



Council Business Meeting Agenda

ASHLAND CITY COUNCIL BUSINESS MEETING AGENDA

Tuesday, August 4, 2026
Council Chambers, 1175 E Main Street

Live stream via RVTV Prime at rvtv.sou.edu or broadcast on Spectrum 180.

Public comment is welcome on public forum topics and agenda items.
To **speak electronically** during the meeting or to submit **written comments** in advance, please complete the online [Public Comment Form](#) by 10 a.m. the day of the meeting.

6:00 p.m. Regular Business Meeting

I. CALL TO ORDER

- a. Land Acknowledgement**

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. MAYOR'S / CHAIR OF THE COUNCIL ANNOUNCEMENT

- a. Hiroshima Nagasaki Proclamation

V. APPROVAL OF MINUTES

- a. Minutes of the July 20, 2026 – Study Session Meeting
- b. Minutes of the July 21, 2026 - Business Meeting

VI. CONSENT AGENDA

- a. Committee member appointments to HPAC and CEPAC
- b. Approval of Traffic Signal Box Public Art Project Designs

VII. SPECIAL PRESENTATIONS

VIII. PUBLIC FORUM

IX. PUBLIC HEARING

- a. Public Hearing for the Sale of Real Property – A Portion of the Briscoe School Property to the Oregon Department of Transportation
- b. Public Hearing for the Sale of Real Property – Map and Tax Lot 391E04 AD T.L. #100 – North Mountain Avenue Parcel
- c. Public Hearing- Legislative Planning Action PA-T1-2026-00297 a request for a “similar use” interpretation as provided at AMC 18.1.5.040 regarding the distinction between “private parking” and “public parking” as a regulated use.

X. ORDINANCES, RESOLUTIONS AND CONTRACTS

- a. Second Reading of Ordinance 3306, an Ordinance adding Chapter 10.116 to the Ashland Municipal Code Establishing Notice of Sale, Opportunity to Purchase, and Tenant Protections for Manufactured Home Park Residents.
- b. Resolution 2026-21 Governing the Recording, Ownership, Retention, and Public Access of Video Recordings of All Public Meetings and Written Minute Standards, Repealing Resolution 2026-20





Council Business Meeting Agenda

- c. Resolution NO. 2026-19 A Resolution of the City of Ashland Submitting to the Voters at the November 3, 2026 Election a Proposed Amendment to Article IX, SECTION 8.

XI. CITY MANAGER REPORT

- a. August Report
- b. Look Ahead
- c. City Manager's August Memo to Council

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

- a. Review of Parks Integrated Pest Management Policy for Consideration for City Adoption and proposed Ordinance Update

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

XV. ADJOURNMENT

If you need special assistance to participate in this meeting, please contact Alissa Kolodzinski at recorder@ashlandoregon.gov or 541.488.5307 (TTY phone number 1.800.735.2900). Notification at least three business days before the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting in compliance with the Americans with Disabilities Act.

* Items on the Agenda not considered due to time constraints are automatically continued to the next regularly scheduled Council meeting [AMC 2.04.030.(D)(3)]

** LAND ACKNOWLEDGEMENT

We acknowledge and honor the aboriginal people on whose ancestral homelands we work—the Ikirakutsum Band of the Shasta Nation, as well as the diverse and vibrant Native communities who make their home here today. We honor the first stewards in the Rogue Valley and the lands we love and depend on: Tribes with ancestral lands in and surrounding the geography of the Ashland Watershed include the original past, present and future indigenous inhabitants of the Shasta, Takelma, and Athabaskan people. We also recognize and acknowledge the Shasta village of K'wakhakha – "Where the Crow Lights" – that is now the Ashland City Plaza.

***Agendas and minutes for City of Ashland Council, Commission and Committee meetings may be found at the City website, ashlandoregon.gov.





A PROCLAMATION IN HONOR OF HIROSHIMA & NAGASAKI DAY

Whereas, 2026 marks the 81st anniversary of the first and only use of nuclear weapons in war, by the United States on the cities of Hiroshima and Nagasaki, Japan.

Whereas, we commend the people and governments of the United States and Japan for choosing post-war reconciliation and friendship, and we honor the sacrifices of all who suffered.

Whereas, Ashland's public commitment to end the threat of nuclear catastrophe dates back to 1982, when its citizens passed a ballot measure declaring the city a Nuclear Free Zone. Peace House grew out of that effort in 1983. This year marks the 41st consecutive year the City of Ashland has collaborated with community organizations to commemorate the bombings.

Whereas, Ashland became a Mayors for Peace city in 1998, responding to a global invitation from the mayors of Hiroshima and Nagasaki to work for the abolition of nuclear weapons. As of July 1st, there are 8,584 Mayors for Peace cities in 166 nations, including 246 in the United States and 8 in Oregon.

Whereas, in addition to promoting a culture of peace and safe and resilient cities, Mayors for Peace supports the new Treaty on the Prohibition of Nuclear Weapons, adopted in July 2017. It entered into force January 2021 and is legally binding on the 75 governments that have ratified it thus far. Another 25 have signed and await ratification.

Whereas, the Oregon Legislature passed Senate Joint Memorial 5 in 2019, calling on the President and Congress to lead global efforts to reduce the threat of nuclear war.

Whereas, Ashland is home to two living Hiroshima Peace "ambassadors" grown from seeds of trees that survived the atomic bombing of Hiroshima. The Peace Ginkgo grows near Thalden Pavilion on the SOU campus, and the Peace Camellia grows near the entrance of Lithia Park's Japanese Garden.

Whereas, this past June, the U.S. Conference of Mayors adopted a resolution urging the President and Congress to "engage in good faith negotiations with the other eight nuclear armed states to halt any further buildup of nuclear arsenals and to verifiably reduce and eliminate nuclear arsenals according to negotiated timetables" and to carefully weigh the



immense costs of proposed nuclear modernization against the urgent domestic needs of American cities.

Whereas, from August 3rd through the 9th, concerned citizens, civic organizations, and faith communities in Ashland and the Rogue Valley will commemorate the atomic bombings of Hiroshima and Nagasaki, remember all victims of nuclear weapons development and testing, and renew commitments to prevent such weapons from ever being used again.

NOW THEREFORE, I, Tonya Graham, on behalf of the City of Ashland, do hereby proclaim August 6, 2026, as "Hiroshima Day" and August 9, 2026, as "Nagasaki Day" and invite all residents to participate in the Hiroshima - Nagasaki Vigil activities.

In Ashland we are Better Together.

Dated this 4th day of August 2026.

Tonya Graham, Mayor

Alissa Kolodzinski, City Recorder



**ASHLAND CITY COUNCIL
STUDY SESSION MINUTES
Monday, July 20, 2026**

I. EXECUTIVE SESSION 4:30 p.m.

To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h).

Council Present: Mayor Graham and Councilors Bloom, Dahle, DuQuenne, Hansen, Kaplan, and Sherrell.

Staff Present: Sabrina Cotta, Johan Pietilla, Scott Fleury, and Alissa Kolodzinski

From Ashland.news Kayla Heffner.

II. Call to Order

Mayor Graham called the study session meeting to order at 5:30 p.m.

Council Present: Mayor Graham and Councilors Bloom, Dahle, DuQuenne, Hansen, Kaplan, and Sherrell.

Staff Present:

Sabrina Cotta	City Manager
Alissa Kolodzinski	City Recorder
Bryn Morrison	Interim Finance Director

III. Reports and Presentations

a. Houseless Services Follow-up and Discussion

Cotta reported that the City convened a working group including OHRA, Rogue Retreat, Access, and the Ashland Library to evaluate options for addressing issues at the Night Lawn. After reviewing City's owned properties, the OHRA location, and 2200 Ashland Street, staff concluded that a managed pilot program at the current night lawn location, in partnership with OHRA, was the most appropriate path forward. The pilot would run for six months, with OHRA providing management in lieu of Police Department oversight, and would be formalized through a professional service agreement.

Councilors expressed broad support for the pilot while emphasizing the need to advance a longer-term policy discussion concurrently. Considerations included the importance of ensuring any pilot does not become permanent or status-quo by default and that a series of structured council discussions on long-term solutions should occur to include review of site location, operational standards, daytime options, and management models. A preference for a nightly winter shelter rather than a severe-weather-only shelter was raised as were questions about the budget impact, noting that \$100,000 had previously been redirected from the homeless services fund to support a childcare grant program. Councilors discussed returning a prior proposal regarding long-term solutions to the agenda and inquired about regional solutions given the overcrowding on the Night Lawn. Graham clarified that absent new funding, the City should plan for a severe weather shelter rather than a nightly shelter during the upcoming winter.

Public Comment

Seven members of the public provided comments. Key concerns raised included dangerous overcrowding (with as many as 45 individuals on a lawn with a recommended maximum of 20–23),

daily heat-related medical emergencies, the need for a wildfire smoke emergency shelter plan, the absence of a women's safe section, storage waitlists, and a request to allow tents to remain in place during extreme heat above 90°F. Speakers uniformly supported retaining the night lawn with professional management over police-centered oversight.

After further discussion Council came to a consensus on staff direction.

Council directs staff to proceed with negotiating a six-month pilot agreement with OHRA to manage the Dusk to Dawn lawn at its current location as recommended, and further directs staff to schedule a series of council discussions over the course of the pilot to work through, in consultation with Council, the elements of a long-term solution — including site location, operational standards, daytime options for night lawn residents, and the management model proposed at the May 18th meeting — so that Council has developed and adopted a long-term direction, not just received a staff report, before the pilot concludes.

Councilors clarified with staff that the question of allowing tents to remain up during temperatures above 90°F would be taken up as an operational matter by OHRA under the pilot agreement.

b. Opportunities and Beautification of Southside

Graham introduced the topic and with DuQuenne presented a PowerPoint on revitalizing the southeast corridor of Ashland, beginning at Interstate 5 Exit 14 and extending up Ashland Street toward Siskiyou Boulevard (see agenda packet). DuQuenne framed the effort as extending beyond beautification to encompass economic growth, workforce housing, and increased density within the Climate Friendly Area. She noted that the corridor serves as the primary gateway into both the city and the state of Oregon.

DuQuenne reported having engaged the Ashland Chamber of Commerce regarding business accountability under AMC Chapter 13 and held a productive conversation with Blair Sundell, Executive Director of Southern Oregon Regional Economic Development (SOREDI) who expressed enthusiasm for a follow-up walk-through of the corridor in August. Graham and DuQuenne also noted ongoing conversations with White Rabbit about a design workshop for the medians.

Council discussion included strong support for the initiative. The "Gateway District" identity designation was suggested to move from the mid-term to the short-term action list. Establishing a named district identity would serve as a foundational marketing and funding tool potentially increasing eligibility for state grants. Councilors considered the need for public art in the corridor and considered whether to explore acquisition of the Exit 19 interchange area from the county. Council discussion emphasized the significant quantity of underdeveloped industrial land in the district and the opportunity to attract employers consistent with the City's Economic Opportunity Analysis.

Cotta noted that the City has only one code enforcement officer and one weed abatement staff member operating citywide on a complaint-driven basis and that proactive enforcement would represent a change in current practice. Graham suggested leveraging the SeeClickFix platform and Chamber outreach to generate complaints organically and raised the possibility of engaging CERT volunteers for weed abatement awareness efforts.

Council direction to staff included moving forward with the "Gateway District" identity designation elevated to the short-term action list; and staff outreach to ODOT, continued engagement with private landowners regarding the welcome sign, coordination with the Chamber, and follow-up with SOREDI.

DuQuenne committed to returning to Council in September with a detailed cost breakdown.

c. Financial Policies

Dahle and Bloom jointly presented a set of proposed financial policy updates aimed at improving fiscal transparency, establishing structured oversight mechanisms, and positioning the City for long-term financial stability. Dahle acknowledged extensive collaboration with City Manager Cotta, Interim Finance Director Morrison, and City Recorder Kolodzinski in preparing the materials. Both councilors emphasized that the impetus was not impropriety, but rather the cumulative effect of COVID-era fiscal decisions and a structural imbalance between revenues and expenditures that, if unaddressed, projects to eliminate all general fund carryover by 2029. The presentation included proposed staff directions, each addressed in sequence:

General Fund Balance Framework:

Council directed the City Manager and Finance Director to return no later than September 15, 2026, with a resolution repealing and replacing Resolution 2023-09 to update language for clarity and enforcement and replace the single 16.67% floor and 50% ceiling structure with a 3-zone general fund balance framework. The defined thresholds of 20% and 37% are open to additional Council discussion.

Detailed conversations addressed the differentiation between the budgeted minimum and the real-time fund balance. The three-zone general fund balance framework dictates a 16.67% hard floor; below 20% triggers a mandatory corrective action plan; 20%-37% is a healthy target zone requiring no action; above 37% triggers a mandatory transfer to the Reserve Fund and new Capital Fund. Staff emphasized that adopting a 20% policy floor would preclude presenting a budget that commences in the corrective action phase, thereby adjusting the effective floor to 16.67%. Dahle explained the purpose is not an immediate cut to operational expenditures, but to create an ongoing early alert system that compels a Council review should the balance fall below 20%.

The Council agreed to suspend the rules to extend the meeting.

Quarterly Compliance Reporting:

Council directed staff to incorporate policy compliance reporting and a 60-day corrective action requirement into all future quarterly financial reports to Council, applicable to the general fund, to be implemented following adoption of the updated financial policy. Morrison confirmed this was feasible.

FTE Staffing Report:

Council directed staff to add a standing FTE staffing report with budgeted versus filled positions by department and management/non-management classifications with variances over 5% called out

to the quarterly financial reports. Morrison confirmed her team could implement the staffing report request, aimed at increasing transparency and oversight into staffing levels.

Capital Fund Policy:

Council directed staff to develop updated funding and use policies for the dedicated capital fund, and to provide that capital projects be budgeted and implemented within the capital fund rather than the general fund.

Clearly differentiating capital project funding enhances financial planning and infrastructure investment focus. The structure addresses past issues like the community center and pioneer hall projects to avoid unexpected general fund withdrawals. This aligns with best practices for transparency and sustainable management. Having dedicated capital funds clarifies general fund access and promotes systematic infrastructure investment.

Budget Transfer to Reserve and Capital Funds:

Council directed staff in developing the proposed 2027–29 budget, to include a transfer to the reserve fund and capital fund, with the final amount subject to council discussion and budget adoption.

The specific 25% figure originally included in the draft was removed in favor of a more flexible approach. Cotta explained that this direction underscored the need to clarify the reserve fund's purpose and the pace for building reserve and capital funds. Staff will return with options illustrating the trade-offs of various speeds of fund-building. Councilors additionally requested that the future discussion encompass the contingency fund and its acceptable uses, citing a desire for greater transparency around discretionary spending.

PERS liability modeling:

Council directed staff to return within 110 days with a report on updated financial policies and best practices including PERS liability modeling for future forecasts and a consolidated financial policies manual.

Council discussion underscored a shared recognition of the complexities inherent in addressing PERS liabilities and the substantial implications these have for future fiscal stability and planning within the city. Cotta noted that a long-range study is underway to evaluate the feasibility and benefits of establishing a PERS side account. This study, now in its first year of a three-year evaluation, looks to determine whether such an account could optimize the city's financial positioning concerning its pension obligations.

Graham noted that the broader conversation about the reserve fund target warrants a dedicated study session in advance of the September 15 resolution deadline, given changes in federal disaster funding posture and rising FEMA thresholds.

OpenGov Transparency (Checkbook-Level Detail):

Council directed the City Manager and Finance Director to enable transaction-level, checkbook-style detail in the City's OpenGov transparency platform, viewable by the public down to the individual line-item transaction, within 60 days.

Morrison explained that the City is already in the process of rebuilding its OpenGov reports due to a platform upgrade, making this request largely concurrent with existing work. The upgrade will allow the public to see not only budget line items but also the specific vendor and transaction amount.

Thanks was given to council and staff for all their hard work.

III. Adjournment

The meeting was adjourned at 8:07 pm.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/20/26

Name: (Please Print)

Jesse Taylor

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

Homeless Resources/Night Lawn

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/20/26

Name: (Please Print)

Denise M Gerkey

Ashland Resident:



YES



NO

City:

Ashland

Agenda Topic/Item Number:

Night Lawn

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/20/2026

Name: (Please Print)

Nomad

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

Night In w n

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

July 20, 2026

Name: (Please Print)

Rich Rohde

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

111-A Homeless Services Follow-up discussion

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/20/2026

Name: (Please Print)

Natasha Goldfeder

Ashland Resident:

☐

YES

☒

NO

City:

Talent ^{working}
Ashland

Agenda Topic/Item Number:

a

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

JULY 20, 2026

Name: (Please Print)

PAUL MOZINA

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

III.a Homeless Services Discuss

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

July 21

Name: (Please Print)

Debbie Neisewander

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

nite lawn

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/20/26

Name: (Please Print)

Cate Hartzell

Ashland Resident:



YES



NO

City: _____

Agenda Topic/Item Number:

Night Lawn

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.

**ASHLAND CITY COUNCIL
BUSINESS MEETING MINUTES
Tuesday, July 21, 2026**

I. EXECUTIVE SESSION 3:00 p.m.

To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing pursuant to ORS 192.660 (2)(i).

In attendance: Mayor Graham; Councilors Sherrell, Dahle, Bloom, Kaplan, DuQuenne, and Hansen. Staff members Sabrina Cotta and Johan Pietila.

II. CALL TO ORDER

Graham called the business meeting to order at 6:07 p.m.

Council Present: Mayor Graham; Councilors Sherrell, Dahle, Bloom, Kaplan, DuQuenne, and Hansen.

Staff Present:

Sabrina Cotta	City Manager
Johan Pietila	City Attorney
Alissa Kolodzinski	City Recorder
Tighe O'Meara	Chief of Police
Scott Fleury	Public Works Director
Bryn Morrison	Interim Finance Director
Brandon Goldman	Planning Director
Jordan Rooklyn	Deputy City Manager

a. Land Acknowledgement**

Kaplan read the land acknowledgement.

III. PLEDGE OF ALLEGIANCE

Hansen led the pledge of allegiance.

IV. ROLL CALL

V. MAYOR'S/ CHAIR OF THE COUNCIL ANNOUNCEMENT

The Mayor thanked attendees of the recent informational meeting on fire season evacuation and preparedness, and provided instructions for public comment sign-up procedures for the evening's meeting.

VI. APPROVAL OF MINUTES

a. Minutes of the June 15, 2026 – Study Session Meeting

b. Minutes of the June 16, 2026 – Business Meeting

Dahle moved to accept the minutes of June 15 and June 16. Sherrell seconded the motion.

Roll Call Vote: Sherrell, Dahle, Bloom, Kaplan, DuQuenne, and Hansen –YES. Motion passed.

VII. CONSENT AGENDA

Prior to action, public comment was received from an individual in support of Resolution 2026-13 placing the Fremont Cottonwood at 380 Clay Street on the Heritage Tree List, noting the tree's age, size, and ecological significance near the northernmost boundary of the species' range.

- a. *Resolution 2026-13 - Placing the Fremont Cottonwood at 380 Clay Street on the City of Ashland Heritage Tree List*
- b. *Committee Member Appointment to HHSAC*
- c. *Affordable Childcare Committee Grant Awards*

Bloom moved to approve the consent agenda. DuQuenne seconded the motion.

Roll Call Vote: Sherrell, Dahle, Bloom, Kaplan, DuQuenne, and Hansen -YES. Motion passed.

VIII. SPECIAL PRESENTATIONS

IX. PUBLIC FORUM

Concerns were raised about the management and representation of the Night Lawn site, suggesting a resident-led model for decision-making. A proposal to build bike trails through a popular city park was discussed, with a call for wider community engagement. Frustrations with service scheduling constraints and calls for increased resources for people experiencing homelessness were expressed. Concerns regarding the absence of overnight shelters during poor air quality events and conflicting instructions about tent usage during extreme weather were noted, and an introduction to a state-accredited union apprenticeship program highlighted its benefits for workforce development.

X. PUBLIC HEARING

- a. *Continued Public Hearing and First Reading of Ordinance 3306 Establishing Notice of Sale, Opportunity to Purchase, and Tenant Protections for Manufactured Home Park Residents.*

Goldman presented the revised draft of Ordinance 3306, which had been continued from the June 16th meeting for additional legal review. The revised ordinance was substantially streamlined from eight sections to four, incorporating Oregon Revised Statutes Chapter 90 as a baseline and adding local enhancements. The centerpiece of the local enhancements is a 60-day tenant response period, four times the state's 15-day baseline, which, combined with a 15-day owner financial disclosure period and a 45-day offer preparation period, affords residents up to 120 days from notice of sale to exercise their opportunity to purchase. The legal department confirmed that local regulations exceeding the state baseline are permissible and that Oregon courts have upheld such local manufactured home park regulations.

Public Hearing open

Dylan Dahle – representing the Rogue Valley Association of Realtors, commended the revised ordinance and requested consideration of protections for sellers engaged in IRS Section 1031 exchanges, noting that the 120-day process could conflict with federal exchange deadlines.

Delores Nims – spoke as a resident of Wingspread Mobile Home Park, thanked staff and the Council for their work and urged the Council not to reduce the 120-day period.

Public Hearing Closed

During Council discussion, Dahle proposed an amendment to add a cross-reference to ORS 90.844(3) in Section 10.116.020(a)(1)(d) to eliminate ambiguity regarding required financial disclosures. Staff clarified that the ordinance does not prohibit park residents from proactively organizing and submitting an unsolicited purchase offer, and that nothing in the ordinance compels a park owner to accept a resident offer.

After discussion and amendment, the following motion was adopted:

Bloom moved to approve the first reading of Ordinance 3306, adding Chapter 10.116 to the Ashland Municipal Code establishing notice of sale, opportunity to purchase, and tenant protections for manufactured home park residents, as amended to reword Section 10.116.020(a)(1)(d) to read “any financial information that would customarily be provided to a prospective purchaser as outlined in ORS 90.844(3)”. Kaplan seconded the motion.

Roll Call Vote: Dahle, DuQuenne, Bloom, Sherrell, Kaplan, and Hansen –YES. Motion passed.

XI. ORDINANCES, RESOLUTIONS AND CONTRACTS

a. APD/ECSO Contract Extension

O'Meara presented the annual contract extension with Emergency Communications of Southern Oregon (ECSO) for 9-1-1 dispatch services. The contract amount for FY 2026-27 is \$553,466.99, which is accounted for in the approved budget. The City has maintained this relationship since approximately 2009-2010.

Dahle moved to approve contract extensions between APD and ECSO. Hansen seconded the motion.

Roll Call Vote: Dahle, DuQuenne, Bloom, Sherrell, Kaplan, and Hansen –YES. Motion passed.

b. Contract Award for Chemicals Acquisition — Cascade Columbia Distribution Co. Company.

Fleury presented the annual sealed bid award for water and wastewater treatment chemicals. The award to Cascade Columbia Distribution Company covers aluminum sulfate and citric acid. Discussion included that Cascade Columbia was selected over competing bids due to bid document exclusions for aluminum sulfate and demonstrated product superiority of citric acid.

Bloom moved to approve the public contract award for chemicals acquisition with Cascade Columbia Distribution Company. Dahle seconded the motion.

Roll Call Vote: DuQuenne, Bloom, Sherrell, Kaplan, Hansen, and Dahle –YES. Motion passed.

c. Approval of a Resolution Authorizing Refunding of an Interim Loan From the Special Public Works Fund with the Oregon Infrastructure Finance Authority

Fleury explained that Business Oregon is proceeding with a bond sale consolidating interim loans issued to municipalities, including the City's loan for the Ashland Street rehabilitation project authorized in 2023. A new resolution is required to align with the bond sale. The final interest rate and amortization schedule will be issued following the sale, anticipated in late August or early September, and will be reflected in the 2027-29 Biennium Budget. Repayment will continue to be funded through the food and beverage tax over a 15-year period.

Dahle moved to approve a resolution authorizing refunding of an interim loan from the Special Public Works Fund with the Oregon Infrastructure Finance Authority. Hansen seconded the motion.

Roll Call Vote: Bloom, Sherrell, Kaplan, Hansen, Dahle, and DuQuenne –YES. Motion passed.

d. Approval of Resolutions for Wastewater and Storm Drain Rate Increases

Fleury presented two rate increase resolutions developed through a cost-of-service analysis conducted by HDR Engineering. For wastewater, the last rate increase was in 2019; the proposed increase amounts to approximately \$3 per month for single-family residential customers, representing a 7% overall increase. For storm drain, the last increase was in 2021, and the proposed increase is approximately \$1 per month for single-family residential. Both increases take effect August 1, 2026, through June 30, 2027. Councilors discussed this in relation to other recent fee increases.

Dahle moved to approve Resolution 2026-15, a resolution revising rates for wastewater/sewer service pursuant to Ashland Municipal Code section 14.08.035 and repealing Resolution 2019-10.

Kaplan seconded the motion.

Roll Call Vote: Sherrell, Kaplan, Hansen, and Dahle –YES. DuQuenne, and Bloom – No Motion passed.

Kaplan moved to approve resolution number 2026-16, a resolution adopting a storm drainage utility fee schedule pursuant to Ashland Municipal Code section 4.27.050 and repealing Resolution 2021-09. Hansen seconded the motion.

Roll Call Vote: Sherrell, Kaplan, Hansen, and Dahle –YES. DuQuenne, and Bloom – No. Motion passed.

e. Second Reading of Ordinances 3296, 3297, and 3298 Manufactured Home Park Zone (MHPZ), Amending Manufactured Housing Development Standards, Adopting Related Comprehensive Plan and Zoning Map Amendments, and adopting Findings and Conclusions of Law.

Goldman summarized the three companion ordinances approved at first reading on June 16, 2026. Ordinance 3296 establishes the Manufactured Home Park Zone and updates land use standards. Ordinance 3297 applies the new zone designation to eligible parks on the zoning map. Ordinance 3298 makes corresponding changes to the comprehensive plan map. Findings were updated from the first reading to reflect Council amendments, including removal of Upper Pines Mobile Home Park, Ashland RV Park, and Jackson Wellsprings from the maps.

Bloom moved to approve Ordinance No. 3296, 3297, and 3298. DuQuenne seconded the motion.

Roll Call Vote: Kaplan, Hansen, Dahle, DuQuenne, Bloom, and Sherrell –YES. Motion passed.

Bloom moved to adopt the Findings of Fact and Conclusions of Law in Planning Action PA-L-2026-00018, as presented, in support of Ordinances No. 3296, 3297, and 3298. DuQuenne seconded the motion.

Roll Call Vote: DuQuenne, Bloom, Sherrell, Kaplan, Hansen, and Dahle –YES. Motion passed.

f. Second Reading of Ordinance 3305, An Ordinance Amending 6.04 Business Licenses Sections 6.04.105 Duplicate License, 6.04.120 Temporary License, and 6.04.130 Delinquent Penalty

Cotta noted that this ordinance moves fees out of the Ashland Municipal Code and into the

miscellaneous fees and charges resolution.

Hansen moved to approve the second reading of Ordinance 3305 An Ordinance Amending 6.04 Business Licenses Sections 6.04.105 Duplicate License, 6.04.120 Temporary License, and 6.04.130 Delinquent Penalty. Kaplan seconded the motion.

Roll Call Vote: Sherrell, Dahle, Kaplan, Bloom, DuQuenne, and Hansen –YES. Motion passed.

Short Recess Taken

XII. UNFINISHED BUSINESS

a. Internal Services Director

Cotta presented a proposal to create an Internal Services Director position overseeing the Finance, IT, and Human Resources departments to capture efficiencies arising from consolidating what were previously three separate director roles into one. Cotta confirmed the model exists in other municipalities and that strong deputy-level staff already in place in each department would continue to support day-to-day operations. Council discussion raised questions about the breadth of the role's skill requirements, the appropriate pay scale relative to a standalone finance director, and the chain of command for financial matters before the Council. Cotta clarified that the Internal Services Director would effectively serve as the City's CFO, reporting directly to the City Manager. No action was required as the item was informational.

b. Development of Concept Plan & Management Plan for the Madrone Ridge Property

Rooklyn presented a request for Council direction to initiate concept and management planning for the Madrone Ridge property, a 1,900-plus-acre parcel currently under a delayed purchase agreement held by Western Rivers Conservancy. Western Rivers would fund a facilitator for the process; the City's participation would consist primarily of staff time, with no additional financial commitment beyond the existing \$25,000-per-year contract. The concept plan would engage a broad stakeholder group to identify appropriate uses and locations on the property, with primary goals of fire mitigation, conservation, trail connectivity, and education. The concept plan would return to Council prior to development of a more detailed management plan, with a target of late fall 2026.

Council members discussed the need for a management plan for the property and emphasized the importance of including RVMBA and AWTa trail organizations, neighborhood representatives from the Ashland Mine Road area, and Council and Parks liaisons in the stakeholder group. Councilors also underscored that the Council has not yet decided to accept the property and clarified that this step remains part of Council's ongoing due diligence.

Hansen moved to direct staff to initiate the process for developing a Concept Plan and Management Plan for the Madrone Ridge Property. Kaplan seconded the motion.

Roll Call Vote: Sherrell, Dahle, Bloom, Kaplan, and Hansen –YES. DuQuenne – No. Motion passed.

c. Proposed Ordinance: Utility bill fees

Graham introduced a proposal to develop a formal ordinance establishing a structured public engagement process before the Council could create any new fee on utility bills or increase existing

fees beyond an already-established inflationary index. The process would include mandatory public hearings, an online survey open for a minimum of four weeks, and defined waiting periods between hearings and Council votes to prevent rushed decisions.

Two members of the public addressed the Council with concerns about the accuracy of financial data presented during prior fee increase discussions, general support for the concept, and a recommendation to defer the ordinance process until after the November ballot.

Direction to staff given to draft the ordinance in accordance with the framework presented in the Council packet.

XIII. NEW BUSINESS

a. (formerly b) Citizen Petition/Ballot Measure Discussion

Note: By request, this item was taken out of agenda order and considered before Item XIII.a.

The Council considered a citizen petition to place a charter amendment on the November 2026 ballot that would require voter approval before the City could impose new fees or increase existing fees on utility bills unrelated to utility operations. Kolodzinski reported that the number of valid signatures counted by her office was 1,316, eight more than the 1,308 required, rather than the 1,537 originally reported by the petitioner. Based on historical rejection rates of approximately 13–15%, the net valid signature count fall below the required threshold. The county elections office could not verify signatures due to a legal compliance issue with the petitioner's filing. Pietila identified concerns with the proposed charter language, particularly that the reference to "utility bill" could extend to franchise fees on non-city-owned utilities such as Avista, potentially creating conflicts with state regulatory requirements.

DuQuenne moved to suspend the rules for 10 minutes and allow the chief petitioner to speak and so council can ask questions. Bloom seconded the motion.

Roll Call Vote: Sherrell, Dahle, Kaplan, DuQuenne, and Bloom – YES. Hansen – No. Motion passed.

Chief petitioner George Kramer, urged the Council to place the original petition language on the ballot without modification, noting that the language was agreed upon with the City Attorney and that altering it would be disrespectful to the signatories.

During public comment a speaker noted inconsistencies in ambulance service financial reports and criticized the reallocation of public safety fee funds. Another speaker called for thorough public engagement before amending the charter and cautioned against hasty changes, emphasizing the initiative process's importance. The final speaker warned that requiring voter approval for fee hikes could impede emergency response and stressed elected officials' crucial role. Any post-vote changes to the ballot language would require a new vote.

Councilor discussion included honoring the petitioner's efforts while considering necessary legal and technical adjustments to the ballot language to balance respect for the democratic process with

fiscal responsibility and city governance. Considerations included the potential impact on city finances, and the importance of clear voter communication. Several councilors supported moving forward with a resolution to place a revised version on the ballot, while others opposed it, emphasizing the need for the city to maintain flexibility in managing fees and emergencies.

Bloom moved to direct staff to create a resolution to bring back to council at the August 4 meeting to put the petition on the ballot with changes in language to allow for inflationary increases, no more than the CPI West, to exclude franchise fees and to exclude any effect that it would have on outside jurisdictions. Kaplan seconded the motion.

Roll Call Vote: Sherrell, Dahle, Kaplan, DuQuenne, and Bloom –YES. Hansen – No. Motion passed.

b. (formerly a) Property Surplus – A Portion of the Briscoe School Property

Cotta spoke that the Oregon Department of Transportation has requested to acquire 188 square feet of City-owned Briscoe School property for a ramp improvement. ODOT will fund and perform all work.

Bloom moved to surplus 188 square feet of Briscoe School property as outlined by the Oregon Department of Transportation in the acquisition summary statement dated April 28, 2026. Kaplan seconded the motion.

Roll Call Vote: Sherrell, Dahle, Kaplan, DuQuenne, Hansen, and Bloom –YES. Motion passed.

XIV. CITY MANAGER REPORT –

a. City Manager Report

b. Look Ahead

The City Manager Report was not reached due to time constraints and has been consistently missed in recent sessions. Acknowledging its significance in providing essential updates on current operations and future plans, the Mayor proposed moving it earlier in future agendas

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

XVI. ADJOURNMENT

Bloom moved to adjourn. Seconded by Hansen

All Ayes. Motion passed.

The meeting was adjourned at 9:30 p.m.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham



City Council Meeting

Contract Award for Chemical Acquisition July 21, 2026

XI. Ordinances, Resolutions and Contracts

Summary

- Wastewater and Water Treatment Plant Chemicals – Fiscal Year 27
- Formal Invitation to Bid
 - Exceed \$250,000 in Total Cost
- Request to Approve Chemical Acquisition Contract with Cascade Columbia
 - Alum – \$233,280
 - Citric Acid – \$30,690



Invitation to Bid

Chemicals for use at the City of Ashland

Wastewater and Water Treatment Plants Date of

Release: Tuesday May 19, 2026

Proposals are due by: 2:00:00 PM (PST), June 09, 2026

Contracting Agency:	City of Ashland Sole
Point of Contact:	Keanna Khalfallah
Title:	Procurement Specialist
Address:	City of Ashland 20 E. Main Street Ashland, OR 97520
Telephone:	(541) 552-2290
Fax:	(541) 488-5311
Email:	Keanna.khalfallah@ashlandoregon.gov



XI. Ordinances, Resolutions and Contracts

Motion

- I move to approve the public contract award for chemical acquisition with Cascade Columbia Distribution Company.



QUESTIONS?





City Council Meeting

Special Public Works Fund – Resolution Approval July 21, 2026

XI. Ordinances, Resolutions and Contracts

Summary

- Special Public Works Fund – Business Oregon
 - Loan for Ashland Street Rehabilitation Project
 - Resolution 2023-27 Approved “Interim Loan”
 - Contemplated A Bond Sale
 - Construction Project is Complete
- Resolution 2026-17 “Refunds Previous” & “Establishes New”
- Sets New Rate and Amortization Schedule Based on Bond Sale
- Debt Paid by Food and Beverage Tax Revenues



XI. Ordinances, Resolutions and Contracts

Motion

I move to approve "A RESOLUTION AUTHORIZING REFUNDING OF AN INTERIM LOAN FROM THE SPECIAL PUBLIC WORKS FUND WITH THE OREGON INFRASTRUCTURE FINANCE AUTHORITY".



QUESTIONS?





City Council Meeting

Wastewater and Storm Drainage Rate Resolutions July 21, 2026

XI. Ordinances, Resolutions and Contracts

Summary

Wastewater Enterprise

- Adjustments are necessary to fund the ongoing O&M expenses to provide wastewater service
- Adjustments are necessary to maintain prudent funding of annual renewal and replacement of the wastewater utility
- The proposed adjustments maintain the City's financial health (e.g., debt service coverage ratios, reserves) and provide long-term, sustainable funding levels for the City

Table ES – 4 Summary of the Present and Proposed Wastewater Rates						
	Present Rates	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Residential						
Service Charge	\$ / Month					
Monthly Service Charge	\$33.94	\$37.48	\$40.18	\$42.99	\$46.00	\$49.22
Quantity Charge	\$ / CF					
0 – 400 up to Winter Water Avg	\$0.00000	\$0.00000	\$0.00000	\$0.00000	\$0.00000	\$0.00000
400+ up to Winter Water Avg	0.05064	0.05418	0.05797	0.06203	0.06637	0.07102
Multi-Family						
Service Charge	\$ / Month					
Monthly Service Charge (Per Unit)	\$33.94	\$33.94	\$36.16	\$38.69	\$41.40	\$44.30
Quantity Charge	\$ / CF					
0 – 400 up to Winter Water Avg	\$0.00000	\$0.00000	\$0.00000	\$0.00000	\$0.00000	\$0.00000
400+ up to Winter Water Avg	0.05064	0.05418	0.05797	0.06203	0.06637	0.07102
Non Residential (Com, Gov, Muni)						
Service Charge	\$ / Month					
Monthly Service Charge	\$35.41	\$37.48	\$40.18	\$42.99	\$46.00	\$49.22
Quantity Charge	\$ / CF					
Actual Monthly Consumption	\$0.05621	\$0.06014	\$0.06435	\$0.06885	\$0.07367	\$0.07883



XI. Ordinances, Resolutions and Contracts

Summary

Storm Drain Enterprise

- Adjustments are necessary to fund the ongoing O&M expenses to provide storm drain service
- Adjustments are necessary to maintain prudent funding of annual renewal and replacement of the storm drain utility
- The proposed adjustments maintain the City's strong financial health (e.g., debt service coverage ratios, reserves) and provide long-term, sustainable funding levels for the City

Table ES – 8 Summary of the Present and Proposed Storm Drain Rates						
	Present Rates	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
\$/ERU						
Single Family	\$5.43	\$6.43	\$7.43	\$8.43	\$9.18	\$9.68
Multi-Family	2.33	2.76	3.19	3.62	3.94	4.15
Commercial	5.43	6.43	7.43	8.43	9.18	9.68
All Other	1.80	2.13	2.46	2.79	3.04	3.20
Minimum Charge Per Account	5.43	6.43	7.43	8.43	9.18	9.68



XI. Ordinances, Resolutions and Contracts

Motions

Wastewater Rate Resolution:

I move to approve resolution number 2026-15, A resolution revising rates for wastewater/sewer service pursuant to Ashland Municipal Code section 14.08.035 and repealing resolution 2019-10.

Storm Drain Rate Resolution:

I move to approve resolution number 2026-16, A resolution adopting a storm drainage utility fee schedule pursuant to Ashland Municipal Code section 4.27.050 and repealing resolution 2021-09.



QUESTIONS?





SPEAKER REQUEST FORM

Submit this form to the meeting Secretary
prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

6/21/20

Name: (Please Print)

George Kewick

Ashland Resident:



YES



NO

City:

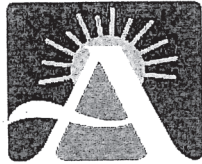
Agenda Topic/Item Number:

XII.C UTILITY FEES

Public Forum Topic (Non-agenda Item):

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

July 21, 2026

Name: (Please Print)

Catherine Pham

Ashland Resident:

☒ YES ☐ NO City: _____

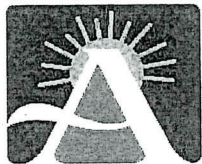
Agenda Topic/Item Number:

New Business topic B

Public Forum Topic (Non-agenda Item):

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary
prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/25/26

Name: (Please Print)

Dan Mayne

Ashland Resident:

☒ YES ☐ NO City: _____

Agenda Topic/Item Number:

Tree of Hope

Public Forum Topic (Non-agenda Item):

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/21/26

Name: (Please Print)

Denise Greer Kay

Ashland Resident:



YES



NO

City:

Ashland

Agenda Topic/Item Number:

"Night V. Kawn"

Public Forum Topic (Non-agenda Item):

"Night Lawn"

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7-21-26

Name: (Please Print)

Nancy K. Boyer

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

Public Forum Topic (Non-agenda Item):

Yes Announcements

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/21/26

Name: (Please Print)

Blaise DuBouch

Ashland Resident:



YES



NO

City:

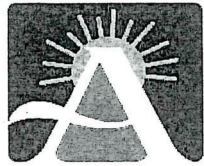
Agenda Topic/Item Number:

Public Forum Topic (Non-agenda Item):

Homeless funding proposition

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



Better Together

SPEAKER REQUEST FORM

Submit this form to the meeting Secretary
prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

July 21

Name: (Please Print)

Avram Sacks

Ashland Resident:



YES



NO

City: _____

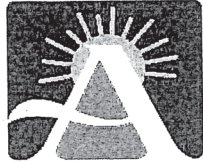
Agenda Topic/Item Number:

Public Forum Topic (Non-agenda Item):

Nitelawn

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7-21-26

Name: (Please Print)

Chris McGhee

Ashland Resident:

☐

YES

☒

NO

City:

Medford/Roseburg

Agenda Topic/Item Number:

Public Forum Topic (Non-agenda Item):

North Coast Carpenters Union

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary
prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/21/26

Name: (Please Print)

DYLAN DAHLE

Ashland Resident:

☒

YES

☐

NO

City:

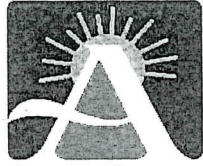
Agenda Topic/Item Number:

X. ORDINANCE 3306

Public Forum Topic (Non-agenda Item):

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary
prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

7/21/26

Name: (Please Print)

Delores Nims

Ashland Resident:

☒

YES

☐

NO

City: _____

Agenda Topic/Item Number:

Ordinance 3306

Public Forum Topic (Non-agenda Item):

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date: July 21, 2026

Name: (Please Print)
PAUL MOZINA

Ashland Resident:

☒ YES ☐ NO City: _____

Agenda Topic/Item Number:

XII Unfinished Bus. C. Utility

Public Forum Topic (Non-agenda Item): Ball Fees

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.

How the Council Sold the Public Safety Fee Increase

At their March 1, 2025 retreat the Council initiated the public safety fee. Two days later at a Council study session the Finance Director, Mariane Berry reported that the new Single Role program, anticipating Net Positions (net revenue – expenditures) of \$1,857,099 in 2025 for a “fully loaded” (8 personnel) program. News and former Ashland Fire Chief, Ralph Sartain, had rebranded the new program—his baby—was a tremendous success.

A few weeks later, on March 31, 2025 at a study session for the City Administrator, Sabrina Cotta, claimed that: “While the Single Role EMS and addresses dropped calls, program [sic] cost is \$1.5M per year (this expense is approximately \$600,000) as reported by the Finance Director on March 1. Why? See how the revenue is covering fire personnel.” She went on to explain that the less revenue from ambulance coming in to cover fire, which was the business case that has been made for EMS—is that they can’t cover the Department. But now we’re at, with 8 FTE, we’re seeing it because we’ve hit a threshold in terms of answering calls.’” How does this reconcile with the Net Positions of the Single Role EMS program? Director Berry on March 3? Cotta never explained how “the revenue” (to what?) was coming in from the program, or how “we’re seeing recovery”. I asked for this data repeatedly at budget committee and business meetings and got no response. I submitted a FOIA request for documentation regarding the “threshold in terms of answering calls” and said we had “hit”, and there were no responsive documents.

