

**ASHLAND CITY COUNCIL
BUSINESS MEETING MINUTES
September 19, 2023**

I. CALL TO ORDER

Mayor Graham called the meeting to order at 6:01 p.m.

1. Land Acknowledgement

Councilor DuQuenne read the land acknowledgement.

II. PLEDGE OF ALLEGIANCE

Councilor Kaplan led the pledge of allegiance.

III. ROLL CALL

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

IV. MAYOR'S ANNOUNCEMENTS

Mayor Graham announced Early Childhood Care grant applications were due September 27, 2023. DEQ was holding a Railroad clean up meeting on September 27, 2023.

V. APPROVAL OF MINUTES

- 1. Minutes of the August 14, 2023 – Study Session**
- 2. Minutes of the August 15, 2023 – Business Meeting**

Councilor Dahle/Hansen m/s to approve the minutes of the August 14, 2023, Study Session and the August 15, 2023, Business Meeting. Roll Call Vote: Councilor DuQuenne, Bloom, Kaplan, Dahle, Hyatt, and Hansen, YES. Motion passed.

Mayor Graham announced they would be pulling Consent Agenda Items #5, 7 and 9 and moving them to New Business between items #1 and 2 under that section.

VI. SPECIAL PRESENTATIONS

1. Travel Ashland Quarterly Report

Katherine Kato from Travel and Andrew Gast from Mt Ashland Ski Resort provided highlights of the quarterly report:

- Travel Ashland's role and impact
- Project and Programs

Ms. Kato discussed the Mystery Fest and provided details for council. They went on to discuss year-round consistency for events in Ashland. Travel Ashland was working with the Oregon

Shakespeare Festival on a possible partnership. They were also meeting with the Ashland Galley and Taste of Ashland.

Andrew Gast, the general manager for Mt. Ashland Ski Resort provided an update on their past record-breaking season. Inflation and insurance had increased dramatically. Mt. Ashland was scheduled to open December 9, 2023. This was the resort's 60th anniversary.

2. Financial Update – Preliminary Fourth Quarter Results

Finance Director Marianne Berry provided the financial update with a presentation (see attached):

- Finance Department – Quarterly Update
 - FY2023 Preliminary Financial Review
 - Departmental Updates & Current Projects
- Preliminary Financial Statements
 - Fiscal Year Ending June 30, 2023
- Moody's Annual Report – September 1, 2012
 - Confirmed Issuer taking Aa3 – in top 4 highest ratings.
 - Modest Constraints
- Finance Dept Update
 - Staffing
 - Process Improvements
 - Other
- Questions

Currently there was \$76million in cash equivalent investments. The investment was based on safety liquidity and what was needed in the immediate or intermediate term. They took advantage of higher rates and went out on the yield curve that was very secure. Since the city did not need the funds in the 180-day term, staff decided to go out on the yield curve longer. There was \$20million that matured every 6 months.

Ms. Berry addressed the additional debt of the water treatment plant. They were staying within the AA3 ratings and working with consultants on the debt coverage ratios. The city was well within the means to do a strong rating.

Tax revenue collection was based on all taxes, Property, Food and Beverage, TLT, and the Electric User tax.

VII. CITY MANAGER REPORT

City Manager Joe Lessard provided the management report and reviewed the Look Ahead. He addressed outreach efforts regarding the emergency shelter and OHRA's service.

VIII. PUBLIC FORUM

Sonya Daw/Ashland/Urged council to jump start the Ashland CEAP, update the progress report card, and find ways to collaborate with citizens.

Linda Adams/Ashland/Announced the Transportation Advisory Committee would hold a public hearing September 21, 2023, regarding a protected bike lane.

Joel Gerston/Ashland/Discussed the CEAP plan. The last progress report was in 2020.

JD Barons/Ashland/Shared her observations on the sunset to sunrise camping, pallet houses and Lacy McCoy and her family.

Emily Simon/Ashland/Noted the Social Equity and Racial Justice Committee needed more committee members.

IX. CONSENT AGENDA

1. **Social Equity and Racial Justice Advisory Committee Appointment**
2. **Liquor License Approval for House of India, (DBA SMAGS Corporation) at 1667 Siskiyou Boulevard**
3. **Liquor License Approval for Masala Library Bistro & Bar, (DBA Masala Library Bistro & Bar) at 258 A Street, #3B**
4. **2023–2025 BN Supplemental Budget Amendment – Revenue Recognition and Budget Appropriation for Fire Department**
5. **Emergency Procurement of Fire and Rescue Ambulance**
6. **Oregon Department of Land Conservation And Development (DLCD) Technical Assistance Grant Application**
7. **Contract with Axon Enterprises Inc. for APD body worn cameras (BWC) and support services and for conducted energy weapons (CEW or “tasers”)**
8. **City Facility Rooftop Lease between the City of Ashland and Ashland Solar Cooperative**
9. **Professional Services Contract for TAP Intertie System Improvements (Scope 2)**

Councilor Dahle pulled consent item #8 and Councilor Hyatt pulled #6 for further discussion.

Councilor DuQuenne/Bloom m/s to accept the remaining consent agenda items.

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

Councilor Hyatt spoke to consent agenda item **#6 Oregon Department of Land Conservation And Development (DLCD) Technical Assistance Grant Application** and noted the exceptional efforts of the Community Development Department staff.

Councilor Hyatt/DuQuenne m/s to authorize staff to prepare and submit an application for a planning grant from the Department of Land Conservation and Development to hire a consultant to assist the City in drafting an Economic Opportunity Analysis. Roll Call Vote: Councilor Hansen, DuQuenne, Kaplan, Dahle, Bloom, and Hyatt, YES. Motion passed.

Public Works Director Scott Fleury provided background on **#8 City Facility Rooftop Lease between the City of Ashland and Ashland Solar Cooperative**. Jim Hartman from the Ashland Solar Cooperative provided additional background and noted the agreement would provide solar to possibly twenty families with 20% going to low income. Councilor Hansen and Kaplan spoke in support of the agreement.

Councilor Dahle/Kaplan m/s to authorize the City Manager sign a long-term Legal Department approved lease agreement with the Ashland Solar Coop. Roll Call Vote: Councilor Kaplan, Bloom, Hyatt, Hansen, Dahle, and DuQuenne, YES. Motion passed.

X. **PUBLIC HEARINGS** – None

XI. **UNFINISHED BUSINESS** – None

XII. **NEW BUSINESS**

1. Purchase of Public Works Street and Wastewater Sewer Cleaning Equipment

Public Works Deputy Director Mike Morrison introduced the topic and spoke to the cooperative agreement. When a larger group made purchases together it resulted in better pricing. Ashland was smaller and it was difficult to get lower pricing.

