Council Business Meeting Agenda

ASHLAND CITY COUNCIL
BUSINESS MEETING AGENDA
Tuesday, May 2, 2023
Council Chambers, 1175 E Main Street

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

HELD HYBRID (In-Person or Zoom Meeting Access)

For written public testimony, email public-testimony@ashland.or.us
using the subject line: Ashland City Council Public Testimony

For public oral testimony, fill out a Speaker Request Form at ashland.or.us/speakerrequest
and return to the City Recorder at recorder@ashland.or.us no later than 10:00 a.m., Tuesday, May 2, 2023.

5:00 P.M. Executive Session – The Ashland City Council will hold an Executive Session for the following:

1. Deliberations with persons designated by the governing body to carry on labor negotiations, pursuant to ORS 192.660(2)(d).
2. To conduct deliberations with persons the City of Ashland has designated to negotiate real property transactions pursuant to ORS 192.660(2)(e).

6:00 P.M. Regular Business Meeting*

II. **CALL TO ORDER**
   1. Land Acknowledgement**
III. **PLEDGE OF ALLEGIANCE**
IV. **ROLL CALL**
V. **MAYOR'S/CHAIR OF THE COUNCIL ANNOUNCEMENTS**
   1. Proclamation Recognizing Asian American Heritage Month

VI. **APPROVAL OF CITY COUNCIL MINUTES *****
   1. Minutes of the April 17, 2023, Study Session
   2. Minutes of the April 18, 2023, Business Meeting

VII. **SPECIAL PRESENTATIONS & AWARDS**
VIII. **CITY MANAGER REPORT**
IX. **PUBLIC FORUM (15 minutes)** (Public input or comment from the audience on City business not included on the agenda.)

Council Business Meeting Agenda

X. **CONSENT AGENDA**

1. Advisory Committee Member Appointments
    - Climate and Environment Policy Advisory Committee
    - Housing and Human Services Advisory Committee
    - Historic Preservation Advisory Committee
    - Public Arts Advisory Committee

XI. **PUBLIC HEARINGS** (Hearings shall conclude at 8:00 p.m. and be continued to a future date to be set by the Council, unless the Council, by a two-thirds vote of those present, extends the hearing(s) until up to 9:30 p.m. at which time the Council shall set a date for continuance and shall proceed with the balance of the agenda.)

XII. **UNFINISHED BUSINESS**

1. Small Wireless Telecommunications Facilities
    a. Draft Amendments to AMC 13.02 Rights-of-Way
    b. Draft Resolution on Design Standards and Applications Requirements

XIII. **NEW BUSINESS**

1. Bonneville Power Administration (BPA) Wholesale Electric Contract Negotiation Presentation
2. 2021-2023 BN Quarterly Financial Report
3. Resolution 2023-08 Adopting the Ashland Housing Production Strategy
4. Class Special Procurement Sourcing Method Approval for "C" Mix Asphalt

XIV. **ORDINANCES, RESOLUTIONS AND CONTRACTS**

1. Intergovernmental Agreement with Southern Oregon University and the Ashland School District for Joint Emergency Operations and Planning
2. Contract for City Council Chamber Audio-Video-Broadcast Updates with CDW Government LLC

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

XVI. **ADJOURNMENT OF BUSINESS MEETING**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at 541.488.6002 (TTY phone number 1.800.735.2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

* 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, ashland.or.us/Agendas.asp.

CITY OF ASHLAND
Better Together

A PROCLAMATION CELEBRATING ASIAN AMERICAN HERITAGE MONTH

WHEREAS, The month of May was designated as Asian American and Pacific Islander Heritage Month in 1992 to recognize the innumerable contributions, vibrant cultures and rich heritage of Asian Americans, native Hawaiians and Pacific Islanders, and

WHEREAS, As some of the fastest-growing racial and ethnic groups in the nation, these communities represent a multitude of ethnicities, languages and experiences that enrich America, and

WHEREAS, Asians Americans and Pacific Islanders have lived and worked in Oregon for more than 200 years, contributing to the state's rich history, economy and culture, and

WHEREAS, Their history in Oregon is marked by a struggle for freedom, equity and justice, prevailing over the adversity of exclusion, persecution, incarceration and disparities, and

WHEREAS, These populations have helped advance Oregon's prosperity through their contributions to all fields of education, business, the arts, economic development, science and technology, and

WHEREAS, In Ashland, Chinese laborers built the railroad linking Southern Oregon to the rest of the country, and

WHEREAS, We have recognized that major contribution, in a small way, through the public art sculpture titled, *Golden Connections in Railroad Park*, and

WHEREAS, Hate crimes against Asians increased by nearly 400% in the last year and continue to threaten the safety of Asian Americans and Pacific Islanders, and

WHEREAS, As we celebrate these populations, we must redouble our commitment to combating the surge of anti-Asian hate crimes, and

WHEREAS, These acts are wrong; they must stop.

NOW, THEREFORE, I, Tonya Graham, on behalf of the City of Ashland, do hereby acknowledge the month of May as a time to celebrate the contributions of Asian Americans and Pacific Islanders to our culture and collective history. I call upon the people of Ashland to observe this month with appropriate reflection and learning and make time to visit Railroad Park and Golden Spike. In Ashland we are Better Together.

Dated this 2nd day of May 2023

Tonya Graham, Mayor

Melissa Huhtala, City Recorder

Better Together

ASHLAND CITY COUNCIL
STUDY SESSION
MINUTES
April 17, 2023
DRAFT

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

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

1. **Public Input** - None

2. **Ashland Housing Production Strategy Update**

Community Development Director Brandon Goldman, Housing Manager Linda Reid and Consultant Beth Goodman from ECONorthwest presented on the topic. Mr. Goldman provided background on developing the housing production strategy. Ms. Goodman provided a presentation (see attached):

- **Ashland: Housing Production Strategy**
- **Discussion**
- **What is a Housing Production Strategy (HPS)?**
- **Project Schedule and Primary Tasks**
- **Summary of Stakeholder Input**

Mayor Graham asked if they had included developers' suggestions to streamline development review. Ms. Goodman confirmed developers' input would be included. Mr. Goldman addressed the perception of the process being slow and unintended consequences of the code. Council had already identified the need to streamline the review process. Some issues were due to state building code requirements.

- **Strategies to Accommodate Housing Need in Ashland**
- **What is a city's role in housing development?**
- **Requirements of Strategies in the HPS**
- **Does the new HB 2001 Affect Ashland's HPS?**
- **Initiatives Approach Actions**

Councilor Kaplan asked about the median income for a family of four versus two. Ms. Goodman confirmed the median income for a two person family was $58,000. It was $73,000 for a family of four.

- **Initiatives Approach – Actions A & B**

Mr. Goldman used the ten acre site on Clay Street as an example of a land bank and explained the breakdown of the property. A land trust operated for a decade or more and acquired nineteen housing units in Ashland. It eventually dissolved, and was now under NeighborWorks Umpqua. Councilor Kaplan asked what the property tax treatment was for a

land trust. Mr. Goldman explained that Jackson County changed the assessed market value of the affordable housing to correlate with the market price the house will sell for. The property owner pays the tax on land improvements.

- **Initiatives Approach – Actions G**

Councilor Hyatt noted G. regarding new manufactured home parks and confirmed it addressed zoning.

- **Implementation Schedule**
- **Monitoring Actions – Strategies and Annual Monitoring**

Mr. Goldman addressed **Exhibit 11 Ashland's Future Households by Income, 2021 to 2041** in the HPS and explained the numbers in the chart could determine realistic targets.

- **Initiatives Approach Actions C-L, Funding Sources M-O**
- **Funding Sources Evaluated**
- **Implementation Schedule**
- **Summary of Actions**
- **Initiatives Approach – Actions G**

Council discussed developing new manufactured home parks with staff. Ms. Reid explained there was a desire and demand for manufactured homes using a cooperative ownership model versus leasing or renting the land. In the past, another agency used a land trust model for the ownership piece. Not everyone wanted to live in apartments.

Ms. Goodman clarified the action required draft code amendments related to changing the zoning. Alternately, if an existing manufactured home park was for sale, they might reserve it for low income by helping the owners work with a non-profit. Newly developed manufactured home parks were unlikely due to the cost of land in Ashland. Ms. Reid confirmed the items in the plan were up for consideration and would not tie the city into acting.

Mr. Goldman suggested the following language for **G., Maintain quality and support development and retention of manufactured home parks**. Council agreed to changing the language.

- **Implementation Schedule - Actions I**

Mr. Goldman explained the transit triangle and Siskiyou Boulevard were areas eligible for the Multiple Unit Property Tax Exemption (MUPTE) for multifamily or affordable housing. MUPTE only applied to new developments unless it existed and had substantial improvements. MUPTE would establish criteria for any projects that qualified and could apply to climate friendly areas.

Councilor DuQuenne left the meeting at 7:14 p.m.

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Mayor Graham asked about energy efficiency elements coming into play in 2029. Mr. Goldman explained they did not rank the item in the same manner as those that produced affordable units or preserved existing affordable units. However, CEAP and other conservation committees were working on it.

Councilor Hansen asked about using developers' input to create smoother processes going forward. Mr. Goldman referred to the stakeholder interviews where they saw issues with development code. Ms. Reid added staff consistently solicited feedback often and implemented changes. They kept a log of what was not working.

3. Adjournment of Study Session

The meeting adjourned at 7:26 p.m.

Respectfully Submitted by:

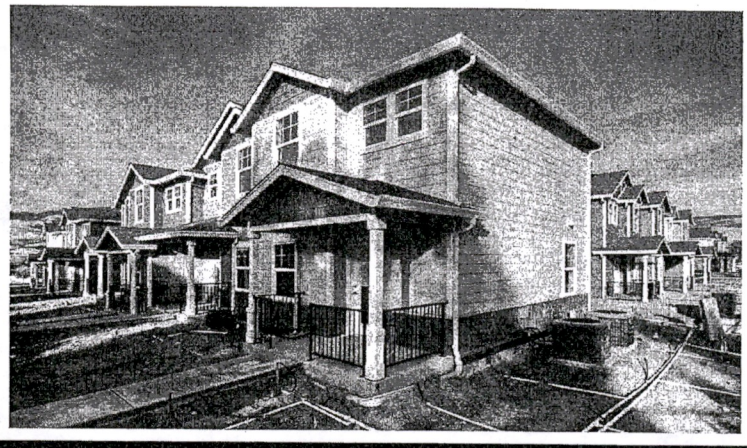
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Melissa Huhtala
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City Recorder Melissa Huhtala

Attest:

Mayor Tonya Graham





Ashland: Housing Production Strategy

City Council

April 17th, 2023

ECONorthwest

ECONOMICS • FINANCE • PLANNING

Tonight's Dis

- Discussion
  - Overview of input on the HPS
  - Focus on HPS actions, partners, funding sources, and adoption
  - Do you have any questions about the information in the document?
  - Are there any suggested changes to the HPS report?



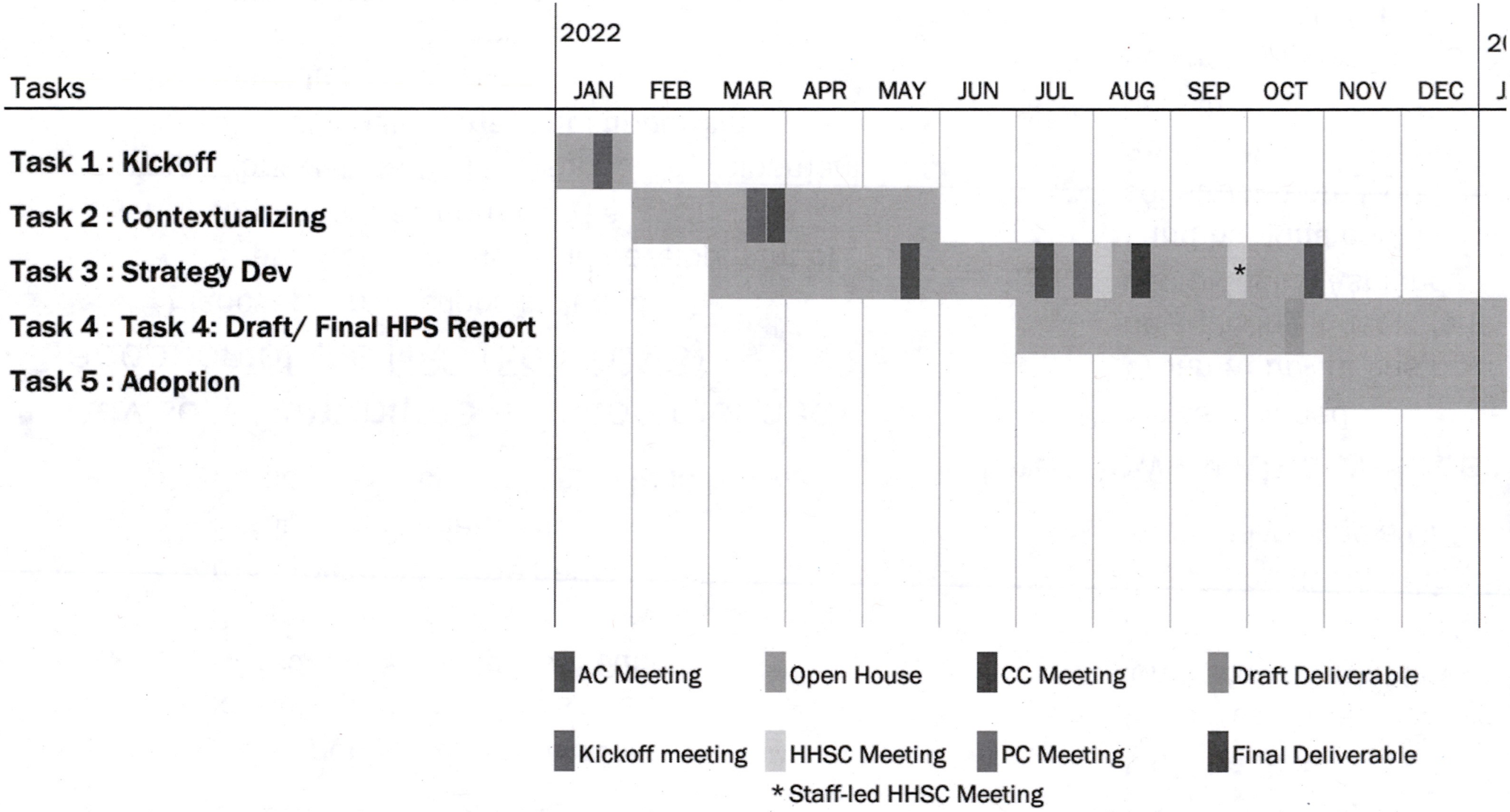


What is a Housing Production Strate

An 8-year action plan that identifies near and long-term strategie the City can take to support the development of needed housing especially low- and middle-income housing.



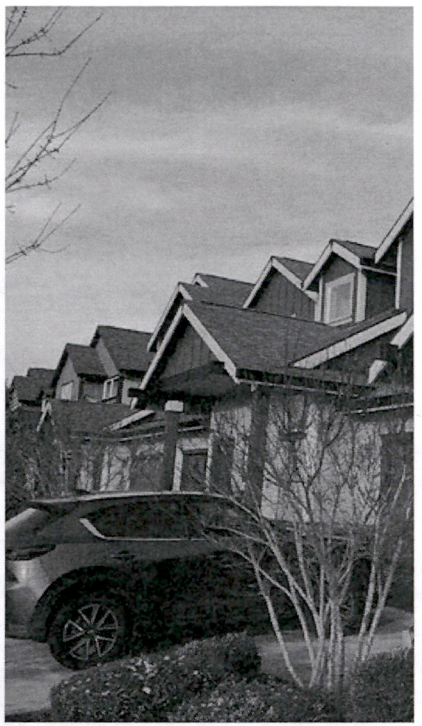
Project Schedule and Prim



Summary of Stakehold

- **HHSAC** – Recommended adoption of the HPS (Feb 23rd, 2023).
  - Highest priority actions included:
    - Identify additional funds to support the **Affordable Housing Trust Fund**
    - Support preservation and development of **manufactured home parks**
    - Participate in a **land trust**
    - Participate in or establish a **land bank.**
- **Advisory Committee** – Recommended adoption of the HPS (Feb 2023)
  - Highest priority actions included:
    - Support preservation and development of **manufactured home parks**
    - Work with partners to support development of additional **permanent supportive housing.**
    - Preserve and improve existing **low-cost, unregulated, rental housing.**
- **City Council** (Aug 2022) –
  - Was supportive of:
    - **Land banking**
    - **Land trust** - they were ver long-term affordability
    - Preservation of **manufact**
    - Evaluating using **Urban R**
    - Potentially using a **CET**
- **Interviews with developer**
  - Priorities included:
    - **Urban Renewal** has been neighboring jurisdictions useful tool in Ashland.
    - **Land banking** could allow construct more workforce
    - **Review the code** for unint density.
    - Evaluate opportunities to **development review.**





Strategies to Accommodate Housing Need in

ECONorthwest

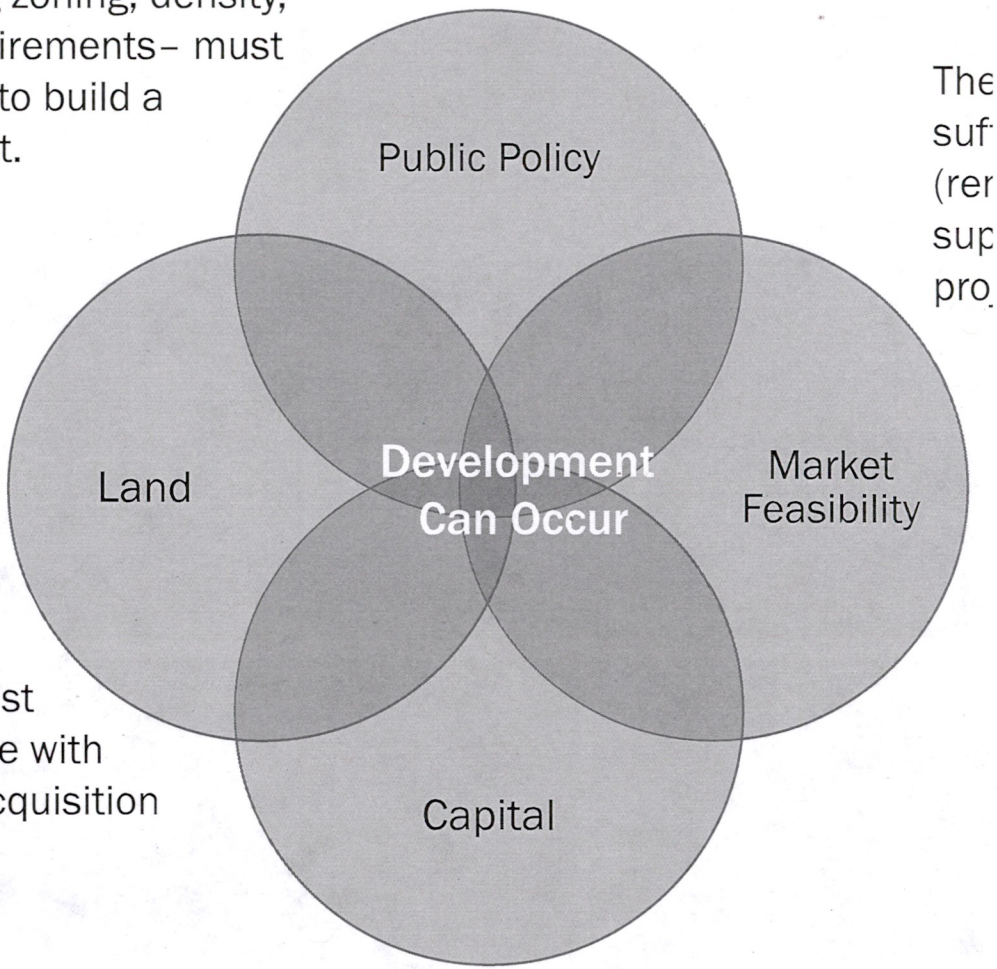
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What is a city's role housing dev

Cities can directly influence public policy, land, and infrastructure.

Cities may have limited influence on market feasibility

Policy—including zoning, density, and design requirements– must allow developer to build a profitable project.



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Developer must control the site with reasonable acquisition costs

Developer must be able to access resources for investment (e.g., equity investment, bank loans)

Requirements of Strategies in

- For strategies identified in the final HPS, the City of Ashland
  - Commit to implementation
  - Be required to update DLCD on implementation progress, and be requ comment on its effectiveness in the future
- Strategies not identified in the HPS may still be implemente City, but the City will not be held to specific action by the Sta



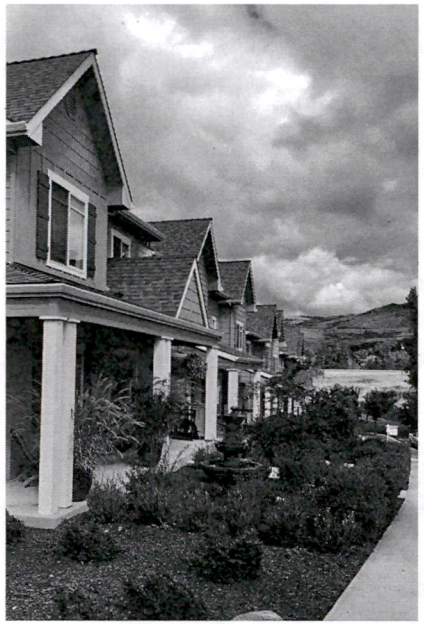


Does the new HB 2001 Affect Ashlar

- The new House Bill 2003 will change how Oregon cities do l capacity analysis and includes new requirements for housin production strategies.
- Cities currently doing HPS will **not** be impacted by HB 2001.

- Most HB 2001 requirements will start taking effect in 2025
- After 2025 DLCD will begin to evaluate performance for imp the new affordable housing development targets for cities n conducting an HCA
  - Cities found not to be meeting the new requirements may be audited b
  - Enforcement will start with support, collaboration, and technical assist

Initiatives A







- **Encourage development of low- an income affordable rental housing.** seeks to increase the housing options for unregulate households earning between 60% and 120% of MFI ($87,700).
- **Increase opportunities for affordab homeownership.** This initiative seeks to incr options for homeownership for households earning le (less than $87,700).
- **Encourage development of income affordable housing units.** There are limi available in Ashland that are affordable to household less than 60% of MFI ($43,900). This initiative suppo of housing affordable in this income group.
- **Preserve existing of low- and mode income affordable housing.** This initiat increase the housing options for households earning MFI (less than $87,700).

■ Primary Focus of the initiative ☐ Secondary Focus of the initiative

Action Name	Initiative Name		
	Encourage development of low- and moderate-income affordable rental housing	Increase opportunities for affordable homeownership	Encourag developmer income-restr affordable ho units
Actions			
A. Evaluate participating in or establishing a land bank.	■	■	■
B. Evaluate opportunities to participate in a land trust.	■	■	
C. Host educational events with the Housing and Human Services Commission	☐	■	■
D. Develop an equitable housing plan	☐	■	■
E. Disallow SFD in High Density R-3 Zone	■		☐
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	■		
G. Maintain quality and support development of a new manufactured home park	☐	■	
H. Increase development capacity of MFR dwellings	■		■
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	■		
J. Preserve and improve existing low-cost, unregulated, rental housing			
K. Work with partners to support development of additional permanent supportive housing			■
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	■	■	☐
Funding Sources			
M. Establish a Construction Excise Tax	■	■	■
N. Evaluate using Urban Renewal	☐	☐	■
O. Identify additional funds to support the Affordable Housing Trust Fund	■	■	■

Summary o

Action Name	Level of Affordability Addressed			Impact for Development	Admin Complexity	Feasibility
	<50% MFI	50%-80% MFI	80%-120% MFI			
Actions						
A. Evaluate participating in or establishing a land bank.	X	X		Small to Moderate	High	Moderate
B. Evaluate opportunities to participate in a land trust.	X	X		Small to Moderate	High	Moderate to Les Depends on having nonprofit partner
C. Host educational events with the Housing and Human Services Advisory Committee	X	X	X	Small	Low	More
D. Develop an equitable housing plan	X	X	X	Small	Low	More
E. Disallow SFD in High Density R-3 Zone	X	X	X	Small to Moderate	Low	Moderate
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	X	X	X	Small to Moderate	Low	Moderate
G. Maintain quality and support development of a new manufactured home park	X	X		Small to Moderate	Low	Moderate to Les Depends on fundir
H. Increase development capacity of MFR dwellings	X	X	X	Small	Low	More
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing		X		Moderate	Medium	Moderate
J. Preserve and improve existing low-cost, unregulated, rental housing	X	X		Small to Moderate	Medium	Moderate to Les Depends on fundir
K. Work with partners to support development of additional permanent supportive housing	X			Small to Moderate	Medium	Moderate to Les Depends on fundir
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	X	X	X	Small	Medium	Moderate
Funding Sources						
M. Establish a Construction Excise Tax	X	X		Moderate to large	Medium	Less to Moderate
N. Evaluate using Urban Renewal or other financing tools	X	X	X	Moderate	High	Less to Moderate
O. Identify additional funds to support the Affordable Housing Trust Fund	X	X		Moderate to large	High	Less

City and Partn

Actions	City	Other Government Agencies	Affordable and Market Rate Developers	Local Nonprofits
A. Evaluate participating in or establishing a land bank.	Contribute land or funding		Develop housing	
B. Evaluate opportunities to participate in a land trust.	Contribute land or funding		Develop housing	Manage Land Trus
C. Host educational events with the Housing and Human Services Commission	Partner to identify needs, develop materials, do outreach and plan/host events			Partner to identify ne develop materials, outreach and plan ev
D. Develop an equitable housing plan	Develop plan, adoption, implementation,	Provide input	Provide input	Provide input
E. Disallow SFD in High Density R-3 Zone	Revise development code			
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	Revise development code			
G. Maintain quality and support development of a new manufactured home park	Revise development code; outreach to property owners and nonprofits	OHCS: partnership on preservation efforts		Partnership on preserv efforts
H. Increase development capacity of MFR dwellings	Revise development code		Provide input	
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	Outreach, develop eligibility criteria, adoption, implementation, promotion	Taxing Districts: consider exemption approval	Provide input	
J. Preserve and improve existing low-cost, unregulated, rental housing	Develop program; funding; outreach & promotion	Ashland Housing Authority: provide input & materials; outreach		Partnership; provide in materials; outreac
K. Work with partners to support development of additional permanent supportive housing	Provide funding and development assistance opportunities	Jackson County: partnership to develop regional approach.		Service providers: ide and utilize funding a development assista opportunities.
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	Evaluate opportunities; determine implementation steps and identify partners	Ashland Building Division: provide input	Provide input	
Funding Sources				
M. Establish a Construction Excise Tax	Develop and implement plans		Provide input	
N. Evaluate using Urban Renewal or other financing tools	Establish and partner w/Urban Renewal Agency	URA: Select projects; implement the Plan		
O. Identify additional funds to support the Affordable Housing Trust Fund	Evaluate new sources of funding, develop, and implement plan			

Funding Sources E

Recommendation for Inclusion in the HPS as an Action?	Revenue Source	Rationale for Inclusion/Exc
Yes	**New Urban Renewal Area, if established**	Could provide a stable, dedicated revenue source in a infrastructure.
Yes	**Use of CET funding, if established**	Provides a funding source to support developer incen homeownership and affordable housing programs.
No but staff will continue to pursue	Grants and State Funding	Not included as an action but considered as a source strategies.
No but the City will accept these	Private donations and gifts	Pursue as the City has staff capacity, without dedicate substantial source of funding
Consider as a source of funding for the AHTF	General Obligation Bond	Requires voter approval and may be difficult to pass
No	New local option levy	Requires voter approval, unlikely to pass
No	Increased lodging tax	Only 30% increased revenue could go to housing; 70% promotion
No	Marijuana tax	A portion of the proceeds from the City's portion of the already a long-term revenue source to fund the AHTF.
No	Increase Systems Development Charges	Does not provide a source of funding for development
No	Increased utility fee	Does not provide a source of funding for development
No	Increased building and planning permit fees	Does not provide a source of funding for development
No	New business license fee	May hinder local business development
No	New food and beverage tax	The city passed this, but revenue was not allocated fo
No	New sales tax	May not be politically feasible
No	New payroll/business income tax	May not be politically feasible
No	New ticket tax	May not be politically feasible
No	New real estate transfer tax	Not legal in Oregon
No	New vacant/second home tax	Untested and possibly not legal in Oregon

Implementation S

Actions	July 1 2023 through December 2023	2024	2025	2026	2027	2028	202
A. Evaluate participating in or establishing a land bank.			Evaluate opportunities	Get policy direction from City Council	Implement		
B. Evaluate opportunities to participate in a land trust.		Evaluate opportunities	Get policy direction from City Council	Implement as opportu			
C. Host educational events with the Housing and Human Services Commission		On-Going					
D. Develop an equitable housing plan	Develop Plan	Adopt	Implement				
E. Disallow SFD in High Density R-3 Zone				Develop Ordinance	Adopt	Implement	
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones			Adopt	Implement			
G. Maintain quality and support development of a new manufactured home park	Begin Refining	Adopt	Implement				
H. Increase development capacity of MFR dwellings				Develop Ordinance	Adopt	Implement	
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing					Begin implementati on Steps	Adopt	Impler
J. Preserve and improve existing low-cost, unregulated, rental housing			Evaluate programs	Get policy direction from City Council	Implement		
K. Work with partners to support development of additional permanent supportive housing		On-Going					
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development							Get p direc from Cou
M. Establish a Construction Excise Tax		Evaluate approach	Adopt	Implement			
N. Evaluate using Urban Renewal or other financing tools				Evaluate approach	Develop Plans	Adopt	Impler
O. Identify additional funds to support the Affordable Housing Trust Fund		Evaluate new sources	City council to give policy direction	On-Going			

Monitorin

trategies	Annual monitoring
Overall Monitoring	▪ # of affordable units developed by income range ▪ # of affordable projects developed
A. Evaluate participating in or establishing a land bank.	▪ #of acres acquired for land banking ▪ # of dwelling units developed on land from land banki ▪ Amount of funding contributed to land bank
B. Evaluate opportunities to participate in a land trust.	▪ # of partnerships with land trusts ▪ # of acres contributed to land trusts ▪ Amount of funding contributed to land trust ▪ # of dwelling units developed in land trusts
C. Host educational events with the Housing and Human Services Advisory Committee	▪ # of events hosted ▪ # of attendees at events ▪ Demographics of attendees ▪ Topics of events, such as affordable housing or Fair H
D. Develop an equitable housing plan	▪ Equitable housing plan developed and adopted.
E. Disallow SFD in High Density R-3 Zone	▪ Ordinance developed and approved. ▪ Comparison of newly developed housing in R-3 with hi
F. Maintain quality and support development of a new manufactured home park	▪ Ordinance developed and approved. ▪ # of partnerships established to support preservation ▪ Amount of funding contributed to support preservatio ▪ Changes in manufactured park ownership
G. Increase development capacity of MFR dwellings	▪ Ordinance developed and approved. ▪ Comparison of newly developed multifamily housing w

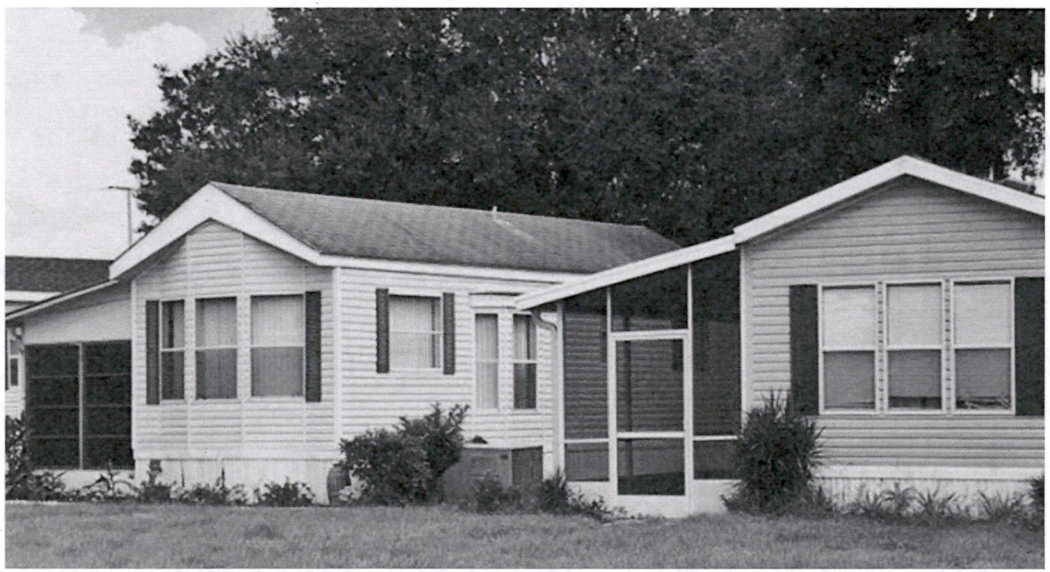
Monitoring Action

trategies	Annual monitoring
H. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	▪ Exemption developed and implemented ▪ # of inquiries about tax exemption ▪ # of projects (and units) granted tax exemption
I. Preserve and improve existing low-cost, unregulated, rental housing	▪ Amount of funding used for rehabilitation or preservat ▪ # of units where funding was given for rehabilitation o ▪ New partnerships established or expanded for preser
J. Work with partners to support development of additional permanent supportive housing	▪ New partnerships established or expanded ▪ # of permanently supportive housing projects (and un
K. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	▪ # of new ordinances or policies that encourage energy ▪ # of new housing units developed under those policies
L. Establish a Construction Excise Tax	▪ Ordinance adopted ▪ Plan developed for the use of CET funds. ▪ Use of CET funds ▪ # and types of units developed supported by CET; affo
M. Evaluate using Urban Renewal	▪ Urban Renewal Plan developed and adopted ▪ Amount of funding investments made with urban rene affordable housing ▪ # of all units and of affordable units built using urban
N. Identify additional funds to support the Affordable Housing Trust Fund	▪ Additional funding sources identified. ▪ Amount of additional funding directed to the Affordabl ▪ Use of AHTF funds ▪ # and types of units developed supported by AHTF; af

Recomme

- Develop pre-approved plan sets for Middle Housing Typologies and Accessory Dwelling Units.