How was the Public Safety fee advertised to people? At the meeting on May 6, 2025, it was claimed that: “The increase will allow us to transition the Emergency Medical Single Role program from four permanent four single-role positions. It will allow the div

The FISCAL IMPACTS for the PS fee increase were advertised as \$1.50 to \$5.00 for the Public Safety fee equates to \$1,519, This is dedicated funding for the EMS Single Role Program “dedicated”? I submitted a FOIA request for documentation of the Fee’s revenue and how it was “dedicated” to the program, the small amount this generates, and the large public safety budget required to commit these funds. These funds represent 1% of the annual budget.”

Ok, so the Single Role EMS program was fully recovering its significant Net Position, yet we were told it needed a subsidy, the Public Safety Fee, and that this additional revenue would be used for funding the program. The truth was that the program had been successful, didn’t need a subsidy, and the revenue generated was in the general fund rather than being dedicated to support the S

To add insult to injury, the following spurious POLICIES, PLANNED, and SUPPORTED by the fee increase were advertised:

“Environmental resilience, including addressing climate change and ecosystem conservation

Belonging through mutual respect and openness, in

Environmental Resilience, including addressing climate change and ecosystem conservation [listed twice in case you miss it]

Quality of life that underpins the City's economic vitality

Excellence in governance and city services

Public safety, including emergency preparedness for

Paul Mozina

Public Safety Fee Increase

told me, the people of Ashland are “children”. Therefore, administration couldn’t tell the simple truth i.e., we need the easiest way to get it is through fee increases. Nope, they’re the people using false pretexts to justify the Public Safety

For a deeper dive into the Net Position of the Single Role I have an estimate of the cost to provide EMS in 2023 under the current fee structure, please see this article in The Ashland Chronicle:

<https://theashlandchronicle.com/guest-opinion-ashland-city-should-not-increase-emergency-medical-services-fees/>

March 3, 2025 Study Session graph presented by former Finance Director

Study Session

EMS Roles

Ashland Fire & Rescue
Ambulance Revenue

*4 EMS single roles
added in Fall 2023,
4 added in Spring*

Revenue	FY25*	FY24	FY23**
Transports	\$ 2,800,000	\$ 2,851,059	\$ 2,250,845
Transfers	-	-	-
Memberships	52,000	91,502	106,540
Bad Debt	(12,789)	(352,925)	(220,506)
Net Revenue	2,839,211	2,589,636	2,136,878
Single Roles			
Personnel	(917,521)	(549,341)	n/a
M&S	(64,621)	(395,291)	n/a
Expenditures	(982,142)	(944,632)	-
Net Position	\$ 1,857,069	\$ 1,645,004	\$ 2,136,878

Note:

* FY25 are mid-year estimates

** In FY23, Emergency Medical Services were performed by dual role fire fighters. Therefore, FY23 net position is not a true comparison





Council Business Meeting

Date: August 4, 2026

Agenda Item	Committee member appointments to HPAC and CEPAC
Department	Mayor and Council
From	Alissa Kolodzinski, City Recorder

TIME ESTIMATE

consent

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

POLICIES, PLANS & GOALS SUPPORTED

Approval of Mayor Graham's recommendation for the appointment of Melissa Sandow to Position #2 on the Historic Preservation Advisory Committee with a term ending December 31, 2028. And the appointment of Camiron Coco to Position #5 on the Climate and Environment Policy Advisory Committee with a term ending December 31, 2028.

BACKGROUND AND ADDITIONAL INFORMATION

Per the Ashland Municipal Code 2.04.090, all regular advisory committees and boards shall be appointed by the Mayor with the consent of the Council.

FISCAL IMPACTS

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

REFERENCES & ATTACHMENTS

1. Sandow_ Appointment Application for HPAC 8.4.26
2. Coco_ Appointment Application for CEPAC_8.4.26



From: noreply@civicplus.com
To: [Ashland City Recorder](#); [Ashland City Recorder](#); [Dorinda Cottle](#); [Dorinda Cottle](#)
Subject: Online Form Submittal: Appointment Application for City Committee or Commission
Date: Sunday, June 28, 2026 7:52:10 AM

[EXTERNAL SENDER]

Appointment Application for City Committee or Commission

Appointment Process

Thank you for your interest in serving on a committee.

Before applying, we kindly ask that you attend at least one committee meeting, or plan to attend an upcoming meeting. You must also review both the [Committee Handbook](#) and [Social Media Policy](#) to gain a comprehensive understanding of the committee's responsibilities and expectations.

Once your attendance has been confirmed, the Staff Liaison, Council Liaison, and Committee Chair will schedule a meeting with you to discuss your interest in serving. If you are recommended for an appointment, the Mayor will present your nomination to the City Council for approval.

Name	Melissa Sandow
Preferred Pronouns	<i>Field not completed.</i>
Committee or Commission You Wish to Serve On	Historic Preservation Advisory Committee
Date You Attended a Meeting	<i>Field not completed.</i>
Or Date You Will Attend a Meeting	July 8, 2026
I have reviewed the following documents:	Commission and Committee Handbook, Social Media Policy
Address	
Phone	
Email	
Occupation	Aerospace engineer

Educational Background	BS Aerospace Engineering-Colorado State University; MBA Engineering Management-Embry Riddle Aeronautical University; DM Organizational Design & Performance-University of Phoenix
Related Experience	My career has been focused on regulatory compliance, which involves historical research to understand precedence and backgrounds of requirement decisions, as well as working with stakeholders with varying interests to reach sound decisions that affect public interests. Learning is always part of this process. Future training specific to HPAC may be beneficial to fully understand relevant preservation considerations and topics as this is new ground for me.
Interests	I have recently volunteered to be a guide of Lithia Park walks. To prepare I have been learning about the city's history and how events have shaped our community. It's been a fun and eye-opening journey. My appreciation for Ashland has grown through this effort and I'd like to offer my support in continuing the preservation of the town's historical past.
Availability	Yes, I have availability to attend special meetings when scheduled with some notice. I prefer evenings.
Additional Information	10 years.
Signature	Melissa Sandow

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Ashland City Recorder](#); [Ashland City Recorder](#); [Dorinda Cottle](#); [Dorinda Cottle](#)
Subject: Online Form Submittal: Appointment Application for City Committee or Commission
Date: Thursday, June 18, 2026 11:30:30 AM

[EXTERNAL SENDER]

Appointment Application for City Committee or Commission

Appointment Process

Thank you for your interest in serving on a committee.

Before applying, we kindly ask that you attend at least one committee meeting, or plan to attend an upcoming meeting. You must also review both the [Committee Handbook](#) and [Social Media Policy](#) to gain a comprehensive understanding of the committee's responsibilities and expectations.

Once your attendance has been confirmed, the Staff Liaison, Council Liaison, and Committee Chair will schedule a meeting with you to discuss your interest in serving. If you are recommended for an appointment, the Mayor will present your nomination to the City Council for approval.

Name	Camiron Coco
Preferred Pronouns	She/Her
Committee or Commission You Wish to Serve On	Climate and Environmental Policy Advisory Committee
Date You Attended a Meeting	06/16/2026
Or Date You Will Attend a Meeting	<i>Field not completed.</i>
I have reviewed the following documents:	Commission and Committee Handbook, Social Media Policy
Address	
Phone	
Email	
Occupation	Waste Zero Specialist

Educational Background	Southern Oregon University- Degree in Environmental Science and Policy
Related Experience	I have performed several waste audits, done carbon offset calculations, and have made recommendations to increase a company's sustainability and help it align with B Corp standards. I have also recently graduated from SOU, and over those four years, field work was mixed with understanding environmental policy and law. I would love to further my training within this field as there is so much I could learn from other people experiences.
Interests	I am newly entering into my role as the Waste Zero Specialist at Recology, and I believe that seeing the community's views on the environment and sustainability will best help me serve Ashland. I am also very passionate about the preservation of the Rogue Valley's beautiful environment.
Availability	My weekends are free, but I will be available on the weekdays after 4 pm.
Additional Information	I have lived in Ashland for four years now. The people of Ashland are tremendously kind and have gotten me more connected with nature than I have ever been before, now I want to help give back to them.
Signature	Camiron Coco

Email not displaying correctly? [View it in your browser.](#)



Council Business Meeting

Date: August 4, 2026

Agenda Item	Approval of Traffic Signal Box Public Art Project Designs
Department	City Manager's Office
From	Jordan Rooklyn

TIME ESTIMATE

Consent Agenda

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

The Public Arts Advisory Committee (PAAC) is seeking Council approval of three artwork designs to be painted on three separate traffic signal boxes as part of an artist-led community art project.

POLICIES, PLANS & GOALS SUPPORTED

- Resolution No. 2016-29: A Resolution Adopting Guidelines for the Creation and Installation of Murals
- [Public Arts Master Plan](#)
- Comprehensive Plan: Transportation Element: Policy #7 Encourage public art along multi-modal travel corridors

BACKGROUND AND ADDITIONAL INFORMATION

The PAAC is managing a neighborhood community art project with a long-term goal to paint 20 identified Traffic Signal Boxes. Five traffic signal boxes have been painted to date.

The PAAC issued a Request for Proposals for three traffic signal boxes. Thirteen designs were submitted by eight artists. The artwork was selected by a selection committee comprised of professional artists in the community and subsequently approved by the Public Arts Advisory Committee. The traffic signal boxes are located at:

1. Fire Signal Box — Sliskiyou Boulevard at the Fire Signal. Art by Glory Nylander.
2. Island Box — Between the Fire Station and the Library at Lithia Way and East Main St. Art by Jennifer Alexander.
3. Library Box — At Gresham and East Main St. Art by Helene Houghton.

Prior to painting the three transportation signal boxes, a professional painter will prepare the boxes by cleaning, sanding, and priming. After the boxes are painted, three coats of a clear protective sealant that is designed to repel graffiti will be applied.

FISCAL IMPACTS

It is estimated that the painting the three utility boxes will cost \$3,735, which is within the adopted budget for Public Art. Line item budgeting for the project is as follows:

- Each of the artists is to receive an honorarium of \$500 per box.
- A professional painter will prep and seal the boxes to allow for the acrylic and spray paints to be applied and protected. The bid for prepping and sealant work is \$545 per box.
- Additional funds for paint and paint supplies are not to exceed \$200 per box.





Council Business Meeting

- If the designs are approved, the City will accept the artwork into the Public Art Collection and will be responsible for its maintenance and conservation, including regular cleaning and upkeep, and any necessary repairs or restoration.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

The Public Arts Advisory Committee recommends that the Council approve the proposed designs for the three traffic signal boxes and accept them into the Public Art Collection upon completion. The proposed motion is as follows:

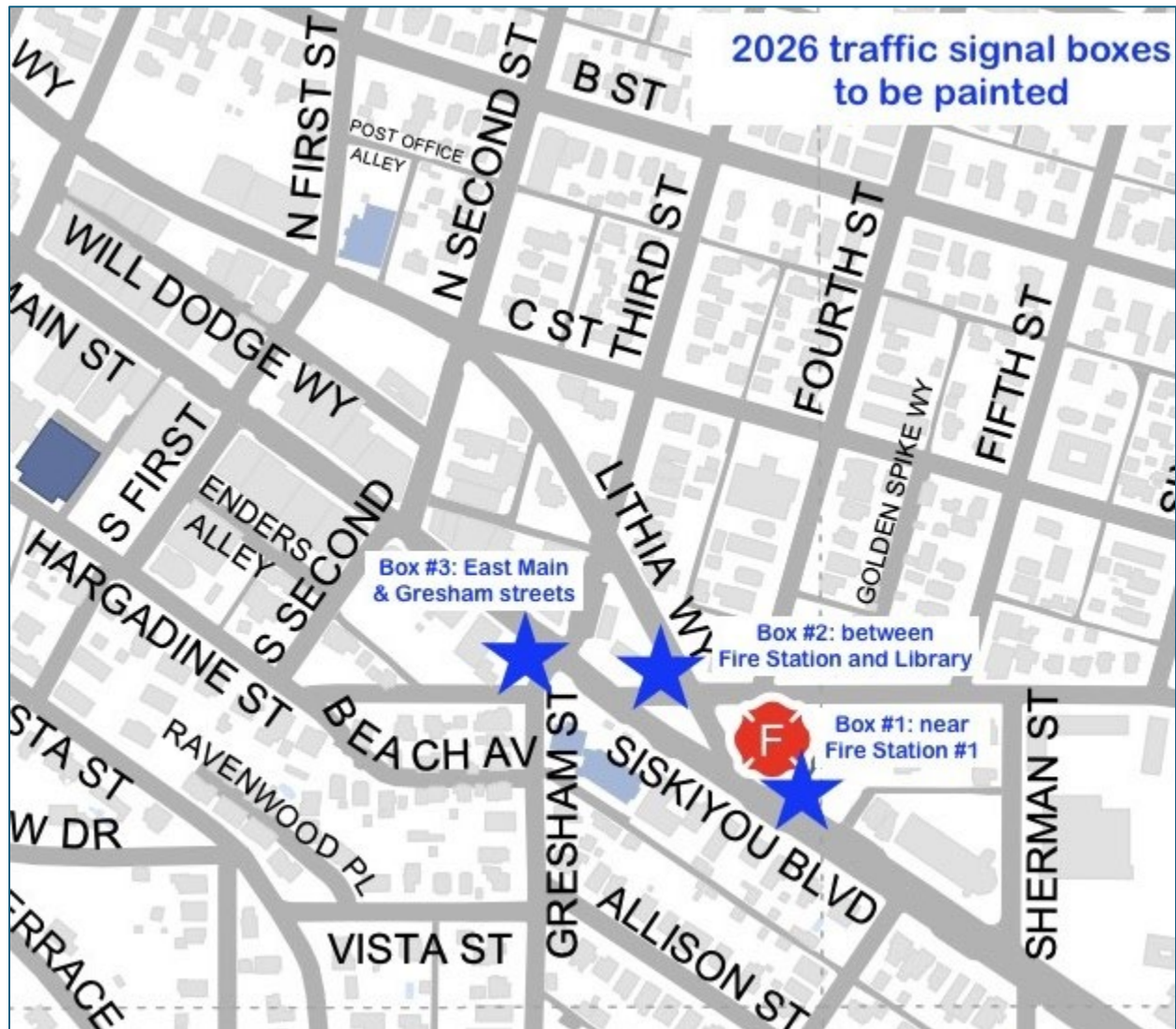
"I move that the Council approve the proposed designs for the three traffic signal boxes, as identified by the Public Arts Advisory Committee, and accept the boxes into the City of Ashland's Public Art Collection upon completion,

REFERENCES & ATTACHMENTS

1. 2026 Traffic Signal Box Designs



Map of Traffic Signal Box Locations



ADDITIONAL INFORMATION

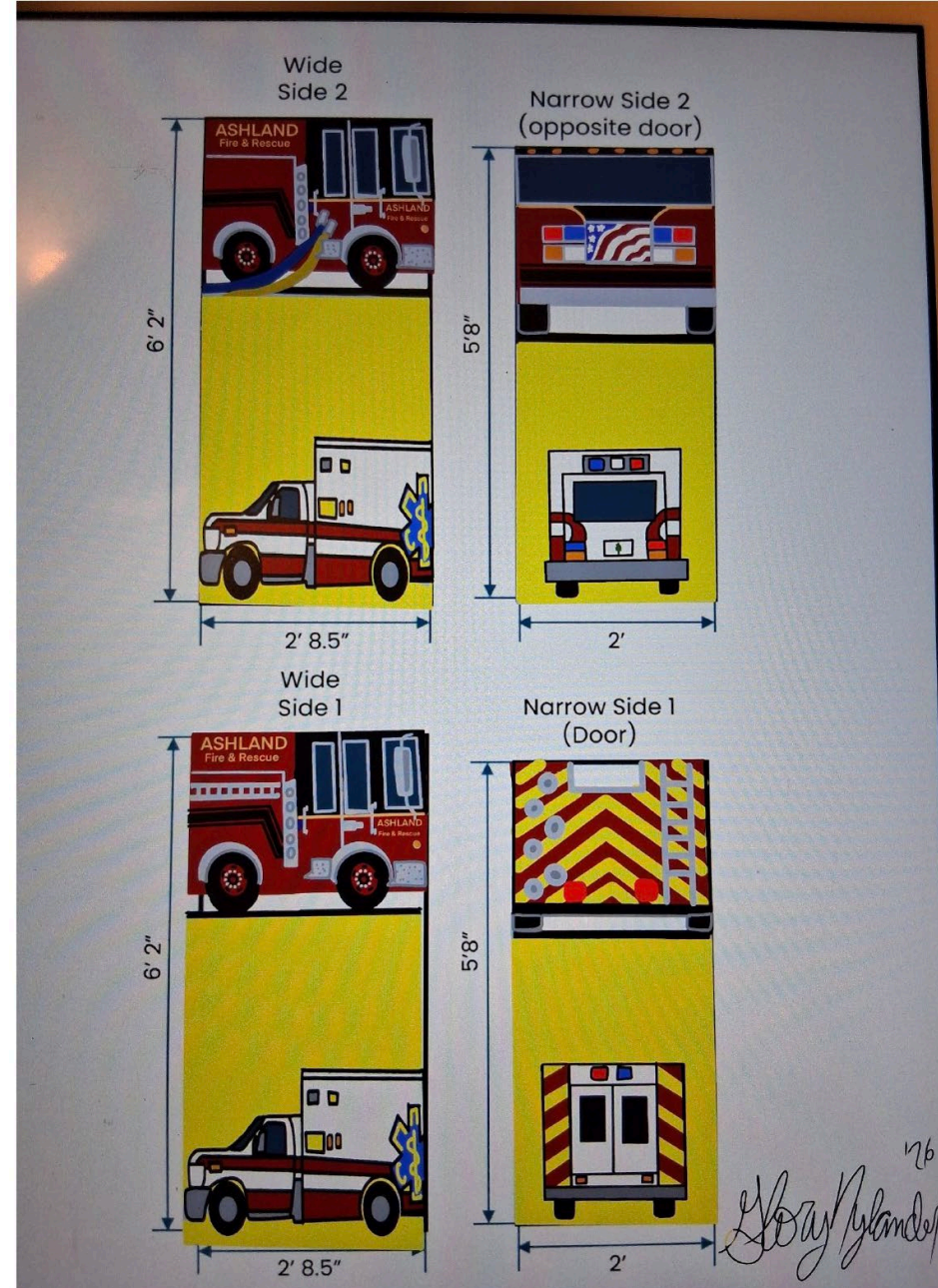
This project reflects Ashland's continued investment in public art as a meaningful part of community identity and placemaking. By focusing on highly visible civic locations and inviting public participation, the project aims to create artwork that is not only visually engaging but also shared and experienced by the community that helped create it.



I would like to propose my community mural design for Box #3 near the Ashland Public Library.

Helene Houghton, for Library box

Sis iyou l d ain
St th St F S Signal



Glory Nylander, for Fire Station box

#2 Between Fire Station and Library



Jennifer Alexander, for Astro box



Council Business Meeting

Date: August 4, 2026

Agenda Item	Public Hearing for the Sale of Real Property – A Portion of the Briscoe School Property to the Oregon Department of Transportation
Department	Public Works
From	Scott Fleury, Director

TIME ESTIMATE

Five (5) Minutes

CATEGORY

Staff Direction - provide direction to staff on the body's desired next steps.

SUMMARY

The Oregon Department of Transportation (ODOT) has and continues to upgrade curb ramps within their jurisdiction to meet current Americans with Disabilities (ADA) access requirements. ODOT has reached out to City with a request to obtain “real property” owned by the City to facilitate construction of an upgraded curb ramp adjacent to Briscoe School. They are requesting to purchase 188 square feet of the property.

POLICIES, PLANS & GOALS SUPPORTED

Efficient and Effective Government, including equity of access, customer focus, transparent and frequent communication, **strong regional partnerships**, use of technology, execution of maintaining City facilities and public infrastructure.

BACKGROUND AND ADDITIONAL INFORMATION

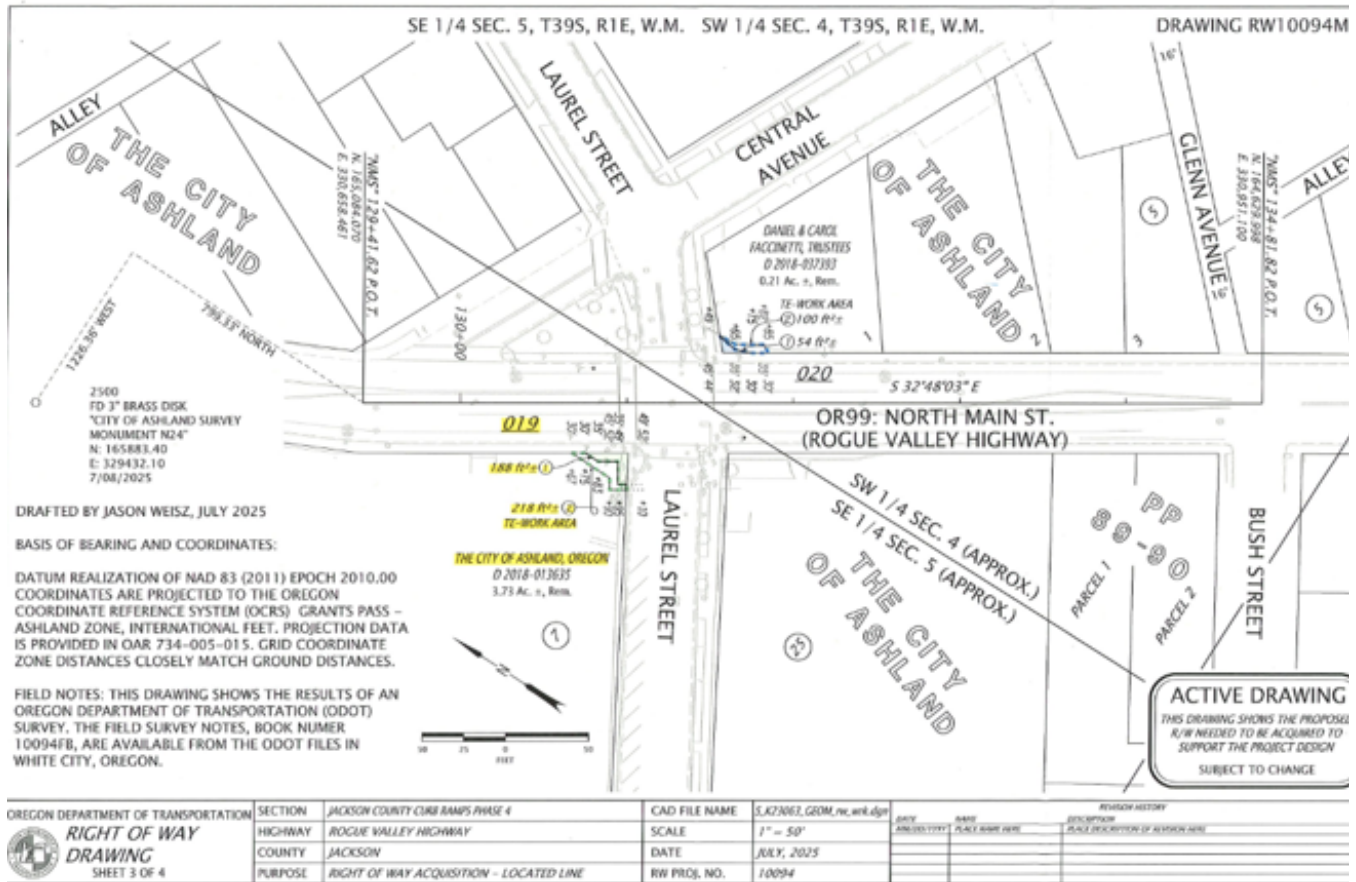
ODOT has submitted an acquisition request to the City of Ashland for 188 square-feet of the Briscoe School Property (265 North Main Street, T.L. 2500). The request to acquire is in support of construction of a new ADA curb ramp at the northeast corner of the property within the North Main Street and Laurel Street right of way, reference figure 1.

Figure 1: Property Acquisition Drawing





Council Business Meeting



As outlined in Ashland Municipal Code (AMC) 2.55 "Disposal of Real Property" a public hearing must be held as part of the disposition process.

Description of Property: The City of Ashland intends to sell a one-hundred and eighty-eight (188) square-foot portion of the east corner of the property located at 265 North Main Street in Ashland, Oregon to the Oregon Department of Transportation.

Proposed uses: The proposed use of the property is to support the Oregon Department of Transportation development of a new Americans with Disabilities compliant curb ramp for the intersection of North Main Street and Laurel Street.

Reason for Sale: The City of Ashland has declared the property surplus, meaning the one-hundred and eighty-eight (188) square-foot portion of the property is no longer required for a current or future municipal need.

Public Notice

Pursuant to ORS 221.725 NOTICE IS HEREBY GIVEN that the Ashland City Council will hold a public hearing to discuss the proposed sale of property on August 4, 2026, at 6:00 p.m., in the Council Chambers, 1175 E. Main Street.

The public hearing provides the opportunity for any resident to present oral or written testimony on the proposed sale of the property.

City Council Determination

Following the public hearing and consideration of public testimony, the City Council shall determine whether to authorize the proposed sale. If the City Council authorizes the sale of the property, the City Manager shall act as the City representative for any closing documentation.

Staff recommend the direct sale for the appraised value to the Oregon Department of Transportation.





Council Business Meeting

FISCAL IMPACTS

The appraised value for acquisition of the 188 square feet of property is \$14.00 per square foot generating a total of \$2,632 for the “fee take portion”.

ODOT is also providing payment for the temporary work area easement and value of improvements. If approved the total compensation for the fee take and work easement would be \$4,100.

ODOT will also cover all incidental costs with recording and finalizing documents required of the sale.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve the sale of 188 square feet of Briscoe School property to the Oregon Department of Transportation as defined and outlined in the acquisition summary statement dated April 28, 2026.

REFERENCES & ATTACHMENTS

1. ODOT Aquisition Package 1
2. ODOT Aquisition Package Map





Oregon

Tina Kotek, Governor

Department of Transportation
Region 3 Right of Way
3500 NW Stewart Parkway
Roseburg, OR 97470-1687
Phone: (541) 957-3559
Toll Free: (888) 769-7343

April 28, 2026

The City of Ashland, Oregon, a municipal
corporation of the State of Oregon
20 E Main St
Ashland, Oregon 97520-1814

File No.:	10094-019
Grantor:	The City of Ashland, Oregon, a municipal corporation of the State of Oregon
Section:	Jackson County curb ramps phase 4
Highway:	
County:	Jackson
FAP No.:	SA00(611)e.d.12/31/29

The Oregon Department of Transportation (ODOT) plans to proceed with the Jackson County curb ramps phase 4 project. As part of this project, we need to acquire a 188 square feet (Sq Ft) Fee Acquisition (Parcel 1) and a 218 Sq Ft Temporary Easement for Work Area (Parcel 2) from your property. A determination of just compensation for the needed portion of your property has been made by an agency official according to federal and state guidelines and based on market information. This compensation amount is outlined in the attached "Acquisition Summary Statement." This offer is accompanied by either the written appraisal or written explanation of the bases and method by which the valuation was made.

Oregon law provides a **minimum** 40 days from the date of receipt of this initial written offer for you, the owner, to consider accepting or rejecting it. You may choose to accept or reject the offer at any time prior to the expiration of the 40-day period. If no attempt has been made to resolve issues and the offer is neither accepted nor rejected at the end of the 40-day period, the offer will be considered rejected. The 40-day provision does not apply when an emergency has been declared by the road authority.

The enclosed Acquisition document(s) and "Terms of State's Offer" cover the terms of our proposed real property agreement. Please read these documents carefully and, if acceptable, sign where indicated. The Acquisition documents must be notarized. Return these signed documents to this office. After the Right of Way Manager accepts the Acquisition document(s) and related agreements, you will receive notification of that acceptance and payment will follow.

The State will pay recording costs, title insurance premiums, and all other normal costs of sale. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the compensation in order to provide sufficient title to the state. Taxes will be prorated as of the date of possession or transfer of title, whichever is earlier.

You have the right to donate the property if you wish. Should you desire to do so, please notify me, and I will see that you receive the necessary forms and instructions.

RELOCATION BENEFITS

For an outline of any relocation benefits available to you, see the "Relocation Summary Statement" which is also attached.

If you have any questions or concerns, please call me at (541) 671-0298 or toll free at (888) 769-7343. I am also prepared to meet with you at your convenience and will be available to assist you and work with you throughout the process.

Thank you for your time and timely attention to this matter. We look forward to working closely with you through successful completion of the acquisition process.

Sincerely,

A handwritten signature in black ink that reads "SMitchell". The "S" is large and loops around the "M", which is written in a cursive style. The "Mitchell" part is also in cursive.

Sabrina Mitchell
Right of Way Agent

ACQUISITION SUMMARY STATEMENT

April 28, 2026

File No.:	10094-019
Grantor:	The City of Ashland, Oregon, a municipal corporation of the State of Oregon
Section:	Jackson County curb ramps phase 4
Highway:	
County:	Jackson
FAP No.:	SA00(611)e.d.12/31/29

Valuation	Comment	Value
Land:		\$3,068
Improvements:	Lawn (98 Sq Ft) & Sidewalk (90 Sq Ft)	\$1,032
Other:		\$0
Damages:		\$0
TOTAL JUST COMPENSATION:		\$4,100

Uneconomic Remainder:	None	\$0
Fencing Allowance:	None	\$0

LAND ACQUIRED:		
Parcel #	Rights to be Acquired	Area of Taking
Parcel 1	Fee	188 Sq Ft
Parcel 2	Temporary Easement: Work Area	218 Sq Ft

NOTICE TO VACATE:

Written notice will not be required. Possession will be upon payment.

THE FOLLOWING SEPARATELY-HELD OWNERSHIP INTERESTS ARE NOT INCLUDED IN THE TOTAL JUST COMPENSATION:

n/a

APPRAISAL INFORMATION:	
Appraisal/Valuation By:	Theodore Adkins
Date of Valuation:	January 29, 2026
Value:	\$4,100
Date Written:	February 10, 2026

RELOCATION BENEFIT SUMMARY, Non-Residential

April 28, 2026

Benefit Determination For:

The City of Ashland, Oregon, a municipal corporation of the State of Oregon

File No.:	10094-019
Grantor:	The City of Ashland, Oregon, a municipal corporation of the State of Oregon
Section:	Jackson County curb ramps phase 4
Highway:	
County:	Jackson
FAP No.:	SA00(611)e.d.12/31/29

Federal and State laws provide relocation benefits for displaced businesses, farms, and non-profit organizations. You may be eligible for the following assistance. Please read the booklet, *Your Rights and Benefits as a Displaced Person*, for additional information concerning this assistance.

- ☐ **RELOCATION ADVISORY ASSISTANCE:** To provide you with current information regarding availability of comparable properties, and to provide information on Federal and State assistance programs, etc.
- ☐ **SEARCH EXPENSES:** A payment for certain expenses to locate a new site, not to exceed \$5,000. Expenses may include transportation expenses, meals and lodging away from home, time spent searching based on reasonable salary and earnings, fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of the replacement site.
- ☐ **ACTUAL DIRECT LOSSES TO TANGIBLE PERSONAL PROPERTY:** This benefit is intended to compensate for personal property that cannot be moved. The payment is based on the actual value of the items not moved or the estimated cost to move the item(s), whichever is less.
- ☐ **SELF-MOVE BASED ON ESTIMATES, MOVE COST FINDINGS, OR ACTUAL COSTS:** A payment to you for moving your personal property 50 miles (80 kilometers) or less. This amount is based on estimates prepared by commercial movers or qualified staff estimators, or a pre-approved actual cost estimate. **We must be notified of when you plan to move.**
- ☐ **COMMON CARRIER MOVE:** A payment based on the actual and reasonable documented cost of moving your personal property 50 miles (80 kilometers) or less by a certified moving company. **We must be notified of when you plan to move.**
- ☐ **REESTABLISHMENT EXPENSES:** In addition to the payments for actual, reasonable, and related moving expenses, you may be eligible to receive a payment not to exceed \$33,200 for expenses incurred in reestablishing your business, farm, or non-profit organization at a replacement site.
- ☐ **FIXED PAYMENT:** If you apply and are found eligible, no other relocation benefits will be paid. If eligible, a payment of not less than \$1,000 or more than \$53,200 will be made. This payment is based on the average annual net earnings of your operations during the two taxable years prior to displacement.
- ☒ **YOU ARE NOT ELIGIBLE FOR THE RELOCATION BENEFITS LISTED ABOVE:** A review of this acquisition indicates that you will not be displaced by this project.
- ☒ **RELOCATION APPEAL:** If you have been denied eligibility for relocation benefits, or if you do not agree with the amount of a relocation payment, you have the right of appeal, and you may file a written request for an appeal of your relocation benefits within 60 days of this notification.

**YOUR COPY
RETURN ORIGINAL**
TERMS OF STATE'S OFFER

FILE #: 10094-019

THE STATE'S OFFER IS AS DESCRIBED IN THE ENCLOSED ACQUISITION SUMMARY STATEMENT AND ACQUISITION DOCUMENT(S) AND INCLUDES THE FOLLOWING ADDITIONAL TERMS:

1. The State will pay recording costs, title insurance premiums, and all other normal costs of sale.
2. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the just compensation in order to provide sufficient title to the State.
3. Pursuant to ORS 311.412-311.414, the State will pay the taxes proportional to the part of the property acquired and prorated as of the date of the acquisition.
4. As part of this acquisition for this Project, the State will require the following actions:

A. **Bonds.** The State and all subcontractors shall maintain a public works bond in full force and effect, as required by Oregon statutes, and shall obtain the mandatory insurance coverage required by the construction contract. The contractor shall verify subcontractors have filed a public works bond and required insurance certificates before the subcontractor begins work. All construction shall be completed in conformance with standard engineering and construction practices.

B. **Utilities.** (Check appropriate box)

☒ There will be no changes to public utilities to the property.

☐ Public utilities will be reconnected to improvements on the remainder property, except for the following: _____.

☐ Public utilities will be made available within the right-of-way adjacent to the remainder property, except for the following: _____.

☐ Public utilities will not be available to the remainder property in the after.

If a public utility on the property is not reconnected, just compensation (payment) is provided.

C. **Access.** (Check appropriate box)

☒ Access to the remainder property will remain the same.

☐ There will be no access to the remainder property.

☐ Access to the remainder property will remain the same, except for the following access:

Access #1 located at: _____, is modified, relocated or closed as a result of:

☐ the access modification letter dated: _____(attached)

☐ this Project as follows: _____.

Access #2 located at: _____, is modified, relocated or closed as a result of:

☐ the access modification letter dated: _____(attached)

☐ this Project as follows: _____.

Access #3 located at: _____, is modified, relocated or closed as a result of:

- ☐ the access modification letter dated: _____(attached)
☐ this Project as follows: _____.

After construction of the Project, if any access to the property has been modified, relocated or closed, other than a reservation(s) of access noted in the acquisition document(s), the altered access shall be public access; said access before and after the Project is subject to the government's police powers.

The following access, n/a, to be removed or modified as part of the Project, shall remain open for access to the remainder property until the Project has completed construction of the new access as described above.

Access to the property shall remain open during construction with at least one lane for vehicle traffic, except for minimal closures (up to 2 hours) that are reasonably necessary pursuant to the Oregon Standard Specifications for Construction, Volume 2, Chapter 00220.02.

D. Improvements.

Private improvements in any easement areas shall be protected in place, or returned to a same or similar condition, except for the following: Lawn (98 Sq Ft) & Sidewalk (90 Sq Ft).

Improvements in the Temporary Easement (Parcel 2) will be protected in place. This includes lawn, sidewalk, and a portion of the large tree. If impacted by the Project, these will be replaced in kind.

Any sidewalks in the acquisition area, that are impacted by the Project, will be reconnected to preexisting sidewalks, except at the following locations: n/a.

E. Fencing on the Property.

- ☒ Will not be affected. (Not Applicable – No Fencing)
☐ Will be replaced as follows: _____.
☐ Will not be replaced.

F. Other Terms of Offer.

• The Temporary Easement is effective for three (3) years or duration of the Project, whichever is sooner. Although the Temporary Easement is written for a period of three (3) years, the actual time frame the area is expected to be impacted by active construction is no more than twelve (12) nonconsecutive months.

• Personal property observed within the acquisition area at the time of inspection included a temporary corrugated plastic yard sign mounted on wire stakes, as identified in the appraisal report. Such items are not eligible for relocation benefits. Any personal property placed within the acquisition area after the date of this Offer must be removed by the owner or responsible party, at their own cost and expense, prior to construction to avoid damage.

5. To accept this offer, each of the persons listed on the attached signature page must (i) sign and return this document; and (ii) sign, notarize and deliver to ODOT all of the necessary acquisition document(s), in an original and unaltered form sufficient for transferring title and recording in the appropriate county recorder's office.
6. If this offer is addressed to multiple persons, it is a joint offer to all of those persons and must be accepted by all of the persons listed (or provide evidence showing any non-accepting persons do not have an interest in the property). If accepted, the just compensation in a joint offer may be apportioned among the persons listed in any mutually agreed upon manner.
7. The persons executing this offer each warrant and represent that they have authority to act for and bind their respective party with respect to the transfer of the real property interests that are the subject of this offer.
8. The "Terms of State's Offer" may be signed in counterparts. Once the signature of each person as set forth on the attached signature page has been affixed to one or more counterparts and returned to ODOT, this document shall be deemed fully executed as if all of the signatures were contained in a single document.
9. The Terms of State's Offer does not apply to any uneconomic remainder as identified in the appraisal.

[See attached Signature page]

SIGNATURE PAGE FOR TERMS OF STATE'S OFFER

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION



04/27/2026

Mickey Calvert

Date

**YOUR COPY
RETURN ORIGINAL**

The City of Ashland, Oregon, a municipal
corporation of the State of Oregon

Date

**YOUR COPY
RETURN ORIGINAL**

WARRANTY DEED

THE CITY OF ASHLAND, OREGON, a municipal corporation of the State of Oregon, Grantor, for the true and actual consideration of \$4,100.00 does convey unto the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described as **Parcel 1 on Exhibit "A" dated July 2, 2025**, attached hereto and by this reference made a part hereof.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcel 2 on Exhibit "A" dated July 2, 2025**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the State of Oregon Department of Transportation's construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 2, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Non-Discrimination.

1. The Grantee, for themselves, their heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree, as a covenant running with the land, that:

**SEND TAX STATEMENT TO: NO CHANGE
AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
555 13TH ST NE
SALEM OR 97301-6867**

Map and Tax Lot #: 391E05DD-2500

Property Address: 265 MAIN ST N
ASHLAND OR 97520

THIS IS A PARTIAL ACQUISITION FOR HIGHWAY PURPOSES

- a. No person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the Property,
 - b. That in the construction of any improvements on, over, or under the Property, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination,
 - c. That the Grantee will use, maintain, and operate the Property in compliance with all other requirements imposed by or pursuant to Title VI of the Civil Rights Act of 1964, 42 USC 2000d *et seq.*, 49 CFR Part 21, and 28 CFR 50.3, as amended.
2. In the event of breach of any of the above non-discrimination covenants, fee title to the Property shall automatically revert back to the Grantor and Grantor will have the right to terminate the easement upon written notice.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The statement above is required by law to be included in this instrument. PLEASE NOTE: the property described in this instrument is not a "lot" or "parcel" as defined in ORS 92.010 or 215.010. Nevertheless, the property is a legally created unit of land as described in ORS 92.010 (9) (d) or (e).

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this ____ day of _____, 20____.

APPROVED AS TO FORM:

By: _____

THE CITY OF ASHLAND, OREGON, a municipal corporation of the State of Oregon

By: _____
Authorized Signer

**YOUR COPY
RETURN ORIGINAL**

STATE OF OREGON, County of _____

Dated _____ 20____. Personally appeared _____ who, being sworn, stated that he/she is the _____ of the City of Ashland, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its Ordinance No. _____, passed by the Council of said City on the _____ day of _____, 20____.

Notary Public for the State of Oregon
My Commission expires _____

Accepted on behalf of the Oregon Department of Transportation

Parcel 1 – Fee

A parcel of land lying in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 39 South, Range 1 East, W.M., Jackson County, Oregon and being a portion of that property described in that Warranty Deed to THE CITY OF ASHLAND, OREGON, recorded May 2, 2018 as Document No. 2018-013635 of the Official Records of Jackson County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southwesterly side of the center line of the relocated Rogue Valley Highway ('NMS' center line), which center line is described as follows:

Beginning at Engineer's center line station 'NMS' 129+41.62 P.O.T., said station being South 799.33 feet and East 1,226.36 feet of the Northwest Corner of Government Lot 4, Section 5, Township 39 South, Range 1 East, W.M.; thence South 32°48'03" East 540.20 feet to Engineer's center line station 'NMS' 134+81.82, said station being South 1,253.40 feet and East 1,519.00 feet of the Northwest Corner of Government Lot 4, Section 5, Township 39 South, Range 1 East, W.M.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
'NMS' 130+75.00		'NMS' 130+83.00	30.00 in a straight line to 35.00
'NMS' 130+83.00		'NMS' 130+95.00	35.00
'NMS' 130+95.00		'NMS' 131+10.00	49.00

Bearings are based upon a survey performed by Emerio Design for the Oregon Department of Transportation, filed with the Jackson County Surveyor as Survey No. 23596 on February 25, 2022.

This parcel of land contains 188 square feet, more or less.

Parcel 2 – Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 39 South, Range 1 East, W.M., Jackson County, Oregon and being a portion of that property described in that Warranty Deed to THE CITY OF ASHLAND, OREGON, recorded May 2, 2018 as Document No. 2018-013635 of the Official Records of Jackson County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southwesterly side of the center line of the relocated Rogue Valley Highway ('NMS' center line), which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
'NMS' 130+67.00		'NMS' 130+90.00	30.00 in a straight line to 45.00
'NMS' 130+90.00		'NMS' 131+10.00	52.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 218 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Digitally Signed 2025.07.22
05:54:07 -07'00'

OREGON
MARCH 14, 2017
JASON ROBERT WEISZ
91618

RENEWS: 6-30-2026

ADA ONLY
ADMINISTRATIVE DETERMINATION OF JUST COMPENSATION

File Number: 10094-019

Ownership Name: The City of Ashland, Oregon

Project Name and/or Key Number: Jackson County Curb Ramps Phase 4

Date of Description: July 2nd, 2025

Date of Inspection: 01/29/2026

Date of Report: 02/10/2026

Project Description:

The project is improving sidewalk curb ramps to the current American with Disabilities Act (ADA) accessibility standards in Jackson County including the cities of Eagle Point, Talent and Ashland. The project corridor is along Highway 62 – Crater Lake Highway in the western central part of Eagle Point, Highway 99 through Talent and Highway 99 (Main Street – Lithia Way) in Ashland and Highway 66 – Green Springs Highway (Ashland Street) in Ashland.