The life of a street sweeper was approximately seven years. The Public Works Department tried to replace them every 3 years. The difference in what was budgeted and the actual purchase price of \$90,000, was due to new emission standards and inflation. If the city went out for a competitive bid, they would not get a decent price.

Councilor Hyatt/Bloom m/s to approve the new street and wastewater cleaning equipment be purchased as outlined in the tables from the cooperative contracts. DISCUSSION: Councilor Hyatt emphasized the equipment was necessary to maintain the infrastructure. Councilor DuQuenne agreed it was a large amount of money but understood the need to maintain and take care of infrastructure. She would support the motion but did not want to do it as this time. **Roll Call Vote: Councilor DuQuenne, Hansen, Dahle, Kaplan, Bloom, and Hyatt, YES. Motion passed.**

2. Emergency Procurement of Fire and Rescue Ambulance

Finance Director Marianne Berry explained there were maintenance issues with other vehicles in the fleet. Emergency procurement allowed staff to bypass the bid process and buy directly. The purchase was in the approved budget and would cost less than what was budgeted.

Councilor Bloom/Hansen m/s to sign the contract for the procurement of the budgeted ambulance from Braun NW Inc, Chehalis WA. DISCUSSION: Councilor Bloom commented it needed to get done. Councilor Hanson added the ambulance was \$200,000 but less than the cost of a fire truck ambulance. **Roll Call Vote: Councilor Bloom, Hyatt, Hansen, DuQuenne, Kaplan, and Dahle YES. Motion passed.**

3. Contract with Axon Enterprises Inc. for APD body worn cameras (BWC) and support services and for conducted energy weapons (CEW or “tasers”)

Deputy Police Chief Dan Moulin explained the replacement process and contract.

Councilor Hyatt/Dahle m/s to approve a sole source procurement with Axon Enterprises for a five-year term in the annual amounts stipulated in the staff report dated September 19, 2023.

DISCUSSION: Councilor Hyatt thought the sole source procurement was justified and it was prudent to continue with what worked. Councilor Dahle thanked the chief and deputy chief. Having the body cameras was a critical component. Councilor Kaplan supported the motion. He appreciated the equipment automatically turning on within 30-foot radius when a taser was deployed.

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

4. Professional Services Contract for TAP Intertie System Improvements (Scope 2)

Public Works Scott Fleury explained the contract was for the design and construction administration of TAP system improvements. He noted the improvements and how the scope would resolve design issues and part of the construction administration. This was approved in the budget and was part of the ARBOR Grant the city received.

Councilor Hansen/Kaplan m/s to approve a Legal Department approved professional services contract with RH2 Engineering Inc. for TAP system improvements in the amount of \$196,650.

DISCUSSION: Councilor Hansen noted the money was already appropriated and there was a plan. He appreciated the work to keep the water flowing. Councilor Hyatt observed this was an excellent example of regional cooperation. Mayor Graham commented the biggest way to cause catastrophic issues was letting a water system fail. **Roll Call Vote: Councilor Hansen, Kaplan, Bloom, DuQuenne, Hyatt, and Dahle, YES. Motion passed.**

5. Ashland Parks Commission Seat #1 Vacancy Appointment

Interim Parks Director Leslie Eldridge provided background on her leaving the Parks Commission to become the interim parks director. This appointment would fill her vacancy. She explained the ranked choice voting process the commission used that resulted in appointing Stefani Seffinger. Council approval of the appointment recommendation was the final step.

Stefani Seffinger explained why she wanted this position. This was a transitional time and her prior experience as a city councilor and parks commissioner would be beneficial.

Councilor Hansen/Kaplan m/s to appointment of Stefani Seffinger to Position #1 of the

Ashland Parks Commission. DISCUSSION: Councilor Hansen thanked Ms. Seffinger for her work with council and her love for parks. He believed she would work to bring these two bodies together and move into this new era. He thanked her for her public service. Councilor Kaplan thanked Ms. Seffinger for stepping up and liked her priorities. He was the liaison to the Senior Center Program and looked forward to working with her. Councilor Bloom noted City Charter Article 3, Section 4 stated vacancies were filled by council and this body was not part of that process. Alternately, he disagreed with the Charter and thought the Parks Commission should be appointing their own commissioners. This highlighted the need to review the Charter. It was outdated and needed clear lines between the organizations. He hoped council would set up a committee to review the Charter. However, because the Charter indicated council made this appointment and council was not included, he could not in good conscious support the motion. Councilor Dahle welcomed Ms. Seffinger and echoed the concern of seniors becoming homeless. Councilor Hyatt thanked the Parks Commission for going through the process in an open and transparent manner. She appreciated Ms. Seffinger's passion for seniors and looked forward to working with her more. The Charter did need review, but the Parks Commission was elected, and she supported the motion. **Roll Call Vote: Councilor DuQuenne, Hyatt, Dahle, Kaplan, and Hansen, YES; Councilor, Bloom, NO. Motion passed 5-1.**

6. Climate Friendly Areas (CFA) Study Adoption

Community Development Director Brandon Goldman and Planning Manager Derek Severson Provided the staff report. The Climate Friendly Areas (CFA) study would establish a set of rules that would define areas to reduce greenhouse gas, promote multimodal life and reduce vehicle trips. This was a regional effort. The DLCDC hired 3J Consulting to develop the study.

Mr. Severson provided the following presentation (see attached):

- Why these Rules? Missing Oregon's Pollution Reduction Targets has Real Costs
- Updated land Use and Transportation Rules
- What is a Climate Friendly Area?
- Candidate CFAs
- Croman Mill District
- Railroad Property
- Transit Triangle
- Downtown
- Prescriptive Methodology
- CF & EC Implementation Timeline

Mr. Goldman explained the CFA minimum residential had 15 units per acre, but the city could increase that. The city could also create an ordinance with an upper cap of five stories instead of 4 stories.

Mr. Severson explained most of the local developers worked on a smaller scale and few would want to do something so different. Mr. Goldman added the current market condition and development community did not develop five story buildings but that could change over the next 15 years. They went on to further explain the units per acre and realistic amounts and potential CFA areas.

Public Comment

Robert Cortwright/Salem/Repeated a request to the Planning Commission in June, to establish additional CFAs to meet the climate goals. That translated into 3500 units of housing. He was concerned the CFA study did not reach the number.

Mr. Goldman was asked about annexing properties in the urban growth boundary and whether it would create more CFA. Council would have to go through a zone change and generate a comprehensive plan adjustment. DLCD requirements had specific dimensions, and it would have to be a larger area. Using a combination of the areas recommended for CFA would give the city a good starting point. Creating a CFA in the downtown posed a potential risk for rebuilding that might not align with historic district criteria.