- Consider staff capacity for implementation of the HF







Questions for City

- Do you have any questions about the information in the document?
- Are there any suggested changes to the HPS report?





- City Council Adoption Hearing – May 2





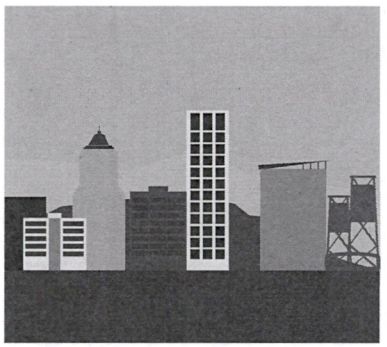


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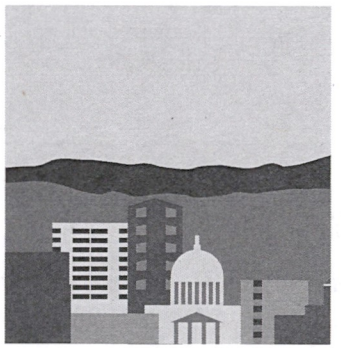
Los Angeles



Portland



Seattle



Boise

Action A. Evaluate participating in or establish

Purpose: Land banks support low- and moderate-income afforc housing development by reducing or eliminating land cost from development, increasing a nonprofits' capacity to build affordal

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of
Get policy direction from Council - 2026	2027; on-going	On-going; as land i

Action B. Participate in a

Purpose: Land trusts hold land in perpetuity and sell or lease th on the land at below-market rate prices. Land trusts most frequ provide opportunities for homeownership that remain affordabl long-term.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
Get policy direction from Council - 2025	2026; on-going	On-going; as oppo

Action C. Host educational events with the HHSA
orga

Purpose: Provides education around housing issues, which can
prevent and address housing discrimination, ensure rights are
and connect residents with housing resources.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of
Begin in 2024	On-going	On-goin

Action D. Develop an equitable hou

Purpose: Addresses identified impediments to fair housing such limited community awareness about fair housing protections ar resources, instances of discrimination in housing transactions, of affordable housing.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
2024	2025	On-goi

Action E. Disallow SFD in High Density

(excepting areas in the h

Purpose: Increases efficient use of land in the R-3 by focusing d opportunities for higher density development by removing singl detached housing as an allowed use for new development

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
2027	2028	On-go

Action F. Evaluate increasing allowances for r dwellings in commercial and employm

Purpose: Lowering or eliminating barriers to residential develop commercial or mixed-use zones can help encourage the develo more dense multifamily housing in these zones. May increase a for residential dwellings in commercial and employment zones.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
2025	2026	On-g

Action G. Maintain quality and support prese existing manufactured home parks an

Purpose: Preserve and support development of new manufactu housing parks because they play a significant role in providing r occurring affordable housing. The City could adopt a zone that a manufactured home parks as a permitted use and prohibits oth single-family detached or multifamily housing.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
2024	2025	On-g

Action H. Increase development capacity of MFR through changes to the Land Use Ordinance dev

Purpose: Removing barriers to development of multifamily housing in the land use or

- Increasing the maximum allowed densities in R-2, R-3, and parts of the Normal Neig Croman Mill District designations.
- Increasing allowed height in the R-2 and R-3 multi-family residential zones, outside historic districts, from 2 1/2 to 3 stories and from 35 to at least 40 feet, and up to 5(
- Increasing lot coverage allowances slightly in the R-2 and R-3 zones to support the c amendments
- Evaluating the code to identify and remove unintentional barriers to density, such as elements of the solar ordinance, parking or driveway requirements.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
2027	2028	On-g

Action I. Implement the Multiple Unit Property Tax E (MUPTE) to support multifamily or affordabl

Purpose: Provides a way to leverage private, market-rate develc expand affordable housing. Offers multi-unit developers that m affordability criteria a partial property tax exemption

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of
2028	2029	The property tax exem used after adoption fo the City offers the tax

Action J. Preserve and improve existing unregulated, renta

Purpose: Supports needed repairs for low-cost unregulated hou without displacing tenants. The City could evaluate programs, t assistance opportunities, regulatory changes, and other option support property improvements. The City could provide grant fu support of rehabilitation, weatherization or accessibility upgrad

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe o
Get policy direction from Council - 2026	2027	On-goi

Action K. Work with partners to support develo additional permanent supportiv

Purpose: Supports development of income-restricted housing t includes services with a goal of ending chronic homelessness. would work with service providers to identify and utilize funding development assistance opportunities.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
2024	On-going	On-goi

Action L. Evaluate opportunities to improve energy
and reduce GHG emissions during housing dev

Purpose: Helps the City meet its Climate and Energy Action Pla goals and can lower-long term energy costs. The City can evalua opportunities to incorporate elements of the CEAP into housing developments. The City could also facilitate access to energy ef incentives available from the federal and state government, pa development of affordable housing.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
Get policy direction from Council - 2029	2030	On-go

Action M. Establish a Construction

Purpose: Construction Excise Tax (CET) is one of few options to additional locally-controlled funding for affordable housing. The use CET revenue funds to support the development or re-develo affordable housing.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe o
2025	2026	If a CET is implement several years for func accumulate to an am could be used to sup development of hous

Action N. Evaluate using Urban

Purpose: Provides a flexible funding tool that can support many strategies identified in the Housing Production Strategy.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe o
Evaluate approach – 2026 Develop plans – 2027 Adopt – 2028	2029	After implementatio be several years b sufficient revenue Renewal District to funds to make investment in

Action O. Identify additional funds to su
Affordable Housing T

Purpose: Identifying additional funding sources for Ashland's Af
Housing Trust Fund would provide direct financial resources to
development of affordable housing for low-income households.

Action Timeline

Timeline for Adoption	Implementation to Commence	Timeframe
Get policy direction from Council - 2025	2026	It may take seve there is sufficient enough funds to investment

ASHLAND CITY COUNCIL
BUSINESS MEETING
MINUTES
Tuesday, April 18, 2023

I. CALL TO ORDER

Mayor Tonya Graham called the meeting to order at 6:00 p.m.

1. Land Acknowledgement

Councilor Kaplan read the land acknowledgement.

II. PLEDGE OF ALLEGIANCE

Councilor Hyatt led the Pledge of Allegiance.

III. ROLL CALL

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

IV. MAYOR'S/CHAIR OF THE COUNCIL ANNOUNCEMENTS

1. **Proclamation Recognizing Historic Preservation Week in Ashland**
2. **Proclamation Supporting the Oregon Shakespeare Festival**

Mayor Graham read both proclamations.

V. APPROVAL OF CITY COUNCIL MINUTES ***

1. **Minutes of the April 3, 2023, Study Session**
2. **Minutes of the April 4, 2023, Business Meeting**

Councilor Hansen/Dahle m/s to approve the minutes of April 3, 2023, and April 4, 2023. Voice Vote: ALL AYES. Motion passed.

VI. SPECIAL PRESENTATIONS

1. Alan C. Bates Public Service Award

Mayor Graham honored Michael Dawkins' years of volunteer service to the city by presenting him with the Alan C. Bates Public Service Award.

Pam Marsh/Ashland/Shared her experience working with Mr. Dawkins and spoke of his abiding love for this community.

Roger Pearce/Ashland/Spoke of his experience working with Mr. Dawkins and his genuine care for this community.

Paula Hyatt/Ashland/Thanked Mr. Dawkins and deeply appreciated his contribution to Ashland.

Dave Dotterer/Jackson County Commissioner/Spoke about how Mr. Dawkins was easily respectful under any circumstance.

David Lohman/Medford/Shared his friendship with Mr. Dawkins since adolescence. He spoke to Mr. Dawkins' respect for others' viewpoints. He was always a doer and an enabler.

Mr. Dawkins expressed his appreciation for the award. He shared memories of his upbringing through the Oregon Shakespeare theatre. Ashland was his true love. He had arranged to have his ashes spread in the garden where he lives.

2. Historic Preservation Advisory Committee Annual Report

Senior Planning Derek Severson introduced Historic Preservation Advisory Committee Chair Beverly Hovenkamp who gave the annual report along with details of Historic Preservation Week starting May 14, 2023, submitted into the record (see attached).

VII. CITY MANAGER REPORT

City Manager Joe Lessard noted building permits were issued for 188 Garfield Street and occupancy permits issued for a cottage housing development on Coffee Lane. He announced the promotions of Molly Taylor as the interim Human Resources Director and Brandon Goldman as the Community Development Director. City Conservation Division staff would participate in Earth Day Friday, April 21, 2023. They authorized the emergency weather shelter to open for last night but did not have volunteers to staff it. The shelter would open the following night pending volunteers. He went on to review Look Ahead.

VIII. PUBLIC FORUM

Miriam Reed/Ashland/Expressed her dissatisfaction with the process regarding the telecommunications ordinance.

Bruno Marcotulli/Ashland/Expressed his dissatisfaction with the process regarding the telecommunications ordinance.

Kelly Marcotulli/Ashland/For five years she spoke to issues regarding cell towers. She expressed her dissatisfaction with the telecommunications ordinance, council, and staff.

Paul Mozina/Ashland/Spoke regarding the increase of EMS calls from the Ashland Fire and Rescue and wanted detailed data on the calls to determine potential funding.

IX. CONSENT AGENDA

Mayor Graham pulled Consent Agenda item #2 for further discussion.

1. City Council Liaison Appointments

- **Jeff Dahle to the Historic Preservation Advisory Committee**
- **Dylan Bloom to the Forest Lands Advisory Committee**

Councilor Hyatt/Bloom m/s to approve Consent Agenda Item #1. Roll Call Vote: Councilor Kaplan, Hyatt, Dahle, Hansen, DuQuenne, and Bloom, YES. Motion passed.

2. Grant Application for Unhoused Emergency Shelter

Mayor Graham expressed concern regarding aspects of the grant application. Community Development Director Brandon Goldman and Housing Manager Linda Reid responded. This was a request for staff to prepare and apply for the grant. It would come back to council to accept the grant. It would require the city to maintain the service beyond January 10, 2024, when the grant concluded. The intention of the grant was to create rapid reportable outcomes. The short timeline and turnaround would not allow the city to create programs or development proposals to cultivate new relationships or explore new things. It was specifically for items already in the pipeline. Council and staff discussed how they might use the funds if the city received the grant.

Councilor Bloom/DuQuenne m/s to authorize staff to prepare and submit an application for grant funding to acquire and renovate a building to be used for sheltering purposes, and to contract with a service provider to oversee the operations of the shelter.
DISCUSSION: Councilor Bloom noted council could choose to accept the award or not, but it provided incentive to move forward with a plan. Councilor DuQuenne agreed. Mayor Graham thought there were low overhead permanent concepts and did not want to tie the City's hands for securing this kind of infrastructure. Councilor Bloom suggested using the word facility instead of building. Mayor Graham suggested using, submit an application for grant funding to develop some form of shelter bed in accordance with state recording.

Councilor Hyatt/Kaplan m/s to amend the motion such that the grant funding to acquire and renovate a building, be changed to submit an application for grant funding to address facility needs for the use of shelter purposes. Discussion: Councilor Hyatt thought keeping the amended verbiage vague gave staff the broadest spectrum to navigate the parameters outlined tonight. Councilor Kaplan agreed. **Roll Call Vote. Kaplan, Dahle, Hyatt, DuQuenne, Hansen, and Bloom, YES. Amended motion passed.**

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

X. PUBLIC HEARINGS

1. Community Development Block Grant (CDBG) Awards

Housing Manager Linda Reid spoke about the applicants who submitted applications and explained how the community development block grant worked and the allocations the Housing and Humans Services Advisory Committee recommended.

Public Testimony

Mary Farrell/Maslow/Explained how the Maslow Project had grown their program significantly. She described staff credentials, and how they worked closely with local agencies to provide the best possible service. Maslow Project had almost a 100% graduation rate. She

credited it to the involvement of the Ashland community. She concluded by sharing a success story.

Mayor Graham closed the public hearing at 7:32 p.m.

Councilor Hansen asked about the commercial kitchen and city use. Ms. Reid confirmed OHRA's commercial kitchen would be available to the city as needed.

Mayor Graham asked if the city could build navigational support into the state grant previously discussed to develop shelter beds. Ms. Reid confirmed OHRA would be required to provide navigational services and explained how. She was not sure if that would address OHRA's shortfall for navigational services currently being offered. City Manager Joe Lessard clarified the grant was on a shorter timeline. Councilor Kaplan confirmed funding for navigational services was for people who were housed, and the grant funds would be restricted to new shelter beds.

Councilor DuQuenne declared a conflict of interest due to her being on the Maslow Project board. She asked Council to recuse her from the vote.

Councilor Hyatt/Hansen m/s to approve Councilor DuQuenne' s request for recusal.
Roll Call Vote: Councilor Kaplan, Dahle, Bloom, Kaplan, and Hansen, YES.

Councilor Hansen/Hyatt m/s to direct staff to draft the 2023 Annual Action Plan for the use of Community Development Block Grant funds reflecting the award of CDBG funding for the 2023 Program year as follows:

- **$15,000 to Maslow Project School Based Services**
- **$11,936 to Options for Helping Residents of Ashland Navigation Services**
- **$141,235 to Options for Helping Residents of Ashland Commercial Kitchen Project**

DISCUSSION: Councilor Dahle commented on the special services. Councilor Hyatt expressed her appreciation for OHRA and the Maslow Project. She thanked Ms. Reid for her efforts.
Roll Call Vote: Councilor Hansen, Hyatt, Kaplan, Bloom, and Dahle, YES. Motion passed.

XI. **UNFINISHED BUSINESS** - None

XII. **NEW BUSINESS**

1. **Acquisition of the Palen Property (Taxlot 391E16–600) for the Open Space Park Program**

Parks and Recreation Director Michael Black explained the benefits of purchasing the property. He provided a presentation (see attached):

- **Palen Property Taxlot 391E16-600**
- **Open Space Plan - 2005**
- **Trails Master Plan**

Councilor Bloom asked what would happen to the System Development Charges (SDC) if Council did not move forward at the end of the fiscal year. Deputy City Manager Sabrina Cotta explained the funds would remain in the Parks and Recreation Department for uses such as this.

Councilor DuQuenne asked about the SDC funds, the trail and maintenance. Mr. Black explained how SDC funds were collected. He went on to confirm the Alice in Wonderland trail was one of the oldest and most used trails and served as a collector. Trail maintenance was done through volunteer or contract labor. There was also a trails crew in the Parks and Recreation Department.

Councilor Hyatt asked about the diverse types of use and plans to ensure safety for all modalities. Mr. Black explained there were two trails, one for mountain bikes and one for pedestrians, and discussed making them distinct.

Councilor Hansen/Dahle m/s to approve the proposed acquisition of the Palen Property, Taxlot 391E16 – 600 as described in the staff report and for its dedication as Parks and Open Space program inventory. DISCUSSION: Councilor Hansen noted the property was special and how this purchase would bring in pedestrians, horse riders, and bicyclists. Securing this property was galvanizing a piece of social equity for all Ashland residents and others to enjoy. It would provide economic opportunities to build more trails. Councilor Dahle agreed. He remembered when Alice in Wonderland was the only trail and what had been done was outstanding. In addition to supporting recreational and economic values, equally important was public safety and forest resiliency. Councilor DuQuenne supported the motion because of the economic value it would bring to Ashland. **Roll Call Vote: Councilor Hansen, DuQuenne, Dahle, Kaplan, Bloom, and Hyatt, YES. Motion passed.**

2. Climate Change Addendum to the Ashland Forest Plan

Wildfire Division Chief Chris Chambers and Forest Lands Committee member Luke Brandy explained the effects of climate change currently occurring and what would happen in the future. Climate change had resulted in mass fire. They described the devastating effect. They cited studies and described the devastation of tree species. This destruction prompted the need to add a climate change addendum to the Ashland Forest Plan

Committee member Brandy explained the process the committee used to determine what was relevant to Ashland's forests. The Committee compiled climate science into the Ashland Forest Plan and after it was completed how things changed including the death of old growth trees. It was happening quickly and was severe. They held an open house and incorporated those thoughts into the addendum.

Councilor Kaplan asked about competing objectives taking a higher priority with conflicting issues. Division Chief Chambers explained competing objectives were typical. There were different strategies. They would go through project planning, analyzing conflicting objectives,

fires, and soil. Spatially, they could not achieve multiple objectives but could accomplish some on the landscape. Modeling was another way to help weigh different objectives. He described the monitoring process and commented on the volume of data.

Councilor Kaplan, asked about partnerships already in place and managing those impacts. Division Chief Chambers listed the groups assisting and their roles. One study focused on the impacts of recreation on forest lands. It was better to have recreation dispersed over the landscape, but the type of recreation mattered. There was science behind it as well as impacts of trails in specific areas. Councilor Kaplan asked about self-policing. Division Chief Chambers cited partnerships that enforce trails and prevent people from branching off and making their own trails.

Councilor Dahle asked about public awareness and education. Committee member Brandy explained steps taken and how the pandemic stalled moving forward with those efforts. However, they were bringing back public field trips and had reached out to working or retired professionals to get involved as well.

Councilor Hansen asked if this would help with fundraising and grant writing efforts. Division Chief Chambers thought it would.

Charisse Sydoriak/Ashland/Read from a document submitted into the record (see attached).

Councilor Dahle asked what the timeline was to update the plan. Committee member Brandy explained it was a ten-year plan and hoped to start in 2026.

Mayor Graham asked about council and public participation. Division Chief Chambers explained it was a strategic level document and would not have the detail that the project proposals would have.

Council Kaplan commented on the committee having and noticing public meetings. Division Chief Chambers responded scheduling issues with the meetings were resolved. Regular meetings occurred on the second Tuesday of each month at 5:30 p.m. at Fire Station No. 2.

Councilor Hansen/Bloom m/s approve and make final the Ashland Forest Plan Climate Change. DISCUSSION: Councilor Hansen appreciated the extra steps staff were taking. Councilor Bloom looked forward to working with both of them. Councilor Kaplan commented on the complexity of the matter. **Roll Call Vote: Councilor Kaplan, Dahle, Hansen, DuQuenne Bloom, and Hyatt, YES; Motion passed.**

Council directed staff to meet with council twice a year going forward.

XIII. **ORDINANCES, RESOLUTIONS AND CONTRACTS**

1. **Second Reading of Ordinance 3220 Amending the City's Food and Beverage Tax to correspond with the City's referendum ballot language for the May 16, 2023, Special Election**

Acting City Attorney Doug McGeary read the changes made to the ordinance during first reading.

Public Testimony

Susan Hall/Ashland/Read from a document submitted into the record (see attached).

Councilor Hansen/Kaplan m/s to approve second reading 3220 that corresponds with the City's Food and Beverage Tax referendum ballot measure for the May 16, 2023, Special Called Election. DISCUSSION: Councilor Hansen liked the idea of a funding source. It would get everyone out to enjoy nature no matter who they were and lessen the burden on the general fund. Councilor Kaplan supported the motion. It was great financial policy for the city. He hoped it passed. Councilor Bloom supported the motion but did not support it being extended to 2040. Councilor DuQuenne did not support the motion. She wanted it to go to the people and listed what the tax could have helped. **Roll Call Vote: Councilor Dahle, Bloom, Hyatt, Hansen, and Kaplan, YES; Councilor DuQuenne, NO. Motion passed 5-1.**

2. **Contract Amendment with RH2 Engineering for the East & West Forks Water Transmission Line Design and Construction Administration**

Public Works Director Scott Fleury provided an overview, explained the amendment and details of the project. They were requesting additional appropriation in the 2024-25 budget. It was unanticipated and due to additional construction administration requirements imposed by the Federal Energy Regulatory Commission (FERC) which had become more stringent based on past issues. Councilor DuQuenne asked if the request was in the budget. Mr. Fleury confirmed it was and part of the capital plan the council accepted and part of the 2023-25 biennium.

Councilor Bloom/Hyatt m/s to approve a professional services contract amendment with RH2 Engineering in the amounts of $210,515 for the design and construction administration of the East and West Forks Rehabilitation Project. DISCUSSION: Councilor Bloom thanked staff for their diligence. Councilor Hyatt appreciated the background on FERC. It would contribute to maintenance and provide back up in case of algae blooms in the reservoir. Councilor DuQuenne appreciated this was not budgeted prior but thought it should have been budgeted ahead of time. Mayor Graham asked Mr. Fleury to respond. Mr. Fleury Scott explained there was an appropriation that covered the increase in this project and why staff was requesting additional appropriations in 2023-25. Anticipating every nuance FERC might impose would encumber a significant amount money. If they did not use the money, it went back into the water fund. Existing money would go back into construction. No one anticipated FERC being this stringent. **Roll Call Vote: Councilor Kaplan, Hyatt, Dahle, DuQuenne, Hansen, and Bloom, YES. Motion passed.**

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

1. City Managers One Year Performance Review

Deputy City Manager Sabrina Cotta provided background the city manager's review.

Councilor Hyatt/Dahle m/s that the City Manager has successfully met the performance standard as set by City Council and has successfully passed his annual performance review.
DISCUSSION: Councilor Hyatt thanked the city manager for the past year of efforts. Councilor Dahle thanked Mr. Lessard for his professionalism and organization. **Roll Call Vote: Councilor DuQuenne, Kaplan, Hansen, Bloom, Dahle, and Hyatt, YES. Motion passed.**

XV. ADJOURNMENT OF BUSINESS MEETING

Councilor Bloom/Hansen/s to adjourn the meeting at 9:24 p.m. Voice Vote: ALL AYES. Motion passed. The meeting adjourned 9:24 p.m.

Respectfully Submitted by:

Respectfully Submitted by:

DocuSigned by:
Melissa Huhtala
A02A82A0E5F2482...
City Recorder Melissa Huhtala

Attest:

Mayor Tonya Graham

Special ... annual repo
04.18.23

CITY OF ASHLAND
Better Together

ASHLAND HISTORIC PRESERVATION ADVISORY COMMITTEE
CITY COUNCIL UPDATE
April 18, 2023

Good evening, honorable Mayor and Councilors.

I appreciate the opportunity to address the Council on the work of the Ashland Historic Preservation Advisory Committee or HPAC over the last year. I have served on HPAC for the last five years, and was elected as Chair in the Fall of 2021. I am indebted to the former Chair, Dale Shostrom, whose considerable knowledge and experience in leading the Historic Preservation Advisory Committee over many years has proven to be an invaluable resource. I do not have a background in the building trades, but I do have a lifelong commitment to the preservation of historic buildings and the stories they tell. My aspiration to be able to read architectural blueprints remains largely unfulfilled, but my colleagues on the Historic Preservation Advisory Committee have shown great forbearance with my learning process. I also want to give credit to the exceptional support of the staff from the City Department of Community Development. Regan Trapp is the person the Committee relies on for organizing our monthly meetings, and she does so with remarkable cheerfulness.

As many of you know, the Ashland Historic Preservation Advisory Committee is a nine-member citizen advisory body that reviews planning applications, building permits and sign permits within the city's four historic districts. The Historic Preservation Advisory Committee works with developers and property owners to ensure that both new construction and renovations compliment the four National Register historic districts. In a typical year, before the pandemic, HPAC provided over 300 volunteer hours by holding Committee meetings, as well as advising community members, property owners and design professionals on potential and on-going projects through the Committee's weekly Review Boards.

HPAC resumed in person meetings as of October of 2022, although we continue to offer the option of participation via Zoom. Our Review Board meetings were discontinued with the pandemic as well, but will resume this week. These weekly in-person Review Board meetings, in which at least three members of the Committee review building permits, sign permits and pre-application submittals for properties in the historic districts and also meet with property owners, contractors and designers to provide informal initial design feedback. The Committee is eager to reconvene these Review Boards so that applicants will have the benefit of more timely advice about the specific requirements related to projects in the Historic Districts.

Despite the disruptions in continuing to hold meetings virtually for much of 2022, HPAC was able to fulfill its mandated responsibilities. These accomplishments are listed below:

- As noted, HPAC returned to regular, in person monthly meetings in October of 2022.
- HPAC held it first Committee retreat in January, which we hope will become an annual occurrence. The retreat provided the opportunity to meet in person to discuss the Committee's roles and responsibilities; review an audit report of the city's activities as a Certified Local Government

prepared by the State Historic Preservation Office; refresh ourselves on the Historic District Development Standards and how to better incorporate them in Committee recommendations to application; consider new ways to promote preservation; look the city's newly adopted goals, visions and values; and receive an update on state legislation which could impact historic preservation in Oregon.

- HPAC reviewed and made recommendations on three land use applications and two pre-applications. Staff reviewed **10** planning applications and **24** building permits in the four National Register Historic Districts.

- HPAC has organized activities for our local Historic Preservation Week, which is being held the week of May 14th this year.

    - The centerpiece of the week is an awards ceremony to honor projects that are the best representation of historic preservation in Ashland for the last year. The awards ceremony will be at 12:30 on Wednesday, May 17th at the Butler Bandshell in Lithia Park.
    - Other events scheduled include two walking tours with local historian and writer Peter Finkle of Walk-Ashland-dot-com and Historic Commissioner Dale Shostrom: the first will be at 1:30 p.m. on May 17th – right after the awards ceremony - and will focus on the downtown.
    - And the second at 10:30 a.m. on Saturday will focus on the Railroad District. Additional information and registration details regarding these walking tours will be on the city website shortly.
    - The Ashland Memorial Mausoleum at the Mountain View Cemetery will also be open for self-guided tours from 8:30 a.m. to 4:00 p.m. on Friday, May 19th.

- After almost five years of working in collaboration with the Public Arts Advisory Committee on the "Marking Ashland Places" (MAP) project in the Railroad Historic District, we'll be unveiling the first of five distinctive bronze medallions in the Railroad Addition historic district. These medallions commemorate significant historic sites in the district, and will be installed in the neighborhood sidewalks. HPAC continues to work with Public Art in considering the next phase of this exciting project.

The Historic Preservation Advisory Committee encourages anyone who is interested in historic preservation to attend our regular meetings, which are held in person – with the option to attend via Zoom - on the first Wednesday of the month, starting at 6:00 p.m.

Thank you for your time.

Beverly Hovenkamp, Historic Preservation Advisory Committee Chair

HISTORIC PRESERVATION ADVISORY COMMITTEE
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Consent #2 Grant App 04.18.23
Linda Reid

Limitations of the State's Executive Order 23-02 Funding

The funding identified through the Governor's Executive Order (E.O. 23-02) in support of addressing a Statewide Homelessness Emergency has two very narrow and specific objectives:

- to increase shelter quality, capacity, and utilization, for Jackson County by creating 67 new shelter beds
- to rapidly rehouse 133 homeless households through placing them in existing rental units

The E.O. has stated that communities have until January 10th to complete these activities, report outcomes, and expend all the funding. There is not guarantee of ongoing operational funding for project or programs initiated under the State funding; ongoing costs will be the responsibility of the implementing entity unless future funding is provided unless the initiated project or program is discontinued.

The First step in the award of local funding process is the issuance of a to be released Request for Proposals (RFP) by the Jackson County Continuum of Care (JCCC). Once proposals are submitted in response to the RFP and reviewed, competitive grants will be awarded by the JCCC. The JCCC has preliminarily identified that local rehousing efforts will utilize the existing model of rental assistance. Contracts with award recipients are not expected to be signed until sometime in May, that gives grantees eight months or less to develop, contract and/or otherwise complete all activities proposed, and expend all funding awarded.

The E.O. is clear that the funding is to provide rapid and reportable outcomes which will be tracked in an online dashboard to show how the funding is benefiting targeted populations and addressing the statewide homelessness emergency.

The Draft contract that was provided to the Multi-Agency Coordination teams set out specific guidelines for how activities will be offered and executed, including:

- All grantees must utilize the coordinated entry system to prioritize and track delivery of services to the most vulnerable households. Utilizing the Coordinated Entry system is a HUD continuum of Care program grant requirement.
- All grantees must report outcomes in the Homelessness Management Information System, (HMIS) which is the statewide database. Data from the HMIS system will be used to track outcomes on the Oregon Housing and Community Services website. Local shelter providers and non-profit service providers presently utilize the HMIS system as part of direct client services.
- All sheltering activities must be low barrier. The State sample contract for this funding defines requirements for low barrier shelters as follows:
    - *Low and no barrier policies allow homeless individuals and households to access shelter, housing, and services without preconditions such as sobriety, compliance with treatment plan, no pets, or agreement to participate in specific programs, activities, or classes. These policies allow those most in need to have access to shelter and housing. These additional emergency shelter beds must be low barrier, focus on assessment and triage, and intentionally link to permanent housing resources that people move through to housing quickly. In order to meet minimum standards as a low barrier shelter the following three conditions must be met:*

- *Sobriety (shelters may establish requirements or limit the use of drugs and alcohol in common or shared areas of the facility. In addition, facilities and treatment are voluntary);*
- *No required documentation of identification, custody, citizenship, or gender. Furthermore, shelters must meet the Department of Housing and Urban Development's Equal Access Rule, 81 FR 64763, to ensure services are available to all individuals and families regardless of sexual orientation, gender identity, or marital status; and*
- *Shelter accommodates pets and belongings.*
- *Furthermore, the following best practices will be key components or indicators of a likely successful low barrier shelter. These practices mirror the learnings from City of Ashland and Medford shelters and*
    - *Shelter has minimal expectations or requirements of people seeking shelter.*
    - *Shelter focuses on addressing disruptive or dangerous behaviors rather than compliance to rules or case plans;*
    - *Shelter welcomes self-defined family and kinship groups to seek shelter together;*
    - *Shelter can identify financials resources that can support the adoption of low barrier policies and practices and supports extended or flexible hours and adapted service-delivery models;*
    - *Shelter accommodates pets and belongings.*
    - *Shelter's intake process and housing navigation services coordinate closely with community -based outreach services and coordinated entry;*
    - *Shelter creates flexible and predictable access for people seeking shelter;*
    - *No charge to individuals or families for stays, meals, or other services at the low barrier shelter; and*
    - *Shelter does not exclude people with criminal convictions, poor credit, or eviction histories.*
- *Funded activities must be Housing Focused: "Activities conducted under this agreement may not screen participants out solely on the basis of certain behavioral psychological, physiological, citizenship or immigration status or economic preconditions. Services must ensure that the safety and support of both staff and clients are paramount. This is accomplished through a focus on ensuring safety by managing behaviors that pose a risk to health and safety rather than implementing blanket exclusions based on past diagnosis or current behavioral health symptoms that do not pose a direct risk to community safety. Recipient must actively coordinate services and supports for helping people exhibit homelessness and make efforts to reduce barriers to re-housing individuals and families in their community."*
- *Habitability Requirements: Shelters, whether congregate or non-congregate, must meet habitability requirements that include minimum safety, sanitation, and privacy standards as outlined in 24 CFT 576.403, regardless of whether 24 CFR 576.403 independently applies to such shelters apart from this agreement.*

Shelters must be structurally sound. Tents and other structures without hardened surfaces that do not meet these minimum standards are unallowable. Recipient must document habitability requirements for all shelters funded under this agreement. Shelter units may be in the form of Non-congregate Free-Standing Units if they provide the following amenities.

