NGOs to spread the word about the assistance programs and donation process
3. **Reorganize the utility shut-off door hanger**
    a) Mention all 3 assistance programs on the door hanger
    b) Reorder the list of agencies that can provide help: OHRA, SVdP, Access, Salvation Army, AFS, JCFC
4. **Track signups for assistance programs for historical data analysis and success of efforts going forward**
    a) Provide periodic reports to Ashland's Housing and Human Service Commission in collaboration with OHRA and SVdP on success of recommendations being implemented (ex: # clients on each assistance program, # accounts participating in Round Up and other donation options, etc.)
5. **Analyze the Call-Out process for efficiency, success, and response in collaboration with OHRA & SVdP to include:**
    a) Comparison with pre-callout success rate (# responding after 1st door hanger)
    b) Exploration of why the # of door notices and disconnects increased substantially in 2019, concomitant with implementation of Call-Out process
    c) Send analysis to city's H&HS Commission

6. **Increase awareness of conservation and energy audit programs**
    a) Mention energy audit and conservation programs in City Source newsletter
    b) Suggest helping agencies inform clients to initiate contact with city regarding energy assistance/conservation programs
    c) Suggest a meter check if bill seems abnormally high.
7. **Consider increasing the financial benchmarks for the 3 assistance programs.**
    a) Use the financial thresholds from Access as a starting point, but allow for increase as allowed by city ordinance
    b) Consider a higher income threshold for single households, as they bare a disproportionate share of the fixed costs (base rates).

ASHLAND CITY COUNCIL
BUSINESS MEETING Minutes
Tuesday, December 5, 2023

Executive Session

Mayor Graham, Councilors Hyatt, Bloom, Dahle, Kaplan, DuQuenne and Hansen were present. Human Resources Director Molly Taylor and Acting City Attorney Doug McGeary were present.

I. **To consider the employment of a public officer, employee, staff member, or individual agent pursuant to ORS 192.660 (2)(a).**

Regular Business Meeting*

I. **CALL TO ORDER**

Mayor Graham called the meeting to order at 6:01 p.m. No employment decisions were made.

1. **Land Acknowledgement**

Councilor Kaplan read the land acknowledgement.

II. **PLEDGE OF ALLEGIANCE**

Mayor Graham led the pledge of allegiance.

III. **ROLL CALL**

Mayor Graham, Councilors Hyatt, Bloom, Dahle, Kaplan, DuQuenne and Hansen were present.

IV. **MAYOR'S/CHAIR OF THE CITY COUNCIL ANNOUNCEMENTS**

Mayor Graham addressed concerns regarding chamber decorum and designating time for public speakers. Graham announced there would be a benefit for the sister city of Sviatohirsk 2:30 p.m. on December 10th, 2023, at the Ashland armory. Graham read peace proclamation.

1. Peace Proclamation – See attached.

V. **APPROVAL OF MINUTES *****

1. Minutes of the November 20, 2023 – Study Session Meeting
2. Minutes of the February 22, 2023 -Special Business Meeting

Hyatt/DuQuenne m/s to approve the minutes of the November 20, 2023, Study Session and the minutes of February 22, 2023, Special Business Meeting. Roll Call Vote: Councilors Kaplan, Hansen, DuQuenne, Dahle, Bloom and Hyatt, YES. Motion passed.

VI. **SPECIAL PRESENTATIONS**

VII. **CITY MANAGER REPORT**

Acting City Manager Sabrina Cotta provided an update regarding the beautification grant pilot program. Applications to apply for the grant have opened. Grant information can be found on the City's website. Councilor Kaplan thanked Cotta for providing information about the grants within the packet.

See attached City Manager's Report.

VIII. **PUBLIC FORUM (15 minutes – Public input or comment on City business <u>not</u> included on the agenda)**

Pamela Joy/Ashland Discussed ongoing 5G issues. Brought up concerns about the fire risk of telecommunication devices as well as concerns from people who are electrosensitive. Brought up concerns by a fire safety consultant regarding fires involving cell towers and the possible risk towards people around it. Urged the City Council to do more research on the topic and provided suggestions of books to read.

Scott Plass Electrical Contractor for 15 years. Discussed ongoing 5G issues. Brought up concerns regarding the fire risk of telecommunication devices. Mentioned how cell tower fires may cause mass evacuations. Urged the City Council to address safety issues and write new cell tower regulations.

Paul Sheldon/Ashland Shared update regarding the Sviatohirsk Sister City program. 150 windows were installed in a building in Sviatohirsk using the money raised by a benefit concert in Ashland. Funds also went to buy a glass cutting table. He reminded members of another benefit concert set for December 10th, 2023.

IX. **CONSENT AGENDA**

1. Liquor License Approval for Trattoria Inc. (DBA "Martino's Macaroni's Ristorante") at 58 E. Main St.
2. Liquor License Approval for Lithia Loft LLC at 144 Lithia Way.
3. Liquor License Approval for Brother's Restaurant at 95 N Main St.

Dahle/DuQuenne m/s to approve the Consent Agenda. Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.

X. **PUBLIC HEARINGS**

1. **Public Hearing and First Reading of CFEC Parking Code Ordinance Amendments**

Bredon Goldman & Derek Severson presented their findings regarding the ordinance. Presentation attached. Goldman emphasized the inclusion of requiring one ADA accessible parking spot in developments where no other parking is proposed. Both Goldman and Severson recommended option 1 (eliminate all parking mandates citywide). **DISCUSSION:** Hansen asked for clarification regarding options 2/3 (Maintain some parking mandates (in 20% of city) and apply new detailed standards and performance measures) and unbundling in the first reading. Goldman responded that the first reading would not include the unbundling option, as the staff recommended option 1. Goldman expressed difficulties with moving forward with option 2 and how to approach administrating option 2 over time. He suggested the City could create a minimum amount for how much a parking space should rent if option 2 is selected. Goldman mentioned that a full investigation into option 2 has not yet been undertaken and would not be ready in time for the second reading. Kaplan asked if staff still recommended option 1. Goldman responded that both staff and the Planning Commission recommended option 1. Kaplan understood that the Planning Commission asked staff to bring back an unbundling option. Goldman confirmed that it would be done, but not within the current application.

<u>Public Comment</u>

Gary Shaff/Ashland- Expressed concerns about AMC 18.3.9060(A) provision which requires on-street parking to be handled by the developer and fears around the possibility of the total elimination of parking spaces by vested interests. Shaff recommends asking the Planning Commission. SERJ, CEPAC, and the Housing and Human Services Advisory Committee to serve on a task force to discuss the issue.

Goldman said the requirements in the ordinance regarding on and off-street parking for new subdivisions would remove the requirement for two off-street parking spaces. The on-street parking requirements would remain unchanged. Goldman spoke to Shaff's concerns of vested interests, and that plans would be put in place if the ordinance goes through. Goldman mentioned that further evaluation regarding on-street parking would be handled on a case-by-case basis. Hansen asked when the option to revisit unbundling in the future would be available. Goldman responded that it would be a new ordinance and must be at the request of the City Council and the Planning Commission. If a new ordinance was created, all property owners who would be affected would be contacted. Goldman reaffirmed his support behind option 1. Hansen asked if the state was looking for Ashland to adopt the rule within the timeline given by the City. Goldman responded that the standards were set in January 2023, with June 2023 being the deadline, and the City was given a six-month extension until December 2023.

Mayor Graham closed the public hearing.

Councilor Hansen/Hyatt m/s to approve First Reading of Ordinance 3229, AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDIANCE TO REMOVE AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6; and to schedule Second Reading on December 19th, 2023.

Discussion: Hansen spoke that he is excited we are prioritizing equitable friendly requirements and applauded the staff for their work. Hansen looks forward to climate friendly ordinances and further discussion regarding unbundling parking. Hyatt spoke about how this is important not just because it is legally required but also because it's important for economic development. Hyatt thanked the staff, giving special notice to the ADA access section. Kaplan thanked the staff for looking at the broader picture.

Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.

2. First Reading Prohibited Camping Ordinance 3228

Graham acknowledged the sensitivity of the issue and addressed how the discussion will take place. Graham mentioned that the ordinance is in response to discussions regarding what is considered "camping" while acknowledging the City's partnership with houselessness organizations and continued funding for both the severe weather shelter and the dawn-to-dusk camp space.

Acting City Attorney Doug McGeary spoke about the ordinance and the planned changes. McGeary stated that specific terms needed to be used due to court rulings and state laws. The City will be able to define the terms that the state and the courts have not yet defined. Kaplan asked about the preamble and specifically, the section that differentiates between those who voluntarily choose to be unhoused from those who are unhoused involuntarily. McGeary responded that the current ordinance forbids anyone from camping, regardless of choice or reason, and the proposed ordinance would be about defining who is and isn't allowed to camp. Kaplan asked a follow up question regarding the differentiation that McGeary is proposing. McGeary clarified that the City does not want to punish people who are involuntarily unhoused and to prohibit camping for people who chose to camp.

Mayor Graham asked if removing the reference of voluntary vs involuntary would change the legal implications of the ordinance. McGeary responded that removing that section would cause changes, specifically when it comes to defining who is and isn't unhoused, while mentioning that many cities are

going through these same discussions, often patterning their ordinances after each other. He stated that by defining what is and isn't involuntary unhoused, the City can reduce issues with possible civil litigation. Bloom spoke to Kaplan's point that the ordinance is focused on the differences between status and behavior and that the ordinance is about regulating behavior not status. Hansen asked if the definitions have been identified by the court or created by the City of Ashland. McGeary responded that "involuntary" comes specifically from the federal courts. The "apparent value or utility" is not defined by federal or state law therefore the City of Ashland will be defining that term. McGeary also mentioned that the wording on the proposed ordinance was created in such a way that it would be defensible in court. Dahle asked about the feasibility and effectiveness of the ordinance if the wording regarding what is and isn't considered involuntarily unhoused would be removed. McGeary responded that the terms "value" and "utility" as stated in the ordinance are about the City's responsibility of a person's property and is not part of the behavior in question.

Assistant City Attorney Carmel Zahran elaborated on the definition of a what is considered an "established camp site" and how law enforcement must give it a 72-hour notice before the campsite is removed. Bloom relayed that HB 3124 states that 72 hours is the definition of an established campsite. Kaplan questioned at what point does the violation take hold? McGeary clarified that people have five days after putting their camp up before they must leave the space. Zahran added that law enforcement would consider it a violation after three days and the police removing the site after five days.

Mayor Graham asked for the rest of the definitions used within the ordinance to be discussed. McGeary and Zahran explained that the ordinance defined "designated spaces" as places set aside by the City as resting places for the involuntary unhoused such as the dawn-to-dusk space, "shelter" as a circumstance specific facility for the involuntarily unhoused, with both places being where involuntary unhoused people will be guided to. If neither a designated space nor shelter are available for an involuntary unhoused person, then the ordinance would be suspended. "Occupancy," which was focused on people sleeping on benches, has been changed to refer to a place that is being used by the involuntarily unhoused to the exclusion of the public. Kaplan asked about the two-hour time limit for occupancy. McGeary clarified that the old ordinance didn't have a concreate time limit for occupancy. Kaplan asked if occupancy included both voluntarily and involuntarily unhoused, which McGeary affirmed. Hyatt asked if regular recreational use might cause problems with the definition of occupancy. McGeary noted that the two-hour time limit is subject to change and can be discussed and modified at a later time. Zahran added the prohibited occupancy would not fall under the violation for camping. McGeary followed up with the stated exceptions that have been added via federal and state legislations and the proposed changes to the law-enforcement areas.

Kaplan spoke about the language of the old ordinance, particularly the ban on camping in any publicly owned property and enforcement of that section. McGregory responded that current enforcement is using the terms defined in the old ordinance, with the new ordinance using terms and definitions stated by federal and state legislature. Zahran added that the current policy allows for the enforcement of the old ordinance but must be updated. Kaplan spoke about the language regarding section B and the exception granted if a shelter or space isn't available. McGeary confirmed that enforcement would not take place if that exception was active and Zahran added that cities in Oregon have been updating camping ordinances to match state legislation.

McGeary pointed out that exception B of the new ordinance was based on situations such as emergencies or if the person is involuntarily unhoused and shelters and designated spaces are full, adding that

regardless of exception or if there is an emergency, the involuntary unhoused aren't allowed to use gas, start fires, have a campsite exceeding 100ft or located within certain sensitive areas. McGeary added that the change from the old ordinance distance of 250ft to the new ordinance distance of 500ft was to make it harder for possible legal challenges to the ordinance.

Kaplan asked about Section C and if it only applies if there is no designated space or shelter, which McGeary affirmed. Kaplan asked if the places listed in the ordinance as exceptions, such as Triangle Park, the median on Siskiyou Boulevard and the grass circle in front of the library, would only be used if there are no available designated spaces or shelters. McGeary confirmed that these places are permitted for camping, but only if there are no designated spaces, with the 100 yards buffer around rivers and streams already being a statute. Zahran added that the ban on camping on sidewalks or bike paths was included to help people with mobility issues and people with disabilities to move freely within the community. Graham asked about the difference between parks and playgrounds, and why the ordinance did not have a ban on all city parks with playgrounds. Zahran responded that the playground ban is about trying to keep children safe regarding possible drug usage from unhoused people. Graham clarified that her question was about legal issues and if the ordinance would include all parks. Zahan confirmed that there would be legal issues, with Hansen adding that parks have posted hours, meaning the unhoused could not camp in parks under the current restrictions. Zahan added that if the requirements for the exception are met, then the restrictions around parks would be lifted, but would still retain the current restrictions regarding time, place and manner.

Hyatt asked if there was a contradiction between Sections A and C regarding parks and parks with playgrounds and how the language may cause confusion. McGeary responded that Section A states that unhoused people are not allowed to camp unless there's an exception, and Section C states that unhoused people aren't allowed to camp in Lithia Park or a park that has a playground, regardless of exceptions. Dahle said that the areas listed in 10.46.020(a-c) are all banned regardless of if there is a shelter or not, which McGeary confirmed. Dahle added that there is a gray area regarding enforcement of campsite removal if the campsite is in an allowed area but there isn't a designated space or shelter available. McGeary confirmed that the areas where people can camp does not constitute blanket permission to sleep anywhere. Graham asked if the language could be changed to better define the term playground, with McGeary stating that the City Council can determine the definition. Graham asked about the rule regarding 150 feet distance between sites and if that distance was a standard element or if it was able to be shifted. McGeary and Zahran responded that the 150 feet rule was included to prevent large campsites from forming, having been influenced by decisions from larger cities. There are potential dangers in large, sprawling campsites and this helps give law enforcement clear instructions. Kaplan added that the 150 feet rule only applied if there were not any available designated spaces or shelters, adding that the City would be much better off having designated spaces or shelters open rather than enforcing the rules, which McGeary agreed with. McGeary added that the distances included within the ordinance are to also help with enforcement. McGeary stated that the City Manager may make additional rules to address situations regarding the unhoused as they unfold, with an example being given in the form of the rules set for the dusk-to-dawn campsite. Zahran added that this policy was created to manage scenarios quickly and in a reasonable fashion. Kaplan asked if McGeary and Zahran could clarify the meaning of "time, place and manner" as stated by the courts and House Bill 3115. McGeary and Zahran stated that time, place and manner come from federal interpretations and applies to regulation of civil rights and how they relate to unhoused people. Zahan explained the restrictions regarding vehicle camping and what are and are not reasonable. McGeary explained the changes to prohibited occupancy. Graham asked about the definition

of occupancy and its 50 square feet size restrictions regarding benches and street furniture. McGeary clarified that the ordinance speaks directly to the time of occupancy and not the inclusion of street furniture. Kaplan noted a possible contradiction within the wording, with McGeary agreeing, adding that changes could be made within the occupancy definition.

Bloom asked if up the required changes could be made within the overview time, which McGeary agreed to. Zahran defined the City of Ashland's ability to remove established campsites and the disposition of removed items, with Graham adding that it is not within the City's best interest to take people's property unless necessary. DuQuenne asked about the procedure to return removed property to unhoused people. Zahan responded that a public works section and policies would be created under the City Manager. Kaplan asked about the definition of "no apparent value or utility" and the process for determining value. McGeary responded that no apparent value applies to items such as waste and trash, as opposed to what is defined as a value or utility item within the ordinance. Zahran added that the wording will be changed to property as opposed to personal property, regardless of if the items are of value, and excluding hazardous property, adding that items must be held for 30 days according to state law. Bloom requested that an amendment be made to reflect the change in the definition of property. Zahran and McGeary confirmed that an amendment would be drafted in time for second reading. McGeary defined the violations for breaking the ordinance, highlighting persistent rule breaking and the consequences, as well as the penalties. DuQuenne asked about the language of having meaningful engagement with a service provider before a court hearing. Zahan responded that the language is based off the desire for the prosecution to work with people to stop the behavior and show meaningful change. DuQuenne added that the City does not want to hinder anyone's ability to show meaningful change. Graham asked if a judge in the case above would lower the charge from a misdemeanor to a violation, which Zahan affirmed. Bloom asked about wording regarding punishment if the person immediately removes their campsite. McGeary confirmed that the citation would be seen as something akin to a "fix-it ticket."

Police Chief O'Meara took the microphone. Bloom asked about police guiding the unhoused towards services. O'Meara confirmed that the police attempt to connect unhoused people to services. Dahle asked if O'Meara saw any glaring inconsistencies that should be addressed before moving forward. O'Meara said that he could not think of any. Hyatt asked about the definitions of voluntary vs involuntary, and how that looks in the field. O'Meara differed to the legal team when it came to the definitions. He does not envision Ashland PD officers asking people about their back story. Graham asked if violations would be given to people simply for camping in the wrong place. O'Meara responded that fewer than 50% percent of contact between the unhoused and Ashland PD involve citing violations, adding that it is not the practice to punish people. Bloom asked if O'Meara could produce evidence to support his claim, which O'Meara confirmed did exist. Hansen asked about extra enforcement this calendar year in South Ashland. O'Meara stated there has been an increase in complaints in the south side of Ashland.

Public Comment

Ainsley Herrick/Ashland Representing themselves only. Spoke in opposition of the ordinance, describing it as "cruel." Brought up studies showing that housing is the way to end homelessness. Brought up concerns about defining unhoused people as "voluntary" and "involuntary." Urged City Council to listen to advocates and the unhoused.

JD Barons/Ashland Spoke in opposition of the ordinance. Raised concerns about citations regarding Lacey Maverick McCoy. Mentioned difficulties with acquiring housing and stable work conditions within the Rogue Valley.

Grace Pettygrove/Ashland Spoke in opposition of the ordinance. Urged the City Council to focus on housing as the problem as opposed to punishing houseless people.
Rich Rohde/Ashland Commended City Council for listening to "all sides" Spoke in opposition of the ordinance. Brought up concerns about growing legal barriers for houseless people across the state and in the City of Ashland. Mentioned a "unhoused master plan."
Toren McKnight/Medford Spoke in opposition of the ordinance. Brought up concerns that the ordinance is fueled by fears about the unhoused people. Brought up concerns regarding vagueness of exceptions for weather. Mentioned cruelty in punishments and possibility of lawsuits.
Heron Boyce Spoke in opposition of the ordinance, calling it "intolerant." Brought up concerns about affluence influencing decision making towards the unhoused and the ongoing housing crisis. (See attached handout.)
Debbie Neisewander/Ashland Spoke in opposition of the ordinance. Raised concerns about designated spaces, the definition of "reasonable alternative," and instability within the night lawn.
Janet Bell/Ashland Commended City Council for taking on the challenge. Urged the City Council to read an email submitted by the South Ashland Business Council.
Jesse Carson Hamilton Spoke in opposition of the ordinance. Mentioned stress of being unhoused and how the ordinance would contribute to that. Spoke about the influence of the affluential on the unhoused ordinance. Urged City Council to see the humanity in the unhoused.
Dennis Slattery/Ashland Thanked City Council for their service. Representing himself only. Spoke about the uncertainty within the definitions and policies within the ordinance. Suggested the City Council seek a better planned alternative. Urged City Council to reconsider ordinance.
Daniel Quinn/Ashland Spoke in support of the ordinance. Expressed concerns about safety for children regarding the unhoused. Urged the City Council to take restrictions around schools seriously.
Tam Masden/Ashland Expressed concerns that public commenters were rushed and not allowed much time. Expressed fears about consequences of ordinance on public view of the City. Praised the new emergency shelter.
Trina Sanford Spoke in approval of the ordinance. Praised clarity and direction of the ordinance. Voiced disapproval of the actions of some of the people speaking out against the ordinance.
James Fox Bride/Ashland Spoke in opposition of the ordinance. Commented on lack of an adequate shelter in Ashland. Spoke to the humanity of unhoused people.

Bloom asked about the status of the language changes within ordinance. Graham asked the City Council how to best move forward to create a more unified direction. Hansen expressed desire for the ordinance to be drafted with input from social services, businesses, the housed and unhoused. DuQuenne expressed interest in suggestions made during hearing, as well as interest in a housing master plan featuring input from social services, businesses, the housed and unhoused. She wanted to hear more from the legal team before moving forward with the ordinance. Kaplan expressed desire to perform planning first then have the policy to follow it, as well as to table the ordinance for the time being. Dahle expressed frustration at the slow movement towards solving the housing crisis given everything available. He suggested the ordinance move forward and continue with additional planning and collaboration. Bloom seconded Dahle's idea, adding that unhoused masterplan can be changed as needed in the future, also expressed desire for the ordinance to move forward with language amendments. Hyatt stated concern that the old ordinance is not in line with the 9th Circuit, and the desire of the City Council to have a collaborative process. She spoke that these two points are in opposition of each other. Hyatt expressed difficulty in balancing the needs of the housed with the protection and support of the unhoused. She expressed the desire to move forward with the collaborative master housing plan, while also moving forward with the ordinance.

Councilor Bloom/Dahle m/s to approve First Reading of Ordinance No. 3228 AN ORDINANCE RELATING TO PROHIBITED CAMPING AND PROHIBITED OCCUPANCY; AMENDING AMC CHAPTER 10.46.020 AND AMC 10.46.030 and send it to Second Reading.
Discussion: Bloom stated that he would like the ordinance to be read back with the language changes and expressed openness to amend the motion. Dahle spoke to the desire for stable housing and saw no reason why those working on the master housing plan cannot keep in mind the new ordinance. DuQuenne said that the ordinance is a living document that can be amended as time goes on. McGeary and Zahran stated that the changes are in relation to exceptions to prohibited camping, to include parks with recreational equipment and to include sleeping on benches and occupying street furniture for more than two hours as prohibited occupancy. Hansen expressed concern that the old ordinance is not in compliance with the 9th Circuit. Kaplan spoke that the enforcement of the old ordinance is following the 9th Circuit ruling. He expressed a lack of need to hurry forward with the new ordinance, with includes definitions that need to be revised and include a list of where the unhoused cannot go. He would rather see a list of where the unhoused can go. Hyatt said that in the interest of time she will pass on her comments as long as the City Council gives direction to the Housing Committee.
Roll Call Vote: Councilor Hyatt, DuQuenne, Dahle, and Bloom, YES. Kaplan, Hansen, NO. Motion passed.

Hyatt/Bloom m/s to require that Homeless Services Master Plan subcommittee report back in six months.
DISCUSSION: Hansen asked for clarification from Hyatt on what exactly the amendment was.
Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.

XI. UNFINISHED BUSINESS

1. City Charter Amendments for May Election (Moved to next meeting)

XII. NEW BUSINESS

1. City Council Chambers Audio-Video- Broadcast Updates (Moved to next meeting)
2. Right of Way Vacation Initiation- Fair Oaks
3. Right of Way Vacation Initiation- Fern Street

In the interest of time, topics 2 and 3 were combined into one motion.

Councilor Kaplan/Hyatt m/s to begin the process to vacate a portion of the public right of way on Mountain Meadows Way and Fern St. as allowed by ORS 271.130 and then follow Ashland Municipal Code 14.18. Discussion: Public Works Director Scott Fleury explained the two planned right of way processes. DuQuenne asked who would pay for them. Fleury stated that the property owners would pay for everything. Hansen asked if there were already curb cuts to both areas. Fleury responded that neither would require curb cuts.

Roll Call Vote: City Council or Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.

XIII. ORDINANCES, RESOLUTIONS AND CONTRACTS

1. Sole Source Procurement Wastewater Membranes

Councilor Hyatt/Bloom m/s to approve a sole source purchase with Veolia Water Technologies & Solutions in the amount of $1,477,645.00 and authorize the Interim City Manager to sign the contractual agreement. Discussion: Fleury explained the contract and why it was necessary. DuQuenne asked if the money set aside would pay for the contract, which Scott affirmed.

Roll Call Vote: City Council or Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.

XIV. **OTHER BUSINESS FROM CITY COUNCIL MEMBERS/REPORTS FROM CITY COUNCIL LIAISONS**

XV. **ADJOURNMENT OF BUSINESS MEETING**

The meeting adjourned at 9:31 p.m. by Mayor Graham.

Respectfully Submitted by:

Alissa Kolodzinski

City Recorder Alissa Kolodzinski

Attest:

Tonya Graham

Mayor Tonya Graham

City of Peace Statement

Recent local and national acts of antisemitism and Islamophobia inflamed by the situation in Israel and Gaza call us to decide how we will meet this moment as a City of Peace.

We know where hate leads. History has shown us time and again what happens when we let ourselves give in to the whispers of those who would turn us against one another. I say "we" because being swept into the river of hatred is something we are all at risk of, simply because we are human. It is not the domain of a particular person or group. It is something we all must consciously guard against because it can be infectious.

Sorrow and despair are palpable in our world today. And appropriately so given what is happening internationally. We must acknowledge this reality and hold space for these feelings because it is during times of intense emotion that hate too often gains a foothold.

While antisemitism is rearing its ugly head in the U.S. so too is Islamophobia. We have two groups of people who are increasingly fearful for their safety in their own communities. This is wrong and we must do what is necessary to ensure that all people feel safe here in Ashland and across southern Oregon.

Public statements like this are important because they allow us to speak as a community and denounce that which is immoral. But alone they are insufficient. It is not enough to speak with one collective voice. We must each take action in the situations we can touch in our daily lives.

Many of us are already engaged in discussions as our community, our nation, and the world navigate the situation in Israel and Gaza. In these difficult discussions, we must do three things:

First, we must check ourselves and the language we use. The words we choose matter. We are not born hateful. It is a process of becoming, and we can disrupt it. While it all too often culminates as a shout or an act of violence, hate begins as a whisper. It is a whisper that encourages us to abandon our better angels for simple answers to complex problems.

Atrocities become possible only when we dehumanize one another and that starts with creating the "other." Turning another group of people into "other" is what first opens the door that leads to violence and terror. That process starts with one simple word "they." So, as we are talking with friends and family about the international situation, let's pay attention to how we use the word "they." What is the context? What are we saying about "those people?" Do our words lead to understanding or do they take that first step toward dehumanizing our neighbors?

Next, we need to look after our friends and family members who are also engaged in these conversations. If we begin to hear the language of "they" in a negative way, we must come alongside our friend or family member with love and gently remind them that the individuals that make up "they" are people just like us. They are mothers and fathers. They are someone's child. They are grandparents, sisters, brothers, and cousins. And they want for their families what we want for ours – safety, prosperity, and peace.

Finally, if we know someone who has lost their way to the point where we believe they are in danger of becoming violent or acting in a way that instills fear, we must ask for help on their behalf. The Ashland Police Department works with agencies across the valley to address violence before it happens. You can reach out anonymously to let Chief O'Meara and his team know that your friend or loved one needs help before they do something they will regret.

If you experience a hate-driven incident, please report it to Ashland Police Department. It is the only way law enforcement can understand the full breadth of what is happening and take appropriate action.

Please also report messages of hate and any efforts to you see to recruit people to these organizations. The Oregon Bias Hotline is available at 844.924.2427 or online at StandAgainstHate.oregon.gov. This hotline is a particularly good way to report incidents that do not rise to the level of a crime and it allows people to file reports anonymously.

In 2017, Ashland declared itself a City of Peace. It is in moments like this that we bring that declaration to life by making peace tangible for our neighbors, friends, and family members.

While hatred may feel powerful, in reality, it is cowardly. It is weak. And, like so many other things that are cowardly and weak, it is also easy. It is, in fact, the easiest path. The moral path is what takes courage - that path we navigate together by staying in these uncomfortable feelings of sorrow and despair, but remaining present and listening with an open heart to others who may have a different lived experience or perspective.

We do not need to agree on the best way to bring this international conflict to an end, but we must protect one another in the discussion. Together, we must hold the space for these critically important conversations while holding the line against hatred in all its forms.

I have faith that we can and will do this in our community because the people of Ashland – shoulder to shoulder with our neighbors across the Rogue Valley – are not afraid of that which requires courage when we know it is in service of that which we know to be honorable and right.

City Manager's Report

12.5.2023

CITY MANAGER'S OFFICE:

- The all-staff City luncheon will take place on December 6.
- **Emergency Management Coordinator**:
  - Met with Rogue Food Unites, contract development for responder support (meals) during disasters.
  - ADS adoption of SRP (Iloveyouguys foundation)
    - Coordinated messaging with Ashland High School and Ashland Police Department during incident at AHS Nov 13th (hoax emails and "Secure" Action)
  - New evacuation signs for each zone have been purchased and likely be installed this spring.
  - Disaster prep for senior citizens, regional meeting on December 7.
  - Oregon Shakespeare Festival safety team coordination meeting on November 15, focusing on wildfire preparedness for their employees.
  - Coordinated with the Ashland School District, Transportation Division, on becoming bus drivers in an evacuation.
- **December News:** The December 2023 newsletter is available online at **ashland.or.us/Communications**, and will be mailed out in City Utility Bills during the month of December. The newsletter contains January happenings.

FINANCE:

- Annual Financial Audit continues, will be finalized in December.
- Reminder that Utility Billing is open for in-person service at The Grove on Fridays, 9 a.m. to 1 p.m.
- Utility Assistance Program underway, applications are found at: **Utilities Assistance Programs - Utilities Customer Services - Finance - City of Ashland, Oregon.**

FIRE:

- Donated a fire engine to the Greensprings Rural Fire District – View news release on **City website**.
- Welcomed new employees:
  - **Mark Shay**, Deputy Chief Fire Marshal
  - **Tom McGowan**, Division Chief of Training
- Chief **Ralph Sartain** and Battalion Chief **Lance Menold** will be traveling to Washington, December 17 and 18, to pick up a new ambulance.
- The process to hire four more single role-EMS providers has begun.

PARKS & RECREATION:

- The Ashland Rotary Centennial Ice Rink in Lithia Park opened November 18 – The gala opening celebration, FIRST FROST, is scheduled for December 16, **ashland.or.us/IceRink**.
- APRC staff attended the Oregon Recreation and Parks Association (ORPA) conference November 6-8. They brought home three ORPA awards: Volunteer Service Award for Senior Services volunteer Kathy McNeal, Private Sector Partner Award for **Rogue World Music**, and Section for Older Adult Resources Award for Outstanding Management Staff for **Isleen Glatt**!
- Parks Commissioners unanimously approved staff pursue a parks system-wide Salmon Safe certification in partnership with SOU's (Southern Oregon University) Institute for Applied Sustainability. This Portland-based regionally focused organization will support APRC's goals of enhancing existing

land management practices to better protect salmon habitat as well as reduce erosion, increase water efficiency and improve stormwater management.

- The Conversation Clusters project launched on October 31. The news release generated attention from Channel KDRV Newswatch 12, and a Facebook post spread the word on social media. The survey will remain open until December 17.
- The Senior Services Division thanks Ashland Firefighters Local 1269 for a lovely afternoon of pie and seasonal beverages at Ashland Senior Center on November 20. The firefighters donate their personal time and funds to continue this annual tradition. Photos of the event are posted on the Ashland Parks and Recreation **Facebook** page.
- Seniors are invited to a festive Holiday Party at Ashland Senior Center on December 22, 2-3:30 p.m. Event sponsor Village at Valley View will provide festive treats, cookies and beverages. OLLI's (Osher Lifelong Learning Institute) French Caroling class will perform familiar Christmas Carols in French, and Rotary Club of Ashland will provide gifts to the first 60 people who register. Sign up at 541.488.5342.

WHAT'S COMING UP?

- **Butler-Perozzi Fountain Talk** on December 6, 5:30 p.m. at the Ashland Library
- **Project FeederWatch** at North Mountain on alternate Saturdays at 8 a.m., beginning December 9
- The **Siskiyou Singers** will hold their holiday concerts December 8-10 at the Southern Oregon University Music Recital Hall
- December 15-17, the **Rogue Valley Symphony** offers "Home for the Holidays" at the Bowmer Theatre and the **Southern Oregon Repertory Singers** hold their performances, "In Times of Softest Snow," at the SOU Music Recital Hall

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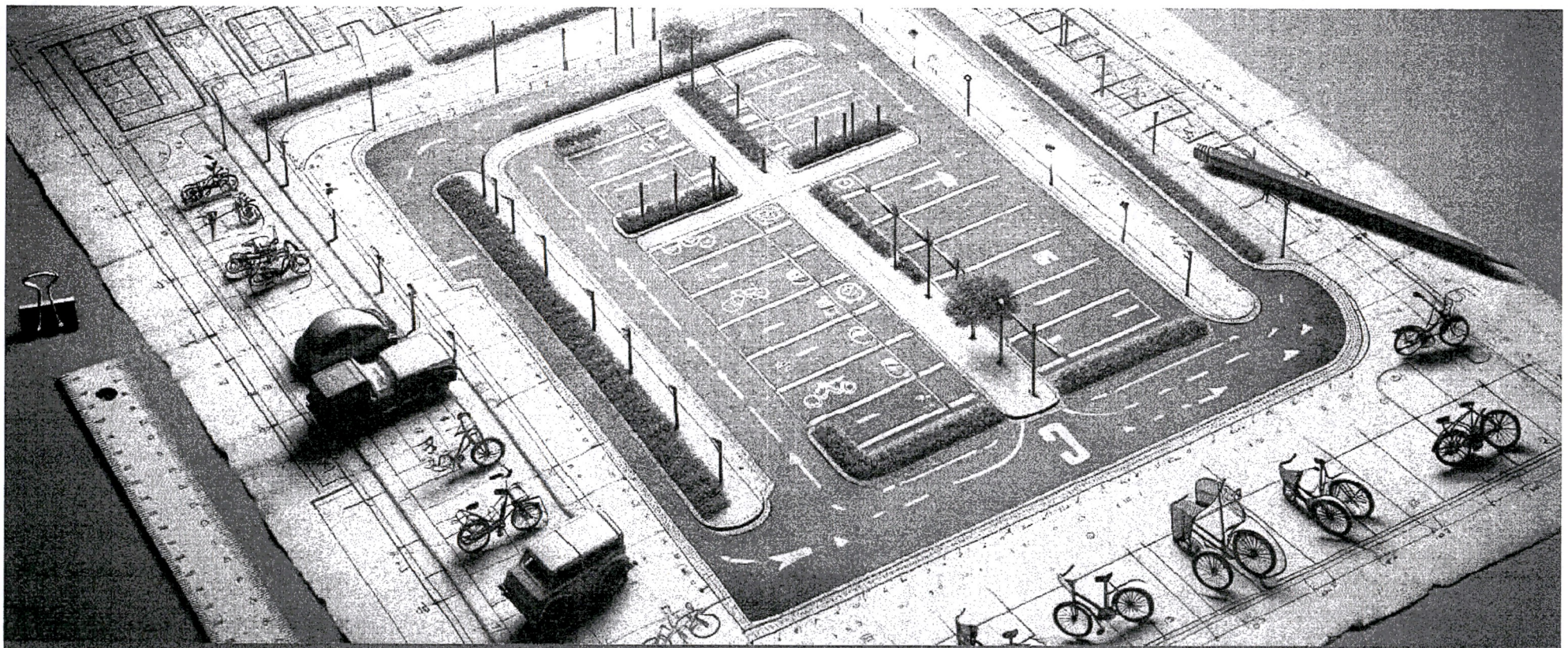

te Friendly Equitable Communities

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CFEC Parking Reforms

State Rules

- State Adopted CFEC Parking rules
- Adopted by LCDC July 2022
- Aimed at promoting climate friendly and equitable urban development
- Statewide implementation effective January 1, 2023

Select Options

- City to select approach to address parking under CFEC rules, and Draft Ordinance amendments
  - **Option 1** – Eliminate all parking mandates citywide
  - **Option 2/3** – Maintain some parking mandates (in 20% of City) and apply new detailed standards and performance measures

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  31, 2023

<table>
<tr><th>Option 1
660-012-0420</th><th colspan="2">Options 2 and 3
660-012-0425 through 0450</th></tr>
<tr><td rowspan="4">Repeal parking mandates

no additional action needed</td><td colspan="2">Reduce parking burdens – reduced mandates based on shared parking, solar panels, EV charging, car sharing, parking space accessibility, on-street parking, garage parking. Must unbundle parking for multifamily units near frequent transit. May not require garages/carports.</td></tr>
<tr><td colspan="2">Climate-friendly area parking – remove mandates in and near climate-friendly areas or adopt parking management policies; unbundle parking for multifamily units</td></tr>
<tr><td colspan="2">Cities pop. 100,000+ adopt on-street parking prices for 5% of on-street parking spaces by September 30, 2023 and 10% by September 30, 2025</td></tr>
<tr><td>Option 2
enact at least three of:
1. Unbundle parking for residential units
2. Unbundle leased commercial parking
3. Flexible commute benefit for businesses with more than 50 employees
4. Tax on parking lot revenue
5. No more than ½ parking space/unit mandated for multifamily development</td><td>Option 3

No mandates for a variety of specific uses, small sites, vacant buildings, studios/one bedrooms, historic buildings, LEED or Oregon Reach Code developments, etc.

No additional parking for changes in use, redevelopments, expansions of over 30%.

Adopt parking maximums.

No mandates within ½ mile walking distance of Climate-Friendly Areas.

Designate district to manage on-street residentia parking.</td></tr>
</table>

CFEC Parking Reforms

Climate Friendly and Equitable Communities (CFEC) rules

Aim: To help local governments in Oregon create Climate Friendly Areas (CFAs) for housing and transportation choices, aligning with Oregon's 2050 Climate Pollution Reduction Targets.

The CFEC rules require metropolitan cities (including Ashland) to reform in parking standards, promoting diverse development by addressing current parking standar

- Eliminate parking minimums and set maximum parking allowances
- Mandating bike parking spaces based on development type - Cargo-Bike a Bicycle Parking graphics updated
- Requiring new multifamily-housing/mixed-use developments to have electr conduit extended for Electric Vehicles to 40% of parking spots voluntarily pro
- Establishes tree canopy coverage and landscaping requirements for parkin



Eliminating Parking Mandates

Increased Mobility and Reduced Congestion:

- Removing parking mandates encourages mixed-use developments, reducing car travel and congestion.
- It promotes alternative transportation modes like walk cycling, and public transit.

Addressing Housing costs and affordability:

- Reducing the amount of land dedicated to automobil lower construction costs and enable the developmen more housing options.

Environmental Benefits:

- Fewer parking spaces lead to denser, walkable cities, reducing emissions and improving air quality

CFEC Parking Reforms

City of Ashland specific amendments
(not CFEC required)



CFEC Parking Reforms

City of Ashland specific amendments (not CFEC required)



- **ADA-Accessible Parking** : Require at least or accessible parking space in developments no other parking is proposed, outside of the downtown C-1-D zone, promoting accessibi (18.4.3.050)

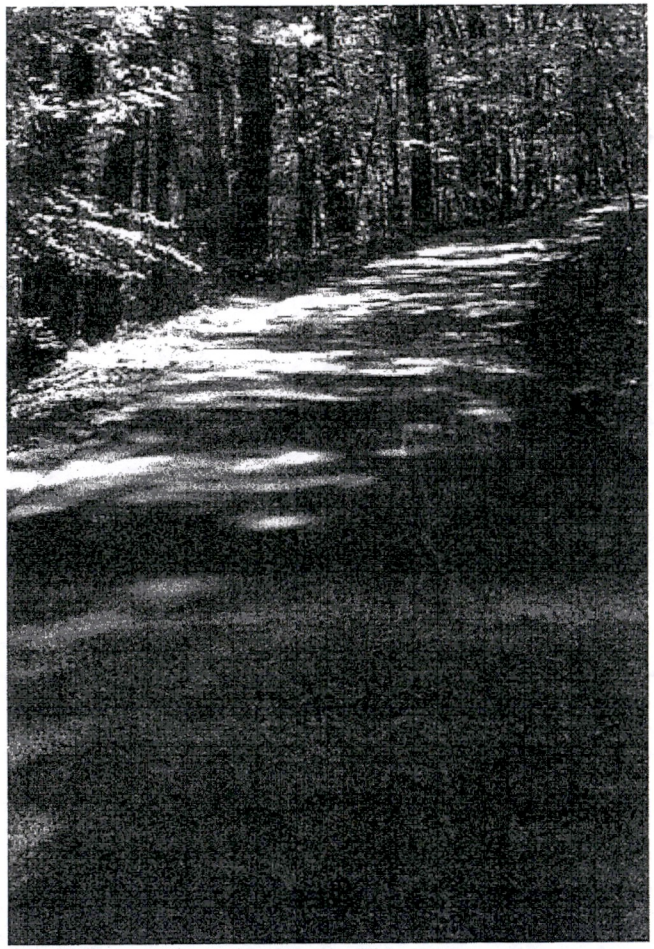
- **Conditional Use Permit for Excess Parking**: A draft code language allows applicants to re Conditional Use Permit when demand exce maximums parking space allotment, offerin flexibility in parking planning (18.4.3.030.B.2)

- **On-Street Parking in Subdivisions**: Amendec language focuses on the association of on- parking with Performance Standards Optior subdivisions, aiming to streamline and clari parking regulations in these areas. (18.3.9.06

CFEC Parking Reforms

City of Ashland specific amendments (not CFEC required)

- **Driveway Separation Standards**: Removed the 50' driveway separation requirement on neighborhood streets for lots serving three or more units, retaining the 24' separation standard for these lower order streets. (18.4.3.080.C.3.c.i)
- **Vehicular Circulation Width Standards**: Amended code for two-way and one-way vehicular circulation width, aligning with past variance approvals for consistency. (18.4.3.080.D.3)
- **Maximum Grade for Flag Drives**: Revised code to allow flag drives multiple sections to exceed a 15% grade, up to a maximum of 18%, ensuring clarity and consistency with previous variance approvals. (18.5.3.060.F)



CFEC Parking Reforms

Planning Commission Public Hearing: 11/14

- **Unanimously recommended Council adoption of Ord. 3229 as presented.**
  - Exempt C-1-D zone from ADA parking unless parking is provided
  - Requested a future study session to discuss the "unbundling parking" op
    but not recommended in the current ordinance proposal.

City Council Public Hearing & First Reading: 12/05

City Council Second Reading: 12/19

Local Adoption by 12/31/2023 Required

CFEC Parking Reforms

Appendix

City of Ashland specific amendments (not CFEC required)

On-Street Parking in Subdivisions: Amended code language focuses on the associ of on-street parking with Performance Standards Options in subdivisions, aiming tc streamline and clarify parking regulations in these areas. (18.3.9.060.A)

For all Performance Standards Subdivisions in R-1 zones, and for all Performance Standards Subdivisions in R-2 or R-3 z create or improve city streets, at least one on-street parking space per proposed lot shall be provided with the following exc

1. Where on-street parking is provided on newly created or improved streets, the total number of on-street spac should not surpass the available street frontage, with each parking space being considered equivalent to 22 fe without interruption and exclusive of designated no-parking areas.

2. Streets outside the City of Ashland's jurisdiction, such as those overseen by the State of Oregon Dep Transportation (ODOT) or Jackson County, which are improved by a development, are not required to provide on-st as outlined in this requirement if prohibited or exempted by the governing jurisdiction.

3. Lots containing cottage housing developments, housing units smaller than 750 square feet, or affordable hous subject to the requirement of providing on-street parking in Performance Standards Subdivisions.

CFEC Parking Reforms

City of Ashland specific amendments (not CFEC required)

ADA-Accessible Parking Requirement: New draft code mandates at least one ADA-accessible parking space in developments where no other parking is proposed, ensuring accessibility compliance. (18.4.3.050).



Where parking is proposed with a development the State Building Co stipulates the requisite number of accessible spaces required based the size of the parking lot.

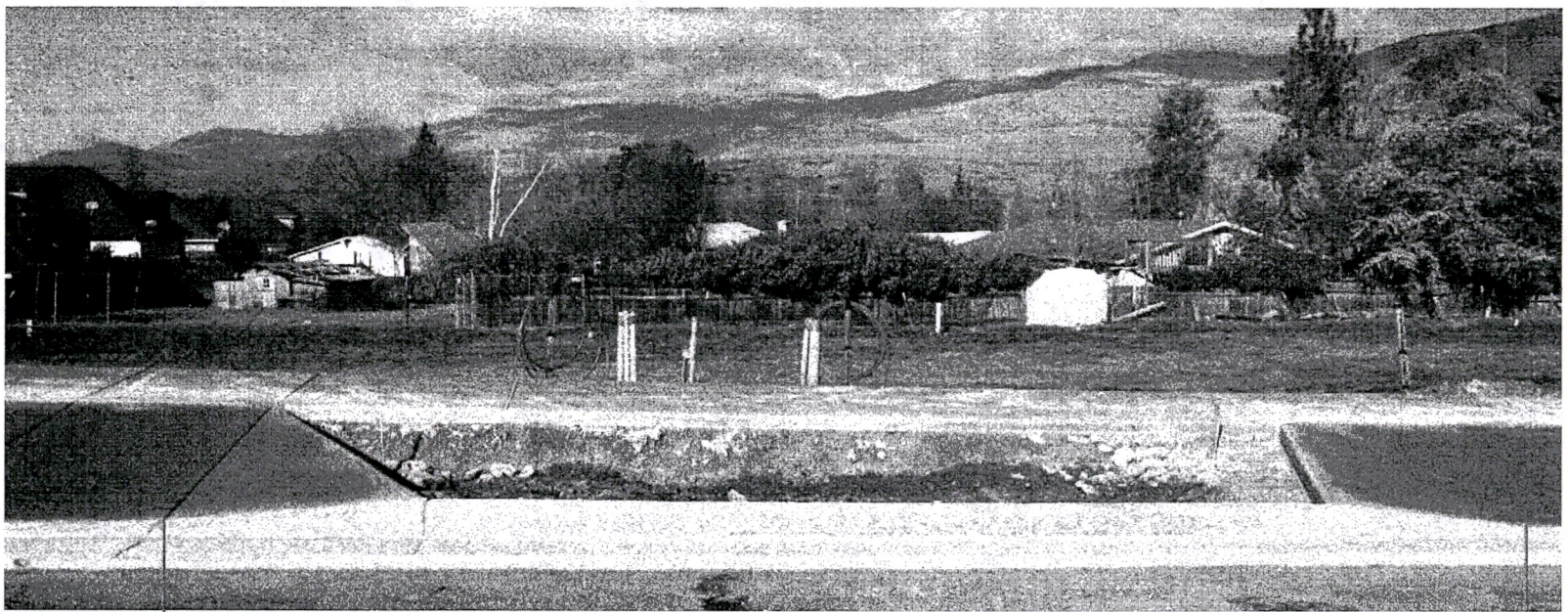
CFEC Parking Reforms

City of Ashland specific amendments (not CFEC required)

Driveway Separation Standards: Removed the 50' driveway separation requirement on neighborhood streets for lots serving three or more units, retaining the 24' separation standard for these lower order streets. (18.4.3.080.C.3.c.i)

i. Distance between driveways.

on boulevard streets:	100 feet
on collector streets:	75 feet
on neighborhood streets:	24 feet ~~fewer pe 50 feet f more un~~



CFEC Parking Reforms

City of Ashland specific amendments (not CFEC required)

Vehicular Circulation Width Standards: Amended code for two-way and one-way v
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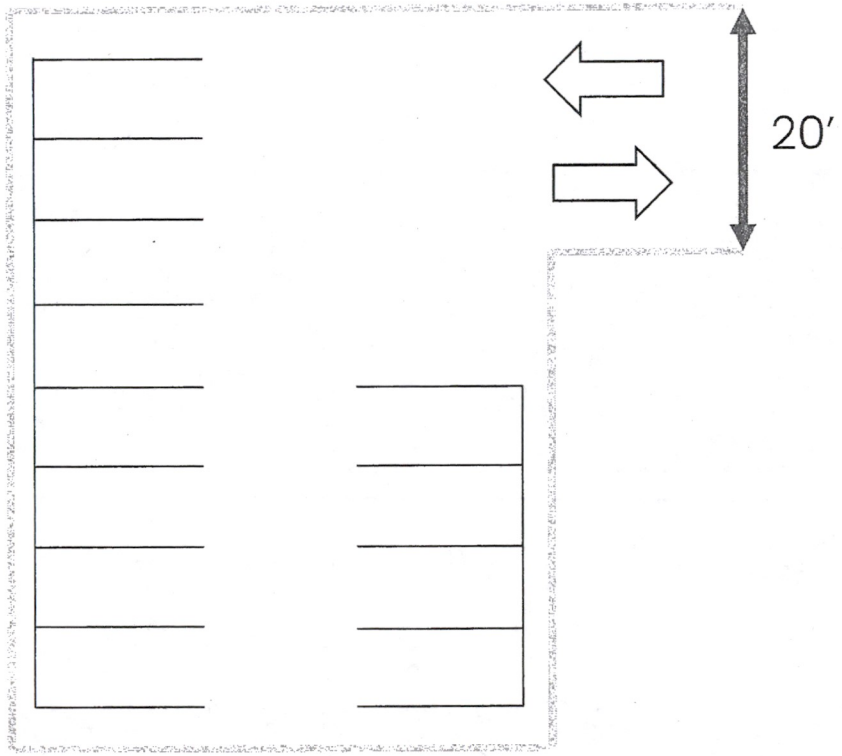
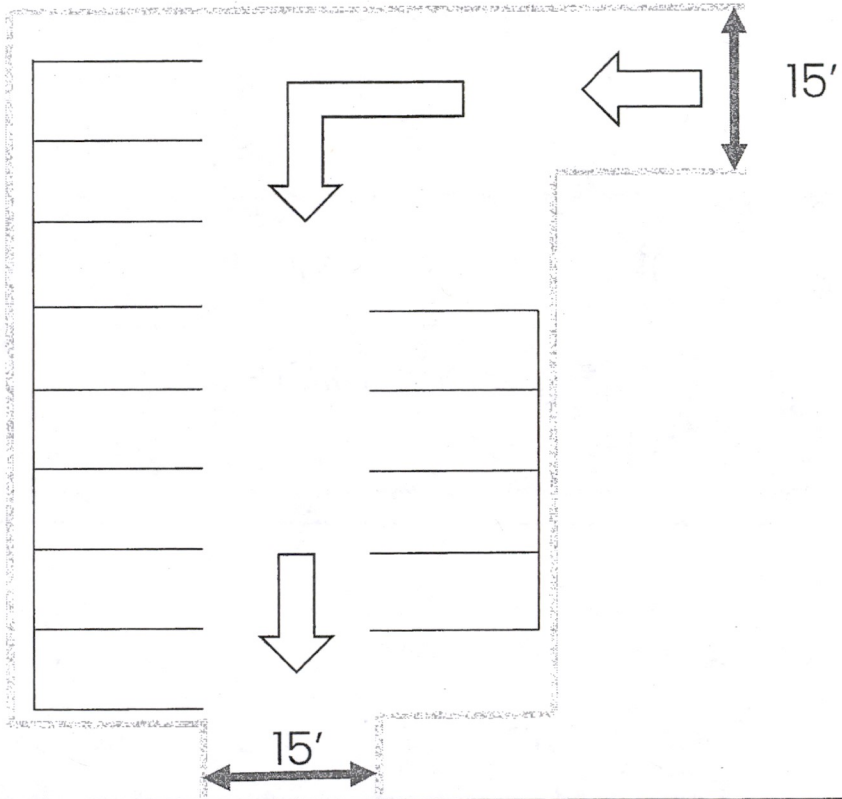
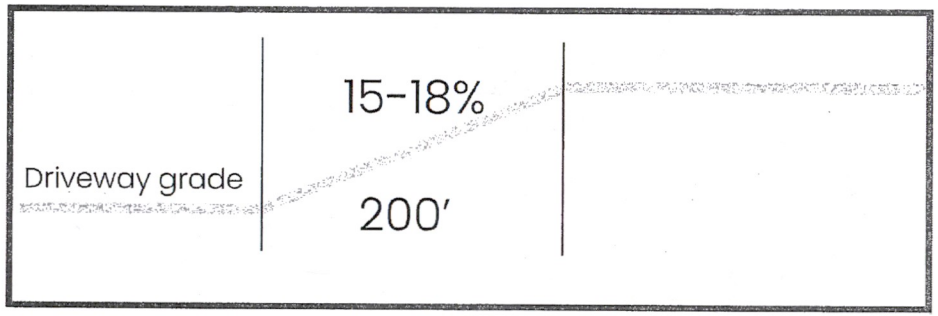


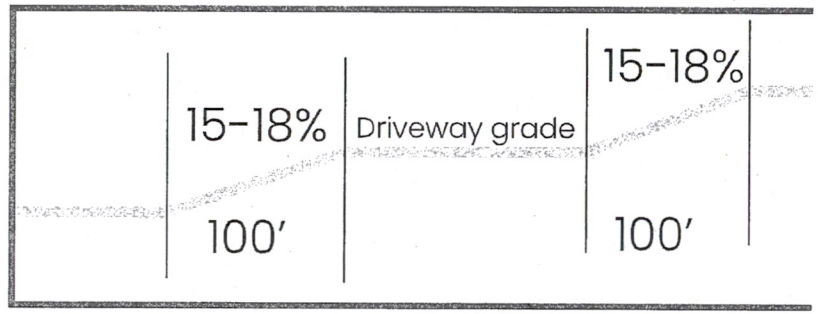


City of Ashland specific amendments (not CFEC required)

Maximum Grade for Flag Drives: Revised code to allow flag drives multiple sections exceed a 15% grade, up to a maximum of 18%, ensuring clarity and consistency with previous variance approvals. (18.5.3.060.F)



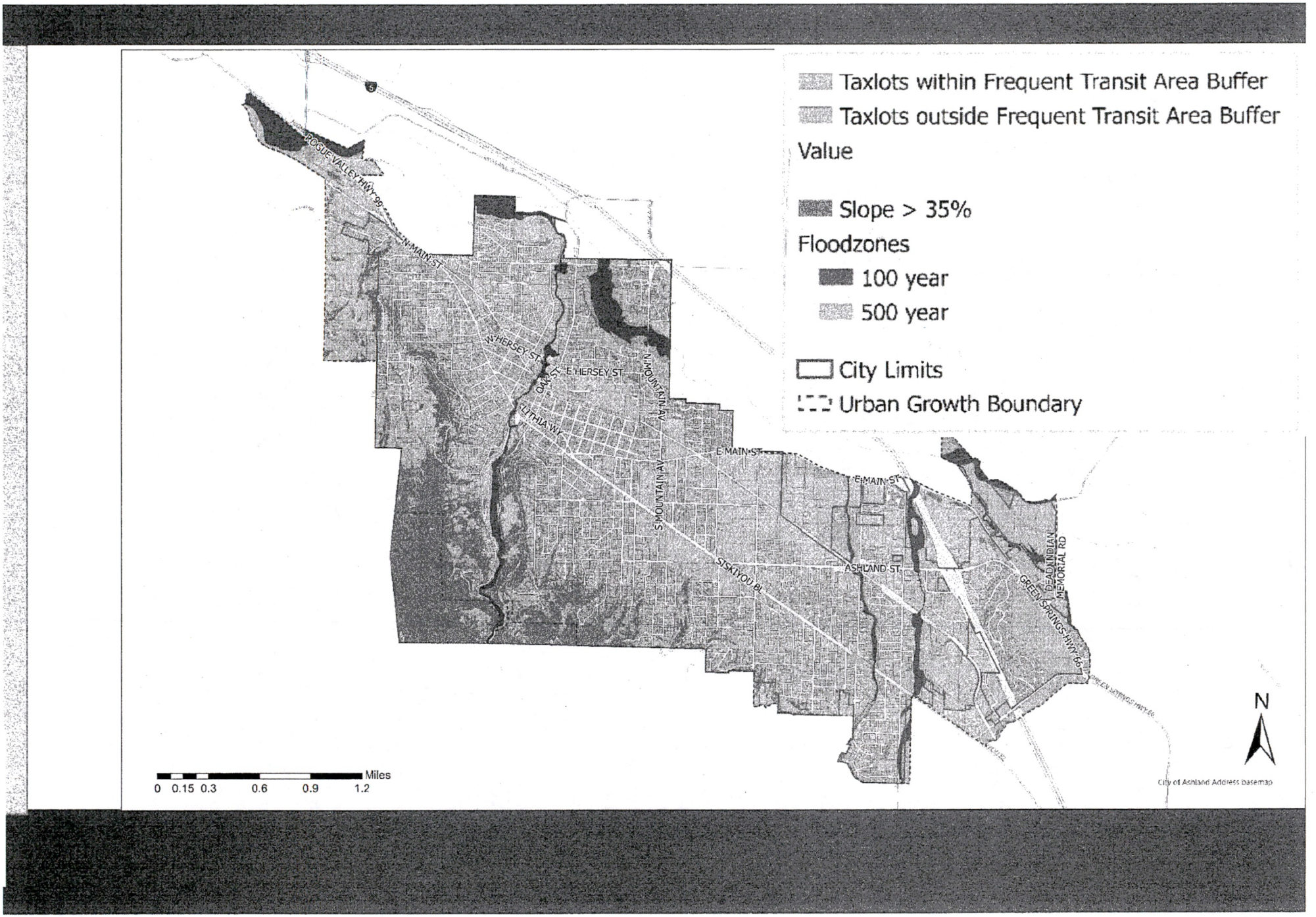
Existing



Proposed

Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess percent but no greater than 18 percent ~~***for not more than***~~ ***provided that the cumulative length of such variances across multiple sections of the flag drive does not exceed*** *200 feet. Such variances shall be required to meet all of the criteria for approval in cha 18.5.5 Variances.*

CFEC Parking Reforms


Taxlots within Frequent Transit Area Buffer
Taxlots outside Frequent Transit Area Buffer
Value
Slope > 35%
Floodzones
100 year
500 year
City Limits
Urban Growth Boundary
ROGUE VALLEY HWY 99
N MAIN ST
N HERSEY ST
E HERSEY ST
OAK ST
LITHIA WY
N MOUNTAIN AV
S MOUNTAIN AV
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GREEN SPRINGS HWY 66
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0 0.15 0.3 0.6 0.9 1.2
N
City of Ashland Address basemap

For City Council, and the broader awakened & conscious community of Ashland, Oregon

Somewhere in the bible, Jesus Christ spoke, "Do unto the least of these as you would do unto me". Now, in a society where cute deer are permitted to wander all surfaces and regions, yards and parks; to forage, rest, and defecate at will without reproach... why is it necessary to hold men, women, and children who are poor in finance but rich in spirit, at a distance from parks and community spaces?