Councilor Hyatt/Kaplan m/s to approve the attached Climate Friendly Area study report, authorize the mayor to sign the attached letter of approval and direct staff to submit the study to the Department of Land Conservation and Development before the December 31, 2023, deadline. DISCUSSION: Councilor Hyatt was glad RVCOG was there in support, the report showed the research was substantive and the effort had a lot of forethought. After the business roundtable the night before, this information was timely. Councilor Kaplan noted this was a tiny step and there was so much else needed to make it effective. He would rely on staff to guide council through these things. Councilor DuQuenne supported study and wanted to look at bringing in outside developers through incentives. Councilor Hansen supported it as well. He hoped that when development opportunities occurred, the market would be favorable. This gave them time ahead of the 3500 new units coming to Ashland. Councilor Bloom thanked staff and commented it was a big lift. Eight hundred units was not an acceptable number and he wanted to look at the zoning. Two of the CFA listed were in southeast Ashland. It was time for that area. **Roll Call Vote: Councilor Bloom, Hansen, Dahle, Hyatt, Kaplan, and DuQuenne, YES. Motion passed.**

XIII. ORDINANCES, RESOLUTIONS AND CONTRACTS

5. First Reading of Amendments to AMC 13.02 Rights-of-Way ordinance and the accompanying resolution for Design Standards and Applications Requirements regarding small cell wireless facilities

Acting City Attorney Doug McGeary worked with citizens opposing small wireless on the ordinance and explained the changes they had recommended. Recently, he had also met with members of the industry who had pointed out certain areas of the ordinance that would be problematic for the city and he concurred. They had offered to help work on the ordinance. If

council wanted the ordinance presented before them. He recommended another thirty days to work out the issues with both the citizens and members of the industry. Alternately, council could approve the LOC model ordinance which both the LOC and industry members supported and was used in many cities. The ordinance was close but needed some changes after talking with industry attorneys. The resolution would give the city the ability to control location.

Public Comment

Greggory Busch/ Seattle, WA/Represented AT&T. They had submitted a letter of joint concerns with the ordinance and the resolution that would leave a risk in the city. Wireless was critical for fire and medical services, coordinating responses to combat wildfire and other large event emergencies. Large festivals also required large network capacities. Small cells needed to be directly near the coverage to increase capacity for large scale. They were requesting additional time to provide suggestions on the proposed ordinance and resolution. He cited issues with the ordinance.

Areej Rajput/Portland, OR/Represented T Mobile. They respectively requested to partner with the city to work on an ordinance legally in compliance with federal law. In 2018 the FCC issued an order regulating small cell to wireless facilities in public right of ways. It was upheld by the ninth circuit court and was still in effect and preempted any of the inconsistencies the ordinance would have with federal law. She highlighted other inconsistencies in the ordinance. On a positive note, where the ordinance was not preemptive with federal law, was the language regarding aesthetics. She asked for a continuance of the first ordinance.

Kim Allen/Portland, OR/Represented Verizon. It was only recently the industry learned of the city's pending code change that prompted the letter with concerns for the ordinance and resolution. She was on the committee that formed the LOC ordinance model and provided background. Ashland's proposed code was one of the most difficult and restrictive code she had ever seen. It would make the City of Ashland an outlier in the state of Oregon. The wireless carriers provided an essential service to the residents, businesses, and visitors. They were ready to work with the city on this ordinance.

Paul Mozina/Ashland/Referred to an email he sent earlier titled **So Who Decides**. He questioned the gap and thought they needed to start with the definition of personal wireless. He read from the Willits case in 1999. He supported a telecommunications cell to landline.

Marilyn Lindsay/Ashland/Spoke to the telecommunications industry spending \$1.2billion to lobby congress for the past twenty years. Money was the number one reason laws were passed and the most egregious is the one that protects telecommunication from EMF radiation. The recent letter from AT&T T Mobile and Verizon identified as stakeholders prompted her to ask what is at stake for them? They were businesses and sought profits. The city attorney was concerned with protecting the city from litigation but not protecting humans and all life forms.

Kelly Marcoutulli/Ashland/Reminded council they were voted into office to uphold Ashland's common values. The decision to accept or reject the attorney's draft was a huge decision and thrown into the mix was the menacing threat from the letter. The ordinance draft was not based on the LOC model and not biased to allow telecommunications industry to profit. The LOC model ordinance was based on telecommunications intimidating tactics. This was the fork in the road. She asked if council would listen to citizen experts or greenlight the simplest path forward that did nothing to protect the public.

Pati Holman/Ashland/After 40 pages of documents from citizen research and safe technology with the draft of the resolution or ordinance not one of the recommendations was followed by the city attorney. This was after many years of engagement, activism, research, and knowledge. She referenced the FCC, SHC, EHT case from 2020, children's healthy defense, who won their petition, and responded the FCC had to address the safety concerns of healthy effect of radio frequency yet telecom had no problem supporting them. She referred to the Flower Hill case where the Willits case was upheld and stressed the importance of the significant gap.

Councilor DuQuenne confirmed the city attorney met with the community three times and there were agreements. Councilor Kaplan asked about disfavored locations that included residential and anything within 1500 feet of schools, medical and health facilities. Mr. MCGeary spoke with Kelly Burns regarding emergency and confirmed they rely heavily on technology for their emergency systems and provided examples. The city could regulate aesthetics but not safety. The intention was to provide space between facilities and lower the risk of litigation. Councilor Bloom confirmed there were franchise fee ordinances with a 5% cap per state legislature. Councilor Hyatt confirmed setback amounts, testing and radio frequency measurements was close to contradicting federal law.

Council went around the room and expressed their opinions on next steps. Councilor DuQuenne thought they were determining location, how much and what will it look like. She had been ready to move forward. Then she heard about the setback. She was not comfortable with the LOC model. They needed to find a common ground and were not there yet.

Councilor Kaplan had not looked at LOC model ordinance. He was concerned they did not prohibit cell service in Ashland. 5G was already here and they needed technology advanced cell service for emergencies, tourists, etc. He questioned if the 1500-foot setback would affect hospitals and other facilities. Now he was hearing it might. He was also concerned that all these specific requirements might raise the hassle factor so high that the city would not get any applications. He was not interested in bureaucratic procedures to make things hard. This ordinance did not seem ready. He wanted the opportunity to review the LOC model ordinance.

Councilor Dahle explained it broke down into safety, aesthetics, and design. He had worked with radio frequency for years. They were mandated through FCC law and regulation that when a transmitter was turned on, whether it was a radio station or cell service, it generated a certain

power and frequency that was measured. Those limits were defined federally and there was nothing a local government could do about that. He addressed the 1500-foot setback. Cell service was overlapping fields, so you do not lose service. He disagreed with the premise regarding making a land line call anywhere, it was an outdated statement.

Councilor Hyatt/Dahle m/s the need to balance the need of residents with EMF sensitivity to the economic needs to successfully conduct business while limiting the risk to our taxpayers for litigation. This does not do it. We need to request the base ordinance come back. We have a C minus do over on the resolution and we need to take it up again on another night.