Brief Description of the Subject:

The subject property is an improved parcel that currently features a public school. The property consists of one parcel described by Jackson County Assessor's Office as: 39S-01E-05DD Tax Lot 2500. The situs address listed at the county is 265 Main Street North, Ashland, OR 97520. The subject parcel totals approximately 3.74 acres or 162,914 square feet and is located on North Main Street (Highway 99). The property is zoned R-2 – Residential Low Density Multiple Family.

Larger Parcel:

The larger parcel defines the area to be considered in the appraisal for purposes of finding comparable market transactions. This is the parcel or grouping of parcels that share the same ownership, use and are contiguous. The larger parcel is the tax lot noted as 39S-01E-05DD Tax Lot 2500.

Access:

The subject property has access from Laurel Street, High Street and Manzanita Street. The access will not be impacted by the project. Access will remain as previously existing prior to the project.

HBU:

This parcel's highest and best use is the use that is physically possible, legally allowable, financially feasible and returns the highest rate of return to the owner. Highest and best use is established as if the land was vacant without improvements for the purpose of this valuation. Based on this information the highest and best use of the subject is residential for purposes of this valuation.

Description of the Take:

Parcel 1: Fee Acquisition: The fee acquisition area is 188 square feet. (See sketch map for location.) The fee acquisition area is needed for the construction of ADA sidewalk and curb ramps.

Parcel 2: Temporary Easement for Work Area: The Temporary Easement area is 218 square feet and is for three years or duration of the project, whichever is sooner. (See sketch map for location.) The temporary easement area will be used to allow construction access to aid in setting forms and for work area to complete ADA curb ramp construction.

Valuation of the Land:

In order to develop a land value for the subject property, a reviewed sales book has been referenced. The sales book was completed on 10/24/2025 and has been approved for use by ODOT Appraisal Review as of 11/04/2025. The most comparable sales from the project sales book that are relevant to the valuation of the subject property are sales AR7, AR8 and AR9. These sales have been considered in developing a per square foot value for the subject property. After considering the relevant characteristics of the subject property, it is the appraiser's opinion that the market value of the subject land is **\$14.00** per square foot.

Valuation of the Taking:

The ODOT standard for valuing a fee acquisition, is to value them at 100% of fee value. The value of the fee acquisition for this valuation is \$14.00 per square foot. Parcel 1 consists of 188 square feet. The fee acquisition calculation is as follows:

Parcel 1 - (188SF X \$14.00/SF = \$2,632) or **\$2,632** rounded.

All Temporary Easements for Work Area should be valued by applying a rate of return to the acquisition area. The ODOT standard for valuing Temporary Easements for Work Area for ADA projects only, is to apply a 4% rate of return for the entire duration of the easement (3 years). Parcel 2 consists of 218 square feet. The equations for valuing the temporary easement area is as follows:

Parcel 2 – (218SF X \$14.00/SF X 4% X 3 years = \$366.24) or **\$367.00** rounded

Land: Project sales book available upon request.

Parcel	Area	\$/Unit	\$ Total
Parcel 1	188SF	\$14.00/SF	\$2,632
Parcel 2	218SF	SeeCalcs.	\$367
		Total Land	\$2,999

Valuation of the Improvements: Improvements in the acquisition areas include grass and concrete sidewalk in the fee acquisition area and concrete sidewalk, grass and part of a very large tree in the temporary easement. The improvements in the temporary easement area will be protected in place or replaced in kind if disturbed by the project. The concrete and grass in the fee acquisition area have been included in this valuation. No other contributory improvements located in the acquisition areas.

The improvements included in the appraisal have been valued based upon replacement cost via Marshall Valuation Services Section 66, Pages 1-9. The 98 square feet of grass has been valued at \$1.01 per square foot prior to applying the cost (1.05) and local (1.08) multipliers for January 2026 resulting in a final replacement value at \$1.15 per square foot. Total value of the grass landscaping has been calculated at \$112.70. The 90 square feet of concrete sidewalk has been valued at \$9.00 per square foot prior to applying the cost (1.05) and local (1.08) multipliers for January 2026 resulting in a final replacement value at \$10.21 per square foot. Total value of the concrete sidewalk has been calculated at \$918.90. The total value of the improvements has been calculated at \$1,031.60. No depreciation for the landscaping improvements has been applied as these items typically contribute full replacement value until the end of their economic life. The improvements are in good condition and are not near the end of their economic life. The final reported value of the improvements has been rounded up to the nearest \$1 for a total improvement value of **\$1,032**.

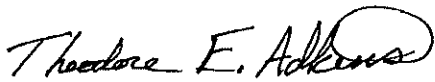
Personal Property: A poster board sign was located in the fee acquisition area at the time of inspection. No other personal property noted to be in the acquisition areas at the time of inspection.

Damages or Cost to Cure: No damages as a result of the acquisition.

Total Damages and/or Cost to Cure N/A

Total Value of the Taking

Total Value of land:	\$2,999	
Total Value of Improvements:	\$1,032	
Total Damages and/or Cost to Cure:	N/A	
Total Value (land, improvements and damages and/or cost to cure:		\$4,031
Estimate of Fair Market Value (rounded):		\$4,100



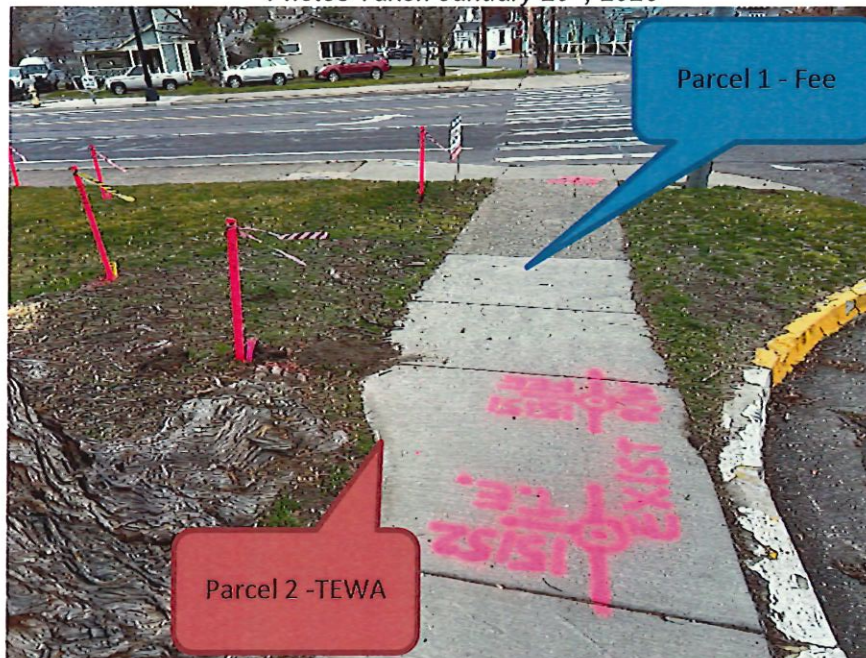
Admin Preparer

02/10/2026

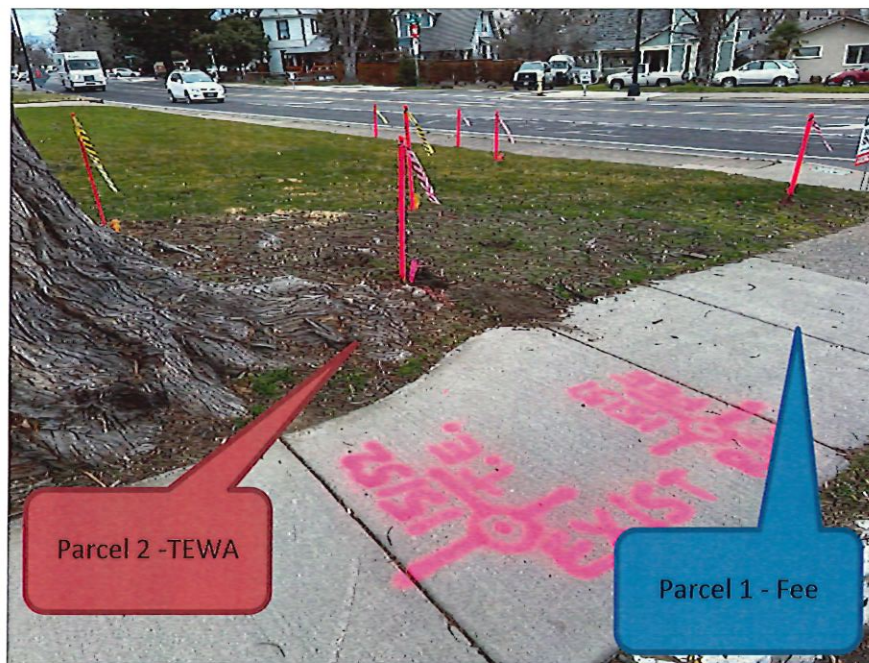
(Date)

PHOTOGRAPHS OF SUBJECT PROPERTY

Photos Taken January 29th, 2026



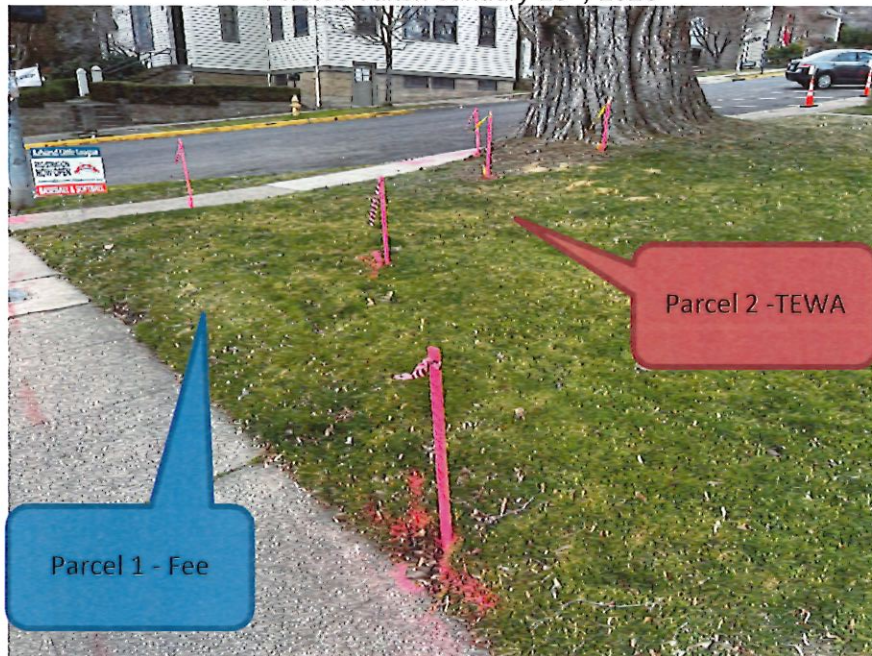
Looking north at Fee and TEWA from south end of acquisition areas



Looking northwest from southeast end of FEE and TEWA areas

PHOTOGRAPHS OF SUBJECT PROPERTY

Photos Taken January 29th, 2026



Looking at southeast at fee and TEWA from northwest corner of acquisition areas



Looking west at subject from across the street

EXHIBIT A - Page 1 of 2

File 10094-019
 Drawing RW10094M
 July 2, 2025

Parcel 1 – Fee

A parcel of land lying in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 39 South, Range 1 East, W.M., Jackson County, Oregon and being a portion of that property described in that Warranty Deed to THE CITY OF ASHLAND, OREGON, recorded May 2, 2018 as Document No. 2018-013635 of the Official Records of Jackson County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southwesterly side of the center line of the relocated Rogue Valley Highway ('NMS' center line), which center line is described as follows:

Beginning at Engineer's center line station 'NMS' 129+41.62 P.O.T., said station being South 799.33 feet and East 1,226.36 feet of the Northwest Corner of Government Lot 4, Section 5, Township 39 South, Range 1 East, W.M.; thence South 32°48'03" East 540.20 feet to Engineer's center line station 'NMS' 134+81.82, said station being South 1,253.40 feet and East 1,519.00 feet of the Northwest Corner of Government Lot 4, Section 5, Township 39 South, Range 1 East, W.M.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
'NMS' 130+75.00		'NMS' 130+83.00	30.00 in a straight line to 35.00
'NMS' 130+83.00		'NMS' 130+95.00	35.00
'NMS' 130+95.00		'NMS' 131+10.00	49.00

Bearings are based upon a survey performed by Emerio Design for the Oregon Department of Transportation, filed with the Jackson County Surveyor as Survey No. 23596 on February 25, 2022.

This parcel of land contains 188 square feet, more or less.

EXHIBIT A - Page 2 of 2

File 10094-019
Drawing RW10094M
July 2, 2025

Parcel 2 – Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 39 South, Range 1 East, W.M., Jackson County, Oregon and being a portion of that property described in that Warranty Deed to THE CITY OF ASHLAND, OREGON, recorded May 2, 2018 as Document No. 2018-013635 of the Official Records of Jackson County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southwesterly side of the center line of the relocated Rogue Valley Highway ('NMS' center line), which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
'NMS' 130+67.00		'NMS' 130+90.00	30.00 in a straight line to 45.00
'NMS' 130+90.00		'NMS' 131+10.00	52.00

EXCEPT therefrom Parcel 1.

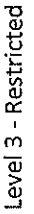
This parcel of land contains 218 square feet, more or less.

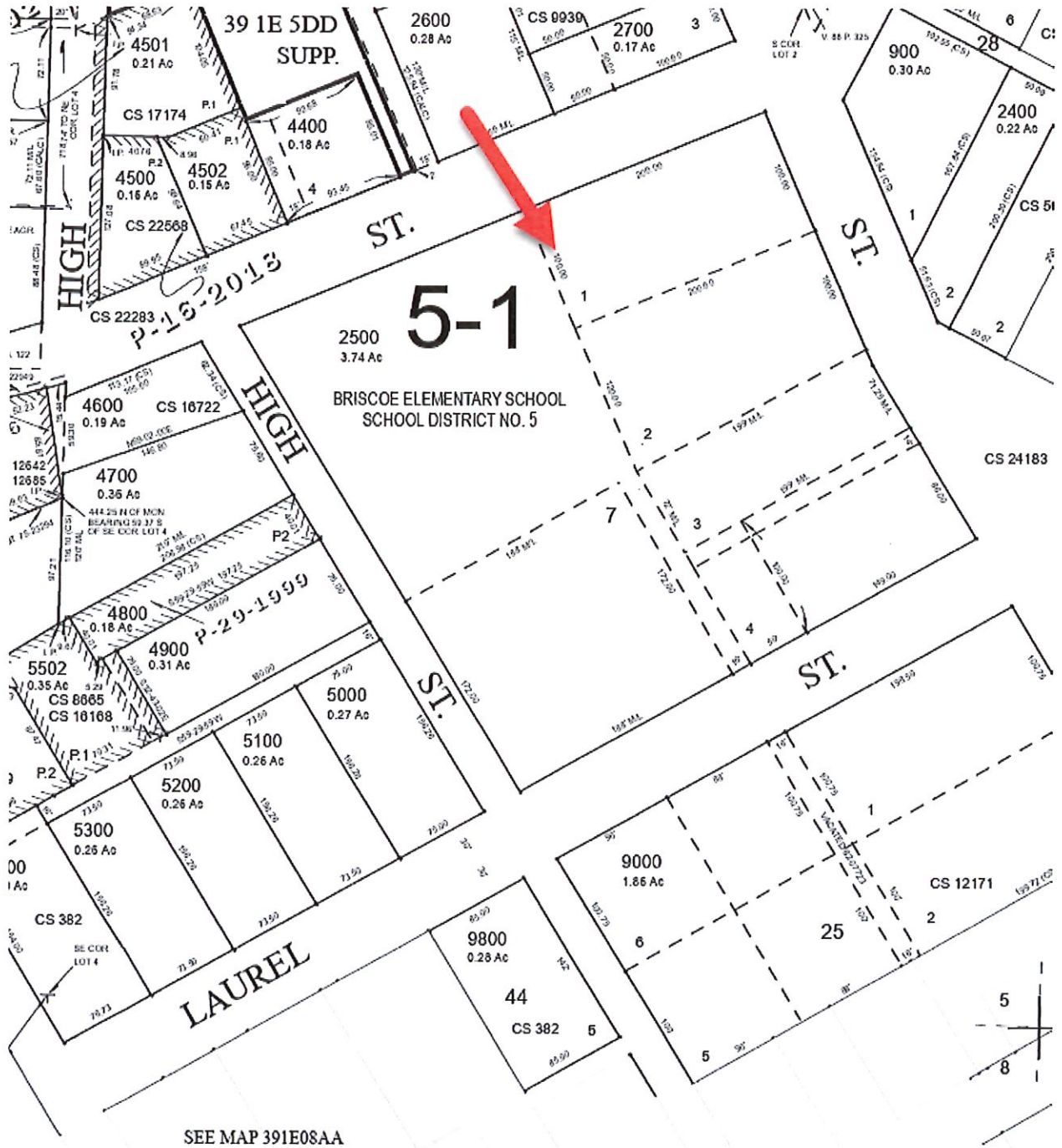
REGISTERED
PROFESSIONAL
LAND SURVEYOR

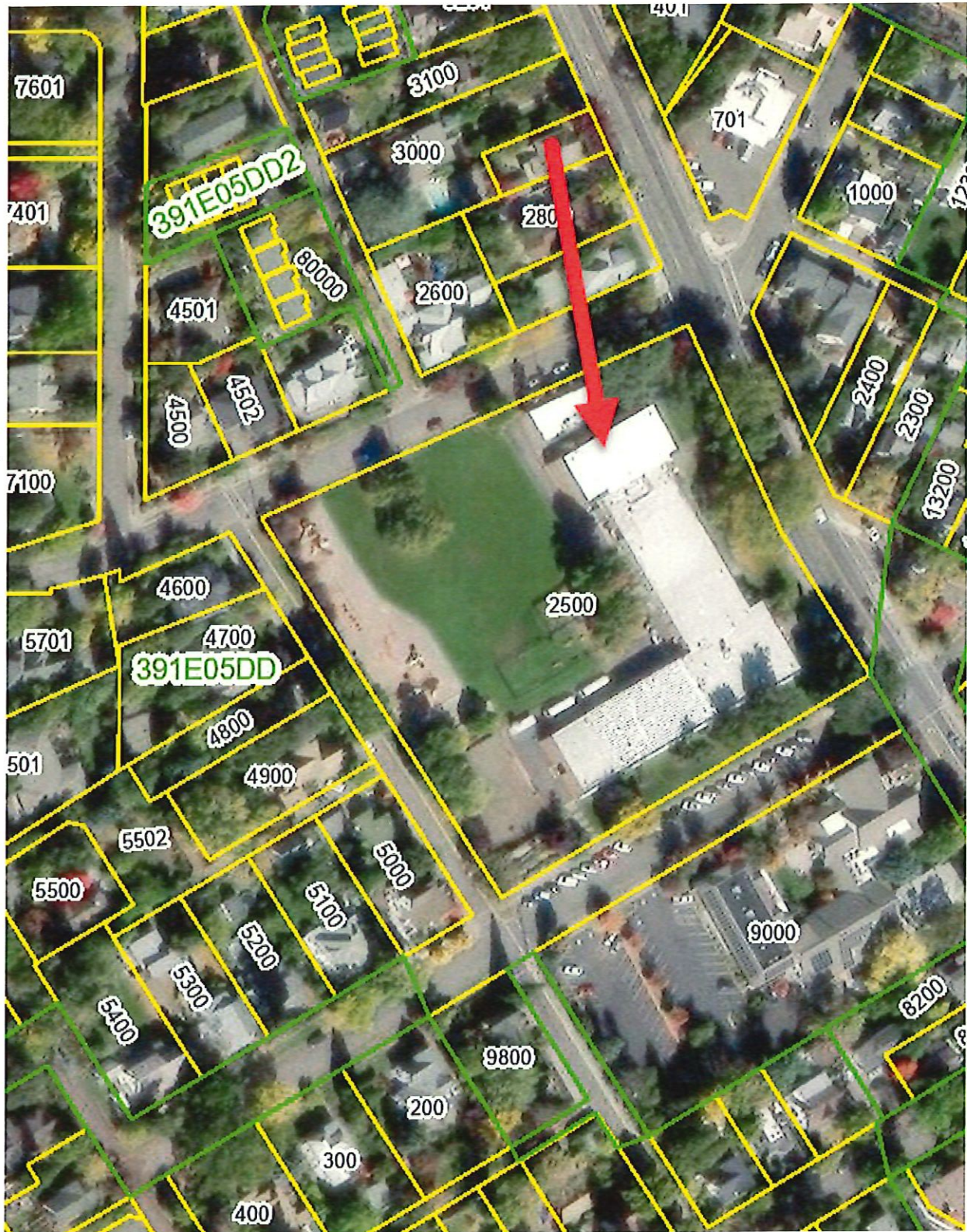
Digitally Signed 2025.07.22
05:54:07 -07'00'

OREGON
MARCH 14, 2017
JASON ROBERT WEISZ
91618

RENEWES: 6-30-2026









850 O'Hare Pkwy., Ste. 102, Medford, OR 97504
 Phone (541) 779-7660, Fax (541) 779-3506

July 1, 2025

File Number: 1008761

Report No.: 1

Title Officer: Linda Hoehn linda.hoehn@amerititle.com

PRELIMINARY TITLE REPORT

Property

Address: 265 North Main Street, Ashland, OR 97520

Policy or Policies to be issued:

Liability

Premium

Proposed Insured: State of Oregon, by and through its Department of Transportation

2021 ALTA Standard Owner's Policy COMMERCIAL

TBD

TBD

Endorsements: 110

\$0.00

We are prepared to issue ALTA (07/01/21) title insurance policy(ies) of Old Republic National Title Insurance Company, in the usual form insuring the title to the land described as follows:

Legal description attached hereto and made a part hereof marked Exhibit "A"

and dated as of 20th day of June, 2025 at 7:30 a.m., title is vested in:

The City of Ashland, Oregon, a municipal corporation of the State of Oregon

The estate or interest in the land described or referred to in this Preliminary Title Report and covered herein is:

FEE SIMPLE

Except for the items properly cleared through closing, Schedule B of the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental, or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

EXCEPTIONS 1 THROUGH 5 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

SPECIAL EXCEPTIONS:

6. Taxes assessed under Code No. 5-01 Account No. 1-005809-9 Map No. 391E05DD 2500
The 2025-2026 Taxes: A lien not yet due or payable.
7. Taxes assessed under Code No. 5-01 Account No. 1-005809-9 Map No. 391E05DD 2500, including the current fiscal year, not assessed because of School Exemption. If the exempt status is terminated an additional tax may be levied.
8. City liens, if any, of the City of Ashland.
(No inquiry has been made. If no search is requested, this exception will remain in the policy. A charge of \$30.00 per account will be added if a search is requested)
9. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.
10. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$1,880,000.00
Trustor/Grantor: The City of Ashland, Oregon, a municipal corporation of the State of Oregon
Trustee: First American Title Insurance Company of Oregon
Beneficiary: Ashland School District No. 5, a municipal corporation of the State of Oregon
Dated: May 1, 2018
Recorded: May 2, 2018
Instrument No.: 2018-013636

11. An easement including the terms and provisions thereof, affecting the portion of the Land and for the purposes stated therein as set forth in instrument:

Granted To: State of Oregon, by and through its Department of Transportation

Recorded: September 21, 2022

Instrument No.: [2022-028457](#)

12. Delivery to and approval by the Company of documentation authorizing transaction and setting forth parties authorized to execute documents on behalf of City of Ashland.

13. Personal property taxes, if any.

14. Rights of tenants under existing leases or tenancies.

INFORMATIONAL NOTES:

- A. As of the date hereof, there are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties:

State of Oregon, by and through its Department of Transportation

- B. We find no activity in the past 24 months regarding transfer of title to subject property.

- C. JACKSON COUNTY Recording Fees are as follows:

The fee will be \$121.00 (includes e-recording fee of \$5.00) for the 1st page plus \$5.00 per page thereafter. Deeds transferring title will be \$104.00 (includes e-recording fee) for the 1st page plus \$5.00 per page thereafter for most documents.

- D. Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

- E. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the parties to the transaction must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

- F. Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Preliminary Title Report shall automatically be considered null and void and of no force and effect.

THIS PRELIMINARY TITLE REPORT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

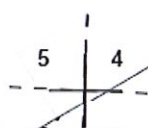
End of Report

"Superior Service with Commitment and Respect for Customers and Employees"

File No.: 1008761
Page 5

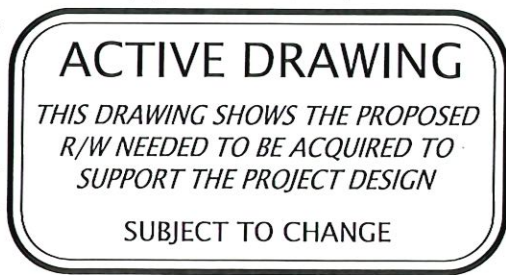
EXHIBIT "A"
LEGAL DESCRIPTION

Block 7, together with the vacated alleys therein, in the City of Ashland, Jackson County, Oregon, according to the Official 1888 Plat thereof. Excepting therefrom all that portion lying Westerly of High Street.



THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF

DRAWING RW10094M



 RIGHT OF WAY DRAWING SHEET 3 OF 4	SECTION	JACKSON COUNTY CURB RAMPS PHASE 4	CAD FILE NAME	S_K23063_GEOM_rw_wrk.dgn	REVISION HISTORY DATE NAME DESCRIPTION MM/DD/YYYY PLACE NAME HERE PLACE DESCRIPTION OF REVISION HERE		
	HIGHWAY	ROGUE VALLEY HIGHWAY	SCALE	1" = 50'			
	COUNTY	JACKSON	DATE	JULY, 2025			
	PURPOSE	RIGHT OF WAY ACQUISITION – LOCATED LINE	RW PROJ. NO.	10094			



Council Business Meeting

Date: August 4, 2026

Agenda Item	Public Hearing for the Sale of Real Property – Map and Tax Lot 391E04 AD T.L. #100 – North Mountain Avenue Parcel
Department	Public Works
From	Scott Fleury, Director

TIME ESTIMATE

Five (5) Minutes

CATEGORY

Staff Direction - provide direction to staff on the body's desired next steps.

SUMMARY

Before the Council is the consideration of the sale of real property owned by the City of Ashland. The property is a .35 acre parcel located in the North Mountain Zone (Map and TL 391E04AD TL#100). The Council previously approved the surplus of the property.

POLICIES, PLANS & GOALS SUPPORTED

City Council Goal: Evaluate real property and facility assets to strategically support city mission and goals.

BACKGROUND AND ADDITIONAL INFORMATION

The City of Ashland owns the real property located on North Mountain Avenue, Parcel-391E04AD Tax Lot#100. The parcel was previously approved by Council as surplus and in order to sell through a listing agent at market value a public hearing for sale approval is required.

Property Details

North Mountain:

The .35-acre parcel is located in the North Mountain zone (391E04AD TL#100). The property was conveyed to the City of Ashland from Jackson County in 1992. The property was appraised in 2021 with an as is value of \$300k. The property is currently undeveloped. If declared surplus, staff recommends moving forward with the sale of the property utilizing and real-estate agent.

Zoning = North Mountain Multi Family (NM-MF)

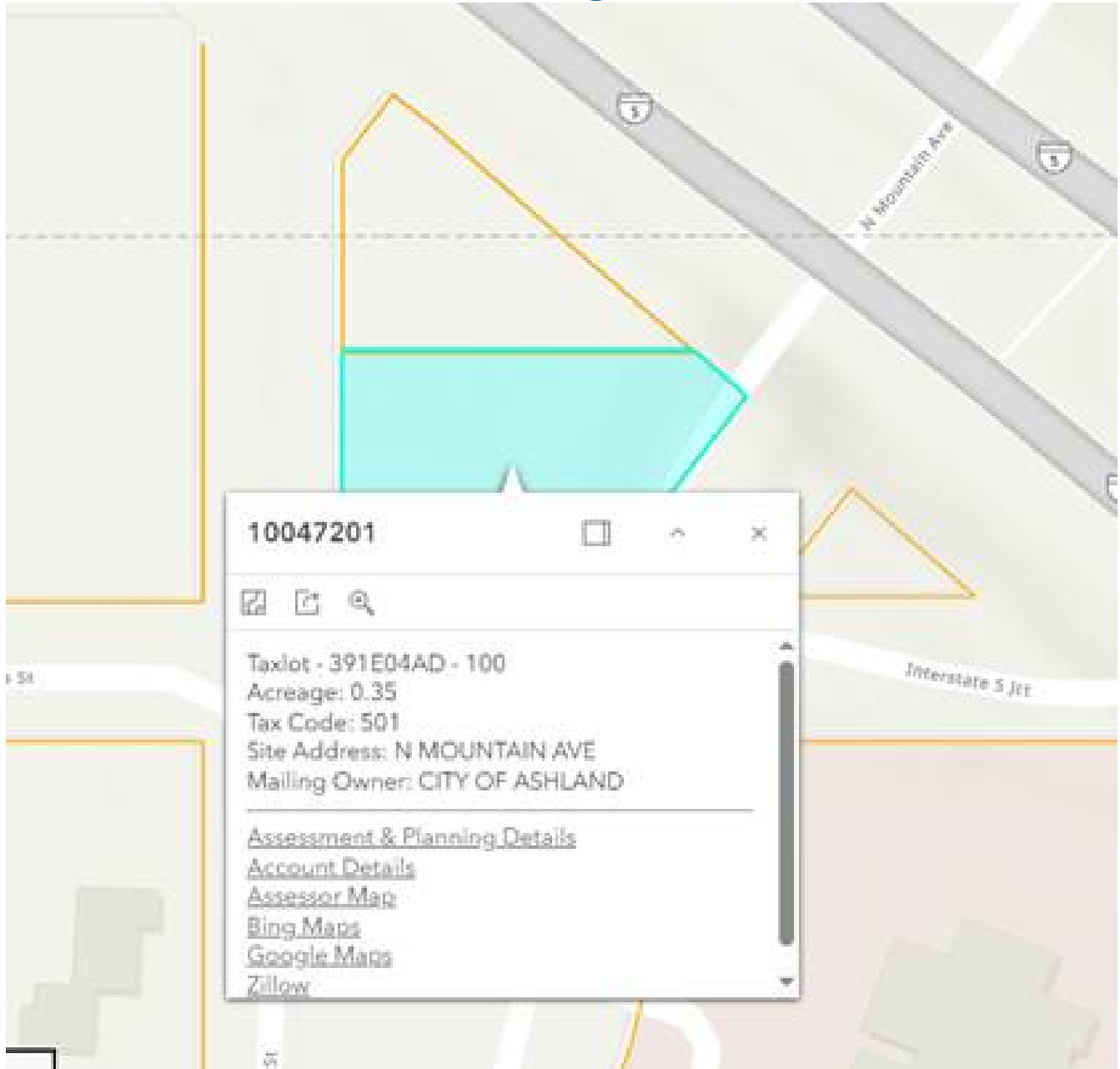
1. The ROW to the west of the parcel (the extension of Mountain) is dedicated but unimproved.
2. Based density for this parcel is 4.2 dwelling units. (The allowed residential density in NM-MF is 12 du/ac See: AMC 18.3.5.060.)
3. With possible density bonuses considered potentially up to 5 dwellings could be developed. This would require site design review and installation of half street improvements.
4. There is an additional 0.5 acer of land between Nevada and N Mountain ROW that could be vacated.
5. There is a sewer main that crosses this ROW. To whom the ROW would inure to the benefit of if it were vacated is beyond the scope of this analysis.
6. The eastern side of the property is severely constrained with steep slopes. Based on these slopes the realistic area that can be developed is ~0.2 ac.

Figure 1: North Mountain Parcel





Council Business Meeting



As outlined in Ashland Municipal Code (AMC) 2.55 "Disposal of Real Property" a public hearing must be held as part of the disposition process.

Description of Property: The City of Ashland intends to sell a City owned .35-acre parcel located in the North Mountain zone (391E04AD TL#100) in Ashland, Oregon.

Proposed uses: The proposed use of the property is development consistent with North Mountain Multi-Family Zoning requirements as established by Ashland Land Use Ordinance.

Reason for Sale: The City of Ashland has declared the property surplus, meaning that the property is no longer required for any current or future municipal needs and its highest and best use would be for private development.





Council Business Meeting

Public Notice

Pursuant to ORS 221.725 NOTICE IS HEREBY GIVEN that the Ashland City Council will hold a public hearing to discuss the proposed sale of property on August 4, 2026, at 6:00 p.m., in the Council Chambers, 1175 E. Main Street.

The public hearing provides the opportunity for any resident to present oral or written testimony on the proposed sale of the property.

City Council Determination

Following the public hearing and consideration of public testimony, the City Council shall determine whether to authorize the proposed sale. The Council may give further guidance or instructions to staff before initiating a sale, including but not limited to, establishing bidding criteria, retaining a real estate firm, and posting notice on the City website. If the City Council authorizes the sale of the property, the City Manager shall act as the City representative for any closing documentation or negotiations.

Staff recommend a market-based sale using a listing agent.

FISCAL IMPACTS

Market conditions will dictate the actual financial considerations for sale of the property and staff will work with the listing agent to develop listing documentation for a sale. The appraised value from 2021 was \$300,000.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to authorize the market-based sale of tax lot #100 from Assessor Map 391E04AD using a listing agent.

REFERENCES & ATTACHMENTS

1. North Mountain Avenue Appraisal



APPRAISAL OF:

**Land Only
North Mountain Avenue and
East Nevada Street
Ashland, Oregon**

**Prepared For:
City of Ashland**

**Report Date:
January 28, 2021**

**Date of Value:
January 13, 2021**



TABLE OF CONTENTS

	<u>Page</u>
Letter of Transmittal.....	i
Summary of Salient Data.....	iii
Purpose of Appraisal	1
Client/Intended Use/Users of the Appraisal	1
Date of Value.....	1
Date of Inspection.....	1
Property Rights Appraised.....	1
Definitions.....	2
Scope of Appraisal	4
Legal Description.....	6
Property Ownership and History	6
Exposure and Marketing Time.....	7
Location Analysis.....	10
The Land	17
Highest and Best Use	22
Assessed Valuation and Taxes	23
Land Value by Comparison	24
Valuation	29
Assumptions and Limiting Conditions.....	30
Certification.....	33

Addenda

- Subject Photographs
- Personal Services Agreement

Qualifications

CASCADE CHARTER COMPANY, LLC
REAL ESTATE APPRAISALS – CONSULTING

LAWRENCE E. BROWN, MAI CRE (1942 - 1990)
GREGORY S. SCHULER
DAVID M. MATLOCK
MARGARET NELSON-QUIN
BROOKE LEVISON
DEB CHRISTOPHERSON

January 28, 2021

Scott Fleury
Public Works Director
City of Ashland
20 East Main Street
Ashland, Oregon 97520

Reference: Appraisal of the land located along the northeasterly corner of North Mountain Avenue and East Nevada Street identified as Map and Tax Lot 39-1E-04AD, 100 In Ashland, Oregon. Our File No. 4783.4.

Dear Mr. Fleury:

In response to your request, we have personally examined and appraised the land located along the northeasterly corner of North Mountain Avenue and East Nevada Street identified as Map and Tax Lot 39-1E-04AD, 100 in Ashland, Oregon. The purpose of this appraisal report is to set forth our opinion relative to the "as is" market value of the **fee simple interest** in the subject property. It is our understanding the appraisal report will be utilized by authorized representatives of the City of Ashland for internal decision making purposes. No other purpose, use, or users of this appraisal report are authorized or intended.

This appraisal report is prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP); the Financial Institution's Reform, Recovery, and Enforcement Act of 1989 (FIRREA); and Chapter 12 Code of Federal Regulation Part 34 (12CFR34) of the Office of the Comptroller of the Currency titled, "Real Estate Appraisals." This report is also prepared within the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, the Interagency Appraisal and Evaluation Guidelines (effective December 10, 2010). This appraisal assignment is not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.

Reference is made to the **extraordinary assumptions** presented within this report. If any of the extraordinary assumptions as stated herein are ultimately found to be false, the value opinion as specified in this appraisal report could be impacted.

Based upon the studies and examinations made, the opinion is formed subject to the limiting conditions and assumptions stated herein, that the "as is" market value of the **fee simple interest** in the subject property based upon economic and market conditions effective as of January 13, 2021 is as follows:

"As Is" Market Value (January 13, 2021)

THREE HUNDRED THOUSAND DOLLARS

\$300,000

The following is a real property appraisal report which summarizes the property description, market data, and value analyses which form the primary basis for the opinion of market value as stated in this report.

Respectfully submitted,

CASCADE CHARTER COMPANY, LLC



GREGORY S. SCHULER
Oregon State Certified General Appraiser
License No. C000268
Expiration Date: May 31, 2021



DAVID M. MATLOCK
Oregon State Certified General Appraiser
License No. C001357
Expiration Date: February 28, 2022

SUMMARY OF SALIENT DATA

Identification

Multi-Family Land Parcel
Northeasterly corner of North Mountain Avenue and East Nevada Street
39-1E-04AD, Tax Lot 100
Ashland, Oregon 97520

Land Area

The subject land parcel is irregular in shape and totals 0.35 acre, or 15,246 square feet according to Jackson County assessment records.

Date of Value

January 13, 2021

"As Is" Market Value

\$300,000

PURPOSE OF APPRAISAL

The purpose of this appraisal is to set forth our opinion relative to the "as is" market value of the **fee simple interest** in the land identified as Map and Tax Lot 39-1E-04AD, 100 in Ashland, Oregon.

CLIENT/INTENDED USE/USERS OF THE APPRAISAL

The client of this appraisal assignment is the City of Ashland. It is our understanding that the intended use of this appraisal is for internal decision making purposes. The intended users of this appraisal document are representatives of the City of Ashland. No other purpose, use, or users of the appraisal report are authorized or intended.

DATE OF VALUE

The opinion of "as is" market value expressed in this report is stated effective as of January 13, 2021 assuming economic and market conditions as existing on that date.

DATE OF INSPECTION

The subject property was physically inspected on January 13, 2021.

PROPERTY RIGHTS APPRAISED

The property rights appraised herein pertain to the **fee simple interest** in the real property which represents the subject of this appraisal.

DEFINITIONS

Fee Simple Interest

"Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Source: The Dictionary of Real Estate Appraisal, Sixth Edition, Appraisal Institute, 2015.

Extraordinary Assumption

"An assumption, directly related to a specific assignment, as of the effective date of the appraisal results, which, if found to be false, could alter the appraiser's opinions or conclusions. Comment: Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

Source: The Dictionary of Real Estate Appraisal, Sixth Edition, Appraisal Institute, 2015 and USPAP, 2016-2017 Edition.

Market Value

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and,

5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Source: 12 C.F.R. Part 34.42(g); 55 *Federal Register* 34696, August 24, 1990, as amended at 57 *Federal Register* 12202, April 9, 1992; 59 *Federal Register* 29499, June 7, 1994. USPAP 2016-2017 Advisory Opinion 22, Lines 58-70.

SCOPE OF APPRAISAL

The scope of this appraisal has the primary function of researching pertinent market information and developing an opinion relative to the "as is" market value of the **fee simple interest** in the subject property. The appraisal service as detailed in this report is performed in such a manner that the results of the analyses, opinions, or conclusions formulated are that of a disinterested third party. The sales comparison approach or land value by comparison was utilized to appraise the subject land. The scope of the process involved in the research, analysis, and presentation of the appraisal conclusion is inclusive of the following:

1. Discussions in order to accurately identify the nature and objective of the assignment;
2. A preliminary study is conducted in order to determine what information is required and the sources of the information; i.e., development consultants, title companies, real estate agencies, planning representatives, etc.;
3. General information relating to the subject region and specific information relating to the immediate subject area and the property itself is then assembled;
4. An analysis of demographic and economic trends in the subject region is conducted;
5. Based on the market information reviewed, determinations are made in regard to the highest and best use of the property;
6. Information is assembled pertaining to market data for use in the valuation approach prepared for the subject. The sources of the market data primarily include the following:
 - Real estate databases
 - County records
 - Representatives of local real estate agencies
 - Real estate appraisers
 - Property managers and ownership representatives
7. Unless stated otherwise, the market data presented in this report have been verified with a buyer, seller, agent, or other representatives knowledgeable of the transactions;

8. The subject property and the market data are reviewed with pertinent differences noted. In addition, the neighborhood boundaries of the subject are defined and the land use characteristics of the market area identified;
9. Summary information pertaining to the market data is presented in this report. The usefulness and applicability of the data collected are reviewed with comparisons applied where appropriate in relation to the subject property;
10. The results of the valuation approach utilized are thoroughly examined and a reconciliation or correlation of final value concluded;
11. An appraisal is presented with supporting information categorized and placed into the appraisal work file;
12. The competency of the appraisers in terms of providing a reasonable and supportable conclusion of value is based upon experience in valuing properties having utility similar to the subject. This experience includes the appraisal of property types similar to the subject which are located within the local and regional market area which encompasses the subject community.

LEGAL DESCRIPTION

The complete legal description of the subject property was not available for our review. The property can be identified on the Jackson County assessment records as Township 39, Range 1 East, Section 04AD, Tax Lot 100.

PROPERTY OWNERSHIP AND HISTORY

Fee title to the subject property is presently vested with the City of Ashland. To our knowledge, there have been no listings or market transfers of the property within the three year period prior to the effective date of this appraisal.

EXPOSURE AND MARKETING TIME

Exposure time may be defined as follows:

"The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale of market value on the effective date of the appraisal; Comment: Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market."

Source: The Dictionary of Real Estate Appraisal, Sixth Edition, Appraisal Institute, 2015 and USPAP, 2016-2017 Edition.

Marketing time may be defined as follows:

"An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal."

Source: The Dictionary of Real Estate Appraisal, Sixth Edition, Appraisal Institute, 2015.

It is noted that exposure time is presumed to precede the achievement of the market value conclusion as stated herein. The overall concept of reasonable exposure noted in the previous Definition of Market Value also assumes an adequate, sufficient, and reasonable effort in marketing.

As an aid in determining a reasonable exposure time and marketing period for the subject property, reference is made to the following RERC investor survey of national marketing periods specified for the most traditional property types.

**RERC Investment Survey
Average Marketing Periods**

<u>Property Type</u>	<u>3rd Qtr. 2020 (Months)</u>
Office – CBD	7.8
Office – Suburban	7.9
Industrial – Warehouse	5.5
Industrial – R & D	7.4
Industrial – Flex	7.5
Retail – Regional Mall	10.3
Retail – Power Center	9.6
Retail – Neighborhood	7.8
Apartment	5.5
Student Housing	7.1
Hotel	9.8
All Types	7.8

Source: RERC.

The RERC survey indicates that average marketing periods range from 5.5 to 10.3 months. As an aid in determining a reasonable exposure time and marketing period for the subject property, information is assembled regarding reported days on market (DOM) for sales of vacant multi-family land within Ashland as reported by the Flex Multiple Listing Service (FMLS). There is a distinct lack of multi-family land sales in the Ashland Market. As a result, our search is expanded to include all residential land sales within the Ashland market. The FMLS information indicates reported DOM pertaining to sales and listings of vacant residential land in Ashland ranging from eight to 717 days with an average of 257 days or 8.45 months over the past eight months.