These urban pockets of rest and reprieve were initially contrived specifically to sustain such populations, who have a love and connection to wooded green spaces. To enforce laws that ban entire regions of people from community space is unconstitutional and elitist thinking. Further, why is it that these deer are permitted to consume and exist where ever they choose, yet a traveling youth, or impoverished family are seen as law breakers, who must be criminalized and run out of a town, originally founded by tolerant and free-thinking people?

Would it be too much to perceive each free-thinking ~~person to be a~~ houseless person be seen as an individual & a divine child of God, if not mandated by our creator, than to be seen as valued equally for his or her own intrinsic being, regardless of holdings or their productivity?

In general, men should not seek to grovel simply for work, often being treated as useful serfs, or feeling relieved that they are not hunted down for their perceived inequities, by a society that has never officially learned the meaning of; "Might does not make right". A dominant section of society, with a willful set of actions, is forcing otherwise good citizens to believe they are unworthy of equality, housing, and general essential goods. This broadly is a criminal act. That there even is a constant wealthy section of the population, which dictates public policy, and demands the alteration of this quality community to be governed by golden effigies of increased property value and affluent bias, with profit laden objectives, rather than quality of life issues, is completely asinine.

As if there is a possible future in upping the cost of living to a point that the average service worker, (who is essential to the survival of the nuevo rich,) can no longer afford lodging, let alone to feed his family. In this scenario, the wealthy will be doing their own grunt work, like tottering on 40-foot ladders to scrape out their gutters, paint their three-story homes, and snaking their own rancid bile to unclog their own neglected toilets. No matter how far you stretch this logic, if you neglect to love your neighbor as yourself, (wither they're housed or not), your soul dies along with your body, & all your horded objects of desire, on this plane of existence. The question may be, is there salvation for the business woman who not only permits mothers and their families to freeze on the streets, but supports laws to keep them hundreds of feet out of vision, so any possible accountability can be further denounced?

The age-old adage, "Everyone does better when everyone does better" exists with great merit for a reason. Peoples' lives, their dignity, and their comfort, Matter. This includes not being resigned to bargain basement cots, stacked 2 feet apart, or sleeping on cement slabs in a warming shelter, on a half inch matt, crammed in rows on the floor, on the far side of the city, with minimal assistance with for other needs, so they are not stumbled over. One would expect better in this "organized and evolved society" selling its out of country imports, near closed community centers, within this society of minimal integrity, and only an illusion of humanity and sustainability.

In the words of Pete Seager, "which side are you on, boys, which side are you on?"

BY: Heron Boyce December, 2023

Council Business Meeting

December 19, 2023

Agenda Item	Second Reading and Findings Adoption Ordinance 3229 – Amending Ashland's Parking Standards & Removing Parking Mandates	
From	Brandon Goldman Derek Severson	Interim Community Development Director Senior Planner
Contact	Brandon.goldman@ashland.or.us (541) 552-2076 Derek.severson@ashland.or.us (541) 552-2040	
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

The City Council is being asked to take action on second reading of an ordinance to amend the Ashland Land Use Ordinance's parking standards to comply with the state's Climate Friendly & Equitable Communities rules. In addition, the City Council is being asked to adopt written findings which describe the basis for amending the land use code. The City Council held a public hearing and approved first reading of these land use code amendments at the December 5, 2023 meeting.

POLICIES, PLANS & GOALS SUPPORTED

The proposed elimination of minimum parking requirements in the City of Ashland aligns with several policies and goals that the city may aim to achieve:

- **Compliance with State Mandates**: The proposed changes are necessary to comply with state mandates under the Climate-Friendly and Equitable Communities rules. Ensuring compliance with state regulations is a fundamental policy goal.
- **Sustainability and Environmental Goals:** By eliminating parking mandates, the city can encourage alternative transportation options, such as walking, cycling, and public transit. This reduction in car usage can contribute to lower greenhouse gas emissions and align with sustainability and climate action goals. The retention of Bicycle Parking requirements further promotes use of alternative transportation.
- **Urban Density and Walkability:** Eliminating parking mandates can promote urban density and walkability by reducing the emphasis on car-centric planning. This supports goals related to creating more walkable and vibrant urban areas.
- **Economic Development:** Eliminating parking mandates can reduce development costs and regulatory burdens, which may attract businesses and developers, potentially spurring economic development and job growth in the city.
- **Housing affordability:** By eliminating minimum parking requirements for residential units, the city can reduce housing development costs, enabling more affordable housing options and higher-density housing, aligning with affordability goals.
- **Accessibility and Inclusion:** Focusing on accessible parking provisions for individuals with disabilities, even when there is no parking minimum requirement, demonstrates the city's

commitment to accessibility and inclusion. This aligns with goals related to creating an inclusive and accessible environment for all residents.

BACKGROUND AND ADDITIONAL INFORMATION

The Climate-Friendly and Equitable Communities (CFEC) rules, adopted by the Land Conservation and Development Commission (LCDC) in July of 2022, included substantial changes to the ways that cities can regulate parking. With the first phase of these new rules, which took effect January 1st, cities are no longer allowed to mandate off-street parking within ½-mile of frequent transit. In addition, cities can no longer mandate parking (on- or off-street) for small units (< 750 s.f.), affordable housing, single room occupancy housing, shelters, childcare facilities, or facilities for people with disabilities. Additionally, cities can no longer require more than one parking space per dwelling unit for residential developments with more than one dwelling unit.

Ordinance #3229 represents the implementation of the second phase of parking regulation adjustments required under the CFEC rules. The CFEC rulemaking process established three different options for cities to consider in amending parking regulations. Option 1, which is the path being pursued, involves eliminating parking mandates citywide while Options 2 and 3 involve a more complex and involved menu of measures which would be necessary to maintain parking mandates in the roughly 20 percent of the city that is more than ½ mile from frequent transit.

The Planning Commission conducted a number of study sessions and a public hearing and ultimately recommended that Option 1 be selected. Similarly, the Transportation Commission considered the options and, while objecting to the top-down mandate from the state, nonetheless expressed general support for Option 1 as presented. The City Council conducted a public hearing and approved first reading of the attached ordinance on December 5, 2023.

FISCAL IMPACTS

There are no direct fiscal impacts for the City resulting from the adoption of the proposed land use amendments to the parking standards.

DISCUSSION QUESTIONS

This proposed ordinance was discussed during the Council public hearing conducted on December 5, 2023, and was approved as presented and forwarded to second reading by the City Council.

SUGGESTED NEXT STEPS

Staff concurs with the Planning Commission and recommends that the Council approve the proposed ordinance and adopt the attached written findings.

Potential motions for approval of second reading of the ordinance, and for approval of the findings document are detailed below:

1. **Motion for Approval of Ordinance**

The attached ordinance in consistent with the Planning Commission recommendation.

- I move to approve second reading of Ordinance 3229, which is titled, "AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDIANCE TO REMOVE AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6"

2. **Motion for Approval of Findings of Fact**

The attached findings document was reviewed and approved by the Planning Commission.

- I move to approve the Findings of Fact and Conclusions of Law document dated November 28, 2023.

REFERENCES & ATTACHMENTS

- Draft Ordinance 3229 amending the Ashland land use ordinance to remove automobile parking mandates and amend parking standards.
- Draft Written Findings
  - Reviewed and Approved by the Planning Commission on 11/28

ORDINANCE NO. 3229

AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDIANCE TO REMOVE AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6.

Annotated to show ~~**deletions**~~ and **additions** to the code sections being modified. Deletions are **bold ~~lined through~~** and additions are in **bold underline**.

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:
Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the amendments are in compliance with OAR 660-012-0400, relating to implementation of the parking mandate reform requirements from the Climate Friendly and Equitable Communities (CFEC) rules adopted by the Land Conservation and Development Commission on July 21, 2022; and

WHEREAS, the CFEC rules require cities with populations over 10,000 to reform parking standards, plan for mixed use "climate-friendly" areas where residents, workers, and visitors can meet most of their daily needs by walking, bicycling or riding transit, and create more equitable

and accessible communities, especially for those traditionally underserved and who experience discrimination; and

WHEREAS, the City of Ashland Planning Commission considered the above-referenced recommended amendments to the Ashland Land Use Ordinance at a duly advertised public hearings on November 14, 2023, and following deliberations, recommended approval of the amendments by a vote of 5-0; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on December 5, 2023; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter.; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Ashland Municipal Code Title 18.4.3 Land Use is hereby amended as follows.

18.4.3.010 Purpose

Where automobile parking is voluntarily provided, it must meet the requirements of Chapter 18.4.3 **which also** contains requirements for ~~automobile and~~ bicycle parking**,** ~~and~~ vehicular and pedestrian access, circulation, and connectivity. The purpose **of this chapter** is to provide safe and effective access and circulation for pedestrians, bicyclists, and vehicles. For transportation improvement requirements, refer to chapter 18.4.6 Public Facilities**. While off-street parking is not required, access for emergency vehicles must be retained, and adequate accessible parking spaces, loading areas, delivery areas, pick-up/drop-off areas should be considered.**

18.4.3.020 Applicability

A. The requirements of this chapter apply to parking, access, and circulation facilities in all zones, except those specifically exempted, whenever any building is erected or enlarged, parking, access or circulation is expanded or reconfigured, or the use is changed.

~~**B. The City may require a study prepared by a qualified professional to determine offsets in parking demand, access, circulation, and other transportation impacts, pursuant to this section.**~~

~~**C. All required parking, access, and circulation facilities shall be constructed when a use is intensified by the addition of floor space, seating capacity, or change in use, or when an existing building or dwelling is altered or enlarged by the addition or creation of dwelling units or guest rooms.**~~

B~~**D**~~**. Exceptions and Variances.** Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from the standards in subsections 18.4.3.080.B.4 ~~and 5~~ , **18.4.3.080.B.5, 18.4.3.080.B.6,** and section 18.4.3.090 Pedestrian Access and Circulation are subject to 18.5.2.050.E Exception to the Site Development and Design Standards.

~~E. Variance to Parking Standard for Commercial Buildings in the Historic District. In order to preserve existing structures within the Historic District overlay while permitting the redevelopment of property to its highest commercial use, the Staff Advisor, through a Type I procedure and pursuant to section 18.5.1.050, may grant a Variance to the parking standards of section 18.4.3.040 by up to 50 percent for commercial uses within the Historic District overlay. The intent of this provision is to provide as much off-street parking as practical while preserving existing structures and allowing them to develop to their full commercial potential. The City, through this ordinance provision, finds that reuse of the building stock within the Historic District overlay is an exceptional circumstance and an unusual hardship for the purposes of granting a variance.~~

18.4.3.030 General Automobile Parking Requirements and Exceptions

~~A. Minimum Number of Off-Street Automobile Parking Spaces. Off-street parking shall be provided pursuant to one of the following three methods and shall include required Disabled Person Parking.~~

~~1. Standard Ratios for Automobile Parking. The standards in Table 18.4.3.040.~~

~~2. Unspecified Use. Where automobile parking requirements for any use are not specifically listed in Table 18.4.3.040, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.~~

~~3. Parking Demand Analysis. The approval authority through a discretionary review may approve a parking standard that is different than the standards under subsections 18.4.3.030.A.1 and 18.4.3.030.A.2, above, as follows:~~

~~a. The applicant submits a parking demand analysis with supporting data prepared by a professional engineer, planner, architect, landscape architect, or other qualified professional;~~

~~b. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public~~

~~parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The parking demand analysis option may be used in conjunction with, or independent of, the options provided under section 18.4.3.060, Parking Management Strategies.~~

~~c. The review procedure shall be the same as for the main project application.~~

~~B~~ **A.** Maximum Number of Off-Street Automobile Parking Spaces. ~~The number of spaces provided by any particular use in ground surface lots shall not exceed the number of spaces required by this chapter by more than ten percent.~~ **Voluntarily provided off-street automobile parking spaces shall not exceed the maximum number of spaces listed in Table 18.4.3.040 'Parking Spaces by Use'.**

1. Automobile ~~S~~spaces provided on-street, or within the ~~building~~ footprint of structures, such as in rooftop parking or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

2. Construction of additional off-street parking spaces. in excess of the maximum parking spaces established by use, as specified in Table 18.4.3.040, requires approval of a Conditional Use Permit under chapter 18.5.4.

~~C. Commercial Downtown Zone. All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.~~

~~D. North Mountain Plan District. Within the Neighborhood Central zone of the North Mountain (NM) Neighborhood Plan district, all uses are exempt from the off-street parking requirements of this section, except that residential uses are required to provide a minimum of one parking space per residential unit. (Ord. 3167 § 11, amended, 12/18/2018)~~

18.4.3.040 ~~Parking Ratios~~ **Vehicle and Bicycle Quantity Standards**

Except as provided by section 18.4.3.030, the standard ratios required for ~~automobile~~ parking are as follows, **as are the maximum allowances for voluntarily provided off-street automobile spaces.** Fractional spaces shall be rounded up to the next whole number. See also accessible parking space requirements in section 18.4.3.050.

~~Table 18.4.3.040. Parking Spaces by Use~~

~~Use Categories~~	~~Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)~~
~~Residential Categories~~	~~See definition of dwelling types in section 18.6.1.030.~~
~~Single-Family Dwellings~~	~~2 spaces for detached dwelling units and the following for attached dwelling units:~~ ~~a. Studio units or 1-bedroom units less than 500 sq. ft. – 1 space/unit.~~ ~~b. 1-bedroom units 500 sq. ft. or larger – 1.50 spaces/unit.~~ ~~c. 2-bedroom units – 1.75 spaces/unit.~~ ~~d. 3-bedroom or greater units – 2.00 spaces/unit.~~
~~Accessory Residential Unit~~	~~No additional parking spaces required. See definition of accessory residential unit in section 18.6.1.030.~~
~~Duplex~~	~~a. 2 spaces per duplex meeting the standards in section 18.2.3.110. See definition of duplex in section 18.6.1.030.~~ ~~b. Use multifamily dwelling parking ratio for duplex not meeting the standards of section 18.2.3.110. See definition of duplex in section 18.6.1.030.~~
~~Multifamily Dwellings~~	~~a. Studio units or 1-bedroom units less than 500 sq. ft. – 1 space/unit.~~ ~~b. 1-bedroom units 500 sq. ft. or larger – 1.50 spaces/unit.~~

Use Categories	Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)
	c. 2-bedroom units—1.75 spaces/unit. d. 3-bedroom or greater units—2.00 spaces/unit. e. Retirement complexes for seniors 55 years or greater—1 space per unit. f. Transit Triangle (TT) overlay option developments, see chapter 18.3.14.
Cottage Housing	a. Units less than 800 sq. ft.—1 space/unit. b. Units greater than 800 sq. ft. and less than 1,000 sq. ft.—1.5 spaces/unit. c. Units greater than 1,000 sq. ft.—2.00 spaces/unit. d. Retirement complexes for seniors 55 years or greater—1 space per unit.
Manufactured Housing	Parking for a manufactured home on a single-family lot is same as a single-family dwelling; for manufactured housing developments, see sections 18.2.3.170 and 18.2.3.180.
Performance Standards Developments	See chapter 18.3.9.
Commercial Categories	
Auto, boat or trailer sales, retail nurseries and other outdoor retail uses	1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and 1 space per 2 employees.
Bowling Alleys	3 spaces per alley, plus 1 space for auxiliary

~~Use Categories~~	~~Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)~~
	~~activities set forth in this section.~~
~~Chapels and Mortuaries~~	~~1 space per 4 fixed seats in the main chapel.~~
~~Hotels~~	~~1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.~~
~~Offices~~	~~General Office: 1 space per 500 sq. ft. floor area.~~
	~~Medical/Dental Office: 1 space per 350 sq. ft. floor area.~~
~~Restaurants, Bars, Ice Cream Parlors, Similar Uses~~	~~1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.~~
~~Retail Sales and Services~~	~~General: 1 space per 350 sq. ft. floor area.~~
	~~Furniture and Appliances: 1 space per 750 sq. ft. floor area.~~
~~Skating Rinks~~	~~1 space per 350 sq. ft. of gross floor area.~~
~~Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses~~	~~1 space per 4 seats.~~
~~Travelers' Accommodations~~	~~1 space per guest room, plus 2 spaces for the owner or manager.~~
~~Industrial Categories~~	
~~Industrial, Manufacturing and Production, Warehousing and Freight~~	~~1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees, whichever is less, plus 1 space per company vehicle.~~

~~Use Categories~~	~~Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)~~
~~Institutional and Public Categories~~	
~~Aircraft Hangar – Ashland Municipal Airport~~	~~1 space per hangar or 1 space per 4 aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.~~
~~Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories~~	~~2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.~~
~~Daycare~~	~~1 space per 2 employees; a minimum of 2 spaces is required.~~
~~Golf Courses~~	~~Regular: 8 spaces per hole, plus additional spaces for auxiliary uses.~~
	~~Miniature: 4 spaces per hole.~~
~~Hospital~~	~~2 spaces per patient bed.~~
~~Nursing and Convalescent Homes~~	~~1 space per 3 patient beds.~~
~~Public Assembly~~	~~1 space per 4 seats.~~
~~Religious Institutions and Houses of Worship~~	~~1 space per 4 seats.~~
~~Rest Homes, Homes for the Aged, or Assisted Living~~	~~1 space per 2 patient beds or 1 space per apartment unit.~~
~~Schools~~	~~Elementary and Junior High: 1.5 spaces per~~

~~Use Categories~~	~~Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)~~
	~~classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater.~~
	~~High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater.~~
	~~Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per 5 students the school is designed to accommodate, plus requirements for on-campus student housing.~~
~~Other Categories~~	
~~Temporary Uses~~	~~Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and design standards for temporary uses.~~

Table 18.4.3.040. Automobile and Bike Parking Spaces by Use

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
Residential Categories	**See definition of dwelling**	

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
	types in section 18.6.1.030.	
Single-Family Dwellings, Accessory Residential Units and Duplexes	No maximum.	No bike parking requirements.
Multifamily Dwellings	A maximum of 2 spaces per multifamily dwelling unit.	a. Dwellings with an individual garage are not required to provide bike parking. b. 1 sheltered space per studio/1 bedroom c. 1.5 sheltered spaces per 2 bedrooms d. 2 sheltered spaces per 3 bedrooms e. Senior housing. 1 sheltered space per 8 dwelling units
Cottage Housing	A maximum of 1.5 spaces per cottage.	1 sheltered space per cottage.
Manufactured Housing	A maximum of 2 spaces.	2 sheltered spaces per manufactured dwelling without a garage.
Performance Standards Developments	See chapter 18.3.9.	

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
Commercial Categories		
Auto, boat or trailer sales, retail nurseries and other outdoor retail uses	A maximum of 1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and a maximum of 1 space per 2 employees.	1 per 5,000 sq. ft. of sales area
Bowling Alleys	A maximum of 3 spaces per alley, plus additional spaces for auxiliary uses.	1 per 2 per alleys
Chapels and Mortuaries	A maximum of 1 space per 4 fixed seats in the main chapel.	1 per 20 seats
Hotels	A maximum of 1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.	1 per 5 guest rooms
Offices	General Office: A maximum of 1 space per 500 sq. ft. floor area.	1 per 2,500 sq. ft. office

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
	Medical/Dental Office: A maximum of 1 space per 350 sq. ft. floor area.	1 per 1,750 sq. ft. office
Restaurants, Bars, Ice Cream Parlors, Similar Uses	A maximum of 1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is more	1 per 20 seats or 1 per 500 sq. ft. of gross floor area, whichever is less.
Retail Sales and Services	General: A maximum of 1 space per 350 sq. ft. floor area.	1 per 1,000 sq. ft. floor area
	Furniture and Appliances: A maximum of 1 space per 750 sq. ft. floor area.	1 per 2,500 sq. ft. floor area
Skating Rinks	A maximum of 1 space per 350 sq. ft. of gross floor area.	1 per 1,000 sq. ft. floor area
Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses	A maximum of 1 space per 4 seats.	1 per 10 seats
Travelers' Accommodations	A maximum of 1 space per guest room, plus 2 spaces for the owner or manager.	1 per 10 guest rooms
Industrial Categories		
Industrial, Manufacturing and Production, Warehousing	A maximum of 1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2	1 per 5,000 sq. ft. floor area

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
and Freight	employees, whichever is more , plus 1 space per company vehicle.	
Institutional and Public Categories		
Aircraft Hangar – Ashland Municipal Airport	Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.	Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.
Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories	A maximum of 2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.	1 per 5 guest rooms
Child Care Facilities	A maximum of 1 space per 2 employees, plus 1 space per 10 children the facility is designed to accommodate.	Home: None Commercial: 1 per classroom
Golf Courses	Regular: A maximum of 8 spaces per hole, plus additional spaces for auxiliary uses.	0.5 per hole
	Miniature: A maximum of 4 spaces per hole.	1 per hole

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
Hospital	A maximum of 2 spaces per patient bed.	1 per 2,000 sq. ft.
Nursing and Convalescent Homes	A maximum of 1 space per 3 patient beds.	1 per 5 employees
Public Assembly	A maximum of 1 space per 4 seats.	1 per 20 seats
Religious Institutions and Houses of Worship	A maximum of 1 space per 4 seats.	1 per 20 seats in main assembly area
Rest Homes, Homes for the Aged, or Assisted Living	A maximum of 1 space per 2 patient beds or 1 space per apartment unit.	1 per 5 employees
Schools	Elementary and Junior High: A maximum of 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater.	Preschool: 1 per classroom Elementary and Junior High: 6 per classroom
	High Schools: A maximum of 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater.	High school: 6 per classroom
	Colleges, Universities and	1 per 3 students/staff

Use Categories	Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces (fractional spaces shall be rounded up to next whole number)	Minimum Number of Bike Parking Spaces per Land Use (fractional spaces shall be rounded up to next whole number)
	Trade Schools: A maximum of 1.5 spaces per classroom, plus 1 space per 5 students the school is designed to accommodate, plus requirements for on-campus student housing.	
Other Categories		
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and design standards for temporary uses.	Bike parking standards will be determined the same as primary uses, except that the City decision-making body may reduce or waive certain development and design standards for temporary uses.
Transit Station	Automobile parking maximums are determined through the discretion of the City decision-making body.	4 per 10 automobile parking spaces
Park and Ride	Automobile parking maximums are determined through the discretion of the City decision-making body.	4 per 10 automobile parking spaces

(**Ord 3229, amended 12/19/2023;** Ord. 3199 § 21, amended, 06/15/2021; Ord. 3191 § 23, amended, 11/17/2020; Ord. 3167 § 12, amended, 12/18/2018; Ord. 3155 § 9, amended, 07/17/2018; Ord. 3147 § 7, amended, 11/21/2017)

18.4.3.050 Accessible Parking Spaces

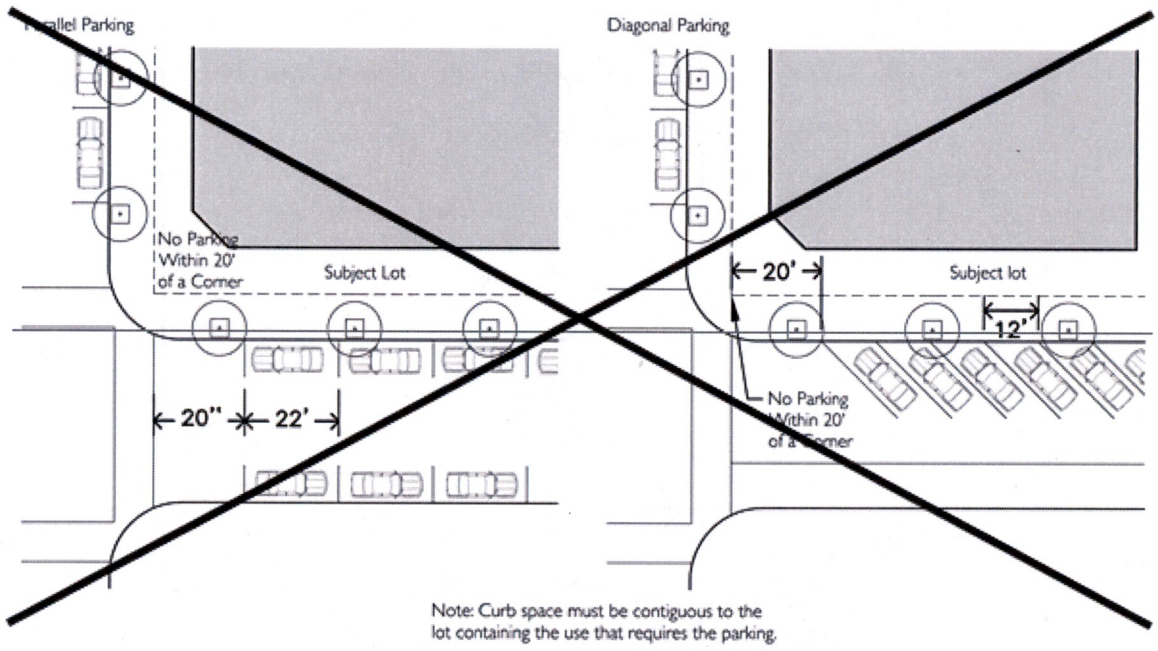
Where off-street vehicle parking is voluntarily provided, it must include the required number of accessible vehicle parking spaces as specified by the state building code and federal standards. Such parking spaces must be sized, signed, and marked as required by these regulations and in compliance with ORS 447. In cases where no parking spaces are voluntarily proposed, outside of the C-1-D zone, for commercial, industrial, public use, mixed-use, and multifamily developments with three or more dwelling units, it is mandatory to provide at least one accessible parking space. Accessible parking shall be provided consistent with the requirements of the building code, including but not limited to the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.. Accessible parking shall be included and identified on the planning application submittals.

~~**18.4.3.060 Parking Management Strategies**~~

~~**Except for detached single-family dwellings and duplexes, the off-street parking spaces may be reduced through the application of the following credits. The total maximum reduction in off-street parking spaces is 50 percent, except as allowed for off-site shared parking credits in subsection 18.4.3.060.E, below. The approval authority shall have the discretion to adjust the proposed off-street parking reduction based upon site specific evidence and testimony, and may require a parking analysis prepared by a qualified professional. See subsection 18.4.3.030.A.3 for parking analysis requirements.**~~

~~**A. On-Street Parking Credit. Credit for on-street parking spaces may reduce the required off-street parking spaces up to 50 percent, as follows.**~~

~~**1. Credit. One off-street parking space credit for one on-street parking space meeting the standards of subsections 2-4, below. See Figure 18.4.3.060.A.1.**~~



~~Figure 18.4.3.060.A.1. On-Street Parking Credit~~

~~2. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45-degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department.~~

~~a. Parallel parking, each 22 feet of uninterrupted curb.~~

~~b. 45-degree diagonal, each 12 feet of uninterrupted curb.~~

~~3. Location.~~

~~a. Curb space must be contiguous to the lot containing the use that requires the parking.~~

~~b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.~~

c. Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the street standards in section 18.4.6.040.

d. Parking spaces may not be counted that are within 200 feet of a C-1-D or SOU zone.

e. Parking spaces may not be counted that are required as on-street parking in accordance with section 18.3.9.060 in a development under the Performance Standards Option.

4. Availability. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. Alternative Vehicle Parking. Alternative vehicle parking facilities may reduce the required off-street parking spaces up to 25 percent, as follows:

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.

2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

3. Microcar parking. One off-street parking space credit for two microcar parking spaces. Microcar spaces shall be designed so that one full-size automobile can use two microcar spaces, and the microcar spaces shall not be limited in use by hours or type of vehicle through signage or other legal instrument.

C. Mixed Uses. In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, in which case the mixed-use credit may reduce the off-street parking requirement by a percentage equal to the reduced parking demand. A mixed-use parking credit may reduce the required off-street parking spaces up to 50 percent.

~~D. Joint Use of Facilities. Required parking facilities of two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use. Jointly used parking facilities may reduce the required off-street parking spaces up to 50 percent.~~

~~E. Off-Site Shared Parking. One off-street parking space credit for every one parking space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking. Off-site shared parking facilities may reduce the required off-street parking spaces up to 100 percent.~~

~~F. TDM Plan Credit. Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long-term parking demand by a percentage equal to the credit requested. A TDM plan may reduce the required off-street parking spaces up to 50 percent.~~

~~G. Transit Facilities Credit. Sites where at least 20 spaces are required and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas as follows. A Transit Facilities Credit may reduce the required off-street parking spaces up to 50 percent.~~

~~1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on site.~~

~~2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.~~

~~3. Existing parking areas may be converted to take advantage of these provisions.~~

~~4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.~~

~~5. The plaza must be at least 300 square feet in area and be shaped so that a ten-foot by ten-foot (10 feet X 10 feet) square will fit entirely in the plaza.~~

~~6. The plaza must include all of the following elements:~~

~~a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza.~~

~~b. A bench or other sitting area with at least five linear feet of seating.~~

~~c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by this ordinance. (Ord. 3199 § 22, amended, 06/15/2021; Ord. 3167 § 13, amended, 12/18/2018; Ord. 3155 § 10, amended, 07/17/2018)~~

18.4.3.070 Bicycle Parking Standards

A. Applicability and Minimum Requirement. All uses, with the exception of ~~residential units~~ **single family residences, accessory residential units and duplexes** ~~with a garage~~ and uses in the C-1-D zone, are required to provide ~~a~~ **the** minimum ~~of two sheltered~~ bike parking spaces **required in Table 18.4.3.030.** ~~pursuant to this section.~~ The required bicycle parking shall be constructed when an existing residential building or dwelling is altered or enlarged by the addition or creation of dwelling units, or when a non-residential use is intensified by the addition of floor space, seating capacity, or change in use.

~~B. Calculation. Fractional spaces shall be rounded up to the next whole space.~~

~~C. Bicycle Parking for Residential Uses. Every residential use of two or more dwelling units per structure and not containing a garage for each dwelling shall provide bicycle parking spaces as follows.~~

~~1. Multi-Family Residential. One sheltered space per studio unit or one-bedroom unit; 1.5 sheltered spaces per two-bedroom unit; and two sheltered spaces per three-bedroom unit.~~

~~2. Senior Housing. One sheltered space per eight dwelling units where 80 percent of the occupants are 55 or older.~~

~~D. Bicycle Parking for Non-Residential Uses. Uses required to provide off street parking, except as specifically noted, shall provide two spaces per primary use, or one bicycle parking space for every five required automobile parking spaces, whichever is greater. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve.~~

~~E. Bicycle Parking for Parking Lots and Structures. All public parking lots and structures shall provide two spaces per primary use, or one bicycle parking space for every five automobile parking spaces, of which 50 percent shall be sheltered.~~

~~F. Primary and Secondary Schools. Elementary, Junior High, Middle, and High Schools shall provide one sheltered bicycle parking space for every five students.~~

~~G. Colleges, Universities, and Trade Schools. Colleges, universities, and trade schools shall provide one bicycle parking space for every five required automobile parking spaces, of which 50 percent shall be sheltered.~~

~~H. No Fee for Use. No bicycle parking spaces required by this standard shall be rented or leased, however, a refundable deposit fee may be charged. This does not preclude a bike parking rental business.~~

~~I~~ **C. Bicycle Parking Design Standards.**

1. Bicycle parking shall be located so that it is visible to and conveniently accessed by cyclists, and promotes security from theft and damage.

2. Bicycle parking requirements, pursuant to this section, can be met in any of the following ways.

   a. Providing bicycle racks or lockers outside the main building, underneath an awning or marquee, or in an accessory parking structure.

   b. Providing a bicycle storage room, bicycle lockers, or racks inside the building.

c. Providing bicycle racks on the public right of way, subject to review and approval by the Staff Advisor.

3. All required exterior bicycle parking shall be located on-site and within 50 feet of a regularly used building entrance and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use. For facilities with multiple buildings, building entrances or parking lots (such as a college), exterior bicycle parking shall be located in areas of greatest use and convenience for bicyclists.

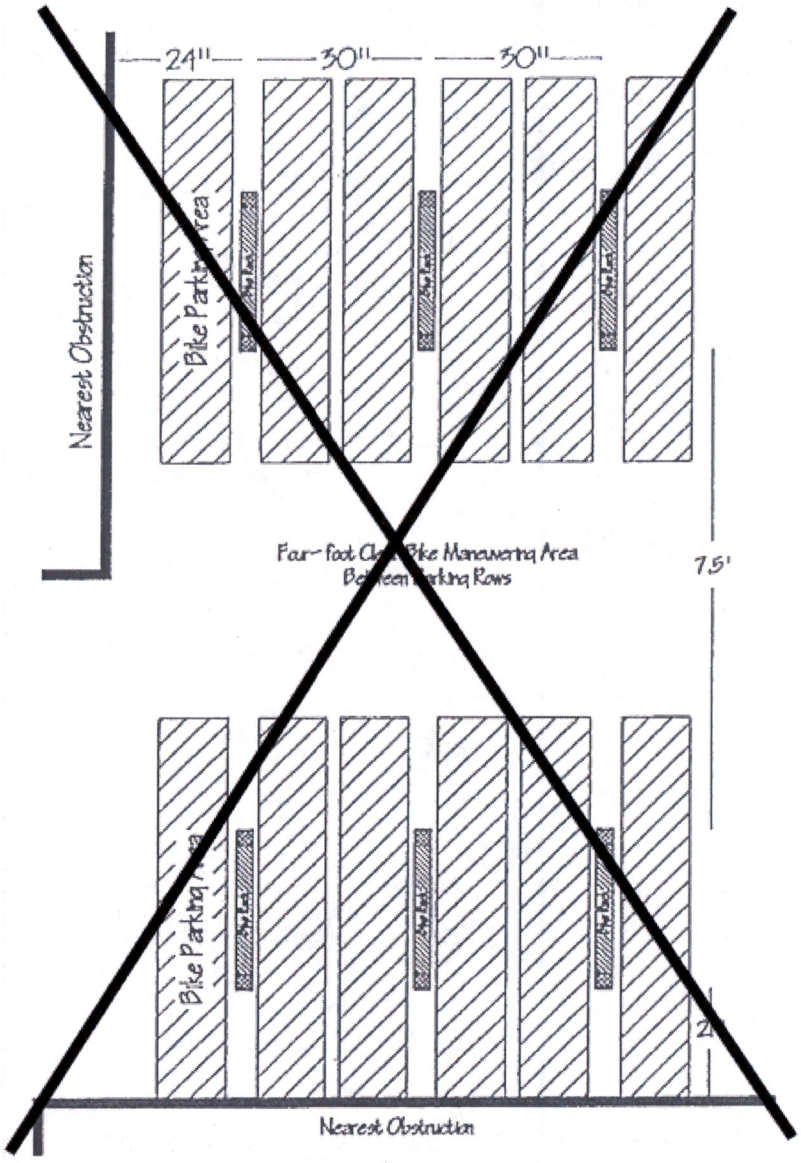
4. Required bicycle parking spaces located out ~~of~~ doors shall be visible enough to provide security. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated**, well-lit,** and visible from adjacent walkways or motor vehicle parking lots during all hours of use. ~~**Bicycle parking shall be at least as well lit as automobile parking.**~~

5. Paving and Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as the automobile parking area or with a minimum of two inch thickness of hard surfacing (i.e., asphalt, concrete, pavers, or similar material) and shall be relatively level. This surface will be maintained in a smooth, durable, and well-drained condition

6. Bicycle parking located outside the building shall provide and maintain an aisle for bicycle maneuvering between each row of bicycle parking. Bicycle parking including rack installations shall conform to the minimum clearance standards as illustrated in Figure ~~**18.4.3.070.I.6.**~~**18.4.3.070.C.6**

a. Bicycle parking must be installed in a manner to allow space for the bicycle to be maneuvered to a position where it may be secured without conflicts from other parked bicycles, walls, or other obstructions.

b. Bicycle parking should include sufficient bicycle parking spaces to accommodate large bicycles, including family and cargo bicycles.



~~Figure 18.4.3.070.I.6.~~

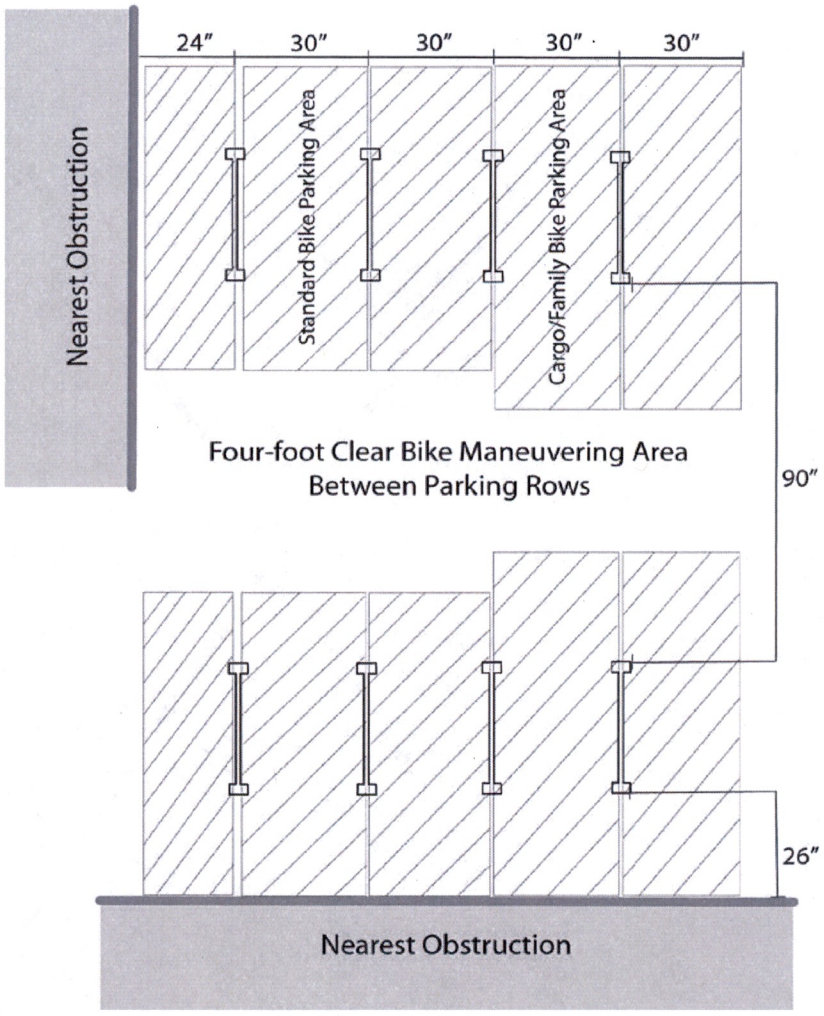


Figure 18.4.3.070.C.6 Bike Parking Layout

7. A bicycle parking space located inside of a building for employee bike parking shall be a minimum of six feet long by three feet wide by four feet high.

8. Each required bicycle parking space shall be accessible without moving another bicycle.

9. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.

10. Sheltered parking shall mean protected from all precipitation and must include the minimum protection coverages as illustrated in Figure ~~18.4.3.070.I.10~~ **18.4.3.070.C.10.a**

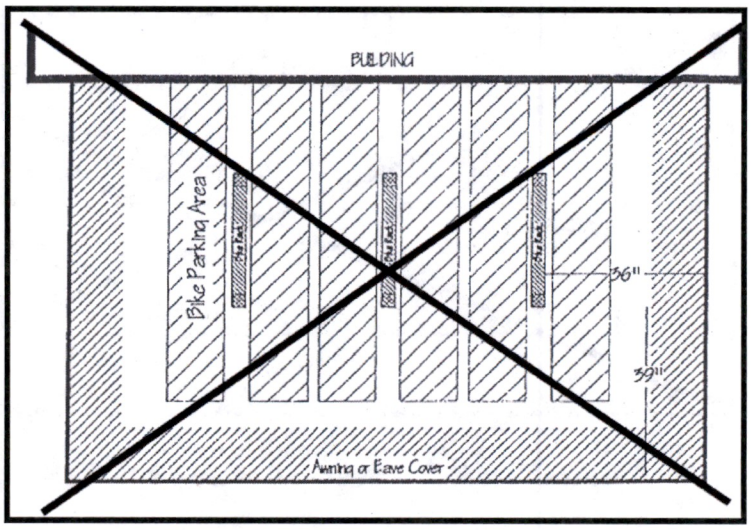
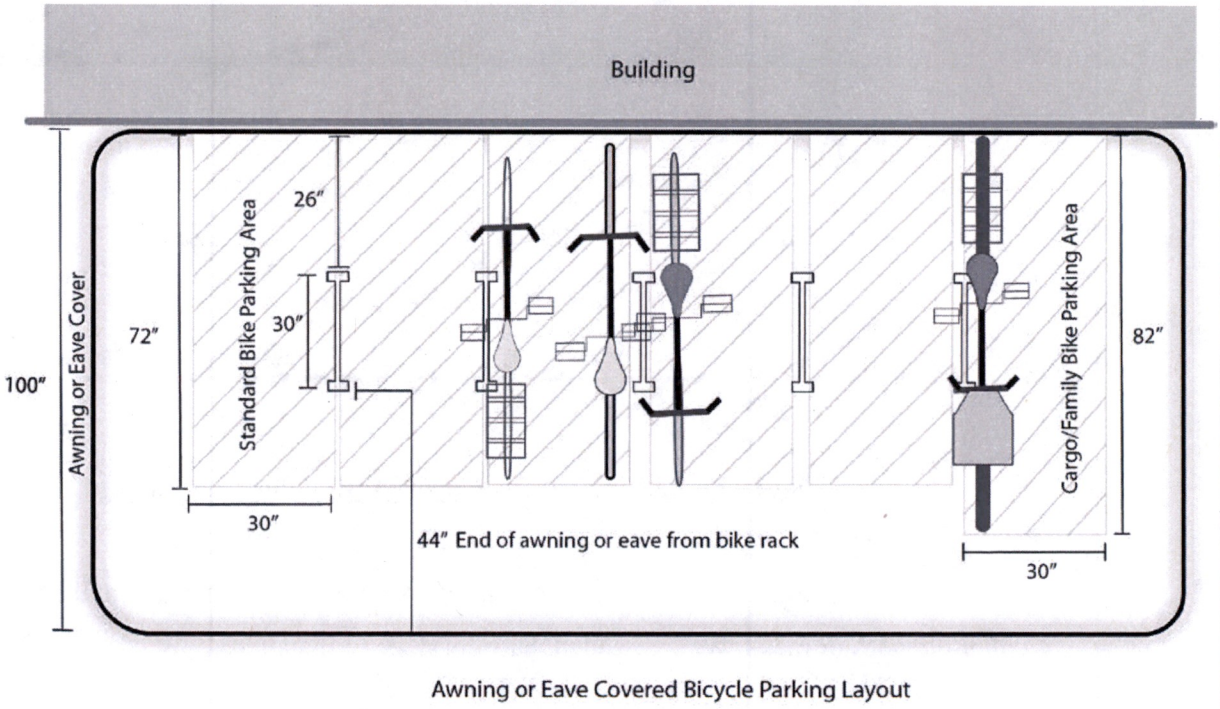
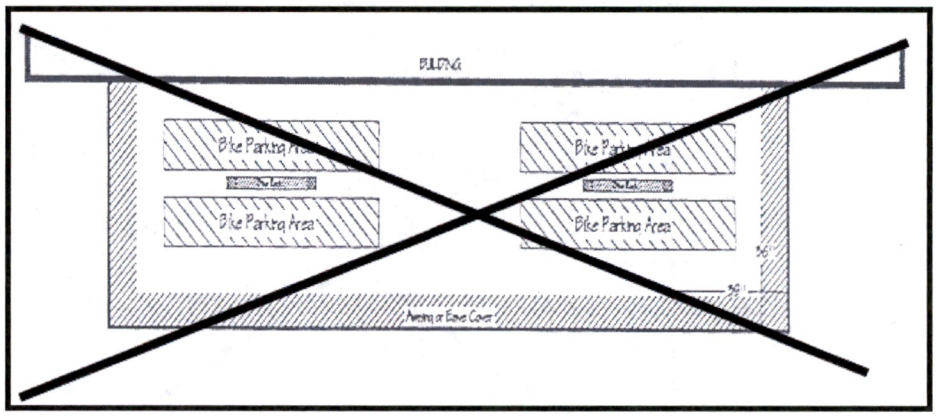


Figure ~~18.4.3.070.I.10.a~~.



Awning or Eave Covered Bicycle Parking Layout

18.4.3.070.C.10.a. Covered Bike Parking Layout



~~Figure 18.4.3.070.I.10.b Covered Bike Parking Layout~~

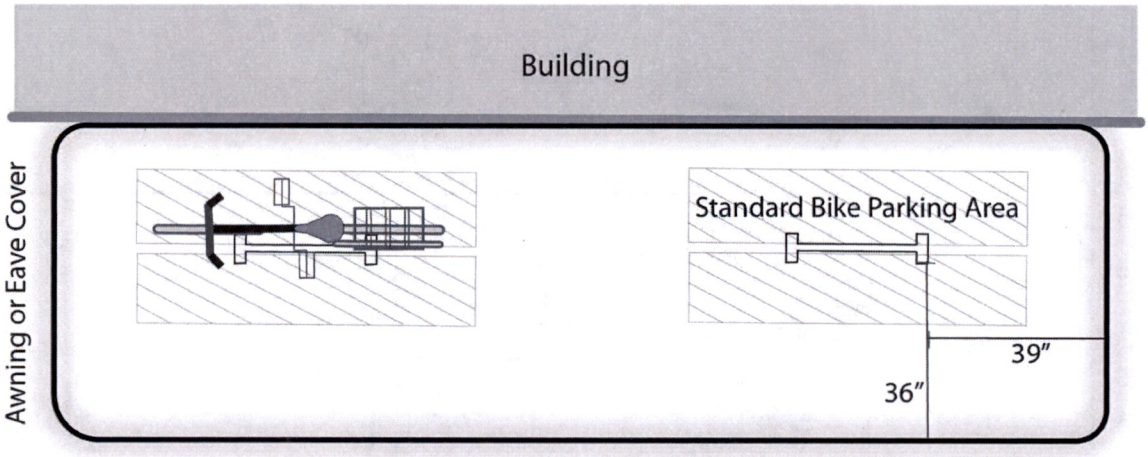


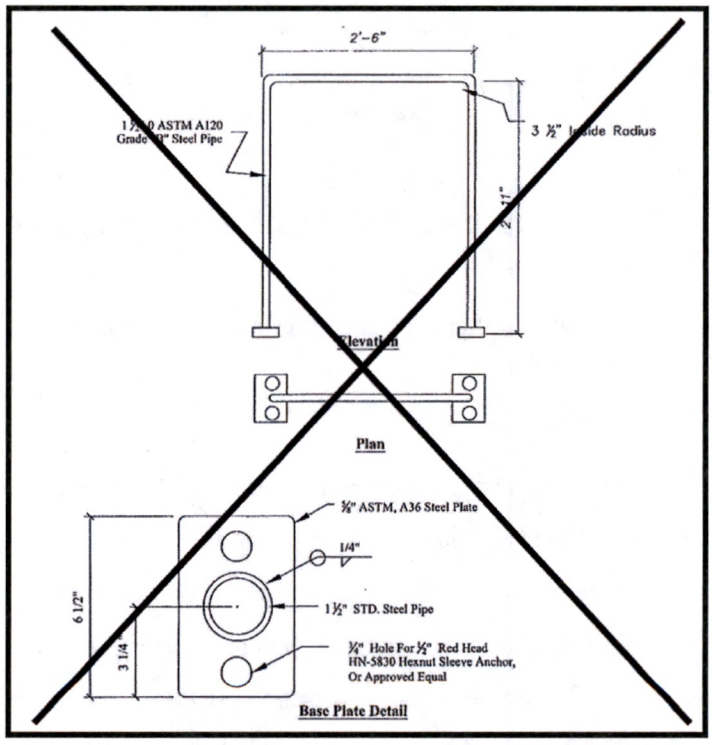
Figure 18.4.3.070.C.10.b. Covered Bike Parking Layout

11. Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.

12. Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be located so as to violate the vision clearance standards of section 18.2.4.050. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.

~~J~~ **D. Bicycle Parking Rack Standards.** The intent of the following standards is to ensure that required bicycle racks are designed so that bicycles may be securely locked to them without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

1. Bicycle parking racks shall consist of staple-design or inverted-u steel racks meeting the individual rack specifications as illustrated in Figure ~~18.4.3.070.J.1~~ **18.4.3.070.D.1**. The Staff Advisor, **in consultation with the Public Works Director,** ~~following review by the Transportation Commission,~~ may approve alternatives to the above standards. Alternatives shall conform to all other applicable standards of this section **including accommodating large bicycles, family bicycles, or cargo bicycles so they may be secured by at least two points, and providing adequate shelter and lighting**.



~~Figure 18.4.3.070.J.1. Bicycle Parking Rack~~

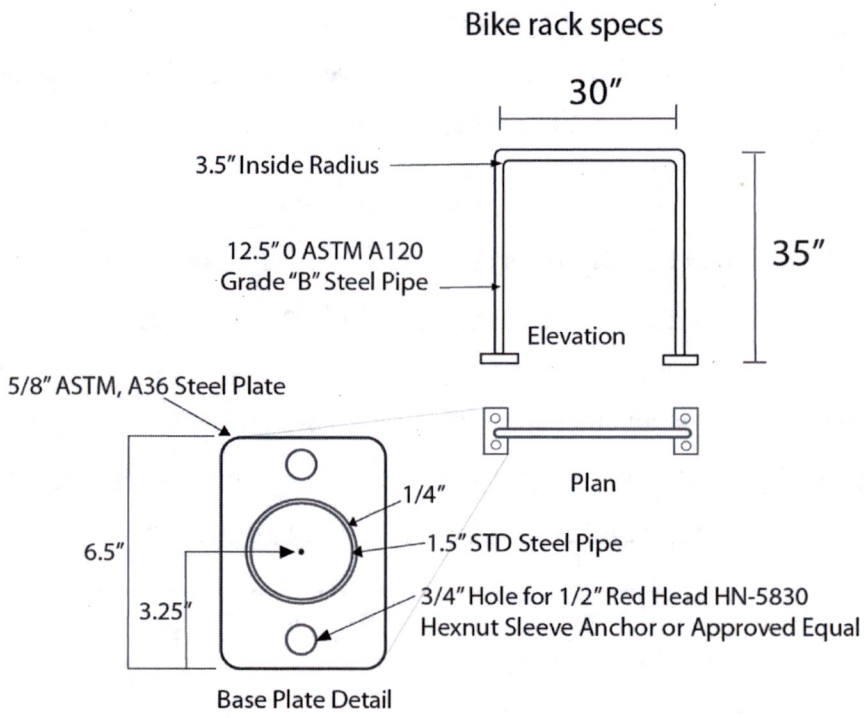


Figure 18.4.3.070.D.1. Bicycle Parking Rack

2. Commercial bike lockers are acceptable according to manufacturer's specifications.

3. Bicycle parking racks or lockers shall be anchored securely.

4. Bicycle racks shall hold bicycles securely by means of the frame. The frame shall be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels. Bicycle racks shall accommodate all of the following.

   a. Locking the frame and both wheels to the rack with a high-security U-shaped shackle lock, if the bicyclist removes the front wheel.

   b. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, if the bicyclist leaves both wheels on the bicycle.

   c. Locking the frame and both wheels to the rack with a chain or cable not longer than six feet without removal of the front wheel.

18.4.3.080 Vehicle Area Design

A. Parking Location.

~~1. Except for single-family dwellings and duplexes, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.~~

~~2.~~**1.** Except as allowed in the subsection below, automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.

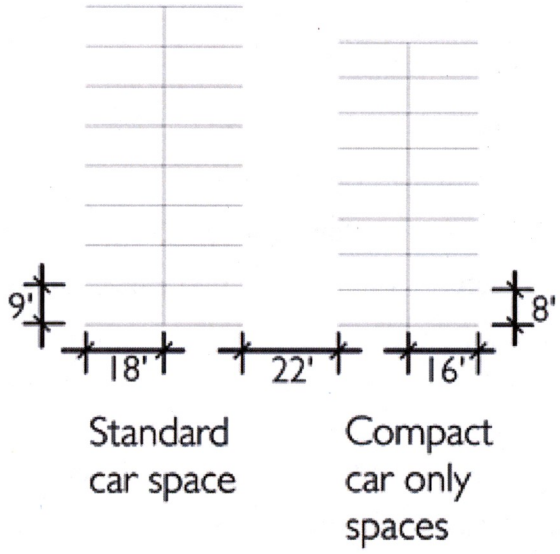
~~3.~~ **2.** In all residential zones, off-street parking in a front yard for all vehicles, including trailers and recreational vehicles, is limited to a contiguous area no more than 25 percent of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this code.

B. Parking Area Design. ~~Required~~ **Voluntarily provided** parking areas **and parking spaces** shall be designed in accordance with the following standards and dimensions as illustrated in Figure 18.4.3.080.B. See also accessible parking space requirements in section 18.4.3.050 and parking lot and screening standards in subsection 18.4.4.030.F.

1. Parking spaces shall be a minimum of 9 feet by 18 feet.

2. ~~Up to 50 percent of the total automobile parking spaces in a parking lot~~ **Parking spaces** may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 feet by 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."

3. Parking spaces shall have a back-up maneuvering space not less than 22 feet, except where parking is angled, and which does not necessitate moving of other vehicles.



~~Note: Up to 50% of the total of all parking spaces in a parking lot may be designed for compact cars.~~

Figure 18.4.3.080.B. Parking Area Dimensions

4. Parking lots with 50 or more parking spaces, and parking lots where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth, shall be divided into separate areas by one or more of the following means: a building or group of buildings; plaza landscape areas with walkways at least five feet in width; streets; or driveways with street-like features as illustrated in Figure18.4.3.080.B.4. "Street-like features," for the purpose of this section, means a raised sidewalk of at least five feet in width, with six-inch curb, accessible curb ramps, street trees in planters or tree wells and pedestrian-oriented lighting (i.e., not exceeding 14 feet typical height).

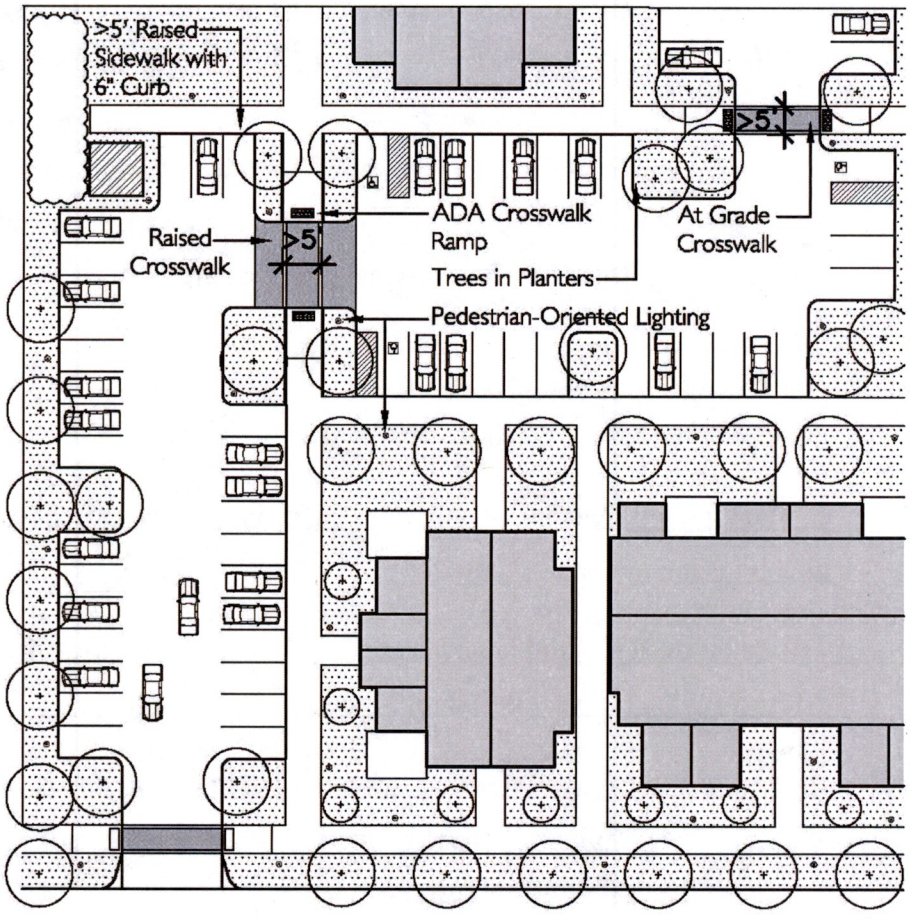


Figure 18.4.3.080.B.4. Dividing Parking Lots into Separate Areas

5. Parking areas shall be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection as illustrated in Figure 18.4.3.080.B.5. Parking areas of more than seven parking spaces shall meet the following standards:

a. Use one or more of the following strategies for the surface parking area, or put 50 percent of parking underground. For parking lots with 50 or more spaces the approval authority may approve a combination of strategies.

i. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50 percent of the parking area surface.

ii. Provide porous solid surfacing or an open grid pavement system that is at least 50 percent pervious for a minimum of 50 percent of the parking area surface.

iii. Provide at least 50 percent shade from tree canopy over the parking area surface within five years of project occupancy.

iv. Provide at least 50 percent shade from solar energy generating carports, canopies or trellis structures over the parking area surface.

b. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.

c. Parking lot areas include all parking spaces, driveways and circulation and maneuvering areas.

6. Parking lot designs shall incorporate the strategies identified in 18.4.3.080.B.5.a and 18.4.3.080.B.5.b above, and further incorporate the following:

a. New or redeveloped parking lots of less than one-half acre in area shall include tree canopy covering at least 30 percent of the parking lot area at maturity, but no more than 15 years after planting.

b. New or redeveloped parking areas greater than one-half acre in area, shall provide one of the following:

i. **Tree canopy covering at least 40 percent of the new parking lot area at maturity, but no more than 15 years after planting.**

ii. **The installation of solar panels with a generation capacity of at least one-half kilowatt per new parking space. These panels may be located anywhere on the property. In lieu of installing solar panels on site, the developer may pay an in-lieu-of fee of $1,500 per new parking space to a city-established fund dedicated to equitable solar and/or wind energy development.**

iii. **For public buildings, demonstration of compliance with OAR 330-135-0010, which requires that projects involving public buildings spend at least 1.5 percent on green energy.**

c. Parking Lot Trees Planting Standards. Parking lot trees shall be selected from the 'Parking Lot Trees' list found in the City of Ashland Recommended Street Trees Guide. Alternative tree selections may be approved by the Staff advisor in consultation with utility providers, and the Tree Advisory Committee.

i. Parking lot trees shall be planted and maintained to maximize their root health and chances for survival, and maintained to 2021 American National Standards Institute (ANSI) A300 standards including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species, or as amended by ANSI.

ii. A parking lot tree canopy plan for parking lots shall be prepared by a licensed landscape architect or International Society of Arboriculture (ISA) certified arborist and include certification that the plan is consistent with ANSI A300 standards and was prepared in coordination with the local electrical utility. Prior to final inspection or occupancy approval, written certification from a licensed landscape architect or ISA-certified arborist that the planting was completed according to the approved plans shall be provided.

iii. Canopy coverage is measured from a plan view based on expected canopy diameter 15 years after planting. Existing mature trees to be preserved may be counted at their existing diameter. Paved areas not for use by passenger vehicles, such as loading areas or outdoor storage of goods or materials, may be exempted from the canopy coverage calculation.