DISCUSSION: Councilor Dahle was confused by the updated ordinance. He read the LOC model ordinance. It was good, not perfect. He thought the city could do better. They needed to focus on aesthetics and local design and control, safety would work itself out. The telecom companies competed against each other and policed each other. That was how it regulated itself in terms of safety. Councilor Hansen was new to this issue. He was not impressed with the new ordinance and did not think it covered what concerned citizens needed or getting what those of us who wanted safe tech were needing. He thought if they focused on what they could control, he leaned towards the LOC model ordinance. Council should go back to that and start there and work with the citizens and the industry. In lieu of not doing that, council should adopt the LOC ordinance. He did not support moving forward with what was presented tonight. Councilor Bloom was not happy how this played out. It was obvious they needed to start with the LOC model ordinance. The citizens had been collaborative, but he was left with a bitter feeling regarding the approach the industry took tonight and asked them to try a different tune next time. Mayor Graham summarized what was on the table was a motion to postpone but council had not given any direction of which way staff should go. Councilor Hyatt noted the motion intended to bring back the base ordinance for review by this body for the express fact there were four people on council not familiar with the issue. She suggested bringing back the base ordinance so this team could look at what the starting point had been last year. It would be either an up or down on the base ordinance but then they needed to look at the resolution carefully and the thoughts around land use and aesthetic. That was where the city was ok with local control. The moment it stepped out of that opened the balance of taxpayers to pay the legal fees associated with alternate tries at other solutions. She did not like being in the situation they were in right now. It did not feel good. But when she said they need to balance the needs of EMF sensitivity to the economic needs, including the medical institutions and limit the risk to taxpayer litigation, the way to balance that was to give staff direction to bring back the base and then dig into the resolution with regards to land use and aesthetic to advance those three pillars to the best of council's ability under the local control they had. That was her motion. Mayor Graham explained citizens had been asking council to push the envelope and maintain as much control as they possibly could. It was her opinion that Oregon for Safer Technology (OST) version probably pushed them to have more local control than the LOC model. There had been so much work on this already, she did not want to go back through the LOC model again. OST had put forward their recommendations. This body had asked several times to go point by point through the differences between what was being brought forward by staff and what that base

ordinance was so council could decide if there was a risk. If they went back through this again, they needed a process that resulted in an ordinance and not another general conversation. She confirmed Councilor Hyatt's motion was to go back to the LOC model and put most of the attention into the resolution. Councilor Hyatt responded that was her understanding of where they had the most local control and that was in the resolution. They wanted something in place that was effective, enforceable and could at least have a chance to do what the residents were asking. And that would happen in the resolution. They were doing the ordinance they could legally do without stepping into federally regulated areas then taking up local control to the greatest extent possible through the resolution. Mayor Graham confirmed the ordinance before them tonight was close. She asked Councilor Hyatt if they wanted to go with that or go back to the LOC model. Councilor Hyatt confirmed the base ordinance was the LOC model ordinance. She felt hesitant to vote on the motion due to the confusion and the time. Mayor Graham confirmed they were at 9:40 p.m. and required to vote. **Roll Call Vote: Councilor Hyatt, Dahle, and Kaplan, YES; Councilor Hansen, DuQuenne, and Bloom, NO. Mayor Graham broke the tie with a NO vote. Motion failed 4-3.**

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

5. City Council Standing Advisory Committees Workplans Review
Item postponed to a future meeting.

XV. ADJOURNMENT OF BUSINESS MEETING

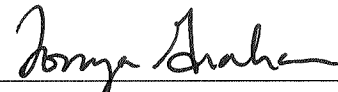
The clock ran out and the meeting adjourned at 9:40 p.m.

Respectfully Submitted by:

Attest:



Clerk of the Council Pro Tem Dana Smith



Mayor Tonya Graham



BN 2023–2025 Finance Department

September 19, 2023

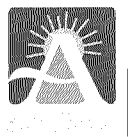
Finance Department – Quarterly Update

➤ FY2023 Preliminary Financial Review

- Books are not closed – top level review only
- Due to Audit, typically year-end close in November
- ACFR (Annual Comprehensive Financial Report) and results of Audit presented in December

➤ Departmental Updates & Current Projects

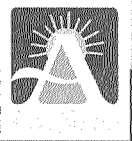
- Utility Billing ✦ Procurement ✦ Finance & Accounting
- Staffing, Workflow, Projects



Financial Overview

Preliminary Financial Statements

- Fiscal Year Ending June 30, 2023
 - ❖ City-Wide Ending Fund Balances \$83.1M
 - Increase of \$12M from prior year
 - Primarily due to unmaterialized personnel costs, projects pushed out and inflationary pressures
 - ❖ Main tax revenues:
 - Increased 8% from budget and 4.9% from prior year
 - ❖ City in budgetary compliance for the fiscal year
 - ❖ Cash & Investments:
 - Total \$76M: Cash & Cash Equivalents \$58.8M and Investments \$17.1M
 - Strong cash position



Financial Overview

Moody's Annual Report – September 1, 2023

Confirmed Issuer Rating Aa3 – in top 4 highest ratings

- Finances are solid
 - Strong liquidity ratio, Ashland 74% vs 69% of median Aa issuers
 - Low long-term liabilities ratio, 158% vs 245% (lower better)
- High wealth level
- Stable economic growth level

Modest Constraints:

- Resident income ratio – 90.3% vs 115% of Aa medians
- Local economic durability/diversification



Finance Dept Update

- Staffing
 - ❖ Added 3 new staff, two in Utility Billing and third in Audit/Budget
- Process Improvements
 - ❖ Lockbox implementation for UB
 - ❖ Procurement updates
 - ❖ Upgrading to next level version in Tyler Munis
- Other
 - ❖ Water Treatment (WIFIA) Loan
 - ❖ Electric/RESP Loan (Rural Energy Savings Program/On-bill Financing)
 - ❖ Revenue Study
 - ❖ Intermediate term: Investment Policy Review, Implement Forecasting/Modeling Tools



QUESTIONS?