- *Heat*
- *Electircity*
- *The ability to close and lock a door*
- *Showers and restrooms onsite*
- *Hard-surface walls and roofing*
- *Food preparation facilities available onsite or with an action plan to provide meals to shelter residents.*

Should the City Council authorize staff to respond to an RFP, it should be kept in mind that the City will be competing against other applicants for the portion of the funding dedicated to address the creation of shelter beds which expected to be approximately $4Million. Of the $8.8 Million allocated to Jackson County Continuum of Care approximately $4Million will be restricted to rapid rehousing efforts.

There are three other potential applicants for this funding of which the City staff are aware. The City of Medford will be proposing a project which has the potential to create all 67 shelter beds needed to meet the stated goal, and this a campground project is well into the processes of planning and execution in having already acquired the property and planning approvals. The City of Medford will be applying to install the infrastructure to place the required amenities and pallet shelter like structures, as well as the operational costs for the 8-month period that the grant funds are available. The other potential applicant of which we aware is likely to be the Set Free Christian Fellowship proposal to provide emergency shelter through a tiny house/camping project. Rogue Retreat is also likely to seek funding to rehabilitate their project turnkey project to provide new shelter beds.

If the City of Ashland does not put forward an application which addresses the stated goal to provide shelter beds or would not be ready to proceed and implement in short order, then Ashland would most likely not be competitive through the Request for Proposal Process.

Considerations for a City Sanctioned Activity

According to the 9th Circuit Court ruling, the location of a facility must provide a reasonable alternative to use of public space for homeless occupancy. To meet this test, a facility's location should not place an undue burden on residents and must be within a reasonable distance to access needed amenities including transit, grocery stores, or other resources needed by the homeless. Generally, facility locations should be evaluated based on access to such amenities, generally looking for locations to be within a reasonable walking distance to retail and/or public transit.

Addressing issues of public sleeping, and other City responses to addressing the impacts of homelessness on communities is a legally unsettled area, and the City is trying to avoid any invitation for litigation.

Site Management Considerations

The 9th Circuit Court also invokes a principle called the Created Danger principal, which may be applied to managed camps created by Municipalities and which preferences the establishment of camps with oversite to allow for protections for both staff and residents by not exposing a person to dangerous situations that they may not otherwise have been exposed to if not for the actions of the municipality.

City staff has been informed by non-profit service providers that there are presently three distinct groups of unhoused individuals currently residing in the community

- The working poor, who just need a place safe place to stay.
- People who have addiction issues but are generally functional and able to get along with others and manage behaviors.
- People who experience severe persistent mental illness (SPMI) and/or drug addiction, also known as dual diagnosis. This population displays the most severe and disruptive behaviors which can make it difficult for them to reside or interact in close proximity with others.

While the first two populations could probably experience successful outcomes with limited support or intervention, the SPMI population would need direct oversight to address behaviors that could be negatively impactful to individuals, the group as a whole, or compromise the safety and stability of the location. It would be discriminatory to screen out those with severe mental health issues for an inclusive facility, consequently any proposed activity for a low barrier shelter must provide behavioral oversight and maintain overall safety. We know from experience, that running a managed shelter/camp site accommodating approximately 40-50 people, in compliance with the low-barrier shelter objectives costs around 40K a month.



CRIS AYSON
Finanace Manager



HANNAH BORGERSON
Community Engagement Specialist



DENISE BROWN
Housing Case Manager



KRISTIN CRONIN
Phoenix-Talent Case Manager



BLANCA DURAN
Bilingual Case Manager



ALFONSO FERNANDEZ
Outreach Advocate



MARY FERRELL
Executive Director



MARILEE FORD BARRERA
Operations Manager



NICOLE HOEFFINGER
Medford Case Manager



LAURA LESKIN
Office Manager



CHEYENNE NICHOLS
Program Supervisor



MATT NORTHROP
Program Supervisor & Case Manager



NICOLE RITTERBUSH
Advocate Team Lead



CORRIE SOMMERFELD
Development Director



FALLON STEWART
Program Officer



BRANDY STROMME
Grants Pass Team Lead Case Manager



CINDY TILLY
Grants Pass Case Manager



TINA WEBB
Team Lead Case Manager



JARED WOLFF
Case Manager Josephine County

BOARD OF DIRECTORS

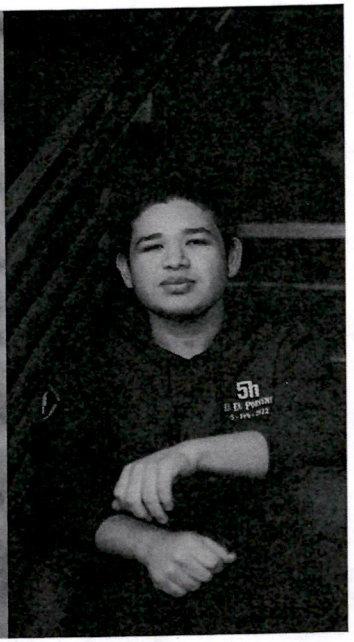
Jamie L. Hazlett, Board Chair • Lisa Morris, Vice Chair • Amy Zarosinski, Treasurer • Sharilyn Cano, Secretary
Scott Clauson • Eric Maxwell • Gina DuQuenne

MASLOW PROJECT

MASLOW PROJECT







Stabilize. Engage. Thrive

2021-2022 ANNUAL REPORT

PH CDBG - Maslow 04.26.23

Mary's Message



Dear Friends,

Imagine a southern Oregon where all children and teens have some place safe and warm to sleep, enough food to eat, and the resources and resilience they need to succeed in school and in life. Thanks to the persistent encouragement, generosity, and hearts of our supporters, Maslow Project has moved that vision closer to reality over the last 15 years. With impactful programs, dedicated and skilled staff, and the flexible resources needed to continually lift our youth up in an ever-changing world, we are seeing kids thrive and remain hopeful. In 2022, that is an accomplishment, and our amazing community makes this possible.

Maslow Project is an essential lifeline for the most vulnerable youth in our community. We continuously evaluate, learn, and improve upon the work in our two southern Oregon counties. Our programs are increasing high school completion, college enrollment, and attaining and retaining employment and housing. Our approach is holistic and highly individualized to create an inclusive environment of support and resources needed to nurture growth, resiliency, and hope.

A bright side of this pandemic has been our community's recognition of the growing needs and continued funding to help families with emergency shelter, eviction prevention, attaining new housing and so much more. Over the past two years, Maslow Project has distributed back out to our clients almost $2 million in resources and helped more than 227 families obtain housing. With rental costs climbing and affordable housing still a scarcity, we will see on-going need for our programs and services to provide stability and intensive services for our youth and families. The information in the report speaks to the generosity of our community.

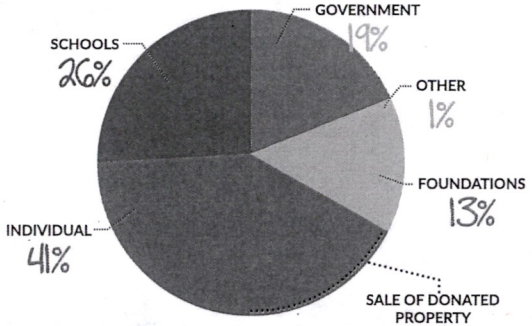
More is possible within our organization. It is a belief that burns bright within our entire organization. The contents of this annual report tell a dual story of our work and aspirations for creating the conditions for change. With the opening of our expanded Food Pantry we are looking at the future of how we can respond to the increasing needs of youth and families experiencing homelessness in Southern Oregon where the costs of food are rising along with gas and housing.

We will continue to invest in highly effective ways to help more families find their way to safe, stable housing, and walk alongside them in their journey. Thank you for trusting us with your hard-earned funds and supporting the work made possible because of you. Your trust in us is of the utmost importance. We strive to be transparent, show integrity, and be good stewards of resources that are given in kindness and generosity.

Adversity has brought us closer together and shown us innovative ways to meet the urgent needs in our community. Thank you for standing beside us!

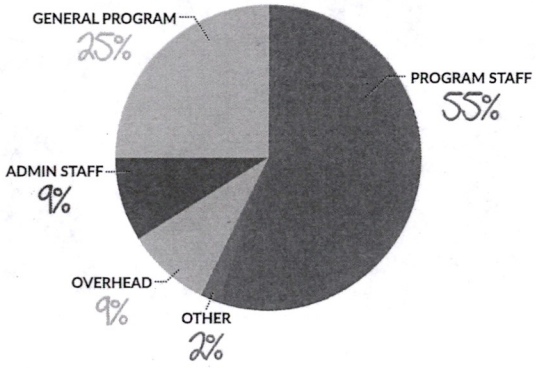
Financial Stability

Platinum Transparency 2022
Candid.



$3,741,240
TOTAL REVENUE

$2,438,196
TOTAL EXPENSES



Maslow's diverse revenue stream supports a sustainable funding model. Our varied funding base minimizes dependence on any single source of income making any program less vulnerable to funding cuts. Sources include foundations, public school contracts, government contracts, and philanthropic giving.

We are a NO FEE FOR SERVICES organization – always free to our youth and families!

In order to continue the level of service provided over the past year we look to continue to strengthen our individual giving. We've added administrative capacity to address the increase in funding that passes through Maslow Project. We work hard to keep overhead low for maximum resources for program support.

The housing crisis that is prevalent in Southern Oregon and throughout a majority of Oregon continues to plague our work with children and families experiencing homelessness. While housing availability hovered around 1% we were able to permanently house 143 clients. This stabilization allows for those families with children to move out of crisis and to start focusing on school, employment, and mental/health issues.

A Home Is More

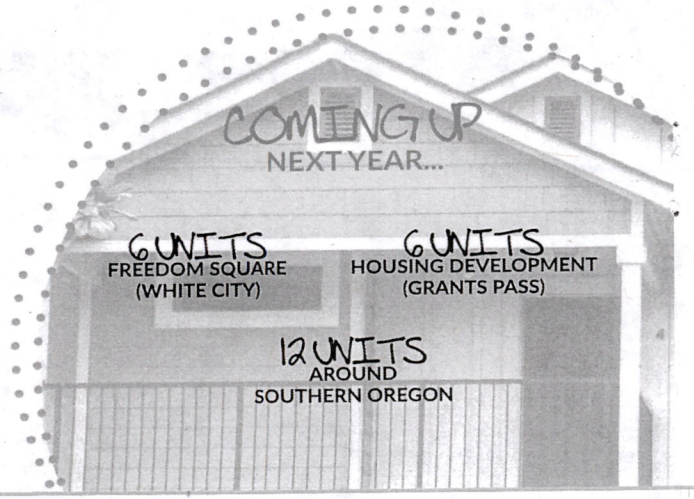
THAN A ROOF OVERHEAD

Through our partnerships with the Housing Authority of Jackson County families were able to make long-term progress after experiencing homelessness. Currently, there are 42 families in Maslow's permanent supportive housing, to ensure families remain successfully housed. A roof overhead does not solve all of the trauma, crisis, and obstacles that families may face. Ongoing support is needed for families to continue to progress in goals related to education, employment, life skills, parenting, and mental/health needs.

Our families have been successful, 41/42 families remain housed. Over the next year we will continue to build this programming, to help end youth homelessness.

127 individuals received shelter assistance- including hotel stays
63 individuals received financial deposit and application assistance





Community & Volunteers

COMMUNITY

We are grateful for the wonderful people that make our work possible. Our region is very much distressed with housing costs. The availability of affordable rentals is grim. We are appreciative of all the help we get from the community. Last year over 700 individuals donated as well as 150 businesses, organizations, and civic groups. Continued support ensures teens, kids, and families receive the services they need. The kindness and generosity shown is an inspiration to all of us.

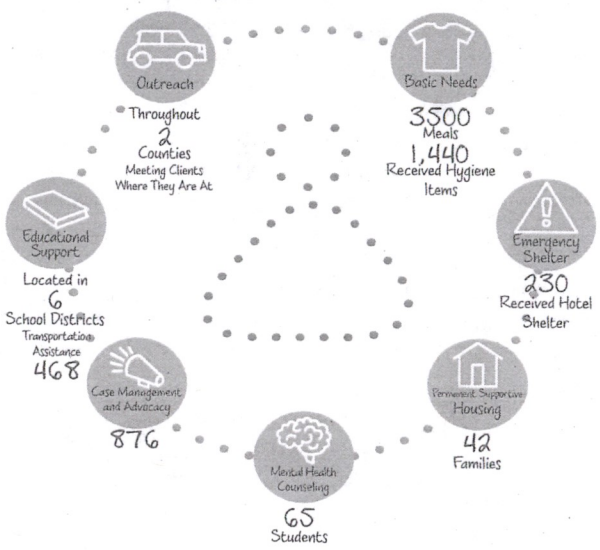


VOLUNTEERS

Groups and individuals contribute in a variety of ways to our efforts throughout southern Oregon. We have groups packing back packs full of school supplies. Individuals putting snack packs together at the Resource Center. Many helping with events and coordinating hygiene drives. Our wonderful group of ambassadors meet with us monthly to work on special projects. We couldn't do this work without all of the help we receive.

Youth Centered Approach





Your support allows Maslow to operate with a Youth Centered Approach. Meeting youth where they are is imperative in our work. Using a multi-lane approach to stabilize youth and provide individualized support improves educational outcomes. Using a strength based approach to help improve self-esteem and foster resiliency, while holding expectations for meeting personal goals. We are in their lives for the long run so they can gain stability, engage in school and/or work and transition into adulthood.

Where Are They Now

Justice

MASLOW HIGH SCHOOL GRADUATE



Justice has come full circle. From an unhoused youth to working in a Transitional Living Program in Benton County. This has been a life changing experience for Justice. Justice is a former Maslow student and graduated years ago from Phoenix High School. She moved north to complete her bachelor's degree at Oregon State University. Throughout college she worked part-time jobs, volunteered, helped support her younger brother, competed in Miss Oregon pageant, and was a full-time student.

In July she completed her Bio Health Science degree. She is taking a year off to think if medical school is the right path for her. Currently, she is working three part-time jobs, saving money, and focusing on the next step in her life journey. She is passionate about so many things, serving and giving back to others is at the top of her list.

We are happy to be a part of this young lady's life. We'll continue to watch with awe and wonder at her positive force and energy in this world. *"Maslow helped me experience things all teens should have the opportunity to"*

Liz

PERMANENT SUPPORTIVE HOSING CLIENT



The cycle of crisis and trauma is a hard cycle to escape from. We are sharing the story of Liz, a Permanent Supportive Housing client. Liz was absent from her children often because of lack of housing. Her sons couch surfed and lived with their dad until his arrest.

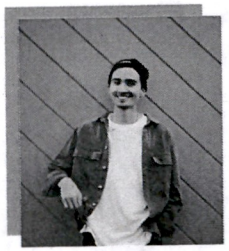
She and her children have come along way. Liz went from walking in the rain three years ago pulling a suitcase to thriving. That day she met her case manager to apply for Permanent Supportive Housing. This opportunity was made possible by the Housing Authority of Jackson County. This has changed the trajectory of their lives.

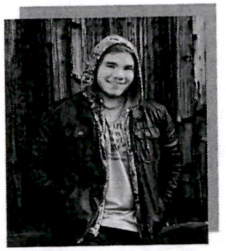
A home provides stability. Having the most basic of needs met is fabulous, the answer to all prayers, but it isn't without challenges. Feelings of being undeserving and out of control still crept in for Liz. Losing control of life, being homeless, scarred, and eroded her confidence. Trauma from the experience of homelessness was very evident in her children. The distrust was something her boys talked about with Maslow's Counselor.

Having ongoing and supportive case management has been essential to the family. She tried to find a job. After months of hearing nothing she felt defeated. With no clear plan, Case Manger Denise helped her put all the pieces together and helped focus on a plan. She had completed a clerical training program that provided an opportunity. Over the past two years she has been able to build skills and move up to different positions. We are happy to report that she has accepted a full-time position with the Department of Human Services.

Liz and her children are thriving now. Her boys are in the band, playing instruments and are happy. Liz credits Maslow, stating, *"she couldn't have done this without the support of Maslow Project."*

School Based Programs



Working in many of the local public schools allows for students to have direct access to help by Maslow staff. We work to uphold student rights and protections under the federal law, U.S. McKinney Vento Act, ensuring equal access to education. For many students, multiple barriers contribute to challenges enrolling, attending, and progressing in their education. Having a school based social/emotional support and connection is key to providing a safe space for youth experiencing homelessness.

Maslow Case Managers work to provide homework help, access to technology, school supplies, and remove barriers to transportation. Staff also connect students to activities such as sports, clubs, music, and other activities. This helps develop strengths and interests. By working with students to set short and long term goals related to education, employment, and housing they are building life skills, promoting self-sufficiency, and working toward completing their education.

WHEN WE WORK TOGETHER

A high school teacher informed a Maslow case manager that she had an unaccompanied student. The teacher had explained Maslow services to her student Joe but he stated he didn't need help. Youth often don't readily admit they need help. We made sure to follow up, say hello, and introduce our services.

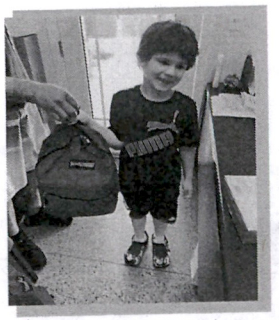
The more the case manager and Joe talked, it became clear he very much needed help. Joe needed food, hygiene, school clothing, and supplies. Food is often a resource unaccompanied youth need most. Our case manager suggested applying for SNAP (food stamps assistance), and Joe was convinced that he wouldn't qualify. With a little help, he was able to qualify for the benefits he needed in order to maintain good nutrition and health.

This was the beginning of a wonderful working relationship with Joe and his case manager! Joe graduated and has started his freshmen year in college this fall.

Maslow By The Numbers

The Medford School District had the second highest number of homeless youth in the state of Oregon last year. Josephine County school districts ranked 10th and 13th. It is hard to focus on school when children's needs of shelter, food, clothing, and hygiene are not being met. These experiences threatens their safety, personal well-being, education, and health outcomes.

McKinney Vento Youth Homelessness, "lacking a fixed, regular, adequate night-time residence" is underfunded and dramatically undercounted around the nation. This causes a vast disparity in access to help, housing, and education. Nationwide, this number is estimated to be 1.5 million (School House Connection 2021).



FROM THE PROGRAM YEAR 2021–2022

2,437 total children, teens, and parents served
- 1,892 served in Jackson County
- 537 served in Josephine County

131 unaccompanied minors (without parent or guardian)

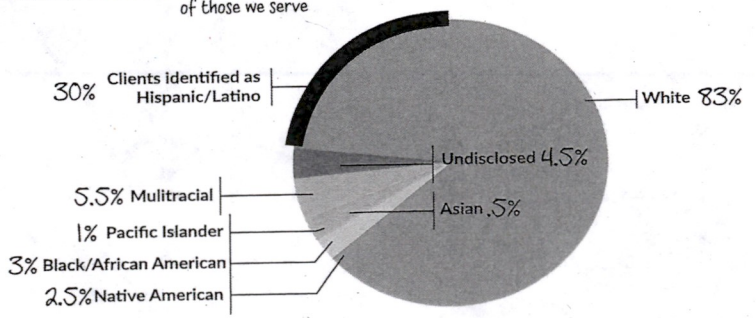
307 unsheltered (living in a car, camping, etc.)

AGES OF YOUTH SERVED	
0-5 years old	268
6-18 years old	1054
19-24 years old	288

12 AVERAGE AGE

RACE & ETHNICITY

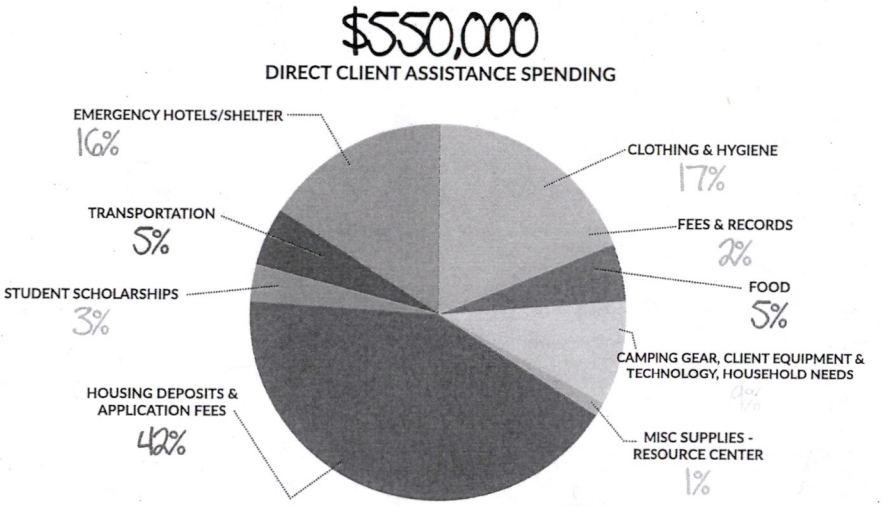
of those we serve

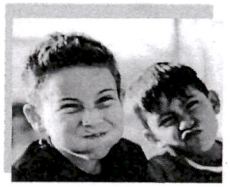


Stabilization

TAKING CARE OF VULNERABLE YOUTH AND FAMILIES

Addressing people's most basic of needs is of the utmost importance. Our community of donors, funders, businesses, and civic groups help provide hot meals, food boxes, clothing, hygiene supplies, baby supplies, and wide variety of other emergency assistance. The flexibility of unrestricted donations gives further ability to meet the individual and changing needs of those we serve. When people aren't worried about daily survival, they can more easily focus on higher level goals like education and employment.





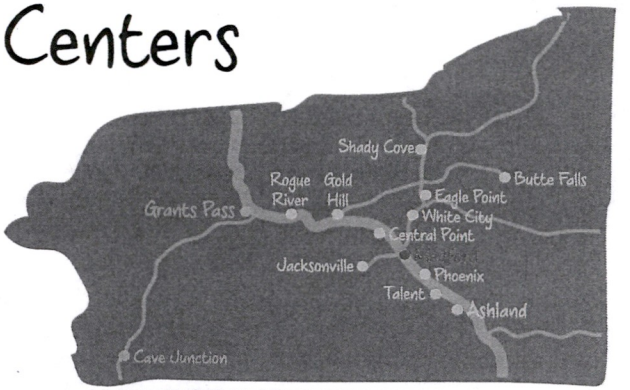






Outreach Centers

Through individual, state, municipal, private foundations, and federal support we are able to provide outreach. Outreach is an important component of identifying and connecting youth and families that are experiencing homelessness to help and provide resources of food, water, hygiene, camping, and other necessary items. A multi-faceted approach helps to meet families and youth where they are at. We are located in schools, visit parks, libraries, stores, and partner agencies throughout cities in southern Oregon. Starting with building trust and connection we are able to provide a lifeline of hope and surround them with services and resources to work on individualized goals.



MASLOW OUTREACH THROUGHOUT SOUTHERN OREGON

Monroe Resource Center-500 Monroe Medford

Cobblestone Village- Operations & Administration Riverside Medford

La Clinica- Phoenix/Talent

UCAN Facility- Grants Pass

DHS Office- Cave Junction

Six School Districts Across Josephine and Jackson County

Having a connecting hub in communities provides access to services, resources, and support five days a week with our centers. The Monroe Resource Center in Medford underwent many needed upgrades and are able to safely invite our youth and families in to pick up mail, meet with staff, access hygiene items, and food boxes. Thanks to generous support from our wonderful donors, we were able to expand our food pantry to twice the size and now able to provide more options for fresh meat, dairy, vegetables, and fruits.



Palen Property

Taxlot 391E16 – 600

20.12 Acres

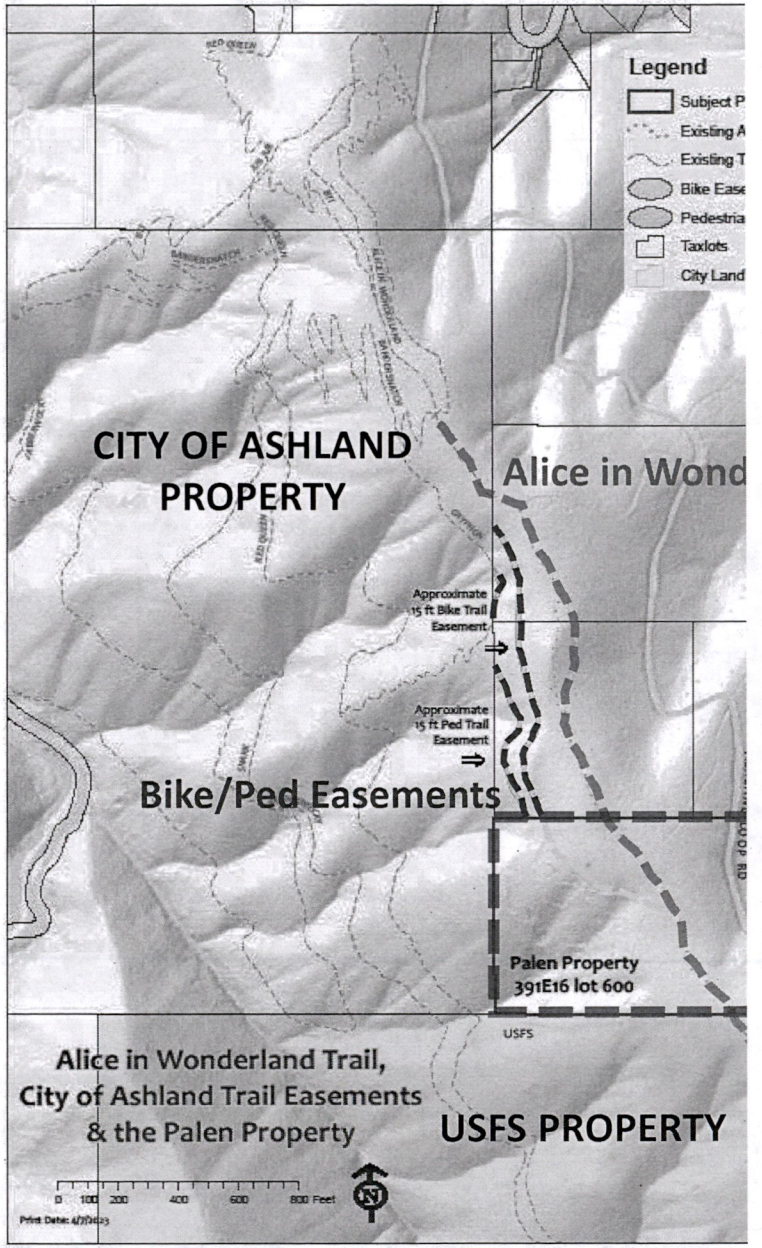
- Alice in Wonderland Trail
- Connection to existing bike/ped easements
- Guaranteed perpetual access
- Control over fire fuels and fuels reeducation

RECOMMEND PURCHASE OF PROPERTY AT AGREED UPON PRICE: $150,000

Source: Parks SDCs

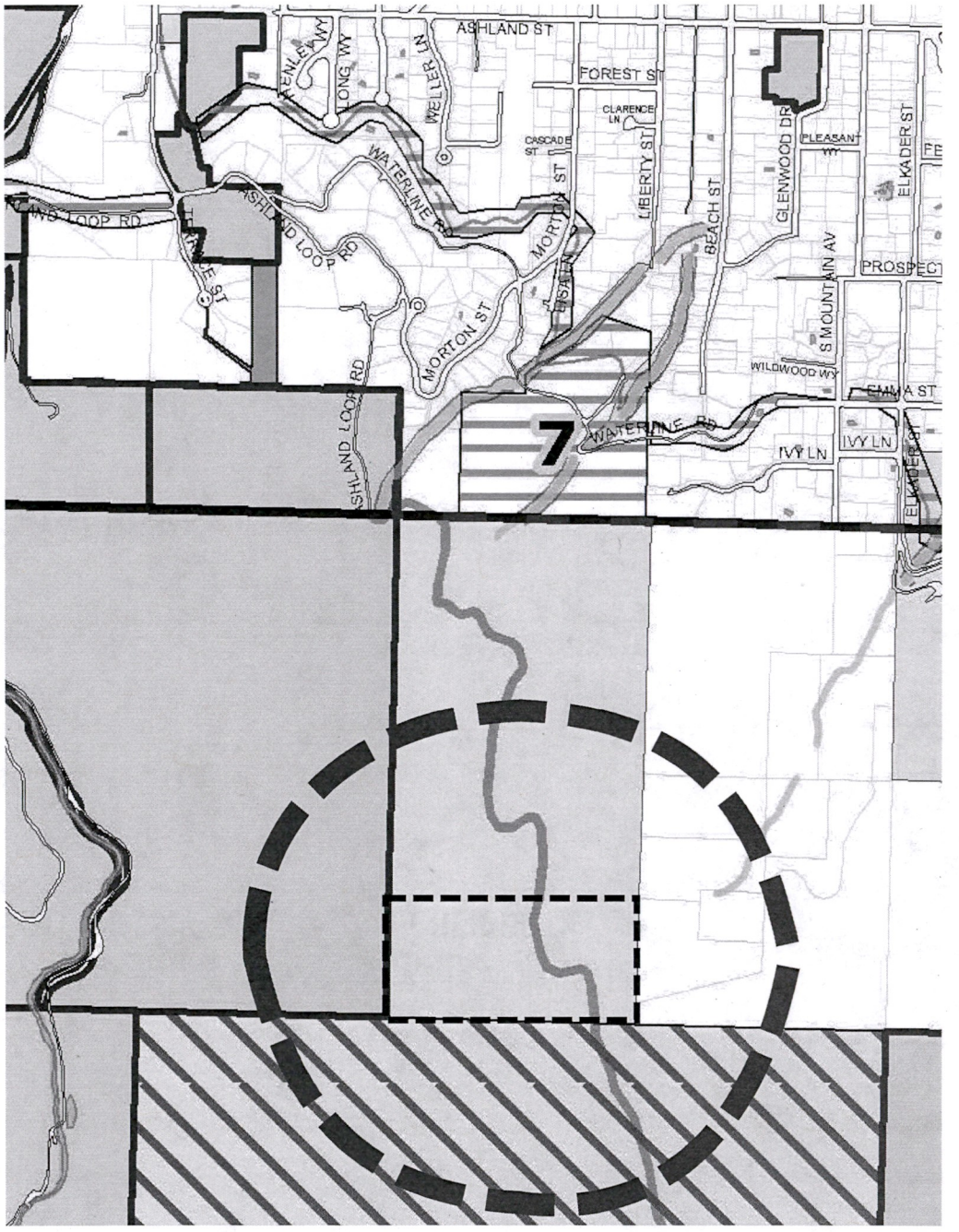
PROPERTY DEDICATED AS OPEN SPACE and PARK PROGRAM INVENTORY

Parks Commissioners have already approved the acquisition



OPEN SPACE PLAN - 2005

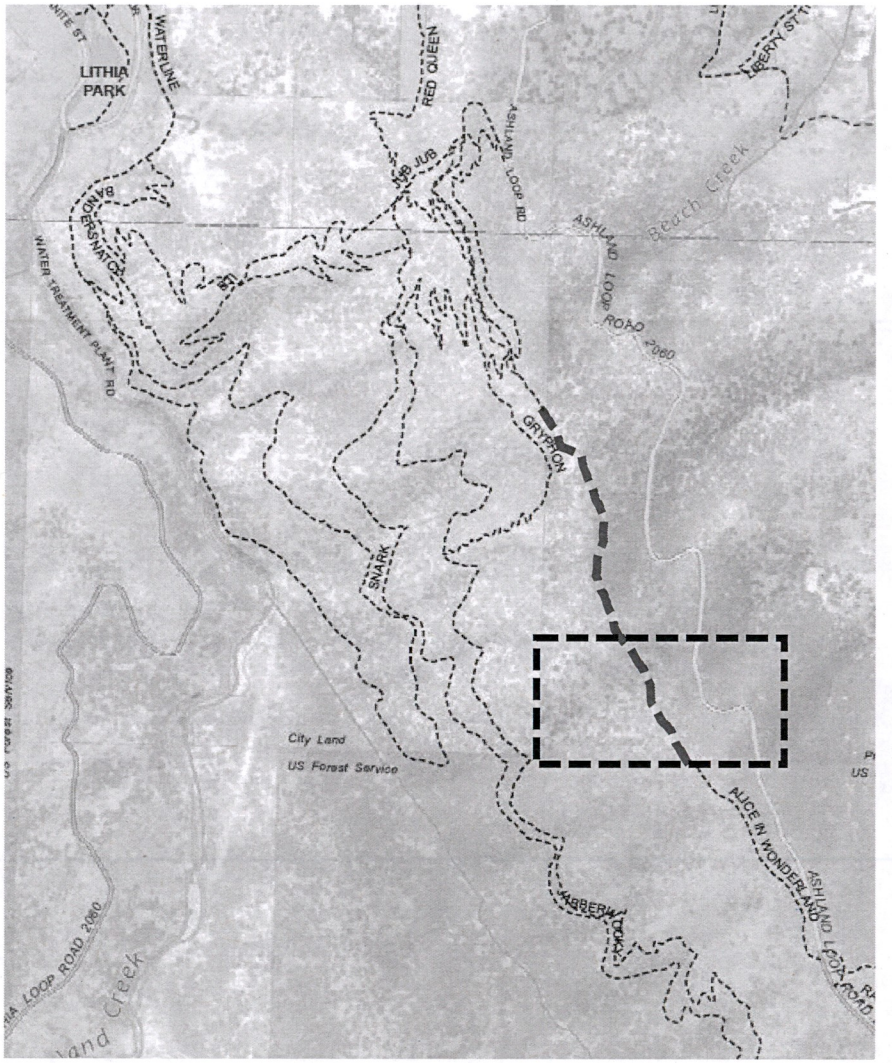
Land Identified for purchase for trail and open space



Trails Master Plan

- Ch. 16; Eastside Forestland Trails
  - Palen Property Bridges the Gap for Alice in Wonderland

- Recommend Approval of the acquisition of the Palen Property as described in the staff report and for its dedication as Parks and Open Space program inventory.