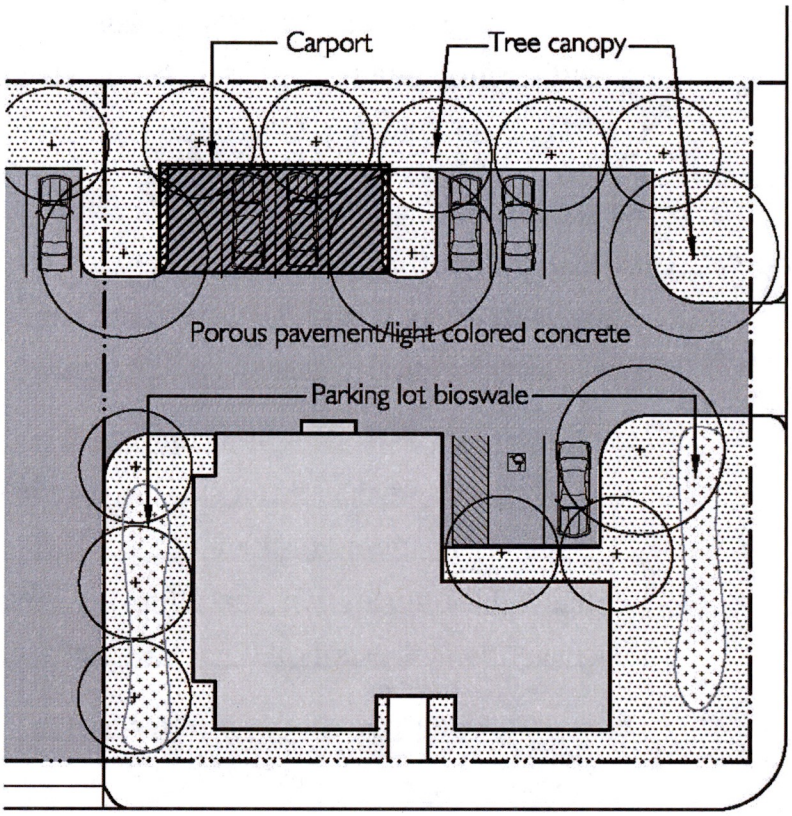


Figure 18.4.3.080.B.5. Parking Design to Reduce Environmental Impacts

C. Vehicular Access and Circulation. The intent of this subsection is to manage access to land uses and on-site circulation and maintain transportation system safety and operations. For transportation improvement requirements, refer to chapter18.4.6, Public Facilities.

1. Applicability. This section applies to all public streets within the City and to all properties that abut these streets. The standards apply when developments are subject to a planning action (e.g., site design review, conditional use permit, land partition, performance standards subdivision).

2. Site Circulation. New development shall be required to provide a circulation system that accommodates expected traffic on the site. All on-site circulation systems shall incorporate street-like features as described in 18.4.3.080.B.4. Pedestrian connections on the site, including connections through large sites, and connections between sites and adjacent sidewalks must conform to the provisions of section 18.4.3.090.

3. Intersection and Driveway Separation. The distance from a street intersection to a driveway, or from a driveway to another driveway shall meet the minimum spacing requirements for the street's classification in the Ashland Transportation System Plan (TSP) as illustrated in Figures 18.4.3.080.C.3.a and 18.4.3.080.C.3.b.

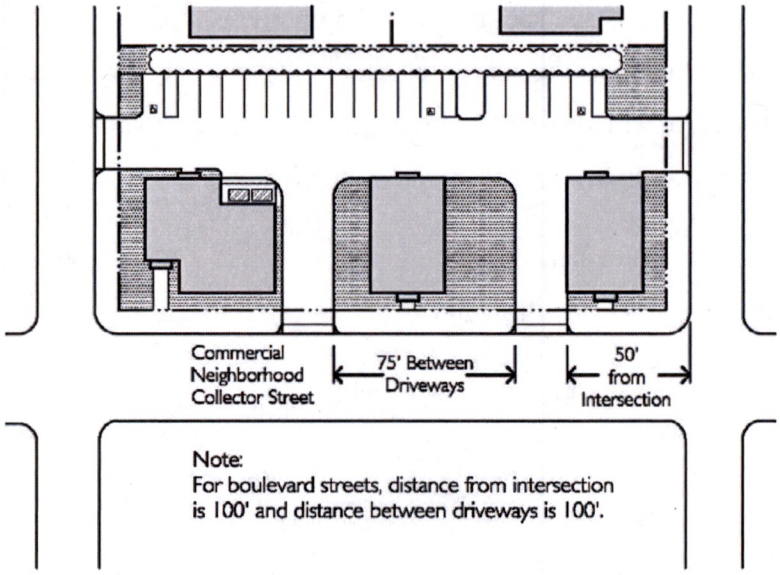


Figure 18.4.3.080.C.3.a. Driveway Separation for Boulevards, Avenues, and Collectors

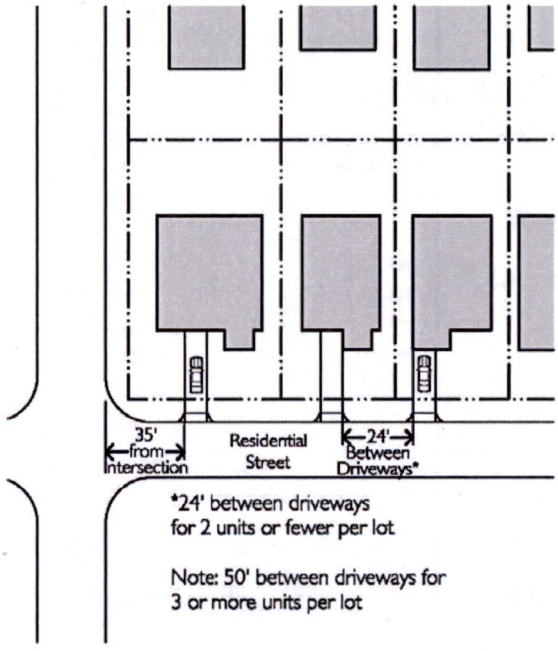


Figure 18.4.3.080.C.3.b. Driveway Separation for Neighborhoods Streets

a. In no case shall driveways be closer than 24 feet as measured from the bottom of the existing or proposed apron wings of the driveway approach.

b. Partitions and subdivisions of property located in an R-2, R-3, C-1, E-1, CM, or M-1 zone shall meet the controlled access standards set forth below. If applicable, cross access easements shall be required so that access to all properties created by the land division can be made from one or more points.

c. Street and driveway access points in an R-2, R-3, C-1, E-1, CM, or M-1 zone shall be limited to the following:

i. Distance between driveways.

on boulevard streets:	100 feet
on collector streets:	75 feet
on neighborhood streets:	24 feet ~~**for 2 units or fewer per lot, 50 feet for three or more units per lot**~~

ii. Distance from intersections.

on boulevard streets:	100 feet
on collector streets:	50 feet
on neighborhood streets:	35 feet

d. Access Requirements for Multifamily Developments. All multifamily developments which will have automobile trip generation in excess of 250 vehicle trips per day shall provide at least two driveway access points to the development. Trip generation shall be determined by the methods established by the Institute of Transportation Engineers.

4. Shared Use of Driveways and Curb Cuts.

a. Plans submitted for developments subject to a planning action shall indicate how driveway intersections with streets have been minimized through the use of shared driveways and all necessary access easements. Where necessary from traffic safety and access management purposes, the City may require joint access and/or shared driveways in the following situations.

i. For shared parking areas.

ii. For adjacent developments, where access onto an arterial is limited.

iii. For multifamily developments, and developments on multiple lots.

b. Developments subject to a planning action shall remove all curb cuts and driveway approaches not shown to be necessary for existing improvements or the proposed development. Curb cuts and approaches shall be replaced with standard curb, gutter, sidewalk, and planter/furnishings strip as appropriate.

c. If the site is served by a shared access or alley, access for motor vehicles must be from the shared access or alley and not from the street frontage.

5. Alley Access. Where a property has alley access, vehicle access shall be taken from the alley and driveway approaches and curb cuts onto adjacent streets are not permitted.

D. Driveways and Turn-Around Design. Driveways and turn-arounds providing access to parking areas shall conform to the following provisions.

1. A driveway for a single-family dwelling or a duplex shall be a minimum of nine feet in width except that driveways over 50 feet in length or serving a flag lot shall meet the width and design requirements of section 18.5.3.060. Accessory residential units are exempt from the requirements of this subsection.

2. Parking areas of seven or fewer spaces shall be served by a driveway 12 feet in width, except for those driveways subject to subsection 18.4.3.080.D.1, above. Accessory residential units are exempt from the requirements of this subsection.

3. Parking areas of more than seven parking spaces shall be served by a driveway ~~**20 feet in width and**~~ constructed to: facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety; be clearly and permanently marked and defined; ~~**and**~~ provide adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner; **and a driveway width as follows:**

a. A driveway accommodating two-way vehicular circulation on-site shall be 20 feet in width.

b. A driveway configured for one-way vehicular circulation on-site, which provides seperated ingress and egress access onto the public street, may be reduced to 15 feet in width upon demonstration that adequate fire apparatus access is provided.

4. The width of driveways and curb cuts in the parkrow and sidewalk area shall be minimized.

5. For single-family lots and multifamily developments, the number of driveway approaches and curb cuts shall not exceed one approach/curb cut per street frontage. For large multifamily developments and other uses, the number of approaches and curb cuts shall be minimized where feasible to address traffic safety or operations concerns.

6. Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13.5 feet for their entire length and width. Parking structures are exempt from this requirement.

7. Vision Clearance. No obstructions may be placed in the vision clearance area except as set forth in section 18.2.040.

8. Grades for new driveways in all zones shall not exceed 20 percent for any portion of the driveway. If required by the City, the developer or owner shall provide certification of driveway grade by a licensed land surveyor.

9. All driveways shall be installed pursuant to City standards prior to issuance of a certificate of occupancy for new construction.

10. Driveways for lots created or modified through a land division or property line adjustment, including those for flag lots, shall conform to the requirements of chapter 18.5.3, Land Divisions and Property Line Adjustments.

E. Parking and Access Construction. The development and maintenance as provided below shall apply in all cases, except single-family dwellings, accessory residential units, and duplexes.

1. Paving. All ~~required~~ parking areas, aisles, turn-arounds, and driveways shall be paved with concrete, asphaltic, porous solid surface, or comparable surfacing, constructed to standards on file in the office of the City Engineer.

2. Drainage. All ~~required~~ parking areas, aisles, and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.

3. Driveway Approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the City Engineer.

4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and clearly marked.

5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.

6. Walls and Hedges.

a. Where a parking facility is adjacent to a street, a decorative masonry wall or fire-resistant broadleaf evergreen sight-obscuring hedge screen between 30 and 42 inches in height and a minimum of 12 inches in width shall be established parallel to and not nearer than two feet from the right-of-way line, pursuant to the following requirements:

i. The area between the wall or hedge and street line shall be landscaped.

ii. Screen planting shall be of such size and number to provide the required screening within 12 months of installation.

iii. All vegetation shall be adequately maintained by a permanent irrigation system, and said wall or hedge shall be maintained in good condition.

iv. Notwithstanding the above standards, the required wall or screening shall be designed to allow access to the site and sidewalk by pedestrians and shall meet the vision clearance area requirements in section 18.2.4.040, and shall not obstruct fire apparatus access, fire hydrants, or other fire appliances.

b. In all zones, except single-family zones, where a parking facility or driveway is adjacent to a residential or agricultural zone, school yard, or like institution, a sight-obscuring fence, wall, or fire-resistant broadleaf evergreen sight-obscuring hedge shall be provided, pursuant to the following requirements:

i. The fence, wall or hedge shall be placed on the property line and shall be between five feet and six feet in height as measured from the high grade side of the property line, except that the height shall be reduced to 30 inches within a required setback area and within ten feet of a street property line.

ii. Screen plantings shall be of such size and number to provide the required screening within 12 months of installation.

iii. Adequate provisions shall be made to protect walls, fences, or plant materials from being damaged by vehicles using said parking area.

iv. Notwithstanding the above standards, the required wall or screening shall be designed to meet the vision clearance area requirements in section 18.2.4.040.

v. The fence, wall, or hedge shall be maintained in good condition.

7. Landscaping. In all zones, all parking facilities shall include landscaping to cover not less than seven percent of the area devoted to outdoor parking facilities, including the landscaping required in subsection 18.4.3.080.E.6, above. Said landscaping shall be uniformly distributed throughout the parking area, and provided with irrigation facilities and protective curbs or raised wood headers. It may consist of trees, plus shrubs, ground cover, or related material. A minimum of one tree per seven parking spaces is required **and in compliance with the parking lot tree canopy standards set forth in 18.4.3.080.B.6.**

8. Electric Vehicle Charging. Mixed-use or multifamily residential developments with five or more dwelling units shall provide electrical service capacity by extending conduit to support future electric vehicle charging infrastructure to at least 40 percent of the off-street parking spaces provided.

9. Where new designated employee parking areas are voluntarily provided in new developments, preferential parking for carpools and vanpools shall be included.

~~8~~**10.** Lighting. Lighting of parking areas within 100 feet of property in residential zones shall be directed into or on the site and away from property lines such that the light element shall not be directly visible from abutting residential property. Lighting shall comply with section 18.4.4.050. (Ord. 3199 § 23, amended, 06/15/2021; Ord. 3158 § 5, amended, 09/18/2018; Ord. 3155 § 11, amended, 07/17/2018)

18.4.3.090 Pedestrian Access and Circulation

A. Purpose. The purpose of this section is to provide for safe, direct, and convenient pedestrian access and circulation.

B. Standards. Development subject to this chapter, except single-family dwellings on individual lots, accessory residential units, duplexes, and associated accessory structures, shall conform to the following standards for pedestrian access and circulation:

1. Continuous Walkway System. Extend the walkway system throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent sidewalks, trails, parks, and common open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property for this purpose.

2. Safe, Direct, and Convenient. Provide safe, reasonably direct, and convenient walkway connections between primary building entrances and all adjacent streets. For the purposes of this section, the following definitions apply:

a. Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. Safe and Convenient. Reasonably free from hazards and provides a reasonably direct means of walking between destinations.

c. Primary Entrance. For a non-residential building, the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

d. Primary Entrance. For a residential building, the front door (i.e., facing the street). For multifamily buildings and mixed-use buildings where not all dwelling units have an individual exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway serving as a common entrance for more than one dwelling.

3. Connections within Development. Walkways within developments shall provide connections meeting all of the following requirements as illustrated in Figures 18.4.3.090.B.3.a and 18.4.3.090.B.3.b:

a. Connect all building entrances to one another to the extent practicable.

b. Connect on-site parking areas, common and public open spaces, and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections.

c. Install a protected raised walkway through parking areas of 50 or more spaces, and where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth.

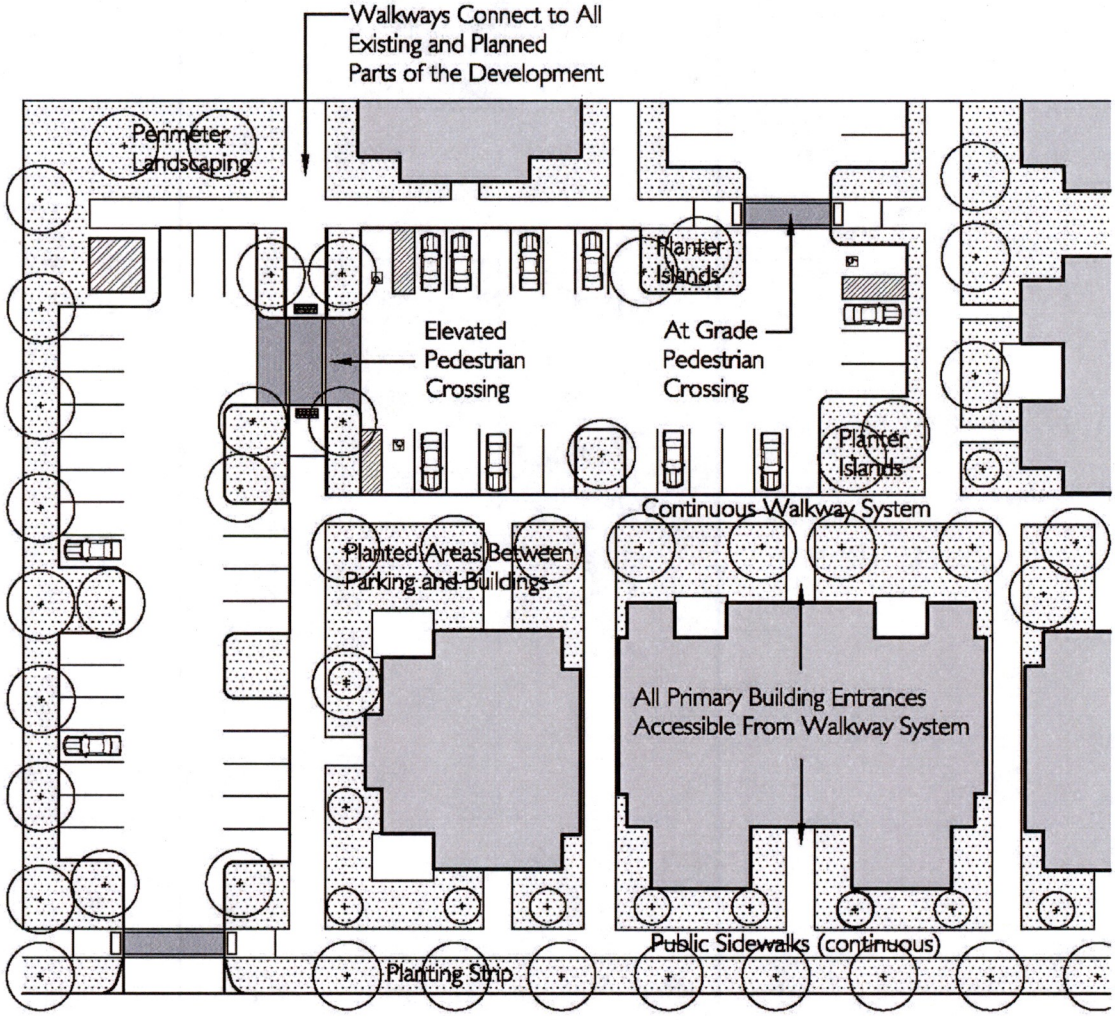


Figure 18.4.3.090.B.3.a. Pedestrian Access and Circulation

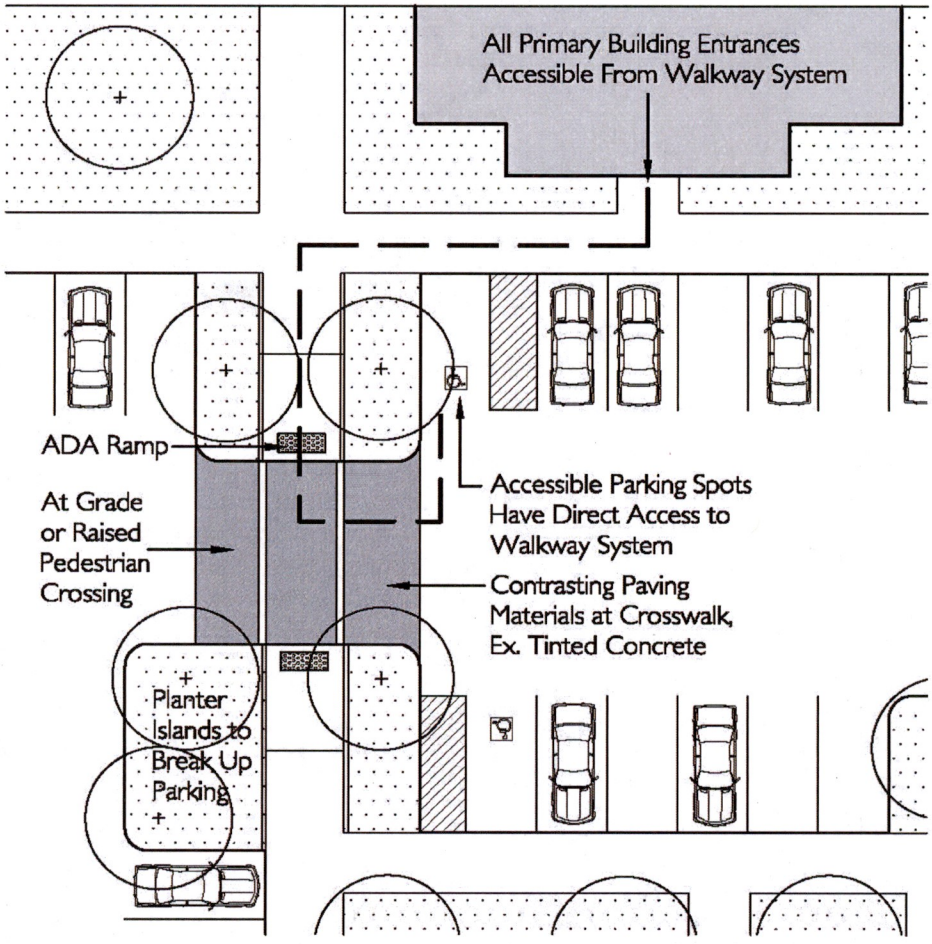


Figure 18.4.3.090.B.3.b. Pedestrian Access and Circulation Detail

4. Walkway Design and Construction. Walkways shall conform to all of the following standards as illustrated in Figures 18.4.3.090.B.3.a and 18.4.3.090.B.b. For transportation improvement requirements, refer to chapter 18.4.6, Public Facilities.

a. Vehicle/Walkway Separation. Except for crosswalks, where a walkway abuts a driveway or street, it shall be raised six inches and curbed along the edge of the driveway. Alternatively, the approval authority may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is distinguished from vehicle-maneuvering areas. Examples of alternative treatments are mountable curbs, surface treatments such as stamped concrete or reflector bumps, and using a row of decorative metal or concrete bollards to separate a walkway from a driveway.

b. Crosswalks. Where walkways cross a parking area or driveway, clearly mark crosswalks with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

c. Walkway Surface and Width. Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, and at least five feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, and at least ten feet wide, in accordance with section 18.4.6.040, Street Design Standards.

d. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) and State of Oregon requirements. The ends of all raised walkways, where the walkway intersects a driveway or street, shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

e. Lighting. Lighting shall comply with section 18.4.4.050. (Ord. 3199 § 24, amended, 06/15/2021; Ord. 3191 § 24, amended, 11/17/2020)

18.4.3.100 Construction

~~The required p~~**P**arking, access, and circulations facilities, shall be installed **as approved** prior to a release of a certificate of use and occupancy or a release of utilities, and shall be permanently maintained as a condition of use. However, the Building Official may, unless otherwise directed by the Planning Commission or Staff Advisor, release a temporary certificate of use and occupancy and a temporary release of utilities before the installation of said facilities provided: (1) there is proof that the owner has entered into a contract with a qualified, bonded, and insured contractor for the completion of the parking, including walkways, landscaping, and other elements required by this chapter, with a specified time, and no other conditions of approval are outstanding; or (2) the owner has posted a satisfactory performance bond to ensure the installation of said parking facilities within a specified time.

18.4.3.110 Availability of Facilities

~~Required p~~Parking, access, and circulation shall be available for use by residents, customers, and employees only, and shall not be used for the storage or display of vehicles or materials.

SECTION 2. Section 18.2.2, Base Zones and Allowed Uses, Table 18.2.2.030 is hereby amended to allow Public Parking Facilities a permitted use in all zones as follows:

Table 18.2.2.030. Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
D. Public and Institutional Uses										
Public Parking Facility	~~N~~ P	~~N~~ P	~~N~~ P	~~N~~ P	~~N~~ P	~~N~~ P	P	P	P	

1 KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

SECTION 3. Section 18.2.3, Special Use Standards, is hereby amended as follows:

~~**18.2.3.040.E. Accessory Residential Units Off-street parking spaces are not required for accessory residential units as specified in the parking ratio requirements in section 18.4.3.040.**~~

~~**18.2.3.090.C.3.i Cottage Housing. Parking shall meet the minimum parking ratios per section 18.4.3.040.**~~

18.2.3.100.B.2 Drive-Thru's. All facilities providing drive-up service shall provide ~~**at least two designated parking spaces**~~ **a waiting area to accommodate at least two customer vehicles outside of the queue** immediately beyond the service window or provide other satisfactory methods to allow customers requiring excessive waiting time to receive service. ~~**while parked.**~~

18.2.3.110.F. Duplexes. ~~**The property shall have two off-street parking spaces in conformance with the parking ratio requirements in section**~~ 18.4.3.040. Parking spaces shall

meet the vehicle area design requirements of section 18.4.3.080, except that parking spaces, turn-arounds, and driveways are exempt from the requirements in subsections 18.4.3.080.D.1 and 2 and paving requirements in subsection 18.4.3.080.E.1. (Ord. 3199 § 6, amended, 06/15/2021)

~~**18.2.3.130.B.4 4. Dwelling in Non-Residential Zone. Off-street parking is not required for residential uses in the C-1-D zone. (Ord. 3167 § 5, amended, 12/18/2018)**~~

18.2.3.180. Manufactured Housing Developments.

A. Purpose. The purpose of this section is to encourage the most appropriate use of land for manufactured housing development purposes, to encourage design standards which will create pleasing appearances, to provide sufficient open space for light, air, and recreation, to provide adequate access to ~~**and parking for**~~ manufactured housing sites, and to refer minimum utility service facilities to appropriate City codes.

~~**18.2.3.180.D.8. Off-Street Parking Standards. Each manufactured housing unit shall be provided with one off-street parking space on each manufactured housing site, set back 20 feet from the street. In addition, guest parking facilities of one parking space for each manufactured housing site shall also be provided on the project site, within 200 feet of the units they are intended to serve, either adjacent to the road or in an off-street parking lot. Parking space construction, size, landscaping, and design requirements shall be according to chapters 18.4.3 and 18.4.4.**~~

~~**18.2.3.180.E.8 . Each manufactured housing unit shall have a one parking space located on or adjacent to the unit space. The parking space shall be set back at least 20 feet from the street.**~~

18.2.3.200 Multi-Family Rental Unit Conversion to For Purchase Housing

C.1 Existing multiple-family dwelling structures may be converted from rental units to for-purchase housing, where all or only a portion of the structure is converted, as set forth in Table 18.2.3.200.C.1, provided the existing structure meets the following regulations

of the applicable zone: permitted density, yard requirements, maximum height, maximum lot coverage, open space, maximum permitted floor area, waste enclosures, ~~parking,~~ and bike storage.

C.2.a. Conversion of existing multiple-family structures to for-purchase housing shall comply with the following general regulations and the site development and design standards in part 18.4: number of bike ~~and automobile~~ parking spaces, trash, and recycling enclosures.

18.2.3.210 Retail Uses Allowed in the Railroad Historic District. Uses are limited to those designed to serve primarily pedestrian traffic. ~~**No additional off-street parking is required, except for accessible parking as required by the building code.**~~

~~**AMC 18.2.3.220.B.5 Travelers Accommodations. Each accommodation must have one off-street parking space and the business owner's unit must have two parking spaces. All parking spaces shall be in conformance with chapter 18.4.3.**~~

18.2.3.220.C.4 Accessory Travelers Accommodations. ~~**The property must have two off-street parking spaces.**~~ The total number of guest vehicles associated with the accessory travelers' accommodation must not exceed one.

SECTION 4. Section 18.3.2, Croman Mill District, is hereby amended as follows:

18.3.2.060.A.11 On-Street Parking. On-street parallel parking may be required along the central boulevard and local streets as illustrated in Figure 18.3.2.060.A.10.~~**If on-street parking is required on streets identified on the On-Street Parking map, angled parking and loading zones are prohibited on these streets.**~~ Options addressing the street configuration will be evaluated with the final design of the streets identified on the On-Street Parking map.

18.3.2.060.B.4. Parking Areas and On-Site Circulation. Except as otherwise required by this chapter, automobile parking, loading, and circulation areas shall comply with the requirements of part 18.4, Site Development and Design Standards, and the following standards:

a. Primary parking areas shall be located behind buildings with limited parking on one side of the building, except that parking shall be located behind buildings only where development is adjacent to an active edge street or is within a NC, MU or OE zone.

b. Parking areas shall be shaded by deciduous trees, buffered from adjacent non-residential uses and screened from non-residential uses.

~~**c. Maximum On-Site Surface Parking. After a parking management strategy for the Croman Mill District is in place, a maximum of 50 percent of the required off-street parking can be constructed as surface parking on any development site. The remaining parking requirement can be met through one or a combination of the credits for automobile parking in chapter 18.4.3, Parking, Access, and Circulation.**~~

18.3.2.060.C.13 b. Structured Parking Bonus. A building may be increased by up to one story in height when ~~**the corresponding required**~~ **voluntarily provided automobile** parking is accommodated underground or within a private structured parking facility, subject to building height limitations for the zoning district.

SECTION 5. Section 18.3.4, Normal Neighborhood District, is hereby amended as follows:

18.3.4.060.A.4 Required On-Street Parking. On-street parking is a key strategy to traffic calming and ~~**is**~~ **may** be required along the neighborhood collector and local streets.

18.3.4.060.B.5 Off-Street Parking. Where provided, a~~**A**~~utomobile parking, loading and circulation areas must comply with the requirements of chapter 18.4.3, Parking, Access, and Circulation, and as follows:

a. Neighborhood serving commercial uses within the NN-1-3.5-C zone must have parking primarily accommodated by the provision of public parking areas and on-street parking spaces~~**, and are not required to provide private off-street parking or loading areas, except for residential uses where one space shall be provided per residential unit**~~.

SECTION 6. Section 18.3.5, North Mountain Neighborhood District, Table 18.5.050 is hereby amended to allow public parking lots as a permitted use as follows:

Table 18.3.5.050. North Mountain Neighborhood Uses Allowed by Zone[1]

	North Mountain Neighborhood Zones[2]				
	NM-R-1-7.5	NM-R-1-5	NM-MF	NM-C	NM-Civic
B. Public and Institutional Uses					
Public Parking Lots	~~N~~ P	~~N~~ P	~~N~~ P	~~CU~~ P	~~N~~ P

1 **Key:** P = Permitted Uses; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

SECTION 7. Section 18.3.9, Performance Standards Option & PSO Overlay, is hereby amended as follows:

18.3.9.060 Parking Standards

All development under this chapter shall conform to the following parking standards, which are in addition to the requirements of chapter 18.4.3, Parking, Access, and Circulation.

A. On-Street Parking Required. ~~**At least one on-street parking space per dwelling unit shall be provided, in addition to the off-street parking requirements for all developments in an R-1 zone, with the exception of cottage housing developments, and for all developments in R-2 and R-3 zones that create or improve public streets**~~. **For all Performance Standards Subdivisions in R-1 zones, and for all Performance Standards Subdivisions in R-2 or R-3 zones which create or improve city streets, at least one on-street parking space per proposed lot shall be provided with the following exceptions.**

1. Where on-street parking is provided on newly created or improved streets, the total number of on-street spaces required should not surpass the available street frontage, with each parking space being considered equivalent to 22 feet in length without interruption and exclusive of designated no-parking areas.

2. Streets outside the City of Ashland's jurisdiction, such as those overseen by the State of Oregon Department of Transportation (ODOT) or Jackson County, which are improved by a development, are not required to provide on-street parking as outlined in this requirement if prohibited or exempted by the governing jurisdiction.

3. Lots containing cottage housing developments, housing units smaller than 750 square feet, or affordable housing are not subject to the requirement of providing on-street parking in Performance Standards Subdivisions.

B. On-Street Parking Standards. On-street parking spaces shall be immediately adjacent to the public right-of-way on publicly or association-owned land and be directly accessible from public right-of-way streets. On-street parking spaces shall be located within 200 feet of the ~~**dwelling**~~ **lot** that it is intended to serve. In addition, on-street public parking may be provided pursuant to minimum criteria established under subsection 18.4.3.060.A.

C. Signing of Streets. The installation of "No Parking" signs regulating parking in the public right-of-way and any other signs related to the regulation of on-street parking shall be consistent with the Street Standards in 18.4.6.030, and shall be consistent with the respective City planning approval.

SECTION 8. Section 18.3.14 Transit Triangle Overlay, is hereby amended as follows:

C. Parking ~~Ratios.~~ Properties developed under the TT overlay option are subject to the standard requirements of chapter 18.4.3 , Parking, Access, and Circulation, ~~**except as provided by subsection 18.4.3.030.C.**~~

~~**1. Multi-Family Dwellings. The minimum number of off-street automobile parking spaces required for multi-family dwelling units for development under the TT overlay option are as follows:**~~

~~**a. Units less than 800 square feet – 1 space/unit.**~~

~~**b. Units greater than 800 square feet and less than 1,000 square feet – 1.5 spaces/unit.**~~

~~**c. Units greater than 1,000 square feet – 2.00 spaces/unit.**~~

~~2. Retail Sales and Services, Offices, and Restaurants. The required off-street parking spaces may be reduced up to three parking spaces for retail sales and services, general office, or restaurant uses. The maximum reduction under this subsection is three parking spaces per building.~~

~~D. Availability of Parking Facilities. For properties developed under the TT overlay option, required off-street automobile parking spaces shall be available for use by residents, customers, and employees, and shall not be limited in use by hours or type of user through signage or other legal instrument. Required off-street automobile parking shall not be used for the storage or display of vehicles or materials. (Ord. 3166 § 2 (part), added, 12/18/2018)~~

SECTION 9. Section 18.5.2, Site Design Review, is hereby amended as follows:

18.5.2.020.A.7 Any change of occupancy from a less intense to a more intensive occupancy, as defined in the building code~~, or a change in use that requires a greater number of parking spaces~~.

~~**18.5.2.020.B.5. Any change in use that requires a greater number of parking spaces.**~~

SECTION 10. Section 18.5.3, Land Divisions and Property Line Adjustments, is hereby amended as follows:

18.5.3.060.F Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent ~~for not more than~~ **provided that the cumulative length of such variances across multiple sections of the flag drive does not exceed** 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances.

18.5.3.060.K ~~**Each flag lot has at least three parking spaces**~~ **Where off-street parking is voluntarily provided on a flag lot, it shall be** situated to eliminate the necessity for vehicles backing out.

SECTION 11. Section 18.5.4, Conditional Use Permits, is hereby amended as follows:

18.5.4.050.B.7 Designating the size, number, location, ~~**and/or**~~ design, **and screening** of vehicle and pedestrian access points, ~~**or**~~ **and applicant proposed** parking and loading areas.

SECTION 12. Section 18.5.5, Variances, is hereby amended as follows:

~~**18.5.5.030.A.5. Up to ten percent reduction in the number of required parking spaces.**~~

~~**18.5.5.030.A.6. Up to 50 percent reduction for parking requirements in the Historic District.**~~

SECTION 13. Section 18.5.6, Modifications to Approved Planning Actions , is hereby

18.5.6.030.A Authorization of Major Modifications. The approval authority and review procedure for Major Modification applications is the same as for the original project or plan approval. Any one of the following changes constitutes a Major Modification.

1. A change in land use, from a less intensive use to a more intensive use, as evidenced by ~~**parking, paved area**~~, **an** estimated ~~**an**~~ increase in automobile or truck trips (peak and/or average daily trips), an increase in hours of operation, ~~**an increased demand for parking**~~, additional paved area, or similar factors, where the increase is 20 percent or more, provided the standards of parts 18.2, 18.3, and 18.4 are met.

SECTION 14. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect, or substance of the ordinance, but within such limitations, may:

(a) Renumber sections and parts of sections of the ordinance;

(b) Rearrange sections;

(c) Change reference numbers to agree with renumbered chapters, sections or other parts;

(d) Delete references to repealed sections;

(e) Substitute the proper subsection, section, or chapter numbers;

(f) Change capitalization and spelling for the purpose of uniformity;

(g) Add headings for purposes of grouping like sections together for ease of reference; and

(h) Correct manifest clerical, grammatical, or typographical errors.

SECTION 15. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

The foregoing ordinance was first ready by title only in accordance with Article X, Section 2(C) of the City Charter on the _____day of_____, 2023, and duly PASSED and ADOPTED this _____day of_____, 2023.

PASSED by the City Council this _____ day of _____, 2023.

ATTEST:

_____
Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2023.

_____
Tonya Graham, Mayor

Reviewed as to form:

_____
Douglas M. McGeary, Acting City Attorney

BEFORE THE PLANNING COMMISSION
CITY OF ASHLAND, JACKSON COUNTY, OREGON

November 28, 2023

In the matter of PA-T3-2023-00006 involving amendments to the Ashland Municipal Code (AMC) Title 18 Land Use Ordinance to remove automobile parking mandates and to amend parking standards in order to implement requirements of the Sate of Oregon's Climate-Friendly & Equitable Communities (CFEC) rules. The proposal includes amendments to AMC 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5 and 18.5.6	**FINDINGS OF FACT & CONCLUSIONS OF LAW**

PURPOSE:
The proposal involves amendments to the Ashland Land Use Ordinance to remove automobile parking mandates and amend parking standards set forth in the Ashland Municipal Code (AMC) in order to implement the requirements of the State of Oregon's Climate-Friendly & Equitable Communities (CFEC) rules. The proposal includes amendments to AMC 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5 and 18.5.6.

PUBLIC HEARINGS:
Notice was published in the Ashland News on October 24, 2023, prior to the Planning Commission and City Council public hearings. A public hearing was held at the Planning Commission on November 14, 2023, and a hearing is scheduled before the City Council on December 5, 2023. Notice of the proposed ordinance amendments was also sent to the Department of Land Conservation and Development on September 5, 2023.

SUMMARY OF AMENDMENTS
The proposed code amendments primarily seek to implement "Option 1" of the Climate-Friendly and Equitable Communities rules in eliminating parking mandates city-wide. In addition, the amendments include:

- Amended code language for on-street parking associated with Performance Standards Options subdivisions in AMC 18.3.9.060.
- Added draft code language in AMC 18.4.2.010 to enable redevelopment of existing off-street parking areas.
- Added code language allowing an applicant to obtain a Conditional Use Permit to exceed the maximum number of parking spaces provided in the 'Parking Spaces by Use' Table (18.4.3.030.B.2).

- Amended code language to retain automobile parking maximums, which are not required under the Climate-Friendly and Equitable Communities rules for a city of Ashland's size, but which have long been established in the Ashland Land Use Ordinance, by removing the correlation to the number of required parking spaces and instead setting a maximum number of spaces based on the proposed use (Table 18.4.3.040).
- Added code language to require at least one ADA-accessible parking space to be provided in those instances when no other parking is proposed (18.4.3.050). This provision would not apply within the C-1-D zone. Where parking is voluntarily proposed, the State Building Code stipulates the requisite number of accessible spaces required.
- Added code language, and revised bicycle parking graphics, relating to bicycle parking dimensions and bike parking layouts and accommodation of cargo bikes and family bikes (18.4.3.070.C.6). Bicycle parking requirements were previously tied to automobile parking requirements; the requirements have been adjusted to remove the correlation to the number of automobile parking spaces provided and establish bicycle-specific parking ratios based on the uses proposed.
- Added code language to incorporate requisite CFEC tree canopy coverage and maintenance requirements for parking lot trees (18.4.3.080.B.6).
- Removed code language which stipulated a 50-foot separation between driveways on neighborhood streets for lots serving three or more units, while retaining a requisite 24-foot separation between driveways (18.4.3.080.C.3.c.i).
- Amended code language addressing width requirements for two-way vehicular circulation, and one-way vehicular circulation for consistency with previous precedent (18.4.3.080.D.3).
- Amended existing code language relating to the maximum grade of flag drives to allow multiple sections to exceed 15 percent grade, up to a maximum of 18 percent, to clarify intent of the code language based on previous precedent (18.5.3.060.F)

REVIEW CRITERIA

The decision of the City Council together with the recommendation by the Planning Commission was based on consideration and findings of consistency with the following factors:

A. Consistency with City of Ashland approval criteria for legislative amendments, AMC 18.5.9.020.B
B. Consistency with City of Ashland Comprehensive Plan and Other City Policies
C. Consistency with Oregon Statewide Planning Goals and associated Oregon Administrative Rules

EVALUATION AND COUNCIL FINDINGS:

A. Consistency with City of Ashland approval criteria for legislative amendments and zoning map amendments, AMC 18.5.9.020.B

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

B. Type III. *It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.*

1. *Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.*

2. *Comprehensive Plan changes, including text and map changes or changes to other official maps.*

3. *Land Use Ordinance amendments.*

4. *Urban Growth Boundary amendments. (Ord. 3195 § 5, amended, 12/01/2020)*

Finding: Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The Planning Commission finds that in this instance, the State of Oregon's adoption of Climate-Friendly & Equitable Communities (CFEC) rules require that cities amend their parking codes, which can be found to be a change in circumstances necessitating the proposed amendments. The City of Ashland has been implementing the State's CFEC parking rules directly from the Oregon Administrative Rules since January 1, 2023. The CFEC rules required that cities adopt the new state-mandated changes no later than June 30, 2023, however the City of Ashland requested and received an extension to this deadline and must adopt the required code amendments no later than December 31, 2023.

B. Consistency with the Ashland Comprehensive Plan and other City Policies

The Ashland Comprehensive Plan's Policy 6.10.02.14 is to, "*Provide for minimal off-street parking requirements in locations where it is demonstrated that car ownership rates are low for resident populations in order to help reduce housing costs and increase affordability and where the impact on neighborhoods allow.*"

Finding: The elimination of off-street parking requirements city wide will help to reduce housing costs and increase affordability in keeping with this policy.

The Ashland Comprehensive Plan's Goal 8.16.19 is to, "*Increase the portion of the city covered by a tree canopy, especially parking lots and other paved areas.*"

Finding: The proposed code amendments include new parking lot tree canopy coverage requirements to provide 30 to 40 percent of parking lot areas in tree canopy coverage which directly implements this goal.

The Ashland Comprehensive Plan's Goal 10.09.02.25 is to, "*Reduce the number of automobile parking spaces required for new development, discouraging automobile use as the only source of access and encouraging use of alternative modes.*"

Finding: The Planning Commission finds that the proposed amendment is directly in keeping with this goal and will aid in encouraging the use of alternative modes of transportation.

The Planning Commission finds and determines that the proposed land use code amendments are consistent with the Comprehensive Plan goals and policies.

C. Consistency with Oregon Statewide Planning Goals

The proposed code amendments were also reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. The following goals and OARs are applicable to the proposed code amendment:

GOAL 1: CITIZEN INVOLVEMENT
To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The process to adopt these proposed code amendments included three meetings before the Planning Commission, as well as a meeting before the Transportation Commission, and three meetings before the City Council with required public notice provided. Both the Planning Commission and Council meetings were conducted in person but allowed the opportunity for participation via Zoom which afforded citizens multiple opportunities to review, comment, and be involved in all phases of the planning process. The Climate-Friendly and Equitable Communities rulemaking process which lead to the adoption of rules requiring these parking code amendments included numerous meetings in every region of the state and similarly provided the opportunity for citizens and municipalities to be involved in all phases of the rulemaking process. This Goal is met.

GOAL 2: LAND USE PLANNING
To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual bases for such decisions and actions.

Finding: The proposed land use code amendments have an adequate factual base, as has been thoroughly described through the application and hearing process. The implementation measures proposed are consistent with Comprehensive Plan policies as noted in these findings and with the requirements of the Climate-Friendly and Equitable Communities rules with regard to parking, as reflected in OAR 660-012 and further discussed under 'Goal 12' below. The Goal is met.

GOAL 3: AGRICULTURAL LANDS
To preserve and maintain agricultural lands.

Finding: Not applicable because the proposal does not propose any land use regulation changes to agricultural lands outside of the Ashland Urban Growth Boundary (UGB).

GOAL 4: FOREST LANDS
To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: Not applicable because the proposal does not propose any land use regulation changes to forest lands outside of the Ashland UGB.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES
To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The proposed land use code amendments will not negatively impact inventoried Goal 5 resources. Ashland's Historic District Development Standards in AMC 18.4.2.050, Physical and Environmental Constraints Review procedures in AMC 18.3.10, and Water Resource Protections Zones Ordinance in AMC 18.3.11 are not proposed to be modified and will remain in place to protect historic and natural resources from negative impacts. The Goal is met.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY
To maintain and improve the quality of the air, water and land resources of the state.

Finding: The City of Ashland has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the existing goals and policies and does not negatively impact Goal 6. This Goal is met.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS
To protect people and property from natural hazards.

Finding: The City of Ashland has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the existing goals and policies, and the removal of parking mandates within the city of Ashland will not negatively impact natural hazard area protections under Goal 7.

AMC 18.3.10 'Physical and Environmental Constraints Overlay' regulates the development of flood plain corridor lands, hillside lands, hillside lands with severe constraints, and wildfire lands. The standards applying to the aforementioned natural hazard areas follow the same provisions for any proposed development, and the proposal will not alter the applicability of the city's Physical and Environmental Constraints Overlay regulations or the protection from natural hazards they were implemented to provide. This Goal is met.

GOAL 8: RECREATIONAL NEEDS
To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: The City of Ashland has an acknowledged Comprehensive Plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 8 and recreational needs. This Goal is met.

GOAL 9: ECONOMIC DEVELOPMENT
To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The proposed code amendments do not modify the existing goals and polices related to Goal 9 and economic development, but instead seek only to implement state requirements that would eliminate requirements to provide off-street parking. This Goal is met.

GOAL 10: HOUSING
To provide for the housing needs of citizens of the state.

Finding: The City of Ashland has an acknowledged Comprehensive Plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 10 and housing needs. With the adoption of the proposed code amendments to eliminate parking mandates citywide, the development of proposed housing will no longer be burdened by a city mandate to provide off-street parking and as such these changes will facilitate the development of more housing units. Specifically, as affordable

housing is also no longer required to provide parking spaces, the cost of affordable housing development may be reduced thereby increasing opportunities to provide needed housing at a cost that is affordable to lower and moderate-income households. This Goal is met.

GOAL 11: PUBLIC FACILITIES AND SERVICES
To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The City of Ashland has master plans in place for water, wastewater and stormwater that address projected population growth and development in the Ashland city limits and UGB. The Water Master Plan was completed in 2020 and projects and plans for an adequate water supply for a 20-year planning period. The Wastewater Master Plan was completed in 2012 and projects and plans for an adequate water supply for a 20-year planning period. The Stormwater and Drainage Master Plan was completed in 2020 and projects and plans for an adequate water supply for a 20-year planning period. This Goal is met.

GOAL 12: TRANSPORTATION & THE TRANSPORTATION PLANNING RULE (TPR): *To provide and encourage a safe, convenient and economic transportation system.*

Finding: The City of Ashland adopted a Transportation System Plan (TSP) in 2013 which has gone through the post acknowledgement amendment process. The transportation system is planned to accommodate the population growth and development of the community for the 20-year planning period.

Oregon Administrative Rule (OAR) 660-012-0400(3): Parking Management requires that, *"Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450."* The proposed code amendment conforms to this goal and the TPR by implementing OAR 660-012-0400(3). Specifically, the proposal eliminates minimum off-street parking requirements citywide. This Goal is met.

GOAL 13: ENERGY CONSERVATION
To conserve energy.

Finding: The City of Ashland has an acknowledged Comprehensive Plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 13 and energy conservation. This Goal is met.

GOAL 14: URBANIZATION
To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The proposed code amendments conform to this goal because they promote more efficient use of land by helping to better accommodate Ashland's urban population within its portion of the UGB by enabling higher density development and encouraging infill or redevelopment of properties that may be underutilized (i.e., due to an over-supply of parking). This means urban lands will be able to accommodate more housing and employment uses than they were able to when the City mandated that significant portions of properties be used for off-street parking.

The proposed land use code amendments do not include changes to the Ashland Urban Growth Boundary, do not encourage sprawl, do not lower residential densities, or promote uncoordinated and inefficient development. The amendments proposed are limited to eliminating parking mandates within the city as required by the state under the Climate-Friendly & Equitable Communities rules. The management of the City's land use inventories is unaffected by these amendments. This Goal is met.

PLANNING COMMISSION FINDINGS AND RECOMENDATIONS
Based on the above discussion, the Planning Commission finds that the proposed amendments to the Ashland Land Use Ordinance are consistent with the statewide planning goals and therefore comply with the requirement that the amendments be consistent with state land use planning law. The Planning Commission accordingly recommends that the City Council approve the amendments and adopt the proposed ordinance subject to the following overall conclusions.

Ashland Planning Commission Approval

Lisa Verner — 11-30-23

Lisa Verner, Planning Commission Chair — Date

RECOMMENDED COUNCIL CONCLUSIONS

The City Council finds and determines the approval criteria for this decision have been fully met, based on the detailed findings set forth herein, the detailed findings and analysis of the Planning Commission, and supporting documents together with all staff reports, addenda and supporting materials in the whole record.

Specifically, the Council finds that the proposed land use code amendments are consistent with City of Ashland approval criteria for land use ordinance amendments as set forth in ALUO 18.5.9.020.B and are consistent with the City of Ashland

Comprehensive Plan and other City policies. The Council finds and determines that the proposed amendments are consistent with the Oregon Statewide Planning Goals and applicable Oregon Administrative Rules.

Accordingly, based on the above Findings of Fact and Conclusions of Law, and based upon the evidence in the whole record, the City Council hereby APPROVES the ADOPTION of the following amendments to AMC Title 18 Land Use as reflected in the attached ordinance.

Ashland City Council Approval

_____ _____

City Council Approval Date

Signature authorized and approved by the full Council this 19th day of December 2023.

Attest:

_____ _____

Alissa Kolodzinski, City Recorder Date

Approved as to form:

_____ _____

Douglas M. McGeary, Acting City Attorney Date

Council Business Meeting

December 19, 2023

Agenda Item	Acceptance City of Ashland ACFR and Moss Adams Audit Reports Fiscal Year 2023	
From	Mariane Berry	Finance Director
Contact	Mariane.Berry@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Motion ☒ Presentation ☐	

SUMMARY

The Audit and Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2023 for the City of Ashland has been completed, audited, and presented to Council in the Study Session dated December 18, 2023. It is put forth to Council during the regular business meeting on December 19, 2023, to acknowledge the results and accept the report.

POLICIES, PLANS & GOALS SUPPORTED

Administrative/Governance goal:

"To ensure ongoing fiscal ability to provide desired and required services at an acceptable level."

BACKGROUND AND ADDITIONAL INFORMATION

The presentation of the audit results and the City of Ashland's ACFR for FY2023 was made during the study session on December 19, 2023, by the City's external auditors, Moss Adams LLP. An ***unmodified opinion*** was issued, indicating that the City meets the state and national standards for financial reporting, and ***no deficiencies or material weaknesses were reported*** in their review of the City's internal controls.

The Council's acceptance of the audit report presented by Moss Adams in the December 18th study session acknowledges receipt of the independent auditor's opinion, which contained no significant findings to which Management would be required to respond.

Further, the final results for the fiscal year ending 2023 were generally in line with Staff's report of the 4th quarter financial update made to Council on September 19, 2023. Both the 2023 ACFR and the Monthly Report for June 30, 2023, will be posted on the City's website when it is submitted to all the regulatory agencies, no later than December 31, 2023.

FISCAL IMPACTS

N/A

SUGGESTED NEXT STEPS

While it does not require a vote of Council, an acknowledgement and acceptance of the report is used to finalize the ACFR and submit it to the State Audit Division and various agencies.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to accept the attached Fiscal Year 2023 Annual Comprehensive Financial Report.

REFERENCES & ATTACHMENTS

Attachment 1: Council Study Session Audit Packet dated December 18, 2023

Better Together

ATTACHMENT 1

Council Study Session

December 18, 2023

Agenda Item	Presentation of Audit Results and the Annual Comprehensive Financial Report – Fiscal Year 2023	
From	Mariane Berry Dana Mason Amanda McCleary-Moore	Finance Director Audit/Budget Lead Moss Adams Audit Partner
Contact	Mariane.Berry@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☒ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

The City of Ashland has prepared the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2023. This report is published annually as the City's official annual report and complies with State statutes requiring the City of Ashland to issue such report on its financial position and activity, and that this report be audited by an independent firm of certified public accountants licensed by the State of Oregon to conduct municipal audits.

The City's independent auditors, Moss Adams LLP, have provided ***an unmodified opinion***, which is to say that the City's financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information for the fiscal year.

POLICIES, PLANS & GOALS SUPPORTED

Administrative/Governance goal:

"To ensure ongoing fiscal ability to provide desired and required services at an acceptable level."

BACKGROUND AND ADDITIONAL INFORMATION

The City of Ashland's ACFR for FY2023 provides a comprehensive reporting of the City's financial condition as of June 30, 2023. The ACFR has been audited by the City's external auditors, Moss Adams LLP, and determined to warrant ***an unmodified opinion***, indicating that the City meets the state and national standards for financial reporting. Moss Adams also reviews the City's internal controls over compliance and ***no deficiencies or material weaknesses were reported.***

The Audit and the ACFR are considered complete upon the issuance of the Audit Letters: Report of Independent Auditors on Financial Statements, Oregon State Regulations Audit Report, Report on Internal Controls and Report on Compliance for Each Major Federal Program. As a matter of process, it is made official by the Council's acceptance of the Auditor's Report which is scheduled at the regular business meeting on December 19, 2023.

Please note that the audit letters are in draft form until they are issued on the date of the business meeting. At that time, they will be finalized, signed and included in the ACFR.

FISCAL IMPACTS

No direct impacts. Issuance by independent auditors of an unmodified audit opinion and reasonable assurance of the City's internal controls in its operations provides a strong foundation for the establishment and continuance of sound fiscal policy and management. Further it assists in the City maintaining its bond rating and financial market position by reflecting appropriate levels of fund balance and the complete and accurate reporting of its financial activities. Should findings exist, it serves to improve the City's internal controls and processes and instills financial accountability and public trust in City operations.

SUGGESTED NEXT STEPS

That Council accept the Auditor's Report on the City of Ashland's Annual Comprehensive Financial Audit for Fiscal Year 2023 in the Regular Business Meeting dated December 19, 2023.

REFERENCES & ATTACHMENTS

Attachment 1: Annual Comprehensive Financial Report FY 2023
Attachment 2: Draft Auditor Letters

Council Business Meeting

December 19, 2023

Agenda Item	Climate Friendly and Equitable Communities Planning Grant Application Authorization	
From	Brandon Goldman	Community Development Director
Contact	brandon.goldman@ashland.or.us 541-552-2076	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐	

SUMMARY

Staff is requesting authorization to prepare and submit an application requesting a Climate Friendly and Equitable Communities (CFEC) Planning Grant from the Department of Land Conservation and Development (DLCD) to receive consultant assistance in drafting the legislative amendments necessary to implement Climate Friendly Area zoning overlays within the City of Ashland.

POLICIES, PLANS & GOALS SUPPORTED

Ashland Climate Friendly Area Study: https://www.oregon.gov/lcd/CL/Documents/AshlandCFAStudy.pdf

Ashland Climate Energy Action Plan (CEAP)
Goal: Reduce community and City employee vehicle miles traveled and greenhouse gas emissions.

- Strategy ULT-1. Support better public transit and ridesharing.
  - ULT-1-3. Establish policies to support development near transit hubs without displacing disadvantaged populations.
- Strategy ULT-2. Make Ashland more bike- and pedestrian-friendly.
  - ULT-2-1. Implement bicycle- and pedestrian-friendly actions in the City's Transportation System Plan and Downtown Parking Management Plan
- Strategy ULT-3. Support more efficient vehicles.
  - ULT-3-2. Revise land use codes to require EV charging infrastructure at multifamily and commercial developments.
- Strategy ULT-4. Support more climate-ready development and land use.
  - ULT-4-2. Revise community development plans to favor walkable neighborhoods and infill density.

BACKGROUND AND ADDITIONAL INFORMATION

The Oregon Department of Land Conservation and Development (DLCD) received $2.7m in legislative funding for the 2023-2025 biennium to support local governments in their work to implement the Climate Friendly and Equitable Communities (CFEC) program. The CFEC program increases housing and transportation choice for Oregonians, while improving equity and reducing climate pollution. The Community Development Department endeavors to submit a CFEC Planning Grant to obtain assistance in amending zoning maps and development regulations for climate-friendly areas, and to conduct market studies to examine the development potential of designated climate-friendly areas.

The City Council approved Ashland's Climate Friendly Area Study on September 19th, 2023, which will provide the basis for the analysis and CFA land use code amendments explored through this project. The potential Climate Friendly Areas (CFAs) identified for consideration in this initial study included the Croman Mill District, the Railroad property, the Transit Triangle, and the downtown.

Ashland has been fortunate to be the recipient of 2019-21, and 2022-2023 planning assistance grants from DCLD which allowed the City to work with a consultant to update Ashland's Housing Capacity Analysis and to develop Ashland's Housing Production Strategy. Most recently the City was notified that we will be awarded a 2024 Technical Assistance grant by DLCD to update to Ashland's Economic Opportunity Analysis (EOA).

Application for a CFEC Planning Grant requires a formal application, and submission of a letter of support authorized by the City Council. Upon the Council's direction, the Community Development Department will prepare the grant application which is due by January 23, 2024.

FISCAL IMPACTS

The City is not required to provide any matching funds for this grant application. The City will seek to receive assistance from consultants through contracts managed by the Department of Land Conservation and Development. Should the City receive a DLCD grant as part of the competitive award process, this award would reduce the need for the City to expend general funds on this activity, with the exception of dedicating Planning Staff time to complete the State mandated code amendments to implement CFA areas by December 31, 2024.

DISCUSSION QUESTIONS

Not Applicable

SUGGESTED NEXT STEPS

Staff recommends that the Council authorize staff to prepare and submit an application for a CFEC Planning Grant from the Department of Land Conservation and Development to hire a consultant to assist the City in drafting a Climate Friendly Area zone and implementing ordinances.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to authorize staff to prepare and submit an application for a CFEC Planning Grant from the Department of Land Conservation and Development and include a letter of support on behalf of the Council.

REFERENCES & ATTACHMENTS

Attachment 1: Draft Council Letter of Support

December 19, 2023

Cody Meyer, Land Use and Transportation Planner,
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540

Re: DLCD Technical Assistance Grant Application

Dear Mr. Meyer,

The Ashland City Council fully supports the City of Ashland's application for the 2024 Climate Friendly and Equitable Communities (CFEC) Planning Grant from the Department of Land Conservation and Development.

We are excited about the prospect of creating Climate Friendly Areas through the zoning amendment process, a venture that would greatly benefit from the CFEC Planning Grant. This project, aimed at implementing Climate Friendly Areas, will involve comprehensive community engagement, advanced transportation planning, market analysis for employment and housing development, and significant changes to zoning laws, all of which are crucial for its success.