Council Public Testimony Form Submitted

City of Ashland, Oregon <administration@ashland.or.us>

Mon 9/18/2023 7:59 AM

To: City Recorder <recorder@ashland.or.us>; Dorinda Cottle <dorinda.cottle@ashland.or.us>

[EXTERNAL SENDER]

*** FORM FIELD DATA***

Full Name: **Regina Ayars**

Meeting Date : **September 19, 2023**

Type of Testimony: **ELECTRONIC**

Written Testimony: **This is the same testimony I submitted to Parks & Recreation Commissioners on September 6, 2023. In my opinion, The Parks Department and Parks Commission have been in need of new leadership for many years. The department has new leadership with Leslie Eldridge. I have expectations that her leadership will move the department forward to ensure the the entire Ashland community is represented in Parks policies and decisions. I also think that the Parks Commission needs new members to ensure its direction to Parks department includes ideas from people who have not served previously. Institutional memory can be valuable. It can also inhibit "out of the box thinking" when considering innovative policies. This is a transition period that offers the opportunity to look forward not back. Regina Ayars**

*** USER INFORMATION ***

SubscriberID: **-1**

SubscriberUserName:

SubscriberEmail:

RemoteAddress: **66.241.70.76**

RemoteHost: **66.241.70.76**

RemoteUser:

Climate Friendly Communities

WENDY ADLER [REDACTED]

Fri 2023-09-15 02:26 PM

To: Derek Severson <derek.severson@ashland.or.us>

[EXTERNAL SENDER]

Dear Mr. Severson,

It just came to my attention that the city is moving forward with a preliminary plan to identify sections of Ashland that could be developed with much increased density. I am certainly in favor of doing what we can to reduce emissions. I don't know that increased building density will help, but I understand that the city is required to comply.

My concern is that, according to the preliminary map, my neighborhood will be completely surrounded by increased density. We just found out that a second homeless shelter will be opened just down the street from us, and now this. It looks like we are at risk of becoming the "bad" part of town. It seems to me like the effects of all this should be shared between all neighborhoods, not concentrated here.

The newspaper article predicted that most of the increased development would take place in the Crowson Mill area. That makes sense, except that project has been talked about for a very long time, and nothing seems to happen.

What do you recommend we do to help ensure that our neighborhood will remain a place we will want to live?

Sincerely,
Wendy Adler

[REDACTED]

Council Public Testimony Form Submitted

City of Ashland, Oregon <administration@ashland.or.us>

Tue 9/19/2023 7:26 AM

To: City Recorder <recorder@ashland.or.us>; Dorinda Cottle <dorinda.cottle@ashland.or.us>

[EXTERNAL SENDER]

*** FORM FIELD DATA***

Full Name: **Gary Shaff**

Meeting Date : **September 19, 2023**

Type of Testimony: **WRITTEN**

Written Testimony: **Mayor and Council, Draft - Climate Friendly Area (CFA) Study Downtown The downtown should be included as a ?priority? CFA because that designation is, in itself, an ? advertisement? for private investment. Downtown Ashland is the physical and fiscal center of our community and should be our first priority for new investment. Our downtown is our community?s identity and is crucial to the city?s future. Every other metropolitan city in the State understands this fact and, as a consequence, has designated, or plans to designate, its downtown as a CFA. Ashland should do so as well. There are no downsides to designating our downtown as a CFA. The city?s existing historic preservation codes and other new codes, that may be developed through a CFA zoning district, will protect those buildings that deserve protection. But vacant or under-developed lands (for example, the US Postal Service building, and the Key Bank and Wells Fargo buildings or existing private or public parking lots) are prime candidates for development/redevelopment. That is especially true now that the city?s minimum parking requirements have been eliminated. Future residential development in the downtown will not meet a substantial portion of the city?s housing needs. However, the city could leverage private investment using its land holdings in the downtown to create affordable, workforce housing. Adding several hundred new residents in the downtown will help to make it more viable, lively, and successful. Maybe all or some of the empty storefronts will disappear. CFA?s will usher in a new wave of investment. The City Council should ensure that the downtown is among those areas that benefit from it and any public incentives that may be forthcoming Please modify the draft CFA Study to include the downtown as a priority CFA.**

_____ Croman Mill Site The designation of the entire Croman Mill Site as a CFA will have the effect of leaving the city without any large tracts of land zoned for industrial use. Industrial lands are crucial to diversify the economy and provide higher wage jobs that are not, otherwise, tied to the tourist or service industries. Limiting development to ?compatible industrial? uses, as suggested in the draft CFA Study, will preclude, in all likelihood, industrial uses that operate 24-hours a day, create noise, or fumes. Those limitations will only serve to restrict development to those which may be best described as heavy commercial (Costco in Central Point might be a good example). Why designate the city?s limited supply of industrially zoned lands for residential development? The draft CFA study shows that the proposed CFA?s, excluding the Croman Mill Site?s industrially zoned land, will include enough land to meet LCDC?s requirements and far exceed the city?s housing needs? Please protect the city?s future and retain the existing industrially zoned industrial lands in the Croman Mill Site. Designate part of the site as a CFA but not all of it. Gary Shaff

September 19, 2023

Mayor Tonya Graham & Council
City of Ashland
20 East Main Street
Ashland, OR. 97520

RE: Agenda Item XII.3: Climate Friendly Area (CFA) Study Adoption

Mayor & Councilors:

In June, I provided testimony to the Planning Commission encouraging the city to study additional Climate Friendly Areas (CFAs) in order to meet targets set in LCDCs Climate Friendly and Equitable Communities (CFEC) rules that call for 30% of all housing to be located in CFAs. I'm writing now to encourage you to take that action and respond to comments from DLCD about the 30% requirement.

A key premise of the CFEC rules and the state's overall strategy for reducing greenhouse gas emissions is that we change land use plans so that we get 30% of all housing in walkable, mixed use "Climate Friendly Areas" (CFAs) - the kind of neighborhoods that significantly reduce the amount of driving we need to do.

For Ashland, achieving the 30% target means that the city should have roughly 3500 housing units in CFAs by 2041. However, since the three proposed CFAs are largely undeveloped and the city expects only about 900 new housing units to be built in the next 18 years, the city would be about 2600 units short of meeting the 30% target, even if every new housing unit built in Ashland were located in a CFA. The point of this analysis is that the city should, if it wants to actually meet the 30% target, designate additional CFAs to make up the difference.

DLCD staff have not disputed this analysis but have advised that the city can comply with the CFEC rules if it simply designates CFAs that have enough "zoned capacity" to accommodate 30% of the city's housing needs. While DLCD may be technically correct about what the CFEC rules require, what they are really telling you - and other cities - is that the rules don't work to achieve their stated objective: i. e. that it's OK to adopt CFAs that have no chance of meeting the 30%

goal because they lack enough existing housing and future housing growth to meet the 30% target.

DLCD also suggests that the city might fill this gap and meet the 30% goal "over time" as it updates the city's housing plans. However, because the underlying problem is that the three CFAs contain too little existing housing and the city is expecting a only a modest amount of growth, it is completely unclear how the city can meet the 30% goal without doing what it should do now, which is to study and designate additional areas as CFAs.

The bottom line is this: while providing "zoned capacity" may technically meet DLCDs rule, it will leave the city well short of meeting the rule's stated objective of actually getting 30% of all housing in CFAs. If your interest is limited to complying with the letter of CFEC rules - rules that clearly fall short of their stated objective - then DLCDs advice may be helpful. However, if you want to position Ashland to actually meet the 30% goal, you should direct staff and the planning commission to propose one or more additional CFAs. This should include a downtown CFA which can, consistent with CFEC rules, be tailored to exclude or protect historic properties and structures.