Based upon the nature of the subject property and the types of investors or end users who would likely purchase a property such as the subject, an appropriate exposure and marketing period is estimated at six to nine months. This estimated period is based upon the opinion of market value concluded in this report and represents a reasonable time period for adequate exposure to the open market. This estimate is representative of market conditions, the nature of the subject property, and

the status of the local, regional, and national economy in this analysis. Additionally, this estimated period takes into account the market location of the subject in relation to the national investor survey data reviewed.

We are not able to project how the COVID-19 pandemic will affect the exposure and marketing time for the real estate market. Therefore, the recent national property trends and market sale transactions provide the primary indicators for our marketing and exposure time estimates at this time.

LOCATION ANALYSIS

The subject property is located along the northeasterly corner of North Mountain and East Nevada Street in the city of Ashland, Oregon. Reference is made to the following map which depicts the location of the subject property relative to the surrounding region. Included in this location analysis are details regarding population, economy, and employment within Jackson County, as well as a description of the immediate surroundings of the subject property.



Ashland and Jackson County

The city of Ashland is located 14 miles north of the Oregon/California state line and 120 miles east of the Pacific Ocean. Ashland is the southernmost city in Jackson County and represents the arts and educational center of southern Oregon and northern California. Reference is made to the map presented on the facing page which identifies Ashland relative to the surrounding region.

Ashland is situated in the foothills of the Siskiyou Mountains at the south end of a large river valley formed by the Rogue River and Bear Creek drainages. The Rogue Valley is surrounded on all sides by mountains including the Cascade and

Siskiyou Ranges and the Umpqua Divide. Distances from Ashland to other notable cities are as follows:

Medford.....	15 miles northwest
Grants Pass	43 miles northwest
Eugene.....	180 miles north
Portland.....	294 miles north
Sacramento.....	292 miles south
San Francisco.....	387 miles south

Population

Population changes in Jackson County have been significant with strong growth occurring. From 1990 through 2019, the population of Jackson County increased by 74,890. Reference is made to the following summary which details population for the larger cities within the county as well as the unincorporated areas.

Historic Population

Year	Ashland	Medford	Central Point	Eagle Point	Unincorp.	Jackson County	Oregon
2019	20,960	81,465	18,365	9,260	70,050	221,290	4,236,400
2018	20,815	80,375	17,895	9,105	70,020	219,200	4,195,300
2017	20,700	79,590	17,700	8,930	69,125	216,900	4,141,100
2016	20,620	78,500	17,585	8,765	67,595	213,765	4,076,350
2015	20,405	77,655	17,485	8,695	66,150	210,975	4,013,845
2010	20,095	74,980	17,185	8,470	62,530	203,340	3,837,625
2005	20,730	70,855	15,571	7,496	59,950	194,515	3,628,700
2000	19,522	63,720	12,493	4,797	63,220	182,200	3,436,750
1990	16,252	47,021	7,512	3,022	59,831	146,400	2,842,321

Source: Population Research Center, Portland State University.

A significant factor influencing population growth in the area is the strong amenity value and livability of the Rogue Valley. During the last two decades, many retirees, semi-retirees, and working people have moved to the Rogue Valley from more densely populated and congested areas due in large part to quality of life considerations.

Education

The Ashland public school district operates five schools in the area. Approximately 3,000 students attend three elementary, one middle, and one high school. The elementary schools provide an education from kindergarten to fifth grade. Ashland Middle School consists of grades six through eight, with Ashland High School providing educational services for students in grades nine through twelve.

Southern Oregon University is a regional, multi-purpose institution which was founded in 1869. The main campus is located in Ashland, with a branch campus in Medford. The University has a quarterly on-campus enrollment of approximately 5,500 undergraduate and graduate students. The University offers 35 bachelor and nine graduate degree programs in the Schools of Arts and Letters, Business, Science, Social Science, Education, and Health and Physical Education.

Cultural Activities

Located within the downtown plaza area of Ashland is the Oregon Shakespeare Festival (OSF). The Festival was founded in 1935 and is among the oldest and largest professional regional theater companies located in the United States. OSF is known world-wide for the quality of its productions and won a Tony award for outstanding achievement in regional theater and has also been named in Time Magazine as one of America's top five regional theaters. Attendance reaches over 360,000 annually. Overall, OSF contributes over \$113 million annually to the local economy. Approximately 88 percent of the festival audience reportedly travels over 125 miles to attend the performances.

Also located in the downtown area is the Oregon Cabaret Theater (OCT). The Cabaret is housed in an historic Baptist church, and has become a major part of the Ashland cultural scene over the past 18 seasons. Since it opened in 1986, OCT has attracted almost a quarter of a million patrons to the intimate 140-seat theater. The Cabaret now draws regular customers from California and throughout the Pacific Northwest, as well as patrons from as far away as England and Japan.

Other notable cultural activities in the area include the Rogue Valley Symphony, which offers performances in Ashland as well as many other venues throughout the Rogue Valley.

Economy

Jackson County's economic base has historically been tied to five major industries: lumber and wood products, trade and service, government, tourism, and agriculture. Over the past decade, the economy has diversified away from lumber and wood products and grown significantly in terms of retail trade.

Lumber and Wood Products

The lumber and wood products industry has declined as an employment sector over the previous 20 years within Jackson County. Environmental issues, including survival of the Spotted Owl, opposition to cutting of old-growth timber, controversy concerning the appropriate level of sustainable yield from public lands, and expansion of wilderness areas all limited log supply. Previous timber-cutting practices, particularly by private companies, and continued log exports have further reduced supply. Lumber and wood products jobs have decreased due to scarce log supplies. As a result, several major wood products employers have reduced production or permanently closed their operations over the past two decades.

Agriculture

Agriculture remains an important component of the Jackson County economy. Major fruit packers in the Medford area include Harry and David, Reter Fruit Company, and Naumes of Oregon, Inc. The seasonal nature of agricultural employment has a direct impact in regard to fluctuations in Jackson County unemployment figures. The past expansion of residential development has also affected the local agricultural economy. Many old established orchards in the county have been removed in favor of future residential development. Continuing worldwide competition for the local fruit growers has also emerged.

Another important agricultural component of Jackson County is the wine industry. The moderate mountain valley climate in the area allows for a wide variety of intensely flavored wine grapes to be cultivated. The quality of the region's grapes provides an advantage for many of the local growers in making their own wines as well as finding regional wineries which will purchase the grapes. Many of the fruit orchards are being converted into vineyards because of the popularity of wines in the region. For example, Hillcrest Orchards, one of Jackson County's oldest pear producers, has replaced 80 acres of pear trees with vineyards. The shift from pears to grapes is a matter of pears being less profitable with wine grapes having greater demand.

Employment

The following table details employment figures for the Medford MSA by category for September 2020 with comparisons to the prior year.

Medford MSA Nonfarm Payroll and Employment

	Sept. 2020	Sept. 2019	Change
Total NonFarm	86,790	90,280	-3,490
Total Private	76,150	79,110	-2,960
Mining/Logging/Construction	5,700	5,360	340
Manufacturing	7,600	8,140	-540
Trade, Trans. & Utilities	19,930	20,860	-930
Information	1,020	1,180	-160
Financial Activities	4,090	4,070	20
Professional/Business Services	7,900	7,770	130
Education/Health Services	17,210	17,600	-390
Leisure & Hospitality	10,220	11,410	-1,190
Other	2,480	2,720	-240
Government	10,640	11,170	-530

Source: Oregon Employment Department, October 2020.

Employment Trends

Over the one year period, the only sectors to report increases were the mining/logging/construction; professional and business services; and financial activities sectors. The remaining sectors reported decreases with the largest decreases in employment reported in the leisure and hospitality and trade, transportation, and utilities sectors. These large decreases are due in large part to the Covid-19 pandemic. At of this time, it is unknown what effects the Alameda Fire, which took place in September 2020, will have on the employment figures.

Unemployment

As of September 2020, the unemployment rate in the Medford MSA was 7.3 percent reflecting an increase from the September 2019 rate of 3.3 percent. Over the one-year period, the civilian labor force decreased from 104,447 to 102,588 with

total employment decreasing by 5,919. The large increase in unemployment and decrease in employment is due in large part to the Covid-19 pandemic. The following table summarizes civilian labor force statistics for the Medford MSA.

Medford MSA Employment/Unemployment

	Sept. 2020	Sept. 2019	Change
Civilian Labor Force	102,588	104,447	-1,859
Total Employment	95,120	101,039	-5,919
Total Unemployment	7,468	3,408	4,060
Unemployment Rate	7.3%	3.3%	---

Source: Oregon Employment Department, October 2020.

Conclusions

Historically, the economy of Jackson County has been heavily dependent upon lumber and timber-related industry. Over the past two decades, population in the area has grown significantly and growth of the retirement sector has previously added employment opportunities in retail trade and health services. Additionally, a younger population is also finding the region to be an attractive place to raise their families. Based upon a recovery and further diversification of the area economy and the desirable amenities and livability of the area, future growth is ultimately expected for Jackson County and the entire Rogue Valley area. However, significant improvement in the local, regional, and national economies will be required in order to stabilize the real estate market and provide the impetus for sustained economic and demographic growth in the future.

Immediate Surroundings

The subject property is located along the northeasterly corner of North Mountain Avenue and East Nevada Street in Ashland, Oregon. A graphic depiction of the immediate area surrounding the subject property follows.



Trend

The subject is located along the northerly boundary of the North Mountain Neighborhood. The overall trend of development within the North Mountain Neighborhood is representative of primarily residential properties in the form of single-family and multi-family development. Also located in the North Mountain Neighborhood is the Skylark Assisted Living facility just southeast of the subject and the Mountain Meadows Retirement Living facility further to the southeast. To the north and northeast is Interstate 5 followed by rural residential and agricultural properties. Rural residential use is also evident to the northwest of the subject. The downtown city center and plaza area of Ashland is located in the far distance southwest of the subject.

Conclusion

Due to the nature of the surroundings within the immediate area, no distinct foreseeable change in the land use characteristics of the area is anticipated.

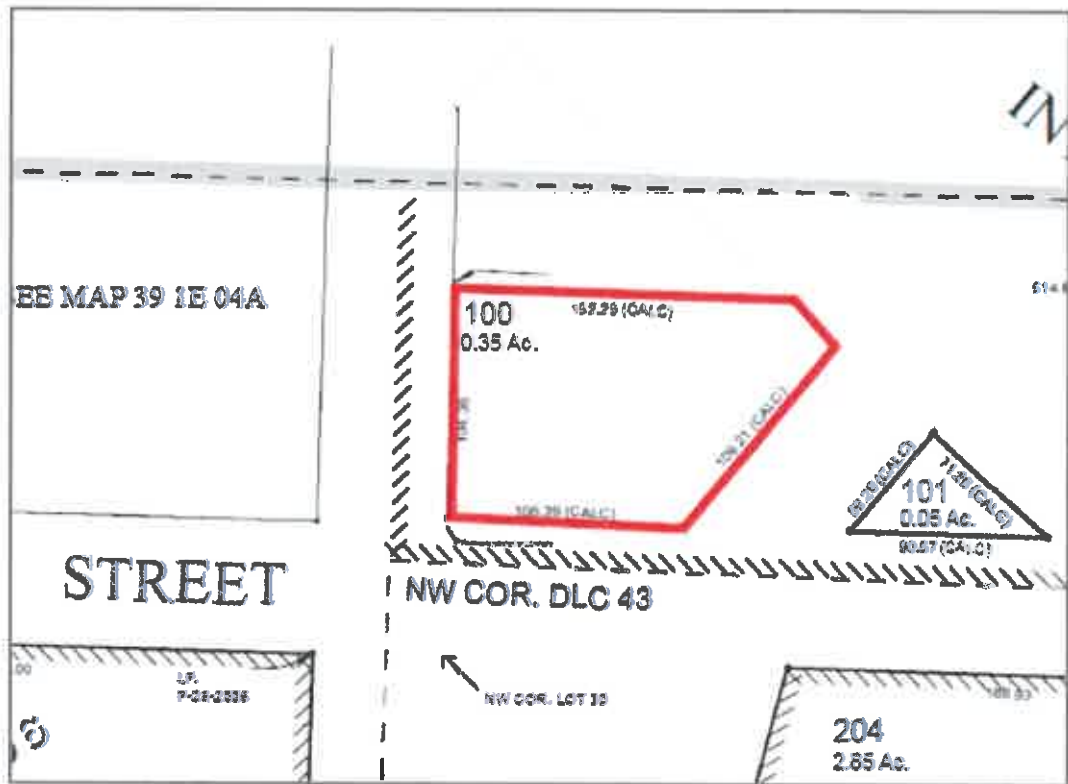
THE LAND

Location

The subject property is located along the northeasterly corner of North Mountain Avenue and East Nevada Street in Ashland, Oregon.

Shape and Size

The subject is irregular in shape and totals 0.35 acre or 15,246 square feet based upon Jackson County records. Reference is made to the following plat map and aerial for a graphic depiction of the subject. It should be noted that lines are approximate.





Topography

The land exhibits primarily generally level to slight sloping topography and lies at nearby street grade with East Nevada Street. The easterly boundary exhibits steep sloping to North Mountain Avenue which lies above the subject.

Zoning

The subject property is zoned North Mountain-Multi Family (NM-MF) as administered by the city of Ashland. The purpose of the NM district is to provide an environment suitable for traditional neighborhood living, working, and recreation. The NM district and Neighborhood Plan is a blueprint for promoting a variety of housing types, mixed-use developments, neighborhood oriented businesses, and community services in a manner which enhances property values and preserves open spaces and significant natural features. The purpose of the Neighborhood Plan is to provide a comprehensive set of design standards, policies, and regulations to guide future development within the identified area. Through the use of the standards a greater sense of neighborhood can be accomplished, as well as accommodating all forms of transportation, including walking, bicycling, and transit. Within the NM-MF zone, the base density of dwelling units is 12 units per acre. This equates to four units at the subject.

Easements and Encroachments

A preliminary title report was not provided for our review. Upon personal property inspection, no adverse easements or encroachments which could have an adverse impact on the value or utility of the subject property were observed. This appraisal is subject to an **extraordinary assumption** that no adverse easements or encroachments exist at the subject parcel. The identification of such is best determined by qualified individuals and is not within the scope of our expertise as real estate appraisers.

Soils

No formal soils report or site assessment study was provided for our review. As such, this appraisal is subject to the **extraordinary assumption** that the soil is of sufficient load-bearing capacity to support improvement to its highest and best use.

No adverse environmental hazards or contaminants pertaining to solids, liquids, or gases were observed at the property during our personal examination. This appraisal is based upon the **extraordinary assumption** which assumes no toxic waste, groundwater contamination, or environmental problems exist at the property. In the event such problems did exist, the ultimate impact of such conditions could adversely influence the opinion of market value as stated herein. The identification of the absence or existence of any potential environmental problems is best determined by qualified engineers and is not considered to be within the scope of this appraisal assignment.

Flood Zone Rating

A review of the FEMA Map No. 41029C221014F, dated May 3, 2011, indicates the subject property is located within Flood Zone X, an area of minimal flood hazard. A copy of the FEMA Flood Map follows.

Utilities

According to the property representative, all the usual and necessary public utilities are available to the subject property; however, this was not independently verified by the appraisers.

Summary

The subject represents an irregular shaped parcel which totals 0.35 acre or 15,246 square feet. The property is zoned NM-MF, North Mountain Multi-Family District as administered by the city of Ashland. All necessary utility services are reportedly available to the subject property. Additionally, there are no apparent easements or encroachments which could potentially detract from the value or utility of the property. As such, the property appears suitable in terms of accommodating development to its highest and best use.

HIGHEST AND BEST USE

The highest and best use may be defined as the reasonably probable and legal use of vacant land or an improved property which is physically possible, legally permissible, financially feasible, and results in the highest value. The four criteria examined in determining the highest and best use of the subject property include the following:

1. **Physically Possible** - A use for which the property is physically suitable or adaptable.
2. **Legally Permissible** - A use which is or will be permitted under existing or reasonably obtainable zoning regulations.
3. **Financially Feasible** - A use for which there is an economic, social, and/or market demand.
4. **Maximally Productive** - A use which is compatible with the nature and condition of surrounding land uses.

It is our opinion that multi-family development represents the highest and best use of the subject. Multi-family development use of the land is consistent with current governmental constraints; the property is regarded as physically suitable in order to accommodate this form of development; multi-family development use is compatible with the trend of development in the area; and this form of development at the property would provide a positive return to the land. Demand for multi-family residential is high.

ASSESSED VALUATION AND TAXES

As a result of Oregon Ballot Measures 47 and 50 which limit taxable values and property taxes, real estate taxes in Oregon beginning in 1998 are based on a percentage of the real market value. The ballot measures also limit future tax increases to a maximum level of three percent per year. The subject is located within Jackson County Tax Code Area 5-01.

Following is a summary of the total real market value, derived by the Jackson County Assessor, the actual assessed value, and reported real property taxes at the subject for the current tax year.

Assessed Value and Taxes

Account No.	Tax Lot	Real Market Value	Assessed Value	Taxes
1-004720-1	100	\$0	\$0	\$0

It should be noted the subject property is tax exempt. The real market value is presented for information purposes only and is not considered representative of the opinion of market value as specified in this report.

LAND VALUE BY COMPARISON

The land value by comparison approach is the most common method utilized to determine land value. This method generally expresses land value on the basis of price per square foot relative to purchase price.

In order to derive a reasonable indication of value for the subject, a search of public records and a field survey are conducted in order to identify land sales similar to the subject property. The search focuses on those properties considered to exhibit similar developmental characteristics within the market area. The sales assembled for comparison to the subject property are summarized in the following chart.

Land Sales Summary

Sale No.	Location	Zoning	Area Acres/ Sq. Ft.	Max. No. of Allow. Units	Sale Date	Sale Price	
						Total	/Sq. Ft.
1	476 Laurel St. Ashland Source & Verification: Grantee	R-1-5	0.75/ 23,670	12 ⁽¹⁾	2/19	\$570,000	\$24.08
2	Villard St. and Engle St. Ashland 39-1E-11C, 2504 & 2505 Source & Verification: Grantor	R-2	3.35/ 145,926	44	12/18	1,288,238	8.83
3	1068 E. Main St. Ashland Source: FMLS No. 102962947 Verification: Agent	R-3	1.71/ 74,488 1.43/ 62,291 Adj. ⁽²⁾	28	1/18	800,000 Adj. ⁽³⁾	12.84 Adj.
4	188 Garfield St. Ashland Source: FMLS No. 102979467 Verification: Agent	R-3	0.4878/ 21,250	9	6/17	430,534	20.26
5	960 B St. Ashland Source: FMLS No. 102971054 Verification: Agent	R-3	0.86/ 37,462	17	2/17	863,000	23.04
6	229 W. Hersey St. Ashland Source: FMLS No. 102957392 Verification: Deed No. 15-10626	R-3	0.34/ 14,810	11	7/15	399,000	26.94

Land Sales Summary

Sale No.	Location	Zoning	Area Acres/ Sq. Ft.	Max. No. of Allow. Units	Sale Date	Sale Price	
						Total	/Sq. Ft.
7	11 B St. and 29 Oak St. Ashland Source: Third Party Appraiser Verification: Deed No. 14-32942, 15-18551, 15-18518	R-2	0.82/ 35,719	11	6/15 and 12/14	1,035,000 Adj. ⁽⁴⁾	28.98 Adj.
	Average						\$20.71
	Subject	R-2	0.35/ 15,246	4	---	---	---

⁽¹⁾ Based upon potential cottage housing development similar to the subject.

⁽²⁾ Land area after lot line adjustment.

⁽³⁾ \$1,200,000 sale price adjusted for site improvements totaling \$400,000 at the time of sale.

⁽⁴⁾ \$1,385,000 sale price adjusted for site improvements totaling \$350,000 at the time of sale.

Land Discussion

When comparing the land sales presented to the subject site, the following factors are given particular consideration in the comparison process:

- Property rights conveyed
- Financing terms
- Conditions of sale
- Market conditions
- Location
- Physical characteristics
 - Size
 - Topography/off-site improvements
- Zoning

The sales assembled for comparative purposes are analyzed based on the factors noted. A summary of the general characteristics of the sales data is inclusive of the following:

Property Rights Conveyed

With respect to property rights conveyed and financing terms, the sales are similar to the subject and represented the transfer of fee simple title.

Financing Terms

The sales are indicative of cash transactions or purchases involving financing at market rates. Subsequent to review of the available information, financing is not determined to have a significant impact on sale price in the comparison process.

Conditions of Sale

The conditions of sale element of comparison is intended to consider the impact of any atypical motivation on the part of the buyer or seller with respect to the transactions presented. No atypical conditions of sale are noted among the sales data and are deemed similar to the subject with respect to this element of comparison.

Market Conditions

This comparison factor pertains primarily to date of sale considerations which are intended to reflect changes in market conditions which have taken place over time. The sales are examined based upon the direction of change between the sale date of the transactions and the effective date of this appraisal. Specific factors indicative of the market at the time the sales occurred are also reviewed. All of the sales are considered indicative of prevailing market trends based upon the sale date relative to the effective date of this valuation.

Location

The subject property is located within a residential area just north of the North Mountain Neighborhood in Ashland. Additionally, the subject is located nearly adjacent to Interstate 5 as well as sits below North Mountain Avenue. With this in mind, all of the sales have superior location characteristics as compared to the subject.

Size

The size range of the data is from 0.34 to 3.35 acres. By comparison, the subject land totals 0.35 acre. Typically, smaller parcels generally command a higher per square foot price than larger sites with all other factors being equal. Therefore, when comparing the size of the subject to the sale properties, Sale Nos. 4 and 6 are considered most similar with the remaining sales considered slightly inferior.

Topography/Off-Sites

All of the sales have similar topography and off-site improvements to the subject.

Zoning

All of the land transactions exhibit multi-family zoning similar to the underlying zoning at the subject.

As an aid in formulating an opinion of market value for the subject, a qualitative analysis is prepared. Reference is made to the following qualitative analysis sales grid.

Qualitative Analysis Summary

Sale No.	1	2	3	4	5	6	7
Property Rights Conveyed	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.
Financing Terms	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.
Conditions of Sale	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.
Market Conditions	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.
Location	Sup.	Sup.	Sup.	Sup.	Sup.	Sup.	Sup.
Physical Characteristics							
Size	Inf.	Inf.	Inf.	Sim.	Inf.	Sim.	Inf.
Topography/Off-Sites	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.
Zoning	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.	Sim.

Based upon the comparisons applied among the sales data and the subject, the following represents our summary of the qualitative analysis which details the range of pricing indicators associated with the market properties in relation to the subject.

Qualitative Analysis Summary

Sale No.	Sale Date	Sale Price/ Sq. Ft.	Indicator
2	12/18	\$8.83	Low
3	1/18	12.84	Medium
4	6/17	20.26	Medium
5	2/17	23.04	Medium
1	2/19	24.08	Medium
6	7/15	26.94	High
7	6/15 & 12/14	28.98	High

Conclusion

The multi-family land sales range from \$8.83 to \$28.98 per square foot with an overall average of \$20.71. The medium indicators form a tighter range of pricing from \$12.84 to \$24.08 per square foot with an average of \$20.06 per square foot. Based upon the market data reviewed, we conclude market land value for the subject to be within the range of \$18.00 to \$22.00 per square foot, or say \$20.00 per square foot. Following is our conclusion of market value for the subject land by the sales comparison approach.

15,246 Sq. Ft. @ \$20.00/Sq. Ft.

\$304,920

Rounded to, \$300,000

VALUATION

Based upon the studies and examinations made, the opinion is formed subject to the limiting conditions and assumptions stated herein, that the "as is" market value of the ~~fee~~ **simple Interest** in the subject property based upon economic and market conditions effective as of January 13, 2021 is as follows:

"As Is" Market Value (January 13, 2021)

THREE HUNDRED THOUSAND DOLLARS

\$300,000

ASSUMPTIONS AND LIMITING CONDITIONS

This report is made expressly subject to the following assumptions and limiting conditions:

1. No responsibility is assumed by the appraisers for matters which are legal in nature.
2. No opinion of title is rendered, and the property is appraised as though free of all encumbrances and the title marketable.
3. The appraisal covers the property described only, and the legal description is assumed to be correct.
4. No survey of the boundaries of the property has been made. All areas and dimensions furnished to the appraisers are assumed to be correct.
5. Information concerning market and operating data, as well as data pertaining to the property appraised, was obtained from others and/or based on observation. This information has been verified and checked, where feasible, and is used in this appraisal only if it is believed to be reasonably accurate and correct. However, such information is not guaranteed, and no liability is assumed resulting from possible inaccuracies or errors regarding such information or estimates.
6. The data contained herein comprises the pertinent data considered necessary to support the value estimates. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors which might influence the value of the subject property. Due to rapid changes in the external factors, the value estimates are considered reliable only as of the effective date of the appraisal.
7. The appraisers assume there are no hidden or unapparent conditions of the property, subsoil, or structures, that would render it more or less valuable. The appraisers assume no responsibility for such conditions, or for engineering required to discover such factors. It is assumed no soil contamination exists as a result of chemical drainage or leakage in connection with any production operations on or near the property. In addition, the existence (if any) of potentially hazardous materials, such as asbestos, used in the construction or maintenance of the improvements or disposed of on-site, has not been considered. The

undersigned appraisers acknowledge they are not qualified to render an opinion with regard to the presence of toxic materials, and recommend an environmental scientist be retained to determine the exact status of the property. No environmental impact studies were requested nor performed with regard to this appraisal, and the appraisers hereby reserve the right to alter, amend, revise, or rescind any portion of the value or opinions expressed herein based on any subsequent data discovered which could significantly impact the market value of the property.

8. The distribution of total valuation estimate in this report between land and improvements (if any) applies only under the existing or reported program of utilization. The separate valuation for land and improvements (if present) must not be used in conjunction with any other appraisal and is invalid if so used.
9. The assumption has been made that all required licenses, consents, permits, or other legislative or administrative authority, local, state, federal, and/or private entity or organization have been or can be obtained or renewed for any use considered in the value estimate.
10. The property is appraised as though operated under competent and responsible ownership and management.
11. Opinions of value contained herein are estimates. There is no guarantee, written or implied, that the subject property will sell for such amounts. It assumes there is full compliance with all applicable federal, state, local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
12. It is assumed that all applicable zoning and use regulations and restrictions have been complied with unless nonconformity has been stated, defined, and considered in the appraisal report.
13. The appraisers are not required to give testimony or to be in attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the Client and appraisers.
14. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute.

15. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers or the firm with which they are connected, or any reference to the Appraisal Institute or to the MAI or RM designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the appraisers.
16. The appraisers assume no responsibility for any costs or consequences arising due to the need or the lack of need for flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for flood hazard insurance.
17. The liability of the appraisers' company, its owner and staff, is limited to the Client only. There is no accountability, obligation, or liability to any third party. The appraisers are in no way to be responsible for any costs incurred to discover or correct any deficiencies of any type present in the property; physically, financially, and/or legally.
18. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. The appraiser has not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact upon the value of the property. Since the appraiser has no direct evidence relating to this issue, possible noncompliance with the requirements of the ADA in estimating the value of the property has not been considered.

CERTIFICATION

The undersigned appraisers certify that they have personally examined and appraised the land located along the northeasterly corner of North Mountain Avenue and East Nevada Street identified as Map and Tax Lot 39-1E-04AD, 100 in Ashland, Oregon; and to the best of their knowledge and belief,

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and is our personal unbiased professional analyses, opinions, and conclusions.
3. We have no past, present, or prospective direct or indirect interest in the property that is the subject of this report and no personal interest or bias with respect to the parties involved.
4. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. Our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. The appraisal assignment was not based on a required minimum valuation, a specific valuation, or the approval of a loan.
7. We are competent to appraise the property that is the subject of this report based on our previous experience appraising similar type properties.
8. The reported analyses, opinions, and conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. As of the effective date of this report, Gregory S. Schuler and David M. Matlock have completed the certification requirement with respect to continuing education for certified general

appraisers within the State of Oregon. As of the date of this report, Gregory S. Schuler has completed the continuing education program for Practicing Affiliates of the Appraisal Institute.

11. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
12. Gregory S. Schuler and David M. Matlock find the content and conclusions of the appraisal and the report were prepared in accordance with the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Institute. Gregory S. Schuler has made a personal interior and exterior inspection of the subject property and exterior inspections of the majority of the market properties.
13. No one provided significant appraisal or appraisal review assistance to the person(s) signing this certification.
14. The appraisers have performed services, as appraisers, but not in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. The date of the previous appraisal is February 27, 2018.

Respectfully submitted,

CASCADE CHARTER COMPANY, LLC



GREGORY S. SCHULER
Oregon State Certified General Appraiser
License No. C000268
Expiration Date: May 31, 2021



DAVID M. MATLOCK
Oregon State Certified General Appraiser
License No. C001357
Expiration Date: February 28, 2022

ADDENDA

Subject Photographs



Southerly

Views along East Nevada Street near the subject frontage

Westerly





Northerly

Views along North Mountain Avenue at the subject frontage

Southerly





Views across the subject site





Views across the subject site



Personal Services Agreement

PERSONAL SERVICES AGREEMENT (LESS THAN \$25,000.00)

CITY OF ASHLAND 20 East Main Street Ashland, Oregon 97520 Telephone: 541/488-5587 Fax: 541/488-4006	PROVIDER: Cascade Charter Company, LLC PROVIDER'S CONTACT: Gregory Schuler ADDRESS: 2800 Biddle Road Medford, Oregon 97504 PHONE: (541) 776-7530
--	--

This Personal Services Agreement (hereinafter "Agreement") is entered into by and between the City of Ashland, an Oregon municipal corporation (hereinafter "City") AND Cascade Charter Company, LLC, (a foreign business corporation) (hereinafter "Provider"), for appraisal of City owned properties, **NOW THEREFORE**, in consideration of the mutual covenants contained herein, the City and Consultant hereby agree as follows:

- 1. Effective Date and Duration:** This Agreement shall become effective on the date of execution on behalf of the City, as set forth below (the "Effective Date"), and unless sooner terminated as specifically provided herein, shall terminate upon the City's affirmative acceptance of Consultant's Work as complete and Consultant's acceptance of the City's final payment therefore, but not later than March 31, 2021.
- 2. Scope of Work:** Consultant will provide appraisal of City owned properties as more fully set forth in the Consultant's Proposal dated November 05, 2020, which is attached hereto as "Exhibit A" and incorporated herein by this reference. Consultant's services are collectively referred to in this Agreement as the "Work."
- 3. Supporting Documents/Conflicting Provisions:** This Agreement and any exhibits or other supporting documents shall be construed to be mutually complementary and supplementary wherever possible. In the event of a conflict which cannot be so resolved, the provisions of this Agreement itself shall control over any conflicting provisions in any of the exhibits or supporting documents.
- 4. All Costs Borne by Consultant:** Consultant shall, at its own risk, perform the Work described above and, unless otherwise specified in this Agreement, furnish all labor, equipment, and materials required for the proper performance of such Work.

5. **Qualified Work:** Consultant has represented, and by entering into this Agreement now represents, that all personnel assigned to the Work to be performed under this Agreement are fully qualified to perform the service to which they will be assigned in a skilled and worker-like manner and, if required to be registered, licensed or bonded by the State of Oregon, are so registered, licensed and bonded.
6. **Compensation:** City shall pay Consultant the sum of \$7,000.00 (seven thousand dollars) as full compensation for Consultant's performance of all Work under this Agreement. In no event shall Consultant's total of all compensation and reimbursement under this Agreement exceed the sum of \$7,000.00 (seven thousand dollars) without the express, written approval from the City official whose signature appears below, or such official's successor in office. Payments shall be made within thirty (30) days of the date of receipt by the City of Consultant's invoice. Should this Agreement be terminated prior to completion of all Work, payments will be made for any phase of the Work completed and accepted as of the date of termination.
7. **Ownership of Work/Documents:** All Work, work product, or other documents produced in furtherance of this Agreement belong to the City, and any copyright, patent, trademark proprietary or any other protected intellectual property right shall vest in and is hereby assigned to the City.
8. **Statutory Requirements:** The following laws of the State of Oregon are hereby incorporated by reference into this Agreement: ORS 279B.220, 279B.230 and 279B.235.
9. **Living Wage Requirements:** If the amount of this Agreement is \$22,602.43 or more, Consultant is required to comply with Chapter 3.12 of the Ashland Municipal Code by paying a living wage, as defined in that chapter, to all employees performing Work under this Agreement and to any Subcontractor who performs 50% or more of the Work under this Agreement. Consultant is also required to post the notice attached hereto as "Exhibit B" predominantly in areas where it will be seen by all employees.
10. **Indemnification:** Consultant hereby agrees to defend, indemnify, save, and hold City, its officers, employees, and agents harmless from any and all losses, claims, actions, costs, expenses, judgments, subrogations, or other damages resulting from injury to any person (including injury resulting in death), or damage (including loss or destruction) to property, of whatever nature to the extent arising out of or incident to the negligent acts, or errors or omissions in the performance of this Agreement by Consultant (including but not limited to, Consultant's employees, agents, and others designated by Consultant to perform Work or services attendant to this Agreement). However, Consultant shall not be held responsible for any losses, expenses, claims, subrogations, actions, costs, judgments, or other damages, caused solely by the negligence of City.
11. **Termination:**
 - a. **Mutual Consent.** This Agreement may be terminated at any time by the mutual consent of both parties.
 - b. **City's Convenience.** This Agreement may be terminated by City at any time upon not less than thirty (30) days' prior written notice delivered by certified mail or in person.

- c. **For Cause.** City may terminate or modify this Agreement, in whole or in part, effective upon delivery of written notice to Consultant, or at such later date as may be established by City under any of the following conditions:
 - i. If City funding from federal, state, county or other sources is not obtained and continued at levels sufficient to allow for the purchase of the indicated quantity of services;
 - ii. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this Agreement or are no longer eligible for the funding proposed for payments authorized by this Agreement; or
 - iii. If any license or certificate required by law or regulation to be held by Consultant to provide the services required by this Agreement is for any reason denied, revoked, suspended, or not renewed.
 - d. **For Default or Breach.**
 - i. Either City or Consultant may terminate this Agreement in the event of a breach of the Agreement by the other. Prior to such termination the party seeking termination shall give to the other party written notice of the breach and its intent to terminate. If the party committing the breach has not entirely cured the breach within fifteen (15) days of the date of the notice, or within such other period as the party giving the notice may authorize in writing, then the Agreement may be terminated at any time thereafter by a written notice of termination by the party giving notice.
 - ii. Time is of the essence for Consultant's performance of each and every obligation and duty under this Agreement. City, by written notice to Consultant of default or breach, may at any time terminate the whole or any part of this Agreement if Consultant fails to provide the Work called for by this Agreement within the time specified herein or within any extension thereof.
 - iii. The rights and remedies of City provided in this subsection (d) are not exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.
 - e. **Obligation/Liability of Parties.** Termination or modification of this Agreement pursuant to subsections a, b, or c above shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination or modification. However, upon receiving a notice of termination (regardless whether such notice is given pursuant to Subsection a, b, c, or d of this section, Consultant shall immediately cease all activities under this Agreement, unless expressly directed otherwise by City in the notice of termination. Further, upon termination, Consultant shall deliver to City all documents, information, works-in-progress and other property that are or would be deliverables had the Agreement been completed. City shall pay Consultant for Work performed prior to the termination date if such Work was performed in accordance with this Agreement.
12. **Independent Contractor Status:** Consultant is an independent contractor and not an employee

of the City for any purpose. Consultant shall have the complete responsibility for the performance of this Agreement. Consultant shall provide workers' compensation coverage as required in ORS Chapter 656 for all persons employed to perform Work pursuant to this Agreement. Consultant is a subject employer that will comply with ORS 656.017.

13. **Assignment:** Consultant shall not assign this Agreement or subcontract any portion of the Work without the written consent of City. Any attempted assignment or subcontract without written consent of City shall be void. Consultant shall be fully responsible for the acts or omissions of any assigns or subcontractors and of all persons employed by them, and the approval by City of any assignment or subcontract of the Work shall not create any contractual relation between the assignee or subcontractor and City.
14. **Default.** The Consultant shall be in default of this Agreement if Consultant: commits any material breach or default of any covenant, warranty, certification, or obligation under the Agreement; institutes an action for relief in bankruptcy or has instituted against it an action for insolvency; makes a general assignment for the benefit of creditors; or ceases doing business on a regular basis of the type identified in its obligations under the Agreement; or attempts to assign rights in, or delegates duties under, this Agreement.
15. **Insurance.** Consultant shall, at its own expense, maintain the following insurance:
 - a. Worker's Compensation insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers
 - b. Professional Liability insurance with a combined single limit, or the equivalent, of \$2,000,000 (two million dollars) per occurrence. This is to cover any damages caused by error, omission or negligent acts related to the Work to be provided under this Agreement.
 - c. General Liability insurance with a combined single limit, or the equivalent, of \$2,000,000 (two million dollars) per occurrence for Bodily Injury, Death, and Property Damage.
 - d. Automobile Liability insurance with a combined single limit, or the equivalent, of \$1,000,000 (one million dollars) for each accident for Bodily Injury and Property Damage, including coverage for owned, hired or non-owned vehicles, as applicable.
 - e. Notice of cancellation or change. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days' prior written notice from the Consultant or its insurer(s) to the City.
 - f. Additional Insured/Certificates of Insurance. Consultant shall name the City of Ashland, Oregon, and its elected officials, officers and employees as Additional Insureds on any insurance policies, excluding Professional Liability and Workers' Compensation, required herein, but only with respect to Consultant's services to be provided under this Agreement. The consultant's insurance is primary and non-contributory, excluding Professional Liability and Workers Compensation. As evidence of the insurance coverages required by this Agreement, the Consultant shall furnish acceptable insurance certificates prior to commencing the Work under this Agreement. The certificate will specify all of the parties who are Additional Insureds. Insuring companies or entities are subject to the City's acceptance. If requested,

complete redacted copies of insurance policies; trust agreements, etc. shall be provided to the City. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

15. **Standard of Care:** The standard of care applicable to CONSULTANT's Services will be the degree of skill and diligence normally employed by professional engineers or consultants performing the same or similar services during the time said services are performed. CONSULTANT will reperform any services not meeting this standard without additional compensation.
16. **Nondiscrimination:** Consultant agrees that no person shall, on the grounds of race, color, religion, creed, sex, marital status, familial status or domestic partnership, national origin, age, mental or physical disability, sexual orientation, gender identity or source of income, suffer discrimination in the performance of any Work under this Agreement when employed by Consultant. Consultant agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Further, Consultant agrees not to discriminate against a disadvantaged business enterprise, minority-owned business, women-owned business, a business that a service-disabled veteran owns or an emerging small business enterprise certified under ORS 200.055, in awarding subcontracts as required by ORS 279A.110.
17. **Consultant's Compliance With Tax Laws:**
 - 17.1 Consultant represents and warrants to the City that:
 - 17.1.1 Consultant shall, throughout the term of this Agreement, including any extensions hereof, comply with:
 - (i) All tax laws of the State of Oregon, including but not limited to ORS 305.620 and ORS Chapters 316, 317, and 318;
 - (ii) Any tax provisions imposed by a political subdivision of the State of Oregon applicable to Consultant; and
 - (iii) Any rules, regulations, charter provisions, or ordinances that implement or enforce any of the foregoing tax laws or provisions.
 - 17.1.2 Consultant, for a period of no fewer than six (6) calendar years preceding the Effective Date of this Agreement, has faithfully complied with:
 - (i) All tax laws of the State of Oregon, including but not limited to ORS 305.620 and ORS Chapters 316, 317, and 318;
 - (ii) Any tax provisions imposed by a political subdivision of the State of Oregon applicable to Consultant; and
 - (iii) Any rules, regulations, charter provisions, or ordinances that implement or enforce any of the foregoing tax laws or provisions.
 18. **Notice.** Whenever notice is required or permitted to be given under this Agreement, such notice shall be given in writing to the other party by personal delivery, by sending via a reputable commercial overnight courier, by mailing using registered or certified United States mail, return

receipt requested, postage prepaid, or by electronically confirmed at the address or facsimile number set forth below:

If to the City:
Public Works Department
Attn: Contract Administrator
20 East Main Street
Ashland, Oregon 97520

With a copy to:
City of Ashland – Legal Department
20 E. Main Street
Ashland, Oregon 97520
Phone: (541) 488-3350

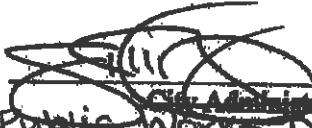
If to Consultant:
Cascade Charter Company, LLC.
2800 Biddle Road
Medford, Oregon 97504

19. **Governing Law.** This Agreement shall be governed by the laws of the State of Oregon without regard to conflict of laws principles. Exclusive venue for litigation of any action arising under this Agreement shall be in the Circuit Court of the State of Oregon for Jackson County unless exclusive jurisdiction is in federal court, in which case exclusive venue shall be in the federal district court for the district of Oregon. Each party expressly waives any and all rights to maintain an action under this Agreement in any other venue, and expressly consents that, upon motion of the other party, any case may be dismissed or its venue transferred, as appropriate, so as to effectuate this choice of venue.
20. **Amendments.** This Agreement may be amended only by written instrument executed by both parties with the same formalities as this Agreement.
21. **Nonappropriations Clause. Funds Available and Authorized:** City has sufficient funds currently available and authorized for expenditure to finance the costs of this Agreement within the City's fiscal year budget. Consultant understands and agrees that City's payment of amounts under this Agreement attributable to Work performed after the last day of the current fiscal year is contingent on City appropriations, or other expenditure authority sufficient to allow City in the exercise of its reasonable administrative discretion, to continue to make payments under this Agreement. In the event City has insufficient appropriations, limitations or other expenditure authority, City may terminate this Agreement without penalty or liability to City, effective upon the delivery of written notice to Consultant, with no further liability to Consultant.
22. **THIS AGREEMENT AND THE ATTACHED EXHIBITS CONSTITUTE THE ENTIRE UNDERSTANDING AND AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS AGREEMENT SHALL**

BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS AGREEMENT. CONSULTANT, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT HE/SHE HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

23. Certification. Consultant shall sign the certification attached hereto as "Exhibit C" and incorporated herein by this reference.

CITY OF ASHLAND:

By: 
City Administrator
Public Works Director
SCOTT FLEURY
Printed Name
11/20/2020
Date

**CASCADE CHARTER COMPANY, LLC
(CONSULTANT):**

By: 
Signature
Gregory S. Schuler
Printed Name
Managing Director
Title
11/19/20
Date

Purchase Order No. _____

(W-9 is to be submitted with this signed Agreement)

I was able to speak to Scott Flairy regarding the four properties that the City of Ashland Public Works department needs appraised for marketing purposes. After talking with Scott, I now understand the scope of the assignment. The fees for preparing the appraisals will be as follows:

1. 380 Clay Street, 38-1E-11C, Tax Lot 2500	\$2,000
2. 400 Madison, 38-1E-14AC, Tax Lot 1800	1,000
3. 1291 Oak Street, 38-1E-8B, Tax Lot 402	2,000
4. 38-1E-04AD, Tax Lot 100	2,000

The above fees assume all four appraisals are completed at the same time.