We recognize the extensive work required for effective implementation, which surpasses our staff's current capabilities, and without State support could not be completed within the one-year deadline set by CFEC rules. Thus, the support from the DLCD Planning Grants is critical for us to meet our objectives under the CFEC program.

We understand the CFEC program's potential to transform Oregon communities by encouraging diverse housing and transportation options, promoting equity, and reducing environmental impact. Ashland is eager to leverage the resources and expertise provided by the DLCD through this grant. The opportunity is particularly appealing as it requires no financial contribution from us, other than staff involvement. We plan to use the grant to work with expert consultants overseen by the DLCD. This partnership is expected to advance Ashland towards a sustainable and equitable future, in line with the goals of the CFEC program.

Thank you for your consideration,

_____ _____

Mayor Tonya Graham, City of Ashland Date

Office of the Mayor, City of Ashland

Council Business Meeting

December 19, 2023

Agenda Item	Acceptance of a DLCD Technical Assistance Economic Opportunity Analysis Grant	
From	Brandon Goldman	Community Development Director
Contact	brandon.goldman@ashland.or.us 541-552-2076	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐	

SUMMARY

The City of Ashland has been awarded a $60,000 planning grant from the Department of Land Conservation and Development, for the purpose of hiring a consultant to aid in drafting an updated Economic Opportunity Analysis.

POLICIES, PLANS & GOALS SUPPORTED

Oregon Administrative Rules 660-009-0015

Ashland Comprehensive Plan Economic Element:

> Goal: GOAL (7.07.03) To ensure that the local economy increases in its health, and diversifies in the number, type, and size of businesses consistent with the local social needs, public service capabilities, and the retention of a high quality environment.

BACKGROUND AND ADDITIONAL INFORMATION

Oregon Department of Land Conservation and Development (DLCD) provides funding for the purpose of providing technical assistance to local governments to update comprehensive plans, update local ordinances, and fund other planning compliance projects. On September 19th, 2023 the City Council authorized Community Development Staff to prepare an application for grant funding to conduct an Economic Opportunity Analysis in 2024.

The principal purpose of an Economic Opportunities Analysis is to reconcile estimates of future employment land demand with existing inventories of vacant and redevelopable employment land within their Urban Growth Boundary (UGB). This assessment can assist in ensuring a City provides an adequate land supply for economic development and employment growth. An EOA includes analysis of local and regional economic trends, evaluation of the community's opportunities and barriers to economic growth, and a determination of the types and amounts of land and infrastructure needed to support expected employment.

The City of Ashland has been granted $60,000 by the Oregon Department of Land Conservation and Development. This funding is for hiring an economic consultant to help Ashland create an Economic Opportunities Analysis (EOA). The consultant will also prepare a draft EOA that meets the standards outlined in OAR 660-009-0015. This project is a crucial update to Ashland's EOA from 2007 and is a key initiative supported by both the Department of Land Conservation and Development (DLCD) and the City Council.

Similarly, the City of Medford has also been chosen to receive a grant for updating their EOA in 2024. In light of the shared regional economic context, both Ashland and Medford's planning teams have communicated to the DLCD their intention to collaborate. This partnership aims to work jointly on certain aspects of their respective EOAs, including sharing regional background data and conducting business leader interviews and outreach. The goal of this collaboration is to reduce overall project costs and to integrate a regional perspective into each city's analysis.

FISCAL IMPACTS

The City Council budgeted $70,000 in 2023-2025 Biennial Budget to complete an Economic Opportunities Analysis in the coming year. The $60,000 DLCD technical assistance grant substantially reduces the estimated expense to the City of Ashland, resulting in a City contribution of approximately $10,000 toward this project. Additionally, City staff time will be dedicated to work with the consultant team to support the progress of this activity through the public engagement process.

DISCUSSION QUESTIONS

Not Applicable

SUGGESTED NEXT STEPS

Staff recommends that the Council accept the grant award from the Department of Land Conservation and Development and direct the City Manager to execute the final grant agreements for the DLCD Technical Assistance grant award in support of updating Ashland's Economic Opportunities Analysis.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to accept the grant award and authorize the City Manager to execute a final grant agreement with the Department of Land Conservation and Development for a Technical Assistance Grant to draft an Economic Opportunity Analysis.

REFERENCES & ATTACHMENTS

Attachment 1: DLCD Letter of award dated December 1, 2023

Oregon
Tina Kotek, Governor

Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
Phone: 503-373-0050
Fax: 503-378-5518
www.oregon.gov/LCD

December 1, 2023

Brandon Goldman, Community Development Director
City of Ashland
20 East Main Street
Ashland, Oregon 97520

SENT VIA E-MAIL

RE: Notice of DLCD Technical Assistance grant award

Dear Brandon:

I am very pleased to offer the City of Ashland a Technical Assistance grant award for 2023-2025. Your application was selected from among 49 proposals submitted to the Department of Land Conservation and Development for this biennium. Your proposal aligns well with the priorities established in the Land Conservation and Development Commission's Grants Allocation Plan and other approval criteria. The department is prepared to fund the Ashland Economic Opportunities Analysis Update project for $60,000.

Please work with your DLCD regional representative to complete a scope of work and grant contract. Once a grant contract is signed by both parties, reimbursable work on the project may begin.

Oregon's current budget provides funding to support the Technical Assistance grant program. Please note, however, in the event of a significant change in state revenue we may be required to limit a portion of the grant award.

If you have any questions about the award, please contact Josh LeBombard, your DLCD regional representative, at 541-414-7932 or josh.lebombard@dlcd.oregon.gov, or me at (503) 856-6935 or Gordon.howard@dlcd.oregon.gov.

Thanks for your interest, and compliments on your successful application. We look forward to working with you on the project.

Yours truly,

Gordon W. Howard

Gordon Howard
Community Services Division Manager

cc: Senator Jeff Golden
Representative Pam Marsh
Jessica LaBerge, Regional Solutions Team Coordinator
Josh LeBombard, DLCD Regional Representative
Angela Williamson, DLCD Grants Administrative Specialist

Council Business Meeting

December 19, 2023

Agenda Item	Approval of Liquor License Request for Beat Farm Coop & Ola Loa General Store	
From	Alissa Kolodzinski	City Recorder
Contact	recorder@ashland.or.us; 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

This is a request for approval of a liquor license application for Beat Farm Coop & Ola Loa General Store, 38 Lithia Way, Ashland, OR 97520.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review.

BACKGROUND AND ADDITIONAL INFORMATION

This is a liquor license application for a New Outlet with Limited On-Premises use of a commercial liquor license.

FISCAL IMPACTS

N/A

STAFF RECOMMENDATION

Staff recommends approval of the liquor license application. The City has determined that the location of this business complies with the City's land use requirements. The applicant has a Business License and has registered as a store.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the liquor license for Beat Farm Coop & Ola Loa General Store located at 38 Lithia Way, Ashland, OR 97520.

REFERENCES & ATTACHMENTS

Attachment 1: Application

Better Together

OREGON LIQUOR & CANNABIS COMMISSION

LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
   - If the premises street address is within a city's limits, the local government is the city.
   - If the premises street address is not within a city's limits, the local government is the county.
3. You can submit the application to the OLCC if:
   1. You have WRITTEN documentation showing the date the local government received the application or;
   2. The local government has provided you their recommendation.

ALL forms and documents must be a **PDF** attachment

4. **Email the PDF application that contains the local government recommendation or proof of submission** to: OLCC.LiquorLicenseApplication@oregon.gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).
   When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

License Request Options - *Please see the general definitions of the license request options below:*

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to change from an Off-Premises to a Limited or Full On-Premises Sales license **OR** from a Limited to Full On-Premises Sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review OAR 845-006-0301 for the definitions of "applicant" and "licensee" and OAR 845-005-0311 to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per OAR 845-005-0311[6]) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.
If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:
- Complete the Authorized Representative Form designating a person/entity to act on your behalf and submit with the application.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.

LIQUOR LICENSE APPLICATION

Check the appropriate license request option:

☒ New Outlet | ☐ Change of Ownership | ☐ Greater Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd ☐4th ☐5th

Brewery

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Distillery

- ☐ Primary location

Additional tasting locations: (Use the DISTT form **HERE**)

☒ **Limited On-Premises**

☐ **Off Premises**

☐ **Warehouse**

☐ **Wholesale Malt Beverage and Wine**

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received:

Optional: Date Stamp Received Below

☐ Recommend this license be granted

☐ Recommend this license be denied

☐ No Recommendation/Neutral

Printed Name _____ Date _____

Signature

Beat Farm Coop & Ola Loa General Store

Trade Name

LIQUOR LICENSE APPLICATION

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
Beat Farm Coop & Ola Loa General Store LLC	
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Beat Farm Coop & Ola Loa General Store

Premises street address (The physical location of the business and where the liquor license will be posted):

38 Lithia Way

City:	Zip Code:	County:
Ashland	97520-1820	Jackson

Business phone number:	Business email:
323-873-5228	BeatFarmDaily@gmail.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1].):

1467 Siskiyou Blvd. #58

City:	State:	Zip Code:
Ashland	OR	97520-2336

Does the business address currently have an OLCC liquor license? ☐ Yes ☒ No	Does the business address currently have an OLCC marijuana license? ☐ Yes ☒ No

APPLICATION CONTACT INFORMATON – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:

Kelly Kulia Furtado

Phone number:	Email:
[redacted]	

LIQUOR LICENSE APPLICATION

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:

1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.

2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.

3. The licensed premises at the premises street address proposed to be licensed either:
   a. Does not include any common areas; or
   b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.

4. The licensed premises at the premises street address either:
   a. Has no area on property controlled by a public entity (like a city, county, or state); or
   b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Beat Farm Coop & Ola Loa General Store

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Applicant name	Signature	Date
Kelly Kulia Furtado	Kelly Kulia Furtado Digitally signed by Kelly Kulia Furtado Date: 2023.12.07 17:14:14 -08'00'	12/07/2023
Applicant name	Signature	Date
Applilcant name	Signature	Date
Applicant name	Signature	Date

Applicant/Licensee Representative(s): If you would like to designate a person/entity to act on your behalf you must complete the Authorized Representative Form. You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.

December 19, 2023

Cody Meyer, Land Use and Transportation Planner,
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540

Re: DLCD Technical Assistance Grant Application

Dear Mr. Meyer,

The Ashland City Council fully supports the City of Ashland's application for the 2024 Climate Friendly and Equitable Communities (CFEC) Planning Grant from the Department of Land Conservation and Development.

We are excited about the prospect of creating Climate Friendly Areas through the zoning amendment process, a venture that would greatly benefit from the CFEC Planning Grant. This project, aimed at implementing Climate Friendly Areas, will involve comprehensive community engagement, advanced transportation planning, market analysis for employment and housing development, and significant changes to zoning laws, all of which are crucial for its success.

We recognize the extensive work required for effective implementation, which surpasses our staff's current capabilities, and without State support could not be completed within the one-year deadline set by CFEC rules. Thus, the support from the DLCD Planning Grants is critical for us to meet our objectives under the CFEC program.

We understand the CFEC program's potential to transform Oregon communities by encouraging diverse housing and transportation options, promoting equity, and reducing environmental impact. Ashland is eager to leverage the resources and expertise provided by the DLCD through this grant. The opportunity is particularly appealing as it requires no financial contribution from us, other than staff involvement. We plan to use the grant to work with expert consultants overseen by the DLCD. This partnership is expected to advance Ashland towards a sustainable and equitable future, in line with the goals of the CFEC program.

Thank you for your consideration,

Mayor Tonya Graham, City of Ashland

12/19/23
Date

Office of the Mayor, City of Ashland
20 East Main St.
Ashland, Oregon 97520
ashland.or.us
Tel: 541.488-6002
Fax: 541.552.5311
TTY: 800.735.2900

Council Business Meeting

December 19, 2023

Agenda Item	Approval of Liquor License Request for Mason's on Main LLC	
From	Alissa Kolodzinski	City Recorder
Contact	recorder@ashland.or.us; 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

This is a request for approval of a liquor license application for Mason Goche (dba Mason's on Main, LLC), 345 East Main Street, Ashland, OR 97520.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review.

BACKGROUND AND ADDITIONAL INFORMATION

This is a liquor license application for a New Outlet with Limited On-Premises and Off-Premises use of a commercial liquor license.

FISCAL IMPACTS

N/A

STAFF RECOMMENDATION

Staff recommends approval of the liquor license application. The City has determined that the location of this business complies with the City's land use requirements. The applicant has a Business License and has registered as a restaurant.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the liquor license for Mason's on Main, LLC located at 345 East Main Street, Ashland, OR 97520.

REFERENCES & ATTACHMENTS

Attachment 1: Application

Better Together

OREGON LIQUOR & CANNABIS COMMISSION

LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
   - If the premises street address is within a city's limits, the local government is the city.
   - If the premises street address is not within a city's limits, the local government is the county.
3. You can submit the application to the OLCC if:
   1. You have WRITTEN documentation showing the date the local government received the application or;
   2. The local government has provided you their recommendation.

ALL forms and documents must be a **PDF** attachment

4. **Email the PDF application that contains the local government recommendation or proof of submission** to: OLCC.LiquorLicenseApplication@oregon.gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).
   When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

License Request Options - *Please see the general definitions of the license request options below:*

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to change from an Off-Premises to a Limited or Full On-Premises Sales license **OR** from a Limited to Full On-Premises Sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review OAR 845-006-0301 for the definitions of "applicant" and "licensee" and OAR 845-005-0311 to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per OAR 845-005-0311[6]) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.
If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:
- Complete the Authorized Representative and submit with the application.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.

LIQUOR LICENSE APPLICATION

Check the appropriate license request option:

☒ New Outlet | ☐ Change of Ownership | ☐ Greater Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th

Brewery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Distillery

- ☐ Primary location

Additional tasting locations: (Use the DISTT form **HERE**)

- ☒ **Limited On-Premises**
- ☒ **Off Premises**
- ☐ **Warehouse**
- ☐ **Wholesale Malt Beverage and Wine**

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County ~~(not both)~~

Ashland

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received:

Optional: Date Stamp Received Below

☐ Recommend this license be granted
☐ Recommend this license be denied
☐ No Recommendation/Neutral

Printed Name

Date

Signature

Mason's on Main LLC

Trade Name

LIQUOR LICENSE APPLICATION

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
Mason Goché	
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Mason's on Main LLC

Premises street address (The physical location of the business and where the liquor license will be posted):

345 E Main St

City:	Zip Code:	County:
Ashland	97520	Jackson

Business phone number:	Business email:
541-973-9845	masonsonmaininashland@gmail.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1].):

952 B Street Unit 4

City:	State:	Zip Code:
Ashland	Oregon	97520

Does the business address currently have an OLCC liquor license? ☐ Yes ☒ No	Does the business address currently have an OLCC marijuana license? ☐ Yes ☒ No

APPLICATION CONTACT INFORMATON – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:

Mason Goché

Phone number:	Email:
[redacted]	

LIQUOR LICENSE APPLICATION

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:

1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.

2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.

3. The licensed premises at the premises street address proposed to be licensed either:
   a. Does not include any common areas; or
   b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.

4. The licensed premises at the premises street address either:
   a. Has no area on property controlled by a public entity (like a city, county, or state); or
   b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Mason's on Main LLC

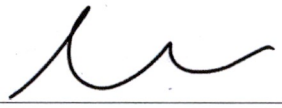
Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Applicant name	Signature	Date
Mason Goché		12/07/2023

Applicant/Licensee Representative(s): If you would like to designate a person/entity to act on your behalf you must complete the Authorized Representative Form. You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.

Council Business Meeting

December 19, 2023

Agenda Item	Approval of Liquor License Request for Dangerous Lee's Local 31 Pub	
From	Alissa Kolodzinski	City Recorder
Contact	recorder@ashland.or.us; 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

This is a request for approval of a liquor license application for Dangerous Lee LLC (dba Dangerous Lee's Local 31 Pub), 31 Water Street, Suite 2, Ashland, OR 97520.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review.

BACKGROUND AND ADDITIONAL INFORMATION

This is a liquor license application for a Change of Ownership of a commercial liquor license.

FISCAL IMPACTS

N/A

STAFF RECOMMENDATION

Staff recommends approval of the liquor license application. The City has determined that the location of this business complies with the City's land use requirements. The applicant has a Business License and has registered as a restaurant.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the liquor license for Dangerous Lee's Local 31 Pub located at 31 Water Street, Suite 2, Ashland, OR 97520.

REFERENCES & ATTACHMENTS

Attachment 1: Application

Better Together

OREGON LIQUOR & CANNABIS COMMISSION

LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
   - If the premises street address is within a city's limits, the local government is the city.
   - If the premises street address is not within a city's limits, the local government is the county.
3. You can submit the application to the OLCC if:
   1. You have WRITTEN documentation showing the date the local government received the application or;
   2. The local government has provided you their recommendation.

   ALL forms and documents must be a **PDF** attachment
4. **Email the PDF application that contains the local government recommendation or proof of submission** to: OLCC.LiquorLicenseApplication@Oregon.Gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).
   When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

License Request Options - *Please see the general definitions of the license request options below:*

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to replace a Limited On-Premises sales license with a Full On-Premises sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review OAR 845-006-0301 for the definitions of "applicant" and "licensee" and OAR 845-005-0311 to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per OAR 845-005-0311[6]) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one individual who is authorized to sign for the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:

- Complete the below Authorized Representative area on page 2 as the applicant/licensee and/or
- Provide a Power of Attorney document showing the permissions allowable on the behalf of the applicant/licensee with this submission

Please note that applicants/licensees are responsible for all information provided on this form, even if an authorized representative or individual with authority signs on behalf of the applicant.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.

LIQUOR LICENSE APPLICATION

Check the appropriate license request option:

☐ New Outlet | ☑ Change of Ownership | ☐ Greater Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☑ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location

Additional locations: ☐2nd ☐3rd ☐4th ☐5th

Brewery

- ☐ Primary location

Additional locations: ☐2nd ☐3rd

Brewery-Public House

- ☑ Primary location

Additional locations: ☐2nd ☐3rd

Grower Sales Privilege

- ☐ Primary location

Additional locations: ☐2nd ☐3rd

Distillery

- ☐ Primary location

Additional tasting locations: (Use the DISTT form **HERE**)

☐ **Limited On-Premises**

☐ **Off Premises**

☐ **Warehouse**

☐ **Wholesale Malt Beverage and Wine**

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT:

After providing your recommendation, return this application to the applicant WITH the recommendation marked below

City OR County name: (not both)

(Please specify city OR county)

Date application received:

Optional: Date Stamp Received Below

☐ Recommend this license be granted

☐ Recommend this license be denied

☐ No Recommendation/Neutral

Printed Name **Date**

Signature

Trade Name

LIQUOR LICENSE APPLICATION

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
Dangerous Lee LLC	
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):
Dangerous Lee's Local 31 Pub

Premises street address (The physical location of the business and where the liquor license will be posted):
31 water street Suit 2

City:	Zip Code:	County:
Ashland	97520	Jackson

Business phone number:	Business email:

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1].):
[redacted] 31 Water street Suit 2

City:	State:	Zip Code:
Ashland	OR	97520

Does the business address currently have an OLCC liquor license?	Does the business address currently have an OLCC marijuana license?
☑ Yes ☐ No	☐ Yes ☑ No

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

☐ Make changes regarding this license/application on my behalf.
☐ Sign application forms regarding this license/application on my behalf.
☐ Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name:

Phone number:	Email:

Mailing address:

City:	State:	Zip Code:

LIQUOR LICENSE APPLICATION

APPLICATION CONTACT INFORMATON – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

Application Contact Name: Julian Jones

[redacted]

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:

1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.

2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.

3. The licensed premises at the premises street address proposed to be licensed either:
   a. Does not include any common areas; or
   b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.

4. The licensed premises at the premises street address either:
   a. Has no area on property controlled by a public entity (like a city, county, or state); or
   b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Print name	Signature	Date	Atty. Bar Info (if applicable)
Julian Jones	Julian Jones	12/12/23	

Council Business Meeting

December 19, 2023

Agenda Item	Approval of Liquor License Request for Carlitos Italian Cuisine	
From	Alissa Kolodzinski	City Recorder
Contact	recorder@ashland.or.us; 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

This is a request for approval of a liquor license application for Carlitos Italian Cuisine, 691 Fair Oaks Avenue, Ashland, OR 97520.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review.

BACKGROUND AND ADDITIONAL INFORMATION

This is a liquor license application for a New Outlet with Limited On-Premises use of a commercial liquor license.

FISCAL IMPACTS

N/A

STAFF RECOMMENDATION

Staff recommends approval of the liquor license application. The City has determined that the location of this business complies with the City's land use requirements. The applicant has a Business License and has registered as a restaurant.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the liquor license for Carlitos Italian Cuisine, located at 691 Fair Oaks Avenue, Ashland, OR 97520.

REFERENCES & ATTACHMENTS

Attachment 1: Application

LIQUOR LICENSE APPLICATION

Check the appropriate license request option:

☒ New Outlet | ☐ Change of Ownership | ☐ Greater Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th

Brewery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Distillery

- ☐ Primary location

Additional tasting locations: (Use the DISTT form **HERE**)

☒ **Limited On-Premises**

☐ **Off Premises**

☐ **Warehouse**

☐ **Wholesale Malt Beverage and Wine**

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received:

Optional: Date Stamp Received Below

☐ Recommend this license be granted

☐ Recommend this license be denied

☐ No Recommendation/Neutral

Printed Name _____ Date _____

Signature _____

CARLITOS ITALIAN CUISINE

Trade Name

LIQUOR LICENSE APPLICATION

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
CARLITOS ITIALIAN CUISINE, CORP	
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):
CARLITOS ITALIAN CUISINE

Premises street address (The physical location of the business and where the liquor license will be posted):
691 FAIR OAKS AVE

City:	Zip Code:	County:
ASHLAND OR	97520	JACKSON

Business phone number:	Business email:
541-301-5005	TIRSA.AGENT@GMAIL.COM

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1].):
PO BOX 4072

City:	State:	Zip Code:
MEDFORD	OR	97501

Does the business address currently have an OLCC liquor license? ☒ Yes ☐ No	Does the business address currently have an OLCC marijuana license? ☐ Yes ☒ No

APPLICATION CONTACT INFORMATON – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:
TIRSA FONG

[redacted]

Email:
TIRSA.AGENT@GMAIL.COM

LIQUOR LICENSE APPLICATION

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:

1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.

2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.

3. The licensed premises at the premises street address proposed to be licensed either:
   a. Does not include any common areas; or
   b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.

4. The licensed premises at the premises street address either:
   a. Has no area on property controlled by a public entity (like a city, county, or state); or
   b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

CARLITOS ITALIAN CUISINE

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Applicant name	Signature	Date
CARLA S WHISENHUNT PEREZ		12/10/23

Applicant/Licensee Representative(s): If you would like to designate a person/entity to act on your behalf you must complete the Authorized Representative Form. You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.

Council Business Meeting

Date: December 19, 2023

Agenda Item	Social Equity & Racial Justice Advisory Committee Appointments	
From	Alissa Kolodzinski	City Recorder
Contact	recorder@ashland.or.us, 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Confirm Mayor Graham's recommendations for the appointment of the following committee members to the Social Equity & Racial Justice Advisory Committee:

- Allison Mendel for a term ending 4/30/2026.
- Neeta Singh for a term ending 4/30/2026.
- John Tyler for a term ending 4/30/2026.

POLICIES, PLANS & GOALS SUPPORTED

Ashland Municipal Code (AMC) Chapter 2.20.

BACKGROUND AND ADDITIONAL INFORMATION

This is confirmation by the City Council of the Mayor's appointment to the Social Equity and Racial Justice Advisory Committee.

FISCAL IMPACTS

N/A

DISCUSSION QUESTIONS

N/A

SUGGESTED NEXT STEPS

I move to approve the Mayor's recommendations for the appointments of the Social Equity and Racial Justice Advisory Committee for terms ending 4/30/2026.

REFERENCES & ATTACHMENTS

Attachment 1: Application – Mendel
Attachment 2: Application – Singh
Attachment 3: Application - Tyler

Better Together

From: City of Ashland, Oregon
To: Dorinda Cottle; City Recorder
Subject: Application for Committee or Commission Submitted
Date: Sunday, November 19, 2023 11:08:23 AM

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Name: **Allison Mendel**
Committee or Commission intersted in: **Social Equity and Racial Justice**
[redacted]
Occupation : **Retired**
Educational background: **BA in Psychology Occidental College BA in Russian U.C. Irvine J.D. U.C. Davis School of Law Numerous continuing legal education classes on discrimination and civil rights**
Related Experience: **I practiced law for 35 years in Alaska. I was primarily a divorce lawyer but I spent considerable time on civil rights issues, including employment discrimination and gay rights. I was the attorney who first won marriage rights for same-sex couples in Alaska. I had two other significant gay-rights wins in the Alaska Supreme Court. I also did political organizing and ran a campaign. I presented many continuing legal education programs, including one on transgender rights. I also worked on Indian Child Welfare Act cases. I owned a boutique law form for many years and practiced diverse hiring, promotion, and retention. I also founded the Alaska Association of Collaborative Professionals, a group engaging in collaborative problem-solving for family and other issues. I have sat on many boards and commissions, including Alaska Legal Services, the Alaska Bar Association Board of Governors, the National LGBT Bar Association, and the Girl Scouts of Alaska. I continue to sit as Finance Committee Chair for the Girl Scouts of Alaska. I sing with the Rogue Valley Peace Choir, where social equity is one of our missions. I served on the City of Ashland?s search committee for the city manager**
Interests: **Social Equity and Racial Justice have been a focus of my career from a very early time. I have been involved in numerous groups and efforts dealing with these issues. I would be very interested in serving on these issues in Ashland. I have observed that many of Ashland?s older and retired residents are not very aware of, or experienced in dealing with, social equity issues. I think the city could do a much better job with better outreach and information-sharing. Our citizens tend to be highly opinionated and spreading actual information is critical to good decision-making. I also have a great deal of experience in collaborative processes, which might be useful.**
Availability: **I can manage my schedule to attend almost any meeting, although not Tuesday afternoons mostly.**
Additional Information : **I retired to Ashland in 2017. I have done various kinds of volunteer work since arriving, although COVID certainly slowed down the volunteer opportunities. I also raised a transgender grandchild here in Ashland when her family rejected her. I had the opportunity to sit on the search interview committee for the Ashland City Manager, which was very rewarding.**
Signature: **Allison Mendel**

From: City of Ashland, Oregon
To: Dorinda Cottle; City Recorder
Subject: Application for Committee or Commission Submitted
Date: Wednesday, November 1, 2023 4:25:36 PM

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Name: **Neeta Singh**
Committee or Commission intersted in: **Planning**
[redacted]
Occupation : **Self employed**
Educational background: **Masters of Business southern Oregon university, 2011**
Related Experience: **I manage 15 employees at work that I manage**
Interests: **I have some free time that I want to volunteer**
Availability: **Yes available to attend meeting regularly**
Additional Information : **I lived in ashland for last 20 years**
Signature: **Neeta Singh**

*** USER INFORMATION ***
SubscriberID: **-1**
SubscriberUserName:
SubscriberEmail:
RemoteAddress: **66.241.70.76**
RemoteHost: **66.241.70.76**
RemoteUser:

From: City of Ashland, Oregon
To: Dorinda Cottle; City Recorder
Subject: Application for Committee or Commission Submitted
Date: Monday, November 20, 2023 9:49:11 AM

[EXTERNAL SENDER]

*** FORM FIELD DATA***
Name: **John Tyler**
Committee or Commission intersted in: **Social Equity and Racial Justice Committee**
[redacted]
Occupation : **Retired**
Educational background: **BA Marietta College Marietta Ohio 1957 LLD Un ivertsity of Virginia School of Law 1960 Masters in Clinical Psychology Antioch University-New England 1989**
Related Experience: **I have been involved in the planning of the Martin Luther King Day celebrations since 2010. I have co-hosted an anti-racism group in Ashland since 2019.**
Interests: **I want to help raise awareness of the racial history of this area to the Ashland community and to work to make Ashand as welcoming a community as possible.**
Availability: **I am available to attend special meetings. I prefer daytime meetings if possible.**
Additional Information : **I have lived in Ashland since 2009.**
Signature: **John B. Tyler**

*** USER INFORMATION ***
SubscriberID: **-1**
SubscriberUserName:
SubscriberEmail:
RemoteAddress: **66.241.70.76**
RemoteHost: **66.241.70.76**
RemoteUser:

Council Business Meeting

Dec 19, 2023

Agenda Item	First Reading – 3226 -An ordinance establishing Hours of Parks Closure	
From	Leslie Eldridge	Interim Parks Director
Contact	Leslie.eldridge@ashland.or.us 541-552-2251	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☒ New Business ☐ Old Business ☐	

SUMMARY

First reading of a proposed ordinance to establish Parks Hours for all city parks, trails, and open space lands. The presented ordinance language was unanimously recommended to City Council by the Parks and Recreation Commissioners on Oct 11, 2023. City Council reviewed the ordinance language in their Nov 7, 2023 business meeting, but did not approve to second reading. Council requested more information on parks authority to further limit parks hours beyond the proposed ordinance hours.

POLICIES, PLANS & GOALS SUPPORTED

Council Priorities: Public Safety Services: Code enforcement (building safety, public nuisances, neighborhood, and environment infractions).

BACKGROUND AND ADDITIONAL INFORMATION

Over the last decade, Ashland Parks and Recreation has seen an increasing amount of vandalism and damage to public property, improper use of public restrooms, and security/public safety issues in our parks, parks facilities and open spaces. These incidents have largely been occurring during nighttime hours. Managing these issues has resulted in significant maintenance and financial burdens to APRC, as well as challenges to the Ashland Police Department (APD) enforcement efforts for public safety.

Currently, the Ashland Municipal Code (10.68.380) has an established "Curfew" **only** for Lithia Park between the hours of 11:30PM and 5:30AM. The remaining parks and parklands within the APRC system do not have any formal hours of closure.

The proposed amendment to the AMC would establish hours of parks closure in all City parks. The Ashland Municipal Code (10.68.010) defines the term "Parks" as inclusive of all parks, trails, and open space lands.

Ashland Parks and Recreation Board of Commissioners reviewed the proposed ordinance on October 11, 2023 and recommended the ordinance move forward for City Council consideration. City Council reviewed the proposed ordinance on the November 7, 2023 Business Meeting, and did not approve the First Reading. Council requested more information on the implications of the proposed ordinance for parks properties where more limited hours may be necessary, such as Skate Park. Parks staff has consulted on this question with the Legal Department to ensure that the proposed ordinance neither adversely affects the proposed camping ordinance or prevents parks staff from

further restricting park hours on any other APRC property, using signage and/or internal parks policies.

Key Points:

- The proposed ordinance establishes baseline hours of closure that apply to all parks, trails and open spaces. It does **not** prevent APRC from establishing operating hours or additional restrictions on specific parks, facilities, or equipment.
- The proposed ordinance has been developed in collaboration with Ashland Police and Legal Departments and will not affect the proposed camping ordinance.
- The proposed ordinance allows for transit through park lands during nighttime hours, as well as sanctioned after-hours activities with a special event permit.

FISCAL IMPACTS

No fiscal impacts

SUGGESTED NEXT STEPS

Staff recommends that Council approve First Reading of Ordinance No 3226 and send it to Second Reading.

REFERENCES & ATTACHMENTS

- AN ORDINANCE AMENDING AMC CHAPTER 10.68 PUBLIC PARKS AND ESTABLISHING PARK HOURS FOR ALL CITY PARKS

ORDINANCE NO. 3226

AN ORDINANCE AMENDING SECTION 10.68 OF THE ASHLAND MUNCIPAL CODE: CURFEW

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~**bold lined through**~~, and additions are **bold underlined.**

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

10.68.380 ~~Curfew~~ Hours of Parks Closure

A. ~~**Except for City officials or their designees on official business, no one shall be in Lithia Park between the hours of 11:30 P.M. and 5:30 A.M.**~~ **Unless otherwise provided by the Ashland Municipal Code, no person shall remain in any City park, as defined in AMC 10.68.010, between the hours 12:00 AM (midnight) and 5:00 AM, except authorized city personnel or as authorized by the Ashland Parks and Recreation Director or designee consistent with established parks rules and regulations.**

B. ~~**Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010).**~~ **Any violation of this section is a Class IV violation subject to the penalties and procedures in AMC 1.08.030.**

PASSED by the City Council this _____ day of _____, 2023.

ATTEST:

_____
Dana Smith, Clerk of the Council Pro Tem

SIGNED and APPROVED this _____ day of _____, 2023.

_____

Tonya Graham, Mayor

Reviewed as to form:

_____

Douglas M. McGeary, Acting City Attorney

Council Business Meeting

December 19, 2023

Agenda Item	Second Reading – 3227 - An ordinance allowing Alcohol Use in Parks	
From	Leslie Eldridge	Interim Director
Contact	Leslie.Eldridge@ashland.or.us 541-552-2251	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☒ New Business ☐ Old Business ☐	

SUMMARY

First Reading of a proposed ordinance to Allow Alcohol Use in Parks for Specific Circumstances. The presented ordinance language was unanimously recommended to City Council by the Parks and Recreation Commissioners on Oct 11, 2023.

City Council reviewed the ordinance language in their Nov 21, 2023 business meeting and approved the ordinance language with amendments. Council asked Parks to address two concerns in the APRC Alcohol Use in Parks Policy. One related to security concerns. The other related to preferred locations for large events.

Parks commissioners unanimously approved additions to the APRC Alcohol Use in Parks Policy at their Dec 6, 2023 Business Meeting. The updated policy includes language that clarifies and addresses Council concerns. Proposed ordinance language remains broad, to allow flexibility in implementation. Changes to APRC internal policies can be easily modified, and therefore able to adapt to the needs of APRC special events program as it develops.

POLICIES, PLANS & GOALS SUPPORTED

APRC Biennium Goals

- Seek out and support opportunities for community building through programs and events in our parks, open spaces and trail networks that celebrate art, music, sports and nature.

Council Priorities

- Community Investment: Downtown revitalization
- Quality of Life: Arts and Entertainment
- Economic Opportunity/Vitality: Diversify the local economy; broaden options for tourism/visitors; attract more families to live in Ashland.

BACKGROUND AND ADDITIONAL INFORMATION

Currently, the Ashland Municipal Code Chapter 10.68.090: Intoxicating liquor prohibited states: *It is unlawful for any person to take any intoxicating liquor or beverage into any portion of the public parks of the City*, (with notable exceptions for the Calle Guanajuato, Oak Knoll Golf Course and Oregon Shakespeare Festival (OSF)).

Allowing the limited sale/service of alcohol within parks in conjunction with an APRC Special Event permit, an OLCC permit and an APRC Alcohol Use in Parks Permit has several benefits. First, it attracts

event organizers to choose Ashland parks for their events, as alcohol service is often perceived as a desirable feature of many events. Second, it enables revenue generation for vendors and event organizers, so the entire enterprise is more economically feasible. Finally, increased events and activities within the park will bring increased visitation and corresponding economic activity to local businesses.

Staff have worked to provide legal and policy structure to support limited and focused use of alcohol in parks. The current structure provides ONLY for permitted events that physically separate alcohol service/sale to individuals that are 21+ years of age (i.e., a Beer/Wine Garden) OR are holding an event in a space in the park where entrance/exit can be controlled and only 21+ adults are present (ex. The Ashland Japanese Garden). Additionally, the APRC Rules included in this packet limit the type of alcohol service to wine, beer, hard cider, as opposed to "hard" alcohol. However, staff have crafted broad ordinance language to allow for change in APRC rules and policies into the future.

Key points:

1. The Special Event Permit is already a requirement for parks events. A supplementary Alcohol Use in Parks Application, along with an OLCC permit, would be added as a requirement if service of alcohol is requested.
2. General Liability insurance of 2 million is always required for events and liquor liability would be an added requirement for the insurance.
3. The Ashland Parks and Recreation Director or designee shall, in collaboration with Ashland Police and Legal Departments, determine security requirements for events on a case-by-case basis. This includes the approval of private security companies, when necessary.
4. Preferred locations for special events are Lithia Park Band Shell, Ashland Japanese Garden, North Mountain Park Pavilion and Oak Knoll Golf Course. Other proposed venues shall be reviewed by the Director or designee on a case-by-case basis for appropriate use.
5. The first phase of this new policy allows only beer, wine, hard cider, as opposed to "hard" alcohol. However, the ordinance language does not specify a type of allowed alcohol. Staff recommend starting this policy with the most conservative approach possible: with a lower percentage alcohol in a controlled setting. As staff experience, capacity, and systems develop, APRC hopes to provide for other types and settings of alcohol use in parks.
6. There is a current non-refundable "Alcohol Fee" of $150 in the Miscellaneous Fees and Charges document approved by City Council. This fee was established when APRC used to manage Pioneer Hall and the Community Center for weddings and other events. APRC proposes to use this existing fee for the first phase of this new policy until the Miscellaneous fees and Charges get reviewed again May/ June of 2024.

FISCAL IMPACTS

Allowance of alcohol in parks during special events has the potential to increase revenues to parks in the form of additional fees for services. It also can serve as an attractor to visitors/tourists, thereby increasing economic activity to local businesses.

APRC anticipates that some level of additional planning and staff support is needed to facilitate a predicted increase in events and accompanying event logistics.

SUGGESTED NEXT STEPS

Staff recommends that Council approve Second Reading of Ordinance 3227- An ordinance allowing Alcohol Use in Parks.

REFERENCES & ATTACHMENTS

- APRC Special Events Permit (Already in use)
  https://www.ashland.or.us/page.asp?navid=18133
- OLCC permit (State permit for alcohol service)
  https://www.oregon.gov/olcc/Pages/portalservicepermits.aspx
- Alcohol Use in Parks Supplementary Application (Attached)
- APRC Rules for Alcohol Service in Parks (Attached)

City Utilities – Pay Online, Connect/Disconnect and More

Special Event Request

City of Ashland

APPLICATION for Special Event Permit

Thank you for taking the time to complete the APRC Special Event/Outdoor Activity Request APPLICATION. The applications must be submitted at least 90 days ahead of the proposed event. You will be invoiced for a $75 application fee.

NOTE: This form is for Special Events that are open to the public and must be approved by our Volunteer & Event Coordinator, ***Sulaiman Shelton****. This form is* ***not*** *for private events. For information on planning a private event, please* ***email*** *or call 541.488.5340.*

The asteriks indicate fields that are required.

*** Applicant Name:**

Organization:

*** NAME OF THE PROPOSED EVENT:**

*** MAILING ADDRESS:**

* PHONE *(no spaces, no non-numeric symbols)*:

* Email:

* DATE(S) of EVENT:

* HOURS of EVENT *(include set-up and take-down)*:

* LOCATION of EVENT*(include park name and location)*:

* ON-SITE CONTACT PERSON *(day of the event)*:

* PHONE FOR ON-SITE CONTACT *(no spaces, no non-numeric symbols)*:

* TYPE OF EVENT *(Provide a specific, detailed description of the event. Include site plans, maps and any special requirements. Special requirements may include portable toilets, trash cans, amplification, promotion and potential impacts on the site)*:

CHECK ALL THAT WILL APPLY TO YOUR EVENT: ☐ stakes in the ground ☐ canopies ☐ tents ☐ electricity ☐ generators ☐ running chutes ☐ finish line arches

*** WILL YOUR EVENT REQUIRE A STREET CLOSURE?**

- ○ Yes
- ○ No

List streets if applicable:

List times for street closure if applicable:

*** WILL YOUR EVENT REQUIRE AMPLIFICATION?** *(If yes, prior approval by APRC required for all parks, with the exception of the Lithia Park Butler Memorial Bandshell. The amplification limit at the bandshell is currently at 1.5 hours, no louder than 75 decibels and must end by 8 p.m.)*

- ○ Yes
- ○ No

*** ARE YOU REQUESTING A BOOTH?** *(If yes, and your booth request is for Lithia Park, see the Butler Memorial Bandshell site plan link in your confirmation email. In addition, review the Selling in Parks & Special Event Booth Policy, also in your confirmation email)*

- ○ Yes
- ○ No

HOW MANY BOOTHS? *(The maximum number of booths allowed is 25, no larger that 10' x 10')*

IS YOUR BOOTH INFORMATIONAL OR ARTISIAN?

- ○ Informational
- ○ Artisian
- ○ Mix of both

WHAT HOURS WILL THE BOOTH/S BE OPEN?

WILL MONEY BE EXCHANGED AT THE BOOTH/S?

- ○ Yes
- ○ No

If yes, how much in sales are you expecting?

Is a percentage of money from vendor booths supporting this event?

- ○ Yes
- ○ No

* HOW MANY PEOPLE DO YOU ANTICIPATE WILL ATTEND THE EVENT?

* IS THE EVENT A FUNDRAISER?

- ○ Yes
- ○ No

* IS THE ORGANIZATION RESPONSIBLE FOR COORDINATING THE EVENT A 501c3?

- ○ Yes

- ○ No

*** IS THERE A FEE ASSOCIATED WITH THE EVENT?**

- ○ Yes
- ○ No

If yes, how much is the event fee? *(Note: With the exception of booths, selling in parks is prohibited; however, donations are allowed - Review the Selling in Parks & Special Event Booth Policy in your confirmation emaill)*

*** PLEASE DESCRIBE YOUR PLAN FOR RECYCLING AND CLEAN-UP DURING AND AFTER THE EVENT.**

*** REQUIREMENTS FOR RESTROOMS - The event organizer is responsible for providing portable toilets if it is estimated that there will be more than 200 people in attendance. Please describe your plan.**

*** PLAN FOR POTABLE WATER - Potable water is not available. The event organizer is responsible for supplying drinking water for the event. Please describe your plan.**

* PLAN FOR GREY WATER - Please describe your plan to contain and dispose of grey water off-site.

PLEASE ACKNOWLEDGE THE WAIVERS BELOW BY INITIALING IN THE SPACE PROVIDED

* APPROVAL PROCESS - I understand that APRC staff will review my completed application and respond as soon as possible. Submission of application does not mean the event has been approved. Staff will contact me directly by email or letter. Please note that some events do require Commission approval and may require you to present your request at a Commission Business Meeting. Event requests requiring Commission approval should be submitted three (3) months prior to the the requested event date.

* INSURANCE - I understand that I must show evidence of two (2) million in liability insurance and the City of Ashland must be listed as additional insured on the policy.

*** OTHER PERMITS - I understand that some events may require obtaining additional approvals/permits through other City Departments.**

*** DAMAGE TO PROPERTY - I understand that permit-holders will be held responsible for any loss or damages that may occur during the event.**

*** OTHER FEES - I understand that other fees may be assessed depending on the location of the event.**

*** SIGNATURE** ***(Please enter your full name and then select SUBMIT)***

Upon completion of this application you will receive a confirmation email of receipt.

submit

Online City Services

Pay Your Utility Bill	Request Conservation Evaluation
Connect to Ashland Fiber Network	Proposals, Bids & Notifications
Request Building Inspection	Apply for Other Permits & Licenses
Building Permit Applications	Register for Recreation Programs

Email Updates

Sign up to receive local important News & Events.

Email Address Subscribe

Unsubscribe

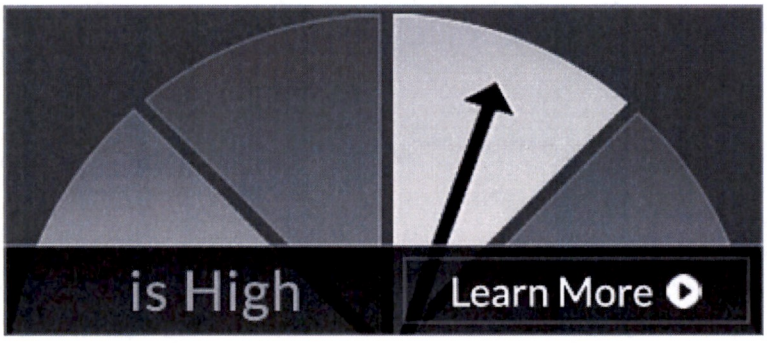
Home
Mayor/Council
Departments
Commissions
Water Advisory
Taxes
Codes
Archived City Records
Web Links

Emergency Contact Info



Police & Fire, Water, Electric, Red Cross, Jackson County Health, Recology Ashland Sanitary ...

Fire Danger



Let Us Know

Name

Phone or Email

Question or Comment

I'm not a robot reCAPTCHA

Submit

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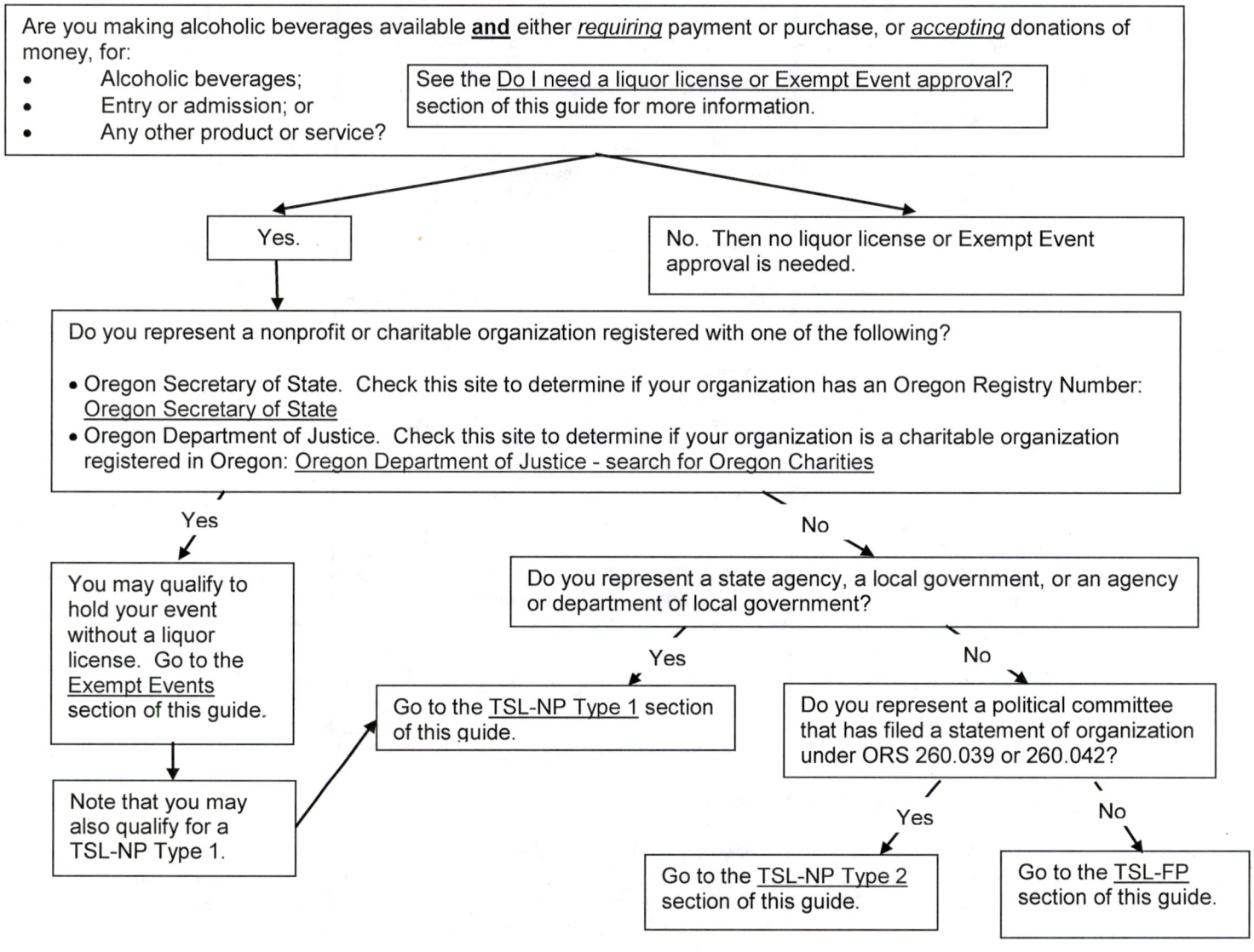
SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

This guide is generally intended for parties that *do not hold an annual liquor license*. Each annual liquor license has an option for a special event license that allows the annual licensee to take the privileges of the annual license to another location. This guide is for those who need a temporary sales license (for-profit or nonprofit) or qualify for an exemption to the need for a special event license.

I'm holding a special event that will include alcoholic beverages. Do I need a liquor license?



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

Do I need a liquor license or an Exempt Event approval?

Examples of when a liquor license or Exempt Event approval *IS NEEDED*

1. Sealed containers of malt beverage, wine, or cider.

   → Example: Individual #1 provides payment directly to individual #2 or an organization and in return individual #2 or the organization provides individual #1 with one or more manufactured-sealed containers of malt beverages, wine, or cider.[1] Because individual #2 or the organization is directly accepting money and providing the alcoholic beverage, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.

   → Example: A "Wine Wall." Individual #1 buys something (ticket, cork, etc.) from individual #2 or an organization and in return individual #1 is allowed to select a sealed container of malt beverage, wine, or cider[2] meant for drinking outside of the special event area. This is not an auction or a raffle, but it is selling alcoholic beverages; and therefore, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.

2. Service of open containers of alcohol (drinks) for consumption at a premises that DOES NOT have an OLCC liquor license.

   → Example: Individual #1 provides payment directly to individual #2 or an organization and in return individual #2 or the organization provides individual #1 with an open container of alcoholic beverage meant for consumption on the premises. The alcoholic beverage could be malt beverages, wine, cider, or distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol). Because individual #2 or the organization is directly accepting money and providing the alcoholic beverages, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.

   → Example: Individual #1 buys a ticket from individual #2 or an organization or individual #2 or the organization requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcoholic beverages at no additional cost to individual #1. Because individual #2 or the organization is directly accepting money and providing the alcoholic beverages, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.

3. Service of open containers of alcohol (drinks) for consumption at an event where the premises DOES have an OLCC liquor license but it's individual #2 or the organization that accepts payment from individual #1 and also directly provides (serves) the alcohol to individual #1.

   → Example: Individual #1 provides payment directly to individual #2 or an organization and in return individual #2 or the organization provides individual #1 with an open container of alcoholic beverage meant for consumption. The alcoholic beverage could be malt beverages, wine, cider, or distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol). Because individual #2 or the organization is directly accepting money and providing the alcoholic beverage to individual #1, individual #2 or the organization **does need** a

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[1] For the purposes of this guide, distilled liquor may only be sold in factory-sealed containers by a registered nonprofit or charitable organization under an Exempt Event approval. For more information, see the Exempt Events section of this guide.

[2] See note above.

liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.

Examples of when a temporary sales license or Exempt Event approval *IS NOT NEEDED*

1. Service of open containers of alcohol (drinks) for consumption at an event where the premises DOES have an annual OLCC liquor license and **all** alcoholic beverages are provided and served by the OLCC liquor licensee – not the party conducting the event (note that the OLCC licensee is allowed to serve only the type of alcoholic beverages allowed by the license).

   → Example: Individual #1 buys a ticket from individual #2 or an organization or individual #2 or the organization requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcoholic beverage at no additional cost (cost of ticket is the same, regardless of whether person selects alcoholic beverage or non-alcoholic beverage) to individual #1; however, *individual #2 or the organization passes all the money collected from ticket sales to an OLCC licensee* for both the alcoholic beverage and to serve it. Because the OLCC liquor licensee is providing and serving the alcoholic beverage, individual #2 or the organization **does not need** an OLCC liquor license or Exempt Event approval for this activity. NOTE: if individual #2 or the organization is providing alcoholic beverage to individual #1 the individual #2 or the organization will need a temporary sales license or Exempt Event approval.

2. Service of open containers of alcohol (drinks) for consumption at an event where the premises DOES have an OLCC liquor license and some or all of the alcoholic beverages are provided by individual #2 or the organization to the OLCC liquor licensee; however, **all** of the alcohol is served by the OLCC liquor licensee (note that the OLCC licensee is allowed to serve only the type of alcoholic beverage allowed by the license).

   → Example: Individual #1 buys a ticket from individual #2 or an organization or individual #2 or the organization requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcoholic beverage at no additional cost to individual #1. Provided *individual #2 or the organization directly obtains the alcoholic beverage and then provides it to the OLCC licensee, and the OLCC liquor licensee is serving the alcoholic beverage*, individual #2 or the organization **does not need** an OLCC liquor license or Exempt Event approval for this activity. Note that the OLCC licensee may not keep any left-over alcoholic beverage that was provided by individual #2 or the organization (the alcoholic beverage must be removed by individual #2 or the organization or discarded).

3. You, or an organization you represent, are making alcohol available, but there is no payment or purchase required, and no donations of money are accepted, for alcoholic beverage, or for entry/admission, or for any other product or service, then a liquor license is not needed. An example is a wedding reception or art gallery reception where you make alcoholic beverages available, but you don't require payment or purchase and don't accept donations of money.

4. You are not the person making alcoholic beverages available but you are providing goods or services at an event or in an area where another individual or organization has a liquor license.



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

Exempt Events

An Oregon registered nonprofit or charitable organization is eligible to conduct events where alcohol is made available (including an auction or raffle) for up to 45 days in a calendar year without a special event license. However, each day of the Exempt Event must be approved by the OLCC.

What is the Exempt Event approval request process?

- A nonprofit or charitable organization must receive *prior* OLCC approval for each event date.
- Complete the Nonprofit & Charitable Organization Exempt Event Request form.
- To avoid a delay in processing your Exempt Event request and to increase the likelihood that the OLCC will be able to approve your Exempt Event in time for your event, please submit the Exempt Event Request form to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: OLCC offices & the counties they serve. If your event includes addresses served by different OLCC regional offices, submit the form to the office serving the address you listed on the Exempt Event Request form (do not submit the form to multiple OLCC offices).
- OLCC needs your completed application in sufficient time to approve it. Submit the Exempt Event Request form to your OLCC office at least two weeks before the date(s) of an event.
- If you plan to allow on-site consumption of alcohol and the planned attendance at any location or address for an Exempt Event will be 501 or more on a given event date, you will be required to submit a site plan drawing and Exempt Event Operational Plan for each location or address meeting those criteria.

How many Exempt Event days may I request and must the event days be consecutive?

Registered nonprofit and charitable organizations may conduct Exempt Events for up to 45 days in a calendar year. The OLCC will track the number of days used by the nonprofit or charitable organization during a calendar year.

The event days are not required to be consecutive.

Registered nonprofit and charitable organizations may not receive approval for more than 45 days in a calendar year.

If a registered nonprofit or charitable organization does not use all 45 days in a calendar year, the unused days may not carryover to the next calendar year.

What is a "day?"

A "day" is from 7:00 am to 2:30 am on the succeeding calendar day.

May an Exempt Event be held at multiple addresses in Oregon on the same day?

Yes, an Exempt Event may be held at multiple addresses on the same day. If this is the case, an "event day" covers all addresses for that day (and would be one event day, even though it covers multiple addresses).

Is there an OLCC fee for an Exempt Event?

No.

However, please consult with the local city or county for any Exempt Event address prior to submitting the application to the OLCC in order to comply with local regulations and requirements, which may include payment of a fee to the city or county.

What may a nonprofit or charitable organization sell with an Exempt Event approval?

- Malt beverages, wine, cider, distilled liquor, and donated homemade malt beverages, wine and fermented fruit juices by the drink for on-premises consumption.
- Malt beverages, wine, cider, and donated homemade malt beverages, wine and fermented fruit juices in factory-sealed containers or securely covered containers for off-premises consumption.
- **Up to a total of four liters per calendar year** of distilled liquor in factory-sealed containers for off-premises consumption. This four liter limit applies to the organization conducting the Exempt Event for the entirety of the calendar year, regardless of whether there are multiple events or recipients.

Is an auction or raffle of alcoholic beverages considered selling alcohol?

Yes, auctioning or raffling alcoholic beverages is considered selling alcohol.

A charitable organization conducting a raffle may also need a Raffle license from the Oregon Department of Justice. Check this site for more information: Oregon Department of Justice - Raffle License

A nonprofit or charitable organization with Exempt Event approval may conduct auctions or raffles on any and all approved Exempt Event days during the calendar year.

May a nonprofit or charitable organization deliver alcoholic beverages that are sold under an Exempt Event approval to a consumer?

Yes, a nonprofit or charitable organization may deliver or arrange for the delivery of alcoholic beverages sold for off-premises consumption as allowed under this privilege to a person in Oregon who is 21 years of age or older and not visibly intoxicated. The delivery of the alcoholic beverages must occur on an approved Exempt Event date.

To deliver to a person in another state requires checking with that state.

Must a nonprofit or charitable organization purchase the alcoholic beverages it sells?

No, a nonprofit or charitable organization is not required to purchase the alcoholic beverages it sells. A nonprofit or charitable organization may sell alcoholic beverages purchased by or donated to the organization. The alcoholic beverages may come from any source (manufacturer, wholesaler, retailer, or individual). However, all alcoholic beverages must:

- Have been imported into Oregon by the OLCC; or
- Have been manufactured in, or imported into, Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license; or
- Be homemade malt beverage, wine, or cider donated by a person who manufactured it in Oregon as allowed by ORS 471.037.

May alcoholic beverages be delivered to a nonprofit or charitable organization with an Exempt Event approval?

Sender	What's Allowed?
When the sender is one of the following OLCC licensees: brewery, brewery-public house, grower sales privilege, winery, full on-premises, limited on-premises, or off-premises.	• For wine and cider: the licensees may deliver to the nonprofit or charitable organization, but must follow OAR 845-006-0392 (which has limits on such things as time and amount). • For malt beverages: the licensees may deliver to the nonprofit or charitable organization, but must follow OAR 845-006-0396 (which has limits on such things as time and amount).
When the sender is one of the following OLCC licensees:	These licensees may not deliver to the nonprofit or

wholesale malt beverage and wine or warehouse.	charitable organization.
Oregon distillery licensee	This licensee may deliver to the nonprofit or charitable organization, but must follow limits on such things as time and amount.
Oregon liquor store	May not deliver to the nonprofit or charitable organization.
Manufacturer or wholesaler of alcoholic beverages located outside of Oregon	• May not deliver direct to a nonprofit or charitable organization. • However, if the alcoholic beverage comes into Oregon either through the OLCC or an OLCC license that allows importation of the type of alcoholic beverage, then delivery to the nonprofit or charitable organization may be allowed if allowed by the license type of the sending party.
Retail licensee located outside of Oregon	May not deliver to the nonprofit or charitable organization.
Personal consumer (individual without an OLCC license) located inside of Oregon	Delivery may be allowed to the nonprofit or charitable organization, provided the alcoholic beverage was manufactured in, or imported into, Oregon as described above.
Personal consumer (individual without an OLCC license) located outside of Oregon	May not deliver to the nonprofit or charitable organization.

May a nonprofit or charitable organization conducting an Exempt Event take possession of alcoholic beverages at a location in Oregon with an OLCC license or an Oregon liquor store?

Location in Oregon	What's Allowed?
When the location is one of the following OLCC licenses: brewery, brewery-public house, distillery, grower sales privilege, winery, full on-premises, limited on-premises, or off-premises	May take possession. There are no OLCC limits on volume or amount.
When the location is a wholesale malt beverage and wine license.	May take possession, however: • Wine and cider must be at least four gallons per purchase and no more than 55 gallons daily. • Malt beverage sales must be at least four gallons per purchase and not more than 9% alcohol by volume (ABV).
When the location is a warehouse license.	May ***not*** take possession.
When the location is an Oregon liquor store.	May take possession. There are no OLCC limits on volume or amount.