For decades, Ashland has served as a powerful example for other Oregon communities of effective ways to plan and achieve compact, walkable mixed use development. By designating CFAs that can actually accommodate 30% of its housing, Ashland would continue to provide this kind of needed leadership.

Bob Cortright¹



cc: Kevin Young, DLCD

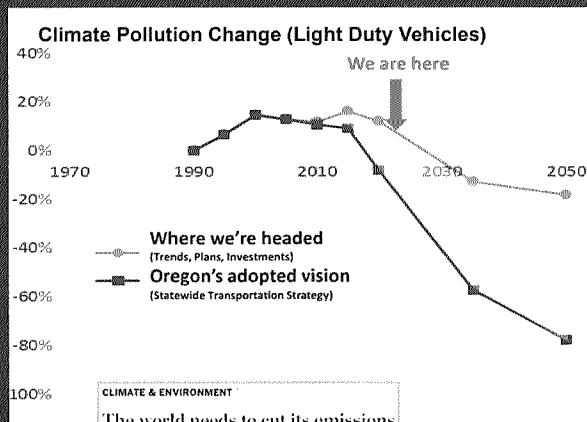
¹ I am a retired urban planner. For 25 years, I served as DLCDs lead staff on transportation planning issues, including 6 years as the agency's lead planner for reducing GHG emissions. I currently work with several climate and environmental groups that are advocating for strong, clear rules and effective state and local plans to carry out the Oregon Climate Action Plan (OCAP).



Climate Friendly Areas (CFAs) Study

Ashland City Council
September 19, 2023

Why these Rules? Missing Oregon's Pollution Reduction Targets Has Real Costs



The world needs to cut its emissions seven times as fast to hit climate goals, U.N. report finds



Updated Land Use and Transportation Rules

Focus Areas

Land Use/Building

- Designate walkable climate-friendly areas
- Reform parking management
- Support electric vehicle charging

Transportation

- Plan for high quality pedestrian, bicycle, and transit infrastructure
- Go beyond sole focus on motor vehicle congestion standards
- Prioritize and select projects meeting climate/equity outcomes



What is a Climate Friendly Area?

- Imagine downtowns and neighborhood centers
- Walkable area with a mix of residential, office, retail, services, and public uses
- High-quality pedestrian, bicycle, and transit services
- Parking is well-managed



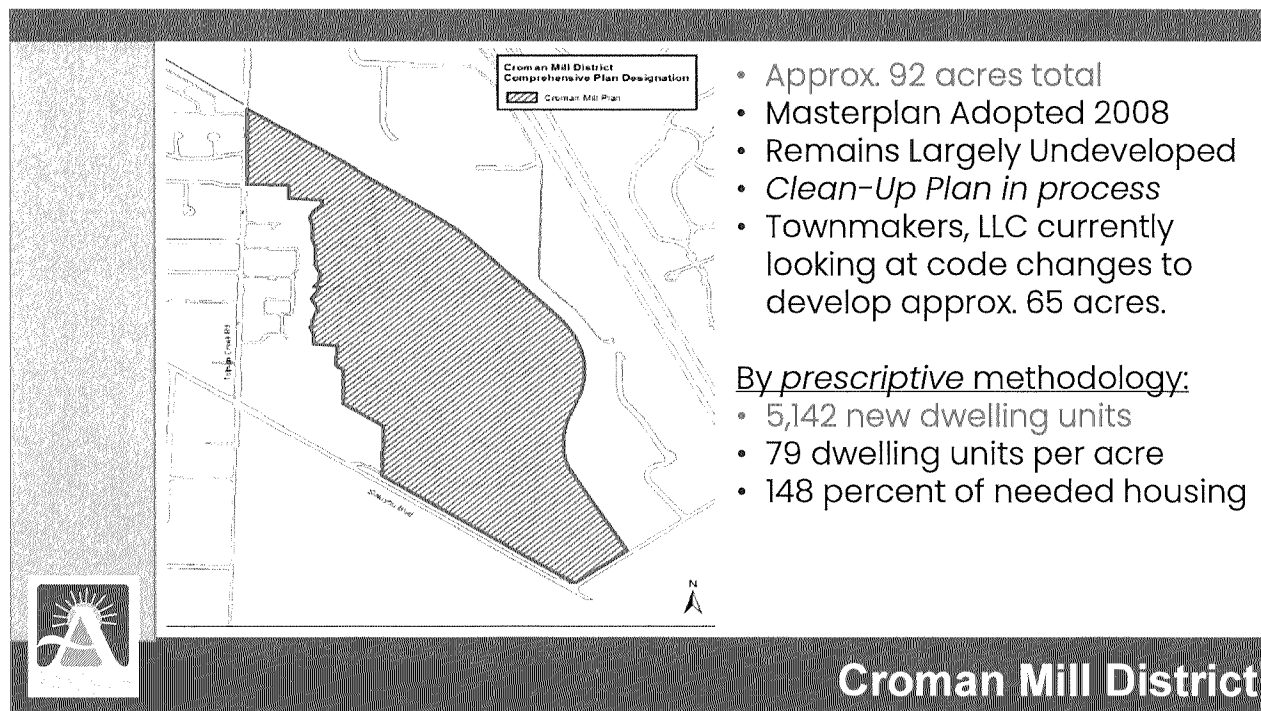
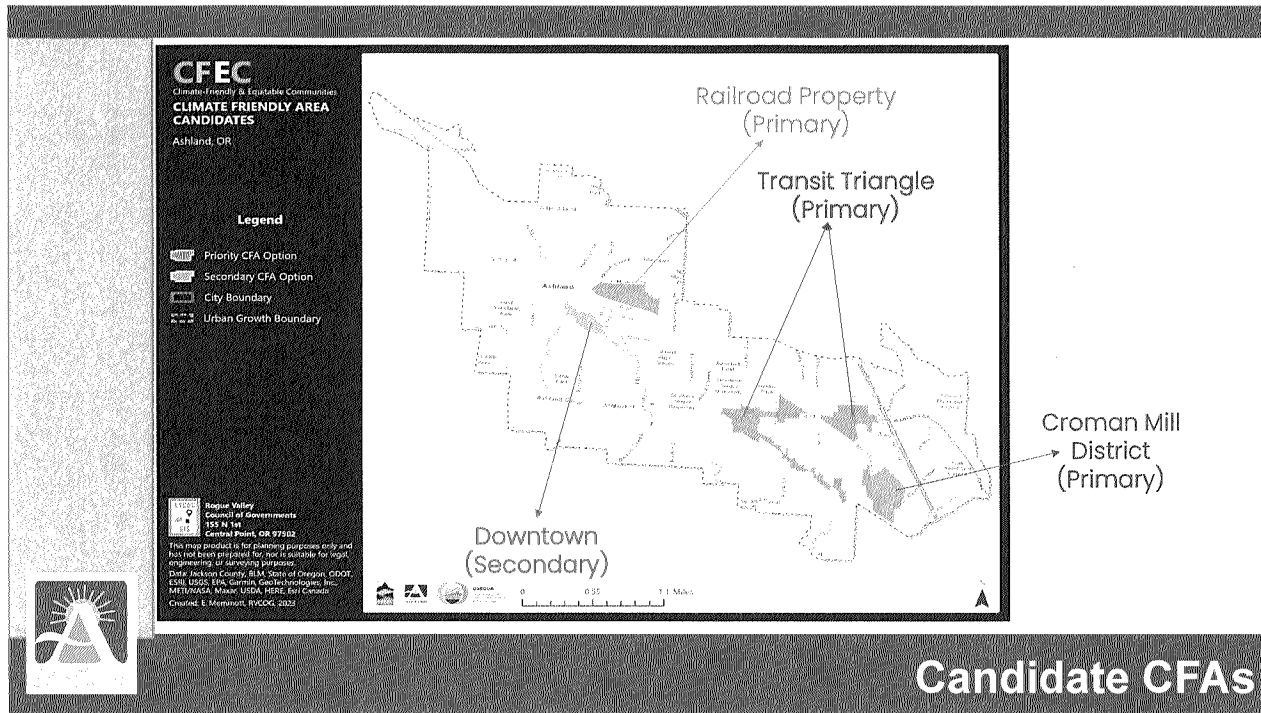