From: [redacted]
To: Public Testimony
Cc: Chad Woodward; Bob Kaplan; [redacted]
Subject: Public Testimony - Ashland City Council (4/18/2023)
Date: Friday, April 14, 2023 8:49:43 PM

[EXTERNAL SENDER]

Climate Change Adaption - Ashland Forest Plan

Mayor Graham and Council,

I provided the following comments, on 9/27/2023, regarding an earlier draft of the Addendum:

"While the current draft of the Climate Change Addendum addresses strategies to prepare for and become more resilient to climate change, it does not address how the AFP will achieve carbon neutrality by 2030. In order to address the later the AFP Addendum should include, at a minimum, the following:

- Quantification of GHG emissions from forest practices including climate impacts directly related to carbon black. (NOTE to editor: please include a definition of carbon black and its impact on climate and human health).
- Identification of GHG emission offsets for AFP land management activities that could serve to achieve carbon neutrality by 2030."

The updated draft does not provide this information. Instead it includes the following statement in an apparent response to my original comment.

"Though the Ashland Climate Energy Action Plan calls for carbon neutrality, we recognize that this may not be possible on City forestlands, where goals of community wildfire safety and maintaining forested ecosystems intact are higher priorities."

It is critical that the Climate Change Addendum quantify AFP greenhouse gas emissions and the extent of carbon sequestration. These details are needed to understand the extent of additional emission reductions that the city must achieve, or off-sets it must implement to achieve the CEAP's goals.

Thanks you,
Gary Shaff
[redacted]

Climate Change Addendum AFP – Charisse Sydoriak
4/18/22

April 18, 2023

To: Ashland City Council and City Manager

Subject: Proposed Climate Change Addendum to the Ashland Forest Plan

From: Southern Oregon Climate-Smart Working Group (SOCS)

I am a resident of Ashland and I represent the Southern Oregon Climate-Smart Working Group (SOCS). SOCS reviewed the draft addendum and provided comments on November 12, 2022. Since many of our comments were not clearly addressed in the proposed Addendum we are resubmitting comments for Council consideration and adding a question about the relationship to the Climate and Energy Action Plan (CEAP).

1) The proposed addendum provides no specifics on when, where, why, or how the proposed "adaptative management" activities will take place. A "shopping list" of strategic intentions over a 25-year period is hard to envisage. Which items on the list have a higher priority for action and why? A timeline and framework for action is critical to enable public engagement as the projects are developed and implemented.

2) Where are fire and other types of "refugia" on the City's forested lands? The decision to define some management areas as "refugia" should be explained and scientifically justified. May we assume that this will be accomplished in an updated Forest Plan? If so, when can we expect the update?

3) Provide maps and other graphics to show areas of concern for each resource management objective. After nearly two decades of active management, it would be useful to understand which objectives are not likely to be met because of climatic change, and to see where the problems areas are located. (Unfortunately, the "Ashland Forest Plan Map Package" link posted on the City website does not work.) Please make this information publicly accessible and provide adequate time to study and comment on the information before taking decisive action.

4) The final example of "necessary adaptive management updates…" is coordinating with various entities including the USFS. Since climate change adaptation options are limited on the ~1,200 acres of City owned forest lands, this is a critical need. We encourage the City to move forward with coordinated action as soon as practical.

5) While a significant amount of public engagement occurred nearly 20 years ago, the demographics of the City have likely shifted. It might be imprudent to assume that tree removal is widely supported as the best option especially since harvesting of green trees is being considered as a preventative management action. The recent thinning project on private forest lands adjacent to City managed forest lands has generated a lot of public concern and interest. We suggest that a comprehensive public education strategy be developed along with more diverse opportunities for input before significant tree removal is undertaken.

6) The relationship between the Ashland CEAP and 2016 Forest Plan goals and objectives is not clear. Is the CEAP natural resources strategy: "NS-1-1. Manage forests to retain biodiversity, resilience, and ecosystem function and services in the face of climate change" the only connected action? If not, what are the connected actions and how will they be coordinated? What about the following strategies listed in the CEAP:

   NS-1-2. Use green infrastructure such as bioswales, permeable pavement, other pervious surfaces to reduce flood risk and minimize sediment entry into creeks from trails and roads.

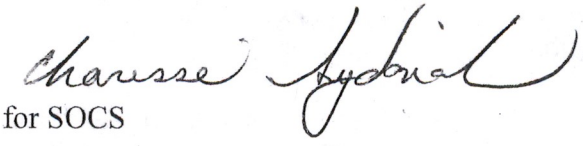
   NS-1-3. Undertake restoration efforts to retain and restore native fish and riparian species.

   NS-1-4. Map and protect areas that provide ecosystem services.

7) We applaud the authors for recognizing that "the restoration paradigm that guided previous forest planning and management" is no longer realistic, and that a strategy that uses "new science and technology to effectively address climate change-induced forest land conditions" is necessary. Instead of alluding to using this "new science and technology for adaptive management," it would be more appropriate to demonstrate how it works and the associated assumptions and implications. The "climate smart"[1] adaptation approach is one of several involving critical review of goals and tactics at a suitable scale to assess and prepare for uncertain future conditions. It involves scenario planning, deliberate experimentation, and ideally incorporates assessment of the carbon flux impacts with efforts to minimize emissions. We recommend that the proposed Addendum be revised to contain more detail about how the "necessary adaptive management updates in planning and management actions" will be actualized.

In closing, I would like to suggest that Council consider posting all management advisory committee meeting times and dates on the City Calendar. Since decommissioning I have been unable to find out when and where the Forest Lands Committee meets each month. I attempted to go to a "regularly" scheduled session in January but there was no one there.

Respectfully,



Charisse Sydoriak for SOCS

---

[1] Glick, P., B.A. Stein, and K.R. Hall. 2021. Toward a Shared Understanding of Climate-Smart Restoration on America's National Forests: A Science Review and Synthesis. Washington, DC: National Wildlife Federation. https://www.nwf.org/ClimateSmartRestoration

Stein, B.A., P. Glick, N. Edelson, and A. Staudt (eds.) (2014). Climate-Smart Conservation: Putting Adaptation Principles into Practice. National Wildlife Federation, Washington, D.C. https://www.nwf.org/ClimateSmartGuide

Swanston, Christopher W.; Janowiak, Maria K.; Brandt, Leslie A.; Butler, Patricia R.; Handler, Stephen D.; Shannon, P. Danielle; Derby Lewis, Abigail; Hall, Kimberly; Fahey, Robert T.; Scott, Lydia; Kerber, Angela; Miesbauer, Jason W.; Darling, Lindsay; Parker, Linda; St. Pierre, Matt. 2016. Forest Adaptation Resources: climate change tools and approaches for land managers, 2nd ed. Gen. Tech. Rep. NRS-GTR-87-2. Newtown Square, PA: U.S. Department of Agriculture, Forest Service, Northern Research Station. 161 p. http://dx.doi.org/10.2737/NRS-GTR-87-2

CDUG Susan Hall
FOR the Record
Thx.

4/18/23
Attention: Ashland City Council
I request this testimony be entered into the Minutes of this meeting on the record.

Susan Hall RN
Ashland

I am here tonight to oppose the second reading of this F&B tax ordinance & I oppose the Food & Beverage tax Measure 15-214 on the May 16 ballot. This Measure extends the F&B tax an additional 10 years to 2040. This 10 year extension request from Parks was hand carried into Council by Councilor Hansen on February 7, 2023. With Council's 5:1 passage of Councilor Hansen's motion it was clear that every one of you, except Councilor DuQuenne, have failed to grasp the serious potential consequences of this extension. Not only is it wrong to burden Ashland residents with 17 years of the F&B tax at this time, the potential for future crippling debt to the City and taxpayers will exist if Measure 15-214 were to pass.

I summarized this in my Letter to the Editor of the RV-Times. This is my LTE:

4/13/23
RV-Times Titled it:
"Measure would be a "pot of gold" for Ashland Parks"

MORE DEBT?

BIG BUCKS! That's what 17 years of a "dedicated revenue stream" from 98% of the Food & Beverage Tax (FBT) would give Ashland Parks and Rec. (APRC) if Measure 15-214 passes on May 16, 2023. Proponents of 15-214 avoid disclosing the new 2040 end date.
Why? 3 reasons:

- 15-214 obligates voters to pay FBT for 17 years (not 7).
- 15-214 establishes a guaranteed revenue source from 98% of the FBT for 17 years.
- This guaranteed revenue yields approximately $3Million the first year and using a 4% annual escalation, approximately $24 Million by 2030, and approximately $75 Million by 2040.

This Pot of Gold has the potential to become collateral for APRC to sell revenue bonds to investors for whatever projects Parks wants. With approval of a revenue bond sale by City Council, the City & taxpayers would be in DEBT until the principle and interest are repaid.

I urge Council to recognize the potential debt Ashland residents, their children and their grandchildren could be left with to pay. Do not pass the second reading of this ordinance and reject Measure 15-214.

Thank you

Susan Hall RN
Ashland
4/18/23

Susan R Hall RN

Council Business Meeting

May 2, 2023

Agenda Item	Climate and Environment Policy Advisory Committee Appointments	
From	Melissa Huhtala	City Recorder
Contact	recorder@ashland.or.us, 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Confirm Mayor Graham's appointment of Sidney Brown, Sharon Dohrmann, and Cat Gould to the Climate and Environment Policy Advisory Committee.

BACKGROUND AND ADDITIONAL INFORMATION

N/A

FISCAL IMPACTS

N/A

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the appointment of the following to the Climate and Environment Policy Advisory Committee:

- Sidney Brown with a term ending April 30,2026
- Sharon Dohrmann with a term ending April 30, 2026
- Cat Gould with a term ending April 30, 2026

REFERENCES & ATTACHMENTS

Attachment 1: Sidney Brown Application
Attachment 2: Sharon Dohrmann Application
Attachment 2: Cat Gould Application

ASHLAND
Better Together

APPLICATION FOR APPOINTMENT TO CITY COMMITTEE/COMMISSION

Please type or print answers to the following questions and submit to the City Legal Department at City Hall, 20 E Main Street, or email melissa.huhtala@ashland.or.us. If you have questions, please feel free to contact the City Recorder at 541.552.2084.
Attach additional sheets if necessary.

Name Sidney Brown

Requesting to serve on: Climate Policy Committee (Committee/Commission)

Mailing Address [redacted]

Physical Address same

Occupation Business Owner

Phone: Home [redacted]
Work
Email
Fax

1. Education Background

What schools have you attended? Stanford University

What degrees do you hold? bachelors of arts in anthropology

What additional training or education have you had that would apply to this position?
None

2. Related Experience

What prior work experience have you had that would help you if you were appointed to this position?

I support the work of the Citizens' Stamp Advisory Committee for the U.S. Postal Service

I am familiar with Robert's Rules of Order

Do you feel it would be advantageous for you to have further training in this field, such as attending conferences or seminars? Why? Yes; I would appreciate additional training in environmental sciences to support my understanding of technical reports.

3. **Interests**

Why are you applying for this position? I feel strongly that is time for Ashland to actively engage in the process of reducing its dependence on fossil fuels in accordance with the plan approved in 2017.

4. **Availability**

Are you available to attend special meetings, in addition to the regularly scheduled meetings?
Do you prefer day or evening meetings? Yes; I can meet any time after 2 pm

5. **Additional Information**

How long have you lived in this community? Since 2004

Please use the space below to summarize any additional qualifications you have for this position:

I look forward to having an opportunity to support the efforts of the Climate Policy Committee.

4/24/23

Date

Signature

ASHLAND
Better Together

APPLICATION FOR APPOINTMENT TO CITY COMMITTEE/COMMISSION

Please type or print answers to the following questions and submit to the City Legal Department at City Hall, 20 E Main Street, or email melissa.huhtala@ashland.or.us. If you have questions, please feel free to contact the City Recorder at 541.552.2084.
Attach additional sheets if necessary.

Name Sharon Dohrmann

Requesting to serve on: Climate & Environmental Policy A (Committee/Commission)

Mailing Address [redacted]

Physical Address same as above

Occupation IT Consultant

Phone: Home [redacted]
Work
Email
Fax

1. Education Background

What schools have you attended? UC Santa Cruz

What degrees do you hold? BA in Environmental Studies

What additional training or education have you had that would apply to this position?
Peace Corps Volunteer in Agroforestry

2. Related Experience

What prior work experience have you had that would help you if you were appointed to this position?
I've been a small business owner and also served on boards, most recently at Willow Wind Learning Center. I volunteered for several environmental non-profits in San Francisco before we moved here.

Do you feel it would be advantageous for you to have further training in this field, such as attending conferences or seminars? Why? Yes, definitely, because the energy market and climate remediation techniques are quickly changing and evolving.

3. **Interests**

Why are you applying for this position? I have young children and climate change is the most consequential issue affecting their futures. We plan on living in Ashland for a long time so I would like to have an impact on how we adapt to climate change for their sake and for the community's.

4. **Availability**

Are you available to attend special meetings, in addition to the regularly scheduled meetings? Do you prefer day or evening meetings? Yes, I'm available. I prefer day but I can do both.

5. **Additional Information**

How long have you lived in this community? 8 years

Please use the space below to summarize any additional qualifications you have for this position:

How we adapt to climate change is of great importance to me. My direct work experience is in another field, but I learn quickly, absorb information well and work well in groups. I'm motivated to participate and assist in any way I can and am eager to learn what's already in place or being worked on. I know we have a lot of smart people in our community who care about this issue and I'm confident that, together in collaboration with the city council, we can implement meaningful changes.

4/18/2023

Date

Signature

CITY OF
ASHLAND

APPLICATION FOR APPOINTMENT TO CITY COMMISSION/COMMITTEE

Please type or print answers to the following questions and submit to the City Recorder at City Hall, 20 E Main Street, or email melissa.huhtala@ashland.or.us. If you have any questions, please feel free to contact the City Recorder at 488-5307. **Attach additional sheets if necessary.**

Name Sharon Dohrmann

Requesting to serve on: _____ (Commission/Committee)

Mailing Address [redacted]

Physical Address same as above

Occupation IT Consultant Phone: Home [redacted]

Work

Email

Fax _____

1. Education Background

What schools have you attended? UC Santa Cruz

What degrees do you hold? BA in Environmental Studies

What additional training or education have you had that would apply to this position?
Peace Corps Volunteer in Agroforestry

2. Related Experience

What prior work experience have you had that would help you if you were appointed to this position?
I've been a small business owner and also served on boards, most recently at Willow Wind

Learning Center. I volunteered for several environmental non-profits in San Francisco

before we moved here.

Do you feel it would be advantageous for you to have further training in this field, such as attending conferences or seminars? Why? Yes, definitely, because the energy market and

climate remediation techniques are quickly changing and evolving.

3. **Interests**

Why are you applying for this position? I have young children and climate change is the most consequential issue affecting their futures. We plan on living in Ashland for a long time so I would like to have an impact on how we adapt to climate change for their sake and for the community's.

4. **Availability**

Are you available to attend special meetings, in addition to the regularly scheduled meetings? Do you prefer day or evening meetings? Yes, I'm available. I prefer day but I can do both.

5. **Additional Information**

How long have you lived in this community? 8 years

Please use the space below to summarize any additional qualifications you have for this position

How we adapt to climate change is of great importance to me. My direct work experience is in another field, but I learn quickly, absorb information well and work well in groups. I'm motivated to participate and assist in any way I can and am eager to learn what's already in place or being worked on. I know we have a lot of smart people in our community who care about this issue and I'm confident that, together in collaboration with the city council, we can implement meaningful changes.

4/18/2023

Date

Signature

Council Business Meeting

May 2, 2023

Agenda Item	Housing & Human Services Advisory Committee Appointment	
From	Melissa Huhtala	City Recorder
Contact	recorder@ashland.or.us, 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Confirm Mayor Graham's appointment of Crystal Munoz to position number 3 on the Housing & Human Services Advisory Committee.

POLICIES, PLANS & GOALS SUPPORTED

Ashland Municipal Code (AMC) Chapter 2.19.

BACKGROUND AND ADDITIONAL INFORMATION

N/A

FISCAL IMPACTS

N/A

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the appointment of Crystal Munoz to the Housing & Human Services Advisory Committee with a term expiring April 30, 2026.

REFERENCES & ATTACHMENTS

Attachment 1: Application

CITY OF ASHLAND

APPLICATION FOR APPOINTMENT TO CITY COMMISSION/COMMITTEE

Please type or print answers to the following questions and submit to the City Recorder at City Hall, 20 E Main Street, or email melissa.huhtala@ashland.or.us. If you have any questions, please feel free to contact the City Recorder at 488-5307. **Attach additional sheets if necessary.**

Name Crystal Munoz [redacted]

Requesting to serve on: Ashland Housing Committee (Commission/Committee)

[redacted]

Physical Address _____

Occupation Therapist [redacted]

Work _____
Email _____
Fax _____

1. Education Background

What schools have you attended? SOU, PSU

What degrees do you hold? BS, MSW, LCSW

What additional training or education have you had that would apply to this position?
With a masters in social work, I have an education in social justice that I feel would be relevant and support being a committee member.

2. Related Experience

What prior work experience have you had that would help you if you were appointed to this position?
I have worked as a social worker with many individuals across the lifespan and in my work I have seen how housing inscerity has impacted the well being and mental health of my clients.

Do you feel it would be advantageous for you to have further training in this field, such as attending conferences or seminars? Why? I believe that any available training in this field would be supportive to this role.

3. **Interests**

Why are you applying for this position?

As an individual who has lived mainly in the Ashland/Talent area for the last 20 years, the increased issues surrounding affordable work force housing are a priority interest for me. I would like to be a part of contributing to meaningful change.

4. **Availability**

Are you available to attend special meetings, in addition to the regularly scheduled meetings? Do you prefer day or evening meetings? I am available for evening meetings.

5. **Additional Information**

How long have you lived in this community? ~33 years in the Rogue Valley

Please use the space below to summarize any additional qualifications you have for this position

I have grown up in the Rogue Valley and I have experienced as well as witnessed through my work and community the impact of housing insecurity. Particularly impactful, after the Almeda fire, predatory rental hikes/prices are now the norm. I fear that if nothing is done in the coming years, that more young folks who are the work force for this community will be forced to relocate or leave. A healthy community includes opportuinities and housing for all demographics both in age and socioeconomic strata. It is time for this issue to be of top priority.

11/26/23
Date

Signature

Council Business Meeting

May 2, 2023

Agenda Item	Historic Preservation Advisory Committee Reappointments 2023	
From	Melissa Huhtala	City Recorder
Contact	recorder@ashland.or.us, 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Approval of the Mayor Graham's recommendations for the appointment of committee members to the Historic Preservation Advisory Committee. The following individuals are seeking reappointment:

- Eric Bonetti for a term ending 4/30/2026.
- Bill Emery for a term ending 4/30/2026.
- Katy Repp for a term ending 4/30/2026.
- Shelby Scharen for a term ending 4/30/2026.

POLICIES, PLANS & GOALS SUPPORTED

AMC 2.04.090 (C) Regular Commission and Board Membership Appointments

Except for the Municipal Audit Commission (AMC 2.11) all regular advisory committees and boards not required by state law to be appointed by the City Council shall be appointed by the Mayor with the consent of the Council. The Mayor may request assistance or recommendations from Councilors in making appointments.

BACKGROUND AND ADDITIONAL INFORMATION

The ending term for most Committee members is April 30, 2023 with exceptions for the Citizen's Budget Committee (ending on June 30) and the Municipal Audit Commission (ending on December 31).

All appointments at this time are for members asking for reappointment. Any new applications for appointments will come to a future meeting for Council confirmation.

FISCAL IMPACTS

N/A

SUGGESTED NEXT STEPS

I move to approve the Mayor's recommendations for the reappointments of the Historic Preservation Advisory Committee.

REFERENCES & ATTACHMENTS

Attachment 1: Committee member's emails requesting reappointment.

Better Together

From: Eric Bonetti [redacted]
Sent: Friday, March 10, 2023 11:51 AM
To: Derek Severson <derek.severson@ashland.or.us>
Cc: Regan Trapp <Regan.Trapp@ashland.or.us>
Subject: Historic Preservation Advisory Committee

[EXTERNAL SENDER]

Hi Derek,

I believe we need to let you know if we would like to proceed on the Historic Preservation Advisory Committee.
You can put me down for a "Yes."

Thanks,

Eric

From: Derek Severson
To: Michael Sullivan
Subject: Fw: EMERY Historic Preservation Advisory Committee Reappointment
Date: Monday, March 13, 2023 3:16:27 PM

From: Bill Emery [redacted]
Sent: Thursday, March 9, 2023 09:39 AM
To: Derek Severson <derek.severson@ashland.or.us>
Subject: HPAC Tenure

[EXTERNAL SENDER]
Good Morning Derek,
I would like to continue to serve on the Historic Preservation Advisory Commission as we discussed last night at the meeting.

Thanks for all that you do.

Bill Emery

From: Derek Severson
To: Michael Sullivan
Subject: Fw: REPP Historic Preservation Advisory Committee Reappointment
Date: Monday, March 13, 2023 3:15:40 PM

From: Katy Repp [redacted]
Sent: Wednesday, March 8, 2023 06:19 PM
To: Derek Severson <derek.severson@ashland.or.us>
Subject: I'll stick around for reappointment

[EXTERNAL SENDER]

From: Derek Severson
To: Michael Sullivan
Subject: Fw: SCHAREN Historic Preservation Advisory Commission Reappointment
Date: Monday, March 13, 2023 3:35:06 PM
Attachments: Outlook-hd1ktrw2.png

From: Shelby Scharen [redacted]
Sent: Monday, March 13, 2023 03:24 PM
To: Derek Severson <derek.severson@ashland.or.us>
Subject: Re: Reappointment?

[EXTERNAL SENDER]
Hi Derek,

Thank you for reaching out, and yes! My brain had moved on from last week and I forgot to send you a note asking to be reappointed. Count me in. :)

Ugh I dislike Daylight Savings Time - I have needed lots of coffee today!

Best,
Shelby

On Mon, Mar 13, 2023 at 3:18 PM Derek Severson <derek.severson@ashland.or.us> wrote:

> Shelby,
>
> I hope you had a good weekend, and have recovered from Daylight Savings...
>
> I just wanted to check and see if you were interested in being reappointed to the Historic Preservation Advisory Commission for another term. Let me know, and I'll pass it along to the Recorder and City Administrator.
>
> Thanks,
>
> **Derek Severson, Senior Planner**
> *Pronouns He/him/his*
>
> Better Together
>
> **City of Ashland**
> **Community Development**

51 Winburn Way, Ashland, Oregon 97520
541.552.2040 | TTY 800.735.2900
derek.severson@ashland.or.us

Online ashland.or.us; social media (Facebook @CityOfAshlandOregon | Twitter @CityofAshland)
This email transmission is official business of the City of Ashland, and it is subject to Oregon Public Records Law for disclosure and retention. If you have received this message in error, please contact me at 541.552.2040.

Council Business Meeting

May 2, 2023

Agenda Item	Public Arts Committee Appointment	
From	Melissa Huhtala	City Recorder
Contact	recorder@ashland.or.us, 541-488-5307	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Confirm Mayor Graham's appointment of Heather Warden to the Public Arts Committee.

POLICIES, PLANS & GOALS SUPPORTED

Ashland Municipal Code (AMC) Chapter 2.17.

BACKGROUND AND ADDITIONAL INFORMATION

N/A

FISCAL IMPACTS

N/A

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the appointment of Heather Warden to the Public Arts Committee with a term expiring April 30, 2026.

REFERENCES & ATTACHMENTS

Attachment 1: Application

APPLICATION FOR APPOINTMENT TO CITY COMMISSION/COMMITTEE

Please type or print answers to the following questions and submit to the City Recorder at City Hall, 20 E Main Street, or email melissa.huhtala@ashland.or.us. If you have any questions, please feel free to contact the City Recorder at 488-5307. Attach additional sheets if necessary.

Name- Heather Tenaya Nicole Warden

Requesting to serve on: - Arts (Commission/Committee)

Mailing Address__ [redacted]

Physical Address [redacted]

Occupation__Art Gallery / Shop Owner

[redacted]

1. Education Background

What schools have you attended?

Lane College, Santa Monica College (photography) / La Trade Tech (Fashion Design)

What degrees do you hold?

High School Diploma

What additional training or education have you had that would apply to this position?

I have worked in the Creative Arts industry such as Film, Music & Art since 2000. In this time frame I have had a clothing line, worked in textile design, and as a costume designer / stylist. I have experience creating and hosting industry events, art shows and creative merchandise events. I have travel experience which gives me fresh ideas and perspective. I have created and currently run an eclectic global antiquities & artisan shop / Art Gallery since 2015 to present.

2. Related Experience

What prior work experience have you had that would help you if you were appointed to this position?

I have worked with many different personalities and viewpoints to help projects manifest into creation. I love to help take a creative idea from inception to manifestation.

Do you feel it would be advantageous for you to have further training in this field, such as attending conferences or seminars? Why?

Yes, Learning is always key. Conferences are not only a good way to educate oneself but a way to grow and connect with the human global community. Conferences are a wonderful way to share, learn, connect, and grow. A way to keep relevant.

3. Interests
Why are you applying for this position?

I love the Arts and I love Ashland. Ashland is such a special place filled with amazing beauty of nature and humanity. The arts are a wonderful way for the community to connect regardless of their individual viewpoints. Art is the language of the soul. Ashland itself is Art, and I would love to share and help create more ways for everyone to enjoy and share in the experience.

4. Availability
Are you available to attend special meetings, in addition to the regularly scheduled meetings? Do you prefer day or evening meetings?

Yes, I am open to whatever times are best for the council.

5. Additional Information
How long have you lived in this community?

I have lived here for a little over 2 years. I have been coming and enjoying Ashland my whole life. It is a place that has always been very special to me with some of the most dearest times to my heart, times that have greatly impacted and influenced who I am today.

Please use the space below to summarize any additional qualifications you have for this position:

I feel my genuine love and passion for bringing art and the community together is a strong asset. I appreciate art in all of its forms. I love people of all viewpoints. I feel I have the ability to genuinely connect with people on an individual basis which is necessary to bring people together and projects to fruition. I am a local business owner and a member of the Ashland Chamber of Commerce and the Ashland Art Gallery Association.

Date 3/14/2023 Signature- Heather Warden

Council Business Meeting

Date

Agenda Item	Small Wireless Telecommunications Facilities o Draft Amendments of the AMC 13.02 Rights-of-Way, and o Draft Design Standards and Applications Requirements	
From	Douglas M McGeary,	Title Acting City Attorney
Contact	Doug.mcgeary@ashland.or.us and 541-552-2091	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☒	

SUMMARY

The City Attorney's Office is returning to the City Council with further draft amendments to the Right-Of-Way ordinance and a design standards resolution that are intended and necessary to guide the review and approval of small wireless facility applications consistent with FCC regulations.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

The previous draft ordinance for small wireless telecommunication facilities presented to the Council was based on the model ordinances developed by the League of Oregon Cities (LOC) in response to settlements from federal lawsuits involving Oregon cities. These lawsuits arose from conflicts over local regulations that imposed restrictions on small cell facilities and older technologies. The LOC worked with the industry to reach compromises and develop these model ordinances. However, the Council has expressed a preference for an ordinance that imposes stricter limitations on an applicant's network configuration. The objective is to mitigate any possible legal challenges to the ordinance by ensuring compliance with the rights granted to applicants under FCC rules.

The proposed ordinance builds upon the LOC model rules as a foundation but incorporates certain modifications to include definitions and standards that enable more stringent restrictions on an applicant's network configuration. Additionally, the ordinance includes a comprehensive severability clause to tackle potential challenges arising from stricter regulations.

Comprehensive revisions are incorporated into the model resolution for design standards. As a resolution, it offers greater flexibility compared to an ordinance, allowing for adjustments in response to changes in the law or rectifying problematic provisions that could potentially entangle the city in a lawsuit. Similar to the ordinance, it includes a severability clause, empowering the city to modify any directive while upholding strict limitations in all other aspects pertaining to the approval of an application.

At this stage, The City Attorney is requesting direction from Council on how it wishes to proceed in considering draft amendments to AMC 13.02 Rights-of-Way and the draft resolution for Design Standards and Applications Requirements. Following Council's directive, it will be necessary to subject the ordinance and resolution to further peer review and engage in discussions with the Public Works, Electric Department, and Planning departments before it can be presented for the first reading of the ordinance and final adoption consideration.

It is crucial for the Council to carefully examine the documents and confirm their intent to pursue an ordinance that imposes the most stringent limitations on applicants, despite the potential risk of legal challenges. The area of law pertaining to FCC regulation is highly technical and constantly evolving due to rapid technological advancements. Defending such lawsuits can be costly, requiring specialized expertise to navigate the rules and apply the law during litigation. The League of Cities (LOC) provides assistance to cities in litigation of this nature, particularly if their model ordinance is being challenged. However, they may be less inclined to offer support for significant changes made to their model ordinance.

FISCAL IMPACTS

The City will collect fees for the review of small wireless facilities, as permitted by the FCC. The FCC has determined that the following fees are considered fair and reasonable:

- $500.00 for non-recurring fees, including a single, up-front application for up to five small wireless facility sites, with an additional $100.00 for each additional small wireless facility site beyond the initial five sites;
- $1,000 for non-recurring fees for a new pole to support one or more small wireless facility;
- $270.00 per year for all recurring fees, including any right-of-way access fee (e.g., encroachment permit) or fee for attachment to a municipality-owned structure in the public right-of-way.
- Under the draft amendment to AMC 13.02 application requirements, the applicants for small cell wireless facilities must use an impartial third-party analyst, who is subject to the approval of the City, to verify the applicant's system coverage deficiencies that necessitate the facility's siting, or other complaints that enforcement of the City's regulations would constitute an "effective prohibition" of their wireless service.