Is a nonprofit or charitable organization conducting an Exempt Event required to use individuals with an OLCC-issued service permit to serve alcoholic beverages?

No. However, it is a Class A misdemeanor to serve alcohol to minors or visibly intoxicated persons in Oregon. Individuals who will be serving alcohol at an Exempt Event are encouraged to review the OLCC's What Every Volunteer Alcohol Server Needs to Know brochure prior to an event where alcohol service will occur.

Best practices for conducting Exempt Events

Many of the OLCC requirements that apply to individuals and organizations conducting special events under a special event license do not apply to nonprofit and charitable organizations conducting special events under an Exempt Event approval. However, many of the requirements in place for special event licenses are best practices that nonprofit and

charitable organizations conducting Exempt Events are encouraged to implement when conducting their events. Those best practices include:

- Providing food service during the event at all times and in all areas where alcohol will be served. See the **What are the food requirements for a TSL?** section of this guide for suggested food service.
- Obtaining a liquor liability insurance policy for the event if offering on-premises alcohol service and attendance at the event is expected to be 301 or more.
- Encouraging individuals who do not hold a service permit and will serve alcohol to guests during the event to read the OLCC's What Every Volunteer Alcohol Server Needs to Know brochure prior to the event.
- Defining and managing the event within the boundaries for the Exempt Event area. For information about how to define and delineate the boundaries, see the **How do I identify the licensed area and the boundaries of the licensed area?** section of this guide.
    - **Note**: if the event will include on-site consumption of alcohol and the planned attendance at any one location is 501 or more, a site plan drawing will be required for each location meeting those criteria.

Conducting Exempt Events where on-site consumption of alcohol will be allowed and there will be 501 or more individuals in attendance on a given event date

In order to obtain approval from the OLCC for your Exempt Event, in addition to preparing and submitting the Nonprofit & Charitable Organization Exempt Event Request form, for each address or location where there will be 501 or more individuals in attendance on a given event date you must:

- Submit a site plan drawing showing the boundaries of the Exempt Event area, and
- Complete an Exempt Event Operational Plan.

Exempt Event site plan drawing

A site plan drawing is required for *any address or location* where there will be 501 or more individuals. There is no template for the site plan drawing. However, the drawing should include:

- The street address (or approximate address if, for example, the event will occur in a section of a beach or a whole block of a city street)
- The approximate square footage for the Exempt Event area
- Whether the Exempt Event area is indoors or outdoors (note both, as applicable)
- If the area is outdoors, how the boundaries of the area will be demarcated (i.e. rope and stanchion, temporary fencing, etc.)
- If there are sections where minors will not be allowed, identify those areas
- Entrances/Exits

Exempt Event Operational Plan

The Exempt Event Operational Plan includes elements that will help you plan and prepare for large-scale events where on-site consumption of alcohol is allowed. These events can be challenging to manage from a public safety standpoint. Planning for staffing, training of staff, ID checking, assessing for signs of visible intoxication, identifying where minors will be allowed, managing people within the boundaries of the event area, and other control measures will, if followed through on, put the organization in a better position to run a successful and safe event.

If the organization will have multiple locations where there are at least 501 individuals expected on a given event date, the organization may submit one Exempt Event Operational Plan, provided the manner of operation for each location will be the same. If not, separate Exempt Event Operational Plans should be submitted to reflect the differences in operation.

In addition to the site plan and the Exempt Event Operational Plan requirements, organizations running these large scale events are strongly encouraged to follow all of the best practices outlined in the **Best practices for conducting Exempt Events** section of this guide.

Conducting Exempt Events on annually licensed premises

Nonprofits and charitable organizations may conduct Exempt Events on annually licensed premises and the annual licensee may continue operating in the same space at the same time.

- Nonprofits and charitable organizations with Exempt Event approval may sell distilled liquor as allowed by the Exempt Event approval privileges even if the annual licensee's privileges do not allow for sale of distilled liquor. Note that the annual licensee may always choose not to allow the event to occur on its premises and may have good reason to do so, such as its own insurance policy restrictions.
- If the minor posting for a given area prohibits minors in the area, minors are also prohibited from being in that area during an Exempt Event.

Other important information

- Although local governing body approval is not required as a condition for OLCC approval of an Exempt Event application, nonprofits and charitable organizations are expected to connect with local agencies that have jurisdiction over the location or locations for the Exempt Events to make sure that requirements of these local governing agencies have been satisfied.
- An event may have multiple locations on a single event day. Only one address needs to be identified on the Exempt Event approval application form.[3] However, as noted above, nonprofits and charitable organizations are expected to consult with local governing entities to confirm they are meeting any local requirements associated with conducting the event. Submit the Exempt Event approval application to the regional office serving the address you listed on the application.
- Raffle tickets may be sold prior to the drawing; however, the drawing may be held only on the day the raffle is held and the winner is determined.
- Raffle tickets for alcohol may not be sold or given to a minor because alcohol may not be delivered to the minor if the minor wins.
- Alcoholic beverages must not be provided, sold, or delivered to a minor or visibly intoxicated person.
- Because the Exempt Event has no OLCC license, manufacturers and wholesalers of alcoholic beverages are allowed to deliver alcoholic beverages to the Exempt Event only as previously described in this document.

Temporary Sales License – Nonprofit (TSL-NP) TYPE 1

You should apply for a special event license using the TSL-NP Type 1 application, if:

- **You are a nonprofit or charitable organization registered in Oregon and you have exhausted all 45 Exempt Event days in the calendar year, as discussed above; or**
- **You represent a state agency, a local government, or an agency or department of local government within Oregon; and**
- **You will be selling alcohol, selling tickets or admission that includes alcohol, or collecting donations in exchange for alcohol.**

What is the process for applying for a TSL-NP Type 1?

- Eligible organizations and governmental entities must receive *prior* OLCC approval for each event date.
- Complete the TSL-NP Type 1 form.
- Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
    - If there is more than one event address on the application, *all the addresses for your event must be within the same local governing body jurisdiction.* If you cannot fit all addresses for the event in the space provided on the application, use the address supplemental page at the end of the application to list the addresses.

[3] Any location where planned attendance is 501 or more an on-site consumption of alcohol will be allowed requires a site plan drawing (that includes the address) and an Exempt Event Operational Plan. These are separate from the application for approval, but are required in order to receive OLCC approval for such an event.

- To avoid a delay in processing your special event license application and to increase the likelihood that the OLCC will be able to approve your application in time for your event, please submit your special event license application to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: OLCC offices & the counties they serve.
    - Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.
    - Submit the signed application form and the OLCC $50 per day license fee ($50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

How many event days may I request on an application and must the event days be consecutive?

You may request up to 30 event days on an application and the days do not need to be consecutive. There is no limit on the number of TSL-NP Type 1 applications you may apply for in a calendar year.

What is a "day?"

A "day" is from 7:00 am to 2:30 am on the succeeding calendar day

Is there an OLCC fee?

Yes. $50 per day.

Do I need approval from anyone other than OLCC for my event?

Yes. You must take your application to the local government where the event will take place. The local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits. The local government may charge a fee.

What can I do with the TSL-NP Type 1 license?

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail factory-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled liquor.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Deliver malt beverages, wine or cider. Deliveries must occur during the period of the special event license.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

How may I obtain alcohol to sell at my event?

You may sell alcoholic beverages purchased by or donated to the organization or governmental entity.

However, all alcoholic beverages must:

- Have been imported into Oregon by the OLCC; or

- Have been manufactured in, or imported into, Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license

Note: Oregon law allows a manufacturer/wholesaler (supplier) of alcohol to donate or provide the following products and services to an organization or governmental entity holding a TSL-NP Type 1:

→ Malt beverage, wine or cider that the supplier normally sells. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. Any of this alcoholic beverage manufactured in Oregon may be directly donated by the supplier. Any of this alcoholic beverage manufactured outside of Oregon is required to come into Oregon through an Oregon licensed wholesaler.

→ Distilled liquor approved for sale Oregon. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. The manufacturer or its representative must obtain this alcoholic beverage through the OLCC.

→ Credit or cash refund for unsold product.

→ Services to support the product. This includes people with a valid Oregon service permit or people who have successfully completed an Oregon alcohol server education class in the last five years to sell or serve the alcohol product. Note that these people do not qualify for the service permit exemption described below.

→ Interior/exterior display banners (no size limits).

→ Provided the supplier and TSL licensee follow ORS 471.400, lease or furnish picnic pumps, cold plates, tub, refrigerated vans, refrigerated trailers, and refrigerated draft systems.

→ If a supplier of alcoholic beverages is donating or providing any items or services to the event, then all parties must follow the requirements in OAR 845-013-0090.

See the General information for operating under a temporary sales license (TSL) section of this guide for more information about topics like food service, service permits, plans to manage, defining the premises boundaries, etc.

Temporary Sales License-Nonprofit (TSL-NP) TYPE 2

You should apply for a special event license using the TSL-NP Type 2 application, if:

- **You represent a political committee that has filed a statement of organization under ORS 260.039 or 260.042; and**
- **You will be selling alcohol, selling tickets or admission that includes alcohol, or collecting donations in exchange for alcohol.**

What is the process for applying for a TSL-NP Type 2?

- Eligible organizations must receive *prior* OLCC approval for each event date.
- Complete the TSL-NP Type 2 form.
- Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
- To avoid a delay in processing your special event license application and to increase the likelihood that the OLCC will be able to approve your application in time for your event, please submit your special event license application to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: OLCC offices & the counties they serve.
    - Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.
    - Submit the signed application form and the OLCC $50 per day license fee ($50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

How many event days may I request on an application and must the event days be consecutive?

You may request up to 7 event days on an application and the days do not need to be consecutive. There is no limit on the number of TSL-NP Type 1 applications you may apply for in a calendar year.

What is a "day?"

A "day" is from 7:00 am to 2:30 am on the succeeding calendar day

Is there an OLCC fee?

Yes. $50 per day.

Do I need approval from anyone other than OLCC for my event?

Yes. You must take your application to the local government where the event will take place. The local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits. The local government may charge a fee.

What can I do with the TSL-NP Type 2 license?

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail factory-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled liquor.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Deliver malt beverages, wine or cider. Deliveries must occur during the period of the special event license.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

How may I obtain alcohol to sell at my event?

You may sell alcoholic beverages purchased by or donated to the organization.

However, all alcoholic beverages must:

- Have been imported into Oregon by the OLCC; or
- Have been manufactured in, or imported into, Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license

Note: Oregon law allows a manufacturer/wholesaler (supplier) of alcohol to donate or provide the following products and services to an organization or governmental entity holding a TSL-NP Type 2:

→ Malt beverage, wine or cider that the supplier normally sells. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. Any of this alcoholic beverage manufactured in Oregon may be directly donated by the supplier. Any of this alcoholic beverage manufactured outside of Oregon is required to come into Oregon through an Oregon licensed wholesaler.

→ Distilled liquor approved for sale Oregon. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. The manufacturer or its representative must obtain this alcoholic beverage through the OLCC.

- → Credit or cash refund for unsold product.
- → Services to support the product. This includes people with a valid Oregon service permit or people who have successfully completed an Oregon alcohol server education class in the last five years to sell or serve the alcohol product. Note that these people do not qualify for the service permit exemption described below.
- → Interior/exterior display banners (no size limits).
- → Provided the supplier and TSL licensee follow ORS 471.400, lease or furnish picnic pumps, cold plates, tub, refrigerated vans, refrigerated trailers, and refrigerated draft systems.
- → If a supplier of alcoholic beverages is donating or providing any items or services to the event, then all parties must follow the requirements in OAR 845-013-0090.

See the General information for operating under a temporary sales license (TSL) section of this guide for more information about topics like food service, service permits, plans to manage, defining the premises boundaries, etc.

Temporary Sales License-For Profit (TSL-FP)

You are eligible for a special event license using the TSL-FP application, if:

- **You do not qualify for Exempt Event approval, a TSL-NP Type 1, or a TSL-NP Type 2 license;**
- **You do not manufacture alcoholic beverages (other than Brewery Public House licensees), do not import or cause to be imported into Oregon an alcoholic beverage for sale or distribution in Oregon, and do not hold a Wholesale Malt Beverage and Wine or Warehouse license in Oregon; and**
- **You will be selling alcohol or selling tickets or admission that includes alcohol.**

What is the process for applying for a TSL-FP?

- Eligible individuals and businesses must receive *prior* OLCC approval for each event date.
- Complete the TSL-FP form.
- Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
- To avoid a delay in processing your special event license application and to increase the likelihood that the OLCC will be able to approve your application in time for your event, please submit your special event license application to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: OLCC offices & the counties they serve.
    - Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.
    - Submit the signed application form and the OLCC $50 per day license fee ($50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

How many event days may I request on an application and must the event days be consecutive?

You may request up to 7 event days on an application and the days do not need to be consecutive. There is no limit on the number of TSL-NP Type 1 applications you may apply for in a calendar year.

What is a "day?"

A "day" is from 7:00 am to 2:30 am on the succeeding calendar day

Is there an OLCC fee?

Yes. $50 per day.

Do I need approval from anyone other than OLCC for my event?

Yes. You must take your application to the local government where the event will take place. The local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits. The local government may charge a fee.

What can I do with the TSL-FP license?

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail factory-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled liquor.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Deliver malt beverages, wine or cider. Deliveries must occur during the period of the special event license.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

How may I obtain alcohol to sell at my event?

You may sell alcoholic beverages purchased from Oregon:

- Wholesale Malt Beverage and Wine licensees
- Winery licensees
- Growers Sales Privilege licensees
- Brewery Licensees
- Brewery-Public house licensees
- Oregon liquor stores

You may NOT accept donated product from any source, including manufacturer or wholesaler licensees.

See the General information for operating under a temporary sales license (TSL) section of this guide for more information about topics like food service, service permits, plans to manage, defining the premises boundaries, etc.

General information for operating under a temporary sales license (TSL)

What do I need to include as part of the temporary sales license area?

The OLCC will license the area where alcoholic beverages will be sold and consumed. The licensed area is also called the licensed premises.

The sale, service, and consumption of alcoholic beverages is allowed only within the licensed area. The only *open container* of alcoholic beverages allowed to leave the licensed area is malt beverage, wine, and cider in a securely covered container (growler).

Sometimes, you may have an event that has areas (like craft booths, food booths, music stages, amusement rides, etc.) where you don't want to allow the sale, service, and consumption of alcohol. For those events, the OLCC will license only the area where the alcohol will be sold or consumed.

As part of your application, you will be required to identify the licensed area and the boundaries of the licensed area.

How do I identify the licensed area and the boundaries of the licensed area?

As part of approving a TSL application, the OLCC is required to make sure that the licensed area and the boundaries of the licensed area are clearly defined.

Showing the licensed area and describing how the boundaries will be identified is usually not difficult when the licensed area is a building, room, or area with boundaries clearly defined by such things as a wall or fence.

For areas with no clearly defined boundaries, such as an outdoor licensed area, you must submit a drawing showing the licensed area(s) and describing how the boundaries of the licensed area(s) will be identified.

Boundaries of a licensed area

When some or all of the boundaries of the licensed area will not be permanent, and you or the OLCC will require the licensed area to be enclosed, you must use a barrier of sufficient height, sturdiness, and immovability that will allow people to enter and exit only through specific points. Examples are a fence, a double-fence (sometimes called a "moat system"), a wall, and a tent. A sufficient barrier will also help to prevent alcohol from leaving the licensed area.

Such a structure may be portable (set-up and take-down) but it should not be easily moveable after it is set-up. Low height and low sturdiness will tend to make the structure less reliable as a barrier (and may require you to use more people to monitor it to make sure that it is serving its purpose).

Must I submit a written plan showing how I will adequately manage a TSL licensed area?

With some events the OLCC will contact you and require you to submit a written plan showing how you will adequately manage the area(s) where alcohol will be sold or consumed to

1. Prevent problems and violations;
2. Prevent minors (a person under the age of 21) from obtaining alcohol and from gaining access to any portion of the licensed area prohibited to minors; and
3. Control alcohol consumption by adults.

May I prohibit minors from part or all of the licensed area?

Yes, you may prohibit minors from part of all of the licensed area.

When a licensed area is prohibited to minors (people under the age of 20), this means that all minors are prohibited from the licensed area unless any of the following exceptions apply:

- A minor vendor or contractor, who is other than the licensee's employee and who has a legitimate business purpose, may be in an area prohibited to minors, but only during the time it takes to perform the specific job function. Examples of this include a minor plumber making repairs and a minor vendor making a product delivery.
- A minor entertainer who qualifies under OAR 845-006-0335(6).
- If the licensee allows it, a minor patron may be in the immediate company of his/her spouse or domestic partner who is at least 21 years of age; however, the minor may not buy, possess, or drink alcoholic beverages.
- If your event has licensed areas prohibited to minors **and** licensed areas where minors are allowed, minor employees and minor service permittees working in the area where minors are allowed may enter the area prohibited to minors to perform specific job functions, but only during the time it takes to perform the specific job function. If your event has only a licensed area that is prohibited to minors, this exception will not apply to your event (this means minor employees and minor service permittees may not be in the area prohibited to minors). [Note: see the section later in this guide that addresses the age of service permittees.]

What are some ideas for preventing minor patrons from obtaining alcohol and from gaining access to any portion of the licensed area prohibited to minors?

For a licensed area prohibited to minors (also known as a "confined" area):

- Confine the sale, service, and consumption of alcohol to an area and then prohibit minors from entering that area and prohibit alcohol from leaving that area.

For a licensed area where minors are allowed and where adults will be allowed to walk around the entire licensed area while consuming alcohol:

- Limit the number of alcoholic drinks one person may have at one time.
- Limit the amount of alcohol in one drink.
- Don't sell containers holding large quantities of alcohol such as pitchers of beer, buckets of beer, carafes of wine, etc.
- Limit the time when the sale, service, and consumption of alcohol will be allowed.
- Prohibit minors from certain times.
- Have a level of lighting at all times sufficient to monitor patrons (for example, a level of lighting sufficient to read common newspaper print).
- Have a sufficient number of people at all times to adequately monitor patrons.
- Use machines to check ID.
- Have a method for identifying adults and minors (such as wristbands, hand-stamping, etc.).

Do security professionals need to be DPSST-certified?

The Oregon Department of Public Safety Standards and Training (DPSST) administers the certification/licensure of private security professionals in accordance with ORS 181.870-991. The private security industry is regulated to ensure that the interests of the public are adequately served and protected and to uphold the professionalism and integrity of the industry.

A person acting as a private security professional without DPSST certification may be criminally cited by the police.

A TSL licensee using a private security professional without DPSST certification may be sanctioned by the OLCC or the police.

A private security professional is an individual who performs, as the individual's primary responsibility, any one or combination of security services as described below. If these duties are performed for consideration, the individual must be certified by the DPSST:

- The observation and reporting of any unlawful activity.
- The prevention of theft or misappropriation of any goods, money or other items of value.
- The protection of individuals or property, including but not limited to proprietary information, from harm or misappropriation.
- The control of access to premises being protected.
- The taking of enforcement action by lawfully detaining persons or placing persons under citizen's arrest.
- Providing canine services for the purposes of guarding or detection.
- Taking enforcement action by detaining or placing persons under arrest as authorized by the person's employer as part of the person's employment. ORS 133.225.

<u>How does a person apply for a security professional certification or license?</u>

An applicant must complete an application packet, attend required training, and submit forms and fees to DPSST for processing. Applications are available from the DPSST Private Security Unit via:

- The DPSST website: DPSST
- Phone at 503-378-8531

The application packet includes an application and two fingerprint cards. Training can be obtained from certified Private Security Instructors. Upon request to DPSST, a list of instructors will be sent to you.

What are the OLCC Service Permit requirements for a TSL?

When the holder of the TSL is a nonprofit or charitable organization registered in Oregon as described above:

- If the person selling or serving the alcohol is a representative of manufacturer/wholesaler of alcohol the person must have either:
  - → A valid Oregon service permit; or
  - → Passed an Oregon alcohol server education course within five years prior to the date of the event.
- If the person selling or serving the alcohol is not a representative of manufacturer/wholesaler of alcohol the person must have:
  - → A valid Oregon service permit; or
  - → Passed an Oregon alcohol server education course within five years prior to the date of the event; or
  - → Attended a training provided by the organization and have read, signed, and dated the OLCC brochure What Every Volunteer Alcohol Server Needs to Know. (This form is available on the OLCC web site.)

When the holder of the TSL is a political committee that has filed a statement of organization under ORS 260.039 or 260.042, an agency of the State, or a local government or an agency or department of a local government:

- If the person selling or serving the alcohol is a representative of manufacturer/wholesaler of alcohol the person must have either:
  - → A valid Oregon service permit; or
  - → Passed an Oregon alcohol server education course within five years prior to the date of the event.
- If the person selling or serving the alcohol is not a representative of manufacturer/wholesaler of alcohol the person must have:
  - → A valid Oregon service permit; or
  - → Under limited circumstances the OLCC may be able to approve an exception.

When the holder of the TSL is **OTHER THAN** a nonprofit or charitable organization registered in Oregon, a political committee that has filed a statement of organization under ORS 260.039 or 260.042, an agency of the State, or a local government or an agency or department of a local government:

- The person selling or serving the alcohol must have:
  - → A valid Oregon service permit; or
  - → Under limited circumstances the OLCC may be able to approve an exception.

What is the minimum age of an alcohol server?

Generally, alcohol servers must be at least 21 years of age.

However, when your event has licensed areas prohibited to minors **and** licensed areas where minors are allowed, the following two exceptions apply (if your event has only a licensed area that is prohibited to minors then the following exceptions will not apply; therefore, minor employees and minor service permittees may not be in the area prohibited to minors):

- In areas not prohibited to minors, alcohol servers who are 18, 19, and 20 years of age may take orders for and serve alcohol in conjunction with food service and sell tokens or scrip to be redeemed for alcohol.
- In areas prohibited to minors:

  → Alcohol servers who are 18, 19, and 20 years of age may order and pick up drinks (but **not** mix or pour drinks) for service in the area(s) where minors are allowed; and

  → Any person who is 18, 19, or 20 years of age may perform non-alcohol related duties, such as: restock non-alcohol supplies; set and clear tables; and deliver food orders (but **not** take food orders). However, these people shall not remain in the prohibited area longer than is necessary to perform these duties.

What are the food requirements for a TSL?

What Amount Of Food Must I Provide?

- **ONE SUBSTANTIAL FOOD ITEM**: The OLCC must determine that the clearly dominant emphasis is food service at all times and in all areas where alcohol service is available in order for you to provide only one substantial food item. The OLCC will work with you to make this determination prior to approving your application.
- **TWO SUBSTANTIAL FOOD ITEMS**: If the clearly dominant emphasis is **not** food service and you **don't** provide distilled spirits at the event you must provide at all times and in all areas where alcohol service is available at least two different substantial food items.
- **THREE SUBSTANTIAL FOOD ITEMS**: If the clearly dominant emphasis is **not** food service and you provide distilled spirits at the event you must provide at all times and in all areas where alcohol service is available at least three different substantial food items.

What Is A Substantial Food Item?

This is a food item that is typically served as a main course or entrée. Some examples are fish, steak, chicken, pasta, pizza, and sandwiches. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips and crackers do not qualify as substantial food items.

What Does "Different" Mean?

"Different" means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. For example, a turkey sandwich differs from a salami sandwich, a beef burger differs from a turkey burger, and fried chicken differs from baked chicken. Different sizes of the same item are not considered different. The OLCC will work with you to make this determination prior to approving your application.

What Does It Mean To Provide Food Service "At All Times And In All Areas Where Alcohol Service Is Available"?

Patrons must be able to obtain food service inside the special event licensed area. You may use either of the following two methods to provide food service:

- Within all areas where alcohol service is available, have the minimum required food items available for patrons at all times; or
- Within all areas where alcohol service is available, have a menu of the minimum required food items (plus any other items you may choose to include) available for patrons at all times and be able to provide the food items in the area if a patron chooses to order food. The food items could be kept at a location other than the area where the alcohol is served; however, you must be able to provide the food items to the patron in the area where alcohol service is available.

Is providing tastings of alcohol considered providing alcohol service?

Yes, providing tastings of alcohol is considered providing alcohol service; therefore, the food requirements must be met.

May I Use Food Provided By A Contractor Or Contractors To Meet The Food Requirement?

Yes, the food service may be provided by someone other than you; however, even if food service is provided by a contractor, you are fully responsible for compliance with the food requirements. You may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.

Who May The Contract For The Food Service Be With?

The contract may be between:

- You (the TSL licensee) and the food service contractor; or
- The organizer of the event and the food service contractor.

Does The Food Service Contract Need To Be In Writing?

No, the food service contract does not need to be in writing; however, you may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.

DRAFT Alcohol Use in Parks Supplementary Application

NOTE: This application must be submitted in conjunction with an APRC Special Events Permit and requires proof of an OLCC permit. All events are subject to the Rules for Alcohol Use in Parks

1. **Which Park will be used for the event? Please be sure to specify exactly where your event will be held in the selected park.**
   (If you have filled out an OLCC "Plan to manage a special event" please attach it to this form. https://www.oregon.gov/olcc/docs/liquor_license_and_license_process/tsl_plan_to_manage_special_events.pdf)

2. **What will be the start and end time of alcohol service? _____ to _____.**

3. **Describe where alcohol service (Beer/Wine Garden) will be located. Please attach a map that clearly delineates the proposed area.**

4. **Please describe the barriers used to cordon off the area for the alcohol service and include a site plan with exact location of the service and the event. *For outdoor alcohol service OLCC requires:*** *"a barrier that is of sufficient height, sturdiness, and is not movable. The barrier should allow people to enter and exit only through specific points and prevent alcohol from leaving the area. Two examples of a barrier are a fence and a "moat" system. Such a barrier can be portable (set-up and take-down) but it should not be easily moveable after it is set-up.*

5. **Detail your Security Plan below. If you are using a private security company, provide the name of the company and describe the services they will provide.**

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:
Rick Landt
Leslie Eldridge
Jim Lewis
Jim Bachman
Justin Adams

Michael A. Black, AICP
Director

541.488.5340
AshlandParksandRec.org
parksinfo@ashland.or.us

FINAL DRAFT

APRC Rules for Alcohol Use in Parks

1. The Sale and consumption of malt beverages, wine, and hard cider by the drink for consumption is allowed in a controlled setting, with licensed service (OLCC Permit) within the parks system by a special permit.
2. Only events where an OLCC permit (Licensed Service) is required will be allowed.
    a. **Licensed Service** is defined as:
        (1) An event where malt beverages, wine or hard cider will be sold
        (2) An event where alcohol is available (but not being sold), and the event host is charging or accepting donations of goods for admission, or where payment is required to attend the event.
3. If the applicant fails to obtain an OLCC permit, this permit will be null and void.
4. A copy of the OLCC permit must be presented to APRC staff prior to the permit being issued.
    a. *All OLCC forms can be found here:* *https://www.oregon.gov/olcc/lic/Pages/license_form_publications.aspx*
5. Applicants must be at least 25 years of age.
6. Special Event and (2) alcohol use applications and a 3) detailed site plan is due at least 60 days prior to the event; no exceptions. We strongly encourage event organizers to begin planning with APRC at least 180 days prior to the event to ensure all requirements are met.
7. All sales and consumption must be within an enclosure as defined by the OLCC and detailed on the APRC Alcohol Use Application.
8. General Liability Insurance is required to consume alcohol on City of Ashland property. If alcohol is being served at an event Liquor Liability Insurance is required as well. Both certificates of insurance (COI) are required in the amount of $2,000,000 per occurrence and must name City of Ashland as additionally insured.
9. Permit is only valid for the identified purpose and date.
10. Event organizers are required to provide a zero-waste event. All glass containers must be kept within control of the OLCC licensed server.
11. Permit will not be issued for event hours prior to 11am or later than 9pm in conjunction with the established noise ordinance AMC 9.08.170.
12. Permits are issued on a first-come, first-served basis and are dependent on availability of park areas and conflicts with other uses.
13. Preferred locations for special events are Lithia Park Band Shell, Ashland Japanese Garden, North Mountain Park Pavilion and Oak Knoll Golf Course. Other proposed venues shall be reviewed by the Director or designee on a case-by-case basis for appropriate use.

14. The Ashland Parks and Recreation Director or designee shall, in collaboration with Ashland Police and Legal Departments, determine security requirements for events on a case-by-case basis. This includes the approval of private security companies, when necessary.
15. Payment of established fees and charges are required, as provided in the Miscellaneous Fees and Charges Document adopted by the City Council.
16. Fees will be refunded minus administrative costs incurred if the event is not approved.
17. The event is confirmed when all the following have been received and approved by APRC staff within the established timelines and requirements. Those include:

    - ☐ The APRC Special Event Permit
    - ☐ The APRC Alcohol Use Application
    - ☐ General Liability Insurance and Liquor Liability Insurance certificates that name the City of Ashland as additional insureds.
    - ☐ Proof of OLCC Permit approval.
    - ☐ Permit fee payments in full have been received by APRC.

ORDINANCE NO. 3227

AN ORDINANCE AMENDING SECTION 10.68 OF THE ASHLAND MUNICIPAL CODE: INTOXICATING LIQUOR PROHIBITED

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~**bold lined through**~~, and additions are **bold underlined.**

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

10.68.090 ~~Intoxicating Liquor Prohibited~~ Alcohol Use in Parks

It is unlawful for any person to take any intoxicating liquor or beverage into any portion of the public parks of the City, except ~~that~~ **as authorized by the Ashland Parks and Recreation Director or designee, consistent with established parks rules and regulations.**

~~A. Intoxicating liquor or beverages may be transported through the Lithia Park extension area which is located between North Main Street and Winburn Way and between Ashland Creek to the west and the Plaza to the east.~~

~~B. This section and the prohibitions on the possession and use of intoxicating liquor shall not apply to that portion of the park that is leased to the Oregon Shakespeare Festival Association.~~

~~C. This section and the prohibitions on the provision and use of intoxicating liquor shall not apply to the park property commonly known as Calle Guanajuato only when such is served with prepared meals and with the express approval of the Ashland Park and Recreation Commission and the Oregon Liquor Control Commission.~~

~~D. This section and the prohibitions on the provision and use of intoxicating liquor shall not apply to the park property commonly known as Oak Knoll Golf Course only when such is served as part of the City Golf Course operation or approved concession with the approval of the Ashland Park and Recreation Commission and the Oregon Liquor Control Commission.~~

~~E. Any person who violates any provision of this Chapter is subject to Section 1.08.0230 of the Ashland Municipal Code. Any violation of this section is a Class II violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)~~**Any violation of this section is a Class II violation subject to the penalties and procedures in AMC 1.08.030.**

PASSED by the City Council this _____ day of _____, 2023.

ATTEST:

_____
Dana Smith, Clerk of the Council Pro Tem

SIGNED and APPROVED this _____ day of _____, 2023.

_____
Tonya Graham, Mayor

Reviewed as to form:

_____
Douglas M. McGeary, Acting City Attorney

Council Business Meeting

December 19, 2023

Agenda Item	Balancing Homelessness Services with Public Space Regulations for a More Livable City	
From	Douglas M McGeary	Title Acting City Attorney
Contact	Doug.mcgeary@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☒ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

On December 5th, the Council passed the first reading of Ordinance No. 3228, Amendments to the Prohibited Camping Ordinance, AMC Chapter 10.46.010 through AMC 10.46.050.

Civil rights lawsuits filed in federal courts have contested the legality of camping prohibitions. This ordinance puts the City's Prohibited Camping Ordinance in compliance with these recent decisions.

POLICIES, PLANS & GOALS SUPPORTED

Current city priorities encompass upholding effective code enforcement, promoting equity of access, and strong supportive city services, and broadening social and economic opportunities for every member of our community.

BACKGROUND AND ADDITIONAL INFORMATION

At the recommendation of Council on 12.5.23, this 12.19.23 Prohibited Camping version makes three changes. For "occupancy," the change eliminates the square foot requirement, the word person, and the hour requirement. It also specifies that the occupancy definition shall not apply to recreational park use. This version also changed "parks with a playground" to "parks with child or youth recreation equipment."

- Section 10.46.010, Definitions, H "Occupancy".
    - **12.19.23 Version:** "Occupy" or "Occupancy" means to maintain physical control over a publicly owned area by a person's private property, wherein the effect is that the general public is excluded from the use of the public property for more than two (2) hours. Occupancy shall not include recreational park use.
    - **12.5.23 Version:** "Occupy" or "Occupancy" means to maintain physical control over a publicly owned area of 50 square feet or greater by a person or person's private property, wherein the effect is that the general public is excluded from the use of the public property for more than two (2) hours during daytime hours between 8:00 AM and 8:00 P.M.
- Section 10.46.030, "Prohibited Occupancy."
    - **12.19.23 Version:** Subject to AMC 10.46.020 or authorized permit, no person shall Occupy street furniture or a public area according to the "Occupancy" definition in AMC 10.46.010 H. Property owned by violators shall be subject to the removal process in 10.46.040. ~~No person shall sleep on public benches between the hours of 9:00 p.m. and 8:00 a.m.~~
    - **12.5.23 Version**: Subject to AMC 10.46.020 or authorized permit, no person shall occupy a public area or street furniture during the time as provided in definitions of "Occupancy" defined under

AMC 10.46.010 H. Property owned by violators shall be subject to the removal process in 10.46.040.
~~No person shall sleep on public benches between the hours of 9:00 p.m. and 8:00 a.m.~~

- Section 10.46.020, Camping Prohibited
  - **12.19.23 Version:** Lithia Park and parks with child or youth recreational equipment,
  - **12.5.23 Version:** Lithia Park and parks with playgrounds,

FISCAL IMPACTS

None

SUGGESTED NEXT STEPS

Staff recommends that Council approve the Second Reading of Ordinance No. 3228.

ACTIONS, OPTIONS, AND POTENTIAL MOTIONS

I move to approve the Second Reading of Ordinance No. 3228, an Ordinance Relating to Prohibited Camping and Prohibited Occupancy; Amending AMC Chapter 10.46.020 through AMC 10.46.050.

REFERENCES & ATTACHMENTS

- 12.19.23 Council Communication
- 12.19.23 Prohibited Camping Ordinance, which incorporates Council feedback on the "Occupancy" section and changed language in 10.46.020.C.ii from "parks with playgrounds" to "parks with child or youth recreational equipment."
- 12.5.23 Council Communication

ORDINANCE NO. _____

AN ORDINANCE RELATING TO PROHIBITED CAMPING AND PROHIBITED OCCUPANCY; AMENDING AMC CHAPTER 10.46.010 THROUGH AMC 10.46.050

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~**bold lined through**~~, and additions are **bold underlined.**

WHEREAS, the City of Ashland must balance and prioritize several interests: recognition of the essential human dignity of everyone in the City of Ashland; the need to have safe and orderly conditions in City rights-of-way for the safety and benefit of everyone in Ashland; the right of everyone in Ashland to have shelter and safety; and respect for public spaces and public property in service to the entire community.

It is in the public interest to regulate public streets and dedicated rights of way in a way that could allow all to use the roads and sidewalks as they are intended and in the way that they remain safe and accessible. Similarly, it is in the public interest to regulate park spaces, playgrounds, and other public areas protected by the nature of their cultural and historic character and their importance to the businesses and community that relies upon and enjoys their preservation.

The City acknowledges that living on its streets is often a last resort for individuals. For many of these persons the lack access to shelter is involuntary due to unforeseen circumstances beyond a person's control that occurs when a person lacks viable options to obtain housing due to factors such as economic hardship, loss of social network, health or disability, or having exhausted available options for temporary or permanent housing assistance.

This chapter is intended to regulate the use of public rights-of-way and City property to protect and preserve the above described public places for their designed and intended purposes, while providing alternative space and shelter to rest and sleep for persons who lack access to suitable temporary shelter due to either financial inability or the unavailability of free, viable options.

While recent federal case law is unclear as to whether the city can differentiate between those who voluntarily choose to live homeless from those who are homeless involuntarily, this chapter and the City's enforcement efforts are primarily intended to minimizing public health and safety concerns related to survival camping in public areas, taking into account the resources and opportunities available to those experiencing involuntary homelessness.

Those persons who are involuntarily homeless should feel secure that they will not be penalized for their condition. The objective of this ordinance is to differentiate between those who genuinely lack alternatives and use public spaces out of necessity, and those who have access to suitable alternative spaces and shelter but instead willfully exploit public

spaces for personal gain or advantage, to the detriment of the general public that includes the involuntarily homeless population.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 10.46. Ashland Municipal Code Chapter 10.46 is hereby amended as follows:

Section 10.46.010. Definitions.

A. "Apparent Value or Utility" in reference to personal property means property that is essential in practicality and significance to the owner's daily life and well-being, and includes but is not limited to, clothing, bedding, personal hygiene items, identification documents, and any tools or resources necessary for survival and meeting basic needs, maintaining dignity, and facilitating self-care. This definition does not include such property as non-functional or broken items, excessive or redundant items, hazardous or dangerous materials, or items with limited or no personal value.

B. "To camp" means to set up or to remain in or at a campsite.

C. "Campsite" means any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove, fire, or cooking apparatus, other than in a designated picnic area, is placed, established, maintained, or occupied, so as to exclude the use of public property by the general public, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

D. "Established Camping site" means a campsite that has been in its current location for at least five days. In the absence of evidence regarding the age of a campsite, a camping site is presumed established.

E. "Designated Space" are those areas designated by management to be a resting place for the involuntarily homeless.

F. "Shelter" are those areas of adequate shelter that are readily accessible by local public transit and that are designed and reasonably operated for the purpose of protecting involuntarily homeless persons and other at-risk populations.

G. "Involuntarily Homeless" means a person who lacks access to suitable temporary shelter due to either financial inability or the unavailability of free, viable options.

H. "Occupy" or "Occupancy" means to maintain physical control over a publicly owned area by a person's private property, wherein the effect is that the general public is excluded from the use of the public property for more than two (2) hours. Occupancy shall not include recreational park use.

SECTION 10.46.020 . Camping Prohibited

A. **Except as otherwise provided herein,** no person shall camp in or upon any sidewalk, street, alley, lane, public right-of-way, business-front, park, playground, **Enhanced Law Enforcement Area(s) defined in AMC 10.120.010,** or any other publicly owned property or under any bridge or viaduct~~, unless otherwise specifically authorized by this code, by the owner of the property, or by emergency declaration under AMC 2.62.030~~.

B. **The prohibition on camping may be temporarily suspended under the following conditions:**

   i. **A camping exemption due to an emergency in accordance with AMC 2.62;**

   ii. **The offender is Involuntarily Homeless, and a Designated Space or Shelter is unavailable.**

C. **Regardless of exceptions in subsection B above, camping is prohibited under any circumstance in which the act of camping includes existence of a fire or gas stove, or when the campsite exceeds 100 square feet, or when located on, attached to, or within:**

   i. **Sidewalks, bike-paths, and walk-ways,**

   ii. **Lithia Park and parks with child or youth recreational equipment,**

   iii. **The Enhanced Law Enforcement Area(s) defined in AMC 10.120.010**

   iv. **250 feet of a preschool, kindergarten, elementary or secondary school, or a childcare center licensed, certified or authorized under ORS 329a.250-329a.460, ORS 418.205 to 418.970: OAR 419-410-0010 to OAR 419-490--0170,**

   v. **250 feet of a Designated Space or Shelter;**

vi. **250 feet of freeway entrance or exits;**

vii. **150 feet of other campsites;**

viii. **100 yards of any river or stream; and**

ix. **Any fence, trees, building, or vehicle.**

D. **The City Manager has the authority to establish additional administrative rules regarding time, place, and manner regulations as deemed necessary to address particular situations arising from conditions affecting Involuntarily Homeless individuals, and that are intended to safeguard the safety, health, and welfare of both the general public and those who are Involuntarily Homeless.**

E. **Involuntarily Homeless persons may use vehicles for shelter in a lawful parking space in the following circumstances:**

i. **The vehicle must be operational and must be moved at least 1000 feet from its original location every 24 hours.**

ii. **The parking space cannot be within a 100' radius of any residence.**

iii. **No building or erecting of any structures connecting or attaching to vehicles is permitted, including tents that are not designed and manufactured to be attached to a vehicle.**

iv. **Persons may not accumulate, discard or leave behind garbage, debris, unsanitary hazardous materials, or other items in public rights-of-way, on City property, or on any adjacent public or private property.**

v. **All animals must be under the keeper's control or otherwise leashed or crated at all times.**

vi. **Dumping of gray water (i.e. wastewater from baths, sinks, and the like) or black water (i.e. sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains, which are not intended for disposal of gray water or black water.**

~~B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV Violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010; Ord. 2972, amended, 11/04/2008)~~

SECTION 10.46.030. ~~Sleeping on Benches.~~ **Prohibited Occupancy.**

A. **Subject to AMC 10.46.020 or authorized permit, no person shall occupy street furniture or a public area according to the "Occupancy" definition in AMC 10.46.010 H. Property owned by violators shall be subject to the removal process in 10.46.040.** ~~No person shall sleep on public benches between the hours of 9:00 p.m. and 8:00 a.m.~~

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV Violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 10.46.040. Removal of Campsite

A. Except as provided herein, the City will remove Established Campsites and property having Apparent Value or Utility from a campsite as provided by ORS 195.505, as such statute may be amended or renumbered from time to time.

B. The following campsites are subject to immediate removal:

i. Campsites that are not Established Campsites;

ii. An exceptional emergency at an Established Campsite, including but not limited to, possible site contamination by hazardous materials, a public health emergency, fire hazards, or other immediate danger to human life or safety

iii. The occurrence or presence of evidence of criminal activity or violation of the Ashland Municipal Code (excluding this offense)

C. Hazardous materials, including but not limited to syringes, drug paraphernalia, moldy items, discarded food, items soiled with feces, urine, or vomit, open alcohol containers, rotting garbage, or other items in a similar insanitary condition may be immediately discarded upon removal of the individuals from the campsite.

D. Except for the items set forth above in subpart C that may be immediately discarded, personal property a City employee or agent determines has no Apparent Value or Utility will be held by the City for 14 days after its removal from the campsite. During the 14-day holding period, the owner may request the return of the property by appealing the determination that the property has no Apparent Value or Utility. If no appeal is received by the City within 14 days, the City may discard the property. The appeal will undergo the following procedure:

i. The owner may appeal the determination in accordance with AMC 2.30, seeking to have the determination rescinded and the property returned. The appeal notice shall specify the relief sought and the reason for said relief.

ii. Upon conducting a de novo review, the Hearing Officer shall affirm the determination if the preponderance of evidence demonstrates that the property does not conform to the definition of having Apparent Value or Utility as defined in AMC 10.46.010(A).

iii. If the appeal is unsuccessful, the City may immediately discard the property. If the appeal is successful, the property shall be made available to the owner within one business day of the conclusion of the successful appeal. If the property is not retrieved within the later of (a) 14 days after the successful appeal or (b) 30 days from when the property was first removed by the City, then the City may discard the property.

~~**A. Prior to removing the campsite, the City shall post a notice, 24- hours in advance. All posted notices shall be in English and Spanish. A City enforcement officer shall not issue a citation for violation of Chapter 10.46 if the citation would be issued within 200 feet of the notice (identified above) and within two hours before or after the notice was posted.**~~

~~**B. At the time that a 24-hour notice is posted, the City shall inform a local agency that delivers social services to homeless individuals where the notice has been posted.**~~

~~**C. The local agency may arrange for outreach workers to visit the campsite where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.**~~

~~**D. All personal property shall be given to the police department whether 24-hour notice is required or not. The property shall be stored for a minimum of 60 days during which it**~~

~~will be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed for 60 days may be disposed of consistent with state law and AMC 2.44 for disposition of found, lost, unclaimed or abandoned property, as applicable. For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent value or utility or are in an unsanitary or putrescent condition may be immediately discarded. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to the police department.~~

~~E. The 24-hour notice required under subsection D of this section shall not apply:~~

~~1. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.~~

~~2. In the event of an exceptional emergency such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety. (Ord. 2972, amended, 11/04/2008)~~

SECTION 10.46.050. ~~Mitigation of~~ **Penalties**

A. An offender's first and second violation of this section is punishable by an AMC Class IV fine.

B. After the issuance of two camping violations, the third camping violation is a Class C Misdemeanor, unless either of the first two violations is overturned by a court of competent jurisdiction.

C. The court shall consider in mitigation of any punishment imposed upon a person convicted of prohibited camping whether or not the person immediately removed the campsite upon being cited. For purpose of this section, removal of the campsite shall include all litter, including but not limited to bottles, cans, garbage, rubbish and items of no **Apparent Value or Utility**, deposited by the person in and around the campsite. All litter in and around the campsite shall be presumed to be deposited by the person convicted of prohibited camping. Such presumption shall be rebuttable, however. **If an offender who has been cited under this ordinance can show meaningful engagement with a referred service provider or a similar one before a court hearing regarding the violation of this ordinance, the judge may exercise discretion to reduce the criminal charge or waive the fine.** (Ord. 3026, amended, 08/03/2010; Ord. 2972, amended, 11/04/2008)

SECTION 10.46.060. Application outside City

Pursuant to ORS 226.010, this chapter applies to acts committed on park property owned by the City that is located outside the City. (Ord. 2972, amended, 11/04/2008)

SECTION 3. Codification. Provisions of this ordinance shall be incorporated in the City Code, and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this ordinance may be renumbered or re-lettered, provided however, that any Whereas clauses and boilerplate provisions (*i.e.*, Sections [No(s.)] need not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____day of _____, 2023, and duly PASSED and ADOPTED this ____ day of _____, 2023.

ATTEST:

_____
Dana Smith, Acting City Recorder

SIGNED and APPROVED this _____ day of _____, 2023.

_____
Tonya Graham, Mayor

Council Business Meeting

December 5, 2023

Agenda Item	Balancing Homelessness Services with Public Space Regulations for a More Livable City	
From	Douglas M McGeary	Acting City Attorney
Contact	Doug.mcgeary@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Over the past two decades, the legal landscape surrounding homelessness and transient populations in Oregon has evolved significantly. The City of Ashland has not been immune to these changes and has experienced a substantial impact. Ashland's ordinances and law enforcement practices have continuously adapted to cope with the growing influx of homeless individuals. However, recent federal and state laws have imposed additional requirements on cities, necessitating specific adjustments to Ashland's longstanding laws and approach to camping and public space occupation.

Over the last year and a half, the city has diligently worked to establish alternative shelter spaces for homeless individuals. As a result, the city is now at a crucial juncture, poised to revise its prohibited camping ordinance. This revision aims to effectively guide homeless individuals toward using the newly established shelter spaces while ensuring legal compliance and addressing the broader issue of homelessness in our community.

This proposed ordinance modifies our existing ordinances. These changes are designed to strike a balance between recognizing the unique challenges faced by the homeless population and safeguarding the integrity of our public spaces.

POLICIES, PLANS & GOALS SUPPORTED

Current city priorities encompass upholding effective code enforcement, promoting equity of access, and strong supportive city services, and broadening social and economic opportunities for every member of our community.

BACKGROUND AND ADDITIONAL INFORMATION

Civil rights lawsuits filed in federal courts have contested the legality of camping prohibitions, resulting in restrictions on the conventional enforcement of these measures. These legal challenges have invoked the 8th Amendment, which safeguards individuals against cruel and unusual punishment. In a series of rulings, the courts have maintained that it is essentially impermissible to penalize individuals for engaging in basic life activities, such as sleeping, lying, or sitting, particularly when they are involuntarily homeless and lack alternative locations to conduct these essential daily functions. You can find an in-depth explanation of the developing case law in this field on homelessness, provided by the League of Oregon Cities.

Regardless of federal law interpretation, Oregon's legislature has anticipated the need for comprehensive protections for homeless individuals on public property. This has led to the passage of laws such as HB 3115 and HB 3124, which went into effect in July, 2023. The City of Ashland has partially suspended the enforcement of its ordinances that prohibit camping on public property. This suspension remains in effect until the city has fully

implemented the requirements mandated by federal case law and these certain protective measures mandated by the state. These protective measures encompass the provision of alternative camping sites, such as the Dusk to Dawn campsite, and the availability of an Emergency Shelter as an alternative refuge for those who are genuinely experiencing involuntary homelessness.

The proposed ordinances aim to restore the city's capacity and necessity to regulate camping on public property in a way that differentiates between addressing behavior rather than the status of individuals who are involuntarily homeless. Prohibited Camping and Prohibited Occupancy are updated versions of ordinances previously employed by our city, as well as by most municipalities throughout the state. What sets Ashland apart is its distinctive prohibition on camping or occupying a specific public area with the intent of excluding others from its use, rather than establishing a temporary campsite for the purpose of "maintaining a temporary place to live," which is typically the norm in ordinances of other Oregon cities. This shift in approach signifies a departure from prohibiting individuals from living in public spaces and, instead, places emphasis on addressing the issue of individuals establishing residency or asserting a sense of ownership over public property. The definition of occupancy also establishes the times in which people are prohibited from exclusively using public spaces for camping, lying or sitting and the length of time for such use during the permitted times.

The changes to the prohibited camping ordinance concentrate on clarifying definitions for phrases that have either been utilized or left ambiguous by federal courts, as well as in HB 3115 and HB 3124. For instance, the term "involuntarily homeless" in the proposed ordinance aligns precisely with the courts' established definition of the term. In contrast, HB 3115 and HB 3124 employ terms like "established camping site" and "apparent value or utility" to respectively specify the duration a campsite must remain in place and what belongings can or cannot be left at that campsite. Without clear definitions, the city remains vulnerable to judicial interpretation of these phrases, which could significantly affect the city's ability to prevent recurrent violations of camping regulations and determine how to handle the substantial volume of property left behind at illegal campsites.

The remaining adjustments to these ordinances are crafted to align with established "time, place, and manner" regulations commonly applied in constitutional analyses of government laws. These ordinances are designed to prevent individuals from camping on streets, parks, or other unsuitable areas. Defendants are given the option to cease their occupation of the site, or they may face citation and penalties. The restrictions related to the "time" and duration for camping, lying, or sitting, as previously explained, are specified within the definition of "occupy or occupancy."

In terms of location or "place" restrictions, certain areas are designated as inherently prohibited for any form of camping. These areas are typically identified as sensitive areas to ensure public safety, well-being, and the preservation of public spaces, such as parks and buildings. There are amendments to the ordinance that address unique challenges posed by camping in cars or RVs on public streets. Additionally, there are considered changes to the City's Persistent Violation ordinance to not only correct the boundaries of the existing Enhanced Law Enforcement Area ("ELEA") but to create ELEAs for other areas that are especially sensitive or prone to increased unlawful activity and then becoming an attraction for more such activity.

Regarding "manner" regulation, this ordinance anticipates situations where individuals experiencing involuntary homelessness may not find available shelter spaces within the city limits. In such cases, the city may enter into contracts with organizations across the region that offer accessible shelter, easily reachable via local public transit, and designed and operated to safeguard involuntarily homeless individuals and other vulnerable populations for up to 72 hours at a single location. Oregon's new laws also establish specific responsibilities for the city in managing property left behind by both homeless individuals and others who may have left their belongings due to lack of alternatives. In these instances, the ordinance sets reasonable limits on what the city is required to store and the quantity thereof.

FISCAL IMPACTS

None

STAFF RECOMMENDATIONS

Staff recommends that Council approve First Reading of Ordinance No 3228 and send it to second Reading for its enactment.

ACTIONS, OPTIONS, AND POTENTIAL MOTIONS

1. I move to approve First Reading of Ordinance No. 3228 AN ORDINANCE RELATING TO PROHIBITED CAMPING AND PROHIBITED OCCUPANCY; AMENDING AMC CHAPTER 10.46.020 AND AMC 10.46.030 and send it to Second Reading.

REFERENCES & ATTACHMENTS

Proposed ORDINANCE RELATING TO PROHIBITED CAMPING AND PROHIBITED OCCUPANCY; AMENDING AMC CHAPTER 10.46.020 AND AMC 10.46.030

ORDINANCE NO. _____

AN ORDINANCE RELATING TO PROHIBITED CAMPING AND PROHIBITED OCCUPANCY; AMENDING AMC CHAPTER 10.46.010 THROUGH AMC 10.46.050

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G. "Involuntarily Homeless" means a person who lacks access to suitable temporary shelter due to either financial inability or the unavailability of free, viable options.

H. "Occupy" or "Occupancy" means to maintain physical control over a publicly owned area of 50 square feet or greater by a person or person's private property, wherein the effect is that the general public is excluded from the use of the public property for more than two (2) hours during daytime hours between 8:00 AM and 8:00 P.M.

SECTION 10.46.020 . Camping Prohibited

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C. **Regardless of exceptions in subsection B above, camping is prohibited under any circumstance in which the act of camping includes existence of a fire or gas stove, or when the campsite exceeds 100 square feet, or when located on, attached to, or within:**

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   iv. **250 feet of a preschool, kindergarten, elementary or secondary school, or a childcare center licensed, certified or authorized under ORS 329a.250-329a.460, ORS 418.205 to 418.970: OAR 419-410-0010 to OAR 419-490--0170,**

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SECTION 10.46.030. ~~Sleeping on Benches.~~ **Prohibited Occupancy.**

A. **Subject to AMC 10.46.020 or authorized permit, no person shall occupy a public area or street furniture during the time as provided in definitions of "Occupancy" defined under AMC 10.46.010 H. Property owned by violators shall be subject to the removal process in 10.46.040.** ~~No person shall sleep on public benches between the hours of 9:00 p.m. and 8:00 a.m.~~

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV Violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

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iii. The occurrence or presence of evidence of criminal activity or violation of the Ashland Municipal Code (excluding this offense)

C. Hazardous materials, including but not limited to syringes, drug paraphernalia, moldy items, discarded food, items soiled with feces, urine, or vomit, open alcohol containers, rotting garbage, or other items in a similar insanitary condition may be immediately discarded upon removal of the individuals from the campsite.

D. Except for the items set forth above in subpart C that may be immediately discarded, personal property a City employee or agent determines has no Apparent Value or Utility will be held by the City for 14 days after its removal from the campsite. During the 14-day holding period, the owner may request the return of the property by appealing the determination that the property has no Apparent Value or Utility. If no appeal is received by the City within 14 days, the City may discard the property. The appeal will undergo the following procedure:

i. The owner may appeal the determination in accordance with AMC 2.30, seeking to have the determination rescinded and the property returned. The appeal notice shall specify the relief sought and the reason for said relief.

ii. Upon conducting a de novo review, the Hearing Officer shall affirm the determination if the preponderance of evidence demonstrates that the property does not conform to the definition of having Apparent Value or Utility as defined in AMC 10.46.010(A).

iii. If the appeal is unsuccessful, the City may immediately discard the property. If the appeal is successful, the property shall be made available to the owner within one business day of the conclusion of the successful appeal. If the property is not retrieved within the later of (a) 14 days after the successful appeal or (b) 30 days from when the property was first removed by the City, then the City may discard the property.

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~~B. At the time that a 24-hour notice is posted, the City shall inform a local agency that delivers social services to homeless individuals where the notice has been posted.~~

~~C. The local agency may arrange for outreach workers to visit the campsite where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.~~

~~D. All personal property shall be given to the police department whether 24-hour notice is required or not. The property shall be stored for a minimum of 60 days during which it~~

~~will be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed for 60 days may be disposed of consistent with state law and AMC 2.44 for disposition of found, lost, unclaimed or abandoned property, as applicable. For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent value or utility or are in an unsanitary or putrescent condition may be immediately discarded. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to the police department.~~

~~E. The 24-hour notice required under subsection D of this section shall not apply:~~

~~1. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.~~

~~2. In the event of an exceptional emergency such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety. (Ord. 2972, amended, 11/04/2008)~~

SECTION 10.46.050. ~~Mitigation of~~ Penalties

A. An offender's first and second violation of this section is punishable by an AMC Class IV fine.

B. After the issuance of two camping violations, the third camping violation is a Class C Misdemeanor, unless either of the first two violations is overturned by a court of competent jurisdiction.

C. The court shall consider in mitigation of any punishment imposed upon a person convicted of prohibited camping whether or not the person immediately removed the campsite upon being cited. For purpose of this section, removal of the campsite shall include all litter, including but not limited to bottles, cans, garbage, rubbish and items of no **Apparent Value or Utility**, deposited by the person in and around the campsite. All litter in and around the campsite shall be presumed to be deposited by the person convicted of prohibited camping. Such presumption shall be rebuttable, however. **If an offender who has been cited under this ordinance can show meaningful engagement with a referred service provider or a similar one before a court hearing regarding the violation of this ordinance, the judge may exercise discretion to reduce the criminal charge or waive the fine.** (Ord. 3026, amended, 08/03/2010; Ord. 2972, amended, 11/04/2008)

SECTION 10.46.060. Application outside City

Pursuant to ORS 226.010, this chapter applies to acts committed on park property owned by the City that is located outside the City. (Ord. 2972, amended, 11/04/2008)

SECTION 3. Codification. Provisions of this ordinance shall be incorporated in the City Code, and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this ordinance may be renumbered or re-lettered, provided however, that any Whereas clauses and boilerplate provisions (*i.e.*, Sections [No(s.)] need not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

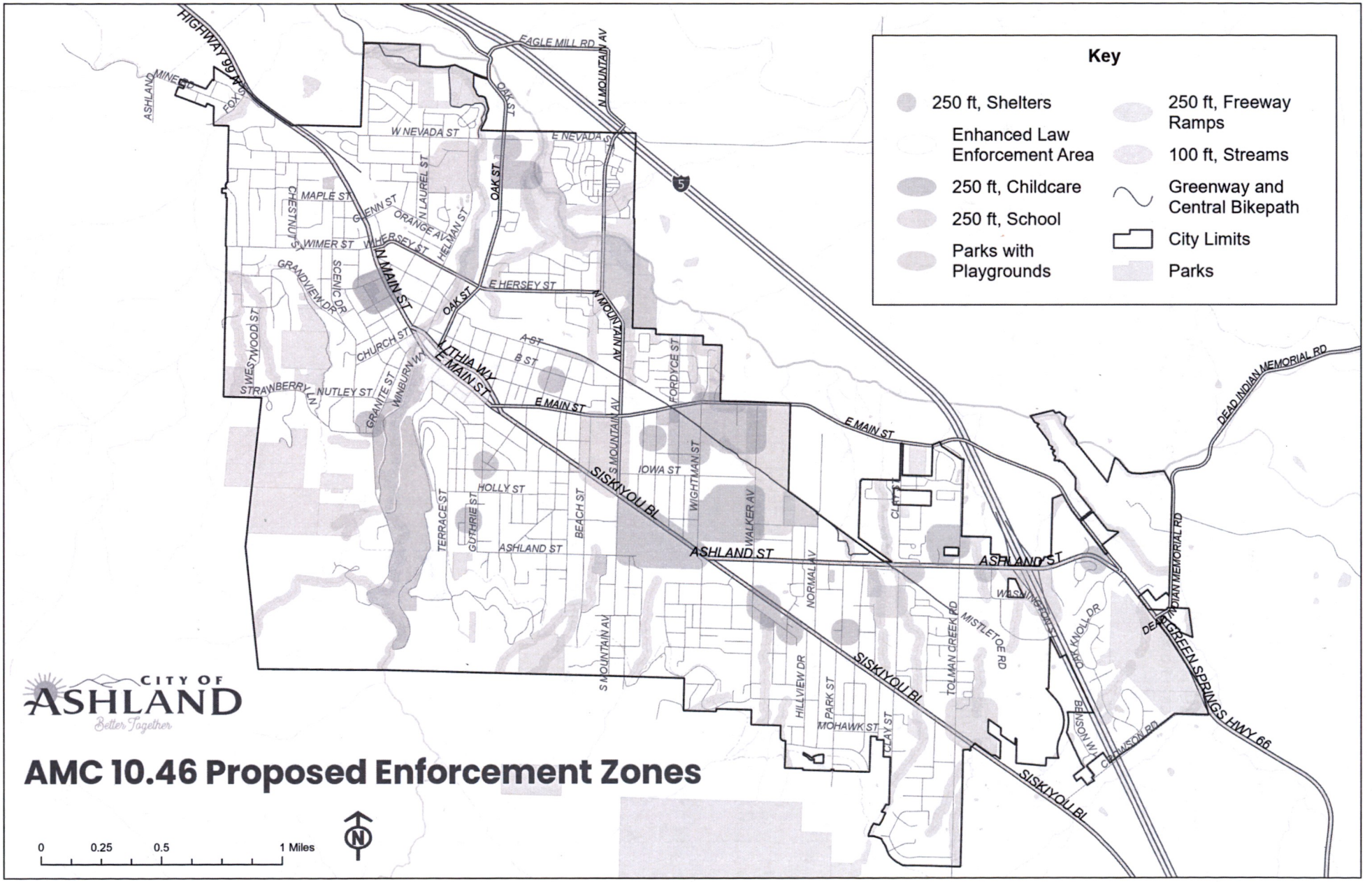
The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____day of _____, 2023, and duly PASSED and ADOPTED this ____ day of _____, 2023.