Image 3 - Railroad Property

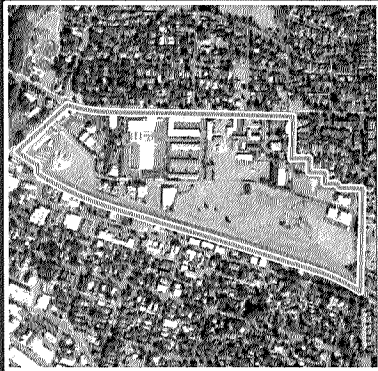
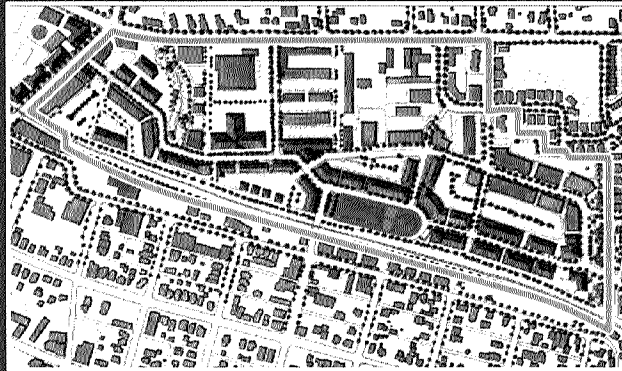


Image 4 - Railroad Property Master Plan *DRAFT*



- Approx. 57 acres.
- Southern portion largely undeveloped.
- Clean-up Plan under development.
- 2001 Masterplan not adopted, Street plan adopted.

By the *prescriptive* methodology:

- 2,226 new dwelling units
- 58 dwelling units per acre
- 64 percent of needed housing.

Railroad Property

Transit Triangle

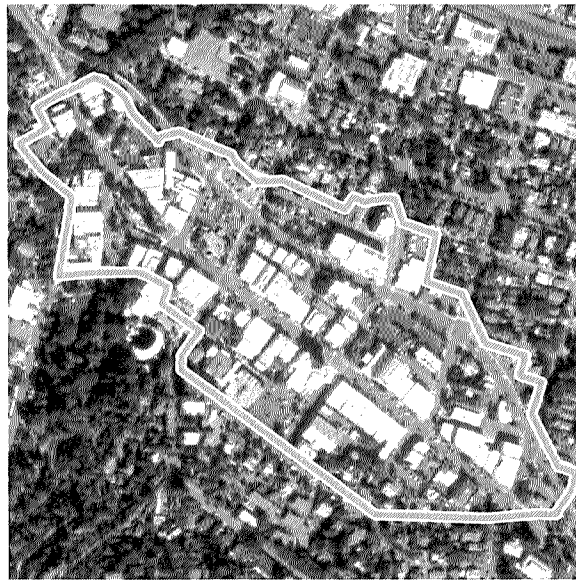
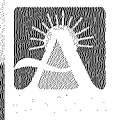


Transit Triangle

- Approximately 167 acres
- Undeveloped or underdeveloped
- Largely auto-dependent uses in "strip development" pattern
- Likely a center of future growth

By the *prescriptive* methodology:

- 7,524 new dwelling units
- 52 dwelling units per acre
- 207 percent of needed housing.



Downtown

- Largely Developed without off-street parking requirements
- National Register-Listed Historic District

Given the level of development and the historic status, the Downtown is being looked at as a CFA, but was not analyzed under the lens of the prescriptive CFA methodology given it is nearly built out.

Downtown



- Prescribed methodology in CFEC looks at full potential developability or re-developability of a CFA – less an allowance for streets – as though it will redevelop from bare ground.
- No consideration for existing buildings, code-required on-site stormwater detention, parking that might be voluntarily provided (*though no longer required*), or any project-specific open space, plaza space or landscaping.
- On that basis, the potential build-out for Croman Mill District is envisioned at 79 dwelling units per acre yielding 5,142 dwelling units and providing more than the 30 percent of current and future housing capacity required under CFEC rules.

Prescriptive Methodology



For staff, some of these underlying assumptions of that methodology do not align with real world experience.

- It is neither realistic nor desirable to assume that all existing development will be razed in pursuit of this new vision (i.e. historic downtown).
- While parking is no longer required, it seems safe to assume that developers, tenants, buyers and financial institutions in the near-term will want some parking.
- Even with increased height and no limits on density, in the near-term developers will likely work within the framework and scale they are familiar with in southern Oregon.

Staff believe that the combination of CFAs under consideration – rather than relying on a single area – are a more realistic attempt to not only meet the CFEC requirements, but also to achieve their underlying intent. (Even if future development were to provide only 15 dwelling units per acre density which is one of the minimum development metrics under the CFEC rules, the combined potential CFA's identified in the study would yield 3,770 units. The projected housing need required to be addressed under CFEC for Ashland is 3,469 units.)