Given the holiday season and our current workload, we anticipate completing the assignment by the end of the year or the first week of January 2021.

As to the next, it is my understanding that you will be providing a contract for our execution.

Thank you for the opportunity of working with you on these appraisals. If you have any questions, please call.

Respectfully submitted,

CASCADE CHARTER COMPANY, LLC



Gregory S. Schuler

EXHIBIT B

CITY OF ASHLAND, OREGON

City of Ashland LIVING WAGE

ALL employers described below must comply with City of Ashland laws regulating payment of a living wage.

\$15.74 per hour, effective June 30, 2020.



The Living Wage is adjusted annually every June 30 by the Consumer Price Index.

Employees must be paid a living wage:

- For all hours worked under a service contract between their employer and the City of Ashland if the contract exceeds \$22,002.43 or more.
- For all hours worked in a month if the employee spends 50% or more of the employee's time in that month working on a project or

portion of business of their employer, if the employer has ten or more employees, and has received financial assistance for the project or business from the City of Ashland in excess of \$22,002.43.

- If their employer is the City of Ashland, including the Parks and Recreation Department.
- In calculating the living wage, employers may add the value of health care, retirement,

401K and IRS eligible cafeteria plans (including childcare) benefits to the amount of wages received by the employee.

- Note: For temporary and part-time employees, the Living Wage does not apply to the first 1040 hours worked in any calendar year. For more details, please see Ashland Municipal Code Section 3.12.020.

For additional information:

Call the Ashland City Administrator's office at 541-488-8002 or write to the City Administrator, City Hall, 20 East Main Street, Ashland, OR 97520, or visit the City's website at www.ashland.or.us.

Notice to Employers: This notice must be posted predominantly in areas where it can be seen by all employees.

**CITY OF
ASHLAND**

EXHIBIT C

CERTIFICATIONS/REPRESENTATIONS: Consultant, by and through its authorized representative, under penalty of perjury, certifies that (a) the number shown on the attached W-9 form is its correct taxpayer ID (or is waiting for the number to be issued to it and (b) Consultant is not subject to backup withholding because: (i) it is exempt from backup withholding, or (ii) it has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified it that it is no longer subject to backup withholding. Consultant further represents and warrants to City that: (a) it has the power and authority to enter into this Agreement and perform the Work, (b) the Agreement, when executed and delivered, shall be a valid and binding obligation of Consultant enforceable in accordance with its terms, (c) the work under the Agreement shall be performed in accordance with the degree of skill and diligence normally employed by professional engineer standards, and (d) Consultant is qualified, professionally competent, and duly licensed (if applicable) to perform the Work. Consultant also certifies under penalty of perjury that its business is not in violation of any Oregon tax laws, it is an independent contractor as defined in the Agreement, it is authorized to do business in the State of Oregon, and Consultant has checked four or more of the following criteria that apply to its business.

- _____ (1) Consultant carries out the work or services at a location separate from a private residence or is in a specific portion of a private residence, set aside as the location of the business.
- _____ (2) Commercial advertising or business cards or a trade association membership are purchased for the business.
- _____ (3) Telephone listing is used for the business separate from the personal residence listing.
- _____ (4) Labor or services are performed only pursuant to written contracts.
- _____ (5) Labor or services are performed for two or more different persons within a period of one year.
- _____ (6) Consultant assumes financial responsibility for defective workmanship or for service not provided as evidenced by the ownership of performance bonds, warranties, errors and omission (professional liability) insurance or liability insurance relating to the Work or services to be provided.

Consultant's signature

Date

QUALIFICATIONS

GREGORY S. SCHULER

Employment

1981 to Present: Principal with Cascade Charter Company, LLC (or other related companies) in Medford, Oregon. Real estate appraiser specializing in industrial, commercial, and special use properties.

2004 to 2007: CEO of First Charter Companies in Jacksonville and Medford, Oregon. First Charter Real estate development, construction, and marketing.

1994 to 2000: Secretary/Treasurer of Commercial Real Estate Advisors, Inc. (CRA), Medford, Oregon. Commercial and retail real estate development, construction, and leasing.

1976 to 1980: Pulver & Leever Commercial Real Estate, Medford, Oregon. Real estate marketing specializing in commercial and industrial sales and leasing.

Professional Affiliations

State Certified General Appraiser:

Oregon
California

License No. C000268
License No. AG017213

Associate Member, Appraisal Institute

Licensed Real Estate Broker, State of Oregon. License No. 780401812

Appraisal Courses

Uniform Standards of Professional Appraisal Practice
Basic Valuation Procedures
Small Hotel/Motel Valuation
Federal Land Exchanges
Technical Inspection of Real Estate
Appraisal Review – General
General Appraiser Sales Comparison Approach
Litigation Appraising: Specialized Topics and Applications
Oregon Land Use Law
Right of Way Appraisals
Oregon Water Law
Update and Review of Oregon Law and the Appraiser
Identifying Comparable Properties
Eminent Domain

Education

Bachelor of Science degree in Business and Marketing, Oregon State University, 1973.



GREGORY S SCHULER
CASCADE CHARTER COMPANY, LLC
2800 BIDDLE RD
MEDFORD, OR 97504

Appraiser Certification and Licensure Board

State Certified General Appraiser

28 hours of continuing education required

License No.: C000268

Issue Date: June 01, 2019

Expiration Date: May 31, 2021

Gae Lynne Cooper, Administrator

QUALIFICATIONS DAVID M. MATLOCK

Employment

2012 to Present: Associate with Cascade Charter Company, LLC in Medford, Oregon. Real estate appraiser specializing in industrial, commercial, and special use properties.

Professional Affiliations

State Certified General Appraiser:

Oregon

License No. C001357

Appraisal Courses

Uniform Standards of Professional Appraisal Practice
Appraisal Principles
General Appraiser Market Analysis and Highest and Best Use
Real Estate Finance Statistics and Valuation Modeling
General Appraiser Site Valuation and Cost Approach
General Appraiser Sales Comparison Approach
General Appraiser Income Approach
Small Hotel/Motel Valuation
Comparative Analysis
Commercial Appraisal Review
Expert Witness for Commercial Appraisers

Education

Bachelor of Science degree in Business Management, Southern Oregon University.



DAVID M MATLOCK
CASCADE CHARTER COMPANY, LLC
2800 BIDDLE RD
MEDFORD, OR 97504

Appraiser Certification and Licensure Board
State Certified General Appraiser
28 hours of continuing education required

License No.: C001357

Issue Date: March 01, 2020

Expiration Date: February 28, 2022

Chad Koch, Interim Administrator



Council Business Meeting

Date: August 4, 2026

Agenda Item	Public Hearing- Legislative Planning Action PA-T1-2026-00297 a request for a "similar use" interpretation as provided at AMC 18.1.5.040 regarding the distinction between "private parking" and "public parking" as a regulated use.
Department	Community Development
From	Brandon Goldman, Director of Community Development

TIME ESTIMATE

20 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

Council is asked to determine whether a privately-owned, fee-based commercial parking facility qualifies as "Public Parking" under the Ashland Land Use Ordinance and to affirm, modify, or reject the interpretation recommended by Staff, Legal Counsel, and the Planning Commission.

POLICIES, PLANS & GOALS SUPPORTED

Ashland Municipal Code Chapter 18:

- AMC 18.1.5 – Ordinance Interpretations
- AMC 18.2.2.030 – Uses Allowed by Zone
- AMC 18.4.3 – Parking, Access, and Circulation
- AMC 18.6.1 – Definitions

Comprehensive Plan Transportation Policies 10.09.02

Policy 24) Manage the supply, operations and demand for parking in the public right-of-way to encourage economic vitality, traffic safety and livability of neighborhoods. Parking in the right-of-way, in general, should serve land uses in the immediate area.

Policy 25) 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.

Policy 36) Encourage sharing of existing and future parking facilities by various nearby businesses.

BACKGROUND AND ADDITIONAL INFORMATION

Planning Action PA-T1-2026-00297 is a request by Pacific Rental Properties, LLC for a formal interpretation of the Ashland Land Use Ordinance pursuant to AMC 18.1.5. The request seeks a determination as to whether a privately-owned, fee-based commercial parking facility may be considered "Public Parking" or a similar use under the Ashland Land Use Ordinance.

The request arose from a proposal to convert the existing privately-owned parking lot located at 40 North Main Street into a publicly accessible, fee-based parking facility operated by a private entity. The applicant asserts that because the facility would be available for use by the general public, it should qualify as "Public Parking" as listed in AMC 18.2.2.030.

Pursuant to AMC 18.1.5.060, the Community Development Director referred the interpretation request directly to the Planning Commission and City Council for legislative review due to the significant policy implications associated with the request. Public Parking is presently permitted outright in all zoning districts under the Ashland Land Use Ordinance, including residential, employment, and commercial zones. Consequently, interpreting privately-owned, fee-based commercial parking facilities as "Public Parking" would not be limited to the subject property, but would effectively authorize such facilities as an outright permitted use throughout the city without further legislative review, locational criteria, or development standards governing their operation.





Council Business Meeting

The Planning Commission conducted a public hearing on May 12, 2026 and reviewed the staff report, applicant materials, public testimony, and the opinion of the City Attorney provided pursuant to AMC 18.1.5.030(C). Following deliberation, the Planning Commission adopted the attached recommendation memorandum to the City Council, concurring with the interpretation of the Community Development Department and City Attorney that the distinction between public and private parking is based upon ownership, operational control, and enforcement authority rather than simply whether members of the public may access the facility. The Planning Commission unanimously recommended that the City Council deny the requested interpretation and affirm that privately-owned, fee-based commercial parking facilities are not "Public Parking" as contemplated by the Ashland Land Use Ordinance, do not qualify as a similar use, and are not currently permitted as a primary use under the Ashland Land Use Ordinance.

The public hearing before the City Council was originally scheduled for June 16, 2026. On June 15, 2026, the applicant submitted a written request to continue the hearing, stating that the applicant intended to submit supplemental information into the record and that the applicant and the applicant's representative were unable to attend the June 16 hearing. The Council received the request and continued the public hearing to a date certain of August 4, 2026, to allow the applicant to submit additional materials and provide oral testimony. The continued public hearing on this matter is before the Council this evening. Because the hearing was continued to a date certain, the City renoticed the application for the August 4, 2026 hearing. On July 1, 2026, notice was mailed directly to all property owners within 200 feet of the subject property and to the applicants listed on the planning action, and notice was published in the Ashland News. A new sign advertising the continued hearing was posted on the site on July 1, 2026.

In connection with the continued hearing, the applicant submitted supplemental findings dated June 15, 2026 responding to the Staff Report. The supplemental findings restate the applicant's position that the Ashland Land Use Ordinance defines "Public Parking Area or Lot" by public availability rather than ownership, that Staff's interpretation adds an ownership requirement not found in the code text, and that any narrowing of the definition should be made through a legislative amendment rather than through interpretation. Staff has reviewed the supplemental findings and does not find that they alter the analysis or the recommendation set out in the Staff Report, which is unchanged from the version presented on June 16, 2026.

The definitions of "Public Parking Area or Lot" and "Private Parking Area or Lot" are read together and in the context of the full ordinance rather than in isolation. In the C-1-D zone, private parking is authorized only as a use accessory to a permitted primary use. Interpreting "Public Parking" to include any privately owned and controlled lot that is open to the public for a fee would collapse the distinction between the two definitions and would authorize standalone commercial parking as an outright permitted use in all zones. The structure of the code, which permits public parking broadly while limiting private parking to an accessory role, does not support that result. On that basis, Staff continues to read the controlling distinction as ownership, operational control, and enforcement authority rather than public accessibility alone.

The supplemental findings also renew the applicant's concern that the request was elevated from a Type I interpretation to a legislative proceeding. AMC 18.1.5.060 expressly authorizes the Staff Advisor to refer an interpretation request directly to the Planning Commission and City Council for legislative review. The Director used that pathway here because the requested interpretation carries citywide policy implications that extend beyond the subject property, as described above. The referral is therefore consistent with the procedure the code provides.

FISCAL IMPACTS

Affirmation or rejection of the requested interpretation has no direct fiscal impact on the City. Any future consideration of amendments to the Ashland Land Use Ordinance to establish standards for privately-owned commercial parking facilities would require a separate legislative process and would involve future staff resources.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS





Council Business Meeting

COUNCIL OPTIONS

1. Affirm the interpretation of Staff, Legal Counsel, and the Planning Commission.
2. Reject the interpretation and determine that the proposed use qualifies as Public Parking or a similar use.

RECOMMENDED MOTION

Move to affirm the interpretation of the Community Development Department, City Attorney, and Planning Commission that privately-owned, fee-based commercial parking facilities are not "Public Parking" as contemplated by the Ashland Land Use Ordinance, do not qualify as a similar use, and are not currently permitted as a primary use under the Ashland Land Use Ordinance.

REFERENCES & ATTACHMENTS

1. Staff_Report_NMain_40_PA-T1-2026-00297
2. PC_memo_NMain_40_PA-T1-2026-00297
3. Applicant_Submittal_NMain_40_PA-T1-2026-00297
4. Applicant Rebuttal Interpretation_06152026
5. Applicant Request For Continuance letter 06152026



ASHLAND PLANNING DEPARTMENT

STAFF REPORT

Before the Planning Commission – May 12, 2026

PLANNING ACTION: PA-T1-2026-00297
OWNER: Pacific Rental Properties LLC
APPLICANT: LaNier Land Consulting, LLC

LOCATION: 39-1E-09-BB Tax Lot 10100, 10600, and 10801
ZONE DESIGNATION: C-1-D
COMP. PLAN DESIGNATION: Downtown

ORDINANCE REFERENCES: 18.1.5 Ordinance Interpretations
18.4.3 Parking, Access, and Circulation
18.5.1 General Review Procedures
18.6.1 Definitions

APPLICATION DATE: March 26, 2026
APPLICATION COMPLETE: April 2, 2026
PUBLIC NOTICE: April 20, 2026
MEETING DATE: May 12, 2026

120-DAY DEADLINE: N/A

PROPOSAL: A request for a “similar use” interpretation as provided at AMC 18.1.5 with regards to the distinction between “private parking” and “public parking” as a regulated use.

I. Introduction

Land use regulations can be inherently ambiguous. As such, chapter 18.1.5 provides a process for resolving differences in the interpretation of the ordinance text when such ambiguities arise.

A. Background

The applicant proposes converting the existing parking area at 40 North Main Street into a publicly accessible, for pay parking facility managed by a third-party operator. This raises a threshold issue of use classification under the Ashland Land Use Ordinance. While the applicant characterizes the proposal as “public parking,” both state law and local interpretation distinguish public and private parking based on ownership and operational control, not public accessibility. Because the facility would remain under private control, it would be classified as private parking.

“Public Parking” is permitted in all residential and commercial zones under the uses allowed by zone table in Chapter 18.2.2, while “Private Parking” is not. The applicant requests a City interpretation that a privately owned, fee-based parking lot qualifies as a similar use to “Public Parking,” arguing that because it is open to the general public, it should be treated as such. An

interpretation consistent with this position would, as a matter of policy, effectively classify privately operated, fee-based parking facilities as “Public Parking,” allowing them in all residential and commercial zones.

As a regulatory matter, the central issue is whether the use is public or private. “Public” is not defined by who may access a parking lot, as the applicant asserts, but by who controls and operates it. In Staff’s assessment, access by the general public, whether free or fee based, is not determinative. Rather, the distinction turns on ownership, operational control, and whether the facility is managed as a governmental function. In practice, this means facilities owned or controlled by a governmental entity. Ashland’s code aligns with this framework, and “Public Parking” has consistently been applied to facilities owned or operated by the City or another public agency, including where the City leases and manages a privately owned lot as public parking. Interpreting “Public Parking” to include privately owned, fee-based facilities open to the public would expand the term beyond its established regulatory meaning and effectively introduce a new category of commercial parking use in all zones without corresponding code standards or legislative action.

B. Procedure

The procedure to process an interpretation request is provided in AMC 18.1.5.050, which allows the Staff Advisor to process the request as either a ministerial or Type I planning action, depending on whether discretion is required. Additionally, AMC 18.1.5.060 provides that the Staff Advisor may bypass the procedures in 18.1.5.050 and “refer the request directly to the Planning Commission and City Council for its legislative review” through a Type III process.

Because of the significant citywide policy implications, including whether a legislative amendment would be necessary to allow privately owned, fee based commercial parking facilities in the Downtown C 1 D zone as requested by the applicant, the Staff Advisor has elected to bypass the procedures in AMC 18.1.5.050 and instead refer the request directly to the Planning Commission and City Council. This referral is for consideration of the broader policy question and to determine whether the existing code should be interpreted as requested or amended to expressly address such uses.

The request will be considered through a public hearing following the legislative procedures in AMC 18.5.1.070. That section establishes the Type III process for legislative decisions, under which the Planning Commission conducts a public hearing and makes a recommendation to the City Council, which is the final decision-making body. Legislative actions are not subject to the 120-day decision timeline under ORS 227.178.

C. Site Description

The subject property is Tax Lot #10100 of Assessor Map 39 1E 09 BB. As shown on the aerial image below, the site is located at 40 North Main Street at the intersection of North Main Street and Water Street and is zoned C 1 D (Downtown Commercial). The approximately 0.84-acre parcel is developed with the Claycomb Mall, a multi-tenant commercial building, and an associated surface parking lot.

The existing parking area contains 37 marked parking spaces and one ADA accessible space and is currently restricted for use by the property owner and on-site tenants. The applicant proposes to change this condition by converting the lot into a publicly accessible, fee-based parking facility operated independently of the commercial uses on the site.



II. Director's Interpretation

Prior to this application, the Community Development Director, acting as Staff Advisor, provided preliminary guidance to the applicant through a pre application review, advising that public accessibility alone does not determine whether a parking facility is public or private, and that ownership and operational control are the key factors. Because this interpretation did not align with the applicant's objective to establish a fee based commercial parking use, the applicant has requested a formal interpretation.

Given the broader policy implications of the request, the Director has elected to refer the interpretation directly to the Planning Commission and City Council for legislative review. The question presented extends beyond the subject property and has potential citywide applicability, including whether privately owned, fee based commercial parking facilities could be considered "Public Parking" and thereby permitted in all zones under AMC 18.2.2 without specific standards or review criteria. As such, staff has determined that the issue is more appropriately

considered through a legislative process that allows for policy level direction, rather than a staff level determination.

The Land Use Ordinance provides definitions for both public and private parking (definitions under Section III below). In previous discussions with the applicants' representatives the Director has provided the following additional guidance:

Public Parking:

Public parking facilities are those owned, operated, or controlled by a governmental entity for use by the general public. These facilities are identified as a permitted use in all zones under ALUO Table 18.2.2.030 and are subject to municipal oversight and enforcement.

Private Parking:

Private parking refers to parking facilities that are privately owned and controlled. These facilities may be accessible to the public for use, either free or for a fee, but remain private because all operational control, including rule making and enforcement, is retained by the property owner or their agent.

The C 1 D zoning district permits:

- “Public parking”; and
- “Private parking” only where such parking is accessory to a permitted use.

The C-1-D zoning district does not expressly permit standalone commercial parking facilities as a primary use. The express authorization of accessory private parking implies the exclusion of standalone private parking facilities unless explicitly permitted. Allowing the proposed use would effectively read into the code a use category, commercial parking as a primary use, which is not listed or authorized in the zoning district.

Interpretation of “Public Parking”

The applicant asserts that the proposed use qualifies as “public parking” because the “where a property owner elects to allow public access to a privately owned parking lot, the use is functionally equivalent to a public parking facility... The applicant’s proposed pay for parking facility, which would be available for use by the general public... is similar to a Public Parking Area or Lot... because the facility would be open to the public, with use potentially conditioned on payment of a fee.” This interpretation is not supported by the code when read in context in Staff’s assessment.

A. Textual Analysis

The ordinary meaning of “public,” in a land use context, refers to ownership, control, or dedication for public use, not merely availability for use by members of the public. A use does not become “public” simply because it allows public access in exchange for payment.

If “public” were interpreted to mean only “open to the public,” then nearly all commercial uses, retail stores, theaters, and restaurants, would qualify as “public,” rendering the distinction between public and private uses meaningless.

B. Contextual Analysis

Within the zoning framework, “public parking” is reasonably understood to refer to:

- Parking facilities owned or operated by a governmental entity; or
- Facilities dedicated or otherwise encumbered for public use as part of a broader public or quasi-public function.

By contrast, the code’s allowance of “private parking” only when accessory to a permitted use demonstrates a clear intent to regulate privately controlled parking as a subordinate use, not as an independent commercial enterprise.

Classification of the Proposed Use

The proposed use is properly classified as a private commercial parking facility based on its functional characteristics. The existing parking lot is currently private parking, as it serves the tenants and customers of the commercial businesses located on site and remains under the control of the property owner. The proposed change would not alter that underlying classification but rather shift the use from accessory private parking to a standalone commercial parking operation. Key characteristics include:

- The facility is privately owned and controlled;
- The operator retains discretion to set rates, terms, and conditions of use;
- Access may be restricted or revoked at the operator’s discretion; and
- The use is intended to generate independent revenue as its primary purpose.

These factors establish that the use is private in nature, notwithstanding any public accessibility.

Avoidance of Unreasonable Results

The applicant’s interpretation would result in broader and unintended policy consequences. Interpreting privately owned, fee-based parking facilities as “public parking” based solely on public accessibility would effectively enable such uses as a permitted use in all zones under AMC 18.2.2. This would introduce a new category of standalone commercial parking as a primary use citywide without any corresponding development standards or legislative review.

In the Downtown C 1 D zone, this interpretation could also have material land use impacts. Allowing fee based commercial parking as a primary use may reduce the availability of accessory private parking needed to support existing commercial tenants and could create incentives to convert commercially zoned properties to surface parking rather than redeveloping them with intended commercial or mixed-use development. This would undermine the purpose of the zoning district to support active, pedestrian oriented commercial uses.

In the original Downtown Plan adopted in the 1980s, the City identified concerns about the impact of parking on the historic built environment and the pedestrian oriented character of downtown. Large, paved areas and driveway access points were seen as detracting from the continuity of the streetscape and overall pedestrian experience. Discussion at the time included the potential for requiring Conditional Use Permits for private off-street parking, along with concerns that pay to park lots would not contribute to downtown vitality and could detract from efforts to draw people to the area. The plan emphasized pedestrian amenities and a vibrant commercial core and recognized that surface parking as a primary use can undermine these

objectives when it displaces active uses or redevelopment potential. Consistent with this policy direction, the City eliminated minimum parking requirements in the C-1-D zone and has since addressed parking demand through publicly managed parking facilities rather than reliance on private, standalone parking uses within the downtown.

Accordingly, in Staff’s assessment, the applicant’s interpretation would not only blur the distinction between public and private uses, but would also introduce land use outcomes that are inconsistent with the intent of the zoning code and the City’s adopted planning framework. By effectively allowing privately owned, fee based parking facilities as a permitted use, the interpretation could alter development patterns in a manner not contemplated by the code, including the conversion of commercially zoned land to surface parking and the displacement or deferral of intended uses. Such an outcome would extend beyond the scope of a code interpretation and would be more appropriately addressed, if at all, through a legislative process that considers where and under what conditions such uses should be allowed.

III. Supporting Evidence and References

A. Allowed Uses List and Prohibited Uses

The Land Use Ordinance provides a matrix of allowed uses and in which zones that they are allowed, conditionally allowed, or prohibited. Where a use is not listed it is prohibited pursuant to AMC 18.2.2.030.D.

Public Parking is listed as Permitted in all zones. Private Parking is not listed as an allowed use and is therefore prohibited.

AMC 18.2.2.030.A. - Uses Allowed in Base Zones.

Allowed uses include those that are permitted, permitted subject to special use standards, and allowed subject to approval of a conditional use permit. Where Table 18.2.2.030 does not list a specific use and part 18.6 does not define the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, following the procedures of section 18.1.5.040.

Excerpt from 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
Public Parking Facility	P	P	P	P	P	P	P	P	P	

AMC 18.2.2.030.D - Prohibited Uses.

Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use following the procedures of section 18.1.5.040 are prohibited. Prohibited uses are subject to the violations, complaints, and penalties sections in 18.1.6.080, 18.1.6.090, and 18.1.6.100.

B. Similar Uses

If a use is found to be similar to an allowed use, then the similar use would be allowed.

AMC 18.1.5.040 - Similar Uses.

Where a proposed use is not specifically identified by this ordinance or the ordinance is unclear as to whether the use is allowed in a particular zone, the Staff Advisor may find the use is similar to another use that is permitted, allowed conditionally, or prohibited in the subject zone and apply the ordinance accordingly. However, uses and activities that this ordinance specifically prohibits in the subject zone, and uses and activities that the Staff Advisor finds are similar to those that are prohibited, are not allowed. Similar use rulings that require discretion on the part of City officials shall be processed following the Type I procedure, pursuant to section 18.5.1.050, except where the Staff Advisor refers a request for a similar use determination to the Planning Commission for its review and decision through a Type II procedure, pursuant to section 18.5.1.060.

C. Ordinance Definitions

The Land Use Ordinance provides the following definitions for parking lots.

Parking Area or Lot - Any area inside, under, or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, or structures.

Private Parking Area or Lot - A parking area for the exclusive use of the owners of the lot on which the parking area is located or whomever else they permit to use the parking area.

Public Parking Area or Lot - A parking area available to the public, with or without payment of a fee.

D. Compliance with State Statute

The applicant's interpretation is not supported by Oregon's statutory framework, which distinguishes between public and private parking based on ownership and control, not public accessibility. Oregon law expressly recognizes that privately owned property may be open to the public while remaining private in nature.

This distinction is reflected in different statutory schemes. For example, ORS Chapter 801 generally governs traffic regulation on public roadways and facilities under governmental jurisdiction, while ORS Chapter 98 establishes separate provisions for privately owned parking facilities, including authority for vehicle removal and enforcement on private property. The existence of these parallel frameworks demonstrates that a facility does not become "public" simply because members of the public are permitted to use it.

In other words, Oregon law contemplates:

- Privately owned property that is open to the public; and
- Distinct regulatory and enforcement mechanisms for such private facilities, including towing and access control under ORS Chapter 98.

Accordingly, public accessibility, whether free or fee based, does not convert a privately owned and controlled parking facility into a public use.

E. Public Input

Notice was mailed to Ashland News and posted at two locations along the property frontage on April 20, 2026.

IV. **Procedural: Compliance with Approval Criteria**

AMC 18.1.5.030 provides the following approval criteria.

- A. The interpretation is consistent with applicability policies of the Comprehensive Plan.
- B. The interpretation is consistent with the purpose and intent of the ordinance provision that applies to the particular ordinance section, or sections, in question.
- C. The interpretation is consistent with the opinion of the City Attorney.

A. Consistency with the Comprehensive Plan

The proposed interpretation is not consistent with the applicability policies of the Comprehensive Plan. The Plan emphasizes a balanced transportation system that promotes walking, bicycling, and transit as preferred modes of travel, and supports land use patterns that reduce reliance on the automobile. Allowing standalone, fee based commercial parking as a permitted use would prioritize vehicle storage as a primary land use and could reinforce auto oriented travel behavior, rather than supporting multimodal transportation goals. Interpreting privately owned, fee based parking as “public parking” would therefore be inconsistent with the Comprehensive Plan’s transportation policies that encourage pedestrian oriented development and reduce dependence on single occupancy vehicles.

B. Consistency with the Purpose and Intent of the Ordinance

The interpretation that privately owned, fee-based parking facilities qualify as “public parking” is not consistent with the purpose and intent of the ordinance. The code distinguishes between public and private parking based on ownership and control, and permits “public parking” broadly while limiting “private parking” to an accessory role. This structure reflects an intent to allow publicly managed parking as a supporting public function, while preventing privately operated parking from becoming a standalone commercial use unless expressly authorized. Expanding “public parking” to include privately owned, fee-based facilities would undermine this distinction and effectively introduce a new primary use category not contemplated by the ordinance.

C. Consistency with the Opinion of the City Attorney

The interpretation is consistent with the opinion of the City Attorney, which is provided below. The City Attorney’s analysis supports the distinction between public and private uses based on ownership and control, consistent with Oregon statutory frameworks that differentiate between publicly controlled facilities and privately owned properties that may be open to the public. This interpretation maintains internal consistency within the code and avoids unintended expansion of permitted uses beyond those expressly authorized.

The City Attorney's Office has reviewed both the applicant's and staff's interpretations of AMC 18.6.1.030 and related provisions, as well as the applicable state towing statutes, and provides the following analysis and conclusion.

AMC 18.1.5.030.C requires that formal interpretations be consistent with the opinion of the City Attorney. In this matter, the City Attorney's Office has determined that ownership and control are the legally significant factors distinguishing public from private parking under state law and the Ashland Municipal Code. While the applicant's proposal would allow members of the public to park for a fee, the underlying property would remain privately owned and controlled, and parking enforcement would occur under the private-property towing statutes rather than through municipal parking enforcement mechanisms.

The first tenant of statutory construction is to look at the plain text and ordinary meaning of the relevant authority, which here is found in the definition section in AMC 18.6.1.030, which distinguishes between a "Private Parking Area or Lot" and a "Public Parking Area or Lot." That a property owner may choose to open their property to other members of the general public does not change the property owner's exclusive control and rights over the property, a key distinction between public and private property.

Another layer of statutory construction is to look at the words within the context of the entire ordinance, or here, to examine when and how these defined terms are used in the code. "Private Parking Area" is not used once beyond this definition. "Public Parking Area" is used multiple times, with the most parallel example occurring in table 18.2.2.030, as mentioned by staff. Here, "Public Parking" is specifically listed as a permitted use. If the code wished to also include the definition of "Private Parking", it would have done so. Rather, its absence from the table may indicate "Private Parking" was specifically not an authorized use. The zoning of the proposed use provides another context for why this rule may exist – the City does not want the downtown to have a disproportionate amount of parking lots in a commercial, tourist, area.

To the extent the applicants argue the plain meaning of a "Private Parking" is itself ambiguous, it is appropriate to look at other authorities that may address a similar question. Under ORS 98.805, "parking facility" means "any property used for vehicle parking," and "owner of a parking facility" includes "the owner, lessee or person in lawful possession of a private parking facility," as well as "any officer or agency of this state with authority to control or operate a parking facility." Read together, these provisions indicate that a parking facility remains private where a private owner or its agent retains control and where enforcement occurs through the private-property towing framework in ORS 98.810–98.830, even if the general public is permitted to park there for a fee. By contrast, on-street parking and municipally operated lots are governed by the City's parking regulations in AMC chapter 11.26 and enforced as a public function, underscoring a distinction between government-operated public facilities and privately controlled facilities governed by state towing and private-property provisions.

Ashland's Land Use Ordinance draws a parallel distinction. "Public Parking Area or Lot" is defined as "a parking area available to the public, with or without payment of a fee," whereas "Private Parking Area or Lot" is defined as "a parking area for the exclusive use of the owners of the lot on which the parking area is located or whomever else they permit to use the parking area." When these definitions are read in conjunction with ORS 98.805 and the related towing

provisions, the more coherent reading of “public parking” in AMC 18.6.1.030 is that it refers to facilities owned, operated, or controlled by a public entity. Conversely, “private parking” refers to facilities in which operational control and enforcement authority remain with a private owner or its authorized agent, even when the general public may be allowed to park for a fee.

From a policy standpoint, the City Attorney’s Office advises that reserving the term “public” for facilities that are publicly owned or operated is consistent with the ordinary use of terms such as “public school,” “public park,” and “public defender,” which describe services provided by a governmental entity rather than by privately controlled commercial enterprises. Characterizing a privately controlled, revenue-generating parking lot as “public parking” solely because it is open to paying customers would blur this long-standing public-private distinction, undermine the zoning code’s intent to distinguish between public and private uses, and invite circumvention of use restrictions through labeling rather than through the actual nature and control of the use.

Accordingly, the City Attorney’s Office concludes that the proposed facility is a private parking use because (1) the property remains under private ownership and control, and (2) enforcement would occur under the private-property towing statutes rather than through the City’s parking regulations and municipal enforcement. On that basis, the proposed use is properly characterized as a private, standalone commercial parking facility. It is not permitted as “public parking” in the C-1-D zone and is not allowed as “private parking” because it is not accessory to a permitted primary use.

In light of this analysis, the City Attorney’s Office concludes that staff’s interpretation is consistent with the opinion of the City Attorney as required by AMC 18.1.5.030.C.

V. Conclusion

Based on the foregoing analysis, Staff concludes:

1. The existing parking lot at 40 N. Main Street is properly classified as private parking accessory to the on-site commercial uses;
2. The proposed conversion would change the use from accessory private parking to a standalone, fee-based commercial parking facility;
3. The proposed use does not meet the definition or intent of “Public Parking,” as it would remain privately owned and controlled, and it does not qualify as a “similar use” to public parking under the code; and
4. The zoning code does not permit standalone private commercial parking as a primary use in the C-1-D zoning district.

Accordingly, Staff recommends that the Planning Commission and City Council affirm an interpretation that privately owned, fee-based parking facilities, even when open to the general public, are not “Public Parking” as contemplated by the code, do not qualify as a similar use, and are not permitted as a primary use.

In Staff’s assessment, the current code framework, which does not permit standalone, privately owned, fee based commercial parking as a primary use, has effectively supported the City’s land

use objectives by ensuring that lands intended for urban development are utilized for commercial and residential buildings rather than surface parking. This approach has helped maintain development intensity and support active uses, particularly in areas planned for mixed use and commercial activity.

Staff does not find that a code amendment is necessary at this time. However, if the Planning Commission and City Council determine that such uses should be allowed, Staff recommends directing Staff to initiate a legislative code amendment to clearly define and regulate fee based commercial parking. This would include revisions to the definitions of “Parking, Public” and “Parking, Private,” and a comprehensive evaluation of where and under what conditions such uses may be permitted, specially permitted, or subject to a conditional use permit within the City.

Memo

DATE: June 16, 2026
TO: City Council
FROM: Planning Commission
RE: Legislative Interpretation/Recommendation relative to Private Parking Lots

Background

The Planning Commission conducted a public hearing on May 12, 2026 regarding Planning Action PA-T1-2026-00297, a request for a "similar use" interpretation under AMC 18.1.5 concerning whether a privately owned, fee based commercial parking facility may be considered a similar use to "Public Parking" under the Ashland Land Use Ordinance.

The request arose from a proposal to convert the existing privately owned parking lot located at 40 North Main Street into a publicly accessible, fee based parking operation managed by a third party operator. The applicant asserted that because the parking facility would be available for use by the general public, it should qualify as "Public Parking" as listed in AMC 18.2.2.030.

The Community Development Department determined that the proposal constituted a privately owned commercial parking facility rather than "Public Parking" as contemplated by the ordinance because ownership, operational control, and enforcement authority would remain private in nature.

Procedural History

Pursuant to AMC 18.1.5.060, the Community Development Director referred the interpretation request directly to the Planning Commission and City Council for legislative review due to the significant citywide policy implications associated with the request, including whether privately owned, fee based commercial parking facilities could effectively become permitted uses in all zoning districts absent legislative action.

The Planning Commission reviewed the staff report, public testimony, applicant materials, and the opinion of the City Attorney provided pursuant to AMC 18.1.5.030.C. The City Attorney concurred with the interpretation of the Community Development Director that the

COMMUNITY DEVELOPMENT DEPARTMENT

51 Winburn Way
Ashland, Oregon 97520
ashlandoregon.gov

Tel: 541.488.5305
Fax: 541.552.2050
TTY: 800.735.2900

distinction between “public parking” and “private parking” is based primarily upon ownership, operational control, and enforcement authority, rather than simply whether members of the public may access the parking facility.

Planning Commission Findings and Recommendation

Following the public hearing and deliberation, the Planning Commission concurred with the interpretation of the Community Development Department and made the following findings:

- “Public Parking,” as contemplated by the Ashland Land Use Ordinance, refers to parking facilities owned, operated, or controlled by a governmental entity or otherwise functioning as a public facility.
- A privately owned parking lot does not become “public parking” merely because members of the public may use the facility upon payment of a fee.
- The proposed use would constitute a privately owned, standalone commercial parking facility operated for revenue generation under private control.
- The Ashland Land Use Ordinance currently permits “Public Parking” in zoning districts citywide, but does not expressly permit standalone privately owned commercial parking facilities as a primary use.
- Interpreting privately owned, fee-based parking facilities as “Public Parking” would effectively create and authorize a new land use category without corresponding legislative standards, review procedures, or locational limitations.
- Such an interpretation could have broader unintended land use implications, including encouraging conversion of commercially zoned land to surface parking uses in conflict with adopted Comprehensive Plan policies supporting pedestrian oriented development, mixed use redevelopment, and active commercial streetscapes.

Recommendation to City Council

Following deliberation, the Planning Commission unanimously recommended that the City Council:

1. Deny the requested similar use interpretation.
2. Affirm that privately owned, fee based commercial parking facilities are not “Public Parking” as contemplated by the Ashland Land Use Ordinance, do not qualify as a

COMMUNITY DEVELOPMENT DEPARTMENT

51 Winburn Way
Ashland, Oregon 97520
ashlandoregon.gov

Tel: 541.488.5305
Fax: 541.552.2050
TTY: 800.735.2900

similar use, and are not currently permitted as a primary use under the Ashland Land Use Ordinance.

3. The Planning Commission further recommended that, should the City Council wish to consider allowing privately owned fee-based parking facilities in some zoning districts in the future, such consideration occur through a separate legislative land use ordinance amendment process establishing clear definitions, locational criteria, review procedures, and development standards.

Motions as approved by the Planning Commission on May 12, 2026:

- *The Planning Commission recommends that the City Council deny the requested similar use interpretation and affirm that privately-owned, fee-based commercial parking facilities are not 'Public Parking' as contemplated in the Ashland Land Use Ordinance, do not qualify as a similar use, and thus are not presently permitted as a primary use under the Ashland Land Use Ordinance.*
- *The Planning Commission further recommends that the Council investigate whether to create a new land use category which would allow privately-owned fee-based commercial parking facilities in some zones. Planning Commissioners clarified that this would involve a broader look at the underlying issues to include paid parking facilities as a component of multi-story/mixed-used developments where the parking component could be provided underground, at ground level or on upper floors subject to specific procedures (Conditional Use), criteria and design standards to insure that allowing parking in this manner would not compromise the character of the built environment or the strong pedestrian-friendly focus of Ashland's streetscapes.*

As noted previously, should the City Council wish to investigate whether to establish a new land use category for privately owned, commercial fee based parking facilities within the Ashland Land Use Ordinance as a separate action a legislative amendment to Chapter 18 would be required. The Planning Commission recommends that any such consideration occur as part of broader legislative land use and long range planning discussions, including evaluation of where such uses may be appropriate and consistency with the Comprehensive Plan and downtown redevelopment objectives. Given the ongoing state mandated land use updates, Housing Production Strategy (HPS) implementation

COMMUNITY DEVELOPMENT DEPARTMENT

51 Winburn Way
Ashland, Oregon 97520
ashlandoregon.gov

Tel: 541.488.5305
Fax: 541.552.2050
TTY: 800.735.2900

measures, and other active legislative planning projects underway, the Planning Commission recognizes that the City Council may wish to consider such an ordinance amendment project during future Council goal setting and annual Planning Commission work plan prioritization efforts.

Attachments:

1. Planning Staff Report: *NMain_40_PA-T1-2026-00297_Staff ReportFinal*
2. Pacific Properties Applicant Submittal: *NMain_40_PA-T1-2026-00297_applicant Submittal*
3. [May 12, 2026 Planning Commission Meeting Video](#)
4. [May 12, 2026 Planning Commission Packet Materials](#)

COMMUNITY DEVELOPMENT DEPARTMENT

51 Winburn Way
Ashland, Oregon 97520
ashlandoregon.gov

Tel: 541.488.5305
Fax: 541.552.2050
TTY: 800.735.2900

BEFORE THE DEPARTMENT OF COMMUNITY DEVELOPMENT
FOR CITY OF ASHLAND, OREGON:

IN THE MATTER OF A CODE INTERPRETATION)
)
FOR A PARKING LOT USE ON LAND ZONED C-)
)
1-D; T.39S, R.1E, SEC.09BB, TAX LOTS 10100,)
)
10600 AND 10801 PACIFIC RENTAL)
)
PROPERTIES, LLC, APPLICANT; LANIER LAND)
)
CONSULTING, LLC, AGENT)

**FINDINGS OF
COMPLIANCE**

I. BACKGROUND INFORMATION:

OWNER: Pacific Rental Properties, LLC
800 Ellendale Dr. OFC
Medford, OR 97504

APPLICANT: Same as Owner

AGENT: LaNier Land Consulting, LLC
310 Crater Lake Ave., Ste 103
Medford, OR 97504
(541) 897-3477

APPLICATION: The applicant requests a code interpretation for a parking lot use on privately owned land zoned C-1-D, located at Township 39S, Range 1E, Section 9BB, Tax Lots 10100, 10600 and 10801; 40 N Main St, Ashland, Oregon. See **EXHIBIT 'A'** for Site Plan.

LOT/ZONING: The subject tract is zoned Commercial - Downtown (C-1-D) and is approximately 0.92 acres.



FIRE DISTRICT: Ashland Fire and Rescue

ACCESS: The subject property is accessed via Highway 99 / Main Street, a public road owned and maintained by the State.

II. DEMONSTRATION OF COMPLIANCE:

The purpose of the findings herein is to clearly demonstrate that a private parking facility use in the C-1-D zone complies with the Ashland Municipal Code (AMC), applicable elements of the City Comprehensive Plan and State law.

The subject of this review is the parking lot serving the Ashland Plaza Mall, which has historically been used by downtown visitors, customers, and employees of neighboring businesses since the 1960s. Over time, the parking lot has functioned as an informal public parking resource supporting the surrounding commercial area.

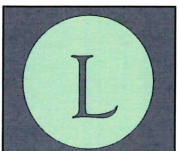
In recent years, the property owner and tenants have experienced a significant increase in unauthorized overnight occupancy and related activities within the parking lot. Reported issues have included camping, sanitation concerns, drug use, unleashed animals, open fires, and other activities that have resulted in safety concerns for tenants, customers, and neighboring property owners. These conditions have generated complaints from tenants, their patrons, and surrounding businesses.

Due to these ongoing issues and the costs associated with towing, enforcement, and private security patrols, the property owner has temporarily closed the parking lot to the general public's use.

To address these concerns while maintaining the parking lot's longstanding role as a downtown parking resource, the applicant proposes to implement a managed pay-to-park system with time-based parking tiers. The purpose of the system is to allow continued public access to the parking facility while establishing a mechanism to support active management and enforcement of parking regulations.