ATTEST:

_____
Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2023.

_____
Tonya Graham, Mayor


Key
250 ft, Shelters
Enhanced Law Enforcement Area
250 ft, Childcare
250 ft, School
Parks with Playgrounds
250 ft, Freeway Ramps
100 ft, Streams
Greenway and Central Bikepath
City Limits
Parks
HIGHWAY 99 ALT
ASHLAND MINE RD
FOX ST
EAGLE MILL RD
N MOUNTAIN AV
OAK ST
W NEVADA ST
E NEVADA ST
5
MAPLE ST
CHESTNUT ST
GLENN ST
N LAUREL ST
ORANGE AV
HELMAN ST
WIMER ST
W HERSEY ST
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GRANDVIEW DR
SCENIC DR
WESTWOOD ST
CHURCH ST
LITHIA WY
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STRAWBERRY LN
NUTLEY ST
GRANITE ST
WINBURN WY
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HOLLY ST
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WALKER AV
TERRACE ST
GUTHRIE ST
BEACH ST
ASHLAND ST
SISKIYOU BL
CLAY ST
NORMAL AV
HILLVIEW DR
PARK ST
MOHAWK ST
TOLMAN CREEK RD
MISTLETOE RD
WASHINGTON ST
OAK KNOLL DR
DEAD INDIAN MEMORIAL RD
GREEN SPRINGS HWY 66
BENSON WY
OLDSON RD
CITY OF ASHLAND
Better Together
AMC 10.46 Proposed Enforcement Zones
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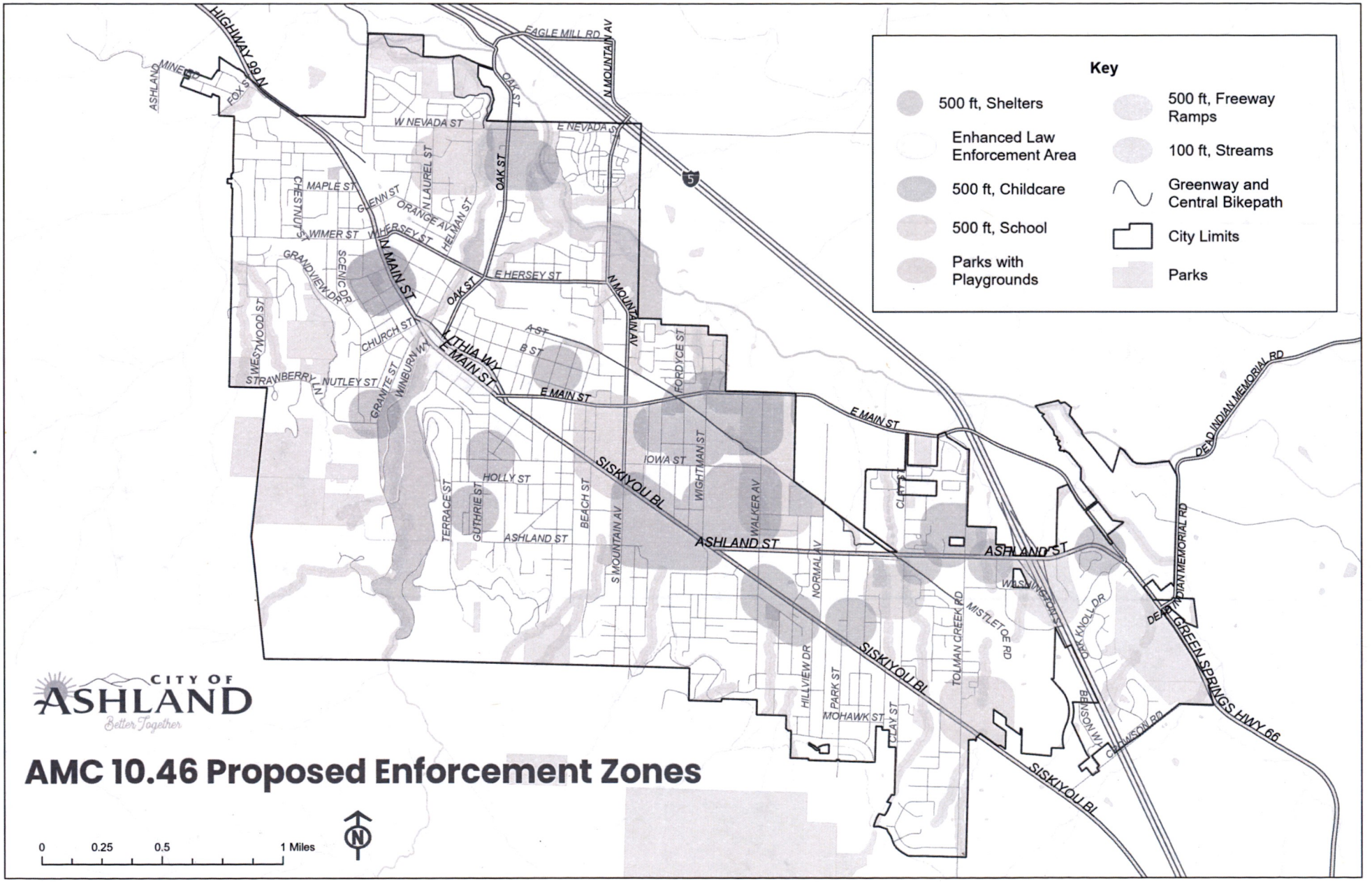
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TOLMAN CREEK RD
MISTLETOE RD
WASHINGTON ST
OAK KNOLL DR
BENSON WY
CROWSON RD
DEAD INDIAN MEMORIAL RD
GREEN SPRINGS HWY 66
5

Council Business Meeting

December 19, 2023

Agenda Item	Clarification and Detailed Direction on A Six-Month Review of Ordinance 3228	
From	Paula Hyatt	Councilor
Contact	Paula.hyatt@council.ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☒	

SUMMARY

On December 5, 2023, in response to a strong desire from Council for a more considered process around Ordinance 3228, a follow-on motion was made after Ordinance 3228 was advanced to a second reading.

This motion was made with limited meeting time remaining and, as a result, additional clarification is required. The goal of the motion was to provide a review of Ordinance 3228 in six months.

BACKGROUND AND ADDITIONAL INFORMATION

Originally the motion for a six-month review of Ordinance 3228 leveraged the Housing and Human Services Subcommittee as a key resource. After conferring with the Council Liaison to the Housing and Human Services Committee (HHS), it has been determined that the review is best done by the Council itself. Currently the Housing and Human Services Subcommittee is engaged in a considerable body of work and appropriately needs to be able to focus their efforts on their charge. Subsequently, this agenda item is intended to provide an opportunity for the Council to amend the original motion and provide more detailed guidance on the six-month review of Ordinance 3228.

The amended direction could include:

- First, Re-focus the Housing and Human Services Subcommittee strictly on the Master Plan.
- Second, in six months, Council reviews the ordinance with the lens of the Master Plan Recommendation and the benefit of 6 months data.
- Proposed metrics to help evaluate the ordinance include data types as follows:
    - Harassment
    - Trespass
    - DOC
    - Theft
- By Month, for Dec - June 2024,
- By enforcement area (Dusk to Dawn Site, Garfield Park, Lithia Park, North Ashland (Plaza, Library, or appropriate comparable) and A50012 (Cap East)
- Having historical comparable data to better assess the metrics would be helpful.
    - Periodicity to consider: A year back, 3 years back, and 5 years back.

- Additionally, and critical to the review, how many times a month is APD having to enforce Ordinance 3228 and to what citation level.

With this information, the Council can then review Ordinance 3228 and recommend ordinance amendments, as appropriate.

FISCAL IMPACTS

Fiscal Impacts include the staff time to pull the requested data outlined, and if amendments are identified, the staff time to amend Ordinance 3228.

SUGGESTED MOTION

I move to amend the original motion, directing a six-month review of Ordinance 3228, to include:

- The review be completed by the Ashland City Council, with the use of the Housing and Human Services Subcommittee Houselessness Master Plan Recommendation, and key data from the Ashland Police Department, to inform updates to Ordinance 3228, as appropriate.

Council Business Meeting

December 19, 2023

Agenda Item	City Charter Amendment for May election	
From	Sabrina Cotta	Acting City Manager
Contact	Sabrina.cotta@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

At the October 16, 2023, Study Session staff was directed to provide to Council a timeline and ballot language for charter changes for the spring election. The two articles to be considered are:

- Article 14 - Chief of Police: Powers and Duties, Section 2
  - Update the language in Article 14, Section 2 allowing the Chief of Police to designate an officer to
  - attend City Council meetings and act in his/her stead as Sergeant-at-Arms
- Article 3 – Elective Officers and Article 6 – Recorder
  - Remove the City Recorder as an elected official and any article provisions related to the duties of that role in recognition of the substantial reduction in the position's responsibilities to become solely administrative in nature.

POLICIES, PLANS & GOALS SUPPORTED

Excellence in governance and City Services.
Sustainability through creativity, affordability, and right sized service delivery.

BACKGROUND AND ADDITIONAL INFORMATION

Timeline – May 21, 2024, Election

December 19, 2023 – City Council consider proposed ballot language
January 16, 2024 – City Council vote on final ballot language resolution
March 1, 2024 - City ballot title filing deadline (SEL 805)
March 21, 2024 - City measure filing deadline (City-SEL 802)
March 25, 2024 - Voters' pamphlet filing deadline (measure arguments)

Proposed Ballet Language

See attached SEL 802 and Explanatory Statements.

FISCAL IMPACTS

Article 14 – Chier of Police: Powers and Duties, Section 2: No fiscal impact
Article 3 - Elective Officers and Article 6 – Recorder: Human Resources will need to conduct a thorough review of job description to include duties and research comparable cities wages. There is potential for long-term salary savings to better align job responsibilities and salary by transitioning this position to a non-elected position.

SUGGESTED NEXT STEPS

Provide staff with direction on proposed ballot language for potential charter changes.

REFERENCES & ATTACHMENTS

October 16, 2023 Study Session Council Communication
SEL802 Recorder
Explanatory Statement - Recorder
SEL802 Sergeant at Arms
Explanatory Statement – Sergeant at Arms
Draft Resolution Article 14
Draft Resolution Article 3 & 6

Council Study Session

October 16, 2023

Agenda Item	Charter Amendment Discussion	
From	Joesph Lessard	City Manager
Contact	Joe.lessard@ashland.or.us 541-552-2103	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

Over time the City's operational requirements have changed creating a need to update sections of the City Charter. At the request of Council, staff has reviewed prior Charter Commission recommendations and current internal processes finding two areas for addressing within the charter that relate to its following articles:

- Article 14 - Chief of Police: Powers and Duties, Section 2
- Article 3 – Elective Officers and Article 6 – Recorder

Staff recommends, due to operational needs, that Council begin consideration of placing two ballot items on the upcoming spring ballot to:

1) Update the language in Article 14, Section 2 allowing the Chief of Police to designate an officer to attend City Council meetings and act in his/her stead as Sergeant-at-Arms; and

2) Remove the City Recorder as an elected official and any article provisions related to the duties of that role in recognition of the substantial reduction in the position's responsibilities to become solely administrative in nature.

If the Charter amendment to the Recorder's office passes, a City staff member would take on the City Recorder role, aligning it more closely with the evolving nature of the position, which over time, has transitioned from one that primarily involved discretionary functions to one predominantly focused on administrative responsibilities. The Recorder position will be under the supervision of the office of management to ensure timeliness and professionalism befitting for the City of Ashland.

POLICIES, PLANS & GOALS SUPPORTED

Excellence in governance and City Services.
Sustainability through creativity, affordability, and right sized service delivery.

BACKGROUND AND ADDITIONAL INFORMATION

Article 14 – Chief of Police: Powers and Duties, Section 2

This article states: "The Chief of Police shall attend all meetings of the City Council and perform the duties of the Sergeant-at-Arms of that body..." Staff has determined this language in the Charter is too restrictive and recommends the Charter be amended to state *The Chief of Police, or their designee.* This wording would allow the Chief of Police the discretion to make operational decisions for the department based on needs and staffing and allow greater flexibility to the Chief of Police regarding work schedule.

Article 3 – Elective Officers and Article 6 - Recorder

These articles outline the Recorder as an elected position, term, powers and duties, vacancy, and absence guidelines. Staff has determined the following:

- Ashland is unique in that no other City recorders in the area are elected.
- The duties of this position have changed over time particularly in regard to financial duties. The Recorder no longer conducts audits nor performs fund accounting for the City.
- The City is in need of a trained position filled by an individual who can complete records requests & management, records retention, licensing needs and council duties in a thorough and timely manner.
- This position as an elected officer presents considerable risk to the City of job duties are unfulfilled or completed in a manner not in accordance with state law.
- The job duties of the recorder do not need to be done by an elected official.
- The League of Oregon Cities did research in 2016 and found that Ashland, Elgin, Jacksonville and Prescott were the only cities in the entire state that had elected recorders.

FISCAL IMPACTS

Article 14 – Chier of Police : Powers and Duties, Section 2: No fiscal impact

Article 3 - Elective Officers and Article 6 – Recorder: Human Resources will need to conduct a thorough review of job description to include duties and research comparable cities wages. General research was conducted on recorder wages and the following was found:

City	Population	Low Salary	High Salary	Elected
Lake Oswego	41,148	$3,843	$4,671	No
Keizer	39,376	$3,154	$4,114	No
McMinnville	34,515	$3164	$4,747	No
Tualatin	27,914	$3098	$3935	No
West Linn	27,420	$3295	$4500	No
Klamath Falls	22,501	$2589	$3748	No
Ashland	**21,642**	**$3846**	**$3846**	**Yes**
Milwaukie	21,305	$3108	$3966	No
Sherwood	20,22	$3760	$4769	No

Along with ensuring efficiencies within the office by transitioning the position to a professional position, there is potential for long-term salary savings to better align job responsibilities and salary by transitioning this position to a non-elected position. More research will need to be done if this position is removed from the charter to determine role and responsibilities and commensurate salary.

2024 Spring Election Cost: No fiscal impact to the City of Ashland. The Clerk of the City Council Pro Tem has contacted the Jackson County elections Office and confirmed that when a ballot measure is included in a Primary or General Election in even numbered years, the County Clerk budgets and pays for election costs.

SUGGESTED NEXT STEPS

Provide staff with direction to return to Council with potential timeline and ballot language of potential charter changes to be considered for spring election ballot measures.

REFERENCES & ATTACHMENTS

- City Charter - Article 3 Elective Officers
- City Charter - Article 6 Recorder
- City Charter – Article 14 Chief of Police: Powers and Duties

ARTICLE 3 Elective Officers

Section 1. Elective Officers The elective officers of the City shall be: a Mayor, Recorder, six (6) Council Members, five (5) Park Commissioners and a Municipal Judge. (Charter amendment 5-23-78)

Section 2. Qualifications All elective officers except the Municipal Judge shall be residents and qualified voters in the City. (Charter amendment 5-23-78).

Section 3. Salaries Any change in the amount of the present compensation received by elective officers, except for the Recorder and Municipal Judge, shall be submitted to the vote of the people; however, the salary of the elected Recorder shall be in the amount being paid in 1974 and be adjusted starting with the fiscal year 1974-75 in the same percentage as the average salary adjustments of the other supervisory employees and department heads of the City of Ashland; further, the salary of the Municipal Judge will initially be the same as for the year 1978-79 and thereafter to be adjusted in the same percentage as the average salary adjustment of the other supervisory employees and department heads of the City of Ashland. (Charter amendment 5-23-78).

Section 4. Vacancies An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his/her office, or unlawful destruction of public records; resignation; recall from office or ceasing to possess the qualifications for the office; or, in the case of the Mayor or Council Member, upon his/her absence from the City for thirty (30) days without the consent of the Council or upon his/her absence from meetings of the Council for sixty (60) days without like consent, and subsequent declaration of the vacancy by a two-thirds affirmative vote of the Council.

A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee's term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial election, takes office for the unexpired term. The Council shall have the power, by a two-thirds affirmative vote, to expel any member of the Council for disorderly conduct in Council or inattention to duties. No Council member shall be expelled without notice and a hearing by the Council.

Section 5. Term The term of all elective officers shall begin the first day of January following their election.

Section 6. Interest in City Contracts During the term of office, no elective officer shall violate any provision of the State of Oregon Code of Ethics as contained in ORS Chapter 244. (Amended by vote 11-8-94.)

ARTICLE 6 Recorder

Section 1. Term The Recorder in office at the time this Charter takes effect shall continue in office until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter is adopted. At each biennial general election held in 1970, and every fourth year thereafter, a Recorder shall be elected for a term of four (4) years.

Section 2. Powers and Duties The Recorder shall act as Clerk of the Council and shall keep plain and correct records of all business and proceedings of the Council. He/she shall maintain a file of all papers presented to him/her officially, and safely keep all files, records and papers of the corporation pertaining to his/her office, and these shall be open to the public. At the expiration of his/her term of office, he/she shall turn over to his/her successor any and all records, books, and papers pertaining to said office.

The Recorder must draw all orders for the proper payment of monies against the proper funds that have been appropriated by the City Council, and, together with the Mayor, sign the same. He/she may make periodic audits of all City accounting records.

The Recorder, shall, as soon as the Council shall make a general levy of the taxes for the city, certify the same, together with any and all special benefits and assessments then due, to the Clerk of the County Court.

The Recorder shall record, in a book to be kept for that purpose, all ordinances and resolutions passed by the City Council, and the same shall be signed by the Recorder, as well as signed and approved by the Mayor therein.

Section 3. Vacancy A willful absence of the Recorder from the City for more than thirty (30) days without the consent of the Council, carelessness or inattention to the duties of the Recorder, shall be grounds for the Council to declare the office vacant; and it may fill such vacancy in the same manner as vacancies in the office of Council members are filled.

Section 4. Absence In the Recorder's absence, the Mayor shall appoint a Clerk of the Council Pro Tem who, while acting in that capacity, shall have all the authority and duties of the Recorder.

ARTICLE 14 Chief of Police: Powers and Duties

Section 1. The Chief of Police shall be the conservator of the peace within the limits of the City of Ashland and, in addition to the authority vested in him/her by the City Council, he/she shall have the authority and jurisdiction of a constable, and shall qualify and discharge the duties of constable, in the same manner and to the same effect as required of constables under the statutes of this State. He/she shall, within the County of Jackson, arrest any and all persons guilty of any breach of the peace committed in his/her presence, and take them before the judge of the City Court, or some Justice of the Peace for trial. He/she shall also have the power, under any warrant from the Judge, or any Justice of the Peace, to arrest any person in any part of the State of Oregon for any criminal offense or the violation of any City ordinance and, in case the Council shall establish a police force for the City, he/she shall by virtue of his/her office be Chief of such force.

Section 2. The Chief of Police shall attend all meetings of the City Council, and perform the duties of the Sergeant-at-Arms of that body, watch over, care for and preserve all the City property and good morals of the City; and it shall be his/her duty, and the duty of any and all police officers, to see that all the laws and ordinances of the City, and the provisions of this Charter, are enforced, to file complaint with the City Judge against any persons violating any of the provisions of this Charter, or the laws or ordinances of the City; and a failure or neglect to faithfully perform any or all of such duties shall be cause for removal from office by the City Council.

Notice of Measure Election

City

SEL 802

rev 01/18 ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

Notice

Date of Notice	Name of City or Cities	Date of Election
TBD	City of Ashland	May 2024

Final Ballot Title The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure.

Proposed Amendment to the Ashland City Charter removing the Recorder as an Elective Officer.

Question 20 words which plainly phrases the chief purpose of the measure.

Shall the Ashland City Charter be amended to remove the Recorder and Recorder Duties as an elected position from the City Charter?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

A "Yes" vote for this measure amends the City Charter to allow for the City of Ashland to hire an individual with appropriate training and skill to fill the Recorder position.

A "No" vote for this measure maintains the existing language in the City Charter which outlines the sole qualifications for being elected Recorder as residing within City limits and current registration to vote.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:
→ any measure referred by the city governing body; **or**
→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached? ☐ Yes ☐ No

Authorized City Official Not required to be notarized.

Name	Title
Mailing Address	**Contact Phone**

By signing this document:
→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; **and**
→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature	Date Signed

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

NAME OF PERSON RESPOSIBLE FOR CONTENT: TBD

NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY: City of Ashland

BALLOT TITLE CAPTION: Proposed Amendment to the Ashland City Charter removing the Recorder as an Elective Officer.

MEASURE NUMBER: TBD

(Explanatory Statement Shall Be Typed)

A "Yes" vote for this measure amends the City Charter to allow for the City of Ashland to hire an individual with appropriate training and skill to fill the Recorder position. Currently there are no minimum professional skill qualifications for this position. The only qualifiers are residing within City limits and being a registered voter. The recorder is an administrative position that requires decision to be made based on knowledge, skills, and abilities outside of the number of votes garnered in an election.

A "No" vote for this measure maintains the existing language in the City Charter which outlines the sole qualifications for being elected Recorder and fulfilling the duties of Recorder as outlined in the City Charter as registered voter within the City of Ashland.

WORD COUNT TOTAL: _____

THE TOTAL WORD COUNT CANNOT EXCEED 500 WORDS.

_____ _____

SIGNATURE OF PERSON RESPONSIBLE FOR THE CONTENT OF THE EXPLANATORY STATEMENT DATE

INSTRUCTIONS FOR EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

1. Explanatory Statement **must be typed.**

2. Explanatory Statement will not be returned for proofreading.

3. The word total for an explanatory statement must not exceed 500 words or numbers. If an explanatory statement exceeds the 500 word/number limit, the county clerk shall end the statement at 500 words or numbers.

4. An explanatory statement must be signed by the person responsible for the content of the argument.

Notice of Measure Election

City

SEL 802

rev 01/18 ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

Notice

Date of Notice	Name of City or Cities	Date of Election
TBD	City of Ashland	May 2024

Final Ballot Title The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure.

Proposed Amendment to Ashland City Charter Article XIV-Chief of Police Section2.

Question 20 words which plainly phrases the chief purpose of the measure.

Shall the City of Ashland City Charter be amended to allow the Chief of Police or uniformed designee to attend City Council meetings to act as the Sergeant-at-Arms of that body.

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

A "Yes" vote for this measure amends the City Charter to allow the Chief of Police to designate another individual to act as the Sergeant-at-Arms of at City Council meetings in the event the Chief of Police is unable to attend.

A "No" vote means the existing language in the City Charter remains that the Chief of Police shall attend all meetings of the City Council.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:
→ any measure referred by the city governing body; **or**
→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached? ☐ Yes ☐ No

Authorized City Official Not required to be notarized.

Name	Title
Mailing Address	**Contact Phone**

By signing this document:
→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; **and**
→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature	Date Signed

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

NAME OF PERSON RESPOSIBLE FOR CONTENT: TBD

NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY: City of Ashland

BALLOT TITLE CAPTION: Proposed Amendment to Ashland City Charter Article XIV-Chief of Police Section 2

MEASURE NUMBER: TBD

(Explanatory Statement Shall Be Typed)

Article XIV-Chief of Police Powers and Duties Section 2 currently requires "The Chief of Police shall attend all meetings of the City Council, and perform the duties of the Sergeant-at-Arms of that body,...." The Charter's current language does not allow for any consideration to schedule, illness, or training opportunities that may conflict with the City Council meetings.

This Measure would allow for the Chief of Police to designate another uniformed individual to fulfill the Sergeant-at-Arms duties in the event the Chief of Police is unable to fulfill that duty.

Results of a "No" Vote.
If this measure does not pass, the existing charter language will remain in place which does not allow for anyone other than the Chief of Police to act as Sergeant-at-Arms at City Council meetings.

WORD COUNT TOTAL: _____

THE TOTAL WORD COUNT CANNOT EXCEED 500 WORDS.

_____ _____

SIGNATURE OF PERSON RESPONSIBLE FOR THE CONTENT OF THE EXPLANATORY STATEMENT DATE

INSTRUCTIONS FOR EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

1. Explanatory Statement **must be typed.**

2. Explanatory Statement will not be returned for proofreading.

3. The word total for an explanatory statement must not exceed 500 words or numbers. If an explanatory statement exceeds the 500 word/number limit, the county clerk shall end the statement at 500 words or numbers.

4. An explanatory statement must be signed by the person responsible for the content of the argument.

RESOLUTION NO. 2023-??

A RESOLUTION OF THE CITY OF ASHLAND SUBMITTING TO THE VOTERS AT THE _____, 2024 SPECIAL ELECTION A PROPOSED AMENDMENT TO ARTICLE XIV OF THE ASHLAND CITY CHARTER

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~**bold lined through**~~, and additions are **bold underlined.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON, RESOLVES AS FOLLOWS:

SECTION 1. The City Council submits to the qualified voters of the City of Ashland the question of

approving or rejecting an amendment to Article XIV of the Ashland City Charter AS FOLLOWS:

ARTICLE 14 Chief of Police: Powers and Duties

Section 1. The Chief of Police shall be the conservator of the peace within the limits of the City of Ashland and, in addition to the authority vested in him/her by the City Council, he/she shall have the authority and jurisdiction of a constable, and shall qualify and discharge the duties of constable, in the same manner and to the same effect as required of constables under the statutes of this State. He/she shall, within the County of Jackson, arrest any and all persons guilty of any breach of the peace committed in his/her presence, and take them before the judge of the City Court, or some Justice of the Peace for trial. He/she shall also have the power, under any warrant from the Judge, or any Justice of the Peace, to arrest any person in any part of the State of Oregon for any criminal offense or the violation of any City ordinance and, in case the Council shall

DRAFT

establish a police force for the City, he/she shall by virtue of his/her office be Chief of such force.

Section 2. The Chief of Police**, or his/her designee,** shall attend all meetings of the City Council, and perform the duties of the Sergeant-at-Arms of that body, watch over, care for and preserve all the City property and good morals of the City; and it shall be his/her duty, and the duty of any and all police officers, to see that all the laws and ordinances of the City, and the provisions of this Charter, are enforced, to file complaint with the City Judge against any persons violating any of the provisions of this Charter, or the laws or ordinances of the City; and a failure or neglect to faithfully perform any or all of such duties shall be cause for removal from office by the City Council.

Section 2. Referral.

This resolution is referred to the electors of the city of Ashland for approval at the Special Election in Jackson County, set to occur on _____.

ADOPTED by the City Council this ____ day of _____, 2023.

ATTEST:

SIGNED and APPROVED this _____ day of _____, 2023,

_____ _____

Alissa Kolodzinski, City Recorder Tonya Graham, Mayor

Reviewed as to form:

_____

Douglas M McGeary,
Acting City Attorney

DRAFT

RESOLUTION NO. 2023-??

A RESOLUTION OF THE CITY OF ASHLAND SUBMITTING TO THE VOTERS AT THE _____, 2024 SPECIAL ELECTION A PROPOSED AMENDMENT TO ARTICLE VI OF THE ASHLAND CITY CHARTER

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~**bold lined through**~~, and additions are **bold underlined.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON, RESOLVES AS FOLLOWS:

PART 1. The City Council submits to the qualified voters of the City of Ashland the question of approving or rejecting an amendment to Article III of the Ashland City Charter AS FOLLOWS:

ARTICLE 3 Elective Officers

Section 1. Elective Officers The elective officers of the City shall be: a Mayor, ~~**Recorder,**~~ six (6) Council Members, five (5) Park Commissioners and a Municipal Judge. (Charter amendment 5-23-78)

Section 2. Qualifications All elective officers except the Municipal Judge shall be residents and qualified voters in the City. (Charter amendment 5-23-78).

Section 3. Salaries Any change in the amount of the present compensation received by elective officers, except for the ~~**Recorder and**~~ Municipal Judge, shall be submitted to the vote of the people; ~~**however, the salary of the elected Recorder shall be in the amount being paid in 1974 and be adjusted starting with the fiscal year 1974-75 in the same percentage as the average salary adjustments of the other supervisory employees and department heads of the City of Ashland; further, t**~~ **T**he salary of the Municipal Judge will initially be the same as for the year 1978-79 and thereafter to be adjusted in

the same percentage as the average salary adjustment of the other supervisory employees and department heads of the City of Ashland. (Charter amendment 5-23-78).

Section 4. Vacancies An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his/her office, or unlawful destruction of public records; resignation; recall from office or ceasing to possess the qualifications for the office; or, in the case of the Mayor or Council Member, upon his/her absence from the City for thirty (30) days without the consent of the Council or upon his/her absence from meetings of the Council for sixty (60) days without like consent, and subsequent declaration of the vacancy by a two-thirds affirmative vote of the Council.

A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee's term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial election, takes office for the unexpired term. The Council shall have the power, by a two-thirds affirmative vote, to expel any member of the Council for disorderly conduct in Council or inattention to duties. No Council member shall be expelled without notice and a hearing by the Council.

Section 5. Term The term of all elective officers shall begin the first day of January following their election.

Section 6. Interest in City Contracts During the term of office, no elective officer shall violate any provision of the State of Oregon Code of Ethics as contained in ORS Chapter 244.

PART 2. The City Council submits to the qualified voters of the City of Ashland the question of approving or rejecting an amendment to Article VI of the Ashland City Charter AS FOLLOWS:

ARTICLE 6 Recorder

Section 1. Term The Recorder in office at the time this Charter takes effect shall continue in office until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter **provision** is adopted. ~~**At each biennial general election held in 1970, and every fourth year thereafter, a Recorder shall be elected for a term of four (4) years.**~~ **Upon the expiration of the Recorder's term, if any, the City Manager is granted the authority to appoint a Recorder to fulfill the powers and duties of this position. The selection of the Recorder will be based on their education, experience, and other qualifications ensuring that the individual is suitably qualified and well-suited for the position of City Recorder.**

Section 2. Powers and Duties. The Recorder shall act as Clerk of the Council and shall keep plain and correct records of all business and proceedings of the Council. ~~**He/she shall maintain a file of all papers presented to him/her officially, and safely keep all files, records and papers of the corporation pertaining to his/her office, and these shall be open to the public. At the expiration of his/her term of office, he/she shall turn over to his/her successor any and all records, books, and papers pertaining to said office. The Recorder must draw all orders for the proper payment of monies against the proper funds that have been appropriated by the City Council, and, together with the Mayor, sign the same. He/she may make periodic audits of all City accounting records. The Recorder, shall, as soon as the Council shall make a general levy of the taxes for the city, certify the same, together with any and all special benefits and assessments then due, to the Clerk of the County Court. The Recorder**~~

~~**shall record, in a book to be kept for that purpose, all ordinances and resolutions passed by the City Council, and the same shall be signed by the Recorder, as well as signed and approved by the Mayor therein.**~~

The Recorder shall oversee City business communication between the public and the City in coordination with appropriate City officials.

The Recorder shall oversee and manage public records of the City and ensure compliance with retention of official records and applicable public records law.

The Recorder shall maintain and preserve property records, liens, and property instruments and deeds related to the City.

The Recorder shall oversee and coordinate City elections.

Section 3. ~~Vacancy A willful absence of the Recorder from the City for more than thirty (30) days without the consent of the Council carelessness or inattention to the duties of the Recorder, shall be grounds for the Council to declare the office vacant; and it may fill such vacancy in the same manner as vacancies in the office of Council members are filled.~~ **The City Recorder is subject to all standard employment policies, rules and regulations established by the City.**

Section 4. Absence In the Recorder's absence, the ~~Mayor~~ **City Manager** shall appoint a Clerk of the Council Pro Tem who, while acting in that capacity, shall have all the authority and duties of the Recorder.

PART 3. Referral.

This resolution is referred to the electors of the city of Ashland for approval at the Special Election in Jackson County, set to occur on _____.

ADOPTED by the City Council this ____ day of _____, 2023.

ATTEST:

SIGNED and APPROVED this _____ day of _____, 2023,

_____ _____

Alissa Kolodzinski, City Recorder Tonya Graham, Mayor

Reviewed as to form:

_____

Douglas M McGeary,
Acting City Attorney

Council Business Meeting

December 19, 2023

Agenda Item	Council Chambers Audio-Video-Broadcast Updates	
From	Sabrina Cotta	Administration
Contact	sabrina.cotta@ashland.or.us	
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

This is a request for spending authority to perform an upgrade of the audio-video and broadcast technology used by City Council and other boards and commissions in the Ashland Council Chambers.

Due to the cost of this technology remodel exceeding $100,000, council approval is required for the purchase.

POLICIES, PLANS & GOALS SUPPORTED

Undertaking the project fulfills the need to make council meetings fully hybrid, wherein all participants can see, and be seen, by all other participants and meeting attendees. By supplying more delivery options and clearer communications between Ashland's public bodies and the citizens they serve, this would indirectly support any and all of the Council's goals. This project also ensures that the City of Ashland complies with Oregon House Bill 2560, which requires public meetings be remotely accessible when reasonably possible.

BACKGROUND AND ADDITIONAL INFORMATION

The quality of the audio-video signal from and within the Council Chambers has been degrading over time. This manifests as additional hiss and hum in audio, microphones that may cut-out or boom when bumped, or video dropout. This reflects years of usage, movement, and room re-arrangement impacting cables, connectors, and equipment. The broadcast equipment in the broadcast control booth, which RVTV uses to create the television and internet broadcast, is beyond end-of-life and is no longer current with industry standards for compatibility and security. Originally Council approved an agenda item from May 2, 2023 for this upgrade. Rogue Valley Television (RVTV), our broadcast partner, subsequently raised concerns about the ability of the vendor, CDW, to perform adequate work for the city. Staff took a second look at the project, and at the recommendation of RVTV, chose Key Code Media, Inc., to quote the project.

FISCAL IMPACTS

Even taking into account the fact that some of the existing components (e.g. monitors, cameras) would be re-used, contractor estimates for materials and installation are over $100,000. Attached is an itemized $118,046.60 bid by Key Code Media, Inc., based on the pre-bid State contract award system. Inquiries to other regional public agencies also confirms that the going rate for a public meeting room equipment update project typically exceeds $100,000

This has been quoted under the Omnia Purchasing Agreement # 2019.001407.

DISCUSSION QUESTIONS

- As described, this project would only include audio-video updates for the Council Chambers and the associated broadcast booth. If it is desirable to upgrade other City conference rooms in which public meetings are held, there would be additional costs.

- Deferring these upgrades would result in continued degradation of audio-video signal quality over time. It would also limit communication and presentation options to those that currently exist in the room, whereas an upgrade would provide additional options for presenters, and better support for remote attendance.

SUGGESTED NEXT STEPS

Staff recommends that the Council approve the funding for this project.

ACTIONS, OPTIONS, AND POTENTIAL MOTIONS

I move to approve staff to pursue the council chamber audio-visual equipment upgrade.

REFERENCES & ATTACHMENTS

keycode quote #229984 v 2.pdf

Key Code Media, Inc. - Washington
6632 S 191st Pl.
Suite E102
Kent, WA 98032
206-870-0244
www.keycodemedia.com

Sales Quotation

Quote #229984 v 2
Nov 27, 2023

Bill To:
CITY OF ASHLAND

,

Attn:
Jason Wegner
jason.wegner@ashland.or.us

Ship To:
CITY OF ASHLAND
20 E Main St
Ashland, OR 97520-1814

Attn:
Jason Wegner
jason.wegner@ashland.or.us

Account Manager:
Jason Eshuis
206-249-4078
jeshuis@keycodemedia.com
Expiration Date: 11/28/2023
Terms:

Client Objectives

Client Business Objective for Key Code Media (KCM): Upgrading the City of Ashland's Chamber Meeting Room

Objective: To deliver a comprehensive upgrade of the City of Ashland's Chamber Meeting Room, incorporating cutting-edge audiovisual technology and equipment to enhance user experience, audio clarity, and overall functionality.

Background: The City of Ashland's Chamber Meeting Room serves as a vital space for public discourse and decision-making. It is essential to equip this room with modern audiovisual solutions that will improve communication, facilitate efficient meetings, and provide a professional atmosphere for the community. Key Code Media (KCM) has been selected to lead this upgrade project.

Key Objectives:

Obsolete Component Removal: Efficiently remove existing components that cannot be reused in the new system, ensuring a clean transition to the upgraded technology.
VizRt TC1 Pro Switcher Installation: Install a VizRt TC1 Pro switcher with the control panel to enable seamless switching between video sources, creating a versatile and dynamic presentation environment.
Extron Equipment for Video Control: Integrate Extron equipment to provide the operator with full control over video sources, enabling them to manage and optimize the video presentation during meetings.
Lobby TV Monitor Replacement: Replace the current TV monitor in the lobby with a modern and high-quality display to keep attendees informed and engaged.
Bosch Audio Discussion Devices Installation: Install Bosch audio discussion devices to enhance audio clarity during discussions, making it easier for participants and remote viewers to follow proceedings.
Q-sys DSP for Audio Quality: Implement a Q-sys DSP system to ensure superior audio quality, reducing background noise and improving sound clarity.
Extron Audio Power Amp: Integrate an Extron audio power amp to provide consistent and powerful audio output throughout the meeting room.
JBL Pendant Speakers: Install JBL Pendant speakers to improve sound dispersion and limit feedback issues, delivering high-quality audio to all attendees.
Curtain Installation for Sound Dampening and Aesthetics: Offer the option to install curtains behind the dais to enhance sound dampening and add an aesthetic element to the meeting room.
Control Room Desk Console: Provide a new desk console for the control room to optimize the operator's workspace and ensure efficient control of AV equipment.
Optional Dicentis Discussion Devices: Present an optional upgrade with Dicentis discussion devices for enhanced discussion and interaction capabilities.

Timeline: The objective should be completed within a timeframe that minimizes disruption to the City of Ashland's scheduled meetings, with an estimated completion date of no more than three months from the project initiation.

Success Criteria:

Seamless operation of all installed equipment.
Improved audio and video quality during meetings.
Increased user satisfaction and engagement.
Minimal downtime during the upgrade process.

Benefits: By achieving this objective, Key Code Media will enable the City of Ashland to conduct more productive and engaging meetings, fostering effective communication, and enhancing the city's reputation as a forward-thinking and accommodating local government.

Responsibilities: The responsibility for achieving this objective lies with Key Code Media's project team, in close collaboration with the City of Ashland's representatives.

Review and Reporting: Regular progress updates and reporting to the City of Ashland will ensure the objective stays on track, with any necessary adjustments made promptly.

This upgrade will significantly benefit the City of Ashland and its constituents by creating a state-of-the-art meeting room that fosters transparency, efficient governance, and community engagement.

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
		Video							

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Newtek	TC1P2RU	Tricaster TC1 Pro	1	Y	15.00 %	$22,995.00	$0.00	$19,545.75	$19,545.75
Newtek	TC1SP	Small Control Panel for TriCaster TC1	1	Y	0.00 %	$7,295.00	$0.00	$7,295.00	$7,295.00
ViewSonic	TD2760	TD2760 27" 16:9 Multi-Touch LCD Monitor	1	N	0.00 %	$677.00	$0.00	$677.00	$677.00
Special price ends 10/29/2023									
Extron	60-1382-01	DTP CrossPoint 86 4K	1	Y	42.00 %	$16,210.00	$0.00	$9,401.80	$9,401.80
Extron	60-1531-52	DPT Wallplate Receiver 331 D	5	Y	42.00 %	$930.00	$0.00	$539.40	$2,697.00
Extron	60-1563-02	TLP Pro Touch screen	2	Y	42.00 %	$2,300.00	$0.00	$1,334.00	$2,668.00
Extron	60-1498-12	WallPlate Transmitter	18	Y	42.00 %	$1,380.00	$0.00	$800.40	$14,407.20
Samsung	UN58CU7000FXZA	Samsung CU7000 Crystal UHD 58" Samsung CU7000 Crystal UHD 58" 4K HDR Smart LED TV	1	Y	30.00 %	$597.00	$0.00	$417.90	$417.90
Extron Electronics	60-1271-13	Extron DTP HDMI 4K 230 Rx - 1 Output Device - 230 ft Range - 1 x Network (RJ-45) - 1 x HDMI Out - 4K - 4096 x 2160 - Twisted Pair - Rack-mountable	2	Y	42.00 %	$570.00	$0.00	$330.60	$661.20
C2G	C2G21000	3ft High Speed HDMI Cable - 2pk 3ft High Speed HDMI Cable - 2pk	2		42.02 %	$21.99	$0.00	$12.75	$25.50
Legrand Group	MTM1U	Chief Fusion Medium Micro-Adjustable Tilt Display Wall Mount - For Displays 32-65" - Black - Height Adjustable - 1 Display(s) Supported - 32" to 65" Screen Support - 125 lb Load Capacity	1	Y	33.00 %	$245.00	$0.00	$164.15	$164.15
		Audio							
Bosch	F.01U.298.806	Bosch CCSD-CU Control Unit	1	N	0.00 %	$1,850.00	$0.00	$1,850.00	$1,850.00

Key Code Media, Inc. - Washington
6632 S 191st Pl.
Suite E102
Kent, WA 98032
206-870-0244
www.keycodemedia.com

Sales Quotation

Quote #229984 v 2
Nov 27, 2023

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Bosch	F.01U.299.031	CCSD-DL Discussion Device with Long-Stem Microphone for CCS 1000 D System	18	N	0.00 %	$679.00	$0.00	$679.00	$12,222.00
Qsys	CORE 110f-v2	Core 110 F DSP	1	N	0.00 %	$4,210.00	$0.00	$4,210.00	$4,210.00
Extron	60-2026-01	XPA U 2004 FX - Power Amplifiers | Extron	1	Y	42.00 %	$2,590.00	$0.00	$1,502.20	$1,502.20
JBL	C65P/T	JBL Control 65P/T Full-Range Satellite Pendant Speaker	3	N	0.00 %	$563.80	$0.00	$563.80	$1,691.40
Bosch	DCNM-CB25-I	System cable assembly 25m - 25 m (82.0 feet), system network cable for connecting all DICENTIS devices.	1	N	0.00 %	$274.00	$0.00	$274.00	$274.00
Bosch	DCNM-CB10-I	DICENTIS System Network Cable 10m	1	N	0.00 %	$162.00	$0.00	$162.00	$162.00
		Rack Items							
Furman	PL-8C	PI8 power management	2	Y	30.00 %	$369.95	$0.00	$258.96	$517.92
APC	SMT1500RM2UC	APC1500	2	N	0.00 %	$844.99	$0.00	$844.99	$1,689.98
Omnia Purchasing Agreement # 2019.001407									

Subtotal: **$82,080.00**

No.	Part #	Description	Qty	Price	Ext. Price
1	KCMPS-200	Pre-Integration Specialist will ensure that all system components conform to requirements by executing internal test plans, reporting and analyzing any defects or configuration issues.	40	$95.00	$3,800.00
2	KCMPS-201	Install/terminate low voltage, network cabling and hardware to industry standards.	40	$105.00	$4,200.00
3	KCMPS-202	Advanced Installer and Crew Lead. Oversees Installation/termination of low voltage, network cabling and hardware to industry standards.	40	$120.00	$4,800.00
4	KCMPS-203	Design Engineer provides final design details, guidance to the CAD team for proper/relevant drawings and then briefs an appropriate project handoff/overview/intentions/etc. to the assigned team Project Manager.	16	$110.00	$1,760.00

No.	Part #	Description	Qty	Price	Ext. Price
5	KCMPS-207	Senior Engineer with advanced system knowledge and numerous Industry Certifications. Responsible for setting up, configuring, and maintaining systems for Post, Broadcast and AV Communications. Qualified to provide final System Commissioning and Orientat	24	$225.00	$5,400.00
6	KCMPS-209	Responsible for the creation of technical and detailed design drawings. Produce designs that meet client requirements and targets. Provide detailed design plans for architects and engineers from other disciplines to follow. Oversees assistant drafters a	8	$210.00	$1,680.00
7	KCMPS-210	Manages projects to ensure the proposed plan adheres to the timeline, budget and scope. Their duties include planning projects in detail, setting schedules for all stakeholders and executing each step of the project.	20	$135.00	$2,700.00
8	KCM-T&E		1	$0.00	$0.00
9	KCM-INT-MAT	Materials budget, detailed list to be submitted to purchasing upon closing	1	$2,500.00	$2,500.00

Subtotal: **$26,840.00**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Newtek	PTUTC1P2RU	ProTek Ultra for TriCaster 1 Pro 2RU ProTek Ultra for TriCaster 1 Pro 2RU ProTek Ultra for TriCaster 1 Pro 2RU ProTek Ultra for TriCaster 1 Pro 2RU	1	N	10.00 %	$2,745.00	$0.00	$2,470.50	$2,470.50

Subtotal: **$2,470.50**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Forecast Consoles	FC-GCX-W3	GCX-W3 Modular Workstation With Rear Rail For AccessoryMounting, Support For Up To 3 Turrets or Inserts, and X -Chassis With Hinged Front and Rear Doors. Support Legs Have Removable Inset Panels For Cable Management.	1	N	0.00 %	$2,880.00	$0.00	$4,680.50	$4,680.50
Forecast Consoles	FC-GCX-T-5	FC--GCX-T5 Removable, Vented 5 RU Turret	3	N	0.00 %	$300.00	$0.00	$330.00	$990.00
Forecast Consoles	FC-NAA-0415	Articulating Monitor Arm Supports Monitors 4-15 Lbs Up to 34 in WideWith A VESA pattern of 75mmx75 or 100mm x 100mm	3	N	0.00 %	$248.00	$0.00	$272.80	$818.40

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Sales Quotation

Quote #229984 v 2
Nov 27, 2023

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Forecast Consoles	FC-PS1415	Standard PDU 36" Long With 14 NEMA 5-15R 120V Outlets and a 15'NEMA 5-15P Input Cord	1	N	0.00 %	$152.00	$0.00	$167.20	$167.20

Subtotal: **$6,656.10**

No.	Part #	Description	Qty	Price	Ext. Price
10	KCM-CNTG	Project Contingency	1	$5,650.00	$5,650.00

*** Optional Subtotal:** **$5,650.00**

Scope of Work

Total: **$118,046.60**

This Sales Quote ("SO") incorporates the Terms and Conditions found at http://www.keycodemedia.com/terms/salesorder ("T&C") and constitutes an offer or counter-offer, as applicable, by Key Code Media, Inc. or Burst Communications ("Seller"). This SO, including the T&C incorporated therein, shall become binding on the buyer listed herein ("Buyer") on the earliest of Buyer's: (i) acknowledgement hereof; or (ii) receipt of any goods and/or services ordered hereunder. No Buyer acknowledgement form, purchase order, or other document shall modify the SO or the T&C.

Signature: _____ Name: _____ Date: _____

Council Business Meeting

December 19, 2023

Agenda Item	Support letter for Oregon Jail Medicine for Opioid-Use Disorder Grant Program Legislation	
From	Tonya Graham	Mayor
Contact	tonya@council.ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

Mayor Graham is bringing information about this legislative proposal by Representative Pam Marsh and a support letter forward for Council consideration. The Mayor asks Council to sign on to the letter, which she will send to Representative Marsh from the Office of the Mayor later this week.

REFERENCES & ATTACHMENTS

Jail-Based Medication Legislation Letter
Oregon Jail MOUD Grant Program
Jail MOUD Request

December 19, 2023

Dear Representative Marsh,

Thank you for your long-standing efforts to improve health care for all Oregonians. I am writing on behalf of the Mayor's office and the Ashland City Council to express our support for your legislation to establish the Oregon Jail-Based Medication for Opioid-Use Disorder (MOUD) Grant Program. The Council appreciates this proposal as it will fund the creation or expansion of jail-based counseling and MOUD programs serving adults in custody with opioid use disorder.

Opioid addiction is a serious problem across Oregon, and the Ashland community is feeling the impacts. The time when an adult who has opioid use disorder is in jail is a critical time for intervention – an opportunity that is almost always lost due to the lack of jail-based counseling and MOUD programs in Oregon.

With this legislation, you are inviting the Oregon Legislature to invest in a cost effective, evidence-based program that will save lives and help Oregonians suffering from opioid use disorder while reducing the cost to society that results from untreated addiction.

The Ashland City Council is pleased to support this legislation and thanks you for your good work on behalf of all Oregonians.

Sincerely,

Tonya Graham

Mayor of Ashland on behalf of the Ashland City Council

The Oregon Jail-Based Medication for Opioid-Use Disorder Grant Program

The **Oregon Jail-Based Medication for Opioid-Use Disorder (MOUD) Grant Program** will provide $XM in funding to create or expand jail-based counseling and MOUD programs serving adults in custody with opioid use disorder. The program will be established within and administered by the Criminal Justice Commission in collaboration with the Oregon Health Authority. The two agencies will provide technical assistance and help establish best practices for jails statewide.

Need for the Jail MOUD Grant Program:



The opioid addiction crisis has cast a bright light on the need to improve MOUD services within our local jail systems. Currently, when adults in custody enter a local carceral facility they are no longer eligible for OHP or Medicaid to support continuing or initiating addiction treatment. Consequences include traumatic withdrawal in jail, disruption of community addiction treatment plans and jeopardized continuity of addiction care at release. **The gap in medication services misses an opportunity for evidence-based treatment that would promote recovery and help end cyclical drug use and incarceration**. Most jails lack the infrastructure and funding to implement or expand addiction care, including MOUD.

- In 2022, over 1,200 Oregonians lost their lives to fatal drug overdose.
- *Nearly 60% of incarcerated individuals have a substance use disorder*, but most go untreated.
- In 2021, only 12% of incarcerated people were offered MOUD in American jails and prisons.
- Research shows that incarcerated people and those recently released from incarceration face a significantly elevated risk of overdose death as compared to the general public. One estimate indicates that incarcerated people are *129 times more likely to die of overdose* within 2 weeks of release.
- MOUD is an evidence-based treatment, significantly improving health outcomes for people with opioid use disorder, such as raising patient survival rates, increasing retention in treatment, reducing criminal activity, and improving a patient's ability to gain and maintain employment.
- One estimate indicates that every dollar spent on prison-based treatment saves between $2-$6 due in part to reductions in criminal behavior and associated costs.

Program Objectives:



- Provide MOUD at the time people are incarcerated.
- Create an opportunity (not a mandate) for jails to create or expand programs; support jails at whatever level of capacity they currently have.
- Fund a spectrum of needs, such as medications, telemedicine, mobile treatment units, acute withdrawal screenings and medication storage.
- Provide a carve-out of funding for rural, frontier and tribal jails. A grant review committee will advise CJC on grant awards.

For info: Rep Pam Marsh, rep.pammarsh@oregonlegislature.gov

SUPPORTERS

Oregon Jail-Based Medication for Opioid-Use Disorder Grant Program

















- Moxie Loeffler, DO, MPH, Public Policy Chair - Oregon Society of Addiction Medicine
- Clackamas County Sheriff Angela Brandenburg & Captain Lee Eby
- Melanie Menear, MHA, MSN, RN CCHP, Healthcare Administrative Services Manager, Clackamas Co Sheriff's Office
- Zachary Myque Obiero, RN, CCHP, Director/RHA, Multnomah County Corrections Health & State of Oregon ADPC Commissioner
- Kerri Hecox, MD, MPH, Medical Director, Oasis Center of the Rogue Valley

Relating-to Clause:

Relating to opioid use disorder treatment in local correctional facilities and tribal jails.

SECTION 1. [Program Purposes and Establishment, Agency Collaboration]

(1) The Oregon Jail-Based Medications for Opioid-Use Disorder Grant Program is established within the Oregon Criminal Justice Commission to address the need for opioid use disorder treatment for persons in custody within Oregon's local correctional facilities and tribal jails.

(2) The commission shall collaborate with the Oregon Health Authority on implementation of the grant program, including, but not limited to, on providing technical assistance to grant-funded programs and identifying best practices.

SECTION 2. [Program Eligibility, Rural and Tribal Set-Aside, Option for Technical Assistance Set-Aside]

(1) The commission shall award grants to cities and counties that operate local correctional facilities, as defined in ORS 169.005(4), and to federally recognized tribal governments that operate jails in Oregon, for the purposes of expanding efforts to provide opioid use disorder treatment for incarcerated persons while in custody and transition planning services in preparation for their release.

(2) Eligible applicants may submit an application on behalf of a single applicant or an application on behalf of a consortia of local correctional facilities or tribal jails.

(3) At least 10 percent of grant funds shall be set aside for awards to local correctional facilities in rural areas and tribal jails. Any set-aside funds unawarded may be subsequently awarded to eligible recipients through a supplemental award process.

(4) A portion of grant funds may be set aside for the purposes of contracting for statewide technical assistance to assist programs in expanding access to opioid use disorder treatment for persons in custody within Oregon's local correctional facilities and tribal jails.

SECTION 3 [Program Funding Allowable Awards; Not an Exclusive List]

Grant funds may be awarded to eligible applicants for, including but not limited to, the following purposes:

(a) Medications for opioid use disorders;

(b) Access to telemedicine for opioid use disorders;

(c) Mobile and non-mobile opioid treatment units; and

(d) Opioid use disorder and risk of acute withdrawal screenings;

(e) Mitigating operational barriers to opioid use disorder treatment in local correctional facilities and tribal jails;

(f) Mitigating structural barriers to opioid use disorder treatment in local correctional facilities and tribal jails, including but not limited to, lack of secure medication storage;

SECTION 4. [Minimum Program Rules]

(1) The commission shall adopt rules to administer the grant program described in section (2).

(2) The rules must:

(a) Define "rural" for the purpose of grant award eligibility criteria;

(b) Specify the application process and eligibility criteria for the grant program, including

(i) A requirement that any eligible applicant applying on behalf of a city or county local correctional facility or a tribal jail must provide a statement acknowledging that grant funds must serve persons with opioid use disorders who are in custody; and

(ii) A requirement that any eligible applicant must include a letter of commitment from the administrator of a local correctional facility or tribal jail acknowledging willingness to participate in the grant program.

(c) Include a methodology for reviewing and approving grant applications and distributing grant funds.

SECTION 5. [Grant Advisory Committee]

(1) The commission shall convene an advisory committee to evaluate applications and make recommendations for grant awards. The committee may also make recommendations regarding best practices for grant-funded programs.

(2) The chairperson of the commission shall appoint members to serve on the advisory committee.

SECTION 6. [Legislative Report]

No later than December 1, 2024, the Oregon Criminal Justice Commission shall report to the committees of the Legislative Assembly related to the judiciary and health care concerning:

(1) Grant awards, to date;
(2) Opportunities for local correctional facilities and tribal jails to access medications through state agencies, on a voluntary basis; and
(3) Any additional timely and relevant information concerning opioid use disorder treatment in local correctional facilities and tribal jails.

SECTION 7. [Grant Funds as Other Fund]

The Oregon Jail-Based Medications for Opioid Use Disorder Grant Program Fund is established in the State Treasury separate and distinct from the General Fund. Moneys in Oregon Jail-Based Medication Opioid Use Disorder Grant Program Fund are continuously appropriated to the Oregon Criminal Justice Commission for the purposes of carrying out the provisions of Sections 1-3 of this 2024 Act. Interest earned by the fund shall be credited to the fund.

SECTION 8. [Emergency Clause]

This 2024 Act being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.

December 19, 2023

Dear Representative Marsh,

Thank you for your long-standing efforts to improve health care for all Oregonians. I am writing on behalf of the Mayor's office and the Ashland City Council to express our support for your legislation to establish the Oregon Jail-Based Medication for Opioid-Use Disorder (MOUD) Grant Program. The Council appreciates this proposal as it will fund the creation or expansion of jail-based counseling and MOUD programs serving adults in custody with opioid use disorder.

Opioid addiction is a serious problem across Oregon, and the Ashland community is feeling the impacts. The time when an adult who has opioid use disorder is in jail is a critical time for intervention – an opportunity that is almost always lost due to the lack of jail-based counseling and MOUD programs in Oregon.

With this legislation, you are inviting the Oregon Legislature to invest in a cost effective, evidence-based program that will save lives and help Oregonians suffering from opioid use disorder while reducing the cost to society that results from untreated addiction.

The Ashland City Council is pleased to support this legislation and thanks you for your good work on behalf of all Oregonians.

Sincerely,

Tonya Graham
Mayor of Ashland on behalf of the Ashland City Council

OFFICE OF THE MAYOR
20 East Main Street
Ashland, Oregon 97520
ashland.or.us

Council Business Meeting

December 19, 2023

Agenda Item	Consideration of League of Oregon Cities' Recommendations for Revisions to Measure 110	
From	Tonya Graham	Mayor
Contact	tonya@council.ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

In response to concerns from the community regarding the impacts of Measure 110, Mayor Graham is presenting for Council consideration a set of legislative revision recommendations from the League of Oregon Cities, the Oregon Association of Chiefs of Police, Oregon District Attorneys Association, and the Oregon State Sheriff's Association. Mayor Graham has also drafted a potential support letter to Senator Golden and Representative Marsh that identifies priorities among the 11 recommendations and recommends that any effort to make private use of these drugs a misdemeanor occurs only after adequate treatment facilities have been developed statewide.