Prescriptive Methodology

CFEC Parking Minimums (Parking I) by December 31, 2022	
CFEC Electrical Vehicle Conduit Requirements by March 31, 2023	THROU
CFEC Parking Minimums (Parking II) by June 30, 2023	OC
Climate Friendly Areas (CFA) Study consultant work through June 30, 2023 <i>[Technical Assistance by Rogue Valley Council of Gov'ts]</i>	
CFA Public Engagement Process consultant work through June 30, 2023 <i>[Technical Assistance by 3J Consulting, Inc.]</i>	
Final CFA Study report due to DLCD by December 31, 2023	
CFA Transportation Modeling by June 30, 2024	
CFA Designation, Maps & Code Amendments consultant work through June 30, 2024 <i>[Consultants still to be determined based on available Technical Assistance funds.]</i>	
CFA Designation, Maps and Code Amendments Adoption by 12/31/2024	



CF&EC Implementation Timeline



Any questions?

Climate Friendly Areas (CFAs) Study

Ashland City Council
September 19, 2023

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Tonight's Meeting Date <u>9-19-23</u>	
Name <u>Smaya Daw</u>	
Address (no P.O. Box) [REDACTED]	
Phone	Email

Regular Meeting

Agenda topic/item number _____ OR

Topic for public forum (non agenda item) Climate + Energy Action Plan for Ashland

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: _____

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Tonight's Meeting Date <u>9/18/23</u>	
Name <u>Linlin Adams</u>	(please print)
Address (no P.O. Box) [REDACTED]	
Phone	

Agenda topic/item number _____ OR

Topic for public forum (non agenda item) Transportation Advisory Committee meeting announcement

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 _____
Name <u>Joel Gerstein</u>

Regular Meeting

Agenda topic/item number _____ OR
Topic for public forum (non agenda item) Ashland Climate & Energy Action Plan

Land Use Public Hearing

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For: _____	Against: _____
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Tonight's Meeting Date <u>9/19/23</u>
Name <u>JD Barons</u>
Address (no P.O. Box) <u>Ashland</u> (please print)
Phone _____

Agenda topic/item number Night Lawn OR
Topic for public forum (non agenda item) Night Lawn news

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 9/19/2023
Name Emily Simon
Address (no P.O. Box) 

Regular Meeting

Agenda topic/item number _____ OR

Topic for public forum (non agenda item) SOPRIDE, Appts For SER JAC
etc

Land Use Public Hearing

Please indicate the following:
For: _____ Against: _____

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Zoom Public Speaker - New Business #3 Climate

Council Public Testimony Form Submitted

City of Ashland, Oregon <administration@ashland.or.us>

Tue 9/19/2023 9:37 AM

To: City Recorder <recorder@ashland.or.us>; Dorinda Cottle <dorinda.cottle@ashland.or.us>

[EXTERNAL SENDER]

*** FORM FIELD DATA ***

Full Name: **Robert Cortright**

Phone:

Email: **dana.smith@ashland.or.us**

Meeting Date : **9/19/2023**

Type of Testimony: **ELECTRONIC**

Written Testimony: **Speaking on Climate Friendly Areas under Special Presentations Robert**

*** USER INFORMATION ***

SubscriberID: -1

SubscriberUserName:

SubscriberEmail:

RemoteAddress: **66.241.70.76**

RemoteHost: **66.241.70.76**

RemoteUser:

Friendly
Areas

Zoom Public Speaker - ORD - Row/Telecom

Council Public Testimony Form Submitted

City of Ashland, Oregon <administration@ashland.or.us>

Mon 9/18/2023 11:34 AM

To: City Recorder <recorder@ashland.or.us>; Dorinda Cottle <dorinda.cottle@ashland.or.us>

[EXTERNAL SENDER]

*** FORM FIELD DATA***

Full Name: **Greggory Busch**

[REDACTED]

Meeting Date : 09/19/2023

Type of Testimony: **ELECTRONIC**

Written Testimony: **Electronic/remote testimony for Public Hearing: First Reading of Amendments to AMC 13.02 Rights-of-Way ordinance and the accompanying resolution for Design Standards and Applications Requirements regarding small cell wireless facilities.**

*** USER INFORMATION ***

SubscriberID: -1

SubscriberUserName:

SubscriberEmail:

RemoteAddress: **66.241.70.76**

RemoteHost: **66.241.70.76**

RemoteUser:

Zoom Public Speaker - ORD - Row/Telecom

Council Public Testimony Form Submitted

City of Ashland, Oregon <administration@ashland.or.us>

Mon 9/18/2023 3:14 PM

To: City Recorder <recorder@ashland.or.us>; Dorinda Cottle <dorinda.cottle@ashland.or.us>

[EXTERNAL SENDER]

*** FORM FIELD DATA***

Full Name: **Areej Rajput**

[REDACTED]

Meeting Date : 09/19/2023

Type of Testimony: **ELECTRONIC**

Written Testimony:

*** USER INFORMATION ***

SubscriberID: -1

SubscriberUserName:

SubscriberEmail:

RemoteAddress: **66.241.70.76**

RemoteHost: **66.241.70.76**

RemoteUser:

Zoom Public Speaker - CRD - Row/Telecom.

Council Public Testimony Form Submitted

City of Ashland, Oregon <administration@ashland.or.us>

Mon 9/18/2023 11:26 AM

To: City Recorder <recorder@ashland.or.us>; Dorinda Cottle <dorinda.cottle@ashland.or.us>

[EXTERNAL SENDER]

*** FORM FIELD DATA ***

Full Name: Kim Allen

Meeting Date: 9/19/2023

Type of Testimony: ELECTRONIC

Written Testimony:

*** USER INFORMATION ***

SubscriberID: -1

SubscriberUserName:

SubscriberEmail:

RemoteAddress: 66.241.70.76

RemoteHost: 66.241.70.76

RemoteUser:

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Tonight's Meeting Date 9/19/23

Name PAUL MOZINE

Regular Meeting

Agenda topic/item number XIII

OR

Row 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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Tonight's Meeting Date 9/19/2023
Name Marilyn Lindsay

Regular Meeting

Agenda topic/item number XIII - 13.02 Right of Way Ordinance
OR
Topic for public forum (non agenda item) _____

<u>Land Use Public Hearing</u>	
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- 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 September 19, 2023
Name Pati Holman

Regular Meeting

Agenda topic/item number XIII ROW ORD
OR
Topic for public forum (non agenda item) Telecom

<u>Land Use Public Hearing</u>	
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.

Speaker Request Form
THIS FORM IS A PUBLIC RECORD
ALL INFORMATION PROVIDED WILL BE MADE AVAILABLE TO THE PUBLIC

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(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 9/19/23
Name Kelly Marcotullio

Regular Meeting

Agenda topic/item number 54 Ordinance (XIII)

Topic for public forum (non agenda item) _____

<u>Land Use Public Hearing</u>	
Please indicate the following:	
For: _____	Against: _____
Challenge for Conflict of Interest or Bias	
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