The proposed parking management program is intended to discourage misuse of the property, particularly during overnight hours, while maintaining parking availability for customers, visitors, patrons of the downtown area and employees of nearby businesses. The goal of the proposal is not to generate profit, but rather to provide a structured system that supports responsible use of the property, improves safety conditions, and maintains a visible management presence to monitor and manage the parking area.

In late 2024, a pre-application for the proposed use was submitted to Ashland Community Development. Subsequently, we received a pre-application report from the department (**EXHIBIT 'B'**) and have addressed the Code Interpretation provisions of AMC § 18.1.5 accordingly.



In addition to the findings below, please refer to maps and documents in the attached exhibits for demonstration of compliance with these standards. With this review, City of Ashland can find that a private parking facility use in the C-1-D zone is consistent with the AMC, applicable elements of the City Comprehensive Plan and State law.

PART 18.1: INTRODUCTION AND GENERAL PROVISIONS

18.1.5.030 Interpretation Criteria

Any interpretation made through the foregoing procedures shall be based on the following criteria:

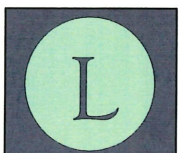
- A. *The interpretation is consistent with applicability policies of the Comprehensive Plan.*

FINDING: The Ashland Comprehensive Plan Street Classification Map (Transportation Element, p. 196) designates Main Street / Highway 99 as a Boulevard. Transportation Element Policy 10.05 states that off-street parking for uses located on boulevards should be encouraged. The subject property contains an existing off-street parking lot that has historically served on-site commercial uses as well as visitors and employees of nearby downtown businesses. The applicant proposes to continue utilizing the existing off-street parking facility while implementing a structured parking management system intended to improve security, oversight, and parking availability.

The proposal is also consistent with Transportation Element Policy 10.09.02, which encourages the provision of parking lots and parking structures and the shared use of existing parking facilities among nearby businesses (Policies 10.09.02(31) and (36)). The proposed pay-to-park system would maintain public access to the parking facility while supporting surrounding commercial uses and improving parking management within the downtown area.

The Transportation Element also references the Ashland Downtown Plan, which identifies the subject property as being located within the “core” parking management area (Downtown Plan, p. 67). The Downtown Plan identifies a goal of providing short-term, convenient, economical, and user-friendly parking for customers, clients, and visitors within the downtown area.

The applicant’s proposal to implement a managed pay-to-park system would maintain public availability of the existing parking resource while providing a mechanism for improved oversight, enforcement, and turnover of parking spaces. These improvements support the Comprehensive Plan’s objectives related to downtown accessibility, parking management, and support for commercial activity.



Therefore, the proposed parking management system is consistent with the applicable policies and objectives of the Ashland Comprehensive Plan and the Ashland Downtown Plan. **The provisions of this section are met.**

- B. *The interpretation is consistent with the purpose and intent of the ordinance provision that applies to the particular ordinance section, or sections, in question.*

FINDING: The following 'Allowed Use' section is in question:

18.2.2.030 *Allowed Uses*

- A. *Uses Allowed in Base Zones. Allowed uses include those that are permitted, permitted subject to special use standards, and allowed subject to approval of a conditional use permit. Where Table 18.2.2.030 does not list a specific use and part 18.6 does not define the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, following the procedures of section 18.1.5.040.*
- D. *Prohibited Uses. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use following the procedures of section 18.1.5.040 are prohibited.*

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
Public Parking Facility	P	P	P	P	P	P	P	P	P	

18.6.1.030 *Definitions*

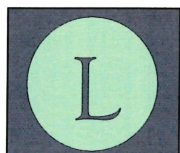
Parking Area or Lot. Any area inside, under, or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, or structures.

-Private Parking Area or Lot. A parking area for the exclusive use of the owners of the lot on which the parking area is located or whomever else they permit to use the parking area.

- Public Parking Area or Lot. A parking area available to the public, with or without payment of a fee.

The two definitions are similar in several structural and regulatory respects:

1. **Both define a land use classification and have the same functional purpose.** Both describe a parking area or lot, meaning land that is designated and used for the parking of vehicles. The physical use of the space is the same in both definitions. Each term establishes



a recognized category of parking use for purposes of zoning, land-use regulation, and development standards. In both cases, the defined area is a designated portion of real property used for the parking or temporary storage of motor vehicles.

2. **Both contemplate an identifiable parking facility located on a specific parcel and same type of land use category.** Each definition presumes the existence of a defined parking area situated on a lot or parcel of land, indicating that the parking use is tied to a specific property interest and subject to applicable land-use controls. Each definition refers to a designated area for vehicle storage/parking, implying a structured or recognized land use rather than informal roadside parking.

3. **Both assume ownership and operational control.**

The primary similarity is that both regulate who is allowed to use the parking area, but they differ only in the scope of that access:

- **Private Parking Area/Lot:** access is restricted to the property owner and people they authorize. In this case they want to help the public.
- **Public Parking Area/Lot:** access is extended to the general public, potentially subject to payment or other conditions.

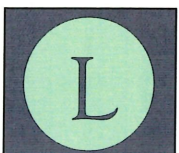
In both definitions, a property owner or city operator retains legal control over the parking facility, including the authority to regulate access, establish conditions of use, and maintain the premises.

4. **Both function as regulatory distinctions rather than structural distinctions.**

The definitions do not materially distinguish the physical characteristics of the parking facility; rather, they differentiate the legal status of access and use rights associated with the parking area. Both assume management or ownership. Each definition implies that the parking area is controlled by an owner or operator who determines the conditions of use (either limiting access or allowing public use).

The above sub-definitions are substantially similar in that both fall within the broader definition of a Parking Area or Lot, as each describes a designated area of land used for the parking or temporary storage of motor vehicles. The primary distinction between a Private Parking Area or Lot and a Public Parking Area or Lot relates to who is permitted to use the facility, rather than any difference in the physical characteristics or operational function of the parking area. A Public Parking Area or Lot is defined as a parking facility available to the general public, with or without payment of a fee. If a privately owned parking lot is made available for use by the general public, it functions in a manner consistent with a public parking facility regardless of the ownership of the underlying property.

In discussions with the Applicant's attorney, Mark Bartholomew, he explained his interpretation of AMC 18.6.1.030. He stated that it defines private parking area or lot as, "A *parking area for the exclusive use of the owners of the lot on which the parking area is located or whomever else they permit to use the parking area.*" It also defines public parking area or lot as "A *parking area available to the public, with or without payment of a fee.*" He noted there may be some overlap between these definitions, particularly if individuals who pay to park are considered part of those "permitted" by the owner to use the space.



However, he emphasized that rules of statutory interpretation require that all provisions of a statute be given effect, so each definition retains meaning.

He argued that if the City classifies a lot as private solely because it is privately owned, it overlooks the possibility that a privately owned lot may still function as a public parking facility if it is open to the public for a fee. To give effect to both definitions, he stated that a private lot must be one restricted either to the owner or to individuals specifically authorized by the owner. As an example, he cited a bank parking lot, where parking is limited to customers conducting business, making it a private lot. Alternatively, a public parking lot is one open to the public *“with/without payment of a fee.”* The definition does not include any identification of whether the OWNER is public or private. If the owner restricts parking to certain users—such as employees or customers—then the lot is private. If the owner allows anyone to park there for any reason, it is public.

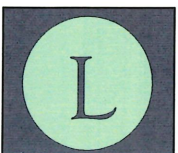
Mr. Bartholomew also stressed that statutory interpretation should not add language that does not exist in the text, noting that the code does not specify anything about the nature of the owner.

Accordingly, where a property owner elects to allow public access to a privately owned parking lot, the use is functionally equivalent to a public parking facility. Under such circumstances, charging a fee for parking is a customary operational component of parking facilities and is commonly used to fund maintenance, management, and enforcement necessary to ensure safe and orderly use of the property.

The applicants’ proposed pay-for-parking facility, which would be available for use by the general public. As such, the facility is consistent with the definition of a Public Parking Area or Lot, which is defined as a parking area available to the public, with or without payment of a fee. Because the proposed parking facility would be open to the public and may involve payment for use, it is functionally and operationally consistent with a public parking facility defined in Ashland Municipal Code 18.6. Because the facility would be open to the public, with use potentially conditioned upon payment of a fee, it is materially consistent with the definition of a public parking facility.

Table 18.2.2.030 identifies permitted, conditional, and prohibited uses within each zoning district. Where a specific use is not expressly listed in the table, and Chapter 18.6 does not define the use or provide it as an example of an allowed use, AMC 18.1.5.040 authorizes the city to determine whether the proposed use is allowable based on its similarity in character, function, and impacts to other listed uses.

In this instance, the proposed pay-for-parking facility is not separately listed as a distinct use. However, Chapter 18.6 defines both Private Parking Area or Lot and Public Parking Area or Lot, each describing a designated area used for the parking of motor vehicles. The definitions differ primarily with respect to who may use the parking facility, rather than the physical characteristics or operational function of the use.



Because the applicant proposes to make the parking area available for use by the general public, with payment of a fee, the proposed use most closely aligns with the definition and operational characteristics of a Public Parking Area or Lot. Public parking facilities are permitted in the C-1-D (Downtown Commercial) zoning district.

Accordingly, pursuant to AMC 18.1.5.040, the proposed use may reasonably be interpreted as consistent with a public parking facility and therefore should be considered a similar use and be allowable within the C-1-D zoning district. **The provisions of this section are met.**

C. *The interpretation is consistent with the opinion of the City Attorney.*

FINDING: The Agent acknowledges that a “private parking facility” is not explicitly listed as a separate use within the Ashland zoning code. However, the absence of a specific listing does not necessarily indicate that the use is prohibited. Rather, under AMC 18.1.5.040, where a use is not specifically listed or defined, the city may determine whether the proposed use is allowable by evaluating its similarity in character, function, and impacts to other uses permitted within the zoning district. It seems reasonable to interpret the code such that public parking facilities that happens to be privately owned is a permissible use that are functionally similar to, and regulated in the same manner as, “public parking facility”, particularly with respect to location, design, and operational standards.

Both Private Parking Areas or Lots and Public Parking Areas or Lots, as defined in AMC 18.6, fall within the broader category of land used for the parking or temporary storage of motor vehicles. The primary distinction between the two definitions concerns who may access the parking area, rather than the fundamental nature or operational characteristics of the use.

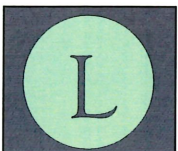
The applicant proposes to operate the subject property as a pay-for-parking facility available to the general public. In evaluating whether this use is similar to permitted uses within the C-1-D (Downtown Commercial) zoning district, the following factors are relevant:

1. **Character of the Use**

The proposed use involves the parking of motor vehicles on a designated portion of the property. This activity is identical in character to the use described under Public Parking Area or Lot, which is a recognized and permitted use in the commercial zoning district.

2. **Functional Operation**

The functional operation of the proposed parking facility is consistent with that of other parking facilities permitted within commercial areas. The lot would provide short-term vehicle parking for customers, visitors, and patrons of nearby businesses, which is a customary and supportive uses within downtown commercial districts.



3. **Traffic Generation and Intensity**

Parking facilities typically generate less traffic and fewer operational impacts than many other uses permitted within the C-1-D zone, such as retail establishments, restaurants, or entertainment venues. Vehicle movements associated with a parking lot are generally intermittent and limited in duration.

4. **Compatibility with Surrounding Uses**

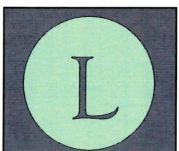
Parking facilities are commonly located within downtown commercial districts to support nearby businesses and visitors. The proposed use would provide additional parking resources for the downtown area and is compatible with the surrounding commercial land uses.

Mr. Bartholomew also addressed the pre-application comment referencing ORS 98.805 (see ORS in **EXHIBIT “C”**). After review he indicated that ORS 98 has to do with special laws regarding towing regulations and not parking and is inapplicable. He indicated that ORS Chapter 801 is more relevant, as it defines “premises open to the public,” which is a necessary condition for enforcing vehicle laws on private property. He provided examples to illustrate this distinction: a private driveway is not open to the public and therefore not subject to such regulations, whereas a Safeway parking lot, though privately owned, is open to the public and thus subject to vehicle code enforcement.

Based on this interpretation, he concluded that privately owned parking lots can still be open to the public. In the context of the Ashland code, this means that a privately owned parking lot may function as a public parking lot if it is open to public use.

By formally designating and posting a portion of the subject property as a parking facility, the owner would be better equipped to manage the property in accordance with state law governing abandoned or improperly parked vehicles. Establishing the parking area through Site Plan Review would also allow the City to ensure compliance with applicable design, access, and safety standards.

Based on the similarity in character, function, traffic generation, and compatibility with surrounding uses, the proposed pay-for-parking facility is substantially similar to a Public Parking Area or Lot, which is permitted in the C-1-D zoning district. Accordingly, the proposed interpretation is reasonable and consistent with the intent of the Ashland Land Use Ordinance. **The provisions of this section are met.**



III. SUMMARY:

Based upon the information submitted with this application, the City of Ashland finds that the applicant has provided sufficient information demonstrating that a private parking facility open to the public is substantially similar in character and function to a public parking facility, which is identified as a permitted use within the C-1-D (Downtown Commercial) zoning district.

The proposed use is therefore consistent with the intent and applicable provisions of the Ashland Municipal Code (AMC). Additionally, the proposal is consistent with the relevant policies and objectives of the City of Ashland Comprehensive Plan and complies with applicable Oregon State law.

Based on this information and exhibits attached, the applicant respectfully requests approval of this application.

RESPECTFULLY SUBMITTED,



Megan LaNier
LaNier Land Consulting, LLC



Exhibit A

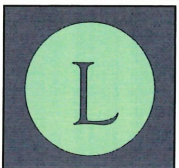


EXHIBIT MAP

LYING SITUATE WITHIN

NORTHWEST QUARTER OF SECTION 9
TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
CITY OF ASHLAND, JACKSON COUNTY, OREGON

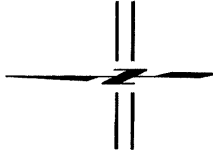
FOR

Pacific Rental Properties L.L.C.

800 Ellendale Drive
Medford, Oregon 97504

LEGEND

- 1" BRASS DISC MONUMENT FOUND
- PROPERTY BOUNDARY LINE
- BOUNDARY LINE
- X-X- FENCE LINE
- - - EASEMENT LINE
- - - DEED RECORD, VOLUME/PAGE
- D.R.



SCALE: 1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Shawn Kampmann

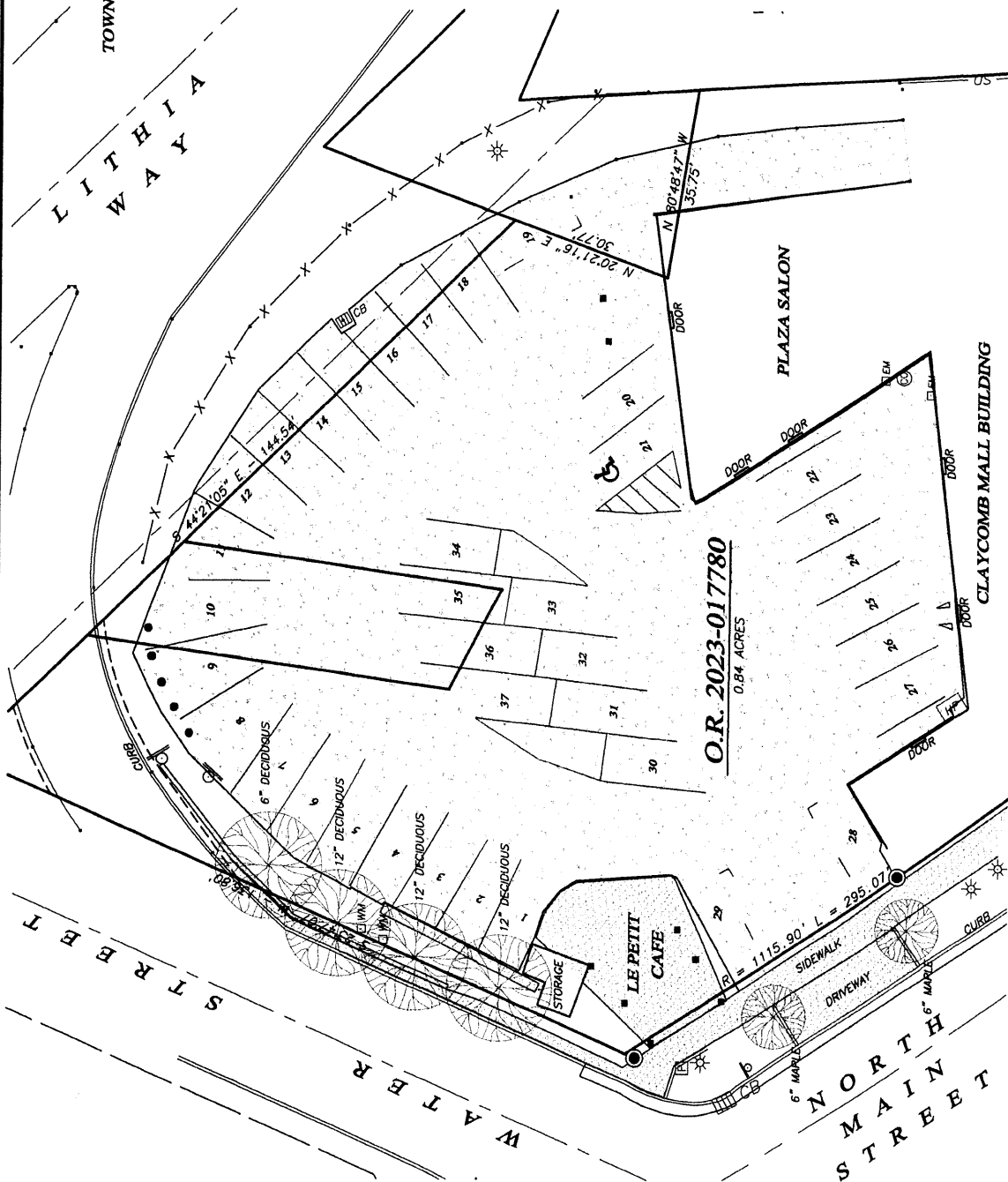
OREGON
JAN 14 2013
SHAWN KAMPMANN
2883 LS

RENEWAL DATE: 6/30/2025

SURVEYED BY:

POLARIS LAND SURVEYING LLC
P.O. BOX 459
ASHLAND, OREGON 97520
(541) 482-5009

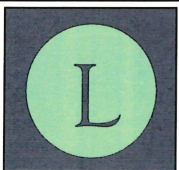
DATE: OCTOBER 10, 2024
PROJECT NO. 1136-17



POLARIS LAND SURVEYING

Assessor's Map No. 39 1E 098B, Tax Lots 10100, 10600 & 10801

Exhibit B



The comments of this pre-application are preliminary in nature and subject to change based upon the submittal of additional or different information. The Planning Commission or City Council are the final decision making authority of the City, and are not bound by the comments made by the Staff as part of this pre-application.

**ASHLAND PLANNING DEPARTMENT
PRE-APPLICATION CONFERENCE
COMMENT SHEET**

December 4, 2024

SITE: 40 North Main Street
APPLICANT: Rogue Planning/DeLuca
REQUEST: Private Parking Lot

PLANNING STAFF COMMENTS

This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal.

Generally: In staff's assessment, accessibility to the general public by itself does not determine whether a parking facility is public or private. Ownership and operational control are deciding factors. The Oregon Revised Statutes in ORS 98.805(1)-(4) explicitly differentiate between public parking facilities and private parking facilities in terms of the "ownership or control" of the facility. This bifurcation in state law establishes that public parking facilities are distinctly those managed or controlled by state agencies or public entities, while private parking facilities fall under the control of private entities or individuals and each is provided for differently under state law in terms of regulation. Private parking lots are not listed as an allowed use in this zone under AMC Table 18.2.2.030 "Uses Allowed by Zone", and the ordinance is explicit in AMC 18.2.2.030.D in stating, "Uses not listed in Table [18.2.2.030](#) and not found to be similar to an allowed use following the procedures of section [18.1.5.040](#) are prohibited."

Should the applicant wish to further pursue this issue, the procedure would be to request a formal interpretation by the Staff Advisor on the issue. A brief summary of staff's initial consideration of the issue is provided at the end of this document. The applicant would then have the opportunity to appeal staff's interpretation through a public hearing at the Planning Commission.

Interpretations: Interpretations may be either ministerial or a Type I process, depending on whether discretion is involved. Interpretations are discussed in the Ashland Municipal Code in AMC 18.1.5.030 as being subject to the following criteria:

- A. *The interpretation is consistent with applicability policies of the Comprehensive Plan.*
- B. *The interpretation is consistent with the purpose and intent of the ordinance provision that applies to the particular ordinance section, or sections, in question.*
- C. *The interpretation is consistent with the opinion of the City Attorney.*

Site Design Review Permit: In the event that a private parking lot were ultimately allowed once an interpretation is resolved, if the site configuration (number and dimension of spaces, circulation, landscaping, etc.) differed from the most recent land use approval or altered approved circulation as

Private Parking Lot @ N Main & Water.dds
December 4, 2024
Page 1

it relates to the public right-of-way, the applicant would also need to obtain Site Design Review approval and demonstrate compliance with all of the applicable vehicle area design requirements.

.....

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPARTMENT: *No comments provided.* For any Building Codes related questions, please contact Building Official Steven Matiaco via e-mail to steven.matiaco@ashlandoregon.gov or call 541-488-5305.

CODE COMPLIANCE: *No comments provided.* For any Land Use Code Compliance-related information, please contact Code Compliance at (541) 488-5305.

CONSERVATION DIVISION: *No comments provided.* For any information on Conservation Programs, please contact Dan Cunningham at 541-552-2063 or via e-mail to: dan.cunningham@ashland.or.us.

PUBLIC WORKS DEPARTMENT: *See comments at the end of this document.* Please contact Karl Johnson of the Engineering Division for any Engineering-related information at 541-552-2415 or via e-mail to: karl.johnson@ashlandoregon.gov.

FIRE DEPARTMENT: *The Fire Department had no project specific comments.* Please contact Fire Marshall Mark Shay for any Fire Department-related information at 541-552-2217 or via e-mail to: mark.shay@ashlandoregon.gov.

WATER AND SEWER SERVICE: *No comments provided.* Please contact the Water Department for any further information at 541-488-5353.

ELECTRIC DEPARTMENT: Please contact Rick Barton in the Electric Department to discuss any additional service requirements, fees, etc. at 541-552-2082 or via e-mail to rick.barton@ashland.or.us.

OREGON DEPARTMENT OF TRANSPORTATION (ODOT): *No comments provided from ODOT.* For any additional ODOT-related information, please contact:

Micah Horowitz, AICP | Senior Transportation Planner
ODOT Region 3 | Southwest Oregon
p: 541.774.6331 | c: 541.603.8431 | e: micah.horowitz@odot.oregon.gov

.....

ZONING DISTRICT REQUIREMENTS

For details on the requirements of the Commercial Downtown (C-1-D) zoning, see <https://ashland.municipal.codes/LandUse/18.2.6.030> “Standards for Non-Residential Zones” and the “Uses Allowed by Zone” Table at <https://ashland.municipal.codes/LandUse/18.2.2.030> .

.....

PROCEDURE: The ordinance interpretation procedure is detailed in <https://ashland.municipal.codes/LandUse/18.1.5.050>. Generally:

- At a minimum, an application for code interpretation shall include: 1) a letter citing the nature and reasons for the request, and, 2) as required, a city fee. The Staff Advisor then shall review relevant background information, including but not limited to other relevant ordinance sections and previous City land use decisions.
- Where an application for a formal interpretation is required, the Staff Advisor shall determine whether the request will be processed through a Ministerial or Type I review process. *Where the interpretation does not involve the exercise of discretion, the application shall be processed using the Ministerial procedure in section [18.5.1.040](#); and where an interpretation requires discretion, the application shall be processed using the Type I procedure in section [18.5.1.050](#).* When a code interpretation using the Type I procedure is called up for review, the Planning Commission, following the Type II procedure in section [18.5.1.060](#), shall have the authority to modify the interpretation based on the criteria in section [18.1.5.030](#).
- The Staff Advisor within 30 days of the inquiry shall respond in writing to the person(s) making the inquiry indicating whether additional information or a formal application is required.

Application Requirements (AMC 18.5.1.050).

1. *[Application Form and Fee.](#) Applications for Type I review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless the appropriate application fee accompanies it.*
2. *[Submittal Information.](#) The application shall include all of the following information.*
 - a. *The information requested on the application form (see <https://ashlandoregon.gov/DocumentCenter/View/262/Zoning-Permit-Application-PDF>)*
 - b. *Plans and exhibits required for the specific approvals sought.*
 - c. *A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.*
 - d. *Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.*
 - e. *The required fee (see below and <https://ashlandoregon.gov/DocumentCenter/View/2153/FY24-25-Planning-Division-Fee-Schedule-PDF>).*

NEXT APPLICATION DEADLINE:	<i>(Deadlines do not apply for Type I applications)</i>
UPCOMING PC MEETINGS:	Second Tuesday of each month
FEES	
Site Design Review (T1):	\$1,315.50 + ½ percent valuation <i>(if applicable)</i>
Other Type I Application:	\$1,315.50

***NOTES:** Applications are accepted on a first come-first served basis. All applications received are reviewed by staff, and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment. Applications are reviewed for completeness in accordance with ORS 227.178, and the first COMPLETE applications submitted are processed at the next available Planning Commission meeting.

December 3, 2024

Phone: 541-552-2040/ E-mail: derek.severson@ashlandoregon.gov

A draft determination was provided by the Community Development Director. The code allows for public lots but by omission of private does not mean private for pay lot are approved.

A formal interpretation would be necessary. The director would make the decision and then that can either be provided to the commission to make the interpretation based on the information provided in the the application.

The city attorney opinion will be requested by staff as part of the interpretation request

Reach out to city managers office to see if leasing of the lot would be considered by the city

Request Legislative law changes to modify how the code language (Could take years)

Some arguments:

Due to state changing rules regarding parking mandates (This may only apply to required parking)
Parking can be unbundled from the commercial lease and a fee can be collected. There is a 10% income tax on commercial parking fees.

Public Works/Engineering Pre-Application Conference Comments

1. **Engineered Plans** - Where public improvements are required or proposed, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in the conditions of approval. One set of these civil plans **MUST BE SUBMITTED DIRECTLY TO THE PUBLIC WORKS/ENGINEERING DEPARTMENT**. All design plans must meet the current City of Ashland Public Works Standards. Engineered construction plans and specifications shall be reviewed and signed by the Public Works Director, prior to construction. All public facilities within the development will be designed to the City of Ashland Engineering Design Standards for Public Improvements.

Where public improvements are required or completed, the developer shall submit as-built drawings of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside).

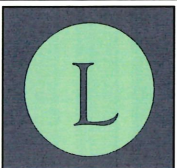
The engineered plans **MUST CONFORM TO THE FOLLOWING:**

- Drawings must be submitted digitally and **MUST** be true scale PDF drawings
 - Drawings sizes shall comply with ANSI-defined standards for page width and height.
 - Review and construction drawings **MUST** be submitted in B size (11x17).
 - All final, as-constructed drawings, **MUST** be submitted digitally as true scale PDF drawings and on Mylar if requested. Final drawings shall be B size (11x17) or D size (22x34). If D size drawings are produced, both B size and D size **MUST** be submitted.
2. **Permits** – Any construction or closure within the public right of way will require a Public Works permit and before any work in the right of way commences all necessary permits **MUST** be obtained. ODOT will need to review and approve any improvements in the ODOT right-of-way. City of Ashland must obtain a copy of any ODOT approvals and/or permits that are granted before any work in the ODOT right-of-way begins.
 3. **TIA (Transportation Impact Analysis)** – No TIA will be required for this project.
 4. **Right-of-Way**
 - The survey included in the proposal shows that a portion of parking spots #11-19 are inside ODOT right-of-way. **Applicant should work with ODOT to determine how this situation should be handled and whether adjustments to the property line are necessary.**
 - The survey included in the proposal shows that a portion of the “Beaver Slide” crosses the applicants property. **Applicant should work with the City to determine how this situation should be handled and whether an easement or other adjustments are best.**

5. **Street Improvement** – *No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time.*

Please contact Karl Johnson of the Engineering Division for any further Engineering-related information at 541-552-2415 or via e-mail to: karl.johnson@ashlandoregon.gov.

Exhibit C



ORS 98.805

Definitions for ORS

98.810 to 98.818, 98.830

and 98.840

As used in this section and ORS 98.810 (Unauthorized parking of vehicle on proscribed property prohibited) to 98.818 (Preference of lien), 98.830 (Towing abandoned vehicle from private property) and 98.840 (Towing vehicle alternative to procedure in ORS 98.810 to 98.818):

- (1) "Owner of a parking facility" means:
 - (a) The owner, lessee or person in lawful possession of a private parking facility; **or**
 - (b) Any officer or agency of this state with authority to control or operate a parking facility.
- (2) "Owner of proscribed property" means the owner, lessee or person in lawful possession of proscribed property.
- (3) "Parking facility" means any property used for vehicle parking.
- (4) "Proscribed property" means any part of private property:
 - (a) Where a reasonable person would conclude that parking is not normally permitted at all or where a land use regulation prohibits parking; **or**
 - (b) That is used primarily for parking at a dwelling unit. As used in this paragraph, "dwelling unit" means a single-family residential dwelling or a duplex.
- (5) "Tower" means a person issued a towing business certificate under ORS 822.205 (Certificate).
- (6) "Vehicle" has the meaning given that term in ORS 801.590 ("Vehicle."). [1979 c.100 §2; 1981 c.861 §23; 1983 c.436 §2; 2007 c.538 §9; 2017 c.480 §1]

BEFORE THE CITY COUCIL
FOR CITY OF ASHLAND, OREGON:

IN THE MATTER OF A CODE INTERPRETATION)
)
FOR A PARKING LOT USE ON LAND ZONED C-)
)
1-D; T.39S, R.1E, SEC.09BB, TAX LOTS 10100,)
)
10600 AND 10801; PACIFIC RENTAL)
)
PROPERTIES, LLC, APPLICANT; LANIER LAND)
)
CONSULTING, LLC, AGENT)

**SUPPLIMENTAL
FINDINGS OF
COMPLIANCE
FOR FILE NO.
PA-T1_2026-00297**

I. BACKGROUND INFORMATION:

OWNER: Pacific Rental Properties, LLC
800 Ellendale Dr. OFC
Medford, OR 97504

APPLICANT: Same as Owner

AGENT: LaNier Land Consulting, LLC
310 Crater Lake Ave., Ste 103
Medford, OR 97504
(541) 897-3477

APPLICATION: The applicant requests a code interpretation for a “Similar Use” regarding parking lot use on privately owned land zoned C-1-D, located at Township 39S, Range 1E, Section 9BB, Tax Lots 10100, 10600 and 10801; 40 N Main St, Ashland, Oregon.

The Ashland Plaza Mall, which has historically been used by downtown visitors, customers, and employees of neighboring businesses since the 1960s. Over time, the parking lot has functioned as an informal public parking resource supporting the surrounding commercial areas.



In recent years, the property owner and tenants have experienced a significant increase in unauthorized overnight occupancy and related activities within the parking lot. Reported issues have included camping, sanitation concerns, drug use, unleashed animals, open fires, and other activities that have resulted in safety concerns for tenants, customers, and neighboring property owners. These conditions have generated complaints from tenants, their patrons, and surrounding businesses.

To address these concerns while maintaining the parking lot's longstanding role as a downtown parking resource, the applicant proposes implementing a managed pay-to-park system with time-based parking tiers. The purpose of the system is to allow continued public access to the parking facilities while establishing a mechanism to support active management and enforcement of parking regulations.

Procedurally, the Applicant continues to have concerns regarding how this application has evolved. The Applicant participated in a pre-application conference with Staff, followed the direction provided by the City, and submitted a Type I "Similar Use" interpretation request based on the straightforward language and definitions contained within the Ashland Municipal Code. Rather than processing the request through the standard interpretation procedure, the matter was elevated into a broader legislative proceeding focused on generalized policy concerns and potential future code amendments.

The Applicant's request, however, remains narrow and fact specific. The proposal simply asks the City to interpret whether the proposed use falls within the existing definition of "Public Parking Area or Lot," or alternatively qualifies as a similar use under the current code framework. The Applicant is not requesting a legislative amendment or seeking to create a new land use category. Given the clear definition already contained in the ordinance, the Applicant remains concerned that the proceeding has shifted away from interpretation of the adopted code language and into broader policy discussions regarding whether the City should permit such uses in the future.

While the City may ultimately choose to consider legislative amendments to regulate parking differently moving forward, those policy considerations should not prevent application of the ordinance as it currently exists today.

II. STAFF REBUTTAL:

In the C-1-D zoning district, Public Parking is an allowed use. The property owner seeks to allow the existing Ashland Plaza Mall parking area to operate as a public parking facility open to the general public, with parking available for a fee. Planning Staff has taken the position that the proposed use constitutes a "Private Parking Area," which is not permitted as a primary use within the zone. While the Applicant disagrees with Staff's interpretation, Staff recommended pursuing a formal code interpretation to determine whether the proposed use qualifies as Public Parking, or alternatively, whether it is sufficiently similar to Public Parking under the Ashland Land Use Ordinance.



The City's interpretation improperly rewrites the adopted ordinance. The Ashland Land Use Ordinance defines "Public Parking Area or Lot" as "a parking area available to the public, with or without payment of a fee." The proposed use satisfies that definition precisely. Nothing in the ordinance requires public ownership, governmental control, or municipal operation. Staff's interpretation inserts requirements that do not exist in the adopted code and replaces the City's enacted definition with a new policy preference. If the City wishes to narrow the definition of "Public Parking" in the future, it may do so legislatively, but it may not accomplish that result through interpretation in this proceeding.

The Applicant is simply requesting that the City interpret the proposed use as falling within the existing definition of "Public Parking Area or Lot" under the Ashland Land Use Ordinance and confirm that it is an allowable use within the C-1-D zoning district. The proposal involves opening the existing parking area to the general public, with parking available for a fee, which directly aligns with the ordinance definition of a parking area "available to the public, with or without payment of a fee." The Applicant is not requesting a code amendment or creation of a new use category, but rather application of the ordinance as currently written so the property owner may proceed with the appropriate land use application for a public parking facility.

There are several areas we need to address in the Staff report provided to us after the Planning Commission Meeting on May 12, 2026.

1. The adopted code definition controls. The City must not ignore their own definitions.

The Ashland Land Use Ordinance already defines "Public Parking Area or Lot" as "a parking area available to the public, with or without payment of a fee." The proposed use fits that definition directly. The City cannot disregard the adopted definition and substitute a new ownership-based standard that does not appear in the ordinance. Ashland Municipal Code Reads:

18.6.1.030 Definitions

Parking Area or Lot. Any area inside, under, or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, or structures.

- *Private Parking Area or Lot. A parking area for the exclusive use of the owners of the lot on which the parking area is located or whomever else they permit to use the parking area.*
- *Public Parking Area or Lot. A parking area available to the public, with or without payment of a fee.*

2. Staff cannot add words to the code.

Nothing in the definition of "Public Parking Area or Lot" requires public ownership, public operation, governmental control, municipal enforcement, or public dedication. Staff's interpretation inserts each of those requirements into the ordinance. That is not interpretation; that would be an amendment. Which is not what we are requesting with this application, strictly just an interpretation to apply for the use of a public parking area.



If Ashland intended “public parking” to mean municipally owned parking, publicly operated parking, or government-controlled parking, then the ordinance would have to say so. Instead, the city expressly defined public parking by accessibility available to the public. Staff’s interpretation improperly replaces the enacted definition with a policy preference unsupported by the ordinance text.

3. The proposal is not “private parking” as defined.

The code defines private parking as parking for the exclusive use of the property owner or whomever the owner permits. The proposed use is not exclusive tenant, owner, or accessory parking. It would be made available to the public, with or without payment of a fee, which is exactly how the ordinance defines public parking.

The city tries to say that because the owner controls the property it is private. But every privately owned public accommodation is still privately owned, for instance hotels, theaters, restaurants, retail stores. The Code definition is not based on title ownership [Emphasis Added]. It is based on functional availability. Private Parking by code Definition is not what we are proposing to do. The owner wants to make it open to the public.

4. The City’s policy concerns cannot override the text.

Staff’s concerns about downtown redevelopment, surface parking, and pedestrian-oriented development are legislative policy arguments. Those concerns may support a future code amendment, but they do not allow the city to rewrite the current definition through an interpretation proceeding.

5. State towing statutes do not determine zoning use classifications.

Saff and the City Attorney place significant emphasis on the fact that enforcement of the proposed parking facility would occur through private-property towing statutes under ORS Chapter 98 rather than through municipal parking enforcement mechanisms. However, the existence of private towing authority does not determine or transform a land use classification under the zoning ordinance.

ORS Chapter 98 governs towing and enforcement procedures on privately owned property. It is not a land use statute and does not define whether a parking facility qualifies as “Public Parking” under the Ashland Land Use Ordinance. If the City’s interpretation were accepted, then any privately owned parking facility open to the general public would automatically be excluded from the definition of Public Parking solely because the underlying property remains privately owned. That limitation does not appear anywhere in the ordinance.

The Ashland Land Use Ordinance already provides the controlling definition. A “Public Parking Area or Lot” is defined as “a parking area available to the public, with or without payment of a fee.” The ordinance does not require public ownership, governmental control, or municipal enforcement authority. By importing concepts from ORS Chapter 98 into the zoning code, Staff effectively adds requirements that do not exist in the adopted ordinance.



The relevant question before the City is **not** who owns the property or who has towing authority. The question is whether the parking area is available to the public, with or without payment of a fee. Because the proposed use satisfies that definition directly, the existence of private towing authority is irrelevant to the zoning interpretation at issue in this proceeding.

6. The City chose an access-based definition, not an ownership-based definition.

If the City intended “Public Parking” to apply only to parking facilities owned or operated by a governmental entity, the ordinance could have expressly stated that requirement. It does not. Instead, the Ashland Land Use Ordinance defines “Public Parking Area or Lot” as a parking area “available to the public, with or without payment of a fee,” establishing a definition based on public availability rather than ownership or operational control.

7. Staff’s interpretation creates uncertainty.

Staff’s interpretation creates unnecessary uncertainty in the administration of the Land Use Ordinance. Property owners and applicants are entitled to rely on the plain language of adopted code provisions and definitions when evaluating allowable uses and development opportunities. Here, the ordinance expressly defines “Public Parking Area or Lot” as “a parking area available to the public, with or without payment of a fee.” The Applicant relied on that language in pursuing this proposal. If the City may later narrow or reinterpret clear ordinance definitions based on policy concerns or unstated assumptions regarding ownership or operational control, the code becomes unpredictable and difficult to administer consistently and fairly.

Property owners and applicants must be able to rely on the plain language of the code. If clear definitions can be narrowed after the fact based on unstated policy preferences, the ordinance becomes unpredictable and difficult to administer fairly.

8. A code amendment is the proper remedy if the City wants a different rule.

If the City believes that “Public Parking” should be limited only to government-owned or government-operated facilities, the appropriate remedy is a legislative code amendment, not a reinterpretation of the existing ordinance language. The City retains full authority to amend its code prospectively if it wishes to adopt a narrower definition or impose additional standards on privately operated parking facilities. Until such amendments are adopted through the legislative process, however, the current ordinance must be applied as written.

III. SUMMARY:

In the C-1-D zoning district, Public Parking is an allowed use. The Applicant seeks an interpretation confirming that the existing Ashland Plaza Mall parking area qualifies as Public Parking, or alternatively as a similar use, so that the property owner may proceed with the appropriate land use application. The Applicant is not seeking approval of a parking facility through this proceeding, nor is the Applicant requesting a code amendment or the creation of a



new use category. Rather, the request is limited to interpretation and application of the existing Ashland Municipal Code.

The Applicant followed the process outlined by the City, participated in a pre-application conference, and submitted a request for interpretation based on the definitions already contained within the Ashland Municipal Code. The question before the City is therefore straightforward: whether a parking area that is open to the general public, with parking available for a fee, falls within the City's adopted definition of "Public Parking Area or Lot."

The Ashland Municipal Code defines a Public Parking Area or Lot as "a parking area available to the public, with or without payment of a fee." The proposed use satisfies that definition directly. In contrast, the code defines Private Parking as parking intended for the exclusive use of property owners, tenants, or others specifically permitted by the owner. Because the Applicant proposes to make the parking area available to the general public, the proposal aligns with the definition of Public Parking rather than Private Parking.

Staff's interpretation is based primarily on ownership and operational control rather than the language of the ordinance itself. However, nothing in the adopted definition of Public Parking requires public ownership, governmental operation, municipal enforcement authority, or governmental control. By introducing those concepts into the analysis, Staff effectively adds requirements that do not exist in the ordinance and substitutes a new ownership-based standard for the City's existing access-based definition.

The Applicant respectfully submits that the City's adopted definitions must control. Property owners and applicants are entitled to rely on the plain language of the ordinance when evaluating allowable uses. If the City intended Public Parking to be limited to government-owned or government-operated facilities, it could have expressly included those requirements in the code. It did not. Instead, the City adopted a definition based on public availability and expressly contemplated parking available with payment of a fee.

Similarly, Staff's reliance on private-property towing statutes under ORS Chapter 98 is misplaced. Those statutes govern towing and enforcement procedures on private property; they do not establish land use classifications under the Ashland Municipal Code. The relevant question before the City is not who owns the property or who possesses towing authority, but whether the parking area is available to the public with or without payment of a fee.

Finally, many of the concerns raised in the Staff Report regarding redevelopment patterns, downtown vitality, transportation policy, and future regulation of parking facilities are legislative policy issues that may be considered if the City chooses to amend its code in the future. Those concerns, however, do not alter the plain language of the ordinance currently before the City. If the City wishes to narrow the definition of Public Parking or impose additional requirements on



privately operated parking facilities, the appropriate remedy is a legislative amendment. Until such amendments are adopted, the existing ordinance should be applied as written.

For these reasons, the Applicant respectfully requests that the City interpret the proposed use as Public Parking, or alternatively as a similar use to Public Parking, under the current provisions of the Ashland Municipal Code and allow the Applicant to proceed with the appropriate land use application.

Based on this information, the applicant respectfully requests approval of this application.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'Megan LaNier', with a large, sweeping flourish at the end.

Megan LaNier
LaNier Land Consulting, LLC





LaNier Land Consulting, LLC

Phone: 541-879-3477 Fax: (541) 500-1826

310 Crater Lake Ave., Suite 103 – Medford, OR 97504

web: www.lanierconsultingor.com

email: megan@lanierlandconsulting.com

June 15, 2026

Planning Commission and City Council
City of Ashland
51 Winburn Way
Ashland, OR 97520

RE: PA-T1-2026-00297 – Request for Continuance

Dear Chair, Commissioners, Mayor, and Councilors:

On behalf of the Applicant, Pacific Rental Properties LLC, we respectfully request a continuance of the June 16, 2026, hearing for the above-referenced application.