REFERENCES & ATTACHMENTS

Measure 110 Recommendation Letter
League of Cities' Recommendations

December 19, 2023

Dear Senator Golden and Representative Marsh,

I am writing on behalf of the Ashland City Council to express the Council's support for the Oregon Legislature to revise certain provisions of Ballot Measure 110 and put additional provisions in place to help address the significant rise in fentanyl overdose-related deaths and protect public safety across Oregon. Specifically, the Council supports the immediate adoption of 10 of the 11 attached policy recommendations developed by the League of Oregon Cities, the Oregon Association of Chiefs of Police, Oregon District Attorneys Association, and the Oregon State Sheriff's Association.

We understand that addiction is, first and foremost, a health issue and must be addressed as such. It is also very complex in that effective help must be available and people suffering from addiction must decide to accept that help in order for our society to make substantial progress in addressing addiction.

While well-intentioned, Measure 110 adjusted the legal consequences of drug use before adequately building out recovery resources to address the need. It is important that we not repeat that error in revising the program.

Therefore, of the attached recommendations, we ask that you prioritize the treatment and community-focused solutions to ensure that programs are immediately available to assist people who suffer from addiction. Without treatment programs in place and properly supported, public safety solutions designed to help people suffering from addition re-claim their lives will simply be punitive without the long-term benefits that are clearly important to Oregonians.

Any effort to re-classify possession of a controlled substance to a misdemeanor (Recommendation 1) should be considered only after the state has put in place adequate treatment programs statewide to ensure that people who are charged with a misdemeanor can immediately access the help they need through a diversion program. Until that time, we support the remaining 10 recommendations (numbered 2-11).

Sincerely,

Tonya Graham

Mayor of Ashland on Behalf of the Ashland City Council

A Comprehensive Approach to Addressing Oregon's Addiction and Community Livability Crisis

The following policy recommendations are designed to address Oregon's severe addiction crisis, the alarming rise in fentanyl overdose-related deaths, and the detrimental effects the crisis is having on community safety and quality of life across our state. While some of these solutions are specific to addressing certain provisions of Ballot Measure 110, the approach below is meant to be comprehensive.

As your partners in public safety, we believe that Ballot Measure 110 failed to recognize that drug addiction is both a public health and public safety crisis and requires solutions on both sides of the ledger. Success will require new tools and a significant allocation of resources along with an adaptable approach that recognizes the diverse needs and challenges of each Oregon community.

RESTORING PUBLIC SAFETY SOLUTIONS:

Policy Proposal #1: Reclassify Possession of a Controlled Substance (PCS) from an E-Violation to an A-Misdemeanor

We can restore Possession of a Controlled Substance (PCS) to an A-Misdemeanor and present new post-BM 110 modifications that reflect the desire for treatment intervention. This should include diversion eligibility and dismissal of a charge upon successful completion of the one-year diversion and any required treatment (DUII approach). In addition, unlike DUII diversion, drug PCS related cases should be eligible for multiple diversion entrances. The current E-violation for possession of a controlled substance is ineffective and fails to connect persons struggling with severe addiction to the treatment they need. An A-Misdemeanor with diversion will compel those

struggling with addiction to enter treatment without turning to an approach that focuses on incarceration.

Policy Proposal #2: "Boyd/Hubbell Fix" - Modify the statutory definition of controlled substance "delivery" to include the "transfer" of drugs and the "possession with intent to transfer" drugs:

This fix focuses the policy solutions on the supply side of the equation with the dealer – not user – end of the drug crisis in Oregon. By restoring 34-years of state law that allowed the State to charge dealers when there is substantial evidence of the intent to deliver, like significant quantities of drugs, lists of sales, and cash. The proposed fix simply and clearly modifies the definition of "delivery" to include the "transfer" of drugs and the "possession with intent to transfer" drugs.

Policy Proposal #3: Modify the statutory pretrial hold language from SB 48 (2021 Legislative Session) to ensure that jails and judges have the flexibility to hold drug dealers charged with Distributing a Controlled Substance (DCS) and repeat offenders.

Senate Bill 48 (2021) required the Presiding Judge of each judicial district, following guidance from the Chief Justice and her Criminal Justice Advisory Council (CJAC), to enter a standing pretrial order specifying to the sheriff (or any other supervising entity) those persons and/or offenses that are subject to "Release on Own Recognizance" (ROR), subject to conditional release, or that are not eligible for release until arraignment. A modification in this law could make it clear that a pre-trial hold for dealers is a community priority.

Policy Proposal #4: Fund county probation departments to supervise misdemeanor theft and property crime cases where defendants are dealing with an addiction/substance abuse disorder.

Overall studies indicate that between 50% and 80% of property crimes committed in a community are committed by those suffering from severe addiction who steal to support that addiction. Currently county probation departments don't supervise misdemeanor theft or property cases which means there is no opportunity for a drug/alcohol addiction screening and no requirement for drug treatment as part of their supervision package. This makes mitigating future harm almost impossible and fails to capture a population where there is significant overlap between persons committing property crimes and those possessing controlled substances. This solution doesn't put additional pressure on the defense bar, as these individuals are already involved in the criminal justice system – and simply ensures they are screened and connected to mandatory treatment when needed.

Policy Proposal #5: Create a new A-Misdemeanor for "Public Use of a Controlled Substance" to align with current law prohibiting public use of alcohol and marijuana

Create a Class A Misdemeanor for public use of a controlled substance. Public use includes use in public and private buildings. The offense should be identified in statute as a "designated drug related misdemeanor" for the purposes of ORS 423.478(4)(b), which will allow for state funding of both treatment and supervision costs related to violations of the prohibition. This must be a

statewide law and not simply remove local preemption which will not allow for consistent application across local jurisdictions or the access to local county jails.

Policy Proposal #6: Create a new Class A Misdemeanor for "Use of a Controlled Substance in an Enclosed Public Space that Endangers another Person." (Escalates to Class C Felony for Repeat Offenses)

Establishing a penalty for public use of a controlled substance must be accompanied with a penalty for use in an enclosed public space that endangers another person. The language would provide that "A person commits the crime of recklessly endangering another person if the person, while in an enclosed area, knowingly ingests, inhales, ignites, combusts or consumes a controlled substance in a manner that creates an immediate risk of ingestion, inhalation, or consumption by another person. For this purposes of this section, "enclosed area" is defined as a building or public transit vehicle or facility. It is an affirmative defense to this charge if all other persons placed at risk by the defendant's conduct knowingly consent to the exposure. This crime would be punishable as a Class A Misdemeanor, escalating to a Class C Felony for repeat violations. This crime would be considered a "designated drug-related misdemeanor" for the purposes of ORS 423.478(4)(b).

TREATMENT & COMMUNITY FOCUSED SOLUTIONS:

Policy Proposal #7: Prioritize adequate and sustainable funding for Oregon's Specialty Courts:

Inadequate state funding of Oregon's specialty courts is the biggest threat to their long-term effectiveness and stability. In fact, Specialty Courts in several jurisdictions (including Multnomah, Deschutes and Benton County) are at risk of discontinuing their operations.

Specialty Courts combine accountability and supervision with a treatment-oriented approach that effectively addresses addiction and reduces recidivism rates among participants. Specialty Courts are designed to tailor treatment plans and support services to address the specific needs and challenges faced by participants. The approach has an established track record of success that addresses addiction and equips participants with the tools and support necessary to reintegrate into community life as productive citizens.

Policy Proposal #8: Establish authority to utilize welfare holds of up to 72 hours for intoxicated persons who pose a danger to self or others:

In many western states, law enforcement, EMTs and other first responders are able to utilize welfare holds of up to 72 hours where a person who is acutely intoxicated to a degree where they pose a danger to themselves or others can be held in a custodial environment and given supervised medical care. After 72 hours, the person is given the option to either leave on their own or stay and receive additional services. The states that have implemented these policies have seen a high level of engagement with aftercare and wrap-around services. This also gives

officers options other than jail or the emergency room for a person suffering from a severe substance use disorder (SUD).

Policy Proposal #9: Create adequate stabilization, detoxification and treatment capacity in jurisdictions throughout Oregon by making sustainable investments in sobering center/stabilization and treatment bed capacity for adults and juveniles.

Oregon's absence of dedicated sobering centers and stabilization facilities leaves communities helpless when dealing with severely addicted individuals who require detoxification and stabilization before they can successfully enter treatment. Detoxification is often the first step in the journey to recovery, as it helps individuals safely manage withdrawal symptoms and become physically stable before they can fully engage in addiction treatment programs. The lack of this capacity is a limiting factor in efforts to create an addiction to treatment pipeline. In addition, the Legislature should explore immediate grant funding for the expansion of existing juvenile and adult substance use disorder in-patient and outpatient treatment facilities.

Policy Proposal #10: Support the establishment of Opioid Overdose Quick Response Teams:

In response to increased opioid-related deaths, Ohio has created "Naloxone Plus" teams, also called Quick Response Teams (QRTs) that respond after a reported overdose and use of Narcan. In this model, a small team reaches out to an individual who is recovering from an overdose event and offers person-centered services. In Colerain Township, north of Cincinnati, the team has a police officer, firefighter/EMT, peer recovery mentor, or treatment professional. Between 2015 and 2019, the team responded to over 400 overdose follow ups and of the individuals contacted, 80% did an assessment and engaged in treatment. The goal of QRTs is to reach an individual in the time immediately after an overdose event, within 72 hours as best practice (but ideally much sooner than that) and to offer connections when the person may be ready to change due to the overdose event. The proposal would create grant funding for Quick Response Teams (QRT's).

Policy Proposal #11: Support aligning the siting of residential and secure residential facilities with the requirements in the Fair Housing Act:

There is a significant need in our communities for residential – and secure residential – facilities for those experiencing mental health and substance abuse challenges across our State. This has become even more urgent given the recent federal court decision and the ongoing crisis taking place in our Oregon State Hospital. This is an urban and rural problem that is impacting communities throughout Oregon. Ensuring our land-use policies for siting secure facilities comply with federal requirements will expedite the desperately needed expansion of Oregon's behavioral health residential treatment and supported housing capacity. All such facilities must meet the safety and security requirements currently existing in statue but would otherwise be treated and similarly situated housing.

Kevin Campbell, Oregon Association of Chiefs of Police
Jason Myers, Oregon State Sheriffs' Association
Amanda Dalton, Oregon District Attorneys Association
Scott Winkels, League of Oregon Cities

December 19, 2023

Dear Senator Golden and Representative Marsh,

I am writing on behalf of the Ashland City Council to express the Council's support for the Oregon Legislature to revise certain provisions of Ballot Measure 110 and put additional provisions in place to help address the significant rise in fentanyl overdose-related deaths and protect public safety across Oregon. Specifically, the Council supports the immediate adoption of 10 of the 11 attached policy recommendations developed by the League of Oregon Cities, the Oregon Association of Chiefs of Police, Oregon District Attorneys Association, and the Oregon State Sheriff's Association.

We understand that addiction is, first and foremost, a health issue and must be addressed as such. It is also very complex in that effective help must be available and people suffering from addiction must decide to accept that help in order for our society to make substantial progress in addressing addiction.

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Sincerely,

Tonya Graham
Mayor of Ashland on Behalf of the Ashland City Council

OFFICE OF THE MAYOR
20 East Main Street
Ashland, Oregon 97520
ashland.or.us

Council Business Meeting

December 19, 2023

Agenda Item	Authorization to Accept Potential Grant Money- Emergency Order Shelter	
From	Sabrina Cotta	Acting City Manager
Contact	Sabrina.cotta@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☒ Old Business ☐	

SUMMARY

The City of Ashland has received an award titled the "All In" grant to support the City's efforts to address the temporary shelter needs of our unhoused residents. There may be the opportunity for additional state funding to continue the temporary shelter until March 31, 2024. Given the City Council meeting schedule and the timing of this potential fundings the City Manager is requesting authorization to accept the state funds to continue the temporary shelter operations through March 31, 2024, if they should be made available.

POLICIES, PLANS & GOALS SUPPORTED

Council Vision and Values Statement 2022

- Public Safety, including emergency preparedness for climate change risk
- Regional cooperation, including in the support for public safety and homelessness

BACKGROUND AND ADDITIONAL INFORMATION

The City has been in communication with the State of Oregon to voice the City's desire to have the Emergency Declaration by the Governor extended and to receive additional operational funds to continue shelter operations until March 31, 2024. The "All In" grant monies that fund the 24/7 emergency order shelter located at 2200 Ashland Street will close on January 10, 2024.

To continue the use the facility at 2200 Ashland Street as a 24/7 emergency shelter through March 31, 2024 the City needs the following:

- Extension of the Emergency Declaration by the Governor.
- Restamped facility plans by the Fire Marshal to allow for continued dormitory use of the facility.
- Additional operational funds.
- Agreement with Options for Housing, Resources and Assistance (OHRA) to continue services at the location.

If the City receives funds from the State of Oregon to continue 24/7 shelter operations the City will immediately take steps to ensure the other needs are met to continue services.

FISCAL IMPACTS

Currently the City does not have grant funding to continue shelter operations beyond January 10, 2024.

DISCUSSION QUESTIONS

- Should the City accept additional State funds to continue 24/7 shelter operations?

SUGGESTED NEXT STEPS

I move to grant the City Manager authority to accept grant funds, contract service providers, and execute related agreements for the continued operation of the 24/7 Emergency Order Shelter until March 31, 2024.

REFERENCES & ATTACHMENTS

Attachment 1: Resolution No. 2023-21 Budget Supplemental for All in Grant

Council Business Meeting

July 18, 2023

Agenda Item	Resolution No. 2023-21 Budget Supplemental for All In Grant	
From	Mariane Berry	Title: Finance Director
Contact	Mariane.Berry@ashland.or.us	
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

During the course of the Biennium there are times that budget adjustments are necessary. The proposed budget adjustment does not increase appropriations by more than ten percent and is necessary in order recognize and appropriate unbudgeted revenue.

POLICIES, PLANS & GOALS SUPPORTED

N/A

BACKGROUND AND ADDITIONAL INFORMATION

Oregon budget law (ORS 294.471) provides for a mid-cycle amendment to the budget through the supplemental budget process.

This supplement budget will recognize and appropriate unbudgeted revenue. This change consists of additional appropriations of less than ten percent of the budgeted fund, Oregon budget law allows adoption by Council Resolution with no public hearing required.

The City of Ashland has received an award in the amount of $1,158,100 from the Jackson County Continuum of Care grant award committee to support our efforts to address the temporary shelter needs of our unhoused residents. The "All In" grant funding is intended to provide support for the acquisition and rehabilitation of property. The goal is to establish a low barrier nightly emergency shelter through January 10th, with the intention of utilizing it as inclement weather shelter thereafter. Funding under the grant must be fully expense by January 10, 2024.

Increase In resource:		
Capital Improvements Fund	All In Overnight Shelter Grant	1,158,100
	Total Increased Resource	**$ 1,158,100**
Increase In appropriation:		
Capital Improvements Fund	All In Overnight Shelter Services	1,158,100
	Total Increased Appropriation	**$ 1,158,100**

FISCAL IMPACTS

The Supplemental Budget transfers increases revenue and appropriations within the budget.

SUGGESTED NEXT STEPS

That the Council adopt the attached resolution to authorize proposed changes as defined within this report for a 2023-25 BN supplemental budget.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to adopt Resolution 2023-21 authorizing a 2023-25 BN supplemental budget.

REFERENCES & ATTACHMENTS

Attachment 1: Resolution Adopting the Supplemental Budget
Attachment 2: Staff Supplemental Budget Request

RESOLUTION NO. 2023-21

A RESOLUTION ADOPTING A SUPPLMENTAL BUDGET FOR CHANGES TO THE 2023-25 BIENNIUM BUDGET

RECITALS:

A. The City of Ashland 2023-25 Biennium Budget was adopted on June 6, 2023 for the period of July 1, 2023 through June 30, 2025.

B. The City of Ashland (City) is authorized by ORS 294.471 to approve a supplemental budget for one or more of the following reasons:

1. An occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial planning.
2. A pressing necessity which was not foreseen at the time of the preparation of the budget for the current year which requires prompt action.
3. Funds were made available by another unit of federal, state or local government and the availability of such funds could not have been ascertained at the time of the preparation of the budget for the current year.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. In accordance with provisions stated above, the Mayor and City Council of the City of Ashland determine that it is necessary to adopt a supplemental budget, establishing the following amendments:

	Additional appropriations:	
	Appropriation	Resource
Capital Improvements Fund		
Public Works - Construction	1,158,100	
Intergovernmental		1,158,100
	$ 1,158,100	**$ 1,158,100**

SECTION 2. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 2023, and takes effect upon signing by the Mayor.

_____
Dana Smith, Clerk of the Council Pro Tem

SIGNED and APPROVED this _____ day of _____, 2023.

_____
Tonya Graham, Mayor

Reviewed as to form:

_____
Douglas M. McGeary, Acting City Attorney

CITY OF ASHLAND

Budget Supplemental Request

Date: 7/11/23

Department: Admin

Explanation of request:

To recognize the All In grant that was awarded for Houseless Emergency Shelter purposes. Must be spent out by January 2024.

New Revenue

Account Number	Line Item Name	Amount
0410.430111	CIP Fund - Admin Grants	$ 1,158,100
	Total Amount of Transfer	$ 1,158,100.00

Additional Appropriations (Expense)

Account Number	Line Item Name	Amount
082400.702000	Facilities - Buildings	-$ 1,158,100.00
0830		
	Total Amount of Transfer	-$ 1,158,100.00

Requested By: Sabrina Cotta 7/11/2023

Approved By: Mariana Berry 7/11/23

Department Head

Council Business Meeting

June 6, 2023

Agenda Item	Governor's Emergency Order 2023-02 related "All In" Overnight Shelter Grant	
From	Brandon Goldman Linda Reid	Community Development Director and Housing Program Manager
Contact	Brandon.goldman@ashland.or.us 541-552-2076 linda.reid@ashland.or.us 541-552-2043	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐	

SUMMARY

At the regular meeting on April 18, 2023, the Council directed staff to prepare and submit an application for the State of Oregon's "All In" grant related to Governor Kotek's Emergency Order 2023-02 (E.O. 23-02) declaring a homelessness state of emergency.

The City of Ashland has received a tentative award of $1,158,100 from the Jackson County Continuum of Care grant award committee. Final grant award agreements are currently being developed. This presents a significant opportunity for the City of Ashland to secure funding in support of our efforts to address the temporary shelter needs of our unhoused residents.

The "All In" grant funding is intended to provide support for the acquisition and rehabilitation of property. The goal is to establish a low barrier nightly emergency shelter through January 10th, with the intention of utilizing it as an inclement weather shelter thereafter.

Funding under the grant must be fully expensed by January 10, 2024. Given the need for expedited property acquisition and program implementation under the grant, staff requests City Council authorize the City Manager to enter into a grant agreement with the Jackson County Continuum of Care, subject to legal review and approval of the proposed grant contract by the City Attorney. The legal review is essential to ensure that the terms and conditions align with our city's obligations and interests.

POLICIES, PLANS & GOALS SUPPORTED

Council Vision and Values Statement 2022

- Regional cooperation, including in support for public safety and homelessness

BACKGROUND AND ADDITIONAL INFORMATION

The City of Ashland has been involved in the implementation of Emergency Order 2023-02, the Governor's emergency order aimed at addressing homelessness. The funding for this program is being provided through the Jackson County Continuums of Care (CoC), which is expected to be administered by the CoC lead agency, ACCESS Inc. The State of Oregon has provided guidance for how the funding is to be targeted, and for the process by which CoCs make decisions about how to allocate the funding. More information about the "All In" E.O. 23-02 funding and process can be found on the Oregon Housing and Community Services website. https://www.oregon.gov/ohcs/Pages/housing-eo.aspx

The State directed the Jackson County CoC to utilize the funding to develop 67 new shelter beds and rehouse at least 133 currently unsheltered households, providing a total of $8.8 million awarded to achieve these goals. The State expects the funding to be completely expended on eligible activities by Jan. 11th, 2024. The City of Ashland is represented in the Multi-Agency Coordination (MAC) group, which is responsible for the administration of the funding, but as an applicant for funding Ashland was not included in Jackson County CoC award selection committee. At the City Council's direction, the City submitted a funding request on May 19th to ask for support in acquiring property and opening of an Emergency Shelter in partnership with a non-profit shelter provider.

FISCAL IMPACTS

The City was not required to provide any matching funds for this grant application, however, in order to fully fund site acquisition, building rehabilitation, and pay for shelter operations through the term of the grant and the winter of 2024, the City identified $930,000 in matching funds in the grant application. The source of these matching funds is $730,000 of the State Department of Administrative Services (DAS) Grant previously received by the City under Senate Bill 5561, and $200,000 in City General Funds as included in the proposed FY2024-25 budget to support emergency shelter needs.

DISCUSSION QUESTIONS

Not Applicable.

SUGGESTED NEXT STEPS

Authorize the City Manager to enter into a grant agreement for acceptance of the $1,158,100 grant award from the Jackson County Continuum of Care (COC), subject to legal review and approval of the proposed grant agreement.

The legal review of the final grant agreement, once prepared by the COC and presented to the City of Ashland, is essential to ensure that the terms and conditions of the final agreement align with our city's obligations and interests.

Staff will submit a supplemental budget for the Council's consideration once the grant1agreement is executed. The supplemental budget adjustment for FY2024 will identify the new $1,158,500 in "All-In" grant revenue, and request appropriation of these funds to the corresponding expense in support of the proposed emergency shelter project. That request will come to the Council as a FY2024-25 budget adjustment at their first July meeting.

REFERENCES & ATTACHMENTS

- City of Ashland All-in (Emergency Order 2023-02) Grant application

CONTINUUM of CARE

Regional Unsheltered Homelessness Emergency Response
Emergency Order EO 23-02
Deadline: 5 p.m., Friday, May 19, 2023

Legal name of organization	City of Ashland
Organization designation (underline)	Non-profit corporation **Public Entity** Other (explain)
Program Name	**Ashland Low Barrier Shelter and Urban Rest Stop**
Address	20 E. Main Street
City, State, Zip	Ashland, OR 97520
Tax ID Number & UEI #	Tax ID 93-6002117 & UEI CRCQD8ZGQSR6
Organization Director	Joseph L. Lessard, City Manager
Program Director Name and Title (If not organization director)	Linda Reid, City of Ashland Housing Program Manager
Phone & E-mail	541-552-2043 reidl@ashland.or.us
Agency Total Operating budget	$118,907.051
Program Budget	$2,330,000
AMOUNT OF REQUEST	$1,400,000
Number of years your organization has been in operation?	149 years
Signature of Authorized Individual	Joseph L. Lessard
Print Name & Title	Joseph L. Lessard
Date	5/17/23

PROGRAM PROPOSAL/NARRATIVE RESPONSE SECTION

1. **Is your agency an equal opportunity employer?* __X__ Yes ____ No**
   ***Faith based organizations are exempt from this requirement.**
   Is your agency an equal opportunity service provider? _X__ Yes ____ No
   If you answered "no" to either of these questions, please explain.

2. ***Organizational Overview:***
   a. **Tell us about your organization, its mission, history, and services offered. Include information about your organizational structure and staffing levels.**

Mission

Vision Statement:

Ashland is a resilient, sustainable community that lives within its means and maintains the distinctive quality of place for which it is known.

Ashland will continue to be a unique and caring city that stresses environmental conservation, fosters artistic expression, and is open to new ideas and innovation.

Ashland will plan and direct its efforts to fulfill this vision for the long-term with a constant view toward being an open, welcoming community for all with a positive economic future.

City of Ashland Policies:

Housing Element of the Comprehensive Plan:

Ensure a range of dwelling types that provide living opportunities for the total cross-section of Ashland's population.

Housing opportunities should be available to all residents without discrimination and consistent with local, state, and federally recognized protected classes under fair housing law.

Social and Human Services: *To ensure that all people in Ashland live in a safe, strong, and caring community, the City seeks to enhance the quality of life and promote self-reliance, growth and development of people. To these ends, the City will strive to provide resources and services to meet basic human needs.*

The City of Ashland is a municipality, and its primary mission is to maintain city facilities (such as parks, stormwater and sewer systems, and streets and sidewalks) and provide basic health and safety services, including law enforcement and fire protection. These services are essential. Additionally, the City supports services that promote the health and welfare of the economy, environment, and people. This includes economic development activities, conservation programs, and social service funding and programs. While the City has previously supported efforts to address homelessness, citizens and organizations now seek a more proactive role from the City due to the impact of the Coronavirus pandemic and wildfires.

Over the years, the City has engaged with service providers, the faith-based community, and community advocates to gather feedback on needs and solutions for homelessness. This grant application reflects those efforts and community engagement regarding the most urgent needs.

Although the City's mission does not directly involve serving homeless populations, it is committed to public safety and being responsive to community needs. However, as a small municipality with limited resources, the City needs to request additional resources to meet the current needs arising from recent disruptions and the increase in unhoused residents within the community.

History

The City of Ashland, incorporated in 1876, has a rich history tied to the timber industry, a thriving theater community, and a prestigious educational institution. In recent years, it has become renowned for its arts, culture, and status as a top tourist destination in Southern Oregon, home to the Oregon Shakespeare Festival and Southern Oregon University.

Despite its smaller size compared to nearby Medford, Ashland has a strong track record of providing services and resources to address the needs of unhoused residents and migrant populations. However, effectively addressing the issue of homelessness throughout the Rogue Valley requires reciprocal coordination that encompasses Ashland's unique challenges.

As the largest city at the southernmost end of the valley and the primary exit off the interstate for travelers from California, Ashland serves as a regional focal point. It attracts both a significant number of unhoused travelers and long-term homeless residents. The demand for affordable housing is intensified by the city's service sector industry driven by tourism. Positioned along the I-5 corridor and renowned for its progressive community, expansive parklands, natural areas, and lively downtown plaza, Ashland consistently draws a substantial influx of tourists and visitors.

Thus, any comprehensive approach to addressing homelessness throughout the Rogue Valley must acknowledge and prioritize the challenges specific to Ashland. By fostering reciprocal coordination throughout the valley, a more effective and unified effort can be made to combat homelessness and support those in need within Ashland and beyond.

Services and Capacity

The City of Ashland is an entitlement jurisdiction for Community Development Block Grant funds from the Department of Housing and Urban Development, and as such, is very familiar with HUD funded programs and program administration requirements. Traditionally, the City of Ashland acts solely as a grant administrator, rarely carrying out activities directly, preferring instead to provide institutional structure, staff expertise, and financial support to partner organizations to assist them in carrying out their respective missions while assuring that the needs of the community's most vulnerable citizens are being met. In instances of urgent need and extreme circumstances the City will sometimes take on enhanced roles in order to address the needs of those most vulnerable and at-risk members of the community.

In recent years due to the impacts of the pandemic and the wildfires, the City of Ashland has often taken on enhanced roles to ensure public safety and support partner agencies in the provision of basic health and safety resources. The City of Ashland has staff with expertise in

project management, grant administration, and project planning. The City also has a Building Department, Electric Department, Planning Department, Public Works and Engineering Department, and Fire Safety Division who can each contribute professional skills and resources to help implement this project on an expedited timeline and with a level of experience and expertise which can be costly, time consuming, and disjointed in the private sector.

Municipalities have distinct advantages over non-governmental organizations due to their access to a diverse range of internal resources, facilitating efficient internal communication, consultation, and streamlined approval processes. Furthermore, municipalities can tap into expertise and resources from various professional domains. The City of Ashland, for instance, possesses a skilled staff with expertise in project development, public contracting, public procurement, Federal and State grant administration, grant oversight, and a demonstrated history of successfully completing large-scale public facility projects.

To further enhance this activity, the City of Ashland will subcontract with Options for Housing, Resources, and Assistance. This organization has an impressive track record, including the acquisition and rehabilitation of the first Project Turnkey application awarded and operational in Oregon. Additionally, they bring extensive experience in shelter management and a noteworthy record of successfully transitioning individuals from shelters to permanent housing.

b. **Outline how your organization works in partnership with other agencies.**

The City of Ashland actively fosters partnerships with numerous non-profit organizations and groups within the community. City staff frequently engage in collaborative efforts with these partner organizations, advisory bodies, and citizens to address complex community issues. Recognizing the unique resources and infrastructure available to municipalities, the City provides support that many non-governmental organizations may lack or must seek through contracted services, incurring administrative costs and overhead. This support includes financial assistance and, at times, in-kind contributions such as staff support, administrative assistance, and access to buildings or locations for service provision.

Furthermore, the City often assumes the role of a community convener or facilitator, bringing together stakeholders to engage in discussions and collaborative planning surrounding issues that impact the entire community.

By playing this coordinating role, the City ensures that efforts are aligned, diverse perspectives are considered, and shared objectives are pursued. Rather than competing with non-profit service providers, Ashland focuses on supporting their endeavors, recognizing that collective action is essential in addressing community-wide challenges and achieving shared goals.

c. **Explain your agency's outreach efforts to underserved communities, diverse cultures, ethnic minorities, and special needs populations.**

Cities that administer State and Federal funds such as Ashland possess valuable expertise in conducting comprehensive outreach efforts aimed at engaging diverse community members, including ethnic minorities and individuals with special needs. These outreach activities are a regular requirement for cities, fostering their experience in effectively reaching out to and involving various segments of the community.

The City of Ashland proactively engages in ongoing public engagement initiatives to gather feedback for strategic planning, budgetary decisions, and community development purposes. In this process, the City actively seeks input from underserved communities and minority populations to ensure their perspectives are considered and to obtain valuable insights regarding City grant funding and community development priorities. By prioritizing inclusivity and actively involving these communities, the City of Ashland strengthens its commitment to fair and equitable decision-making processes and community-driven development.

d. **Describe your agency's process for addressing grievances from staff and clients.**

The City of Ashland has implemented multiple policies to address staff grievances and ensure a fair resolution process. Several adopted City policies establish a framework through which employees can collaborate with the City's Human Resources department to address grievances. Moreover, since a significant number of City employees are members of various Union groups, each Union contract includes a specific grievance policy that outlines the process for employees to address grievances with the support of their Union representative.

Additionally, the City's general grievance policy and process are clearly outlined in the City's municipal code, specifically in the section dedicated to General Personnel Policies and Procedures (3.08.110). This provides employees with a comprehensive understanding of the steps and procedures involved in filing and resolving grievances.

In a similar vein, the City's municipal code also addresses the Administrative Appeals Process for citizens in section 2.30.020. This ensures that client/customer complaints or concerns can be formally addressed, providing an avenue for individuals to seek resolution and express their grievances in a structured manner.

By having these policies and procedures in place, the City of Ashland demonstrates its commitment to fair and transparent processes for both employees and citizens, aiming to effectively address and resolve grievances in a timely manner.

e. **If you have a Limited English Proficiency Plan, explain it below. If not, tell us about your strategies for ensuring service access for applicants/clients with limited English proficiency.**

The City of Ashland currently lacks a Limited English Proficiency plan, but it has a contract with a translation service capable of providing language translations and sign language services for

meetings. In addition, the City's non-profit partner on this project, OHRA, has bi-lingual staff who can offer some translation support to clients.

To promote inclusivity, the City of Ashland has implemented an Equal Opportunity Employment Policy and an Affirmative Action Plan. These policies underscore the City's commitment to cultivating an inclusive, respectful, and harassment-free work environment and community. They also encourage diversity, equal opportunity, and access through reasonable accommodations. The City designates an Equal Employment and Affirmative Action Officer on staff to ensure compliance with these policies. Additionally, the City has an ADA policy in place to address reasonable accommodation for individuals with disabilities.

To further advance racial and social equity, the City has established a Social Equity and Racial Justice Advisory Committee. The committee's mission is to provide recommendations and support to the Council and City Manager while educating the community on policies, measures, and practices that foster racial and social equity and promote respectful intergroup relations. Furthermore, the City has enlisted Paradigm Consultants to conduct an internal Diversity Equity and Inclusivity (DEI) assessment, scheduled to begin in the fall of 2023. Once completed, Paradigm will provide a strategic plan to enhance DEI policies within the City.

f. ***Outline how your agency utilizes HMIS Service Point to track and report on outcomes except for DV providers who use OSNIUM, comparable to HMIS. If you do not currently use HMIS Service Point, tell us about the data system you do use and about your willingness to become an HMIS Service Point user.***

The City of Ashland, although not directly providing services to homeless populations, grants funding to several homeless service providers. As a result, the City does not participate directly in the HMIS Service Point system. However, the City collaborates with partner organizations that are involved in the coordinated entry system. In the proposed project, beneficiaries of the "All In" funding will be registered in the HMIS system through the City's experienced partner organization, OHRA. OHRA has a longstanding history of receiving multiple State and Federal grants, which necessitate reporting in the HMIS system.

OHRA has actively participated in the HMIS system for several years and possesses extensive expertise in data entry and reporting for grants such as CoC, ESG, CDBG, and others funded by HUD and the State. Similarly, the City of Ashland routinely reports outcomes for HUD-funded grants in the IDIS database. Although the City itself does not directly engage in the HMIS system, the staff responsible for overseeing this project is well-versed in the data entry and reporting requirements for State and Federally funded projects.

g. **Describe your experience with government grants.**

The City of Ashland possesses extensive experience in grant application, project completion, and the administration of Federal and State grants. The City has successfully managed numerous grants, with a long list of completed projects and a history of undergoing grant

monitoring and financial audits. The staff member responsible for administering this specific grant has 18 years of successful experience in grant administration and oversight.

Additionally, the City has a highly experienced finance department that adheres to Federal and State accounting practices and standards in grant management. The City's project partner, OHRA, also brings valuable experience in handling State and Federal grant funds and has a proven track record of effectively managing such grants.

3. **Which segment(s) of the EO 23-02 program are you applying for? RRH, Street Outreach or New Shelter Bed program?**

The City of Ashland is submitting an application to address the goal of creating new shelter beds. The City is requesting funding to acquire a building, complete renovations, and contract with OHRA to operate a low barrier nightly shelter from July 1, 2023, to January 10, 2024. This project will provide essential shelter services to unhoused individuals and families.

Furthermore, the City envisions utilizing the facility beyond the grant term by repurposing it as an inclement weather shelter and continuing contractual services with OHRA for operations. This will enable continued support for the sheltering needs of the unhoused population. The City is seeking a total of $1.4 million in EO-23-02 grant funding, and it will contribute a substantial match of $930,000 in City funding already secured to ensure the success and sustainability of the project.

4. **New Shelter Bed Program**
    a. Describe your plan to implement the EO 23-02 New Shelter Bed program. Be as precise as possible by identifying how you intend to add shelter beds.

The City of Ashland is submitting an application to provide 40 or more new congregate and non-congregate shelter beds. The City's request for funding is aimed at acquiring a property that includes an existing building suitable for immediate use as a congregate shelter. The targeted property is a 5000 square foot commercial building with existing bathrooms and food preparation capabilities.

Renovations are planned to enhance the facility, including the addition of a sprinkler system, upgrading the kitchen and bathroom facilities for ADA access, incorporating additional laundry facilities, and installing a 24-hour accessible public bathroom. This would address the lack of public bathroom facilities on the South end of Ashland. Additionally, utility hookups will be added to accommodate a laundry/shower trailer and the La Clinica mobile health unit, providing laundry and shower access to the community.

The City of Ashland owns 13 currently unoccupied pallet shelter units that can be relocated to the site. These units will be utilized to house special populations, such as families with children or individuals experiencing severe-persistent mental illness, in a non-congregate setting. While

primarily functioning as a low-barrier overnight shelter, the City envisions the site serving as an urban rest stop on the South side of the Rogue Valley, combining various resources requested by partner organizations already operating valuable programs in Ashland.

Multiple service providers, including meal programs, a laundry program, and OHRA, have expressed the need for the listed resources to offer their services consistently and at a fixed location. The City has a longstanding partnership with these organizations, providing financial support and locations for their services in the past. However, due to maintenance and repair issues, among other factors, the City can no longer offer locations to these service providers. The grant opportunity at hand would enable the City to provide much-needed permanent infrastructure to these partner organizations, who offer essential and sought-after services to the unhoused community.

For the operation of the low barrier nightly shelter, the City intends to contract with OHRA from July 1, 2023, to January 10, 2024. The total funding requested through the EO-23-02 grant is $1.4 million, and the City would contribute significant matching funds of $930,000 in City funding.

b. Are you planning to purchase a facility, land, or construct units*? _X_ Yes _____ No. Will EO 23-02 funds be utilized? _X__ Yes _____ No. If you answered yes, please describe your project timeline. Include information about your experience with construction, and project management, status of any needed permits, inspections, and so forth.

The City plans to use grant funds to purchase a facility, and two properties have been identified that are currently available for acquisition. The City has been in communication with realtors regarding the purchase, and the timeline for acquiring a property is approximately 30 days from the time of the grant contract. Once the property is acquired, the City will work in collaboration with its shelter operations partner, OHRA, to set up the shelter, hire and train staff. This process is estimated to take another 30 days. The necessary renovations and upgrades to the facility will be carried out while ensuring that the shelter can continue to operate without any disruption or conflict, prioritizing its use as an emergency shelter.

The City of Ashland has extensive experience in property acquisition, construction projects, and professional project management. There are no planning approvals required for the purchase and utilization of the facility as a congregate and non-congregate shelter and urban rest stop. However, the City will need to apply for building permits to proceed with the proposed renovations, and the City's building department can offer consultation as well as an expedited permitting and inspections process. OHRA also brings extensive experience in shelter set up and staff training. They have successfully completed property acquisition and major rehabilitation projects utilizing both Federal and State grant funding.

c. ***The restrictive use period for all facilities that are acquired or constructed by recipient through the use of EO 23-02 grant funds is 10 years. Are you able to fulfill this requirement?**

The City of Ashland recognizes the critical need for a facility that can effectively serve the unhoused population in the community. Providing appropriate shelter and support services has been a longstanding community need, and the City is committed to addressing this issue. The City fully acknowledges and accepts the requirement that any facility acquired or constructed using EO 23-02 grant funds must be dedicated to this purpose for a period of 10 years. The City has no intention or need for a facility that does not serve the crucial purpose of addressing homelessness in the community. It is fully committed to fulfilling this requirement and ensuring that the facility remains dedicated to supporting the unhoused population for the specified period.

d. **Are you planning to add beds to an existing facility? _____ Yes _X_ No If you answered yes, will construction, conversion, or rehabilitation be required? __ Yes ___ No**
If you answered yes, please provide a project timeline.

e. **Provide a program budget narrative for both construction and adding to an existing shelter that includes the unit cost per bed, the number of beds you plan to add, and an itemization of all shelter services offered.**

f. **Do you plan to continue operating the added shelter beds after Jan. 10, 2024?**

__X___ Yes _____ No
If you answered yes, how will they be funded?

The City of Ashland has General Funds set aside in the City's budget for shelter operations. The City is also exploring other grant opportunities to provide additional funding to support shelter related activities.

5. **Will you be utilizing funds other than EO 23-02 for the project(s) you are proposing. __X__ Yes _____ No**
If you answered Yes, please provide names and amounts for the other funding sources. EO-23 funds cannot be used to supplant existing funds for similar projects.

Expense	Project Costs	Funding Source	Narrative
Building Acquisition	$1,600,000	$1,400,000-EO Grant $ 200,000-DAS Grant*	Est. Site Acquisition Cost
Renovation Costs	$ 200,000	$ 200,000-DAS Grant	To include Sprinklers system, bathroom and kitchen upgrades,

			Shower Trailer hookups and soft costs.
Operations	$ 200,000	$ 200,000-DAS Grant	From 7/01/2023-01/10/2024
Operations	$ 200,000	$ 200,000-City General Fund	From 01/11/2024+
Outdoor Bathroom	$ 130,000	$ 130,000-DAS Grant and/or 2024 CDBG	Installation of a Portland Loo-for 24-hour public bathroom access
Total Project Costs	$2,330,000		

* DAS grant funding is secured

6. **If awarded, does your agency have the capacity to provide monthly reports? __X__ Yes _____ No. If you answered no, please explain.**

The City of Ashland will contract with OHRA to provide data collection and reporting through the HMIS system as part of the shelter operations subcontract.

7. **If awarded, will you be able to spend funds by Jan. 10, 2024?**

Yes, the City and OHRA both have an excellent track record for timely and appropriate expenditure of State and Federal grant funds.

REQUIRED SUPPLEMENTAL MATERIALS.

Please enclose, **with your application:**

- A copy of your IRS non-profit determination letter (See attached Exhibit A)
- Your agency budget for the current fiscal year and a projected budget for the next fiscal year: Please See Budget Documents on the City's website https://www.ashland.or.us/Page.asp?NavID=8316
- An EO 23-02 Project Budget (Table on Page 8 & 9)
- Your most current 990 https://www.ashland.or.us/Page.asp?NavID=8316
- Board of Directors list: https://stories.opengov.com/ashlandor/published/FnmcPHyBA
- Your current W-9 (See attached Exhibit B)
- Current Organizational Chart: https://stories.opengov.com/ashlandor/published/QPyQxLNkf
- Copy of your most recent audit (if unavailable, then most recent unaudited financials) https://www.ashland.or.us/SIB/files/Administrative%20Services/Monthly%20Financial%20Reports/Completed_Single_audit.pdf

Council Business Meeting

December 19, 2023

Agenda Item	Severe Weather Emergency Shelter Temperature Thresholds	
From	Kelly Burns / Sabrina Cotta	Emergency Management Coordinator/ Acting City Manager
Contact	Kelly.burns@ashland.or.us / sabrina.cotta@ashland.or.us	
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐	

SUMMARY

The City Council has asked to review the thresholds as outlined in Resolution 2022-23 which sets conditions under which the City of Ashland calls for the availability of protective or emergency shelter during severe weather-related events.

POLICIES, PLANS & GOALS SUPPORTED

Public Safety, including emergency preparedness for climate change risk

Regional cooperation, including in the support for public safety and homelessness

BACKGROUND AND ADDITIONAL INFORMATION

In June of 2022 the Housing and Human Services Commission made a recommendation at the request of City Council to address the extreme weather needs of Ashland residents, including extreme cold, extreme heat and dangerous level of wildfire smoke and the role of the City. Prior to the currently adopted resolution, Resolution 2013-04 only set parameters for cold weather conditions under which the City would declare a weather emergency and commit City resources in the form of a City owned building. The City has struggled in the past to have available space in City owned buildings and has relied on volunteer coordination for both securing alternative locations and staffing of volunteers for emergency shelter purposes. Reliance on volunteers meant at times the City was unable to stand up the emergency shelter due to the lack of personnel needed to do so.

In August of 2023 the City acquired 2200 Ashland Street securing a city facility for the purpose of having a space for an emergency and inclement weather shelter. On November 7, 2023 City Council approved a contract with Opportunities for Housing, Resources, and Assistance (OHRA) to provide severe weather emergency shelter coordination and operations. These two steps have resulted in the City having the ability to both have a location for the emergency weather shelter as well as a partner to staff the shelter when needed.

Given the thresholds as outlined in Resolution 2022-23, the City has temperature thresholds, both heat and cold, that are variable from those throughout the state and Southern Oregon area. This results in the City of Ashland potentially calling for more severe weather shelters to be stood up than regional partners.

Staff recommends judiciously managing our resources by limiting operational days, ensuring that we are fully equipped to offer shelter during periods of the most severe and dangerous weather. Staff recommends considering adjusting temperatures to match those of regional partners and including additional factors and considerations:

- Forecasted low temperatures of 25 degrees Fahrenheit or less.
- Forecasted temperatures at 32 degrees Fahrenheit or less, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to cold, including:
    - Precipitation
    - Wind
    - Humidity, including dense fog
    - Sustained temperature, including during the day
    - Consecutive days (cumulative effects)
    - Overall weather patterns (e.g. precipitation, then drop in temperature)
    - Special alert such as warning or watch
- Hot Weather
    - Forecasted high temperature of 102 degrees Fahrenheit or more
    - Forecasted temperatures of 80 Fahrenheit degrees or more, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to heat, including:
        - Precipitation
        - Humidity
        - Wind
        - Duration and potential for cumulative effects (hours per day, consecutive days)
        - Overall weather patterns
- Air Quality
    - Air Quality index of "very unhealthy" or more
- Other conditions that result in a Severe Event, such as:
    - Chemical spill or release

FISCAL IMPACTS

The temperature thresholds have a fiscal impact on the city depending on where they are set. For example:

November 1, 2022- May 1, 2022

Total days at or below 32 degrees: 127

Cost per night: estimated at $1500 = Fiscal impact of $190,500

Total days at or below 25 (temperature threshold of regional partners): 53

Cost per night: estimated at $1500 = Fiscal impact of $79,500

The fiscal impact will vary depending on heat, cold and smoke days per year. One element to consider, the fiscal year begins July 1. Given the need to meet both heat and cold needs, the City may struggle to stand up and fund needed cold weather sheltering if the City experiences numerous extreme heat days.

DISCUSSION QUESTIONS

Would the City Council like to alter the temperature thresholds to align with the region?

Would the City Council like to alter the temperatures to some other threshold?

SUGGESTED NEXT STEPS

There are numerous options for next steps. Some options include:

- Staff direction to return with a revised Resolution altering temperature thresholds as recommended by Council.
- No action needed, retain current thresholds.

REFERENCES & ATTACHMENTS

Attachment 1: 2022-23 A Resolution Repealing Resolution No. 2013-04 and Setting Policies and Condition Under Which Ashland will Activate Severe Weather Emergency Shelter Facilitation.
Attachment 2: City of Medford's Administrative Regulation 708
Attachment 3: Monmouth County Example
Attachment 4: Housing and Human Services Commission Severe Climate Event Policy Recommendation June 6, 2022
Attachment 5: Acquisition of the Coming Attractions property at 2200 Ashland Street for an emergency and inclement weather shelter
Attachment 6: Contracting for Severe Weather Emergency Shelter Services November 7, 2023

RESOLUTION N O . 2022-33

A RESOLUTION REPEALING RESOLUTION NO. 2013-04 AND SETTING POLICIES AND CONDITIONS UNDER WHICH ASHLAND WILL ACTIVATE SEVERE WEATHER EMERGENCY SHELTER FACILITATION

RECITALS:

A. Ashland is in an area that has four distinct seasons, all of which can exhibit extreme conditions due to severe weather events that can be hazardous to persons without access to adequate heating, cooling, sheltering or air quality resources.

B. The City of Ashland desires to set forth the conditions under which it will call for the availability of protective or emergency sheltering during severe weather-related events and the policies related to the procedures the City will take to determine when to call of a shelter and how the City will coordinate with community volunteers and disseminate information on such emergency shelter.

\THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. This resolution repeals and replaces Resolution 2013-04.

SECTION 2. Provision of Emergency Shelter During Severe Weather Events

1) Ashland will facilitate the provision of protective or emergency shelter within available resources as set forth here during times of extreme weather. Calling or activating a severe weather shelter is subject to practical considerations which may include, but are not limited to, identifying an available facility/facilities appropriate for the intended use, the ability to operate the shelter(s) in a safe manner for all potential users and supporting volunteers/staffing, the capacity of the shelter operations to adhere to the Severe Weather Shelter Operations Policy (attached), and the availability and level of necessary resources to support shelter operation. Necessary resources include volunteer support and contracted/city staffing, authorized and available funding. The City's ability to address or manage practical considerations will impact its ability to call for or maintain over time a severe weather shelter. For purposes herein, weather conditions shall be considered extreme under the following:

   - The general threshold for calling a cold weather shelter: 32 degrees or below considering such factors as wind chill, precipitation, number of days' duration or in instances where the National Weather Service issues a Weather Warning.

   - The general threshold for calling an extreme heat shelter: 95 degrees or above depending upon other factors such as humidity, UV index, and overnight lows or in instances where the National Weather Service issues an Extreme Heat warning.

   - The threshold for calling a smoke related shelter: an air quality index of 150 and above or designation of "unhealthy for everyone") or above.

   - And/or any combination of weather conditions, community circumstances including interruption of electric or essential city services, which, at the discretion of the City Manager, or their designee, make conditions hazardous to human life without adequate shelter.

SECTION 3. City's Role in Instances of Emergency Shelter

1) The City Manager, or their designee, will fulfill the following duties:

- Shelter Activation: Determine when the City will activate the provision or opening of protective or emergency shelter and approve the use of City resources for this purpose.

- **48 Hour Notice: The City will strive to provide 48-hour notice, unless in times of sudden severe weather conditions to contracted shelter provider to allow ample time for volunteer coordination and dissemination of information to the public.**

- Communication: Communicate between internal City staff and the community. This will include communication between non-profits contracted to provide shelter coordination and City staff involved/concerned with sheltering activities, including but not limited to staff from Emergency Operations, Ashland Fire and Rescue, the Community Emergency Response Team (CERT) Coordinator or other AFR staff as designated by the Fire Chief, Ashland Police, Ashland Parks and Recreation, and City Administration, as well as with the Mayor and City Council, and other elected and appointed officials.

  Communication will include coordination with or use of Nixle alerts as appropriate. The communication should provide information to the public regarding shelter information, which could include posting new items on the City's website, notifying 211, and posting information about shelters on the City's social media platforms.

- Shelter Coordination: Protective and emergency weather shelter will be staffed by community and/or CERT volunteers. The City will take steps within funding appropriated for the purpose to contract with a third-party non-profit organization to provide shelter coordination and oversight, including volunteer coordination and the provision of liability insurance to cover all emergency shelter related activities. Contracted shelter coordination may also include soliciting, vetting, and providing trainings to shelter volunteers (in coordination with CERT volunteer trainings), maintaining a shelter volunteer contact list, and coordinating with the City staff regarding background checks for shelter volunteers. These items and any additional duties will be outlined in a separate shelter coordinator service contract.

  The City will arrange for the provision of materials and resources as needed to protect those managing and utilizing its facilitated emergency shelter. Materials and resources will also be made available for the training of protective and emergency shelter associated staff and volunteers.

  Shelter coordination should also include periodic or regular meetings as necessary between City staff, the non-profit shelter coordinator and volunteer participants/stakeholders to debrief event management and review shelter processes/procedures for planning and coordinating improvement.

2) Emergency shelter during or in anticipation of a severe weather event may require the use of an available city owned building/facility. Previously booked/scheduled groups in those locations will be subject to cancellation in such a case. The City will endeavor to establish an appropriate, permanent location and facility for emergency weather shelter for the community.

SECTION 4. Severe Weather Activation

Provisions for emergency shelter will be activated as follows:

a) When the City Manager, or their designee, determines that weather conditions are or are

likely to become "extreme," they will contact the City's Emergency Operations Officer or CERT Coordinator to confirm the emergency circumstances and activate the provision of protective or emergency shelter.

b) Emergency Operations Officer or CERT Coordinator will, in turn, contact the following:

- City's non-profit shelter coordinator to determine the feasibility of initiating emergency shelter operations, including the availability of volunteer staffing, and

- The City's Parks and Recreation Department and other facilities management to determine if a city facility or facilities are available for the sheltering event. If no suitable City building is available, city staff and the non-profit shelter coordinator will work with community partners toward securing a sheltering location elsewhere in the city.

c) The Non-profit Shelter Coordinator will contact designated representatives from volunteer organizations to arrange for on-site volunteers at the shelter.

d) The CERT Coordinator or other AFR staff as designated by the Fire Chief, will put out a call for volunteers through the CERT system annually to notify them of shelter training availability.

e) Shelter volunteers should bring their own cell phones in case of emergency.

SECTION 5. Emergency shelter will be operated consistent with the attached Severe Weather Shelter Operations Policy.

SECTION 6. This resolution takes effect upon signing by the Mayor.

ADOPTED by the City Council this 6th day of December, 2022.

ATTEST:

Dana Smith

Dana Smith, Clerk of the Council Pro Tem

SIGNED and APPROVED this 18th day of July, 2023.

Tonya Graham

Tonya Graham, Council Chair

Reviewed as to form:

Doug McGeary, Interim City Attorney

MEDFORD
CITY MANAGER'S OFFICE

ADMINISTRATIVE REGULATION

Number: 708
Adopted: 11/07/2019
Revised/Readopted: 11/05/2020
Orig. Number(s): n/a

Title: Shelters

Purpose:

These policies have been established in coordination with other City of Medford departments including Building, Planning, Police, and Fire to provide a safe solution for providing shelters for sleeping purposes. Many of these policies are based on the Oregon State Fire Marshal's Technical Advisory for Temporary Shelters (OSFM TA 14-12). These policies allow a building not normally designated as a Residential "R" Occupancy to be used as a shelter (Residential use of a building, or a portion thereof, for temporary living and sleeping purposes). **These requirements apply to *Temporary Shelters, Non-Temporary Shelters,* and *Severe Event Shelters*, unless noted otherwise.** These requirements are intended to be a starting point. Every shelter will be different, and these requirements are intended to provide a reasonable level of life safety. Therefore, some requirements will be on a case-by-case basis and **may be modified, if approved**.
City of Medford municipal code requirements for Temporary and Non-Temporary Shelters and Severe Event Shelters shall take precedence when in conflict with these requirements.

Application:

This policy will be applied by multiple departments and stakeholders, including:

- City Management will declare a Severe Event
- The Building Safety Department, Fire Department, Planning Department and other City of Medford departments to review and approve the use of shelters
- Stakeholders in the community dedicated to or affected by providing shelters for those in need.

Definitions:

Incapable of Self-Preservation (OFC Section 202): Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment cannot respond as an individual to an emergency situation.
Individual Area: An individual space or area provided per person (occupant) for sleeping purposes. Unless approved otherwise, the minimum dimensions shall be as follows:

- 4 ft x 7 ft if **no** storage area is provided. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.
- 3 ft x 7 ft if a separate storage area is provided. This area does not include area required for means of egress. This is the minimum individual area to be provided when adequate storage space is provided for storage of personal belongings. The occupants may have

small items within their individual space, such as a purse or small bag. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.

- A six foot minimum separation between sleeping areas is recommended from the Center for Disease Control.

Limited Assistance: Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment require limited verbal or physical assistance while responding to an emergency situation.

Marking of Sleeping Area: Markings, such as tape or another approved method, shall be provided to designate and define the exit access including aisles, and exits. Markings may also be used, and are encouraged, for *Individual Areas*. The purpose of these markings is to maintain clear egress paths at all times

Non-Temporary Shelters: A permanent use within a building or buildings, meant to provide overnight sleeping accommodations and related service for individuals or groups who are homeless.

Severe Event: from City of Medford Municipal Code Section 10.012 – An act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for individuals or groups.

Severe Event Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide relief during a Severe Event to individuals or groups who are homeless or are at risk of exposure to a severe event.

Note: Rather than overwhelm Temporary Shelter resources, the intent of allowing Severe Event Shelters is to supplement Temporary Shelters by providing respite during Severe Events.

Sleeping Area: Space or area that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Temporary Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

- Note: a Temporary Shelter is a place or area within a building that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Policy:

USE OF SHELTERS:

Approval Requirements:

Prior to approval for use of a shelter, the following items are required:

- All Shelters (Temporary & Non-Temporary Shelters and Severe Event Shelters)
    - Approval from the Medford Building Department
    - An approved Operational Permit through Medford Fire-Rescue
        - If not included in the application, please request a Business Safety Checklist for common fire hazards.

        - Note: Consultations/inspections for pre-approval will generally be provided at no cost. Fees may be required if a significant number of consultations or inspections are requested.
    - Inspection and approval from a fire code official and building code official prior to opening.
- Temporary & Non-Temporary Shelters:
    - Approval from the Planning Department for use of a location, including a Conditional Use Permit (CUP) issued in compliance with Medford Municipal Code 10.819A.
- Severe Event Shelters:
    - Conditional Use Permit (CUP) is not required
    - Locations are subject to zoning regulations
    - Shall only be operated during a declared Severe Event

Severe Event Declarations:

The Mayor or City Manager, or their designee, may consider declaring a Severe Event based on the following factors and criteria:

- Cold Weather
    - Forecasted low temperatures of 25 degrees Fahrenheit or less.
    - Forecasted temperatures at 32 degrees Fahrenheit or less, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to cold, including:
        - Precipitation
        - Wind
        - Humidity, including dense fog
        - Sustained temperature, including during the day
        - Consecutive days (cumulative effects)
        - Overall weather patterns (e.g. precipitation, then drop in temperature)
        - Special alert such as warning or watch
- Hot Weather
    - Forecasted high temperature of 102 degrees Fahrenheit or more
    - Forecasted temperatures of 80 Fahrenheit degrees or more, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to heat, including:
        - Precipitation
        - Humidity
        - Wind
        - Duration and potential for cumulative effects (hours per day, consecutive days)
        - Overall weather patterns
- Air Quality
    - Air Quality index of "very unhealthy" or more

- Other conditions that result in a Severe Event, such as:
    - Chemical spill or release

LOCATION PLANNING AND REQUIREMENTS:

Occupancy Requirements:

How each occupant responds during an emergency can affect the risk of all occupants. Considerations that can influence the ability to respond correctly to an emergency include, but are not limited to, mental and physical abilities. For this reason, there are more strict requirements for locations where some of the occupants require physical or verbal assistance to respond to an emergency including fire protection, staffing, training, etc. As such, the following requirements apply to all shelters:

- (OFC 1101.1) Persons who are Incapable of Self-Preservation shall not be permitted to stay at a shelter.
- (OFC 104.8, 1101.1) Shelters may allow persons requiring Limited Assistance to sleep at the shelter when approved. Considerations for approval include, but are not limited to:
    - The number of persons requiring limited assistance.
    - The presence of fire protection systems such as an automatic sprinkler system
    - Staffing
    - Staff training
    - Modifications to the Emergency Evacuation Plan.
    - Provisions for moving individuals who require limited assistance to a different location when the maximum number is exceeded.
- Locations may be approved to shelter persons who are Incapable of Self-Preservation and/or require Limited Assistance when sufficient fire and life safety features are provided. Approval will be on a case-by-case basis.
- Shelter Operations Plans shall include procedures for moving persons who are incapable of self-preservation to a location that can safely meet their needs.

Fire Protection Requirements:

The following life-safety requirements apply to buildings used as a shelter:

- (OFC 1101.1, 104.8) Automatic Sprinkler System. Buildings used as shelters shall be protected throughout with and approved Automatic Sprinkler System, with the following exceptions:
    - *Temporary Shelters:* Approval through Medford Fire-Rescue and the Building Department is required in order to locate a Temporary Shelter in a building not protected throughout with a fire sprinkler system. For shelters not protected throughout to be approved, the sleeping areas and shelter operations shall be limited to the ground floor with a minimum of two (2) exits directly to the outside at ground level.
    - *Severe Event Shelters:* An automatic fire sprinkler system is not required for Severe Event Shelters that are located on the ground floor with a minimum of two (2) exits

directly to the outside at ground level. Severe Event Shelters shall meet the other requirements of this Policy.

- Fire extinguishers with a minimum rating of 2-A:10-B:C shall be provided within 75 feet of travel, and within 10 feet of exits. A minimum of 2 fire extinguishers shall be provided unless approved otherwise.

Means of Egress (Exiting – OFC Chapter 10):

The following requirements apply to all shelters, unless noted otherwise. All means of egress (exit) paths shall be maintained free of obstructions at all times.