DISCUSSION QUESTIONS

If the Council chooses to continue with review of the draft ordinance and resolution as presented, then this office will submit the matters for review with affected departments and review by others with technical knowledge in this field.

SUGGESTED NEXT STEPS

Direct the City Attorney on how to proceed with the review of revisions to the amendments of the AMC 13.02 Rights-of-Way ordinance and the accompanying resolution for Design Standards and Applications Requirements regarding small cell wireless facilities.

REFERENCES & ATTACHMENTS

- Draft AMC chapter 13.02 Public Rights-of-Way ordinance with redlined amendments establishing standards for small wireless facilities in the rights-of-way in the city of Ashland
- Draft resolution for Small Wireless Facility Design Standards and Application Requirements For City Rights-of-Way with updates redlined

ORDINANCE NO._____

AN ORDINANCE AMENDING AMC CHAPTER 13.02 PUBLIC RIGHTS-OF-WAY AND ESTABLISHING STANDARDS FOR SMALL WIRELESS FACILITIES IN THE RIGHTS-OF-WAY IN THE CITY OF ASHLAND

Annotated to show ~~deletions~~ and additions to the 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.

WHEREAS, the City desires to encourage wireless infrastructure investment by providing a fair and predictable process for the deployment of small wireless facilities, while enabling the City to promote the management of the rights-of-way in the overall interests of the public health, safety and welfare; and

WHEREAS, the City recognizes that small wireless facilities are needed to deliver wireless access and capacity to advanced technology, broadband and first responder services to homes, and businesses, as well as health care, public safety and educational services providers within the City; and

WHEREAS, the City recognizes that the wireless industry needs small wireless facilities, including facilities commonly referred to as small cells, deployed in the public rights-of-way; and

WHEREAS, the City further recognizes that the City must balance the benefits from small cell infrastructure with its aesthetic impact on the community in order to mitigate or avoid adverse visual impacts, encourage the deployment of infrastructure consistent with the surrounding built and natural environment, and preserve the City's historic and environmental resources to the extent feasible; and

WHEREAS, the City intends to adopt a new code consistent with local, state and federal laws, standards and requirements.

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

SECTION 1. Chapter 13.02 PUBLIC RIGHTS-OF-WAY of the Ashland Municipal Code is hereby amended and by adding the following Sections as follows:

Chapter 13.02
PUBLIC RIGHTS-OF-WAY

Sections:

- 13.02.010Definitions
- 13.02.020Jurisdiction
- 13.02.030Scope of Regulatory Control
- 13.02.040Right-of-Way Encroachment
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13.02.010Definitions

(1) For the purpose of Sections 13.02.010 – 13.02.200 in this chapter, the following mean:

A. *Encroach.* The act of a private individual extending from their abutting private property into a public right-of-way, public easement or public property.

B. *Encroachment.* Area in a public right-of-way, public easement or public property that is being encroached upon by a private individual.

C. *Encroachment Permit.* A revocable permit granted by the Public Works Director to allow permittee to encroach upon a public right-of-way, public easement or public property where compliance with this chapter can be demonstrated.

D. *Person.* Individual, corporation, association, firm, partnership, joint stock company, and similar entities.

E. *Public Easement.* An easement granted to the City for a public purpose, including, but not limited to the purpose of installing or maintaining public or private utility infrastructure for the provision of water, power, heat or telecommunications to the public.

F. *Public Property.* Real property owned by the City and open to the public for public use.

G. *Public rights-of-way.* Include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements, and all other public ways or areas, including subsurface and air space over these areas.

H. *Public Works Director.* The City Public Works Director or his/her authorized designee.

I. Within the City: Territory over which the City now has or acquires jurisdiction for the exercise of its powers.

(2) For purposes of Sections 13.02.300 – 13.02.200 in this chapter, the following mean:

(A) "Antenna" means the same as defined in 47 C.F.R. § 1.6002(b), as may be amended or superseded. The term includes an apparatus designed for the purpose of emitting radio frequencies (RF) to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of personal wireless service and any commingled information services. For purposes of this definition, the term antenna does not include an unintentional radiator, mobile station, or device authorized under 47 C.F.R. Part 15.

(B) "Antenna Equipment" means the same as defined 47 C.F.R. § 1.6002(c), as may be amended or superseded, which defines the term to mean equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and, when collocated on a structure, is mounted or installed at the same time as such antenna.

(C) "Antenna Facility" means the same as defined in 47 C.F.R. § 1.6002(d), as may be amended or superseded, which defines the term to mean an antenna and associated antenna equipment.

(D) "Applicable codes" means uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or state or local amendments to those codes that are of general application and consistent with state and federal law.

(E) "Applicant" means any person who submits an application as or on behalf of a wireless provider.

(F) "Application" means requests submitted by an applicant required (i) for permission to collocate small wireless facilities; or (ii) to approve the installation, modification or replacement of a structure on which to collocate a small wireless facility in the rights-of-way.

(G) "City Structure" means a structure located in the rights-of-way within the City's jurisdictional boundaries that is owned, managed or operated by the City or any subdivision or instrumentality thereof, including municipal electric utilities. Including,

but not limited to streetlights, traffic signals, utility poles, or building.

(H) "Collocate" means the same as defined in 47 C.F.R. § 1.6002(g), as may be amended or superseded, which defines that term to mean (1) mounting or installing an antenna facility on a preexisting structure, and/or (2) modifying a structure for the purpose of mounting or installing an antenna facility on that structure. "Collocation" has a corresponding meaning.

(I) "Day" means calendar day. For purposes of the FCC shot clock, a terminal day that falls on a holiday or weekend shall be deemed to be the next immediate business day.

"DBM" or "dBm" means decibel milliwatts, which is a measurement of the wireless signal strength of wireless networks.

(J) "Decorative pole" means a city structure that is specially designed and placed for aesthetic purposes.

"Distributed Antenna System" or "DAS" means a network of spatially separated antenna nodes connected to a common source via a transport medium that provides personal wireless service within a geographic area.

"Effective Prohibition" means, in reference to 47 U.S.C. § 253(a), a showing of an actual or effective prohibition of personal wireless services, rather than the mere possibility of prohibition.

(K) "Historic district" means a group of buildings, properties, or sites that are either: (1) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register in accordance with Section VI.D.1a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C; or, (2) a locally designated historic district as of the effective date of this Chapter or in a locally designated historic district existing when an application is submitted.

"Illegally Excessive RF Radiation or Illegally Excessive Radiation" means radio frequency (RF) radiation emissions at levels that exceed the legally permissible limits set forth within 47 CFR1.1310(e)(1), Table 1 Sections (i) and (ii), as made applicable pursuant to 47 CFR §1.1310(e)(3).

"Macrocell" means a cellular base station that typically sends and receives radio signals from large towers and antennas. These include traditionally recognized cell towers, which typically range from 50 to 199 feet in height.

"Necessary" or "Necessity" Or "Need" means what is technologically required for the equipment to function as designed by the manufacturer, and that anything less will result in prohibiting the provision of service as intended and described in the narrative of the application. "Necessary" or "need" does not mean what may be desired, preferred, or the most cost-efficient approach and is not related to an applicant's specific chosen design

standards. Any situation involving a choice between or among alternatives or options is not a need or a necessity.

"NEPA" means the National Environmental Policy Act, 42 U.S.C. §4321 et seq.
"NHPA" means the National Historic Preservation Act, 54 U.S.C. §300101 et seq, and 36 CFR Part 800 et seq.

"Node, Das Node" means a fixed antenna and related equipment installation that operates as part of a system of spatially separated antennas, all of which are connected through a medium through which they work collectively to provide personal wireless services, as opposed to other types of personal wireless facilities, such as macrocells, which operate independently.

"Notice Of Effective Prohibition Conditions" means a written notice which is required to be provided to the City at the time of the filing of any application, by all applicants at seeking any approval, of any type, for the siting, installation and/or construction of a PWSF, wherein the respective applicant asserts, claims or intends the same, that a denial of their respective application, by any agent, employee, or appeal process by the City, would constitute an "effective prohibition" within the meaning of the TCA constituting a violation of Section 47 U.S.C. §332(c)(7)(B)(i)(II).

"Occupational/Controlled Exposure Limits means the applicable radiofrequency radiation exposure limits set forth within 47 CFR §1.1310(e)(1), Table 1 Section (i), made applicable pursuant to 47 CFR §1.1310(e)(2).

(L) "Permissions" means City authorized permits, agreements or licenses necessary for small wireless deployment.

(M) "Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the City.

(N) "Pole" means a type of structure in the rights-of-way that is or may be used in whole or in
part by or for wireline communications, electric distribution, lighting, traffic control, signage, or similar function, or for collocation of small wireless facilities; provided, such term does not include a tower, building or electric transmission structures.

"RF Radiation" means radiofrequency radiation, that being electromagnetic radiation which is a combination of electric and magnetic fields that move through space as waves, and which can include both Non-Ionizing radiation and Ionizing radiation.

(O) "Rights-of-Way" or "ROW" has the same definition as section (1)(G) in this Section.

(P) "Routine Maintenance" means inspections, testing, repair, and modifications subject to Section 6409(a) that maintain functional capacity, aesthetic and structural integrity of a

small wireless facility and/or the associated pole or structure.

"Setback" for purposes of special use permit applications, a setback means the distance between (a) any portion of a small wireless facility and/or complex, including but not limited to any and all accessory facilities and/or structures, and (b) the exterior line of any right-of-way or part thereof which the applicant seeks a permit to construct or install a small wireless facility. In the event that an applicant seeks only a portion of any right-of-way, the setback shall be measured from the facility to the line of that portion of the right-of-way actually used by the applicant, as opposed to the exterior line of the right-of-way.

"Shot Clock" means the applicable period which is presumed to be a reasonable period within which the City is generally required to issue a final decision upon an application seeking special use permit approval for the installation or substantial modification of a small wireless facility facility or structure, to comply with Section 47 U.S.C. §§332(c)(7)(B)(ii)? of the TCA.

(Q) "Small wireless facility" means a facility that meets each of the following conditions per 47 C.F.R § 1.6002(l), as may be amended or superseded:

(1) The facilities (i) are mounted on structures 50 feet or less in height including the antennas, or (ii) are mounted on structures no more than 10 percent taller than other adjacent structures, or (iii) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater; and,

(2) Each antenna associated with the deployment, excluding associated antenna equipment, is no more than three cubic feet in volume; and,

(3) All other wireless equipment associated with the structure, including wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume; and,

(4) The facilities do not result in human exposure to radio frequency in excess of the applicable safety standards specified in 47 C.F.R. § 1.1307(b).

(R) "Structure" means the same as defined in 47 C.F.R. § 1.6002(m), as may be amended or superseded, which defines that term as a pole, tower, or base station, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of service).

"TCA" means the Telecommunications Act of 1996, 47 U.S.C. §332(c)

"Tolling" or "Tolled" means the pausing of the running of the time period permitted under the applicable shot clock for the respective type of application for a personal wireless services facility. When a shot clock is tolled because an application has been deemed incomplete and timely notice of incompleteness was mailed to the applicant, the submission of additional materials by the applicant to complete the application will end the tolling,

thus causing the shot clock period to resume running versus re-starting the time from the beginning.

(S) "Wireless Infrastructure Provider" means any person, including a person authorized to provide communications service in the state, that builds or installs wireless communication transmission equipment, wireless facilities, but that is not a wireless services provider.

(T) "Wireless Provider" means a wireless infrastructure provider or a wireless services provider.

(U) "Wireless Services Provider" means a person who provides personal wireless services (whether or not it is comingled with other services).

13.02.020Jurisdiction

As relates to this Chapter 13.02, the City has jurisdiction and exercises regulatory control over all public rights-of-way within the City under the authority of the City charter and state law.

13.02.030Scope of Regulatory Control

The City has jurisdiction and exercises regulatory control over each public right-of-way whether the City has a fee, easement, or other legal interest in the right-of-way. The City has jurisdiction and regulatory control over each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure, or other means**. A permit from the City authorizes an applicant to undertake only certain activities in accordance with this Chapter and does not create a property right or grant authority to the applicant to impinge upon the rights of others who may already have an interest in the rights-of-way.**

13.02.040Right-of-Way Encroachment

A. *Prohibition.* Except as provided in subsection C of this section, no person or entity may occupy or encroach on a public right-of-way without the permission of the City. The City grants permission to use public rights-of-way, by franchises, licenses, concessions and permits.

B. *Standard Forms.* Franchises, licenses, concessions and permits for use of public rights-of-way shall comply with all applicable requirements for occupancy or encroachment of such areas as set forth in AMC Chapter 13.03 and other applicable provisions of the Ashland Municipal Code. Franchises, licenses, concessions and permits shall be submitted on a City standard form franchise, license, concession, or permit template, together with required fees, if any. Such standard fees may be adopted and amended by resolution of the City Council.

C. *City Functional Items.* The City of Ashland is not required to obtain permits or other City authorizations to place City utilities, facilities or other structures in the right-of-way, including "functional items" intended for public usage. City functional items include, but are not limited to, a City standard bench, water fountain, planter box, garbage receptacle, ash can, bike rack, bollard, publication box, or other functional items identified by resolution of the City Council. The City Council resolution shall identify functional items and establish minimum standards for such items.

D. *Donated or Loaned Functional Items.* An abutting property owner together with the occupant may donate or loan to the City of Ashland a City standard functional item for use in an adjacent sidewalk permit area. Other persons or entities may also donate or loan functional items, for use in nonadjacent public areas. Items accepted on loan require insurance and a maintenance/hold harmless/indemnity agreement in a form approved by the City. Donated items do not require insurance or a maintenance agreement, but the donations must be accepted by the City to be eligible for placement. The City Manager is delegated authority to accept or reject donations and loans for purposes of this chapter, in the Manager's sole discretion. After demonstrated compliance with this section, the City Public Works Director may authorize in writing the placement of a donated or loaned City standard functional item, in locations meeting, at a minimum, the clearance requirement of AMC Chapter 10.64 or in approved locations shown on an adopted Downtown Sidewalk Usage Map. Items not strictly complying with minimum standards for such City functional items, (e.g., a decorative art bench) may be permitted through the public art process in AMC Chapter 2.17. (Ord. 3192 § 91, amended, 11/17/2020; Ord. 3137, amended, 2017; Ord. 3028, amended, 08/03/2010; Ord. 2989, amended, 11/01/2009)

13.02.050Encroachment Permits

A. *Permits Required for Encroachment; Exemptions.*

1. *Permits Required.* It shall be unlawful for any person to do any of the following without first obtaining a encroachment permit from the Public Works Director:

a. Erect or cause to be erected any structure, retaining wall, or fence in a public right-of-way, public easement, or public property, or

b. Place or maintain any landscaping materials or any type of fill in, over or upon any dedicated public right-of-way, public easement or public property.

c. Permits for a small wireless facility are subject to sections AMC Chapter 13.02.300 – 315.

2. *Specific Exemptions.* Certain encroachments are exempt from the permit requirement of AMC 13.02.020. Exempt encroachments are those which would have a minor impact on the present or planned use of the public right-of-way, public easement or public property and those which are expressly exempted herein. The following encroachments are exempt encroachments as long as they do not create a vision clearance hazard as defined in AMC 18.68.020:

a. Mailboxes and their enclosing structures,

b. Temporary signs and banners permitted by the Sign Code (AMC 18.96),

c. Guard/handrails along edges of driveway approaches, walks, stairs, etc. that encroach in public right-of-way, and

d. Lawns, plants and approved street trees encroaching in public right-of-way that do not obstruct visibility for pedestrians, bicyclists and motorists.

3. *Additional Exemptions.* The Public Works Director may grant additional exemptions as long as the encroachment does not create a vision clearance hazard as defined in AMC 18.68.020.

B. *Application and Fee Required.*

1. Any person desiring to locate or maintain an encroachment shall submit an application to the Director of Public Works. The application shall include a description of the proposed encroachment and a scale drawing illustrating the nature and extent of the proposed encroachment and its relationship to adjoining properties. If the applicant is not the owner of the property that will be benefitted by the encroachment, the owner of the benefitted property shall also sign the application as a co-applicant. The Public Works Director may require an actual survey to determine the exact location of any public or private improvements that will be encroaching in the right-of-way.

2. A fee in the amount established by resolution of the City Council shall be paid at the time of the application. **In the event of permitting wireless communication facilities, the City may require advance periodic monetary deposits held by the City on account of the applicant or landowner to secure reasonable reimbursement of the City's consultant expenses.**

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C. *Review of Application.* The Public Works Director shall conduct a review of the application for an encroachment permit to determine its compliance with the standards in AMC 13.02.060, and the Public Works Director shall request comments from affected City departments, utility companies and agencies regarding the impact of the proposed encroachment. (Ord. 3040, added, 11/16/2010; Ord. 3028, amended, 08/03/2010; Ord. 3009, amended, 04/20/2010)

13.02.060Standards and Conditions

The Public Works Director may approve the issuance of an encroachment permit for an encroachment where compliance with ~~the following~~ standards **provided herein and relevant Design Standards for Small Wireless Facilities as set forth by resolution that** can be demonstrated or specific findings are made that the standard is not applicable. The Public Works Director may attach any conditions to the issuance of the permit that are required in any applicable planning approvals or reasonably related to ensuring compliance with this section, or other applicable City codes.

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A. *Standards for Approval.*

1. Horizontal clearances of at least five (5) feet shall be maintained on all sides of all utilities including electrical power, communications, sewer, storm drain, and water. This distance shall be measured between proposed encroachments and existing or proposed utility lines, manholes, appurtenances, and fixtures, including but not limited to fire hydrants, above ground transformers, cabinets, and other structures. Clearances around water meters shall be at least one (1) foot behind and two (2) feet from the sides when measured from the outside edges of the box. A larger horizontal clearance may be required if utilities mandate larger clearances for specific structures; for example, additional clearance may be required in front of electrical cabinets and transformers. Requests by utility providers for larger horizontal clearances or additional conditions shall be considered for inclusion into the permit. The applicant shall pay for relocation of the existing utility lines, manholes, appurtenances, and fixtures if this standard cannot be met.

2. Vertical clearances between utilities and natural landscape materials or structures placed below or above those facilities shall be the distance required by the affected utilities. Conditions requested by the utility providers shall be considered for inclusion into the permit.

3. Proposed encroachments, improvements and temporary measures shall not cover, prevent access to, or block the flow of water into inlets, basins, ditches, or drainage ways. Grading changes shall not otherwise alter the drainage patterns in the right-of-way without written approval of a grading and erosions control plan by the Public Works Director.

4. Sufficient space for off-street parking, loading, and pedestrian travel shall be maintained. The encroachment shall not result in a loss of area needed for parking, vehicular maneuvering, or pedestrian travel.

5. It is determined that the requested encroachment is consistent with the current use of the public right-of-way, easement or public property.

B. *Conditions.*

1. When the Public Works Director determines that allowing the requested encroachment may subject the City to potential liability, a condition of permit issuance shall be the filing with the City Risk Manager of a policy of insurance and form of policy by an insurance company licensed to do business in the State of Oregon. The policy shall protect the City, its officers, agents, and employees, and the abutting property owners, lessees and tenants from any and all claims for injury or damage to persons or property that might result from the placing and/or maintenance of the permitted encroachment. **The policy must not contain a pollutants exclusion clause.** The amount of the insurance policy shall be at least the limits of public body liability under the Oregon Tort Claims Act. The policy shall also contain a provision that the City Risk Manager shall be notified at least 30 days prior to any cancellation of such insurance. The permittee shall maintain the insurance for the term of the permit issued. Failure to maintain the insurance shall result in automatic revocation of the permit.

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2. All work within the public right-of-way, public easement, or public property shall be consistent with engineering plans, profiles, specifications, and standards approved by the Public

Works Director in accordance with City requirements **and relevant Design Standards for Small Wireless Facilities as set forth by resolution**.

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3. The Public Works Director may place a limit on the time the proposed encroachment may be located in or on the right-of-way, public easement or public property.

4. To ensure that encroachments do not contribute to visual blight or create a safety hazard, conditions of permit approval may include a requirement that the encroachment be appropriately maintained.

5. The City may impose a charge for the use of the public right-of-way, public easement or public property. (Ord. 3040, added, 11/16/2010)

13.02.070Permit Issuance

A. The Public Works Director may approve, modify and approve, or deny the application for an encroachment permit.

B. Ministerial decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval standards. Ministerial decisions include, but are not limited to, site plan approval of building or other specialty permits and final subdivision and planned unit development plans where there are no material deviations from the approved preliminary plans. Because no discretion is involved, ministerial decisions do not qualify as land use or limited land use decisions. The process requires no notice to any party other than the applicant. The Public Works Director's decision is final and not appealable by any party through the normal land use process. Ministerial decisions may be appealed as provided in AMC **~~13.02.040~~13.02.200**. ~~(Ord. 3040, added, 11/16/2010)~~

13.02.090Revocation of Permits

All right-of-way, easement or public property encroachment permits shall be revocable by the City at any time such revocation would be in the public interest. No grant of any permit, expenditure of money in reliance thereon, or lapse of time shall give the permittee any right to the continued existence of an encroachment or to any damages or claims against the City arising from a revocation.

Any permit issued under this section shall be automatically revoked if the permittee fails comply with any conditions of the permit, or fails to begin installation of the allowed encroachment within ninety (90) days after issuance of the permit unless an extension is requested prior to the expiration of the ninety (90) day period. (Ord. 3040, added, 11/16/2010)

13.02.100Removal of Encroachment

Upon revocation, the permittee or any successor permittee shall, at the permittee's own expense, remove the permitted encroachment within thirty (30) days after written notice has been provided by the City unless a shorter period is specified in the notice of revocation.

If the permittee does not remove the encroachment and return the right-of-way, public easement or public property area to a condition satisfactory to the Public Works Director, the City shall do so and the permittee shall be personally liable to the City for any and all costs of returning the right-of-way, public utility easement or public property to a satisfactory condition, including the removal of structures and reconstruction of streets and/or pathways. If the permittee fails to pay the City for the costs incurred after the City bills permittee, the costs shall be imposed as a lien upon the property. Payment of such costs shall not prevent the City from pursuing any other remedy available at law or pursuing any other penalty. (Ord. 3040, added, 11/16/2010)

13.02.110Liability

The permittee, and owner of the benefitted property if different than the permittee, shall be liable to any person who is injured or otherwise suffers damage by reason of any encroachment allowed in accordance with the provisions of this section. Furthermore, the permittee shall be liable to the City of Ashland, its officers, agents and employees, for any judgment or expense incurred or paid by the City, its officers, agents and employees, by reason of the existence of an approved encroachment. (Ord. 3040, added, 11/16/2010)

13.02.130Obligations of the City of Ashland

The exercise of jurisdiction and regulatory control over a public right-of-way by the City is not official acceptance of the right-of-way for public access and does not obligate the City to open or improve any part of the right-of-way. Upon improvement of any public right-of-way to city street standards, the City shall accept by resolution the improvement and maintain and repair such improvement to the standard to which it has been improved. For purposes of nuisance-type ordinances imposing obligations upon property owners, (e.g. snow removal, weeds and noxious vegetation, sidewalk maintenance) the City shall be responsible for compliance with such ordinances in public rights-of-way adjacent to or abutting city-owned or controlled real property. (Ord. 3040, amended, 11/16/2010)

13.02.200Appeals

The Uniform Administrative Appeals Process outlined in AMC 2.30 shall apply to all protests of encroachment permits. Failure to strictly comply with the applicable appeal requirements, including but not limited to the required elements for the written notice of appeal, time for filing of the notice of appeal, and payment of the applicable appeal fee, shall constitute jurisdictional defects resulting in the summary dismissal of the appeal. The Hearing Officer's decision is final and not appealable by any party through any land use process. The Hearing Officer's decision may only be appealed through a writ of review proceeding in Jackson County Circuit Court.

13.02.300 Standards For Small Wireless Facilities In The Rights-Of-Way. Where otherwise not provided in or contrary to this subsection for Wireless Facilities, all other

provisions of AMC 13.02 Public Rights of Way remain applicable. The city will adopt additional specific design guidelines periodically for Small Wireless Facilities by resolution to remain responsive to changing laws and technology.

A. If a requirement of any section of this Ordinance is determined to be invalid, illegal, or unenforceable, it shall not affect the enforceability of any other provision of this Ordinance. Rather, the invalid, illegal, or unenforceable provision shall be modified to the extent necessary so that it is valid, legal, and enforceable.

13.02.301 Permitted Use; Application and Fees

(A) *Permitted Use*. The following uses within the rights-of-way shall be a permitted use, subject to compliance with the city's applicable design standards, administrative review only and issuance of a permit as set forth in this Chapter:

(1) Collocation of a small wireless facility; and,

(2) Placement of a new, modified, or replacement pole to be used for collocation of a small wireless facility.

(B) *Permissions Required*. Except as otherwise provided in this Chapter, no person shall place any small wireless facility described in Section 3(A) in the rights-of-way, without first filing an application for the facility and obtaining a city's permit, license, or agreement.

(C) *Application Requirements*. Application requirements and forms are subject to AMC 13.02.050 (B) and (C).

(D) *Routine Maintenance and Replacement*. An application shall not be required for: (1) routine maintenance; or (2) the replacement of a small wireless facility with another small wireless facility that is the same, substantially similar or smaller in size and weight and height. The City may require a permit for work within the right of way. Such a permit must be issued to the applicant on a non-discriminatory basis upon terms and conditions applied to any other person performing similar activities, regardless of technology, in the ROW.

(E) The City shall have the right to employ qualified city staff or third-party RF engineer to conduct a random and unannounced test of small wireless facility installations located within the City to certify their compliance with all FCC radio-frequency transmission power limits as they pertain to exposure of the general public at maximum operating power. The reasonable cost of such tests shall be paid by the Permittee.

(1) In the event that such city or independent tests reveal that any small wireless is transmitting RF radiation or is contributing to RF radiation in excess of FCC exposure guidelines as they pertain to the general public, the City shall notify the Wireless Provider and all residents living within 1500 feet of the small cell installation(s) of the violation, and the Wireless Provider shall have forty-eight (48)

hours to bring the SCF(s) into compliance. Failure to bring the SCF(s) into compliance and the City shall have the right, in addition to recovery costs for verifying non-compliance, to require the removal of such installation(s), as the City in its sole discretion may determine is in the public interest.

(F) *Information Updates.* Any amendment to non-material information contained in an application shall be submitted in writing to the City within thirty (30) days of the change.

(G) *Application Fees.* Application fees shall be set by resolution, but in no case shall fees exceed the following:

(1) $500 for up to the first five small wireless facilities in the same application, with an additional $100 for each small wireless facility beyond five in the same application, or fees that are (1) a reasonable approximation of costs, (2) those costs themselves are reasonable, and (3) are nondiscriminatory.

(2) $1000 for the installation, modification or replacement of a pole together with the collocation of an associated small wireless facility in the rights-of-way that is a permitted use in accordance with this Chapter, or fees that are (1) a reasonable approximation of costs, (2) those costs themselves are reasonable, and (3) are nondiscriminatory.]

13.02.303 Action on Administrative Permit Applications On Wireless Facilities

(A) The City must process all applications on a nondiscriminatory basis and may deny an application subject to this Chapter if the proposed small wireless facility or new, modified, or replaced pole:

(1) Fail to comply with AMC 13.02.060 Standards and Conditions.

(2) Materially and demonstrably interferes with sight lines or clear zones for transportation or pedestrians;

(3) Materially fails to comply with the Americans with Disabilities Act or similar federal, state, or local laws, standards and regulations regarding pedestrian access or movement;

~~(3)~~(4) Fails to comply with FCC guidelines regarding Radio Frequency emissions;

~~(4)~~(5) Fails to comply with applicable codes, standards and regulations, including the City's design standards; or

(6) Fails to comply with the provisions in this AMC 13.02.300 – 315.

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(B) Unless the applicable shot clock period is tolled, extended by agreement or the processing of the application is delayed due to circumstances beyond the City's controls, the City will act on an application within the applicable shot clock and provide written notice to the applicant if the application is denied. The written notice shall state the reasons for denial, with reference to specific code provisions, ordinance, application instruction or otherwise publicly stated procedures on which the denial was based, and be sent to the applicant within five (5) days after the City denies the application or before the applicable shot clock expires, whichever occurs first.

(C) Batch Applications. The city may consider applications for multiple small wireless facilities according to common design elements and/or vicinity, as well as other measures to promote efficiency. Furthermore, such applications which includes deployment(s) that fall within collocations on existing structures and deployment(s) on new structures shall be subject to a 90-day timeframe for approval as opposed to a 60-day timeframe.

13.02.305 Small Wireless Facilities in the ROW; Maximum Height; Other Requirements

(A) *Maximum Size of Permitted Use.* Any wireless provider that seeks to install, modify, or replace facilities on a pole in the rights-of-way that exceeds the height limits contained in Section 13.02.010(2)(R), shall be subject to applicable requirements.

(B) *Decorative Poles.* Subject to this code and applicable design standards, a wireless provider is permitted to collocate on or replace a decorative pole when necessary to collocate a small wireless facility; provided that any such replacement pole shall, to the extent feasible, replicate the design of the pole being replaced.

(C) *Historic District.* Small wireless facilities or poles to support collocation of small wireless facilities located in Historic Districts shall be designed to have a similar appearance, including coloring and design elements, if technically feasible, of other poles in the rights-of-way within 500 feet of the proposed installation. Any such design or concealment measures may not be considered part of the small wireless facility for purpose of the size restrictions in the definition of small wireless facility.

(D) Preferred or Disfavored Locations: In accordance with AMC 18.2.1.020, the following language establishes preferred and disfavored locations for small cell wireless facilities:

(1) Preferred Locations: Small cell wireless facilities are encouraged to be located within areas defined as Commercial, Employment, and Industrial within the Base Zones as outlined in AMC 18.2.1.020.

~~(A)~~(2) Disfavored Locations: Small cell wireless facilities should avoid being located within Residential areas and within a 1500-foot radius of schools, medical facilities, or health facilities.

13.02.307 Effect of Construction/Work Permit

(A) *Permit Duration.*

(1) A permit for construction granted pursuant to this Section shall be valid for a period of 180 days after issuance unless the City agrees to extend this period for good cause, including but not limited to delay caused by the lack of commercial power or

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communications facilities, or by other events outside of the reasonable control of the wireless provider.

(2) The installed facility is subject to applicable relocation requirements, termination for material non-compliance after notice and a reasonable opportunity to cure, and an applicant's right to terminate a permit at any time.

13.02.309 Removal, Relocation or Modification of Small Wireless Facility in the ROW

A. *Notice.* Notice of removal of encroachment is subject to AMC 13.02.100.

B. *Removal or relocation of Facilities.* If the City plans a project that would require utilities that includes small wireless facilities (together, the "parties") to remove or relocate their facilities that are located within the highway right of way, the city shall notify affected parties of the project in writing as soon as is practicable. The city will coordinate with the affected parties to discuss the project's scope, planning, design phase, costs, and schedule to minimize or eliminate costs to the public body and the parties. The city is not required to avoid or minimize costs to the parties in a way that materially affects performance of the project.

C. *Emergency Removal or Relocation of Facilities.* The City retains the right and privilege to cut or move any small wireless facility located within the rights-of-way of the City in the event of an emergency, as the City may determine to be necessary, appropriate or useful in response to any imminent danger to public health, safety, or property. If circumstances permit, the City shall notify the wireless provider and provide the wireless provider an opportunity to move its own facilities prior to cutting or removing a facility and shall notify the wireless provider promptly after cutting or removing a small wireless facility.

D. *Damage and Repair.* The City may require a wireless provider to repair all damage to the rights-of-way directly caused by the activities of the wireless provider and return the rights-of-way to its functional equivalence before the damage pursuant to the competitively neutral, reasonable requirements and specifications. If the wireless provider fails to make the repairs within days after written notice, the City may affect those repairs and charge the applicable party the actual, documented cost of such repairs.

E. Abandonment of Facilities. Any small wireless facility that is no longer in use shall be removed by the Permittee within 30 days of deactivation.

13.02.311 Collocation on City Structures in the ROW

(A) *Collocation on City Structures.* Small wireless facilities may be collocated on city structures in the rights-of-way pursuant to this Chapter. No person will be permitted an exclusive arrangement or an arrangement which excludes otherwise qualified applicants to

attach to city structures in the rights-of-way. A person who purchases or otherwise acquires a City structure is subject to the requirements of this section.