The Applicant intends to submit supplemental information into the record responding to the Staff Report and issues raised during the Planning Commission proceedings. Unfortunately, due to an emergent scheduling conflict, the Applicant and the Applicant's representative are unable to attend the June 16 hearing at 6 pm.

Given the nature of the application and the additional information being prepared for the record, the Applicant respectfully requests a continuance to a future hearing date so that we may provide oral testimony for the Council's consideration and be able to answer any questions they may have.

Thank you for your consideration of this request. We respectfully ask that this matter be continued to the next available hearing date, date and time certain.

Sincerely,

LaNier Land Consulting, LLC
Agent for Pacific Rental Properties LLC



Council Business Meeting

Date: August 4, 2026

Agenda Item	Second Reading of Ordinance 3306, an Ordinance adding Chapter 10.116 to the Ashland Municipal Code Establishing Notice of Sale, Opportunity to Purchase, and Tenant Protections for Manufactured Home Park Residents.
Department	Community Development
From	Brandon Goldman, Director of Community Development

TIME ESTIMATE

5 minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

Conduct second reading and consider adoption of Ordinance 3306, which adds Chapter 10.116 to the Ashland Municipal Code establishing notice of sale, opportunity to purchase, and tenant protections for manufactured home park residents. The City Council held the public hearing and approved first reading on July 21, 2026, with two minor amendments. Those amendments are incorporated into the ordinance presented for second reading. No other changes have been made.

POLICIES, PLANS & GOALS SUPPORTED

- Ashland Housing Production Strategy (2023), Strategy G: Maintain quality and support preservation of existing manufactured home parks.
- Ashland Comprehensive Plan Housing Goal 6.10.2: Support the creation and preservation of housing that is affordable to low and moderate income households and commensurate with the incomes of Ashland's workforce.
- Oregon Statewide Planning Goal 10: Housing.

BACKGROUND AND ADDITIONAL INFORMATION

Ordinance 3306 is the tenant protection component of the Manufactured Home Park Zone project. It adds Chapter 10.116 to the Ashland Municipal Code to give manufactured home park residents meaningful notice when their park is offered for sale, and a real opportunity to purchase the park themselves. The ordinance builds on the baseline protections in ORS Chapter 90 with limited local enhancements. The most significant is an expanded timeline that gives residents up to 120 days from a notice of sale to organize a tenant committee, review the owner's financial information, and bring forward an offer, often as a Resident Owned Community. Nothing in the ordinance requires an owner to accept a resident offer. It is intended to ensure residents have notice and a fair chance to compete.

At first reading on July 21, 2026, Council directed two minor, non substantive amendments, both reflected in the attached ordinance:

1. **ORS reference for consistency.** AMC 10.116.020(A)(1) now cites ORS 90.844, at the request of Councilor Dahle, so the notice of intent provisions track the state statute they are drawn from.
2. **Removal of a duplicated subsection.** AMC 10.116.020(A)(1)(d) has been removed. It addressed owner financial disclosure, which is already covered in AMC 10.116.020(A)(2), and had been placed in subsection (A)(1) in error.





Council Business Meeting

FISCAL IMPACTS

The ordinance is a legislative action with no direct impact on the adopted budget. Implementation occurs through existing Community Development housing program staffing.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve second reading by title only and adopt Ordinance No. 3306 adding Chapter 10.116 to the Ashland Municipal Code establishing notice of sale, opportunity to purchase, and tenant protections for manufactured home park residents.

REFERENCES & ATTACHMENTS

1. Ord3306_MHPZ-NoticeofSale_2ndReading_FINAL



ORDINANCE NO. 3306

AN ORDINANCE ADDING CHAPTER 10.116 TO THE ASHLAND MUNICIPAL CODE ESTABLISHING NOTICE OF SALE, OPPORTUNITY TO PURCHASE, AND TENANT PROTECTIONS FOR MANUFACTURED HOME PARK RESIDENTS

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, 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; and

WHEREAS, manufactured home parks provide an important source of attainable homeownership opportunities within the City of Ashland, and the displacement of manufactured home park residents through park closure, redevelopment, or sale can have significant impacts on housing stability and the availability of replacement housing; and

WHEREAS, the City Council finds that providing meaningful notice of sale, an opportunity for resident organizations to pursue acquisition of manufactured home parks, and clear relocation planning requirements will help preserve housing opportunities, promote informed decision making, and reduce displacement impacts on residents; and

WHEREAS, the City Council further finds that adoption of local notice, relocation, and tenant protection standards is consistent with the City's police powers, complements existing protections established under Oregon law, including ORS Chapter 90, and promotes the public health, safety, and welfare of Ashland residents;

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

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. Chapter 10.116, Manufactured Home Parks (MHP) – Notice of Sale, Opportunity to Purchase, and Relocation Standards, is hereby added to the Ashland Municipal Code as follows:

Chapter 10.116 MANUFACTURED HOME PARKS (MHP) – NOTICE OF SALE, OPPORTUNITY TO PURCHASE, AND RELOCATION STANDARDS

Sections:

10.116.010 Notice of Sale

10.116.020 Opportunity to Purchase

10.116.030 Additional Notice to City Housing Staff

10.116.040 Penalties

10.116.010 Notice of Sale

- A. **The owner of a mobile or manufactured home park shall not close on the purchase, sale, or conversion of a park without first providing written notice of sale to all tenants of the park, as required by AMC 10.116.010(B) and ORS 90.842 (collectively, “Notice of Sale”).**
- B. **The Notice of Sale shall include the following information:**
1. **A statement that the landlord intends to sell or transfer the manufactured dwelling park;**
 2. **The name, address, and contact information of the landlord or the landlord’s authorized agent responsible for communications regarding the sale;**
 3. **The price, terms, and conditions that the landlord intends to accept for the sale of the park, including a copy of any pending purchase and sale agreement, if available; and**
 4. **A copy of this Ashland Municipal Code, Section 10.116.**

10.116.020 Opportunity to Purchase

- A. **Following receipt of a Notice of Sale, tenants may organize or act through an eligible tenant organization, cooperative, or other entity permitted under Oregon law to express interest in purchasing a manufactured dwelling park. Park owners and tenants are subject to the following timeline:**
1. **60-day tenant response period: Within 60 days after delivery of the Notice of Sale, tenants must notify the owner in writing the following requests (“Notice of Intent”) as provided in ORS 90.844:**
 - a. **The tenants’ interest in competing to purchase the facility;**
 - b. **The formation or identification of a single tenants committee formed for the purpose of purchasing the facility and;**

- c. The name and contact information of the representative of the tenants committee with whom the owner may communicate about the purchase.
 2. 15-Day Financial Disclosure Period. Within 15 days after delivery of the tenant's Notice of Intent, the owner shall provide information that would customarily be provided to a prospective purchaser, including at a minimum the information outlined in ORS 90.844(3) ("Financial Disclosure"). If the owner fails to provide the required Financial Disclosure, the 15 day disclosure period is stayed until the deficiency is cured.
 3. 45-Day Offer Period. Within 45 days after delivery of Financial Disclosures, if the tenants choose to continue competing to purchase the facility, the tenant committee must fulfill the requirements of 90.844(5)(a)-b),
- B. Nothing in this section requires a park owner to accept an offer to purchase, but failure to comply with these notice and timeline requirements shall constitute a violation of this Chapter and is subject to the penalty fees outlined in AMC 10.116.040.

10.116.030 Additional Notice to City Housing Staff

Any notice a park owner is obligated to (a) provide tenants under this Chapter or (b) the State Housing and Community Services Department, the park owner shall also notice the City's office of Community Development by the same method of notice.

10.116.040 Penalties

Any separate and distinct violation of this Chapter shall constitute a Class A violation, as set forth in AMC 1.08.020. Each affected household constitutes a separate violation.

SECTION 3. 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.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" 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 3-5) 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 _____, 2026, and duly PASSED and ADOPTED this _____ day of _____, 2026.

SIGNED and APPROVED this _____ day of _____, 2026.

ATTEST:

Alissa Kolodzinski, City Recorder

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney



Council Business Meeting

Date: August 4, 2026

Agenda Item	Resolution 2026-21 Governing the Recording, Ownership, Retention, and Public Access of Video Recordings of All Public Meetings and Written Minute Standards, Repealing Resolution 2026-20
Department	City Manager's Office
From	Jordan Rooklyn

TIME ESTIMATE

10 minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

This resolution modifies the adopted Public Meeting Records Policy to clarify language and align with the City's ability to implement the policy.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

On June 16, 2026, City Council adopted Resolution 2026-20 establishing a comprehensive Public Meeting Records Policy governing the recording, ownership, retention, and public accessibility of video recordings of City public meetings, including those of City Committees. In accordance with that policy, the City has taken the following steps:

- Executed a new contract with RVTV that ensures (a) the City receives digital copies of each of our recorded public meetings for Governing Bodies, (b) the City receives digital copies of historical videos, and (c) the City retains ownership/proprietary interest in any programming.
- Built playlists within the City's YouTube channel for our Governing Bodies public meeting videos, and linked to that playlist on the City's website.
- Downloaded and archived historical videos from RVTV.
- Communicated to staff liaisons that all committee meetings will be required to be video recorded and that those recordings will be posted for public access.
- Communicated to staff liaisons that, due to limited rooms with the necessary technology and the staff support required for video recordings, committees will no longer be allowed to form working groups or subcommittees -- all committee business will be required to occur at committee business meetings.

In implementing the policy, staff have identified recommended changes to the policy to improve clarity and align language with the City's ability to implement. Attached to this report is a resolution with the proposed policy changes in "tracked-changes" for Councilors to more easily track what changes are being recommended and why.

Note, the recommended changes are to improve clarity and to match the City's ability to implement the policy. The core directions of the policy are unchanged:

- Video record all public meetings where deliberation or decision-making occurs.
- Permanently retain all video recordings, following the City's business continuity and disaster recovery standards.





Council Business Meeting

- Provide public accessibility to all video recordings.

FISCAL IMPACTS

There are no fiscal impacts from the recommended changes to the Public Meeting Recording Policy. The policy itself has an initial estimate of storage costs consisting of one-time hardware procurement of approximately \$3,000 and an estimated annual recurring cost of \$500-\$750 per month.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

To adopt as is: I move to adopt Resolution 2026-21.

To further modify the policy: I move to repeal Resolution 2026-20 and request staff to bring forward a resolution for a modified Public Meeting Records Policy with changes as discussed.

REFERENCES & ATTACHMENTS

1. Resolution 2026-21 Public Meeting Recording Policy
2. Resolution 2026-21 Public Meeting Recording Policy_Tracked Changes Version



RESOLUTION NO. 2026-21

A RESOLUTION ESTABLISHING A PUBLIC MEETING RECORDS POLICY GOVERNING THE RECORDING, OWNERSHIP, RETENTION, AND PUBLIC ACCESS OF VIDEO RECORDINGS OF ALL PUBLIC MEETINGS AND WRITTEN MINUTES STANDARDS AND REPEALING RESOLUTION 2026-20

RECITALS:

A. Oregon's Public Meetings Law, ORS 192.610 through 192.690, requires public bodies to make their deliberations and decisions available to the public, and ORS 192.650 requires that governing bodies provide for video or written recording of all their meetings, with such recordings made available to the public within a reasonable time after each meeting.

B. The Oregon Secretary of State's City General Records Retention Schedule, OAR 166-200-0235, requires permanent retention of written meeting minutes but sets only a minimum one-year retention period for audio or visual recordings after minutes are prepared and approved. The City Council finds that video recordings deserve the same permanent retention applied to written minutes.

C. On June 16, 2026, City Council adopted Resolution 2026-20 establishing a comprehensive Public Meeting Records Policy governing the recording, ownership, retention, and public accessibility of all video recordings of City public meetings. F. The City Council finds it necessary and in the public interest to further refine the Public Meeting Records Policy to improve clarity and applicability.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Purpose and Policy Statement. The City of Ashland declares that transparent, accessible, and permanently preserved records of all public meetings are essential to democratic self-governance and public trust. Video recordings of City public meetings are official public records owned by the City of Ashland in perpetuity. Citizens shall have permanent access to video recordings of their government's deliberations through the City's website.

SECTION 2. Recording Requirements.

2.1 Governing Body Meetings — All regular, special, , and study session meetings of the Ashland City Council, Ashland Park Commission, Planning Commission, Municipal Audit Committee, and Citizens' Budget Committee shall be captured by video recording.

2.2 Advisory Body Meetings — All meetings subject to Oregon's Public Meetings Law of any City standing advisory committee, ad hoc committee, subcommittee, or other City body with authority to make recommendations on policy shall be captured by video recording. The assigned staff liaison or other designated individual is responsible for initiating and completing the recording.

2.3 Recording shall begin prior to the call to order and continue through adjournment.

2.4 Government Body Meetings or Advisory Body Meetings that do not involve deliberation or decision making, but may require public noticing – such as off-site trainings, tours or conferences – are exempt from video recording requirements.

SECTION 3. Ownership of Recordings. All video recordings of City public meetings, whether produced by City staff, contractor, or by any other means, are owned by the City in perpetuity. No contract or arrangement shall convey copyright or any intellectual property interest in such recordings to any party other than the City.

SECTION 4. Retention and Archival Storage. All video recordings of public meetings shall be retained permanently as public records. The City's retention schedule for video recordings is hereby set at permanent. All recordings shall be stored in City-controlled storage meeting the City's business continuity and disaster recovery standards..

SECTION 5. Public Accessibility.

5.1 All recordings shall be made available to the public through the City's website within 2 business days of the conclusion of a Governing Body Meeting and within 5 business days of the conclusion of an Advisory Body Meeting.

5.2 No recording of a public meeting shall be removed from public access except pursuant to a specific legal requirement. The City may post recordings to third-party platforms for public convenience, but shall not rely on any third-party platform as its primary or archival repository.

SECTION 6. Written Minutes Standards. Written minutes remain required for all public meetings as the official record, consistent with ORS 192.650. Video recordings supplement but do not replace written minutes. For City Council and Ashland Park Commission meetings, minutes shall include a clearly marked notation for each action or direction adopted identifying the specific decision as a distinct element separate from the general discussion summary. Any staff report implementing a prior Council or Ashland Park Commission direction shall quote that direction from the adopted minutes.

SECTION 7. Implementation. The City Manager shall develop administrative procedures to include updating the Commission and Committee Handbook for implementation of this Resolution within 90 days of its effective date. The Information Technology department shall develop or update the City's recording storage and BCDR plan within 90 days of the effective date.

SECTION 8. Resolution No. 2026-20 is hereby repealed in its entirety.

SECTION 9. Effective Date. This Resolution shall take effect upon adoption by the City Council.

This resolution was duly PASSED and ADOPTED this ____ day of _____, 2026, and takes effect upon signing by the Mayor.

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2026.

Tonya Graham, Mayor
City of Ashland, Oregon

Reviewed as to form:

Johan Pietila, City Attorney

RESOLUTION NO. 2026-21

A RESOLUTION ESTABLISHING A PUBLIC MEETING RECORDS POLICY GOVERNING THE RECORDING, OWNERSHIP, RETENTION, AND PUBLIC ACCESS OF VIDEO RECORDINGS OF ALL PUBLIC MEETINGS AND WRITTEN MINUTES STANDARDS AND REPEALING RESOLUTION 2026-20

RECITALS:

A. Oregon's Public Meetings Law, ORS 192.610 through 192.690, requires public bodies to make their deliberations and decisions available to the public, and ORS 192.650 requires that governing bodies provide for video or written recording of all their meetings, with such recordings made available to the public within a reasonable time after each meeting.

B. The Oregon Secretary of State's City General Records Retention Schedule, OAR 166-200-0235, requires permanent retention of written meeting minutes but sets only a minimum one-year retention period for audio or visual recordings after minutes are prepared and approved. The City Council finds that video recordings deserve the same permanent retention applied to written minutes.

C. On June 16, 2026, City Council adopted Resolution 2026-20 establishing a comprehensive Public Meeting Records Policy governing the recording, ownership, retention, and public accessibility of all video recordings of City public meetings. F. The City Council finds it necessary and in the public interest to further refine the Public Meeting Records Policy to improve clarity and applicability.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Purpose and Policy Statement. The City of Ashland declares that transparent, accessible, and permanently preserved records of all public meetings are essential to democratic self-governance and public trust. Video recordings of City public meetings are official public records owned by the City of Ashland in perpetuity. Citizens shall have permanent access to video recordings of their government's deliberations through the City's ~~own website, without dependence on any third-party platform.~~

SECTION 2. Recording Requirements.

2.1 Governing Body Meetings — All regular, special, ~~emergency~~, and study session meetings of the Ashland City Council, Ashland Parks ~~and Recreation~~ Commission, Planning Commission, ~~Municipal Audit Committee~~, and Citizens' Budget Committee shall be captured by ~~broadcast-quality Professional TV video Recording, whether through the RVTV services agreement or other means.~~

2.2 Advisory Body Meetings — All meetings subject to Oregon's Public Meetings Law of any City standing advisory committee, ~~management advisory committee~~, ad hoc committee, subcommittee, or other City body with authority to make recommendations on policy ~~or administration~~ shall be captured by ~~a video conferencing/communication platform recording.~~

Commented [JR1]: ABILITY TO IMPLEMENT: The City's website will provide a link to YouTube to access all recorded meetings.

Commented [JR2]: ABILITY TO IMPLEMENT: Emergency meeting's may not be able to occur with the required technology. This will be situation dependent.

Commented [JR3]: ABILITY TO IMPLEMENT: Allows flexibility for when RVTV is not available or scheduled (for Zoom, Teams, etc.).

Commented [JR4]: CLARIFY LANGUAGE: Making generic / not tied to specific contractor

Commented [JR5]: CLARIFY LANGUAGE: MAC's not subject to public meeting law

Commented [JR6]: CLARIFY LANGUAGE: These bodies exist for policy recommendation, not admin/management recommendation

Commented [JR7]: CLARIFY LANGUAGE: parallel governing body meetings / simplify language.

The assigned staff liaison or other designated individual is responsible for initiating and completing the recording. ~~Any meeting that is noticed and convened shall be recorded.~~

2.3 Recording shall begin prior to the call to order and continue through adjournment. ~~Executive sessions shall be recorded in conformance with applicable state law.~~

2.4 Government Body Meetings or Advisory Body Meetings that do not involve deliberation or decision making, but may require public noticing – such as off-site trainings, tours or conferences – are exempt from video recording requirements.

SECTION 3. Ownership of Recordings. All video recordings of City public meetings, whether produced by City staff, ~~RVTV, any other~~ contractor, or by any other means, are ~~official public records of the City of Ashland,~~ owned by the City in perpetuity. No contract or arrangement shall convey copyright or any intellectual property interest in such recordings to any party other than the City. ~~Any contractor producing recordings shall assign all rights to the City and shall deliver a complete copy of each recording file to City-controlled storage within 48 hours of each meeting.~~

SECTION 4. Retention and Archival Storage. All video recordings of public meetings shall be retained permanently as ~~official~~-public records. The City's retention schedule for video recordings is hereby set at permanent, ~~superseding the one year minimum floor established by OAR 166-200-0235.~~ All recordings shall be stored in City-controlled storage meeting ~~the City's~~ business continuity and disaster recovery standards, with at minimum one on-site primary copy and one geographically separate off-site backup. ~~The City Manager, in coordination with the Information Technology department, shall develop and maintain a recording storage and backup plan and shall report annually to the City Council on the status and integrity of the recording archive.~~

SECTION 5. Public Accessibility.

5.1 All recordings shall be made available to the public ~~from~~ through the City's ~~official~~ website within ~~48 hours~~ **2 business days** of the conclusion of a Governing Body Meeting and within 5 business days of the conclusion of an Advisory Body Meeting.

5.2 No recording of a public meeting shall be removed from ~~public~~ ~~City website~~ access except pursuant to a specific legal requirement. The City may post recordings to ~~YouTube, RVTV, or other~~ third-party platforms for public convenience, but shall not rely on any third-party platform as its primary or archival repository.

SECTION 6. Written Minutes Standards. Written minutes remain required for all public meetings as the ~~primary~~-official ~~written~~-record, consistent with ORS 192.650. Video recordings supplement but do not replace written minutes. ~~Written minutes for all public meetings shall include at minimum: the name, date, time, and location of the meeting; names of members present and absent; all motions and their disposition; each member's vote by name; the substance of any discussion; and a reference to any document presented or discussed.~~ For City Council and Ashland Parks and Recreation Commission meetings, minutes shall include a clearly marked notation for each action or direction ~~taken adopted~~ identifying the specific decision, ~~its objective, any timeline, and the responsible party and shall appear~~ as a distinct element separate from the general discussion summary. Any staff report implementing a prior Council or ~~APRC~~ **Ashland Park Commission** direction shall quote that direction ~~verbatim~~ from the adopted minutes.

SECTION 7. Historical Archive Retrieval. The City Manager is directed to contact SQU/RVTV and retrieve, within 90 days of the effective date of this Resolution, complete copies of all existing

Commented [JR8]: ABILITY TO IMPLEMENT: See 2.4
--> not all noticed meetings can be recorded.

Commented [JR9]: ABILITY TO IMPLEMENT: For things such as a tour of the Imperatrice Property, Trails Committee visiting potential trail location, LOC training in Salem, etc.

Commented [JR10]: CLARIFY LANGUAGE: Making generic/not tied to specific contractor

Commented [JR11]: CLARIFY LANGUAGE: They are not replacing the minutes as the official public record. Removing to reduce confusion.

Commented [JR12]: CLARIFY LANGUAGE: Removing contract negotiations from resolution language.

Commented [JR13]: CLARIFY LANGUAGE: Removing redundant language, particularly since ORS may change.

Commented [JR14]: CLARIFY LANGUAGE: Our standard, per liability requirements, are one on site copy and one geographically separate off-site backup.

Commented [JR15]: ABILITY TO IMPLEMENT: Removing the reporting requirement, since the backup plan and storage policy is already in place, along with the procedure in the event of information loss.

Commented [JR16]: ABILITY TO IMPLEMENT: Taking into consideration if a meeting occurs on a Friday, Saturday, or Sunday.

Commented [JR17]: CLARIFY LANGUAGE: Making generic / not tied to specific contractor.

Commented [JR18]: CLARIFY LANGUAGE: Restatement of ORS 192.650. Taking out in case the state requirements change.

Commented [JR19]: ABILITY TO IMPLEMENT: Minutes are a reflection of what was stated at a meeting. If the objective, timeline, or responsible party are not verbalized, they will not be recorded.

video recordings of City public meetings in SOU/RVTV's possession. All retrieved recordings shall be stored in City-controlled storage meeting BCDR standards. The City Manager shall report to the City Council within 90 days on the status of retrieval.

SECTION 8. RVTV Agreement Renegotiation. The City Manager is directed not to extend the RVTV Services Agreement (No. 2023-052) under its current terms. Any extension or renewal shall require: (a) explicit assignment to the City of all intellectual property rights in government meeting recordings; (b) delivery of each recording file to City-controlled storage within 24 hours, or as expeditiously as possible, not to exceed 5 business days; (c) delivery of all archived City meeting recordings to the City within 30 days upon any termination; and (d) acknowledgment that the City owns all recordings regardless of hosting platform.

SECTION 97. Implementation. The City Manager shall develop administrative procedures to include updating the Commission and Committee Handbook for implementation of this Resolution within 90 days of its effective date. The Information Technology department shall develop or update the City's recording storage and BCDR plan within 90 days of the effective date.

SECTION 8. Resolution No. 2026-20 is hereby repealed in its entirety.

SECTION 109. Effective Date. This Resolution shall take effect upon adoption by the City Council.

This resolution was duly PASSED and ADOPTED this ____ day of _____, 2026, and takes effect upon signing by the Mayor.

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this ____ day of _____, 2026.

Tonya Graham, Mayor
City of Ashland, Oregon

Reviewed as to form:

Johan Pietila, City Attorney

Commented [JR20]: CLARIFY LANGUAGE:
Accomplished + removing contract negotiation from resolution.



Council Business Meeting

Date: August 4, 2026

Agenda Item	Resolution NO. 2026-19 A Resolution of the City of Ashland Submitting to the Voters at the November 3, 2026 Election a Proposed Amendment to Article IX, SECTION 8.
Department	Mayor and Council
From	

TIME ESTIMATE

15 minutes

CATEGORY

Staff Direction - provide direction to staff on the body's desired next steps.

SUMMARY

This item is returning to Council per direction given at the July 21 business meeting. Motion made to direct staff to prepare a resolution for the August 4th Council meeting to place the citizen petition charter amendment on the November 2026 ballot, with language modified to permit inflationary increases up to the CPI-West without voter approval, to exclude franchise fees, and to exclude fees imposed by outside jurisdictions.

The updated ballot measure language is included in the resolution.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

Timeline of Events

Prospective Petition filed	June 26, 2025
Approval to collect signatures	September 2, 2025
Topic on agenda for study session	October 20, 2025 (ran out of time)
Topic on agenda for study session	November 3, 2025 (see note below ¹)
May 2026 election deadline	March 19, 2026
Signature sheets submitted	June 4, 2026
Notified Petitioner of the signature sheet issues and requested a meeting	June 15, 2025
Staff meet with Petitioner to discuss signature sheets issues and sent follow up email	June 17, 2026 (see note below ²)

Per the Ashland Municipal Code 2.36.010, the signatures of duly qualified electors of said City equal to fifteen (15) percent of the total votes cast for Mayor at the last preceding City election shall be necessary to propose any measure by initiative process. The Elections Officer confirmed with the County that the number of votes for Mayor at the last election was 8,714. Therefore 1308 signatures are required. The petitioner indicated they had collected 1537 signatures. However, the actual count is 1316.





Council Business Meeting

November 3, 2025, study session result: "The Council conducted a straw poll on whether to put the proponent's initiative on the ballot: Councilors DuQuenne, Bloom and Sherrell: Yes. Councilors Dahle, Hansen and Kaplan: No. Mayor Graham: No. With a 3- 4 result, the Council directed staff not to put the petition forward."

Email sent to petitioner with results of signature sheet review conducted by the City's Election Officer sent June 17 "Per our discussion, this email serves as the official notice of lack of signatures needed to get your petition on the November ballot. It is the role the petitioner to ensure the petition signature sheets and circulators meet the requirements of ORS 250.265 Prospective petition: cover and signature sheet requirements; circulation; filing deadline, Sections (4) and (5), and the Oregon Secretary of State's County, City and District Initiative and Referendum Manual, specifically pages 24-29.

As the local elections officer, I reviewed the petition signature sheets you submitted for legal compliance and here is what I found.

- 348 sheets were submitted (your count was 350 but pages 200 and 205 were not included) containing 1537 signatures (by your count)
- Approximately 194 electronic signature sheets and thus 194 signatures are valid
- The remaining estimated 1343 signatures are invalid – due to one or more of the following legally specified reasons;
- Approximately 117 petition sheets did not include the required cover sheet
- On about 11 sheets, the circulator signed and dated the signature sheet before signatures were collected making any signatures collected after that date invalid.
- On about 28 sheets, writing was crossed out but no initials were included as required for any change to a legal document
- 1 sheet the circulator did not sign or date it at all
- 1 sheet the circulator did not date
- On 2 of the electronic signature sheets the font was smaller than the required 10pt or larger font
- 1 of the electronic signature sheets the signer, signed their name in the chief petitioner section

Options: You have until about the end of July to collect the remaining 1114 signatures needed to meet the 1308 signature requirement to get this on the November ballot.

You have until February or so of 2027 to collect the remaining signatures for a Special Election in May of 2027 which would be at full cost of the city."

ADDITIONAL INFORMATION

Per the County, City, and District Initiative and Referendum Manual page 20+, the local elections officer (City Recorder) will compare the filed cover and signature sheets to the official forms and reject unapproved petition sheets and those that do not comply with legal standards.

Pages 24+ Chief petitioners must produce the text, e-sheet, cover sheet, and signature sheet in the following manner:

ORS 250.265 Prospective petition; cover and signature sheet requirements; circulation; filing deadline.

...(4)(a) Each sheet of signatures on an initiative petition shall contain the caption of the ballot title. Each sheet of signatures on a referendum petition shall contain the number of the ordinance or resolution to be referred, if any, and the date it was adopted by the city governing body.

(b) Each sheet of signatures on an initiative or referendum petition shall, if one or more persons will be paid for obtaining signatures of electors on the petition, contain a notice stating: "Some Circulators For This Petition Are Being Paid."

(5) The reverse side of the cover of an initiative or referendum petition shall be used for obtaining signatures on an initiative or referendum petition...

These state requirements have been included in ORS since 1995. They are not new requirements.

Current Chapter 250-Initiative and Referendum

1995 Chapter 250 Initiative and Referendum





Council Business Meeting

Jackson County is unable to verify any signatures. Signature verification is conducted on a petition that has been formally filed in its entirety, not on individual or select sheets submitted in advance or in isolation. Because the petition has not yet been filed as a complete submission, there is no petition currently "on record" for the county to verify against. This means the county cannot review or verify a partial batch of signature sheets outside of a formal petition filing. Verification only begins once the complete petition, with all signature sheets, is submitted together as a filing.

ADDITIONAL POTENTIAL DRAFTED LANGUAGE CONCERNS

From the ballot language the measure could be read broadly to cover any "utility bill" including bills issued by PUC-regulated IOUs (e.g. Avista) that collect city franchise fees or privilege taxes which are governed by OAR 860 022 0040. If it is applied so that the city cannot authorize or adjust franchise fees and charges consistent with OAR 860 022 0040 unless voters approve, there may be tension if the Commission revises allowed percentages or requires a uniform level of compensation and the city's electorate refuses to authorize that amount.

Additionally, this could be problematic as ORS 758.400–758.470 and ORS 221.420 collectively create a scheme where the PUC allocates service territories and oversees utility contracts; cities may grant franchises and impose conditions "not inconsistent with law." If the language of the measure were later interpreted to prohibit the city from entering franchise agreements or imposing fees at levels necessary to comply with territorial allocation contracts approved by the PUC, you might see an argument that the charter impermissibly constrains powers the legislature intended cities to have under these bodies of law.

However, given that nothing requires cities to impose taxes or fees but rather authorizes them, the problem is more than likely more of a practical risk, and financial, rather than legal. For example, Ashland may be forgoing revenue that other cities collect through standard franchise fees.

FISCAL IMPACTS

Unknown. Passing of the ballot measure may prevent or delay the City's ability to maintain and/or deliver city services.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommendation: Staff does not recommend placing this item on the ballot as it has the potential to tie the hands of the current and future councils to make decisions regarding funding for city services and abdicates a primary responsibility of the City Council, placing the responsibility on the residents. This may have a significant impact on the city's ability to provide essential services in the future and could result in a delay in obtaining adequate funding to provide city services.

Option 1) Do nothing, petitioner can continue the process of collecting valid signatures for ballot placement
Option2) Pass a motion approving the resolution.

REFERENCES & ATTACHMENTS

1. Resolution 2026-19-Utility fees ballot measure
2. SEL805 Utility Fees



RESOLUTION NO. 2026-19

**A RESOLUTION OF THE CITY OF ASHLAND SUBMITTING TO THE VOTERS
AT THE NOVEMBER 3, 2026 ELECTION A PROPOSED AMENDMENT TO
ARTICLE IX, SECTION 8.**

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 the question of approving or rejecting an amendment to the Ashland Municipal Charter to amend Article IX to require voter approval of a City of Ashland utility bill fee or tax.

SECTION 2. The City Council refers this question to the ballot of November 3, 2026.

SECTION 3. The City Recorder shall cause to be delivered to the Elections Officer of Jackson County, Oregon, the attached ballot measure notice, not later than 81 days prior to the election. The Election Officer is requested to give notice to the electorate of the City that the election shall be conducted by mail, pursuant to Oregon law;

SECTION 4. The City Recorder shall give notice of the election as provided in the laws of the State of Oregon and the Charter and ordinances of the City of Ashland.

SECTION 5. The ballot title for this measure is set forth in Exhibit A, attached.

SECTION 6. The proposed amendment to the City Charter is set forth in Exhibit B, attached.

SECTION 7. The City Attorney is authorized to alter the language of the ballot title only for the purpose of complying with any rules, procedures, and practices of the Election Officer of Jackson County to implement the requirements of Oregon law, but shall make no changes to the Charter amendment language in Exhibit B without the consent of the Council.

This resolution is referred to the electors of the city of Ashland for approval at the Primary Election in Jackson County, set to occur on November 5, 2024.

This resolution is effective upon signing by the mayor.

ADOPTED by the City Council this ____ day of _____, 2026.

ATTEST:

SIGNED and APPROVED this ____ day of _____, 2026,

Alissa Kolodzinski, City Recorder

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila City Attorney

EXHIBIT A

(Ballot Title)

Ballot Title: Requiring voter approval for new or increased fee or tax

Question: Should Ashland's Charter be amended to require voter approval of a City of Ashland Utility Bill Fee or Tax?

(Explanatory Statement)

A "Yes" vote amends the Ashland Charter, Article IX, Special Powers of the Council, as follows:

Section 8: Fees and Taxes: The City Council may propose new fees, taxes, or increase existing fees or taxes on a utility bill unrelated to the operation of the utilities. Notwithstanding any other provision, no such fee, tax, or increase will be assessed, imposed, or collected on a utility bill until at least thirty (30) days following a positive vote to affirm by Ashland voters at the next regularly scheduled election. State and Federal taxes and fees are exempt. Franchise fees, increases to comply with State set minimums, and increases adjusting for inflation not exceeding the CPI-west, are exempt.

This citizen-initiated measure would require voter approval before the City can implement new or increased utility bill fees or taxes unrelated to utility operations. The measure could delay, affect the timing and/or provision of City services. The practical or financial impacts of delays have not been evaluated or detailed.

A "No" vote retains current Ashland Charter language.

EXHIBIT B

The following amendments are proposed to the Ashland City Charter. Only these articles and sections as delineated herein are amended by this Resolution. Except for otherwise proposed amendments to the Charter by separate resolution and Ballot Title, all other language in the Charter shall be unchanged.

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

ARTICLE IX- SPECIAL POWERS OF THE COUNCIL

Section 8: Fees and Taxes: The City Council by majority vote may propose new fees, taxes, or increase existing fees or taxes on a utility bill unrelated to the operation of the utilities. Notwithstanding any other provision, no such fee, tax, or increase will be assessed, imposed, or collected on a utility bill until at least thirty (30) days following a positive vote to affirm by Ashland voters at the next regularly scheduled election. State and Federal taxes and fees are exempt. Franchise fees, increases to comply with State minimums, and increases for inflation not exceeding the CPI-west, are exempt.

Request for Ballot Title

Preparation or Publication of Notice

SEL 805

rev 08/25
OAR 165-014-0005

No later than the **81st day before an election**, a governing body that has referred a measure must prepare and file with the local elections official the text of the referral for ballot title preparation or the ballot title for publication of notice of receipt of ballot title. This form may be used to file the text of the referral and request the elections official begin the ballot title drafting process or file a ballot title and request the elections official publish notice of receipt of ballot title.

Filing Information

Election Date

Governing Body Referring Measure

Referral Information

Title, Number, or other Identifier

This Filing is For

☐ Drafting of Ballot Title (Attach referral text.)

☐ Publication of Notice (Ballot title below.)

Ballot Title (Additional requirements may apply)

Caption 10 words which reasonably identifies the subject of the measure.

Requiring voter approval for new or increased fee or tax

Question 20 words which plainly phrases the chief purpose of the measure.

Should Ashland's Charter be amended to require voter approval of a City of Ashland Utility Bill Fee or Tax?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

A "Yes" vote amends the Ashland Charter, Article IX, Special Powers of the Council, as follows:

Section 8: Fees and Taxes: The City Council may propose new fees, taxes, or increase existing fees or taxes on a utility bill unrelated to the operation of the utilities. Notwithstanding any other provision, no such fee, tax, or increase, will be assessed, imposed, or collected on a utility bill until at least thirty (30) days following a positive vote to affirm by Ashland voters at the next regularly scheduled election. State and Federal taxes and fees are exempt. Franchise fees, increases to comply with State set minimums, and increases adjusting for inflation not exceeding the CPI-west, are exempt.

This citizen-initiated measure would require voter approval before the City can implement new or increased utility bill fees or taxes unrelated to utility operations. The measure could delay, affect the timing and/or provision of City services. The practical or financial impacts of delays have not been evaluated or detailed.

A "No" vote retains current Ashland Charter language.

Authorized Official Not required to be notarized.

Name

Title

Email Address

Contact Phone

By signing this document:

→ I hereby state that I am authorized by the county, city, or district governing body to submit this Request for Ballot Title – Preparation or Publication of Notice.

Signature

Date Signed



City Manager's Report

August Report—8.4.2026

The bimonthly Ashland **City e-Newsletter** brings it all straight to your inbox. Sign-up today at ashlandoregon.gov/CityeNews.

CITY MANAGER'S OFFICE:

- **SeeClickFix** allows residents to submit non-emergency requests and reports, which are then automatically routed to the appropriate department for review and action. Residents can report a variety of issues, including graffiti, potholes, streetlight outages, abandoned vehicles, intersection concerns, water leaks, and park facility concerns. Residents can also request a water audit through the platform. Learn more at ashlandoregon.gov/SeeClickFix.



SeeClickFix is the fastest, easiest way for you to submit non-emergency requests to your community, stay updated, and initiate change in your community.



Powered by **SeeClickFix**

- Check out the **Storytown Community Calendar!** Discover theatre, live music, foodie festivals, Mt. Ashland adventures and more – all for free. Visit Storytownashland.com, or download on the App Store or Google Play, and start exploring or sharing Ashland events!





City Manager's Report

- **The following PUBLIC AWARENESS Campaigns will be promoted throughout the summer months –**
Details at [ashlandoregon.gov/Public Awareness](http://ashlandoregon.gov/PublicAwareness) and on [Facebook](#) and [Instagram](#).
 - **Save Our Wildlife. Better Apart.**
The City of Ashland has partnered with the Oregon Department of Fish and Wildlife (ODFW) to launch the **Save Our Wildlife** campaign, a community effort to protect local deer and bear populations by promoting safe, responsible coexistence. Learn the dos and don'ts of living alongside wildlife, how to avoid attracting animals to your property, and why keeping wildlife wild is the kindest thing we can do. In this case, **We are Better Apart**. The campaign will run through November 2026, with a deer focus from early May through July 15 and a bear focus from July 1 through November. Its tagline, **We are Better Apart**, is a nod to Ashland's own **Better Together** community motto, and a genuine message about responsible coexistence. Most deer-human and bear-human conflicts are preventable with awareness and distance. The goal is simple: to avoid lethal removal of wildlife by encouraging community-wide behavioral changes. More at ashlandoregon.gov/Wildlife.
 - **Fire. Water. Get Ready. Be Better Prepared this spring and summer!** The City of Ashland's Emergency Management, Fire & Rescue and Public Works departments are joining forces to bring the residents of Ashland vital information on emergency preparedness, reducing wildfire risk and conserving water during the dry season. Together, we can look out for one another and build a more resilient community. **We are Better Together when We are Better Prepared!** More at ashlandoregon.gov/GetReady.
 - **Have you ever thought about serving your community by running for local office?**
Ashland residents are encouraged to consider running for City Council, or the Park Commission. Your voice and experience can help shape the future of our community. The deadline to apply for incumbents is August 11; the deadline to apply for new candidates is August 18. Learn about candidate requirements and how to apply at ashlandoregon.gov/Elections. **Better Together Starts with You!**
- **AFN (Ashland Fiber Network) has begun its node upgrade project**, starting with node 21 near Ashland Mine Road. By mid-September, over 60 percent of Ashland will have access to symmetrical gigabit speeds.
- **The Coffee & Conversation** events for the season have been scheduled:
 - Tuesday, August 25, 5 to 6:30 p.m. at North Mountain Park Pavilion
 - Wednesday, September 23, 3:30 to 5 p.m. at Enders Shelter in Lithia Park
 - Tuesday, October 13, 1 to 2:30 p.m. at the Oak Knoll Golf Course Clubhouse
 These gatherings are an opportunity to have a conversation with elected officials and City leadership.
- On August 12, 6 to 7:45 p.m., **Ashland.news** and the City will present a webinar called, **"Wildfire & Insurance: What Homeowners, Businesses, and Renters Need to Know."** Register today at ashlandoregon.gov/InsurableHomes.





City Manager's Report

- **Know Your Zone with Genasys Protect.** Whether on the go or on a desktop, residents can use the Genasys Protect app or website to view evacuation zones. Genasys Protect is a zone-based evacuation management platform that helps residents find their zone, check zone status and stay informed during emergencies such as wildfires, floods and earthquakes. Zone information comes from local emergency services, updates every fifteen minutes and lets you know which zones are impacted, and what actions to take. Download at the *App Store* or *Google Play*. Learn more about evacuation zones at ashlandoregon.gov/EvacuationZones.
- **New Ashland Watershed Evacuation Zone Maps!** Five new sign boards in the Ashland Watershed help trail users find their evacuation zone, sign up for alerts and download an offline map for the Avenza Maps app. Learn more at ashlandoregon.gov/BetterPrepared.
- **Make sure you are signed up for Emergency Alerts through Jackson Alerts!** Sign up for Ashland alerts at ashlandoregon.gov/Alerts and learn about other opt-in text alerts available in Ashland and Southern Oregon area.
- Check out the **City of Ashland's Accomplishments Videos**, youtube.com/cityofashlandor.

COMMUNITY DEVELOPMENT:

- A **Back to School Community Resource Fair** will take place on Wednesday, September 9, 3:30 to 5:30 p.m. at the Bellview Grange in Ashland. Save the date – Details will be posted at ashlandoregon.gov/CommunityResourceFair.

FIRE & RESCUE:

- **Be more ready for wildfire smoke by building your own DIY Air filter!** Join Sara Jones with Smokewise Ashland at the Rogue Valley Metaphysical Library on Saturday, August 8 from 10 to 11 a.m. The class is free and made available with funding from a Fire Adapted Communities Learning Network grant. Registration is required. Learn more and register at ashlandoregon.gov. **Better Prepared. Better Together.** We hope to see you there!
- **As of July 17, Fire Danger in Southern Oregon is EXTREME; restrictions have increased.** Here's what you need to know:
 - Learn and follow all **fire restrictions** at ashlandoregon.gov/FireSeasonInfo.
 - The deadline for Ashland residents to clear dry vegetation on their property has passed. **If you see overgrown vegetation in your neighborhood, report it through SeeClickFix**, the City's non-emergency reporting tool, under "Weed Abatement Concern." Learn more at ashlandoregon.gov/WeedAbatement.
 - **Outdoor burning is no longer allowed.**





City Manager's Report

- **Know your fire weather terms.** Learn the difference between a **Red Flag Day** and a **Red Flag Day-PDS (Particularly Dangerous Situation)** at More at ashlandoregon.gov/FireWeather.