- Exits from sleeping areas within buildings protected throughout by an automatic sprinkler system shall be as follows;
    - Sleeping areas located on the ground floor of a shelter with an occupant load of 49 (i.e. persons using shelter) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
    - All other floor levels (other than the ground floor) used as Temporary Shelter sleeping areas that have an occupant load of 10 or more shall have two (2) exits from the area.
    - The exits serving the areas shall be separated by a distance equal to at least 1/3 of the longest diagonal distance of the area.
- Exits from sleeping areas within buildings NOT protected throughout by an automatic sprinkler system:
    - For *Temporary Shelters* and *Severe Event Shelters* that are approved without an automatic fire suppression system, the sleeping areas shall only be located on the ground floor, and a minimum of 2 exits shall be provided for occupant loads of 10 or more.
    - Shelters approved without a fire suppressions system with an occupant load of nine (9) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
    - The exits serving the areas shall be separated by a distance equal to at least 1/2 of the longest diagonal distance of the area.
- Doors shall operate properly. The intent of this is that doors are easily opened and closed, even for people with limited strength and mobility.
- Emergency egress lighting shall be provided. This lighting may be the plug-in type with battery backup.
- Egress for *Sleeping Areas*:
    - *Sleeping areas* shall be grouped in single (1) or double (2) rows of *Individual Areas*.
    - The total number of *Individual Areas* provided shall not exceed the maximum occupant load minus the minimum staffing.
    - A 36" min. aisle (OFC 1017.5) shall be provided on both sides of rows of *Individual*, except that:
        - An aisle may be provided on one side of a single row of *Individual Areas* against a wall.

    - Egress paths shall be marked (such as with tape on the floor) and shall be maintained clear at all times.
- (OFC 1007.1) Accessibility: An accessible egress path shall be provided, unless approved otherwise.

Maximum Number of Occupants Allowed:
(OFC 104.8, 1004.1.2) The maximum number of allowable shelter occupants will be approved by both a building code official and a fire code official on a case-by-case basis.
An occupant load sign shall be posted in a clear and obvious location near the entrance showing the maximum number of occupants in the shelter.
PLEASE NOTE: Additional requirements will apply when the occupant load exceeds 49 people in sprinklered shelters, and 9 people in unsprinklered shelters.

Smoke Alarms and Detection (OFC 907.2):
- All shelter sleeping areas shall be provided with approved smoke alarms or a complete approved smoke detection system.
- All other areas of the building used for shelter operations shall be equipped with smoke alarms or a smoke detection system as required by the local fire code official.
- Smoke alarms may be battery-powered.

Carbon Monoxide (CO) Alarms and Detection (OFC 908.7):
- All shelter sleeping areas shall be provided with approved carbon monoxide alarms or an approved Carbon Monoxide detection system
- Carbon monoxide alarms may be battery-powered.

Cooking Facilities:
(OFC 609.1 and 904.11) Shelters where food is provided may have to meet requirements for new construction for cooking equipment. This will be determined on a case-by-case basis.
Storage:
(OFC Section 315, Chapter 10) Provisions for storage shall be provided in order to maintain egress paths and allow storage of items that are not permitted within the shelter.
Sanitation:
Toilets, hand washing, and trash disposal shall be provided. Provisions for bathing are typically recommended, but not required.

OPERATIONAL (USE) REQUIREMENTS:

Operational Permit:

An Operational Permit through Medford Fire-Rescue will be required. A plan / layout shall be submitted as part of operation permit. The following shall be shown on the plan:

- Location, size and occupant load for all areas including sleeping areas, kitchen, bathroom, storage, etc.
- Access points
- Trash cans
- Lighting
- Emergency vehicle access
- Etc.

These items may be shown on the building floor plan required as part of the Emergency Evacuation Plan as long as the plan is legible and reasonably useful. A separate building floor plan may be required as part of the Emergency Evacuation Plan in order to provide only critical information needed during an emergency.

Staffing:

A minimum ratio of staff per occupants shall be provided as follows:

- Unless approved otherwise in rare circumstances, a minimum of 3 people shall staff a shelter at all times:
    - A minimum of 1 staff per 25 occupants, but not less than 2
    - A person dedicated to Fire Watch in addition the staffing required for the occupants

Recommended Staff:

- Shelter Liaison – Represents the owner(s) of the shelter location
- Shelter Coordinator – Directs and leads the shelter operation.
    - Shelter Host – Responsible for operations under the direction of the Shelter Coordinator
    - Meal Coordinator – Arranges meals, if provided
    - Logistics Coordinator – Necessities, transportation, etc.

Notification:

Temporary Shelters:

- First Opening: A fire inspection shall be completed and final approval shall be received prior to opening a shelter for the first time.
- Subsequent Openings: The fire code official (Fire Marshal or Deputy Fire Marshal) shall be notified 48 hours minimum prior to each anticipated non-consecutive use of a shelter. The fire code official may require a fire inspection prior to the shelter being used.

Severe Event Shelters:

- Pre-Authorization: a location shall be approved by a building code official and fire code official prior to use as a *Severe Event Shelter*. A free inspection should be requested a minimum of 2 months prior to anticipated use. The shelter shall not be used until a final inspection has been completed and approval for been provided.

- Approval Prior to Opening: The fire code official and operators will work together to schedule/conduct a fire inspection prior to use of a *Severe Event Shelter*. This is intended to be a follow-up inspection in addition to the fire inspection required prior to approval of a *Severe Event Shelter* location.

Time limits:

Temporary Shelters:

- A building may be used as a *Temporary Shelter* for a maximum of ninety days (90) within any twelve (12) month period of time beginning on the first (1st) day of occupancy or as approved by the local authority having jurisdiction.
- Additionally, Temporary uses exceeding a six month (180 day) time period beginning on the first (1st) day of occupancy require approval from the Building Code Official.

Severe Event Shelters:

- *Severe Event Shelters* shall only be operated during a *Severe Event.*

Emergency Evacuation Plan (OFC Chapter 4):

An approved emergency evacuation plan addressing the evacuation of all occupants in an emergency event shall be available at all times at the shelter location (not a remote location). The plan shall be reviewed a minimum of once per year, and shall be revised when needed. At a minimum, the emergency evacuation plan shall contain the following:

- Emergency Response Plan: complete and review with a fire code official
- Occupant log: A log of all occupants for each night must be maintained and made available to the emergency personnel in the event of a fire or incident.
- Building floor plans: Building floor plans for each floor of the shelter shall be posted throughout the shelter, and shall include:
  - *Sleeping Areas* clearly identified.
  - Room size: the square footage of all rooms within the shelter.
  - Evacuation Routes: the primary and secondary egress (exit) paths from all areas of the shelter shall be shown.
  - Accessible egress routes: locations shall be shown on the building floor plans.
  - Life-safety systems: include locations for fire sprinkler system including riser room, fire alarm panel and controls, etc.
  - Manual Fire Alarm Pull Boxes, if present
  - Fire Extinguishers
  - AED (Automated External Defibrillator), if present

Documentation:

Documentation of all fire safety requirements including copies of an Emergency Plan and a Shelter Operational Plan shall be maintained on site and shall be immediately available for review if requested by the fire code official.

Fire Watch:

A fire watch shall be maintained continuously. See fire watch packet for additional requirements. A fire watch shall be maintained during sleeping hours at a minimum, and may be required at other times. This means at least one responsible person shall be awake and assigned this responsibility. The intent is that if one person cannot survey all areas of the shelter, then additional persons will be required. Fire watch personnel are dedicated to this task and shall not be responsible for other duties such as serving food. This duty may be rotated among a number of responsible adults. The fire watch personnel shall be familiar with the building, the emergency plan, and shall be trained on procedures during an emergency. They have the responsibility for a continuous patrol of the shelter for the purpose of detecting fire or other emergencies and transmitting an immediate alarm to the Fire Department and occupants. If a fire alarm system is not present, fire watch personal shall have a manual device such as a whistle or bell for alerting occupants and a cell phone for alerting the fire department and other Fire Watch personnel.

General Safety Requirements:

- Alcohol and drugs shall not be in possession or used
- (OFC 310) No smoking inside. Outside smoking, if allowed, shall be in designated locations and non-combustible containers filled with water shall be provided. Smoking shall be a minimum of 10 ft away from entrances, exits, windows, ventilation intakes, etc.
- (OFC 305) Potential fire ignition sources such as lighters and candles shall not be allowed in shelters, unless stored in supervised or locked storage areas.
- Use of portable heaters or unvented fuel-fired heaters shall be prohibited inside. Outside use may be approved.
- Separate locations or areas for different populations including families, single men, etc. shall be required, unless approved otherwise.

Responsibilities:

The Building Safety Department, Fire Department, Planning Department and other City of Medford departments will be responsible for:

- Review of shelters
- Approval of shelters
- Developing and maintaining a Shelter Team with stakeholders from City departments and the community

The City of Medford will not be responsible for:

- Providing staffing for Temporary Shelters or Severe Event Shelters
- Providing locations for Temporary Shelters or Severe Event Shelters

The Shelter Team will be responsible for:

- Developing partnerships within the community
- Revising policies and practices related to shelters

For Severe Events, the Mayor or City Manager, or their designees, will be responsible for:

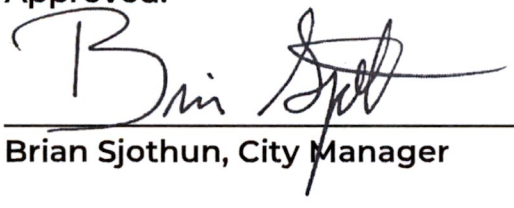
- Ensuring the procedures are followed where possible
- Declaring a Severe Event
- Providing early warning of a Severe Event Declaration as soon as possible (ideally 48 hours) by:
    - Communicating Severe Events to Provider Network and City Departments,
    - Conducting media out reach

Severe Event Procedures:

Administrative Regulation 908 Emergency Notification System Severe Event Incident Response Guide (IRG) will be used when declaring a Severe Event.

- Prepare for Severe Events:
    - Engage and partner with stakeholders to
        - Share information
        - Pre-authorize shelter locations
        - Develop processes and policies ahead of events
- Identify a Severe Event threat
    - Communicate a warning that a Severe Event may be declared
        - Notify stakeholders as soon as possible (48 hours is preferred)
    - Coordinate with providers and stakeholders to:
        - Estimate need (# of beds, population type etc.)
        - Identify available resources
- Declare Severe Event
    - Communicate resources and shelter locations (media, provider network, 211info, etc.)
- Monitor the event
    - Communicate anticipated end of Severe Event
- Declare and end to the Severe Event
    - Communicate end of Severe Event
    - Shelter Team Review event and communicate ways to improve

Approved:



Brian Sjothun, City Manager

11/05/2020
Date

Legal Reference(s):
Oregon Fire Marshal's Technical Advisory 14-12
Oregon Fire Marshal's Technical Guidelines (OFC)
Medford Municipal Code 10.012 and 10.819A
Administrative Regulation 908

Multnomah County

Severe Weather and Homelessness

For information on severe weather shelters, check multco.us/cold (http://multco.us/cold)

Support people living outside

If someone outside is unsheltered and whose life appears to be in danger, call 9-1-1. Otherwise, if you see someone about whom you are concerned during cold weather, such as not being dressed for the weather conditions, call Multnomah County's non-emergency response line (http://multco.us/em/police-and-fire-non-emergency) at 503-823-3333 and request a welfare check.

To help someone locate shelter and transportation to shelter, please call 2-1-1.

People seeking to get warm on winter days when severe weather shelters are not open are welcome in government buildings that are open to the public, including, for example, libraries and community centers. Library hours are listed on Multnomah County Library's website (https://multcolib.org/hours-and-locations).

City of Portland community center information is listed here (https://www.portlandoregon.gov/parks/39839).

Severe Weather Planning

County staff monitor weather conditions and other factors, including severe temperature fluctuations, emergency department visits for hypothermia, and wind chill. City of Portland and Multnomah County officials meet to discuss those weather conditions — consulting with Emergency Management, Health Department, County Human Services and Joint Office experts — and then jointly decide on shelter plans as needed.

Severe weather shelters open as needed when any of the following thresholds are met for any one of the conditions below that are forecasted to persist for four (4) hours or more between the hours of 8:00 p.m. - 7:00 a.m.

- Forecasted temperature of 25° F (-4° C) or below.
- Forecasted snow accumulation of 1.0 inch or more.
- Forecasted temperature at or below 32° F (0° C) with driving rain of 1.0 inch or more overnight.

Cold Weather Alerts

Even when severe weather thresholds aren't met — but when overnight temperatures are forecast at 32 degrees or below, for roughly four hours or longer — the Joint Office will issue a "cold weather alert."

No severe weather beds will open during a cold weather alert. But providers will conduct additional and focused outreach to find vulnerable people, and they will have the ability to quickly obtain and distribute cold weather gear. Providers will step up coordination around information on resources and system shelter capacity. Overflow shelter capacity will be made available to outreach workers, who can refer people in need.

Council Study Session

June 6, 2022

Agenda Item	Housing and Human Services Commission Severe Climate Event Policy Recommendation	
From	Linda Reid	Housing Program Specialist
Contact	reidl@ashland.or.us 541-552-2043	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☒	

SUMMARY

At a regular meeting held on August 7, 2021 the City Council approved a motion to request that the Housing and Human Services Commission develop a proposal for addressing the need for shelter options during extreme weather events. The Council motion is as follows:

Council requests the Housing and Human Services Commission work with local partners, as well as the staff and council liaisons to the commission, to identify the options available to comprehensively address the extreme weather needs of Ashland residents, including extreme cold, extreme heat, and dangerous levels of wildfire smoke. The Council further requests that the Housing and Human Services Commission develop a proposal for Council consideration regarding how the Ashland Community can best address these needs and the specific role the City will have in that process.

POLICIES, PLANS & GOALS SUPPORTED

2020-2024 Consolidated Plan for Use of CDBG funds

Tier 1: Higher Priority

- Emergency Preparedness
- Address Climate Change

Tier 2: Moderate Priority

- Economic Development
- Housing Needs
- Homeless Services
- All-Age Friendly Community

PREVIOUS COUNCIL ACTION

Not Applicable

BACKGROUND AND ADDITIONAL INFORMATION

The City has had two resolutions that address how the City will respond to incidents of inclement winter weather. The current policy Resolution 2013-04 which replaced 2007-11, only set parameters for cold weather conditions under which the City would declare a weather emergency and commit City resources in the form of a City owned building. However, for many years the City had dedicated a small amount of funding to support staff time at partnering non-profit agencies to provide volunteer coordination, communication, and trainings in support of City initiated emergency shelters. The volunteer coordinator was also tasked with finding alternate locations if a City

CITY OF ASHLAND

owned building was not available, and with communicating with other City staff who supported their efforts. This staff included Fire Department staff (CERT Coordinator) and Parks Department staff regarding the use of City owned buildings.

Stakeholder Outreach

The Commission formed a Severe Climate Event Policy Recommendation Workgroup which met several times throughout the process of developing recommendations. The Workgroup created and implemented a plan to solicit stakeholder input to fulfill the Council's outreach request and to gain input from those interfacing or serving impacted populations, or those who have had a role in the emergency shelter process in prior years, and those who have lived experience.

The workgroup also completed an audit of policies and best practice recommendations for severe and inclement weather shelters and parameters from other communities throughout Oregon and the nation. As well as information from prior programs implement by the City of Ashland in partnership with area non-profits. The workgroup also reviewed information on the health impacts of extreme climate events from a variety of resources, including but not limited to, the Center for Disease Control and Prevention, the Federal department of Health and Human Services, and non-profit organizations who advocate for special populations.

The Workgroup used these policy documents from other communities as a template to provide a framework for the discussion and as a way to clarify and organize the key elements that a comprehensive and inclusive policy should address. These elements were utilized as discussion topic prompts for both the stakeholder listening sessions as well as for the discussion among the full commission.

The feedback from the stakeholder listening sessions, including a debrief meeting after enacting a severe climate shelter event, as well as model language and potential structures gleaned from the resource audit were combined and provided back to the larger commission as a starting point for discussion. The key elements of a comprehensive policy are outlined below, as well as the recommendation that resulted from the discussion of the full commission.

Policy Recommendations

1. *The policy will set parameters for extreme temperatures both hot and cold and during extreme weather events, and for instances of bad air quality.*

The commissioners discuss a number of different temperature thresholds. The commissioners also discussed feedback form stakeholders, and their own feelings about the difficulties of balancing what most felt to be morally and ethically right with the realities of resources and what could be reasonably accomplished. The Commissioners agreed that in an ideal world the thresholds be more reflective of public health needs, however, they also agreed that the City should not adopt guidelines where the triggers for emergency shelter outpace the City and community's ability to enact shelters. The City's guidelines should have flexibility, which would set the thresholds as a baseline but still allow for the calling of shelters as needed. Such as in instances when the National Weather Service issues weather warnings that may necessitate calling for a shelter outside of any set temperature thresholds.

2. *The policy will identify a coordinator for identification and coordination of shelter locations.*

Feedback regarding shelter locations included a recognition that daytime cooling and smoke shelters could be accommodated in most publically owned buildings including some located on the SOU campus (though it has also been pointed out that some homeless individuals have been trespassed from the SOU

campus). These buildings would potentially be in use and open to the public during the daytime shelter operational hours, and as such would be available to shelter members of the public and may not need any volunteer oversight to operate them as daytime shelters. Overnight shelters however, generally operate outside of normal business hours and may have different safety code requirements to accommodate an overnight use, therefore a coordinator is needed for the night time shelter coordination. There was a consensus among Commissioners and stakeholders that city buildings should be made available for sheltering purposes, even if they have previously been reserved for use as rentals or for recreational purposes. City owned buildings specifically discussed for shelter uses included Pioneer Hall (it has been discussed that Pioneer Hall is preferred, however, there are needed repairs to this building to accommodate an overnight use), the Community Center and the Grove. It was also suggested to approach the school district about utilizing a space that is owned or managed by that entity as those buildings are often well suited to sheltering purposes. Lastly, it was suggested that the City look at making available or developing a commercial kitchen space for use during emergency events as well as for the use of non-profit organizations providing meals for low income populations. The Pioneer Hall kitchen already has Health Department approval to operate as a commercial kitchen for the purposes of community meal preparation, but requires a periodic fee to be paid to maintain that certification.

3. *The policy should outline a plan for calling and staffing an emergency shelter as well as plan for implementation of the shelter. A severe climate shelter team should be identified and included in the plan. It is recommended that shelter coordination should be City's primary role, and that the City should set aside resources to fund a shelter coordinator either as part of a City staff person's role or through a contract with an outside agency, which is how the City has supported this role in the past.*

It is recommended that shelter coordination should be City's primary role. The City should identify a Decision Making Activator Team (similar to the process that the City of Medford has identified) with the City Manager acting as the lead. The team would resemble a phone tree of sorts, with the City Manager as the leader at the top of the tree in making the determination to call a shelter, a designated staff person would be identified and tasked with issuing a notification for both the need for volunteers as well as to post public information regarding the availability of shelter spaces. The shelter implementation plan could potentially issue a call to the existing CERT volunteer lists (or to specific CERT volunteers who have attended trainings specific to sheltering events) and would also issue a NIXLE alert. Another staff role would be to coordinate communications between members of the Decision Making Activator Team, relevant City staff involved in specific aspects of shelter organization (such as law enforcement, parks department staff, and administration) and any community members or non-profit entities serving in a paid/contracted volunteer coordination role.

4. *The plan should coordinate a group of people inside and outside of the City to work together to implement an Extreme Climate Event shelter.*

~~C~~ommunity stakeholders should work together to identify and secure resources to implement Severe Climate Event shelters. This includes ongoing regular cooperation, communication, and collaboration to coordinate volunteer lists and other resources to support volunteers (like offering shelter specific trainings) locally and regionally. There was agreement for the desire to, "center the voices with lived experience". Focused on those who are needing respite during emergent events, such as seniors, low-income/fixed income households, people's with disabilities, medically fragile individuals, and other

vulnerable populations. It has also been suggested that the City create a central online volunteer list which can be accessed by both City Staff members of the Decision Making Activator team and community partners involved in shelter organization.

It is recognized that while the City has seen a dramatically increased capacity to house homeless populations in the new OHRA Center, the UU Pallet Shelter Project, and the soon Rogue Retreat Pallet Shelter Community, neither of these shelters addresses emergent and short term sheltering needs. So while there may be a reduced number of homeless households seeking overnight shelter during extreme climate events, there still will exist some measure of short term need among that population for temporary overnight respite, and there will continue to be a need for short term emergent daytime smoke and cooling shelters, some of which may be able to be assisted by these organizations at their respective locations. However, locations and volunteers will still need to be mobilized during these short term emergent climate events.

5. *Each shelter should have a scheduled debrief under an action/reflection model.*

This is part of the ongoing local and regional coordination that should result in improved process and best practices.

6. *City's role with regard to resource needs.*

A review of other City's policies has shown that there are a minority of City's that provide direct funding to support Severe Climate Event/Emergency Sheltering activities. The feedback received through the stakeholder outreach events revealed that many stakeholders feel that the City's role should be to provide more resources, including funding to support short term shelters. Stakeholders felt that the City relies too heavily on churches for providing locations, volunteers, and resources. Within the community, the volunteer pool is aging and is less able to provide the same level of service as in years past and many would like to see the City provide more resources to support short term shelters. These resources include:

- Locations for hosting shelters-which could impact City revenues through reduced classes/rental income.
- Direct funding to support volunteer training, coordination and support (though not necessarily through providing a city a staff person to do these activities, but could be part of an existing staff's responsibilities).
- Direct funding to support the resource needs of the shelter.
- Materials (air purifiers, etc.)
- In-Kind donations

Recommendations Overview:

<u>H&HSC Recommendations for new Thresholds for calling a shelter:</u>

- The threshold for calling a cold weather shelter should be changed to 32 degrees or below (considering such factors as: wind chill, precipitation, number of days' duration) or in instances where the National Weather Service issues a Weather Warning.
- The threshold for calling an extreme heat shelter should be 95-100 degrees or above depending upon other factors such as humidity, UV index, and overnight lows or in instances where the National Weather Service issues an Extreme Heat warning.

- The threshold for calling a smoke related shelter should be an air quality index of 150 and above or designation of "unhealthy for everyone") or above.

City's Role in Instances of Emergency Shelter:

- Shelter Activation and Coordination using a phone tree model
- Establish a Decision Making Activator team similar to that established by the City of Medford
- Identify staff to fulfill specific duties: City Manager-Shelter activator; TBD-Communication Coordinator between paid shelter coordinator and city staff involved/concerned with sheltering activities, City Council and Administration; TBD-Public Information Officer/Nixle alerts/CERT activation.
- Provide City Buildings when needed, even if prior uses/reservations have to be cancelled.
- Provide ongoing funding for contract volunteer/shelter coordination services from an area non-profit service provider or in-house through existing staff.
- Provide a platform for communications between Decision Making Activator Team and shelter coordinators through an online platform that allows real time communication and updates accessible by those inside and outside the City (create a OneDrive account)
- Facilitate a regular ongoing emergency shelter group meeting to debrief after shelter events and for planning and coordination for future shelter events and needs, which could include volunteer trainings, coordination with potential providers of shelter locations and volunteers, and to communicate regionally.
- Provide materials and resources as needed (air purifiers/PPE) and in house targeted training (through CERT).

FISCAL IMPACTS

The fiscal impacts range based on the City's level of involvement, the provision of locations for hosting shelters, and the adoption of thresholds which have the potential to increase the number of shelters days called each year,

STAFF AND COMMISSION RECOMMENDATION

Staff would like direction and a clear process in how the City addresses the need for emergency sheltering during severe climate events. The Housing and Human Services Commission is recommending all of the points above to be included in a new Resolution that supersedes all prior inclement weather policies and sets forth new and comprehensive thresholds for calling for the opening of a shelter in the instances of severe climate events. The resolution will also outline a process for enacting a shelter and will define the City's role in that process.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

Direct Staff to draft a Resolution that supersedes all prior inclement weather policies and sets forth new and comprehensive thresholds for calling a shelter in the instances of severe climate events. The resolution will also outline a process for enacting a shelter and will define the City's role in that process.

REFERENCES & ATTACHMENTS

Resolution 2013-04
References

RESOLUTION NO. 2013-04

A RESOLUTION SETTING FORTH POLICIES AND CONDITIONS UNDER WHICH ASHLAND WILL PROVIDE EXTREME WEATHER RELATED EMERGENCY SHELTER HOUSING AND REPEALING RESOLUTION NO. 2007-11

RECITALS:

A. Ashland is located in an area that has four distinct seasons, and the winter season can have weather extremes that can be hazardous to persons without adequate shelter.

B. The City of Ashland desires to set forth the conditions under which it will provide emergency shelter housing and the policies related to those staffing or utilizing such emergency shelter.

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. Provision of Emergency Shelter.

Ashland will provide emergency shelter under the terms and conditions set forth herein during times of extreme weather conditions. For purposes herein, weather conditions shall be considered extreme when outside temperatures are 20° F or below or a combination of weather conditions, in the discretion of the City Administrator, make conditions hazardous to human life without adequate shelter.

SECTION 2. Terms and Conditions.

1) In the event of the need for an emergency shelter during extreme weather, an available city-owned building such as the Grove or Pioneer Hall may be used. Previously booked groups in those locations may be subject to cancellation.

2) The shelter will be staffed by volunteers from nonprofit organizations or other organizations in the business of providing for the needs of persons. The city's insurance company requires organizations providing volunteers to provide a letter to the City of Ashland stating that all shelter volunteers have received appropriate training to staff a shelter and have passed criminal background checks.

3) Shelter(s) will open at 8:00 p.m. Doors will be locked at 9:00 p.m. Guests may leave the shelter but not re-enter after 9:00 p.m. Guests arriving at the shelter after 9:00 p.m. will not be admitted unless brought to the shelter by a police officer. Guests must vacate the shelter no later than 8:00 a.m. the following morning.

4) Shelters must have separate restrooms for men and women and separate sleeping spaces for single men, for single women and for families. Children must not be left alone in the shelter, and signage must be conspicuously displayed to remind guests and volunteers of this requirement.

5) The shelter must contain an emergency box with a first aid kit. Shelter volunteers should bring their own cell phones in case of emergency.

SECTION 3. Emergency Shelter Activation.

Provisions for emergency shelter will be activated as follows:

1) When the City Administrator or designee determines that weather conditions are or are likely to become "extreme," he/she will contact the City's CERT Coordinator.

2) The CERT Coordinator will contact the Parks and Recreation to determine which facility or facilities will be used as an emergency shelter.

3) The CERT Coordinator will contact designated representatives from volunteer organizations to arrange for staff volunteers at the shelter.

4) Volunteers and guests are responsible for following the same cleaning requirements as other groups.

SECTION 4. Emergency Shelter Policies.

Operation of the emergency shelters shall, to the greatest extent feasible, comply with the following policy guidelines:

1) Shelter services must be provided with dignity, care, and concern for the individuals involved.

2) The buildings used as shelter must be maintained in a safe and sanitary condition at all times and must comply with City, County and State Building, Fire and Health Codes, unless exemptions have been obtained from the appropriate agencies..

3) In all Shelters, there should be adequate separation of families and singles, and adequate separation of single women.

4) No drugs, alcohol, or weapons will be allowed in shelter property at any time.

5) No disorderly conduct will be tolerated.

6) No threatening or abusive language will be tolerated.

7) No excessive noise will be tolerated, e.g. loud radios etc.

8) Smoking will be restricted to the outdoors in designated areas.

9) Guests should maintain their own areas in an orderly condition and may be assigned other responsibilities or tasks at the shelter.

SECTION 5. Dogs

Dogs may be permitted in an emergency shelter under the following circumstances:

1) Shelter volunteers must designate a specific area in the shelter for dogs. The floor of such area must be covered with thick plastic.

2) Dogs must remain in crates while in the shelter. Crates will not be provided, stored, repaired or cleaned by the City of Ashland and must be removed from the shelter when it is vacated.
3) If taken outside for biological needs, dogs must be leashed.

4) Shelter volunteers are to devise and follow procedures to keep dogs away from each other and other guests as they are being housed for the night and as they exit in the morning.

5) Shelter volunteers must be responsible for cleaning and sanitizing any areas soiled by a dog or dogs. Such cleaning is to be done to the satisfaction of City facilities maintenance staff.

6) Dogs that become threatening to others or are otherwise unmanageable will be required to leave the shelter.

7) Shelter volunteers must notify Jackson County Animal Control in the event a dog bite breaks the skin of an emergency shelter guest or volunteer.

SECTION 6. Resolution No. 2007-11 is hereby repealed.

SECTION 7. This resolution takes effect upon signing by the Mayor.

This resolution was duly PASSED and ADOPTED this 5 day of March, 2013, and takes effect upon signing by the Mayor.

Barbara Christensen

Barbara Christensen, City Recorder

SIGNED and APPROVED this 6 day of March ~~2012~~ 2013 BC

John Stromberg

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman

David H. Lohman, City Attorney

References—

Climate/weather shelter reference list

City and state sources:

City of Medford, OR. 2019."Medford Incident Response Guide (IRG): Severe Weather Shelter Activation" Administrative Regulation Number: 708 Adopted: 11/07/2019 Revised/Readopted: 11/05/2020. Accessed 30 January 2022 at www.medfordoregon.gov/News-Articles/Severe-Weather-Event-Shelter-Update

City of Chico, CA. 2019. "Update to Emergency Warming and Cooling Center Program." Accessed 30 January 2022 at https://chico-ca.granicus.com/

City of Spokane . 2021 "Spokane Municipal Code Section 18.05.020 Activation Criteria." Accessed 30 January 2022 at https://my.spokanecity.org/smc

Washington DC 2021. "2021 District of Columbia. Heat Emergency Plan." Accessed 30 January 2022 at https://hsema.dc.gov/sites/default/files/dc/sites/hsema/page_content/District%20Heat%20Emergency%20Plan%20July%2004%202021.pdf

California Governor's Office of Emergency Services. 2013. "Contingency Plan for Extreme Cold / Freeze emergencies. State Emergency Plan" Accessed 30 January 2022 at www.caloes.ca.gov/PlanningPreparednessSite

_____. 2014. "Contingency Plan for Excessive Heat Emergencies. State Emergency Plan." Accessed 30 January 2022 at www.caloes.ca.gov/PlanningPreparednessSite

Additional references

Asseng, Senthold, Dietrich Spankuch, Ixchel Hernandez-Ochoa, Jimena Laporta. 2021 "The Upper Temperature Thresholds of Life. *The Lancet*. vol 5, no. 5. Acccessed 30 January 2022 at https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196(21)00079-6/fulltext

Centers for Disease Control. Climate and Health Program. 2017. " The Use of Cooling Centers to Prevent Heat-Related Illness: Summary of Evidence and Strategies for Implementation" Accessed 30 January 2022 at https://stacks.cdc.gov/view/cdc/47657

Environmental Protection Agency. 2006 (updated 2016). "Excessive Heat Events Guidebook" Accessed 30 January 2022 https://www.epa.gov/heatislands/excessive-heat-events-guidebook

Kidd, Sean, Susan Green, Kwame McKenzie. 2020 (September). "Climate Implications for Homelessness: A Scoping Review." *Journal of Urban Health*.

National Center for Health Care of the Homeless (NHCHC). 2007. "Exposure Related Conditions: Symptoms and Prevention Strategies." *Healing Hands* newsletter, vol 11., no. 6. Accessed 30 January 2022 at www.nhchc.org

_____ 2021. "Emergency Preparedness." Accessed 30 January 2022 at https://nhchc.org/clinical-practice/homeless-services/emergency-preparedness/

_____. 2020. "Winter is Coming: Cold Weather and Disasters." Webinar. Accessed 30 January 2022 at https://nhchc.org/webinars/winter-is-coming-cold-weather-and-disasters/ Webinar accessed at YouTube https://youtu.be/Ervl6x14C0A

_____. 2021. "Surviving Severe Weather: Tools to Promote Emergency Preparedness for People Experiencing Homelessness." Accessed 30 January 2022 https://nhchc.org/clinical-practice/homeless-services/weather/

National Weather Service. 2017. Excessive Heat Warning. Accessed 30 January 2022 ata www.weather.gov/media/safety/Heat-brochure17.pdf

Sajad Zare et al. 2018. "Comparing Universal Thermal Climate Index (UTCI) with selected thermal indices/environmental parameters during 12 months of the year" *Weather and Climate Extremes*, vol. 19. Accessed 30 January 2022 at https://www.sciencedirect.com/science/article/pii/S221209471730110X

Personal communications:

Kenny LaPointe.. Executive Director Mid-Columbia Community Action Council, Hood River, OR. October 2021 Personal communication with Echo Fields

Robert Marshall. Program Manager, Mid-Willamette Valley Community Action Agency, Salem, OR. October 2021. Personal communication with Echo Fields

Council Business Meeting

August 15, 2023

Agenda Item	Acquisition of the Coming Attractions property at 2200 Ashland Street (Taxlot 391E14BB -TL300) for an emergency and Inclement weather shelter	
From	Joseph L. Lessard Scott Fleury Brandon Goldman	City Manager Public Works Director Community Development Director
Contact	Joe.lessard@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☒ Old Business ☐	

SUMMARY

Before Council is a request to approve the acquisition of 2200 Ashland Street (391E14BB -Tax Lot 300; 1.20 acres) with a 3097 sq-ft commercial facility, for use as an emergency and inclement weather shelter.

POLICIES, PLANS & GOALS SUPPORTED

Council Vision and Values Statement 2022

- Regional cooperation, including in support for public safety and homelessness

BACKGROUND AND ADDITIONAL INFORMATION

The Council has long been engaged with City Management to determine appropriate next steps for an emergency and inclement weather shelter, specifically acquisition of a site/building that can accommodate the City's needs long-term and align with previously awarded grants.

The City has been coordinating with a Commercial Real Estate Agent on acquisition and been negotiating for acquisition of 2200 Ashland St. ,391E14BB -Tax Lot 300. The site is 1.2 acres with a 3097 square foot commercial use officed space building and parking. The building can be improved to accommodate an overnight shelter that meets the City's need for an inclement weather shelter (primarily winter & summer seasons) that also meets requirements of the State of Oregon's 'All In" grant that was accepted by the Council at its June 6, 2023, Regular Meeting.

The negotiation has concluded with both the seller and buyer (City of Ashland) reaching terms.

The general terms of the acquisition are:

- The total purchase prices is $2 million; and
- The purchase price will be paid by an all-cash payment of $1.4 million from grant funds and owner carry financing of $600 thousand at 3.75% for 20 years with no prepayment penalties.

FISCAL IMPACTS

The City has received two grants that support an emergency and inclement weather shelter for houseless individuals. The first Grant is a State of Oregon's "All In" grant of $1,158,100. The second grant is a Department of Administrative Services (DAS) grant of $1,000,000. The City also appropriated $200,000 in its 2023-2025 BN General Fund Budget for use towards operation of its inclement weather shelter. These funds will be used to

cover the cash required for the property acquisition and the remaining funding will be used to improve the facility, cover future financing payments until additional grant funds are secured and cover the facility's operation costs.

SUGGESTED NEXT STEPS

Next steps including closing on the property and making necessary improvements to begin occupation as an emergency shelter under the previously accepted grant requirements. The City staff will also respond to questions from nearby neighborhood residents and businesses concerning the emergency shelter's operation and plan to for next steps to address potential concerns.

MOTION

I move to approve the acquisition of 2200 Ashland Street, property 391E14BB -Tax Lot 300 *for a cash price of $1,400,000 and owner carried finance of $600,000 for twenty (20) years at 3.75% with no prepayment penalties and approve the City Manager to sign all appropriate property closing documentation.*

REFERENCES & ATTACHMENTS

None

Council Business Meeting

November 7, 2023

Agenda Item	Contracting for Severe Weather Emergency Shelter Services	
From	Kelly Burns	Emergency Management Coordinator
Contact	Kelly.burns@ashland.or.us, 541-552-2299	

SUMMARY

City Staff has been in communication OHRA our non-profit organization that provides homeless services to provide severe weather emergency shelter coordination/operations and insurance coverage during our winter weather season of 2023-24. Opportunities for Housing, Resources, and Assistance (ORHA) has indicated that they are willing to take this request to their board for approval. OHRA has operated severe weather shelter services previously for the City and is knowledgeable and capable of how to operate and staff emergency severe weather shelter activity.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

N/A

BACKGROUND AND ADDITIONAL INFORMATION

The City has supported a shelter coordinator in the past through a contract with non-profit organizations. In 2017, 2018, and most recently in early 2023, the City contracted with OHRA to oversee the winter shelter program which included provisions for emergency shelter services. City staff are in support of the City contracting for volunteer coordination, staffing, and general oversight of a severe weather shelter program once again. A contract with a non-profit service provider removes the City from liability for operation of emergency sheltering activities, as the City's insurance policy does not cover such activities. Contracting with a non-profit organization to coordinate sheltering activities provides City staff and community partners with both continuity and efficiency in the process.

Should OHRA enter a contract with the City for severe weather shelter operations, the model that OHRA proposes would provide services which would include paid shelter staff as well as ongoing volunteer coordination, paid fire watch staff, connection to the resource center and navigation services for shelter participants. The severe weather shelter location will be in the large storage area of the 2200 Ashland St property. Insurance coverage will cover the activity and coordination with City staff and the community around severe weather sheltering events.

FISCAL IMPACTS

The City did not advertise for, nor has it not received any formal proposals that address the potential for providing emergency weather shelter operations. Due to the co-location of the Executive Order mandated low barrier shelter, there is a financial and operational benefit to having OHRA manage both shelters. The fiscal impacts of this action range based on the temperature thresholds, estimated number of times an emergency shelter is enacted and potential daily operating costs. The Council has identified

CITY OF ASHLAND

resources in the General Fund budget to support this activity. It should be noted that the current temperature threshold contained in our Severe Weather Resolution for cold is **32** degrees Fahrenheit. Last year the City activated a severe weather shelter 64 times, between November 1st and April 5th. These activations are not representative of the number of nights that the temperature threshold was triggered.

STAFF AND COMMISSION RECOMMENDATION

City staff recommend that the Council contract with a non-profit organization to provide emergency shelter coordination and oversight.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to authorize the Deputy City Manager to execute a contract with OHRA for Emergency Severe Weather Shelter Coordination services utilizing funding appropriated for that purpose to cover the cost of the activity.

REFERENCES & ATTACHMENTS

- 2023-24 Severe Weather Shelter Contract- OHRA

AGREEMENT FOR COORDINATING SERVICES AND OF SEVERE WEATHER EMERGENCY SHELTER BETWEEN CITY OF ASHLAND AND OPPORTUNITIES FOR HOUSING, RESOURES, AND ASSISTANCE.

This Agreement by and between THE CITY OF ASHLAND, a municipal corporation (hereinafter "City"), and of OPPORTUNITIES FOR HOUSING, RESOURES, AND ASSISTANCE. ("OHRA"), a 50l(c)(3) corporation registered in Oregon.

A. City and OHRA enter into this agreement to identify their roles and responsibilities for providing Severe Weather Emergency Shelter to vulnerable persons and families at risk who require safety and protection from exposure to extreme weather conditions; and NOW, THERFORE, in consideration for the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

AGREEMENT

1. RECITALS. The recital set forth above is true and correct and is incorporated herein by this reference.

2. DURATION. Except for termination as provided herein, the term of this agreement shall be November 10th, 2023, through April 1st, 2024, unless otherwise amended by both parties.

3. BUDGET LIMITS. The cost to the City shall not exceed **$100,000.00,** the maximum amount can be amended depending upon weather and sheltering needs.

4. OHRA SERVICES, FUNCTIONS AND RESPONSIBILITIES. OHRA shall use its best efforts to achieve the following objectives during the period of this Agreement:

4.1 During the term of this Agreement, on each day City declares a shelter emergency per Resolution 2022-33, OHRA shall make all arrangements and commitments necessary and sufficient to have paid and volunteer persons at a location designated for Severe Weather Shelter use. OHRA will provide adequately trained staffing for authorized, safe, and lawful operation of the shelter.

4.2 OHRA will provide communication and distribution of notices for shelter nights on each shelter emergency day.

4.3 OHRA will hire and train temporary shelter staff.

4.4 When a shelter emergency is declared, OHRA will ensure the provision of paid Fire Watch Staff, and any combination of paid overnight shelter staff and trained volunteers to operate Severe Weather Emergency Shelter with oversight by a Shelter Coordinator and the Director of Program Services. OHRA ensures training on the emergency plan, first aid, abuse prevention, de-escalation, trauma-informed care, safety, and emergency communications for the shelter, and execution of waivers, in a form reviewed by the City, which releases City from liability as provided in section 12 below.

4.5 OHRA ensures compliance with the Ashland Municipal Code by paying a living wage, as defined in AMC 3.12, to all persons paid to perform work under this Agreement and to any subcontractor paid to perform 50% or more of the service work under this Agreement as detailed in Exhibit A, budget for Severe Weather Emergency Shelter activity, attached to this contract. OHRA is also required to post the living wage notice prominently in areas where all its employees will see it.

5. CITY OBLIGATIONS. The City shall declare a shelter emergency upon forecasted conditions set forth under the City's Resolution 2022-33;

5.1 The City will give 48 hours notice to OHRA when declaring the need for Sever Weather Shelter.

5.2 The City will ensure that money is budgeted and available to make payments to OHRA as provided in this Agreement. City will pay OHRA for costs as identified in the budget for Severe Weather Emergency Shelter activity, attached as Exhibit A, all costs will be paid on an actual or per event basis.

5.3 OHRA will invoice one to four times per month for actual nightly and operational costs as identified in attached Exhibit A. The City will reimburse weekly for invoices submitted.

6. PAYMENT. This agreement involves the payment of money from the City of Ashland to OHRA for Severe Weather Emergency Shelter Services.

6.1 All payments made to OHRA under this Agreement should be sent to the following address:

Opportunities for Housing, Resources, and Assistance
P.O. Box 1133
Ashland, OR 97520

7. PERSONNEL. OHRA shall be solely responsible for wages and benefits paid to any employees working for OHRA.

8. REAL OR PERSONAL PROPERTY. There shall be no transfer of title or possession to any real or personal property pursuant to this Agreement.

9. TERMINATION.

9.1 All or part of this Agreement may be terminated by mutual consent by both parties; or by either party at any time, upon thirty (30) days' notice in writing and delivered by certified mail. In the event of termination of the Agreement, each party shall be responsible for its own costs and expenses in complying with the Agreement.

9.2 This Agreement may be terminated by either party if the other party commits any material reach of any of the terms or conditions of this Agreement and fails or neglects to correct the same within 10 days after written notice of such breach. If the breach is of such nature that it cannot be completely remedied within the 10-day period, this provision shall be complied with if correction of the breach begins within the 10-day period and thereafter

proceeds with reasonable diligence and in good faith to affect the remedy as soon as is practicable.

10. ASSIGNMENT. OHRA shall not assign or transfer any interest in this Agreement without prior written consent of the City, provided, however, that OHRA may subcontract the performance of any provision or obligation required by this Agreement, so long as OHRA remains primarily responsible to the City for the performance of such provision or obligation.

11. INSPECTION RECORDS.

11.1 OHRA shall maintain books, records, documents, and other evidence and accounting procedures and practices sufficient to properly reflect all costs of whatever nature claimed to have been incurred and anticipated in the performance of the Agreement. The City and its duly authorized representatives shall have access to the books documents, papers, and records of OHRA which are directly pertinent to the Agreement for the purpose of making audit, examination, excerpts, and transcripts. Such books and records shall be maintained by OHRA for three years from the date of the completion of work unless a shorter period is authorized in writing. OHRA is responsible for any OHRA audit discrepancies involving deviation from the terms of the Agreement.

12. HOLD HARMLESS AND INDEMNIFICATION.

12.1 The City of Ashland is not providing services but rather purchasing services from OHRA. Accordingly, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the parties both shall hold each other harmless, defend and indemnify the other from any and all claims, demands, damages or injuries, liability of damage, including injury resulting in death or damage to property, that anyone may have or assert by reasons of any error, act or omission of the other, its officers, employees or agents. Similarly, the City of Ashland shall not be held responsible for any claims, actions, costs, judgments, or other damages, directly and injury proximately caused by any form of negligence by OHRA, its employees, or agents, or its volunteers. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.

13. INDEPENDENT CONTRACTOR STATUS. OHRA is an independent contractor and neither OHRA nor anyone performing work pursuant to this Agreement and under OHRA's auspices is an employee of the City. OHRA shall have complete responsibility for performance of its obligations under this Agreement. Except as provided for in this Agreement, the City shall not be liable for any obligations incurred by OHRA. OHRA shall not represent to any person that the City is liable for OHRA's obligations; except for such obligations the City may be liable as provided for in this Agreement.

14. INSURANCE. Each party is responsible for its own insurance and coverage relating to claims arising from providing or staffing a Severe Weather Emergency Shelter. No City coverage is extended to the other parties or volunteers; however, the City will maintain existing property coverage of the facility.

15. DISPUTE RESOLUTION. City and OHRA shall attempt to resolve all disputes through staff discussions at the lowest possible level. Both parties to this Agreement agree to provide other resources and personnel to negotiate and find resolution to disputes that cannot be resolved at the staff level. As a next step, claims, disputes or other matters in questions between the parties to this Agreement arising out of or relating to this Agreement, or breach thereof shall be determined by mediation, arbitration, or litigation. Disputes shall be initially submitted to mediation by a mediator chosen by the parties. The cost of mediation shall be borne equally by the parties. If the parties are unable to agree upon a mediator within 5 days or if mediation fails to resolve the dispute and if either party wants to further pursue the dispute, either party may request that the dispute be submitted to arbitration before a single arbitrator agreed to by the parties. If both parties agree to arbitration but are unable to agree upon an arbitrator, each party shall select an arbitrator.

The arbitrators so chosen shall select a third, and the decision of a majority of the arbitrators shall be final, binding the parties, and judgment may be entered thereon. Unless the parties mutually agree otherwise, any arbitration proceeding shall be conducted in accordance with the currently in effect Arbitration Rules of the American Arbitration Association pursuant to ORS 190.720. Notwithstanding the above, either party may, at its own discretion, elect to resolve disputes in excess of $50,000 by litigation, if mediation is not successful.

16. NOTICE AND REPRESENTATIVES. All notices, certificates, or communications shall be delivered or mailed postage prepaid to the parties at their respective places of business as set forth below or at a place designated hereafter in writing by the parties.

CITY of Ashland:

City Manager 20 East Main
Ashland, OR 97520

Opportunities for Housing, Resources, and Assistance

P.O. Box 1133
Ashland, OR 97520

And when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices: bills, and payments shall be deemed

given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills, and payments are to be given by giving notice pursuant to this paragraph.

MERGER. THIS AGREEMENT CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS AGREEMENT. NO AMENDMENT, CONSENT, OR WAIVER OR TERMS OF THIS AGREEMENT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY ALL PARTIES. ANY SUCH AMENDMENT, CONSENT OR WAIVER SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THE PARTIES, BY THE SIGNATURES BELOW OR THEIR AUTHORIZED REPRESENTATIVES, ACKNOWLEDGE HAVING READ AND UNDERSTOOD THE AGREEMENT AND THE PARTIES AGREE TO BE BOUND BY ITS TERMS AND CONDITIONS.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in two (2) duplicate originals, either as individuals, or by their officers thereunto duly authorized.

CITY OF ASHLAND

BY: Sabrina Cotta
Title: Acting City Manager
Dated: _____

Approved as to form

Douglas M McGeary
Acting City Attorney

OPPORTUNITIES FOR HOUSING, RESOURCES, AND ASSISTANCE

By: Cass Sinclair
Title: Executive Director
Dated: _____

Nightly Costs:			
	Personnel Cost	**Cost Per Night**	**NOTES**
	Shelter Coordinator	$110.00	4 hr/night x$25/hr. + 10% Payroll Tax & Workers Comp
	Overnight Firewatch	$325.60	16 hours x $18.5/hr + 10% Payroll Tax & Workers Comp
	Shelter Staff - Night	$651.20	2 staff people 16 hours x $18.5/hr + 10% Payroll Tax & Workers Comp
	Volunteer and Food Coordinator	$55.00	2 hr/night x $25.00/hr + 10% Payroll Tax & Workers Comp
	Total Personnel Costs	**$1,141.80**	
	Operating Costs		
	Daily Professional Cleaning	$79.00	Estimate
	Printing Cost	$15.00	$0.10/copy (For sign in and guest policies)
	Food Allowance	$360.00	$12 per night for 30 people
	Laundry	$30.00	Wash Shelter Blankets, towels etc
	Program Supplies	$237.00	
	Total Operating Costs	**$721.00**	
	TOTAL PERSONNEL AND OPERATING COSTS	**$1,862.80**	
	Admin @ 15% of Perspnnel and Operating Costs	$279.42	
	TOTAL NIGHTLY PROGRAM COSTS	**$2,142.22**	
Fixed Costs			
	Insurance	$2,000.00	Not to exceed- to be final billed adjusted for actuals
	Indeed Job Postings	$1,000.00	Not to exceed- to be final billed adjusted for actuals
	Emergency/disease prevention items	$200.00	Estimate for Blood spill, sharps, etc.- to be billed at actuals
	Total Estimated Costs	**$3,200.00**	

Misc. Operational Overhead Costs Budget* (not to exceed billed at actual costs)			
	Relias training and licenses	$2,030.00	
	Background checks	$300.00	
	Total Estimated Costs	**$2,330.00**	
Equipment Costs Budget* (to be acquired based on use/need but within not to exceed budget; if purchased, ownership will remain with/be transferred to the City)			
	Refrigerator	$1,200.00	Not to exceed (May be donated and remain with OHRA)
	Sleeping mats	$700.00	Not to exceed- to be billed upon acquisition
	Total Estimated Costs	**$1,900.00**	
Program Supplies Schedule (Nightly Cost)			
	Hand soap	$4.00	
	Paper plates	$20.00	
	Utensils	$20.00	
	Trash liners	$2.00	
	Salt De-icing	$6.00	
	Tea	$40.00	
	Coffee	$40.00	
	Coffee cups	$20.00	
	Creamer	$20.00	
	Sugar	$5.00	
	Hot Chocolate	$20.00	
	Paper towels	$20.00	
	Water service	$20.00	
	TOTAL PROGRAM SUPPLIES	**$237.00**	

Speaker Request Form

THIS FORM IS A PUBLIC RECORD
ALL INFORMATION PROVIDED WILL BE MADE AVAILABLE TO THE PUBLIC

1) Complete this form and return it to the City Recorder **prior to the discussion of the item you wish to speak about.**
2) Speak to the City Council from the table podium microphone.
3) State your name and address for the record.
4) Limit your comments to the amount of time given to you by the Mayor, usually 3 or 5 minutes.
5) If you present written materials, please give a copy to the City Recorder for the record.
6) You may give written comments to the City Recorder for the record if you do not wish to speak. (Comments can be added to the back of this sheet if necessary)
7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 12/19/23

Name Avram Sacks

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) Winter Skating

Land Use Public Hearing

Please indicate the following:
For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge:_____

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Speaker Request Form

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7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 12/19/23

Name MARK BOUCHARD

[redacted]

Regular Meeting

Agenda ~~topic/item~~ number_____ **OR**

Topic for public forum (non agenda item)_____

Land Use Public Hearing

Please indicate the following:
For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge:_____

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BROUILL

ARD

Speaker Request Form

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Tonight's Meeting Date 12/19/23

Name Leda Shapiro

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) HIRING PRACTICES

Land Use Public Hearing

Please indicate the following:

For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge:_____

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12/19/23.

I am coming to this Council to bring up a concern about the City's hiring practices and my rights as a citizen and resident of Ashland.

At the end of November I sent in a PRR asking for information regarding an employee promotion, and questions about our hiring practices. After several weeks of not getting a response, I only received part of what I requested. I was then told that the City had no obligation and would not be answering my query about hiring practices. In addition, I am now told by the City attorney that I must discontinue questions about this subject.

The City of Ashland states our hiring practices on the Ashland City website as follows:

*All employment opportunities with the City of Ashland and Parks & Recreation are posted on our **EMPLOYMENT PAGE** first*
The City of Ashland is an equal opportunity employer and will not discriminate against an employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, age, marital status, national origin or mental or physical disability unless based on a bonafide occupational qualification

Despite these stated policies, I am aware that vacant positions have been filled, without posting them on the job opportunities

page first and without accepting applications from the public. I have been told that it is not legally required to supply me this information.

Not that there is anything wrong with hiring from within... everyone should be able to apply

This may seem to you as an unimportant detail since we have been able to fill vacant positions with interim staff. But if the goal is to have a diverse, experienced, competent staff, we need to actually open all vacancies to the public to apply.

As a city that professes progressive ideals, we will never achieve our goals of diversity if we continue to withhold these job opportunities from people.

And Isn't the public entitled to know whether the City's own procedures are being followed?

Leda Shapiro
Ashland

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Tonight's Meeting Date Dec 19, 2023

Name Sitka Moss

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) Call for Cease fire / Letter

Land Use Public Hearing

Please indicate the following:
For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Tonight's Meeting Date 12/19/23

Name Amanda Morehouse

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) Ceasefire in Gaza/end Military aid to Israel

Land Use Public Hearing

Please indicate the following:

For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Tonight's Meeting Date 2023/12/19

Name Benjamin Ben-Baruch

[redacted]

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) Proposed letter from Council

Land Use Public Hearing

Please indicate the following:

For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Camping

Speaker Request Form

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Tonight's Meeting Date 12/19/23

Name Tam Masdon

[redacted]

Regular Meeting

Agenda topic/item number camping ordinance. 3228 **OR**

Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: _____

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Camping

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Tonight's Meeting Date 12-19-2023

Name Heron Boyce Heron Boyce
(please print)

Address (no P.O. Box)

Phone **Email**

Regular Meeting

Agenda topic/item number **OR**

Topic for public forum (non agenda item) Camping Ordinance & Human Rights Violation

Land Use Public Hearing

Please indicate the following:
For: **Against:** ✓

Challenge for Conflict of Interest or Bias

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City council music play list;

Phil Collins: I don't care anymore

David Rovics : Occupation – the commons – We just want the world – Here at the end of the world – Resistance – Hang a flag in the window – Rent Control – Standing Rock – Don't pay the rent -there use to be a city – strike a blow against the empire – Make planet Earth great again

Woody Guthrie: Hard travelin' – Dust Bowl Ballard's – I ain't got no home – Hobos lullaby – which side are you on

Peter Seeger: banks of marble – Solidarity forever

Pearl Jam: Society – Guaranteed – Here's to the state

Bob Dylan: a hard rains gonna fall

Rage Against the Machine: Ghost of tom Joad

Shocking as it was to find the city council risking further lawsuits by lowering the acceptable cold weather shelter temperature to 24 degrees (when there are already so many elderly unhoused suffering hypothermia at temperatures in the 40s), it was startling obvious why these human beings are overlooked, to save money. A more sustainable method of saving money would be to cut the wages of the city council to a third of their bloated budget, for this obviously volunteer public service position. what I mean to say is, remove the funds of an bias and corrupt set of self-serving city officials, who already have multiple impending lawsuits forming, for grievous human rights violations, including influencing groups like OHRA to put money aside for a temporal winter shelter, which is overspending, so it will "spontaneously end" in early January, thrusting people from 80 degree rooms to 30 degree streets, ensuring sickness and hardship. Any given night, many of the beds in this facility are empty, due to occupants being out on the town, while those who desperately need the housing are waiting in droves to get in, but have no options, but to be ticket by police officers on the street for freezing in graveyards or hidden along ditch banks, in fear of possible warrants for being unable to pay these fines.

There seems to be no consideration on behalf of the city council for the spiritual or mental well being of homeless in the community of Ashland. They are not uniquely perceived as human, nor allowed to integrate. Due to lack of finances alone, they are seen as all but expendable. But they are still equal to you, be they a more traumatized and degraded population, they have every bit of the emotional capacity, pain and suffering as the city council. If anything, they are less likely to compromise others well-being for their own survival... Where as the lies and deception of the elite, so smooth and rehearsed, are barely distinguishable, except by the inauthenticity of the information conveyed, and the obvious lack of accountability. It is concerning how a group of self-proclaimed ruling class can be so slyly self-aggrandizing, looking not to actualize their own speeches of equality, but rather to substantiate the stratification of their deceptive rule in this financially based society.
Heron Boyce

Camping

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Tonight's Meeting Date 12/19

Name Debbie Neiswander

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) homeless ordinance

Land Use Public Hearing

Please indicate the following:
For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Tonight's Meeting Date 12/19/23

Name Trina Sanford (please print)

Address (no P.O. Box) Ashland

Phone **Email**

Regular Meeting

Agenda topic/item number Camping **OR** Ordinance

Topic for public forum (non agenda item)

Land Use Public Hearing

Please indicate the following:

For: **Against:**

Challenge for Conflict of Interest or Bias

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6-mth review

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Tonight's Meeting Date 12/19

Name Debbie Neiswander
(please print)

Address (no P.O. Box) _____

Phone _____ **Email** _____

Regular Meeting

Agenda topic/item number _____ **OR**

Topic for public forum (non agenda item) Detailed Direction ~ 6 mo

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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Severe Weather

Speaker Request Form

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Tonight's Meeting Date Dec 7, 2023

Name Rich Rohde
(please print)

[redacted]

Regular Meeting

Agenda topic/item number III -4 **OR** severe weather temperature trashhold

Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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Severe weather

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Tonight's Meeting Date 12.19.23

Name Caren Caldwell

[redacted]

Regular Meeting

Agenda topic/item number III 4 **OR**

Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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weather

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6) You may give written comments to the City Recorder for the record if you do not wish to speak. (Comments can be added to the back of this sheet if necessary)
7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 12/19/23

Name BRIGID HERRON

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) CHANGING TEMP THRESHOLD for COLD WEATHER SHELTER

Land Use Public Hearing

Please indicate the following:

For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

If you are challenging a member (a city councilor or a planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Presiding Officer will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.

Written Comments/Challenge:_____

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland City Council generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council, City Officers or employees or the City of Ashland.

weather

Speaker Request Form

THIS FORM IS A PUBLIC RECORD
ALL INFORMATION PROVIDED WILL BE MADE AVAILABLE TO THE PUBLIC

1) Complete this form and return it to the City Recorder **prior to the discussion of the item you wish to speak about.**
2) Speak to the City Council from the table podium microphone.
3) State your name and address for the record.
4) Limit your comments to the amount of time given to you by the Mayor, usually 3 or 5 minutes.
5) If you present written materials, please give a copy to the City Recorder for the record.
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Tonight's Meeting Date 12/19/23

Name Helena Turner

[redacted]

Regular Meeting

Agenda topic/item number_____ **OR**

Topic for public forum (non agenda item) Severe weather temperature thresholds

Land Use Public Hearing

Please indicate the following:
For:_____ **Against:**_____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge:_____

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Severe Weather

Speaker Request Form

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3) State your name and address for the record.
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Tonight's Meeting Date 12/19

Name Debbie Meisewander
(please print)

Address (no P.O. Box) _____

Phone _____ **Email** _____

Regular Meeting

Agenda topic/item number _____ **OR**

Topic for public forum (non agenda item) Temp Change 32°-25°

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: _____

_____

_____

_____

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