(b) Make-Ready. The rates, fees, terms and conditions for the make-ready work to collocate a small wireless facility on a pole owned or controlled by the City must be nondiscriminatory, competitively neutral, reasonable, comply with this Chapter and be subject to the following:

(1) The City or any person owning, managing, or controlling the poles owned by the City will provide a good faith estimate for any make-ready work reasonably necessary to make a specific city pole suitable for attachment of the requested small wireless facility, including pole replacement if necessary, within 60 days after receipt of a completed request. Make-ready work including any pole replacement shall be completed within 60 days of written acceptance of the good faith estimate by the applicant.

(2) The City or any person owning, managing, or controlling the poles owned by the city shall not require more make-ready work than required to meet applicable codes or may be reasonably necessary to avoid interference with other attachments on the pole . Fees for make-ready work shall not include costs related to pre-existing or prior damage and non-compliance. Fees for makeready work including any pole replacement shall not exceed actual and direct costs, or the amount charged to others for similar work and shall not include any revenue or Contingency based consultant fees or expenses of any kind.

13.02.315 Rates for ROW and Collocation on City Structures in the ROW

(A) The recurring rate for use of the ROW and attachment of small wireless facilities to a city structure in the ROW shall be subject to the following requirements:

(1) *Annual Rate*. A wireless provider authorized to place small wireless facilities and any related pole in the rights-of-way will pay to the City compensation for use of the rights-of-way and collocation on city structures in the ROW a rate that is based on (1) a reasonable approximation of costs, (2) those costs themselves are reasonable, and (3) are non-discriminatory. This rate, together with the one-time application fees, shall be the total compensation that the wireless provider is required to pay the city for the deployment of each small wireless facility in the ROW and any associated pole. The FCC's safe harbor rate is an aggregate annual rate not to exceed $270 per small wireless facility. This fee is subject to change

(2) Payment Obligation Upon or After Facility Removal. A wireless provider may remove one or more of its small wireless facilities at any time from the rights-of-way and city structures in the ROW with the required permits. The wireless provider will cease owing the City compensation, as of the date of removal, for such removed facilities.

13.02.900Penalties

Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. In addition to other legal and equitable remedies available to the City of Ashland:

A. Unless otherwise provided herein, violation of any section of this chapter AMC 13.02 is a Class II violation.

B. A knowing violation of 13.02.040 is punishable of not more than 30 days jail and/or $500 fine. (Ord. 3137, amended, 2017)

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 July, 2022, and duly PASSED and ADOPTED this _____ day of August, 2022.

_____
Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of August, 2022.

_____
Tonya Graham, Mayor

Reviewed as to form:

_____
Douglas M McGeary, City Attorney

RESOLUTUION NO._____

A RESOLUTION TO ESTABLISH DESIGN STANDARDS FOR AMC CHAPTER 13.02 SMALL WIRELESS FACILITIES IN THE RIGHTS-OF-WAY IN THE CITY OF ASHLAND

WHEREAS, the City of Ashland has adopted Chapter 13.02.300 et sec establishing standards for small wireless facilities in the Rights-Of-Way to provide for the permitting process and mutual obligations of the city and the permittee for placement and operation of small wireless facilities; and

WHERAS, the City recognizes that the City must further balance the benefits from small cell infrastructure with its aesthetic impact on the community in order to mitigate or avoid adverse visual impacts, encourage the deployment of infrastructure consistent with the surrounding built and natural environment, and preserve the City's historic and environmental resources to the extent feasible; and

WHEREAS, in order to maintain control of accumulative impacts of from various permittees utilizing the City's rights of way for placement and operation of their facilities, the city must adopt additional specific design guidelines periodically for Small Wireless Facilities to remain responsive to changing laws and technology; and

WHEREAS, such design controls are best established through resolution that allows for a more responsive process by which to make prompt and immediate changes to design specifications, restrictions and allowances on small wireless facilities given the likely advent of changes in laws and technology in this area of telecommunications.

THEREFORE, COMES NOW THE COUNCIL FOR THE CITY OF ASHLAND DOES RESOLVE AS FOLLOWS:

Small Wireless Facility Design Standards and Application Requirements For City Rights-of-Way

A. Definitions. Definitions for these design standards are those provided in AMC Chapter 13.02.300 Standards For Small Wireless Facilities In The Rights-Of-Way.

B. General Requirements.

a. In addition to the submittals required in by AMC 18.5.2 Site Design Review and Application Submission Requirements 18.4.10.030, the applicant shall submit drawn-to-scale depictions of its proposed wireless support structure and all associated equipment to be mounted thereon, or to be installed as part of such facility, which shall clearly and concisely depict all equipment and the measurements of same, in order to determine whether the proposed facility qualifies as a small wireless facility as defined under AMC 13.02.010.

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i. The drawn-to-scale depiction shall include complete calculations for the Antenna Facility that, when completed, the installation and equipment will meet the physical size limitations necessary to qualify as a small wireless facility.

b. Proposed installations will be compatible with the use and/or character of properties located adjacent to or in close proximity to the proposed site and avoid other properties situated in a manner that would cause the proposed installation to be incompatible with their respective use.

c. The applicant shall apply mitigation measures to minimize the potential negative effects of the proposed facility to the greatest extent reasonably feasible. In determining the foregoing, the fact that a less intrusive site, location, or design would lead to additional expenses for the applicant, by itself, will not be considered a reasonable mitigation effort.

d. Small Cell Wireless Facilities shall be located, designed, constructed, treated, and maintained in accordance with AMC 18.4.10.040 Design Standards to the extent that they do not conflict or cannot be read in consistent with provisions of those standards provided herein.

e. The applicant must conduct a thorough alternative site analysis of all potential sites that are less intrusive, and include the locations, elevations, and assessment of their suitability or unsuitability for addressing the specific wireless coverage needs that the applicant intends to address through the new facility installation.

i. In cases where an applicant asserts that a specific alternative location is not an option for a wireless facility due restrictions presented by the City's ordinances or as presented herein, the applicant must present substantive evidence of such unavailability. This evidence can take the form of communications or any other type of proof that sufficiently verifies the claim.

f. Small cell wireless facilities shall maintain a minimum set-back distance from other uses to ensure against Illegally Excessive RF Radiation or Illegally Excessive Radiation, while maximizing the separation between the facility and other structures or areas of activity.

i. The set-back distance shall be calculated in a manner that accounts for the cumulative effects of multiple small cell wireless facilities within a given area, ensuring that the combined electromagnetic radiation levels remain within legally permissible limits.

ii. A licensed engineer must prepare and certify an FCC compliance report for the proposed facility's installation, confirming that it will not exceed the FCC's permissible radiation limits for the general public. If multiple carriers/users install transmitters, the report must consider the anticipated exposure from all users and indicate whether the combined exposure levels exceed the General Population Exposure Limits or the applicable Occupational Exposure Limits. The report must provide the calculation(s) used to determine the levels of RF radiation and/or emissions that the facility will expose the general public to.

1. The report cover must specify whether the FCC compliance claims rely on the General Population Exposure Limits or the Occupational Exposure Limits. If the Occupational Exposure Limits apply, the

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report must provide a factual basis for the claim. Additionally, the minimum distance factor, which is the closest distance a member of the public can access the transmitting antennas, measured in feet, must be included.

iii. The set-back distance requirement shall be enforced by the appropriate regulatory authority, and compliance shall be verified through site inspections and electromagnetic radiation measurements conducted by authorized personnel.

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g. When an applicant files an application under this Chapter and intends to claim that: (a) they experience a significant gap in personal wireless services within the City, (b) their proposed installation is the least intrusive way to address the service gap, and/or (c) a denial of the application would constitute an "effective prohibition" under Section 47 U.S.C. §332 of the TCA, they must provide a written statement along with the application entitled: "Notice of Effective Prohibition Conditions". In addition, the applicant will substantiate their claim by report prepared by an impartial third-party analyst, who is subject to the approval of the City, to verify the applicant's claim.

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i. If a Notice of Effective Prohibition Conditions is issued, the applicant must provide substantive evidence to determine: (a) if the alleged conditions exist, (b) whether there is a significant gap(s) in a specific wireless carrier's personal wireless services within the City, (c) the geographic locations of any identified gaps, and (d) the geographic boundaries of the gaps. The purpose of this evidence is to assess compliance with AMC 13.02 and whether federal law requires granting the application, even if it would otherwise violate AMC 13.02, including the design standards stated in the ordinance.

ii. If an applicant claims a significant gap in its personal wireless services within the city, they must conduct or arrange for a drive test to be conducted in the specific geographic areas relevant to each frequency at which they provide such services. The applicant shall submit the actual drive test data obtained during the test in a simple format. The format should contain a separate table for each frequency at which the carrier provides personal wireless services to its end-use customers. The tables shall include:

1. the date and time for the test or test,
2. the location, in longitude and latitude of each point at which signal strength was recorded and
3. each signal strength recorded, measured in DBM, for each frequency.
4. the applicant shall submit drive test maps, depicting the actual signal strengths recorded during the actual drive test, for each frequency at which the carrier provides personal wireless services to its end-use customers.
    a. If an applicant claims that it needs a "minimum" signal strength (measured in DBM) to remedy its gap or gaps in service, then for each frequency, the applicant shall provide three (3) signal strength coverage maps reflecting actual signal strengths in three (3) DBM bins, the first being at the alleged minimum signal strength, and two (2) additional

three (3) DBM bin maps depicting signal strengths immediately below the alleged minimum signal strength claimed to be required.

h. To the extent that an applicant claims it is unable to provide sufficient coverage for its personal wireless services within the city due to a capacity deficiency or service gap, it must submit dropped call and denial of service records. These records shall show the number and percentage of instances in which the carrier's customers were unable to use their personal wireless services without experiencing an actual loss or interruption of service during call initiation, maintenance, and conclusion.

~~a.~~i. Ground-mounted equipment in the right-of-way is discouraged, unless the applicant can demonstrate that pole-mounted equipment is not technically feasible, or the electric utility requires placement of equipment on the ground (such as an electric meter). If ground mounted equipment is necessary, then the applicant shall conceal the equipment in a cabinet, in street furniture or with landscaping.

~~b.~~j. Replacement poles, new poles and all antenna equipment shall comply with the Americans with Disabilities Act ("ADA"), city construction and sidewalk clearance standards and city, state and federal laws and regulations in order to provide a clear and safe passage within, through and across the right-of-way. Further, the location of any replacement pole, new pole, and/or antenna equipment must comply with applicable traffic requirements, not interfere with utility or safety fixtures (e.g., fire hydrants, traffic control devices).

~~c.~~k. Replacement poles shall be located as near as feasible to the existing pole. The abandoned pole must be removed within ten business days.

~~d.~~l. Any replacement pole shall substantially conform to the material and design of the existing pole or adjacent poles located within the contiguous right-of-way unless a different design is requested and approved pursuant to Section H.

~~e.~~m. No advertising, branding or other signage is allowed unless lawfully permitted and approved by the Public Works Director as a concealment technique or as follows:

i. Safety signage as required by applicable laws, regulations, and standards; and,

ii. Identifying information and 24-hour emergency telephone number (such as the telephone number for the operator's network operations center) on wireless equipment in an area that is visible.

~~f.~~n. The total volume of multiple antennas on one structure shall not exceed fifteen (15) cubic feet, unless additional antenna volume is requested and approved pursuant to Section H.

~~g.~~o. Antennas and antenna equipment shall not be illuminated except as required by municipal, federal or state authority, provided this shall not preclude deployment on a new or replacement streetlight.

~~h.~~p. Small wireless facilities may not displace any existing street tree or landscape features unless in compliance with the Ashland Municipal Code and Land Use Code, and at minimum: (a) such displaced street tree or landscaping is replaced with native and/or drought-resistant trees, plants or other landscape features approved by the City, and (b) the applicant submits and adheres to a landscape maintenance plan or agrees to pay an appropriate in-lieu fee for the maintenance costs.

C. Small Wireless Facilities Attached to Wooden Poles and Non-Wooden Poles with Overhead Lines. Small wireless facilities located on wooden utility poles and non-wooden utility poles with overhead lines shall conform to the following design criteria unless a deviation is requested and approved pursuant to Section H:

a. Proposed antenna and related equipment shall meet:
    i. The City's design standards for small wireless facilities.
    ii. The pole owner requirements; and
    iii. National Electric Safety Code ("NESC") and National Electric Code ("NEC") standards.
b. The pole at the proposed location may be replaced with a taller pole or extended for the purpose of accommodating a small wireless facility; provided that the replacement or extended pole, together with any small wireless facility, does not exceed 50 feet in height or 10 percent taller than adjacent poles, whichever is greater. The replacement or extended pole height may be increased if required by the pole owner, and such height increase is the minimum necessary to provide sufficient separation and/or clearance from electrical and wireline facilities. Such replacement poles may either match the approximate color and materials of the replaced pole or shall be the standard new pole used by the pole owner in the city.
c. To the extent technically feasible, antennas, equipment enclosures, and all ancillary equipment, boxes, and conduit shall match the approximate material and design of the surface of the pole or existing equipment on which they are attached, or adjacent poles located within the contiguous right-of-way. Near matches may be permitted by the City when options are limited by technical feasibility considerations, such as when high-frequency antennas cannot be placed within an opaque shroud but could be wrapped with a tinted film.
d. Antennas which are mounted on poles shall be mounted as close to the pole as technically feasible and allowed by the pole owner.
e. No antenna shall extend horizontally more than 20 inches past the outermost mounting point (where the mounting hardware connects to the antenna), unless additional antenna space is requested and approved pursuant to Section H.
f. Antenna equipment, including but not limited to radios, cables, associated shrouding, disconnect boxes, meters, microwaves and conduit, which is mounted on poles shall be mounted as close to the pole as technically feasible and allowed by the pole owner.
g. Antenna equipment for small wireless facilities must be attached to the pole, unless otherwise required by the pole owner or permitted to be ground-mounted pursuant to subsection (B)(a) above. The equipment must be placed in an enclosure reasonably related in size to the intended purpose of the facility.
h. All cables and wiring shall be covered by conduits and cabinets to the extent that it is technically feasible, if allowed by pole owner. The number of conduits shall be minimized to the extent technically feasible.

D. Small Wireless Facilities Attached to Non-Wooden Light Poles and Non-Wooden Utility Poles without Overhead Utility Lines. Small wireless facilities attached to existing or replacement non-wooden light poles and non-wooden utility poles without overhead lines shall conform to the following design criteria unless a deviation is requested and approved pursuant to Section H:

a. **External Equipment.** The antennas and associated equipment enclosures must be camouflaged to appear as an integral part of the pole or be mounted as close to the pole as feasible and must be reasonably related in size to the intended purpose of the facility and reasonable expansion for future frequencies and/or technologies, not to exceed the volumetric requirements described in Section A. If the equipment enclosure(s) is mounted on the exterior of the pole, the applicant is encouraged to place the equipment

enclosure(s) behind any decorations, banners or signs that may be on the pole. Conduit and fiber must be fully concealed within the pole.

b. **Concealed Equipment**. All equipment (excluding disconnect switches), conduit and fiber must be fully concealed within the pole. The antennas must be camouflaged to appear as an integral part of the pole or be mounted as close to the pole as feasible.

c. **Replacement Poles.** Any replacement pole shall substantially conform to the material and design of the existing pole or adjacent poles located within the contiguous right-of-way unless a different design is requested and approved pursuant to Section H.

d. **Pole Height.** The height of any replacement pole may not extend more than 10 feet above the height of the existing pole unless such further height increase is required in writing by the pole owner.

E. New Poles. Small wireless facilities may be attached to new poles that are not replacement poles under sections C or D, installed by the wireless provider, subject to the following criteria:

a. Antennas, antenna equipment and associated equipment enclosures (excluding disconnect switches), conduit and fiber shall be fully concealed within the structure. If such concealment is not technically feasible, or is incompatible with the pole design, then the antennas and associated equipment enclosures must be camouflaged to appear as an integral part of the structure or mounted as close to the pole as feasible and must be reasonably related in size to the intended purpose of the facility, not to exceed the volumetric requirements in Section (A)(3).

b. To the extent technically feasible, all new poles and pole-mounted antennas and equipment shall substantially conform to the material and design of adjacent poles located within the contiguous right-of-way unless a different design is requested and approved pursuant to Section H.

c. New poles shall be no more than forty (40) feet in height unless additional height is requested and approved pursuant to Section H.

d. Wireless providers shall install small wireless facilities on existing or replacement poles instead of installing new poles, unless the wireless provider can document that installation on an existing or replacement pole is not technically feasible or otherwise not possible (due to a lack of owner authorization, safety considerations, or other reasons acceptable to the Public Works Director).

F. Historic District Requirements.

a. Small wireless facilities or poles to support collocation of small wireless facilities located in Historic Districts shall be designed to remain compatible with the existing integrity of the Historic District and shall have a similar appearance, including material and design elements, if technically feasible, of other poles in the rights-of-way within 500 feet of the proposed installation. Any such design or concealment measures may not be considered part of the small wireless facility for purpose of the size restrictions in the definition of small wireless facility.

G. Strand Mounted Equipment. Strand mounted small wireless facilities are permitted, subject to the following criteria:

a. Each strand mounted antenna shall not exceed 3 cubic feet in volume, unless a deviation is requested and approved pursuant to Section H.

b. Only 2 strand mounted antennas are permitted between any two existing poles.

c. Strand mounted devices shall be placed as close as possible to the nearest pole and in no event more than five feet from the pole unless a greater distance is required by the pole owner.

d. No strand mounted device will be located in or above the portion of the roadway open to vehicular traffic.

e. Strand mounted devices must be installed with the minimum excess exterior cabling or wires (other than original strand) to meet the technological needs of the facility.

H. Deviation from Design Standards.

a. An applicant may obtain a deviation from these design standards if compliance with the standard: (a) is not technically feasible; (b) impedes the effective operation of the small wireless facility; (c) impairs a desired network performance objective; (d) conflicts with pole owner requirements; or (e) otherwise materially inhibits or limits the provision of wireless service.

b. When requests for deviation are sought under subsections (I)(1)(a)-(e), the request must be narrowly tailored to minimize deviation from the requirements of these design standards, and the Public Works Director must find the applicant's proposed design provides similar aesthetic value when compared to strict compliance with these standards.

c. Public Works Director may also allow for a deviation from these standards when it finds the applicant's proposed design provides equivalent or superior aesthetic value when compared to strict compliance with these standards.

d. The small wireless facility design approved under this Section H must meet the conditions of 47 C.F.R. Sec. 1.6002(l).

e. Public Works Director will review and may approve a request for deviation to the minimum extent required to address the applicant's needs or facilitate a superior design.

I. Applications Standards: As is applicable to Action on Administrative Permit Applications On Wireless Facilities under AMC 13.02.303:

a. The city shall have in the case of co-location, 10 days, and in the case of new installations 90 days, from the receipt of the application to mail the applicant a Notice of Incompleteness by first class mail, and that recites a short and plain statement of the relevant defects from the above list giving cause to deny the application.

J. Appeals Rules. As is applicable to Appeals under AMC 3.02.200:

a. If an application is being reviewed under AMC 13.02.300 to 13.02.315, however, the Hearing Officer may reject the application for a special use permit, provided that the Hearing Officer makes an additional determination supported by substantial evidence that the denial of the application would not result in an Effective Prohibition of personal wireless services.

b. If an applicant asserts an Effective Prohibition claim that: (a) its proposed wireless facility or installation is necessary to remedy a significant gap in personal wireless services for an explicitly identified wireless carrier, and (b) that its proposed installation is the least intrusive means of remedying a specifically identified significant gap or gaps, the Hearing Officer shall shall make the following factual determinations for ensuring TCA compliance:

c. Adequate Personal Wireless Services Coverage. Whether the specific wireless carrier has adequate personal wireless services coverage within the geographic areas for which the applicant claims a significant gap exists in such coverage.

i. Significant Gap in Personal Wireless Services of an Identified Carrier. Whether the applicant has established, based upon substantive evidence, that a specific wireless carrier experiences a significant gap in its personal wireless services within the City.

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1. Factors for consideration are, but not limited to, (a) whether the identified wireless carrier that claims of a significant gap in its personal wireless services has adequate service in its personal wireless services at any frequency being used by the carrier to provide personal wireless services to its end-use customers, (b) whether any such alleged gap is relatively large or small in geographic size, (c) whether the number of the carrier's customers affected by the gap is relatively small or large, (d) whether or not the location of the gap is situated on a lightly traveled road, or sparsely or densely occupied area, and/or (d) overall, whether the gap is relatively insignificant or otherwise relatively de minimis. A significant gap in service is not established solely because the carrier's customers are not using the carrier's most desired frequency.

d. Least Intrusive Means of Remedying Gap(s) in Service. The applicant must prove with substantive evidence that their proposed small wireless facility, at a specific site and/or portion of the site, and the height of the facility, is the least intrusive solution to address any significant gaps. The Hearing Officer will consider all supporting and opposing evidence to determine the existence of such gaps.
   i. Factors for consideration are, but not limited to, (a) whether the proposed site is the least intrusive location at which a facility to remedy an identified significant gap may be located, and the applicant has reasonably established a lack of potential alternative less intrusive sites and lack of sites available for co-location, (b) whether the specific location on the proposed portion of the selected site is the least intrusive portion of the site for the proposed installation (c) whether the height proposed for the facility is the minimum height actually necessary to remedy an established significant gap in service, (d) whether or not a pre-existing structure can be used to camouflage the facility and/or its antennas, (e) whether or not, as proposed, the installation mitigates adverse impacts to the greatest extent reasonably feasible, through the employ of stealth design, screening, use of color, noise mitigation measures, etc., and/or (f) overall whether or not there is a feasible alternative to remedy the gap through alternative, less intrusive substitute installations, such as the installation of multiple shorter installation, instead of a single small wireless facility.

e. If, upon applying the evidentiary standards mentioned in AMC 13.02.200b, the Hearing Officer concludes that:
   i. the applicant has not proven sufficient personal wireless coverage or the least intrusive solution to address any gaps, the application may be rejected. However, such denial will not be considered an "Effective Prohibition."
   ii. the applicant has proven both the existence of a significant gap in personal wireless services and that their proposed installation is the least intrusive means to address the gap(s), the application will be granted, irrespective of any findings under AMC 13.02.200b, to prevent an Effective Prohibition of personal wireless services,

~~I.~~K. If a requirement of any section of this Design Standard is determined to be invalid, illegal, or unenforceable, it shall not affect the enforceability of any other provision contained herein. Rather, the invalid, illegal, or unenforceable provision shall be modified to the extent necessary so that it is valid, legal, and enforceable.

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Council Business Meeting

May 2, 2023

Agenda Item	Bonneville Power Administration (BPA) Wholesale Electric Contract Negotiation Presentation	
From	Tom McBartlett	Electric Director
Contact	Thomas.mcbartlett@ashland.or.us 541-488-5357	
Item Type	Requested by Council ☐ Update ☒ Request for Direction ☐ Presentation ☒	

SUMMARY

The City Electric Utility purchases wholesale electricity from the Bonneville Power Administration (BPA). The current wholesale contract expires on September 30, 2028. City staff, directly and through our trade organization partners, have been engaged with BPA working on the details for a new wholesale power purchase agreement. The accompanying presentation is a look at progress made and issues still being discussed.

POLICIES, PLANS & GOALS SUPPORTED

Provide safe, reliable, and clean electricity to the residents and businesses of Ashland at an affordable cost.

BACKGROUND AND ADDITIONAL INFORMATION

The electricity that the City purchases from BPA is on average 95% carbon free.

BPA is statutorily obligated to sell power to public power utilities, such as municipals, PUDs, & co-ops, at cost.

FISCAL IMPACTS

There are no fiscal impacts currently. It is worth noting that power purchases make up over 50% of the Electric Department's budget.

DISCUSSION QUESTIONS

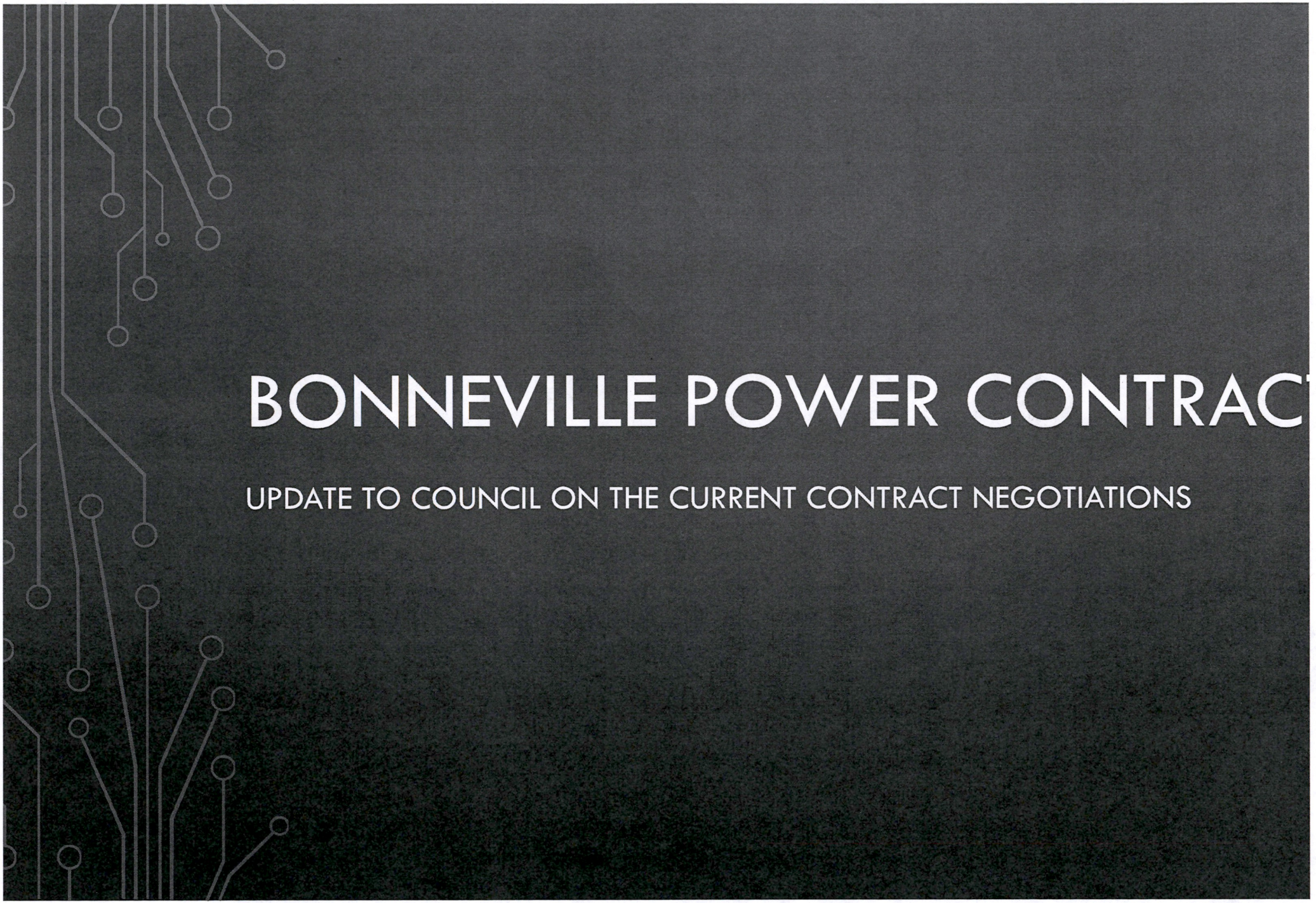
Information provided in the presentation should generate discussion and questions.

SUGGESTED NEXT STEPS

Staff to stay engaged in the ongoing process, ensuring that Ashland's interests are addressed.

REFERENCES & ATTACHMENTS

Power Point presentation


BONNEVILLE POWER CONTRAC
UPDATE TO COUNCIL ON THE CURRENT CONTRACT NEGOTIATIONS

POST 2028 PROVIDER OF CHOICE

- The current BPA wholesale power purchase contract, known as the Reg Dialogue Contract, expires September 30, 2028
- Meetings, workshops, and negotiations have been underway for over to design the next contracts, referred to as the Provider of Choice con
- City staff, directly and through trade organization partners, have bee engaged in the Provider of Choice process

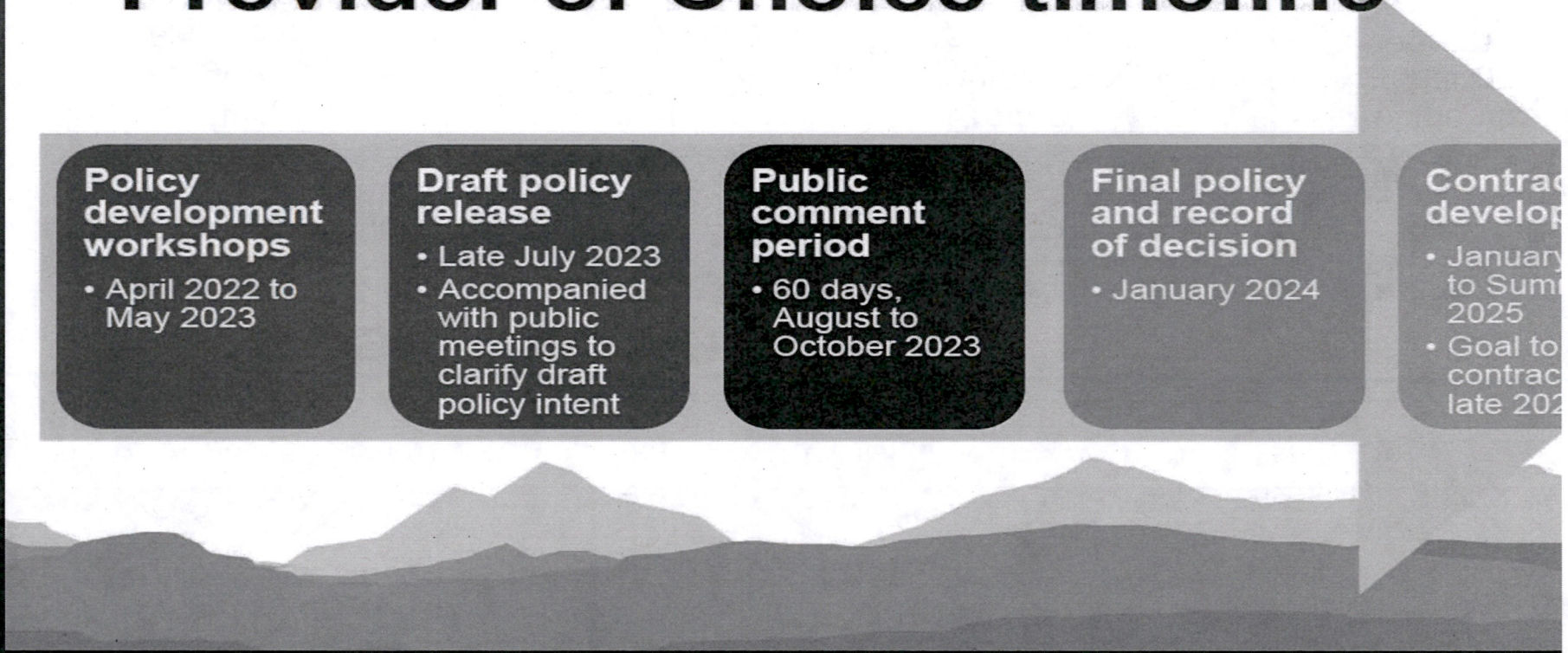
NOTABLE HAPPENINGS UNDER CURRENT CONTRACT

- BPA FY22 revenues exceeded forecasts resulting in a Rates Distributio (RDC)
- $500 million became part of the RDC at the end of BPA's FY22
- In a settlement agreement that keeps BPA's rates flat for the next two- rate case, Ashland is to receive $1.3million in bill credits from Dec22 -

TIMELINE

BONNEVILLE POWER ADMINISTRAT

Provider of Choice timeline



PROCESS

BONNEVILLE POWER ADMINISTRATI

Process deliverables

Policy Phase (July 2022 – Early 2024)	Contracts and Rates Phase (2024 – 2025)	Implementation Readiness Phase (2026 – 2028)	Other Post-20 Processes (Now – 2028)
• Draft Policy • Final Policy and Record of Decision (ROD)	• Standardized contract offers • Develop Post-2028 rate methodology • Contract Policy ROD, if needed	• Product guidebook • Systems readiness • Conduct first rate case proceeding of new contracts	• Residential Exchange Program • Energy Conservatio Agreement

NOTABLE POINT OF AGREEMENT

- BPA has agreed to increasing minimum thresholds for non-federal reso
- Current contract requires resources 200kW and larger to be designat subject to "take or pay" provisions of the contract
- BPA has agreed to increase the requirement to 1MW for listing in cont
- BPA has agreed to allow up to 5MW of non-federal resource develop offset Tier 1 load
- Public Power is still advocating for more enhancements to this policy

STILL NEGOTIATING

- The top item of discussion currently is, system size and allocation
- BPA's historic method of setting the system size allowed for individual customers allocation of the Tier 1 system to fluctuate with each 2-year period
- Public Power is advocating for setting a fixed system size and a fixed allocation
- Most disagreement is around what to set the system size at

LINKS

- BPA provider of choice - https://www.bpa.gov/energy-and-services/power/provider-of-choice
- Northwest Requirements Utilities (NRU) - https://www.nru-nw.com/
- Public Power Council (PPC) - https://www.ppcpdx.org/

QUESTIONS

- Tom McBartlett – Electric Director
- thomas.mcbartlett@ashland.or.us
- 541-488-5357



Council Business Meeting

May 2nd, 2023

Agenda Item	2021-2023 BN Quarterly Financial Report	
From	Sabrina Cotta/ Mariane Berry	Deputy City Manager/ Finance Director
Contact	Sabrina.Cotta@ashland.or.us (541) 552-2106	
Item Type	Requested by Council ☐ Update ☒ Request for Approval ☐ Presentation ☐	

SUMMARY

Council has requested to receive a quarterly update on the City's financials. All city financial reports can be found at: Financial Documents - Finance - City of Ashland, Oregon

POLICIES, PLANS & GOALS SUPPORTED

N/A

BACKGROUND AND ADDITIONAL INFORMATION

The City is in a good financial position moving into 23/25 BN preparation. Revenues are trending well including property tax. Prior to the end of the year the Finance department will prepare budget supplementals to ensure we are in compliance with audit and budget requirements. Items of note, the recorder's budget will need a budget supplemental and pending the outcome of pending labor negotiations there may be a need for additional adjustments.