City of Ashland Fire Weather Alert System

KNOW THE DIFFERENCE: Watch=Be Ready | Warning=Be Set to Take Action



FIRE WEATHER WATCH

Issued when **critical fire weather (hot, dry, windy, lightning)** is **POSSIBLE**

Be Ready to Stay Safe:

- Sign up for alerts
- Monitor conditions —they can change quickly

ashlandoregon.gov/BetterPrepared

RED FLAG WARNING

Issued when **critical fire weather (hot, dry, windy, lightning)** is **occurring or imminent**

Take Action to Stay Safe:

- Sign up for alerts
- Pack a go-bag
- Fuel or charge your vehicle
- Connect with family and neighbors

ashlandoregon.gov/BetterPrepared

RED FLAG WARNING-PDS

Issued when **rare, dangerous fire weather (hot, dry, windy, lightning)** may cause a particularly dangerous situation (PDS) & lead to large, deadly wildfires

Take Immediate Action:

- Evacuate early if told to leave
- Stay alert to emergency updates
- Help vulnerable neighbors

ashlandoregon.gov/BetterPrepared

PARKS & RECREATION:

- The 50th running of the **Ashland 4th of July Run** saw over 600 participants this year. Proceeds from the race entrance fees help support local high school cross country teams. A commemorative T-shirt honoring the long history of the race was sold to help support the fundraiser.
- On July 11 the Ashland Japanese Garden hosted a celebration of **Tanabata**; a Japanese festival held in July. Visitors were able to practice writing their names in Japanese and write wishes for the coming year on strips of paper which were hung on bamboo.
- **Lithia Park Guided Walks**, which are free and led by knowledgeable and passionate volunteers, are now taking place both Saturdays and Sundays at 10 a.m. through the end of September. The addition of the Sunday walks was made possible by an influx of new guides, eager to share their love of Lithia Park with locals and visitors.
- **The street improvement portion of the East Main Street Community Park project is underway.** Work began on Monday July 20. It is anticipated that the park will be substantially completed by summer 2027.
- **The Hunter Park Tennis Court Rehabilitation project** will begin on Monday August 3. The tennis courts will be closed until early to mid-October.





City Manager's Report

- **North Mountain Park will co-host a group from the Mayor's Conference** on August 6 for a Bear Creek Greenway Tour. The tour will highlight Restoration and Habitat Connectivity, Regional Monitoring and Water Quality Coordination, and Education and Community Programs. The tour will be presented in partnership with *The Freshwater Trust* and *Salmon Watch*.
- The Senior Services Division is holding their annual **Ice Cream Social for Seniors and their Families** on August 12 from 2 to 3:30 p.m. The social will be held in Hunter Park near the Senior Center. The event is generously sponsored by Fountain Plaza.
- There are two **FREE concerts at the Butler-Memorial Bandshell in Lithia Park** in August. Monday, August 10 will feature *MarchFourth* and Monday, August 17, *Diggin Dirt* will take the stage with *8 Dollar Mountain* as the opening act! The concerts begin at 6 p.m. Thanks to our awesome community partners, *Ashland Folk Collective* and *Epic Ashland*!
- **Public Input is being taken on the proposed Lithia Park East Hillside Mt. Bike Trail.** More information on how to give public input and review the proposal at ashlandoregon.gov/Parks. The deadline for public input is September 3. View the Rogue Valley Mountain Biking Association video for a [walkthrough of the proposed Lithia Park East Hillside Trails](#), also referred to as the Dormouse Trails. Public input will also be accepted at the August 5 Park Commission Study Session at 6 p.m. in Council Chambers.
- **The Ashland City Band Concerts** in Lithia Park this summer are Thursday evenings at 7 p.m., with pre-concert entertainment kicking off at 6:15 p.m. The concerts are held at the Butler Memorial Band Shell on Winburn Way and will continue through August. Details at ashlandoregon.gov (see events calendar).
- Explore the **Summer 2026 Parks & Recreation PlayGuide**, **subscribe and read the latest e-Newsletter** at ashlandoregon.gov/Parks. Registration is now open for activities occurring from May through August 2026. The Summer season includes Daniel Meyer Pool Swim Lessons, North Mountain Park and Senior Center Activities, Lithia Bandshell events and much more!
- The beloved **Splashpad in Garfield Park** is open for the season and will operate daily from 11 a.m. to 7 p.m. through Labor Day.
- Public input is being accepted on the proposed **Lithia Park East Hillside Mountain Bike Trail**. Visit ashlandoregon.gov/Parks for full details on the proposal and how to submit input. The deadline for public input is September 3. Watch the Rogue Valley Mountain Biking Association's [walkthrough video of the proposed Lithia Park East Hillside Trails](#), also referred to as the Dormouse Trails. Public input will also be accepted in person or virtually at the August 5 Park Commission Study Session, 6 p.m. in Council Chambers.

PUBLIC WORKS:

- **Jackson County's drought status has improved.** Instead of D3 (extreme drought), the majority of the county has now been downgraded to D2 (severe drought).





City Manager's Report

- Updates regarding **major projects** for the City are posted each month at ashlandoregon.gov/MajorProjects. **ODOT will grind and patch asphalt downtown and on Lithia Way, August 24-27.** The City is assisting. Other projects include the **Sewer Main Rehabilitation, East Main Park, N MT Avenue Overlay** and more.
- Looking to stay up to date this summer on **Water Conservation tips and recommendations?** Check out the weekly updates each Monday this season at ashlandoregon.gov/WateringWeatherInformation.
- **The 2025 Water Quality Report is now available.** From snowmelt and rainfall sources to your tap, Ashland's primary water source is Ashland Creek, collected at Reeder Reservoir. The City is pleased to report that all water treated meets and exceeds Oregon Health Authority and EPA water quality regulations. Information at ashlandoregon.gov/Water.
- **Keep your water meter clear.** Spring growth can creep over water meters fast. Water meters need at least one foot of clearance behind the box and two feet on each side. Fire hydrants need three feet on all sides. A quick trim now helps utility workers — and keeps your neighborhood safe. Questions? Contact Water Quality/Distribution Supervisor Dean LeBret at 541.552.2326.
- **Questions about TID ditch water?** The City maintains the TID (Talent Irrigation District) canal within city limits but does not operate the system. For water availability, outages and delivery questions, contact TID directly at talentid-or.gov or visit ashlandoregon.gov/TID.
- **Get a free water audit.** Want to lower your water bill or water your landscape more efficiently? The City of Ashland Water Resource Specialist **Eliza Sorenson** offers free water efficiency checkups year-round — covering sprinkler systems, indoor fixtures or both. Schedule yours through [SeeClickFix](#), the City's non-emergency reporting tool.
- **Residential Backflow Prevention.** Protecting Ashland's drinking water is a shared responsibility. A backflow prevention device acts as a one-way gate, keeping contaminated water, chemicals or sewage from flowing backward into your home's clean drinking water supply. Oregon Administrative Rules and Ashland Municipal Code require annual testing of these devices by a certified and licensed tester to help preserve the high-water quality we all rely on. To find more information on backflow devices, testing requirements and how to keep your household protected, visit ashlandoregon.gov/ResidentialBackflowPrevention. Have questions? Email us at publicworksinfo@ashlandoregon.gov.
- **Supplemental water.** The City started supplementing the city water supply with TAP (Talent-Ashland-Phoenix) on June 16. The City is currently using approximately 2.1 MGD (Million Gallons per Day) from TAP and 2.8 MGD from Reeder Reservoir. Using TAP water helps to preserve our local reservoir for later in the summer. View the Reeder Reservoir Dashboard at ashlandoregon.gov/ReederDashboard.



Ashland City Council Look Ahead 2026

*All items are placeholders subject to Council action and organizational needs. Not all items will appear on the Look Ahead due to timing or scheduling considerations.

DATE	STUDY SESSION – TOPIC/AGENDA ITEMS	BACKGROUND	Requested Council action	DEPARTMENT	LEAD STAFF
August 17	Food & Beverage Tax Amendment Process Annual APD Report Building Permit Fee Adjustments / Community Development Fee review	Councilors DuQuenne/Bloom request Per Council request (formerly Use of force report) Discussion regarding proposed fee increases and Comm Dev fee structure	Informational informational	Police Com Dev/Finance	O'Meara Goldman
August 31	No Meeting – Summer Break	Per AMC 2.04.020			
September 14	Ambulance Service Area Discussion (tentative) Reserve and Capital Fund Discussion	Per Council Request December 2025 Retreat	information presented with possible staff direction information presented with possible staff direction	Fire/CMO/Finance Finance/CMO	
October 5	CBC/Council meeting mid BN Budget review/ forecasting Budget Direction and Priorities for BN 27–29: Revenue/ Funds	Council requested in July of 2025 Per Council Request December 2025 Retreat	information presented with possible staff direction	Finance/CMO	
October 19	Budget Retreat				
November 2	Gas Powered Lawn Equipment	Per CEPAC request	informational presented with possible staff direction	Conservation	Woodward
November 16					
November 30					
December 14	Standing Advisory Committee Annual Updates				
	TOPICS TO BE SCHEDULED				

DATE	BUSINESS MEETING – TOPIC/AGENDA ITEMS	BACKGROUND	Requested Council Action	DEPARTMENT	LEAD STAFF
August 12	Joint APRC/Council Meeting (APRC host) Quarterly Financial Report (April – June 2026)	Council requested joint financial reporting meetings			
August 18	Policy Update: AMC 18 and any related AMC related to building, planning & development process (60 min) Childcare ad hoc committee proposal with named fund with ACHF First Reading of proposed Utility bill fee ordinance – tentative Civic Center Assessment/ versus hybrid/ versus retain all bldgs. Voting LOC Priorities Property Line Adjustment 51 Winburn Way Reso 2026–18 AUTHORIZING AND APPROVING A STATE REVOLVING FUND LOAN AGREEMENT TO FINANCE WASTEWATER SYSTEM PROJECTS – WWTP Headworks Upgrade Project (tentative) Public Hearing and First Reading ORD 3307 An ordinance amending AMC 18.2.5.090, AMC 18.3.5.100, AMC 18.3.9.040, AMC Table 18.5.1.010, AMC 18.5.5.030.A, and AMC 18.6.1 to address the procedural requirements of Oregon Senate Bill 974 (2025) by allowing administrative approval of certain urban housing applications	CM Dahle/Sherrell requested. Materials to be submitted NLT 8/5 new business- request from ad hoc committee for long term funding direction given at 7/21 business meeting Direction given at 5/4 study session Property line adjustment between Community Development, adjacent neighbor and Community Center State Legislation required amendments to Land Use Process	Approval of first reading	PW Admin PW PW CD	Scott Fleury Sabrina Cotta Chance Metcalf Chance Metcalf Goldman/Severson
September 1	No Meeting – Summer Break	Per AMC 2.04.020			
September 15	Exec. Session Real Estate – tentative ORD AMC 2.04 Hearing and First Reading 9–15			Legal	Pietila/Zahran

	Second Reading ORD 3307 An ordinance amending AMC 18.2.5.090, AMC 18.3.5.100, AMC 18.3.9.040, AMC Table 18.5.1.010, AMC 18.5.5.030.A, and AMC 18.6.1 to address the procedural requirements of Oregon Senate Bill 974 (2025) by allowing administrative approval of certain urban housing applications.	State Legislation required amendments to Land Use Process	Approval of Second reading	CD	Goldman/Severson
	(tentative) Public Hearing and First Reading ORD 3308 An ordinance amending AMC 18.5.3.060 with regard to the maximum flag drive grades for pre-existing lots of record	Relates to LUBA remand on Driveway grade variance	Approval of first reading	CD	Goldman/Severson
	Adoption of Strategic Plan (tentative)			CMO	Cotta/Rooklyn
October 6	Indigenous Peoples' Day Proclamation		Approval of first reading	CD	Goldman/Severson
October 20	Second Reading ORD 3308 An ordinance amending AMC 18.5.3.060 with regard to the maximum flag drive grades for pre-existing lots of record		Approval of Second reading	CD	Goldman/Severson
November 3	Joint APRC/Council Meeting (Council host) Quarterly Financial Report (July - Sept 2026)	Council requested joint financial reporting meetings			
November 17					
December 1					
December 15	Advisory Committee Reappointments				
	TOPICS TO BE SCHEDULED				

TO: Mayor and Council
FROM: Sabrina Cotta, City Manager
DATE: August 5th, 2026

RE: City Manager Updates

Pending Council Decisions and Directions:

As we begin to prepare for the BN 27-29 Budget several decisions that will have significant impact will be coming forward for consideration by City Council

- The City has been conducting an in-depth review of the City's bid on providing ambulance service to Jackson County Ambulance Service Area No. 3 and the viability of continuing ambulance service in the future. Estimated timeline: Discussion early fall
- The building fund and development subsidization will come forward later in August. Council will need to determine the level of building fund subsidization from the general fund that is appropriate moving forward. Estimated timeline: Discussion late August
- The parks fee will be sunset at the end of this fiscal year. Council will need to determine if sunsetting is the direction that is desired or if a continuation of the fee is appropriate. Estimated timeline: Early fall. Next joint meeting is August 12th.
- Discussion and adoption of reserve and facilities fund policies and goals. Estimated timeline: Fall
- The strategic plan will be completed and brought forward for Council adoption. Estimated timeline: Fall.
- Follow-up discussion regarding Regional Fire Study and next steps. Estimated timeline: Fall.
- Follow-up discussion regarding facilities master plan and facilities needs. Estimated timeline Fall/Winter

Personnel:

- 8% vacancy rate 272 authorized FTEs, 250 filled, 21 vacant.
- Currently 13 temp hires in place, please note this number fluctuates month to month depending on the season.
- Currently recruiting for Lateral police officer, Fiber Network Customer Representative and Internal Services Director

ADMINISTRATION

20 East Main Street
Ashland, Oregon 97520
ashland.or.us

Tel: 541.488.6002
Fax: 541.488.5311

sabrina.cotta@ashland.or.us



Infrastructure:

- Code compliance complaint made for tint on City Hall and Community Center. Tint on City Hall has been in place for 20 plus years. Tint on Community Center was put in place recently to help control temperature swings in the building. Both will be removed as are not compliant with code.
- East main park and hunter tennis court projects have begun.
- Driving range bids are in progress. Insurance money will be used to repair the storm damage that occurred.
- Ice rink cabling has been installed as of last week, on track for opening this winter.
- The water treatment plant final design is currently undergoing a formal QA/QC process with an owner's representative. Staff intends to have the final design and bid package ready in September with formal contract award occurring at the City Council in early November.

Resiliency:

- Dam safety exercise is being conducted over the next several weeks with necessary staff and elected officials. This is part of FERC certification.
- Wildfire division is revising an action plan and timeline for CWPP implementation with both watershed and city elements.

Upcoming Council events:

October 19th, 2026- Budget Retreat

January/ February 2027- Council goal setting

ADMINISTRATION

20 East Main Street
Ashland, Oregon 97520
ashland.or.us

Tel: 541.488.6002
Fax: 541.488.5311

sabrina.cotta@ashland.or.us





Council Business Meeting

Date: August 4, 2026

Agenda Item	Review of Parks Integrated Pest Management Policy for Consideration for City Adoption and proposed Ordinance Update
Department	City Manager's Office
From	Sabrina Cotta

TIME ESTIMATE

10 minutes

CATEGORY

Staff Direction - provide direction to staff on the body's desired next steps.

SUMMARY

At the joint City Council Park Commission meeting on June 3rd, 2026 the use of herbicides was discussed. Following that discussion Council gave staff direction to bring back the Park Commission Policy for adoption by City Council.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

The City has been implementing strategies to reduce staff time, water use, and costs for maintaining our street medians and other strategic areas. These strategies include using herbicides to reduce the amount of staff time needed for manual weed maintenance and, in specific medians, converting landscaping to decorative rocks to reduce water use and staff

time. If the Council wishes to move forward with adopting the Integrated Pest Management Policy of the Park Commission for operational purposes City-wide, the City requests the following areas be excluded:

- Reeder Reservoir and adjacent to operational facilities for maintenance-related activities.
- The Airport property adjacent to paved areas and lighting for safety-related purposes.
- Riparian restoration activities as contracted by the City
- Pre-emergent as needed around city facilities for weed control
- Blackberries and other invasives on City property as needed for fire control
- Operations that are required to comply with regulatory agencies such as OHA and DEQ or safety as needed and approved by the City Manager or designee.

FISCAL IMPACTS

The current use of herbicides is estimated to save approximately 1,000 labor hours per year of maintenance of medians, parking lots and other-non-park designated areas. If herbicide is not used the weeds will start growing again and that means more time spent on medians and parking lots in the future.

Future Staffing Projections: Operating without herbicide application in medians, parking lots, and other non-park areas is estimated to require an additional full-time employee.

• Volunteer Limitations: The volunteer program is at maximum capacity, managing 52 to 60 work parties annually and over 12,000 hours (equivalent to 5 FTE) of volunteer service throughout the parks system. Expanding this program to offset manual weeding would require an additional full-time employee.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I direct staff to revise Ordinance AMC 9.28. Pesticide Policy





Council Business Meeting

REFERENCES & ATTACHMENTS

1. APRC IPM Policy Revised 6.13.2024 Signed (1)
2. Item Report (1)





*Ashland Parks and
Recreation Commission*

COMMISSION POLICY

TITLE: Integrated Pest Management (IPM) Policy of the Ashland Parks and Recreation Commission (APRC)	PAGE 1 of 9	POLICY No. 105
EFFECTIVE DATE: May 24, 2010	REVISED DATE: Last Revised on June 13, 2024	

Policy Introduction:

APRC follows an Integrated Pest Management Policy adopted by the Ashland Parks and Recreation Commission in 2010.

According to Oregon Statutes (ORS 262.1), Chapter 943, an IPM is defined as:

“A coordinated decision-making and action process that uses the most appropriate pest control methods and strategies in an environmentally and economically sound manner to meet pest management objectives. The elements of integrated pest management include: (a) preventing pest problems; (b) monitoring for the presence of pests and pest damage; (c) establishing the density of pest population, which may be set at zero, that can be tolerated or corrected with a damage level sufficient to warrant treatment of the problem based on health, public safety, economic or aesthetic threshold; (d) treating pest problems to reduce populations below those levels established by damage thresholds using strategies that may include biological, cultural, mechanical and pesticidal control methods and that shall consider human health, ecological impact, feasibility and cost effectiveness; and (e) evaluating the effects and efficacy of pest treatments.”

This IPM Policy applies to lands designated as park lands (includes parks, trails, and open space) by the Ashland City Council and managed by the Ashland Parks and Recreation Commission, as defined in the Ashland City Charter and Ashland Municipal Code. All other city lands managed under agreements with City of Ashland shall be managed according to city approved operational and safety protocols.

Organic pesticides (OMRI-approved – or *Organic Materials Review Institute*) are approved for use according to label instructions within the nearly 800-acre APRC system.

APRC managed lands are 99.25% synthetic-pesticide-free but authorization is approved for use o pesticides for the following uses and areas:

TITLE: APRC IPM POLICY	Page 2 of 10	POLICY No. 105
------------------------	--------------	----------------

- Hornets and wasps in all areas for safety, but as a last resort.
- North Mountain Park infields for safety.
- Controlling Poison Oak along trails for safety.
- Oak Knoll Golf Course as outlined below:
 - The golf course will occasionally require use of higher toxicity products to keep the quality of the greens and tees playable. If toxicity is higher than table salt (LD 50 = 2,500), the course will be posted at the clubhouse and at the first green or tee that is treated.
 - The Golf Division will follow the same guidelines established for the Parks Division.
 - MSDS sheets will be posted in the golf course clubhouse.
 - Greens #4, 6, 7 and tee boxes #4, 5, 7 will be exempted from the 50-foot setback from water and care will be taken to keep synthetic spraying as far from water as is feasible.
 - Golf cart paths as needed for public safety and maintenance.

Background

The IPM process first determines if a pest needs to be managed, and if so, how best to do it. Key elements are information gathering, decision making, management action and monitoring of results. IPM uses effective, low-risk strategies and practices. Management actions include cultural, physical, mechanical, manual, biological, and pesticidal practices. Licensed and trained APRC professionals often select a combination of methods (pesticide applications being the method of last resort) to manage specific pest populations on a case-by-case basis, with a goal of reducing reliance on pesticides. Methods employed conform to recognized standards established and endorsed by state and federal regulatory agencies, state educational institutions, and organizations such as the Western Integrated Pest Management Center.

Examples of IPM methods within park lands under APRC control and management as designated by Ashland City Council include:

- Mulching of planting beds to reduce establishment of weeds.
- Utilizing non-neonicotinoid plants with natural resistance to pests.
- Volunteer labor that includes hand weeding, trimming, mulching, and more.
- Design features that include concrete curbs, mow strips, and landscape designs.
- Proper mowing, irrigation, and fertilization of park turf to increase vigor and reduce weed populations.
- Application of organic OMRI-approved herbicides to control invasive weeds before seed formation to prevent future weed infestations.
- Release of natural biological controls.

APRC's Integrated Pest Management Policy is based on park planning and design, manual maintenance, ecological controls and, as a last resort, use of chemical pesticides. APRC will work to reduce or eliminate the use of synthetic pesticides and will conduct an annual review of pest

TITLE: APRC IPM POLICY	Page 3 of 10	POLICY No. 105
-------------------------------	---------------------	-----------------------

management activities, which will include written suggestions to the Parks Commission for the further reduction of pesticides and for alternatives to their use.

Pesticide Use

Any synthetic pesticide use will be part of an IPM approach and will only be used where an exemption to the no pesticides in Ashland parks policy has been granted by the Parks Commissioners. Risk will be minimized by careful product selection and application. When developing and updating the IPM program, APRC staff will rely on current peer-reviewed scientific opinion about potential materials and methods, including science-based information from regulatory agencies, state university departments, university extension scientists, and other experts.

- The choice to use pesticides will be based on human and ecological health and the values to be gained or preserved. Budgetary and human resource factors will also be considered.
- Only the safest, lowest toxicity products available will be used. Pesticides use will comply with all local, state, and federal regulations. No “restricted use” pesticides will be used.
- For synthetic pesticide use, the area will be posted 48 hours in advance of the application, with signage remaining a minimum of 48 hours following the application, depending on the re-entry time specified on the pesticide label or MSDS sheet.
- For non-synthetic (OMRI-approved) use, informational signage will be posted at the time of application only.

Oversight and Training

- A minimum of one Park Operations or Golf Operations employee will be trained and licensed as an Oregon Licensed Pesticide Applicator and will be designated by the department director to be responsible for overseeing and authorizing all pesticide use by Parks and Golf division staff. No pesticides will be used without a Licensed Pesticide Applicator on staff.
- No employee will use or apply any pesticide without prior training.
- No employee will use or apply any pesticide mechanically or by hand without event-specific authorization.
- All Parks Operations and Golf Division employees who apply pesticides will attend an annual review of policies, procedures, and reduction strategies regarding the use and applications of pesticides.
- All pesticides will be stored in a safe, labeled, secure environment. The Parks Superintendent and Licensed Applicator will have exclusive access to the area.
- Violation of any of these policies or guidelines by Parks Operations or Golf Division staff will be grounds for disciplinary action.

Reporting and Review

The APRC Director or Parks Superintendent will oversee an annual review and will present the results to the commission. The report will include water quality test results and results from any

other testing conducted; comparisons from previous years' spreadsheets showing amounts and locations of pesticide applications; and will recommend specific locations, management activities, cost, and targets for reductions or elimination of pesticides.

- The Parks Commission may consider updating the IPM policy during the fiscal year as new peer-reviewed scientific information about pesticides, including inert ingredients, becomes available and as other management choices develop.
- Written record on Form 1A will be filled out after each application (attached).
- MSDS sheets will be made available to the public.
- The elected Ashland Parks and Recreation Commission will serve as the overseeing board for this policy.

GUIDELINES

PESTICIDE SOLUTIONS AND RINSES

Following are elements to consider before beginning an application. These elements will help determine the proper amount of pesticide to mix.

- Weather conditions and predictions. Call National Weather Service at 541-779-5990.
- Acreage / square footage of the job site.
- Calendar: special events, mowing, irrigation, and so on.
- Type and size of the equipment appropriate to do the job.

When applying a pesticide, use the following procedures to reduce and safely store the rinse solution. These are secondary to label information and State and Federal regulations.

- Mix only enough pesticide solution to do the job that day.
- First add measured amount of water to tank, then put in correct amount of herbicide according to label specifications.
- Use up all pesticide, applying until the tank is empty or no more solution is coming through the nozzle.
- If pesticide mix remains, completely label the tank or sprayer with labels for the products used. Also mark the current concentration for each product, the date and the name of the locked cabinet in the Lithia Park or Golf maintenance shop, in the dedicated pesticide storage cages, until the contents can be properly disposed of through an official Hazardous Materials Collection process or event.
- When resuming spray applications the next time, either use the leftover material, or add diluted water and circulate the mix thoroughly before adding new concentrate.
- If spray tank rinsate is created, store the rinsate as make-up water for the next day. The next day's pesticide should be compatible or the same. The same labeling requirements pertain to the rinsate mix. Any residual rinsate that cannot be re-used will be labeled "unusable" and

TITLE: APRC IPM POLICY	Page 5 of 10	POLICY No. 105
------------------------	--------------	----------------

stored in a locked Golf or Lithia Park maintenance shop dedicated pesticide storage cage until it can be properly disposed of through an official Hazardous Materials Collection process or event.

Rinse the sprayer if the following conditions apply:

- It is necessary to use a pesticide incompatible with that previously used.
- It is the end of a spraying cycle.

Use the following rinse process:

1. Read the pesticide label. The following should not conflict with label information or State or Federal regulations. Contact your supervisor if you see a conflict or have questions.
2. Wear protective clothing, as listed on the label when handling pesticides, pesticide containers, or pesticide equipment.
3. Fill the spray equipment approximately 1/4 full with clean water. Shake or agitate so that all inside surfaces are washed. If possible, use the spray hose to rinse the inside surface of the tank. These procedures should coincide with all labels.
4. Spray the rinse water out of the spray equipment onto an approved target area. Rinse water should be run through all hoses, booms, etc. Filters should be cleaned. Because of the dilute nature of the pesticide in the rinse water, a coarse spray can be used and is recommended to save time. Do not "pond" or saturate the soil.
5. If the tank is to be stored, repeat step 3 and 4 above until the tank is clean.

PESTICIDE SAFETY

- For synthetic pesticide use, the area will be posted 48 hours in advance of the application, with signage remaining a minimum of 48 hours following the application, depending on the re-entry time specified on the pesticide label or MSDS sheet.
- For non-synthetic pesticide (OMRI-approved) use, information signage will be posted at the time of application only.
- Containers will be triple-rinsed, then punctured to make sure they are not reused.
- There will be no application of synthetic pesticides from Memorial Day to Labor Day.
- OMRI-approved non-synthetic pesticides are exempt from date restrictions and can be applied throughout the year per label instructions.
- Any spills will be cleaned up immediately and reported to a supervisor for proper handling of material.
- Personal protective equipment (PPE) will be worn according to label on product and MSDS sheets (e.g., rubber gloves, goggles, long-sleeved shirts).
- Employees will change clothes before interacting with non-work associates such as family members and friends.

PESTICIDE REDUCTION OPTIONS

Volunteers will be used for:

- Weeding
- Mulching
- Trimming
- Mulch – reduce weed growth and labor costs; minimal budget impact.
- Labor – staff and volunteer crew to manually trim edges. Potential large budget impact if staff and volunteers manually edge and use less spray.
- Annuals to Perennials – better ground cover, minimal labor, minimal budget impact.
- Burners – burn weeds using APRC labor; possible safety issues.
- Ground Covers – labor to establish weeding; higher initial costs but less expensive once established.
- Hardscape – curbs, walks would require high initial investment, but this would serve as long-term solution to problem spots; initial high budget impact.
- Landscape Design – less formal, non- native; lower initial cost but higher costs to maintain until plants are established.
- Park Branding – As part of the pesticide reduction process, a park logo will be designed to inform the public about pesticide-free areas. Communication will occur through the City of Ashland website and classes will be offered to share information and ideas with the public. This is underway with the APRC Promotions Coordinator.
- Equipment Use Where Possible – higher cost to purchase; efficient use of labor; able to treat large areas.
- Lawn Height – Taller lawns help shade weeds and encourage stronger growth which crowds out weeds.
- Irrigation Changes – initial cost of labor and materials; long-term solution; more maintenance required for smaller heads.
- Goats – problem with containment in terms of what is eaten (both desired and non-desired species consumed).
- Forestry Areas – 99% spray free since 1992; manually controlled.

PESTICIDE APPLICATIONS BY NON-APRC EMPLOYEES

In special circumstances, when a certain area needs to be addressed in a specific fashion, pesticide applications by non-APRC staff will be approved:

- Employees of commercial pesticide operator companies possessing valid state pesticide applicator licenses will be considered for approval to apply pesticides to APRC property
- The licensing variance must be specifically approved by the APRC Licensed Applicators.

TITLE: APRC IPM POLICY	Page 7 of 10	POLICY No. 105
------------------------	--------------	----------------

- The work must occur under the direction of a contractor-supplied, fully licensed supervisor.
- Before approval, there must be evidence that all trained and licensed applicators have sufficient previous pesticide application experience and a safety record to satisfy APRC's approval process. Acceptable application experience may vary but will be of sufficient assurance to APRC of employee competence and knowledge of safe work practices. Three to five months is a likely minimum experience interval for approval. Inexperienced trainee licensed applicators will not be allowed to apply pesticides to park managed land.

Contractors must satisfy all the standard applicable city contractual language pertaining to pesticide applications. These subjects may include safety precautions, liability issues, and other responsibilities. These issues are dealt with in the contract language agreed to before the project commences by both city representatives and the contractor.

The performance record of contracting businesses applying pesticides to APRC lands shall also be regularly reviewed by APRC. This review shall include an examination of past work and safety performance.

Employees of the Jackson County Vector and Nuisance Control agency:

APRC understands that there may be situations where the county vector and nuisance control agency has the need to apply pesticides to city property as part of their mandate to further public health goals. Communications from this agency stating their need for pesticide use for these purposes on park land will be responded to by the Licensed Applicator in a timely manner. Licensed public health endorsed applicators will be considered for approval to apply pesticides to APRC property. APRC and the county will work together to arrive at mutual agreements for activities that address public health goals and good environmental stewardship.

City of Ashland
ASHLAND PARKS AND RECREATION COMMISSION

340 S. Pioneer Street, Ashland, OR 97520

Pesticide Application Record (PAR)

(to be kept for 3 years)

Applicator: _____ Date of Application: _____

Time of Application: _____ Hour(s) Spent Applying Pesticides (X.XX): _____

Name of Park or Property: ENTER ONE CODE per Application Record: _____

Area Treated: CIRCLE ONE OR MORE below and/or fill in the blank:

TW- tree wells FL-fence lines CR-Cracks BL-bleachers SH-Shrub beds
P-Ponds DU-Dugouts BF-Baseball fields R-Roses W-Wasps/Hornets
A-Annuals P-Paths/Trails TC-Tennis Courts SB-Sloped Banks

Other: _____

Chemical: ENTER ONE CODE FROM the APPROVED PESTICIDE LIST: _____

Other: _____

Mixing Ratio: Liquids: _____ Tablespoons per gallon OR _____ ounces per gallon
Granular: _____ per _____ square feet of coverage

Supplier: _____ EPA Registration No. _____

Target Species (be specific) ENTER CODE(S) FROM SPECIES LIST and/or fill in blank.

CODE(S): _____

Other: _____

Equipment Used: CIRCLE ONE (below) or fill in the blank:

BP-Backpack SQ-Squeeze Bottle HA-Handheld Other: _____

Weather Conditions: temperature: _____ wind conditions: _____

precipitation: _____ comments: _____

Total amount of product applied (Tbsp. or ounces): _____

TITLE: APRC IPM POLICY	Page 9 of 10	POLICY No. 105
-------------------------------	---------------------	-----------------------

Policy Revision

Per commission approval on February 28, 2011:

The commission authorized staff to replace synthetic pesticides in all Ashland parks with organic products, using the application standards outlined in the existing Integrated Pest Management Policy, with the exceptions of Oak Knoll Golf Course and poison oak in summer months.

Policy Revision

Per commission approval on June 27, 2011:

The commission granted approval for 1) the Integrated Pest Management Policy to be amended to include the following in the Special Situations Restricted Areas policy section: 1) No spraying of synthetic pesticides is permitted in any Ashland park from Memorial Day to Labor Day, with OMRI-approved herbicides exempt from this provision [overturned by the Commissioners on June 25, 2018]; and 2) at the next scheduled annual review of the IPM Policy, staff to present a revised policy that incorporates changes consistent with the use of OMRI herbicides.

Policy Revision

Per commission approval on February 27, 2012:

The commission approved allowing for the use of non-synthetic pesticides, per label instructions, in all parks at staff's discretion with the exception of limitations imposed by other regulatory bodies. They further approved changing signage requirements to allow informational signs to be posted at the time of application only and eliminating date restrictions for applications of non-synthetic pesticides to allow for their use throughout the year per label instructions.

The commission approved allowing staff to use synthetic pesticides only as a last resort to create a safe playing environment at the infields of North Mountain Park.

Policy Revision

Per commission approval on April 22, 2013:

The commission approved modifying the integrated pest management policy to allow for an exemption request outlined by staff: use of synthetic herbicides on north entryway medians for safety purposes.

Policy Revision

Per commission approval on April 28, 2014:

The commission approved, for the 2014 season only, allowing an APRC IPM policy exemption for staff use of non-organic herbicides in two requested areas: the pitching warm-up area and the warning tracks at North Mountain Park.

Policy Revision

Per commission approval on May 22, 2017:

The commission approved the use of synthetic wasp spray in parks as a last resort for public safety.

Policy Revision

Per commission approval on June 25, 2018:

The commission made minor revisions, mostly related to editing of the document.

Policy Revision***Per commission approval on June 13, 2024:***

The commission modified the APRC IPM POLICY to apply only to City Council designated park lands (parks, trails, and open space).

Approved:



Jim Bachman, APRC Chair

Date: 6.28.24

Approved, as to form:



Carmel Zahran, City Attorney

Date: 6.17.24



Council Study Session

Date: June 3, 2026

Agenda Item	Median Maintenance and Herbicide Use
Department	Parks & Recreation
From	Rachel Dials, Deputy Parks Director, Jordan Rooklyn

TIME ESTIMATE

45 Minutes

CATEGORY

Staff Direction - provide direction to staff on the body's desired next steps.

SUMMARY

The City has been implementing strategies to reduce staff time, water use, and costs for maintaining our street medians. These strategies include using herbicides to reduce the amount of staff time needed for manual weed maintenance and, in specific medians, converting landscaping to decorative rocks to reduce water use and staff time. This agenda item is for City Council and the Park Commission to discuss herbicide use, review median-design ideas submitted by community members, and provide general directions on how they'd like medians and herbicide-use approached in the future.

POLICIES, PLANS & GOALS SUPPORTED

- [AMC 9.28. Pesticide Policy](#)
- [Ashland Parks and Recreation Commission Policy No. 105 Integrated Pest Management](#) (IPM)

BACKGROUND AND ADDITIONAL INFORMATION

History of Herbicide Use

- In 1996, the City adopted Ordinance 2790 establishing a Pesticide Policy which guided when and how pesticides would be used and stored for city operations.
- From 1996 to 2011, herbicides were routinely used in cemeteries, parks, playgrounds, medians, parking lots, and other areas with high weed volume.
- In 2011, a formal Integrated Pest Management policy was instituted by the Parks & Recreation Commission that significantly limited the use of herbicides in park-maintained areas. Since the Parks Department provided the maintenance of medians and other landscaped areas outside of parks, this also changed how medians were maintained. To support the policy shift, the Parks Department added a Volunteer Coordinator position to increase volunteer engagement for manually maintaining parks lands.
- In 2024, the Parks & Recreation Commission amended the Parks Department's Integrated Pest Management policy to follow the City's Ashland Municipal Code 9.28 Pesticide Policy for non-park areas – such as medians and parking lots. Herbicide begun being applied to non-park areas to help control weeds, reduce labor hours, and decrease time spent in medians.

Current Herbicide Use

The City of Ashland's use of herbicide is governed by two separate policies:

- [Ashland Municipal Code 9.28 Pesticide Policy](#), which applies to all public areas that are not designated as parks, trails, or open spaces.





Council Study Session

- [Ashland Parks & Recreation Commission Policy No. 105 Integrated Pest Management](#), which applies to all public parks, trails, and open spaces.

This map details where herbicides have been spot-sprayed or target-sprayed on city-owned property since 2024: <http://gis.ashland.or.us/herbicide>.

Per both policies, applications are strictly regulated to ensure public transparency and staff safety:

- Public Notification: Notice is posted onsite 48 hours before and maintained 48 hours after any application.
- Environmental Constraints: Applications are strictly weather-dependent to prevent drift or runoff.

Staff Credentials & PPE: The department maintains 3 licensed pesticide applicators. In Oregon, a state-level pesticide applicator license is required to apply, supervise, or advise on the use of restricted-use pesticides (RUPs) or other regulated pesticides in agricultural, commercial, or public settings.

Licensing is administered by the Oregon Department of Agriculture (ODA). Staff must wear full Personal Protective Equipment (PPE), including long pants, boots, long-sleeved shirts, and safety goggles.

The following herbicides are currently in use for landscape maintenance:

- *Glyphosate*: Diluted with water and applied via pressurized backpack sprayers for highly precise, localized spot-treatment of unwanted weeds only.
- *Casaron*: A granular pre-emergent applied to the soil via handheld spreaders to prevent seed germination.

Year	Total Glyphosate Applied*	Policy / Scope Context
2023	1.4 Gallons	Restricted primarily to park exceptions.
2024	2.0 Gallons	June 2024 approval expanded usage to non-park areas (medians, parking strips).
2025	5.37 Gallons	Reflects full-year maintenance of expanded City-owned non-park properties.

*Does not include the application of glyphosate at the Airport or the Ashland Creek restoration project, as both are applied by a contractor per project requirements.

Median Redesign

To reduce staff time, decrease water use, and lower maintenance costs, the City has converted landscape to decorative rock in three medians on Ashland St. The total cost of the redesign for supplies and staff time was \$11,000. No funds have been allocated for additional median conversions at this time.

Median Design Survey Results





Council Study Session

The City requested community feedback and recommendations on future median designs. The survey was open from March 14th through May 20th, 2026, and received 131 survey responses and 35 pictures of example medians. The major themes are summarized below:

- Overwhelming Opposition to Glyphosate/Herbicide Use. This is the dominant theme. Concerns center on cancer risk, harm to pollinators and wildlife (especially deer), contamination of soil and water, and worker safety. Many cite a pre-existing city resolution they believe already banned its use.
- Rejection of Rocks/Gravel as a Solution. This is the second-strongest theme. Respondents find the rock medians ugly, depressing, and out of character for Ashland. Practical objections include heat absorption, tree damage, tripping hazards, rocks entering the roadway, and that rocks still require herbicide to stay weed-free.
- Native and Drought-Tolerant Planting as the Preferred Alternative. Respondents want native, drought-tolerant, deer-resistant, pollinator-friendly plants — lavender, rosemary, sage, ornamental grasses, native wildflowers, and trees. Many reference specific plant species and local experts (Pollinator Project Rogue Valley, master gardeners, SOU programs).
- Community Stewardship and Volunteerism. Many respondents offer to help and propose formal mechanisms: adopt-a-median programs, school and business partnerships, volunteer weeding groups, collaboration with SOU, master gardeners, and tribal land management knowledge.
- Aesthetics as Economic and Civic Identity. Respondents connect median beauty directly to Ashland's tourism economy, college-town appeal, and community pride. Several argue that cost-cutting on medians is penny-wise and pound-foolish given the city's reliance on visitors. Ashland's identity as a "Bee and Tree City" comes up repeatedly.
- Governance Frustration and Distrust. A notable undercurrent of anger at city leadership and city actions, particularly feeling ignored, that decisions were made before public input was solicited, and that the city violated its own ordinances.
- Mulch and Natural Weed Control Methods. Specific suggestions for alternatives to herbicide: wood chip mulch (from local arborists), vinegar/salt/dish soap solutions, propane torches, hand weeding, and ground cloth.
- Bike Infrastructure and Multimodal Transport. A smaller but distinct thread, particularly focused on Siskiyou Blvd — calls for protected bike lanes, reduced car lanes, lower speed limits, and European-style street design.
- Trees and Shade as a Priority. Multiple respondents specifically want more shade trees, citing climate change, rising summer temperatures, and the cooling value of tree canopy. Removal of established trees is strongly opposed.
- Process Criticism. Several respondents object to how the feedback process was framed — arguing the survey assumed rocks/hardscape as the answer and asked only for details, rather than opening up the question.

Financial & Staffing Impact of Median Redesign and Herbicide Use

The redesign of the median and spot-spray applications of glyphosate and Casaron (pre-emergent) have had the following impacts on staff capacity and costs:

- Labor Reductions: Median maintenance dropped from an average of 40 hours per month to 16 hours per month starting in June 2024 after herbicides were approved to use. Medians account for 1.86 acres of maintained area, while parking lots and other non-park designated areas account for an additional 4.48 acres. Currently, parkland herbicide spot spraying accounts for about 2.42 acres that includes infields at North Mountain Park and parking lot and greens at the Oak Knoll Golf Course.
- Infrastructure Improvements: Rock medians installed in October 2025 have required zero ongoing maintenance due to a combination of pre-emergent application prior to rock install, the shading effect of the rocks, and the elimination of irrigation (except for targeted tree rings).





Council Study Session

- Current Care: Manual weeding, mulching, and biological alternatives are still prioritized over synthetic herbicide use wherever feasible. Currently, even after the herbicide application in the medians/parking lots, staff currently spends:
 - Median Maintenance: 10 hours a week x 1 person doing weed eating, hedging, edging, curbs, mowing, irrigation repairs
 - Parking Lot Maintenance: 8 hours a week x 1 person doing weed eating, hedging, edging, curbs, mowing, irrigation repairs
 - Since utilizing herbicides in city areas, the thickness of weeds is about 1/3 of what it used to be. Fewer weeds are going to seed.

Considerations

- Future Staffing Projections: Operating without herbicide application in medians, parking lots, and other non-park areas is estimated to require an additional full-time employee.
- Volunteer Limitations: The volunteer program is at maximum capacity, managing 52 to 60 work parties annually and over 12,000 hours (equivalent to 5 FTE) of volunteer service throughout the parks system. Expanding this program to offset manual weeding would require an additional full-time employee.

FISCAL IMPACTS

The current use of herbicides is estimated to save approximately 1,000 labor hours per year for the maintenance of medians, parking lots, and other non-park designated areas. If herbicide is not used the weeds will start growing again and that means more time spent on medians and parking lots in the future.

SUGGESTED ACTIONS, AND/OR OPTIONS

None

REFERENCES & ATTACHMENTS

1. Median Idea Pictures
2. Median Idea Pictures (continued)