FISCAL IMPACTS

N/A

SUGGESTED NEXT STEPS

N/A

REFERENCES & ATTACHMENTS

Attachment 1: March Financial Report

Attachment 2: Presentation

Better Together

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
110	**General Fund**							
	Taxes	$ 19,960,384	$ 22,566,042	88.5%	98.3%	$ 20,312,807	$ 23,377,035	86.9%
	Licenses and Permits	900,636	1,124,000	80.1%	69.7%	1,291,695	1,539,283	83.9%
	Intergovernmental	2,127,462	2,016,503	105.5%	72.0%	2,956,087	3,532,527	83.7%
	Charges for Services	6,868,886	8,803,449	78.0%	99.0%	6,935,637	9,242,365	75.0%
	Fines	137,155	544,500	25.2%	111.3%	123,232	171,689	71.8%
	Interest on Investments	236,114	38,000	621.4%	502.1%	47,027	73,243	64.2%
	Miscellaneous	152,875	57,650	265.2%	243.9%	62,690	71,660	87.5%
	Transfer in (Water Fund)	50,000	50,000	100.0%	100.0%	50,000	50,000	100.0%
	Transfer In (Cemetery)	14,264	65,000	21.9%	435.0%	3,279	4,879	67.2%
	Total Revenues and Other Sources	30,447,775	35,265,144	86.3%	95.8%	31,782,454	38,062,681	83.5%
	Administration Department	1,358,992	2,281,513	59.6%	73.7%	1,843,504	2,450,441	75.2%
	Administration - Municipal Court	312,449	593,956	52.6%	95.9%	325,948	438,582	74.3%
	Information Technology Department	835,852	1,480,354	56.5%	101.5%	823,555	1,083,371	76.0%
	Finance Department	1,834,237	2,900,303	63.2%	95.1%	1,928,963	2,538,221	76.0%
	City Recorder	154,028	175,183	87.9%	101.1%	152,292	198,328	76.8%
	Police Department	5,154,088	7,968,710	64.7%	94.6%	5,446,684	7,078,771	76.9%
	Fire and Rescue Department	8,058,569	11,628,201	69.3%	115.8%	6,958,805	9,330,436	74.6%
	Public Works Department	2,214,320	4,828,115	45.9%	104.1%	2,127,050	2,867,080	74.2%
	Community Development	1,354,955	2,163,573	62.6%	87.6%	1,546,418	2,012,425	76.8%
	Transfers (Parks Fund)	2,660,247	3,546,997	75.0%	63.9%	4,164,696	7,452,928	55.9%
	Transfers (Tourism Fund)	775,474	775,474	100.0%	N/A	-	-	N/A
	Transfers (Housing Fund)	-	-	N/A	N/A	-	200,000	0.0%
	Transfers (Reserve Fund)	-	-	N/A	N/A	-	1,415,000	0.0%
	Transfers (Cemetery Fund)	500	500	100.0%	100.0%	500	500	100.0%
	Contingency	-	25,533	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	24,713,712	38,368,412	64.4%	97.6%	25,318,416	37,066,083	68.3%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	5,734,064	(3,103,268)	284.8%	88.7%	6,464,038	996,598	648.6%
	Beginning Fund Balance	**13,565,789**	8,616,083	157.4%	107.9%	12,569,191	12,569,191	100.0%
	Ending Fund Balance	$ 19,299,853	$ 5,512,815	350.1%	101.4%	$ 19,033,229	**$ 13,565,789**	140.3%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	1,273,362						
	Unassigned Fund Balance	$ 18,026,491						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
211	**Parks and Recreation General Fund**							
	Taxes	$ -	$ 2,005,942	0.0%	N/A	$ -	$ -	N/A
	Intergovernmental	40,614	90,000	45.1%	111.7%	36,346	103,157	35.2%
	Charges for Services	394,005	948,981	41.5%	54.8%	718,929	977,065	73.6%
	Interest on Investments	34,416	15,000	229.4%	495.4%	6,948	10,509	66.1%
	Miscellaneous	13,910	25,000	55.6%	63.3%	21,963	26,137	84.0%
	Transfer In (City General Fund)	2,660,247	3,981,997	66.8%	63.9%	4,164,696	7,452,928	55.9%
	Transfer In (Parks CIP Fund)	-	-	N/A	N/A	435,000	50,000	870.0%
	Total Revenues and Other Sources	3,143,191	7,066,920	44.5%	58.4%	5,383,882	8,619,795	62.5%
	Parks Division	3,307,378	4,670,300	70.8%	102.3%	3,234,308	4,423,720	73.1%
	Recreation Division	850,932	1,235,539	68.9%	107.7%	790,306	1,057,591	74.7%
	Golf Division	258,048	595,618	43.3%	50.8%	507,706	618,511	82.1%
	Senior Services Division	241,326	408,075	59.1%	85.5%	282,390	368,720	76.6%
	Parks Forestry Division	366,706	593,964	61.7%	101.7%	360,734	487,312	74.0%
	Transfer Out (Reserve Fund)	-	-	N/A	N/A	-	300,000	0.0%
	Contingency	-	224,681	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	5,024,390	7,728,176	65.0%	97.1%	5,175,443	7,255,855	71.3%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	(1,881,198)	(661,256)	-184.5%	-902.5%	208,439	1,363,940	15.3%
	Beginning Fund Balance	**3,157,338**	754,606	418.4%	176.1%	1,793,398	1,793,398	100.0%
	Ending Fund Balance	$ 1,276,140	$ 93,350	1367.0%	63.7%	$ 2,001,837	**$ 3,157,338**	63.4%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	-						
	Unassigned Fund Balance	$ 1,276,140						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
230	**Tourism Fund**							
	Taxes	$ 551,921	$ 100,000	551.9%	N/A	$ -	$ -	N/A
	Interest	11,064	-	N/A	N/A	-	-	N/A
	Transfer in (General Fund)	775,474	775,474	100.0%	N/A	-		N/A
	Total Revenues and Other Sources	1,338,459	875,474	152.9%	N/A	-	-	N/A
	Personnel Services	41,824	80,000	52.3%	N/A	-	-	N/A
	Materials and Services	475,078	629,663	75.4%	N/A	-	-	N/A
	Contingency		165,811	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	516,902	875,474	59.0%	N/A	-	-	N/A
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	821,557	-	0.0%	N/A	-	-	N/A
	Beginning Fund Balance	-	-	0.0%	N/A	-	-	N/A
	Ending Fund Balance	$ 821,557	$ -	0.0%	N/A	$ -	$ -	N/A
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	821,557						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
240	**Housing Fund**							
	Taxes	$ -	$ 100,000	0.0%	0.0%	$ 93,067	$ -	N/A
	Ingovernmental	-	-	N/A	N/A	121,899	335,950	36.3%
	Interest on Investments	4,075	1,000	407.5%	671.9%	606	857	70.8%
	Transfer In (General Fund)	-	-	N/A	N/A	-	200,000	0.0%
	Total Revenues and Other Sources	4,075	101,000	4.0%	1.9%	215,573	536,807	40.2%
	Materials and Services	7,130	1,000	713.0%	12.7%	56,035	290,973	19.3%
	Capital Outlay	-	-	0.0%	0.0%	93,427	93,427	100.0%
	Total Expenditures and Other Uses	7,130	1,000	713.0%	12.7%	149,462	384,400	38.9%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	(3,056)	100,000	-3.1%	-4.6%	66,110	152,407	43.4%
	Beginning Fund Balance	**280,661**	-	0.0%	218.8%	128,254	128,254	100.0%
	Ending Fund Balance	$ 277,606	$ 100,000	277.6%	142.8%	$ 194,364	$ **280,661**	69.3%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	277,606						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
250	**Community Development Block Fund**							
	Intergovernmental	$ 180,324	$ 466,112	38.7%	50.5%	$ 357,403	$ 502,037	71.2%
	Total Revenues and Other Sources	180,324	466,112	38.7%	50.5%	357,403	502,037	71.2%
	Personnel Services	19,719	92,624	21.3%	50.2%	39,291	49,597	79.2%
	Materials and Services	180,324	373,488	48.3%	50.4%	357,594	452,440	79.0%
	Total Expenditures and Other Uses	200,043	466,112	42.9%	50.4%	396,885	502,037	79.1%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	(19,719)	(0)	N/A	49.9%	(39,483)	-	N/A
	Beginning Fund Balance	**36,617**	-	0.0%	100.0%	36,617	36,617	100.0%
	Ending Fund Balance	$ 16,898	$ (0)	N/A	-589.7%	$ (2,866)	**$ 36,617**	-7.8%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	16,898						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
255	**Reserve Fund**							
	Interest on Investments	$ 26,981	$ 400	6745.3%	19085.5%	$ 141	$ 210	67.3%
	Transfer In (General Fund)	-	-	N/A	N/A	-	1,415,000	0.0%
	Transfer In (Parks General Fund)	-	-	N/A	N/A	-	300,000	0.0%
	Total Revenues and Other Sources	26,981	400	6745.3%	19085.5%	141	1,715,210	0.0%
	Operating Transfer out	-	-	N/A	N/A	-	-	N/A
	Total Expenditures and Other Uses	-	-	N/A	N/A	-	-	N/A
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	26,981	400	6745.3%	19085.5%	141	1,715,210	0.0%
	Beginning Fund Balance	**1,754,761**	40,056	4380.8%	4436.7%	39,551	39,551	100.0%
	Ending Fund Balance	$ 1,781,742	$ 40,456	4404.1%	4488.9%	$ 39,692	$ **1,754,761**	2.3%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	1,781,742						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
260	**Street Fund**							
	Taxes	$ 560,693	$ 679,399	82.5%	54.1%	$ 1,036,828	$ 2,065,803	50.2%
	Intergovernmental	1,259,942	1,522,125	82.8%	74.8%	1,684,991	2,103,177	80.1%
	Charges for Services - Rates	1,266,232	1,642,500	77.1%	100.8%	1,255,638	1,676,057	74.9%
	Charges for Services - Misc. Service Fees	406	15,000	2.7%	44.6%	911	1,555	58.6%
	System Development Charges	124,954	150,000	83.3%	69.8%	178,912	165,625	108.0%
	Assessments	384	6,000	6.4%	30.4%	1,262	2,171	58.1%
	Interest on Investments	78,037	11,700	667.0%	604.5%	12,908	21,110	61.1%
	Miscellaneous	9,221	15,000	61.5%	53.8%	17,148	17,808	96.3%
	Other Financing Sources	-	2,588,000	0.0%	N/A	-	-	N/A
	Total Revenues and Other Sources	3,299,869	6,629,724	49.8%	78.8%	4,188,598	6,053,306	69.2%
	Public Works - Ground Maintenance	138,694	279,270	49.7%	103.0%	134,706	235,837	57.1%
	Public Works - Street Operations	3,230,887	6,125,846	52.7%	113.2%	2,853,357	4,151,604	68.7%
	Public Works - Street Operations Debt	-	81,563	0.0%	0.0%	75,631	-	N/A
	Public Works - Transportation SDC's	-	364,660	0.0%	0.0%	2,364	2,364	100.0%
	Contingency	-	156,635	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	3,369,581	7,007,974	48.1%	109.9%	3,066,059	4,389,805	69.8%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	(69,712)	(378,250)	81.6%	-6.2%	1,122,539	1,663,501	67.5%
	Beginning Fund Balance	**5,535,938**	767,135	721.6%	143.0%	3,872,437	3,872,437	100.0%
	Ending Fund Balance	$ 5,466,226	$ 388,885	1405.6%	109.4%	$ 4,994,975	**$ 5,535,938**	90.2%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	5,466,225						
	Unassigned Fund Balance	$ 0						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
280	**Airport Fund**							
	Intergovernmental	$ -	$ 2,598,000	0.0%	N/A	$ 131,100	$ 283,609	46.2%
	Charges for Services - Rates	148,124	164,000	90.3%	111.6%	132,689	169,862	78.1%
	Interest on Investments	4,458	3,000	148.6%	499.0%	893	1,178	75.8%
	Total Revenues and Other Sources	157,203	2,765,000	5.7%	59.4%	264,681	454,649	58.2%
	Materials and Services	52,927	91,772	57.7%	72.6%	72,859	91,626	79.5%
	Capital Outlay	56,455	2,678,000	2.1%	24.1%	234,505	328,977	71.3%
	Contingency	-	2,753	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	109,382	2,772,525	3.9%	35.6%	307,363	420,604	73.1%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	47,822	(7,525)	735.5%	-112.0%	(42,683)	34,045	-125.4%
	Beginning Fund Balance	**298,171**	197,378	151.1%	112.9%	264,126	264,126	100.0%
	Ending Fund Balance	$ 345,993	$ 189,853	182.2%	156.2%	$ 221,444	$ **298,171**	74.3%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	345,993						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
410	**Capital Improvements Fund**							
	Charges for Services - Misc. Service Fees	$ 153,563	$ 170,000	90.3%	110.5%	$ 139,014	$ 200,868	69.2%
	System Development Charges	28,707	70,000	41.0%	63.4%	45,307	39,779	113.9%
	Interest on Investments	18,493	8,700	212.6%	493.1%	3,750	5,661	66.2%
	Miscellaneous	-	-	N/A	N/A	1,024	1,024	100.0%
	Total Revenues and Other Sources	200,762	248,700	80.7%	106.2%	189,096	247,331	76.5%
	Public Works - Capital Outlay	22,316	284,249	7.9%	N/A	-	-	N/A
	Finance - Open Space (Parks)	5,000	-	#DIV/0!	N/A	75,000	-	#DIV/0!
	Transfer Out (Debt Service Fund)	110,000	110,000	100.0%	100.0%	110,000	110,000	100.0%
	Contingency	-	-	N/A	N/A	-	-	N/A
	Total Expenditures and Other Uses	137,316	394,249	34.8%	N/A	185,000	110,000	168.2%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	63,446	(145,549)	143.6%	1549.0%	4,096	137,331	3.0%
	Beginning Fund Balance	**1,208,241**	145,549	830.1%	112.8%	1,070,909	1,070,909	100.0%
	Ending Fund Balance	$ 1,271,687	$ -	0.0%	118.3%	$ 1,075,005	**$ 1,208,241**	89.0%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	1,271,687						
	Unassigned Fund Balance	$ (0)						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
411	**Parks Capital Improvement Fund**							
	Taxes	$ 1,682,537	$ -	N/A	N/A	$ 344,807	$ 687,139	50.2%
	Intergovernmental	110,000	7,500,000	1.5%	31.4%	350,000	555,714	63.0%
	Interest on Investments	33,843	9,700	348.9%	593.7%	5,701	8,288	68.8%
	Miscellaneous	-	50,000	0.0%	N/A	-	-	0.0%
	Total Revenues and Other Sources	1,826,380	7,559,700	24.2%	260.7%	700,508	1,251,141	56.0%
	Materials and Services	4,675	202,000	2.3%	2.3%	-	-	N/A
	Capital Outlay	569,976	6,985,000	8.2%	111.9%	509,281	924,784	55.1%
	Transfer Out (Debt Service Fund)	188,596	623,596	30.2%	99.7%	189,172	189,172	100.0%
	Transfer Out (Parks General Fund)	-	-	N/A	N/A	435,000	50,000	870.0%
	Total Expenditures and Other Uses	763,247	7,810,596	9.8%	67.3%	1,133,454	1,163,956	97.4%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	1,063,133	(250,896)	-423.7%	-245.6%	(432,947)	87,185	-496.6%
	Beginning Fund Balance	**1,978,493**	537,234	368.3%	104.6%	1,891,308	1,891,308	100.0%
	Ending Fund Balance	$ 3,041,626	$ 286,338	1062.3%	208.6%	$ 1,458,362	**$ 1,978,493**	73.7%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	3,041,626						
	Unassigned Fund Balance	$ (0)						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
530	**Debt Services**							
	Taxes	$ 204,214	$ 209,388	97.5%	94.9%	$ 215,300	$ 221,656	97.1%
	Charges for Services - Internal	946,030	1,154,300	82.0%	99.8%	948,087	1,264,116	75.0%
	Interest on Investments	9,303	2,900	320.8%	543.6%	1,711	3,333	51.3%
	Transfer In (CIP)	110,000	110,000	100.0%	100.0%	110,000	110,000	100.0%
	Transfer In (Parks CIP)	188,596	188,596	100.0%	99.7%	189,172	189,172	100.0%
	Total Revenues and Other Sources	1,458,143	1,665,184	87.6%	99.6%	1,464,270	1,788,277	81.9%
	Debt Service	1,374,473	1,766,451	77.8%	99.5%	1,380,696	1,766,448	78.2%
	Total Expenditures and Other Uses	1,374,473	1,766,451	77.8%	99.5%	1,380,696	1,766,448	78.2%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	83,670	(101,267)	182.6%	100.1%	83,574	21,829	382.9%
	Beginning Fund Balance	**1,009,801**	1,252,463	80.6%	102.2%	987,972	987,972	100.0%
	Ending Fund Balance	$ 1,093,471	$ 1,151,196	95.0%	102.0%	$ 1,071,546	**$ 1,009,801**	106.1%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	1,093,471						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
670	**Water Fund**							
	Charges for Services - Rates	$ 6,660,228	$ 8,840,000	75.3%	100.7%	$ 6,614,543	$ 8,399,651	78.7%
	Charges for Services - Misc. Service Fees	31,476	90,000	35.0%	59.0%	53,376	67,573	79.0%
	System Development Charges	129,561	150,000	86.4%	56.0%	231,393	204,411	113.2%
	Interest on Investments	209,396	92,800	225.6%	478.1%	43,797	65,754	66.6%
	Miscellaneous	108	26,000	0.4%	3.2%	3,383	4,104	82.4%
	Other Financing Sources	1,366,794	17,545,800	7.8%	N/A	-	-	N/A
	Total Revenues and Other Sources	8,397,563	26,744,600	31.4%	120.9%	6,946,490	8,741,494	79.5%
	Public Works - Conservation	81,200	283,670	28.6%	91.2%	88,993	127,393	69.9%
	Public Works - Water Supply	668,445	4,121,215	16.2%	69.9%	956,675	1,142,413	83.7%
	Public Works - Water Supply Debt	127,843	127,776	100.1%	100.1%	127,683	127,775	99.9%
	Public Works - Water Distribution	2,774,896	4,867,942	57.0%	100.4%	2,765,039	3,686,295	75.0%
	Public Works - Water Distribution Debt	259,071	269,197	96.2%	101.7%	254,846	267,260	95.4%
	Public Works - Water Treatment	3,062,542	15,555,295	19.7%	287.6%	1,065,040	1,411,805	75.4%
	Public Works - Water Treatment Debt	72,882	75,195	96.9%	101.7%	71,631	72,662	98.6%
	Public Works - Reimbursement SDC's	-	150,000	0.0%	N/A	-	-	N/A
	Public Works - Improvement SDC's	348,083	2,131,200	16.3%	202.5%	171,918	269,059	63.9%
	Public Works - Debt SDC's	33,633	33,390	100.7%	101.7%	33,057	33,390	99.0%
	Debt Service	-	180,574	0.0%	N/A	-	-	N/A
	Transfer Out (General Fund to AFR)	50,000	50,000	100.0%	100.0%	50,000	50,000	100.0%
	Contingency	-	232,004	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	7,478,595	28,077,458	26.6%	133.9%	5,584,881	7,188,052	77.7%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	918,968	(1,332,858)	168.9%	67.5%	1,361,610	1,553,442	87.7%
	Beginning Fund Balance	**14,299,291**	11,518,403	124.1%	112.2%	12,745,849	12,745,849	100.0%
	Ending Fund Balance	$ 15,218,259	$ 10,185,545	149.4%	107.9%	$ 14,107,460	**$ 14,299,291**	98.7%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	1,162,197						
	Unassigned Fund Balance	$ 14,056,061						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
675	**Wastewater Fund**							
	Taxes	$ -	$ -	N/A	0.0%	$ 38	$ 38	98.9%
	Charges for Services - Rates	4,818,478	6,040,000	79.8%	101.9%	4,728,512	6,301,095	75.0%
	Charges for Services - Misc. Service Fees	-	150,000	0.0%	0.0%	(3,174)	(3,174)	100.0%
	System Development Charges	104,262	-	N/A	70.6%	147,604	91,772	160.8%
	Interest on Investments	108,097	86,700	124.7%	419.7%	25,755	38,811	66.4%
	Other Financing Sources	1,893,762	2,858,650	66.2%	494.1%	383,271	672,428	57.0%
	Total Revenues and Other Sources	6,924,662	9,135,350	75.8%	131.1%	5,282,006	7,100,970	74.4%
	Public Works - Wastewater Collection	1,743,973	2,793,623	62.4%	101.7%	1,714,749	2,259,032	75.9%
	Public Works - Wastewater Collection Debt	42,828	46,057	93.0%	99.1%	43,228	46,056	93.9%
	Public Works - Wastewater Treatment	5,296,195	5,714,038	92.7%	213.0%	2,486,984	3,734,655	66.6%
	Public Works - Wastewater Treatment Debt	128,251	128,797	99.6%	99.6%	128,797	128,797	100.0%
	Public Works - Improvements SDC's	83,029	1,331,350	6.2%	88.7%	93,584	165,385	56.6%
	Contingency	-	184,274	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	7,294,276	10,198,139	71.5%	163.3%	4,467,342	6,333,925	70.5%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	(369,614)	(1,062,789)	65.2%	-45.4%	814,664	767,045	106.2%
	Beginning Fund Balance	**8,336,733**	5,932,421	140.5%	110.1%	7,569,688	7,569,688	100.0%
	Ending Fund Balance	$ 7,967,119	$ 4,869,632	163.6%	95.0%	$ 8,384,352	**$ 8,336,733**	100.6%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	2,228,374						
	Unassigned Fund Balance	$ 5,738,745						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
680	**Stormwater Fund**							
	Charges for Services - Rates	$ 600,397	$ 769,600	78.0%	101.1%	$ 594,080	$ 793,847	74.8%
	System Development Charges	12,015	35,000	34.3%	60.1%	20,007	33,287	60.1%
	Interest on Investments	27,848	10,000	278.5%	462.2%	6,025	8,992	67.0%
	Total Revenues and Other Sources	640,260	814,600	78.6%	103.2%	620,113	836,126	74.2%
	Public Works - Storm Water Operations	506,184	1,102,538	45.9%	86.9%	582,267	722,578	80.6%
	Public Works - Storm Water Operations Debt	10,725	11,550	92.9%	99.1%	10,825	11,550	93.7%
	Public Works - Storm Water SDC's	-	275,000	0.0%	0.0%	10,560	12,120	87.1%
	Contingency	-	37,173	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	516,909	1,426,261	36.2%	85.6%	603,652	746,248	80.9%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	123,350	(611,661)	120.2%	749.4%	16,461	89,878	18.3%
	Beginning Fund Balance	**1,867,493**	856,106	218.1%	105.1%	1,777,615	1,777,615	100.0%
	Ending Fund Balance	$ 1,990,843	$ 244,445	814.4%	111.0%	$ 1,794,076	**$ 1,867,493**	96.1%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	(49,085)						
	Unassigned Fund Balance	$ 1,941,758						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
690	**Electric Fund**							
	Intergovernmental	$ 12,618	$ 210,000	6.0%	102.0%	$ 12,369	$ 50,308	24.6%
	Charges for Services - Rates	13,699,155	18,408,531	74.4%	101.6%	13,481,746	17,375,916	77.6%
	Charges for Services - Misc. Service Fees	328,145	268,000	122.4%	137.7%	238,303	316,209	75.4%
	Interest on Investments	74,211	25,000	296.8%	649.7%	11,423	18,608	61.4%
	Miscellaneous	324,657	302,000	107.5%	615.6%	52,736	63,231	83.4%
	Total Revenues and Other Sources	14,438,786	19,213,531	75.1%	104.7%	13,796,577	17,824,272	77.4%
	Administration - Conservation	610,912	1,122,936	54.4%	104.2%	586,191	762,029	76.9%
	Electric - Supply	4,476,170	7,738,500	57.8%	85.2%	5,255,619	6,775,000	77.6%
	Electric - Distribution	6,824,817	8,152,647	83.7%	117.4%	5,815,031	7,656,603	75.9%
	Electric - Transmission	687,722	1,127,500	61.0%	89.8%	765,573	1,002,989	76.3%
	Debt Service	-	243,663	0.0%	0.0%	21,850	21,850	100.0%
	Contingency	-	551,557	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	12,599,621	18,936,803	66.5%	101.2%	12,444,265	16,218,471	76.7%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	1,839,165	276,728	664.6%	136.0%	1,352,313	1,605,801	84.2%
	Beginning Fund Balance	**5,023,947**	4,963,035	101.2%	147.0%	3,418,146	3,418,146	100.0%
	Ending Fund Balance	$ 6,863,112	$ 5,239,763	131.0%	143.9%	$ 4,770,459	**$ 5,023,947**	95.0%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	-						
	Unassigned Fund Balance	$ 6,863,112						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
695	**Telecommunications Fund**							
	Charges for Services - Rates	$ 2,118,056	$ 2,847,836	74.4%	101.7%	$ 2,082,525	$ 2,780,392	74.9%
	Charges for Services - Misc. Service Fees	-	5,100	0.0%	N/A	-	-	N/A
	Interest on Investments	37,625	12,330	305.1%	539.8%	6,970	10,849	64.2%
	Miscellaneous	-	-	N/A	N/A	456	456	100.1%
	Total Revenues and Other Sources	2,155,681	2,865,266	75.2%	103.1%	2,089,952	2,791,697	74.9%
	Personnel Services	559,424	919,425	60.8%	104.2%	536,630	717,620	74.8%
	Materials & Services	743,537	1,148,608	64.7%	102.8%	723,099	982,284	73.6%
	Capital Outlay	33,126	126,250	26.2%	N/A	-	-	N/A
	Debt - Transfer to Debt Service Fund	387,055	516,073	75.0%	99.5%	389,112	518,816	75.0%
	Contingency	-	10,936	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	1,723,142	2,721,292	63.3%	104.5%	1,648,842	2,218,720	74.3%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	432,539	143,974	300.4%	98.1%	441,110	572,977	77.0%
	Beginning Fund Balance	**2,683,911**	2,030,348	132.2%	127.1%	2,110,934	2,110,934	100.0%
	Ending Fund Balance	$ 3,116,450	$ 2,174,322	143.3%	122.1%	$ 2,552,044	**$ 2,683,911**	95.1%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	-						
	Unassigned Fund Balance	$ 3,116,450						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

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		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
720	**Insurance Service Fund**							
	Charges for Services - Internal	$ 1,407,873	$ 1,902,822	74.0%	101.9%	$ 1,382,071	$ 1,840,742	75.1%
	Interest on Investments	9,207	950	969.1%	1156.4%	796	2,305	34.5%
	Miscellaneous	21,026	40,000	52.6%	108.7%	19,348	19,348	100.0%
	Total Revenues and Other Sources	1,438,106	1,943,772	74.0%	102.6%	1,402,215	1,862,395	75.3%
	Materials and Services	1,343,104	1,608,460	83.5%	124.9%	1,075,397	1,202,789	89.4%
	Contingency	-	48,254	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	1,343,104	1,656,714	81.1%	124.9%	1,075,397	1,202,789	89.4%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	95,001	287,058	33.1%	29.1%	326,817	659,606	49.5%
	Beginning Fund Balance	**830,810**	595,687	139.5%	485.3%	171,204	171,204	100.0%
	Ending Fund Balance	$ 925,811	$ 882,745	104.9%	185.9%	$ 498,021	**$ 830,810**	59.9%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	925,811						
	Unassigned Fund Balance	$ -						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

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		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
725	**Health Benefits Fund**							
	Charges for Services - Internal	$ 2,790,085	$ 5,357,193	52.1%	64.4%	$ 4,334,838	$ 5,751,958	75.4%
	Interest on Investments	31,428	10,100	311.2%	700.9%	4,484	7,198	62.3%
	Miscellaneous	-	-	N/A	N/A	3,629	3,736	97.1%
	Total Revenues and Other Sources	2,821,514	5,367,293	52.6%	65.0%	4,342,952	5,762,892	75.4%
	Materials and Services	2,597,397	6,005,585	43.2%	66.0%	3,933,830	5,236,858	75.1%
	Contingency	-	180,168	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	2,597,397	6,185,753	42.0%	66.0%	3,933,830	5,236,858	75.1%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	224,117	(818,460)	-27.4%	54.8%	409,122	526,034	77.8%
	Beginning Fund Balance	**1,989,389**	1,288,730	154.4%	135.9%	1,463,355	1,463,355	100.0%
	Ending Fund Balance	$ 2,213,506	$ 470,270	470.7%	118.2%	$ 1,872,477	$ **1,989,389**	94.1%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	2,213,506						
	Unassigned Fund Balance	$ -						

City of Ashland

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		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
730	**Equipment Fund**							
	Charges for Services - Internal	$ 3,062,913	$ 4,083,885	75.0%	98.6%	$ 3,107,968	$ 4,143,957	75.0%
	Charges for Services - Misc. Service Fees	293,255	230,000	127.5%	117.8%	249,010	355,912	70.0%
	Interest on Investments	94,754	3,000	3158.5%	581.3%	16,301	26,166	62.3%
	Miscellaneous	272,104	152,200	178.8%	51578.8%	528	528	99.9%
	Total Revenues and Other Sources	3,723,026	4,469,085	83.3%	110.4%	3,373,807	4,526,563	74.5%
	Public Works - Maintenance	1,759,190	2,177,887	80.8%	106.5%	1,652,407	2,220,055	74.4%
	Public Works - Purchasing and Acquisition	958,098	1,604,400	59.7%	583.7%	164,132	300,241	54.7%
	Contingency	-	65,337	0.0%	N/A	-	-	N/A
	Total Expenditures and Other Uses	2,717,288	3,847,624	70.6%	149.6%	1,816,538	2,520,296	72.1%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	1,005,738	621,461	161.8%	64.6%	1,557,268	2,006,267	77.6%
	Beginning Fund Balance	**5,874,505**	4,212,341	139.5%	151.9%	3,868,238	3,868,238	100.0%
	Ending Fund Balance	$ 6,880,243	$ 4,833,802	142.3%	126.8%	$ 5,425,506	**$ 5,874,505**	92.4%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	-						
	Unassigned Fund Balance	$ 6,880,243						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
731	**Parks Equipment Fund**							
	Charges for Services - Internal	$ 75,000	$ 100,000	75.0%	100.0%	$ 75,000	$ 100,000	75.0%
	Interest on Investments	6,953	4,000	173.8%	500.1%	1,390	2,080	66.8%
	Miscellaneous	-	10,000	0.0%	N/A	-	-	N/A
	Total Revenues and Other Sources	81,953	114,000	71.9%	107.3%	76,390	102,080	74.8%
	Capital Outlay	-	100,000	0.0%	0.0%	86,424	90,155	95.9%
	Contingency		60	0.0%	N/A	-	-	
	Total Expenditures and Other Uses	-	100,060	0.0%	N/A	86,424	90,155	95.9%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	81,953	13,940	587.9%	-816.8%	(10,034)	11,925	-84.1%
	Beginning Fund Balance	**413,249**	463,407	89.2%	103.0%	401,324	401,324	100.0%
	Ending Fund Balance	$ 495,202	$ 477,347	103.7%	126.6%	$ 391,290	$ **413,249**	94.7%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	-						
	Unassigned Fund Balance	$ 495,202						

City of Ashland

Statement of Resources, Requirements, and Changes in Fund Balance

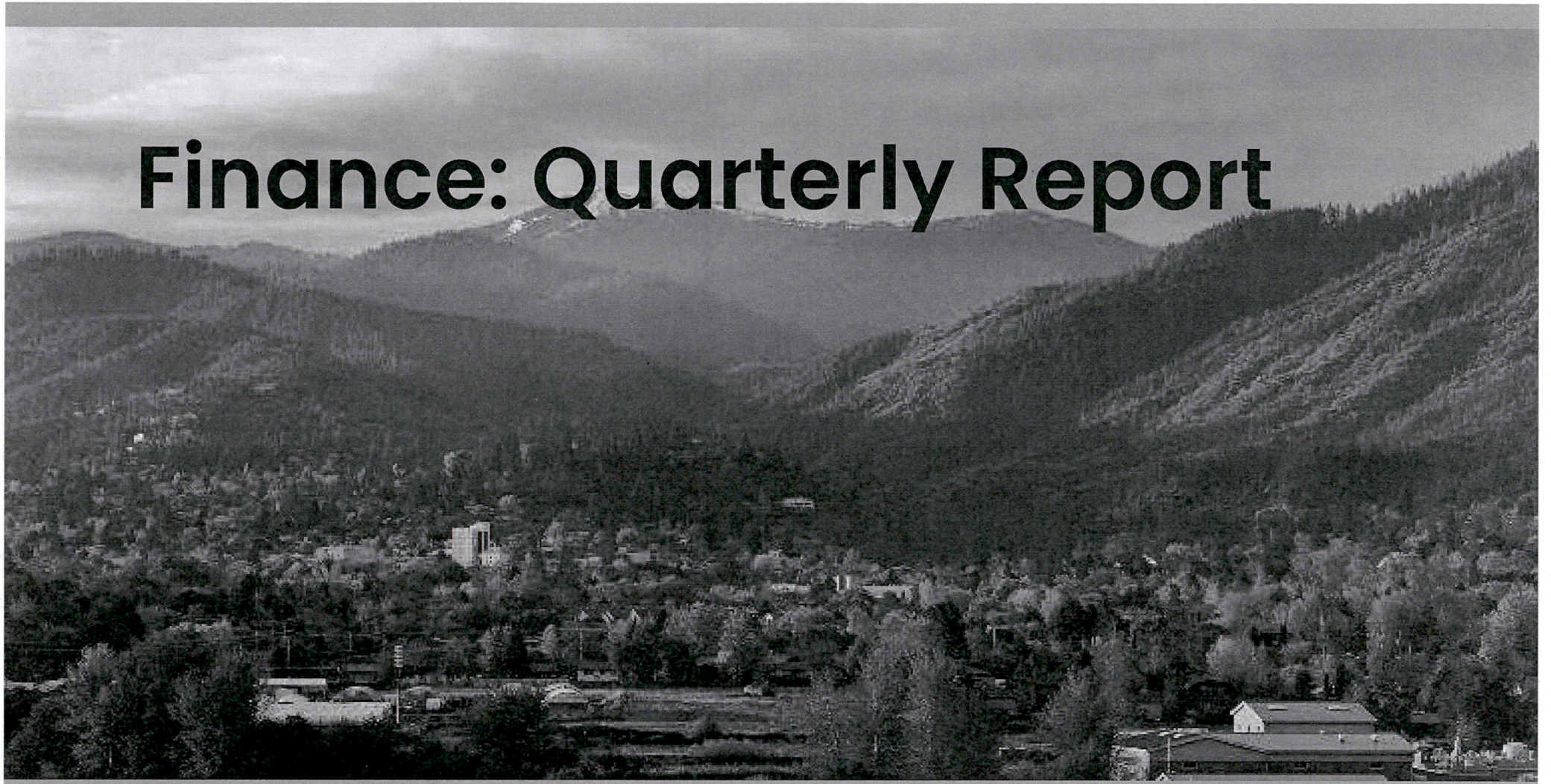
as of March 31, 2023

		Fiscal Year 2023 2nd Year Actuals	Fiscal Year 2023 2nd Year of Biennial Budget	Budget to Actual Percent Collected / Expended	Actual to Actual Year-over-Year Change	Fiscal Year 2022 Year-To-Date Actuals	Fiscal Year 2022 End-of-Year Actuals	Actual Percent Collected / Expended
		Current Fiscal Year				Prior Fiscal Year		
810	**Cemetery Fund**							
	Charges for Services	$ 10,972	$ 19,500	56.3%	180.4%	$ 6,082	$ 12,896	47.2%
	Interest on Investments	14,264	8,200	174.0%	435.0%	3,279	4,879	67.2%
	Transfer In (General Fund)	500	500	100.0%	100.0%	500	500	100.0%
	Total Revenues and Other Sources	25,736	28,200	91.3%	261.0%	9,861	18,275	54.0%
	Transfers	14,264	65,000	21.9%	435.0%	3,279	4,879	67.2%
	Total Expenditures and Other Uses	14,264	65,000	21.9%	435.0%	3,279	4,879	67.2%
	Excess(Deficiency) of Revenues and Other Sources over Expenditures and Other Uses	11,472	(36,800)	131.2%	174.3%	6,582	13,396	49.1%
	Beginning Fund Balance	**930,895**	872,127	106.7%	101.5%	917,499	917,499	100.0%
	Ending Fund Balance	$ 942,367	$ 835,327	112.8%	102.0%	$ 924,081	**$ 930,895**	99.3%
	Reconciliation of Fund Balance:							
	Restricted and Committed Funds	-						
	Unassigned Fund Balance	$ 942,367						

City of Ashland
Summary of Fund Balances
as of March 31, 2023

Fund	Balance March 31, 2023	Balance March 31, 2022	Change From FY 2022	2022-2023 Requirements	Over(Under) Requirements
General Fund	$ 19,299,853	$ 19,033,229	$ 266,624	7,310,626	264%
Parks General Fund	1,276,140	2,001,837	(725,697)	1,385,064	92%
Tourism Fund	821,557	-	-	No Policy	N/A
Housing Fund	277,606	194,364	83,241	No Policy	N/A
Community Block Grant Fund	16,898	(2,866)	19,764	No Policy	N/A
Reserve Fund	1,781,742	39,692	1,742,050	No Policy	N/A
Street Fund	5,466,226	4,994,975	471,251	388,885	1406%
Airport Fund	345,993	221,444	124,548	59,018	586%
Capital Improvements Fund	1,271,687	1,075,005	196,682	No Policy	N/A
Parks Capital Improvements Fund	3,041,626	1,458,362	1,583,264	No Policy	N/A
Debt Service Fund	1,093,471	1,071,546	21,924	No Policy	N/A
Water Fund	15,218,259	14,107,460	1,110,799	4,290,031	355%
Wastewater Fund	7,967,119	8,384,352	(417,233)	2,675,526	298%
Storm Drain Fund	1,990,843	1,794,076	196,768	244,445	814%
Electric Fund	6,863,112	4,770,459	2,092,653	4,218,671	163%
Telecommunications Fund	3,116,450	2,552,044	564,406	482,346	646%
Insurance Services Fund	925,811	498,021	427,790	669,329	138%
Health Benefits Reserve Fund	2,213,506	1,872,477	341,029	562,647	393%
Equipment Fund	6,880,243	5,425,506	1,454,736	2,437,313	282%
Parks Equipment Fund	495,202	391,290	103,911	32,278	1534%
Cemetery Trust Fund	942,367	924,081	18,286	No Policy	N/A
	$ 81,305,709	$ 70,807,356	$ 10,498,353		
Total Fund Balances	$ 81,305,709	$ 70,807,356	$ 10,498,353		
Restricted and Committed Funds					
Restricted	$ 11,567,931	$ 7,903,837	$ 3,664,094		
Committied	17,631,634	21,771,653	(4,140,019)		
Unassigned	52,106,144	41,131,866	10,974,277		
Total Fund Balances	$ 81,305,709	$ 70,807,356	$ 10,498,353		

Finance: Quarterly Report



CITY OF ASHLAND

Better Together

Financial Highlights

- budget vs actuals
  - Budget is estimated revenue and spend
  - Financial report actual revenue and spend

- restricted vs committed vs unassigned
  - Restricted= Federal/ State requirements
  - Committed= Council commitment
  - Unassigned= Unappropriated not restricted & not co

- Budget is always balanced- required by law
  - Goal: BN revenue and expenditures align

Better Together

Overview

- Summary of Fund Balances
  - Over/(Under) Requirements
    - As of March 31, 2022- finance standing
      - Compare the same time period due to timing of revenues.
    - Will vary as funds are expended
    - Currently exceeding fund requirements

Better Together

City of Ashland
Summary of Fund Balances
as of March 31, 2023

Fund	Balance March 31, 2023	Balance March 31, 2022	Change From FY 2022	2022-2023 Requirements	Over(Under) Requirements
General Fund	$ 19,299,853	$ 19,033,229	$ 266,624	7,310,626	264%
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Unassigned	52,106,144	41,131,866	10,974,277		
Total Fund Balances	$ 81,305,709	$ 70,807,356	$ 10,498,353		

Overview

- Trending well overall in fund balances
- Strong financial position moving into the next BN
- Revenues including property tax doing well
- Health benefits fund has been dissolved moving into the next BN which has result based on who contributing bumping up fund balances
- Identified issues:
    - City Recorder will need a budget supplemental from contingency prior to year
        - Election & Dues more than anticipated
    - Outstanding labor negotiations may trigger other adjustments prior to th year
    - May/June Council meetings will be used to perform any budget supplem end of year.

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Better Together

Questions?

Financial reports and budgets can be found on our webs
Financial Documents - Finance - City of Ashland, Oregon

Council Business Meeting

May 2, 2023

Agenda Item	Resolution #2023-08 Adopting the City of Ashland Housing Production Strategy	
From	Brandon Goldman Linda Reid	Community Development Director Housing Program Manager
Contact	Brandon.goldman@ashland.or.us (541) 552-2076	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

The City of Ashland has completed the process of developing a Housing Production Strategy (HPS) to identify and prioritize a variety of strategies and actions for accommodating needed housing within our community. This effort has been supported by a grant from the State Department of Land Conservation and Development (DLCD) with consultant services provided by ECONorthwest. The Final Housing Production Strategy report identifies a set of specific actions the city will undertake over an 8-year period to address Ashland's housing needs.

Completion of a Housing Production Strategy, following adoption of a Housing Capacity Analysis, is a new requirement adopted by the Oregon Legislature through passage of House Bill 2003 in 2019. Through adoption of an HPS the City will fulfill the State requirement, but more importantly will assist the City in implementing a strategic approach to promote the development of needed housing within our community.

POLICIES, PLANS & GOALS SUPPORTED

Ashland Comprehensive Plan

- Housing Element Chapter VI Goal (6.10.04): *Forecast and plan for changing housing needs over time in relation to land supply and housing production.*
    - *Policy 22: Maintain a data base that includes, measurement of the amount of vacant land and land consumption, housing conditions, land use, land values, and any other pertinent information.*
    - *Housing Needs Analysis "Technical Reports and Supporting Documents"*

State of Oregon

- Statewide Planning Goal 10 (Housing): *Buildable lands for residential use shall be inventoried, and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density."*
- Oregon Revised Statutes 197.296: *Factors to establish sufficiency of buildable lands within urban growth boundary.*
- House Bill 2003: The 2019 Oregon Legislature passed the law which requires Oregon's cities over 10,000 population to study the future housing needs of their residents and to develop strategies that encourage the production of housing their residents need.

BACKGROUND AND ADDITIONAL INFORMATION

The City of Ashland has adopted numerous policies over the last two decades to promote the development of needed housing. However, the existing and future housing needs of the community remain unmet. In 2021 the City completed an assessment of Ashland's housing needs (2021-2041 Housing Capacity Analysis) and identified several specific steps the City could take to ensure we have adequate housing. To build on this progress, the City received a grant from the Department of Land Conservation and Development in 2021 to develop a Housing Production Strategy (HPS). With the assistance of ECONorthwest consultants the City has examined the strategies it presently employs to address housing needs and has identified other strategic actions that can be explored and implemented over the next 8 years to better address the lack of affordable housing for households with lower and moderate incomes. These efforts are intended to help achieve equitable outcomes for all residents, especially vulnerable groups such as seniors, people of color, people with disabilities, and people experiencing homelessness.

The HPS includes actions and implementation steps to support the development of housing, address housing affordability challenges, and encourage the preservation of existing affordable housing. The City identified a set of actions to support new and existing affordable development, encourage the development of more affordable and diverse housing types, and grow partnerships with housing providers, developers, and agencies involved in housing issues. The goal is to increase housing stability for Ashland residents. Overall, the HPS is an important step for the City of Ashland to address housing affordability challenges and to provide housing stability for vulnerable groups. The actions and implementation steps identified in the document will be crucial for the development of affordable and diverse housing types and partnerships with housing providers, developers, and agencies involved in housing issues.

An ad-hoc Housing Production Strategy Advisory group met 5 times between April 2022, and January 2023 to review the development of the HPS document. On January 25, 2023, the group reviewed the draft HPS and unanimously forwarded a recommendation for approval to the City Council.

The Housing and Human Services Advisory Committee reviewed the final draft HPS at their regular meeting on February 23, 2023, and unanimously recommended approval of the draft as presented, and further requested that no changes to the proposed HPS be made.

The Planning Commission reviewed the draft HPS at their Study Session on February 28, 2023, and at their regular on April 11th and unanimously recommended approval of the draft as presented.

The City Council reviewed the draft HPS at a Study Session held on April 17, 2023, and recommended modifying action item G, relating to Manufactured Home Parks to prioritize preservation of existing parks. Additionally, revisions to the draft HPS report include newly added appendices required by the State Department of Land Conservation and Development to provide the City's pre-application survey submission, and a summary evaluation of the impacts of identified strategies on historically marginalized communities and federally protected classes. These amendments to the draft are included

in the final Housing Production Strategy presented to the Council this evening. Council approval of the Resolution 2023-08 will fulfil Ashland's House Bill 2003 requirement to produce a Housing Production Strategy consistent with OAR 660-008 and ORS.292(2). Additionally, approval of the attached resolution will complete the Department of Land Conservation and Development grant funded project, to develop and approve an 8-year Housing Production Strategy.

FISCAL IMPACTS

The Oregon Department of Land Conservation and Development provided funding for consultant assistance to research Ashland's housing market, coordinate with local committees, and draft a ready-to-use Housing Production Strategy document at no cost to the city, except for staff time. However, the implementation of individual strategies included in the plan may have financial impacts on the city. These impacts will be thoroughly evaluated and presented during the review process for the approval and implementation of such strategies.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve Resolution 2023-08 adopting the Housing Production Strategy related to Oregon House Bill 2003.

SUGGESTED NEXT STEPS

N/A

REFERENCES & ATTACHMENTS

- Resolution 2023-08 Adopting the Housing Production Strategy
- Final Draft of the Housing Production Strategy Dated April 2023

RESOLUTION NO. 2023-08

A RESOLUTION ADOPTING THE HOUSING PRODUCTION STRATEGY RELATED TO OREGON HOUSE BILL 2003

RECITALS:

A. Whereas, in 2019, the Oregon Legislature passed House Bill 2003, which requires Oregon's cities with a population of over 10,000 people to study the future housing needs of their residents and to develop strategies that encourage housing production:

B. Whereas, in 2022, the City of Ashland was awarded a grant by the Department of Land Conservation and Development to produce a Housing Production Strategy for Ashland consistent with OAR 660-008 and ORS 197.290(2);

C. Whereas, in 2021, the City Council approved the 2021-2041 Ashland Housing Capacity Analysis, informing the strategic actions presented in the Housing Production Strategy to address the lack of affordable housing for lower and moderate-income households;

D. Whereas the Housing Production Strategy includes actions and implementation steps to support the development of housing, address housing affordability challenges, and encourage the preservation of existing affordable housing;

E. Whereas, the HPS has been developed through extensive public engagement efforts, including Housing and Human Services Advisory Committee meetings, Ad-Hoc Housing Production Strategy (HPS) Advisory Group meetings, Planning Commission meetings, online surveys, in-person and virtual open houses, and outreach efforts to seldom-engaged populations:

F. Whereas, the Planning Commission, Housing and Human Services Advisory Committee, and Ad-Hoc HPS Advisory group have reviewed and recommended approval of the Housing Production Strategy;

G. Whereas, the City Council reviewed the final draft of the Housing Production Strategy on April 17th, 2023, and recommended changes that were incorporated into the document, resulting in the final version of the HPS presented for approval by this resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON, RESOLVES AS FOLLOWS:

SECTION 1. The Council adopts the Housing Production Strategy Report, which is attached as Exhibit 1, and incorporated by reference.

SECTION 2. The Council directs staff to begin the implementation of the Housing Production Strategy actions as described in the Housing Production Strategy Report adopted by this resolution.

SECTION 3. Nothing in this resolution is or shall be construed as a final decision by the Council that concerns the adoption, amendment or application of statewide planning goals, a Comprehensive plan provision, or land use regulation.

SECTION 4. This resolution is effective upon adoption.

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

ATTEST:

_____
Melissa Huhtala, City Recorder

SIGNED and APPROVED this _____ day of _____, 2023.

_____
Tonya Graham, Mayor

Reviewed as to form:

_____
Douglas M. McGeary, Acting City Attorney

Resolution 2023-08
Exhibit 1

City of Ashland

Housing Production Strategy

Date April 2023 Prepared for:

City of Ashland

Final REPORT



ECONorthwest

ECONOMICS · FINANCE · PLANNING

KOIN Center
222 SW Columbia Street
Suite 1600
Portland, OR 97201
503-222-6060

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Acknowledgements

ECONorthwest prepared this report for the City of Ashland. ECONorthwest and the City of Ashland thank those who helped develop the Ashland Housing Production City. This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

Housing Advisory Committee

- Echo Fields, HHSAC Member
- Julie Gillis, Social Equity and Racial Justice Commissioner
- Noah Hurley, Southern Oregon University, Assistant Director of University Housing
- Denise James, Affordable Housing Developer
- Bob Kaplan, Climate Policy Commissioner
- Kerry KenCairn, Planning Commissioner
- Gil Livni, Market Housing Developer
- Julie Stacy, Lender
- Rich Rohde, HHSAC Member
- Lisa Verner, Planning Commissioner

City of Ashland

- Brandon Goldman, Planning Manager
- Linda Reid, Housing Program Manager

Department of Land Conservation and Development

- Mari Valencia Aguilar, Housing Planner

ECONorthwest, consulting team

- Beth Goodman, Project Director
- Kaitlin La Bonte, Project Manager
- MacKenzier Visser, Associate
- Nicole Underwood, Associate
- Justin Sherril, Technical Manager,
- Keanan Gleason, Research Analyst

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Executive Summary

The City of Ashland has sponsored several housing planning efforts over the last several years to address housing access, quality, and affordability concerns. While the City has accomplished much to date, there is still work to be done to ensure Ashland's existing and future housing needs are met. Ashland developed and adopted a Housing Capacity Analysis in 2020, which provided information about the City's unmet housing needs. To build on their progress, the City applied for a grant with the Department of Land Conservation and Development in 2021 to develop a Housing Production Strategy.

Purpose of the Housing Production Strategy (HPS)

Many households in Ashland are struggling to afford housing. Ashland housing costs and rents have risen sharply in recent years and are considerably above regional averages. About 46% of Ashland's households are cost burdened (i.e., paying 30% or more of their income in rent). Ashland's 2021-2041 Housing Capacity Analysis clearly identifies a lack of housing that is affordable to households with lower and moderate incomes.

Some groups are particularly vulnerable to increasing housing costs and may have special housing needs. The HPS is intended to include actions to work together to achieve equitable outcomes for all residents of Ashland, with an emphasis on improving outcomes for underserved communities, lower-income households, and people in state and federal protected classes. Key groups with unmet housing need in Ashland include:

- **Seniors.** Many seniors live on fixed incomes and cannot always afford increases in housing costs. They may also need housing that is physically accessible and close to services (such as nearby health care or in-home assistance).
- **People of color (POC).** POC are more likely to rent their homes and to live in multifamily housing (except Asian) than the overall average in Ashland. These households may need assistance to avoid displacement and access to housing without discrimination in locations with "high opportunity" (such as areas near jobs, transit, or services).
- **People with disabilities.** Across Oregon, people with one or more disabilities experience disproportionate cost burden. Some people with disabilities may need physically accessible housing near services (such as nearby health care or in-home assistance).
- **People experiencing homelessness.** People experiencing homelessness (or at risk of homelessness) may need a range of supports from immediate assistance (including rent support) to permanent supportive housing (including supportive housing with services) and access to affordable units.

How can the HPS support housing development?

This Strategy identifies and describes actions and implementation steps to support development of housing, address housing affordability challenges, and encourage the preservation of existing affordable housing. With this Strategy, the City identified a set of actions to support new and existing affordable development. The actions will encourage the development of more affordable and diverse housing types; grow partnerships with housing providers, developers and agencies involved in housing issues; and increase housing stability for Ashland residents.

Exhibit 1. Summary of HPS Strategies

Strategies	What is it?	How does the strategy help?
A. Evaluate participating in or establishing a land bank.	Land banks support low- and moderate-income affordable housing development by reducing or eliminating land cost from development, increasing a nonprofits' capacity to build affordable housing. The City could contribute funds or lands to affordable housing projects or land trusts.	Provides a pipeline of land for future development and control the type of development that may occur on that land.
B. Evaluate opportunities to participate in a land trust.	Land trusts hold land in perpetuity and sell or lease the housing on the land at below-market rate prices. The City could partner with and contribute funds or land to an existing non-profit land trust or participate in the formation of a new non-profit land trust if one does not exist with sufficient capacity to serve Ashland.	Supports affordable housing development by holding land in perpetuity and selling or leasing the housing on the land at below-market rate prices.
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	The City can work with the Housing and Human Services Advisory Committee or other organizations to host educational events. Trainings could focus on topics such as fair housing and housing discrimination, foreclosure, eviction, tenant and landlord rights, trainings to serve vulnerable populations, or other information needs as they arise.	Provides education around housing issues, which can help prevent and address housing discrimination, ensure rights are protected, and connect residents with housing resources.
D. Develop an equitable housing plan	An equitable housing plan could implement strategies from the Fair Housing Analysis of Impediments Report, such as offering education and training, reviewing City policies for disparate impact and biased language, and adopting a tool to ensure inclusivity in decision making process regarding City grant funding.	Addresses identified impediments to fair housing such as: limited community awareness about fair housing protections and resources, instances of discrimination in housing transactions, and a lack of affordable housing.

E. Disallow SFD in High Density R-3 Zone	The City can evaluate changes to Ashland's zoning code to disallow single-family detached housing in the High-Density Residential Plan Designation (R-3 zone).	Preserves this zone for higher-density housing.
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	The City could evaluate increasing allowances for residential dwellings in commercial and employment zones, such as removing residential density caps and allowing an increased amount of residential uses in ground floor commercial spaces.	Encourages the development of more dense multifamily housing in commercial and mixed-use zones
G. Maintain quality and support preservation of existing manufactured home parks	The City could work with owners and nonprofit organizations to support preservation efforts. The City could also change the zoning code to more easily allow new manufactured home park development.	Preserves existing manufactured home parks, which play a significant role in providing naturally occurring affordable housing.
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	The City could amend the Land Use Ordinance to allow for a wider range of development. Zoning changes could include increased density, increased allowable height, and reduced parking requirements	Allows for a wider range of development will help ensure there are development opportunities for needed housing types.
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	Offers multi-unit developers that meet City-set affordability criteria a partial property tax exemption	Provides a way to leverage private, market-rate development to expand affordable housing.
J. Preserve and improve existing low-cost, unregulated, rental housing	The City could evaluate programs, technical assistance opportunities, regulatory changes, and other options to support property improvements. The City could provide grant funding in support of rehabilitation, weatherization or accessibility upgrades.	Supports needed repairs for low-cost unregulated housing without displacing tenants.
K. Work with partners to support development of additional permanent supportive housing	The City would work with service providers to identify and utilize funding and development assistance opportunities.	Supports development of income-restricted housing that includes services with a goal of ending chronic homelessness.

L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	The City can evaluate opportunities to incorporate elements of the Climate and Energy Action Plan CEAP into housing developments. The City could also facilitate access to energy efficiency incentives available from the federal and state government, particularly for development of affordable housing.	Helps the City meet its CEAP goals and can lower-long term energy costs.
M. Establish a Construction Excise Tax	Construction Excise Tax (CET) is one of few options to generate additional locally-controlled funding for affordable housing. The funds from the CET are required by State law to be spent on developer incentives, supporting affordable housing programs, and homeownership programs.	The City could use CET revenue funds to support the development or re-development of affordable housing.
N. Evaluate using Urban Renewal	The City will evaluate the potential to use Urban Renewal to support infrastructure and affordable housing. The City would need to develop and implement an Urban Renewal Plan, establish an Urban Renewal Agency, and select projects to fund through Urban Renewal.	Provides a flexible funding tool that can support many of the key strategies identified in the Housing Production Strategy.
O. Identify additional funds to support the Affordable Housing Trust Fund	The City will identify and evaluate new sources of funding for income-restricted affordable housing, such as a General Obligation Bond.	Identifying additional funding sources for Ashland's Affordable Housing Trust Fund would provide direct financial resources to the development of affordable housing for low-income households.

How do the actions work together?

Delivering housing that is affordable to low-income households requires a variety of strategies that address key housing needs in the city. The City's strategies are intended to provide incentives and support at various phases of a development project and help overcome obstacles and challenges, making development more financially feasible. The strategies are intended to reduce housing costs and ensure that rents or sales prices are more affordable by making it more financially feasible to build and preserve affordable housing.

The City developed four initiatives that address key housing needs in the city, focusing on outcomes of implementing the actions. The initiatives comprise a set of potential city-led strategies, funding sources, and potential partnerships with other entities that help to achieve an overarching goal. By bundling strategies and funding sources, the City acknowledges that several strategies and partnerships are necessary to achieve the City's housing goals.

- **Encourage development of low- and moderate-income affordable rental housing.** This initiative seeks to increase the housing options for unregulated rental households earning between 60% and 120% of MFI ($43,900 to $87,700).
- **Increase opportunities for affordable homeownership.** This initiative seeks to increase the housing options for homeownership for households earning less 120% of MFI (less than $87,700).
- **Encourage development of income-restricted affordable housing units.** There are limited options available in Ashland that are affordable to households with income of less than 60% of MFI ($43,900). This initiative supports development of housing affordable in this income group.
- **Preserve existing of low- and moderate-income affordable housing.** This initiative seeks to increase the housing options for households earning less than 120% of MFI (less than $87,700).

Exhibit 2. Housing Initiatives, Potential Actions, and Proposed Adoption

■ Primary Focus of the initiative ☐ Secondary Focus of the initiative

Action Name	Initiative Name				Proposed Adoption Timing
	Encourage development of low- and moderate-income affordable rental housing	Increase opportunities for affordable homeownership	Encourage development of income-restricted affordable housing units	Preserve existing supply of low- and moderate-income affordable housing	
A. Evaluate participating in or establishing a land bank.	■	■	■		2026*
B. Evaluate opportunities to participate in a land trust.	■	■			2025*
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	☐	■	■	■	Ongoing
D. Develop an equitable housing plan	☐	■	■	■	2024
E. Disallow SFD in High Density R-3 Zone	■		☐	☐	2027
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	■				2025
G. Maintain quality and support preservation of existing manufactured home parks		☐		■	2024
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	■		■		2027
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	■			☐	2028
J. Preserve and improve existing low-cost, unregulated, rental housing				■	2026*
K. Work with partners to support development of additional permanent supportive housing			■		Ongoing
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	■	■	☐		2029*
Funding Sources					

Action Name	Initiative Name				Proposed Adoption Timing
	Encourage development of low- and moderate-income affordable rental housing	Increase opportunities for affordable homeownership	Encourage development of income-restricted affordable housing units	Preserve existing supply of low- and moderate-income affordable housing	
M. Establish a Construction Excise Tax	■	■	■	■	2025
N. Evaluate using Urban Renewal	□	□	■	■	2028
O. Identify additional funds to support the Affordable Housing Trust Fund	■	■	■	■	2025*

*The implementation schedule for these actions involves getting policy direction from City Council during this year, not adoption. Some of these actions do not require adoption of an ordinance, others may not result in adoption of an ordinance depending on the direction provided by City Council.

How will the City implement the Strategy? Who are the partners?

Each of the strategies require a different implementation approach, with varying involvement from local partners. The city has identified strategies that it can use to best support the development of affordable housing, but the delivery requires the participation of key partners who have roles essential to the construction, delivery, and preservation of housing units.

Exhibit 3. City and Partner Roles in Implementation

Actions	City	Other Government Agencies	Affordable and Market Rate Developers	Local Nonprofits	Other
A. Evaluate participating in or establishing a land bank.	Contribute land or funding		Develop housing		
B. Evaluate opportunities to participate in a land trust.	Contribute land or funding		Develop housing	Manage Land Trust	
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	Partner to identify needs, develop materials, do outreach and plan/host events			Partner to identify needs, develop materials, do outreach and plan events	Coordinate with HHSAC
D. Develop an equitable housing plan	Develop plan, adoption, implementation,	Provide input	Provide input	Provide input	Coordinate with HHSAC
E. Disallow SFD in High Density R-3 Zone	Revise development code				
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	Revise development code				
G. Maintain quality and support preservation of existing manufactured home parks	Revise development code; outreach to property owners and nonprofits	OHCS: partnership on preservation efforts		Partnership on preservation efforts	Owners of manufactured home parks: provide input
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	Revise development code		Provide input		

I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	Outreach, develop eligibility criteria, adoption, implementation, promotion	Taxing Districts: consider exemption approval	Provide input		
J. Preserve and improve existing low-cost, unregulated, rental housing	Develop program; funding; outreach & promotion	Ashland Housing Authority: provide input & materials; outreach		Partnership; provide input & materials; outreach	Property owners
K. Work with partners to support development of additional permanent supportive housing	Provide funding and development assistance opportunities	Jackson County: partnership to develop regional approach.		Service providers: identify and utilize funding and development assistance opportunities.	
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	Evaluate opportunities; determine implementation steps and identify partners	Ashland Conservation Division, Electric Department, Building Division: provide input	Provide input		Ashland Climate Policy Commission: provide input
Funding Sources					
M. Establish a Construction Excise Tax	Develop and implement plans		Provide input		Major employers, and the business community: provide input
N. Evaluate using Urban Renewal or other financing tools	Establish and partner w/Urban Renewal Agency	URA: Select projects; implement the Plan			Property owners
O. Identify additional funds to support the Affordable Housing Trust Fund	Evaluate new sources of funding, develop, and implement plan				Residents: provide input

1. Introduction

The City of Ashland has sponsored several housing planning efforts over the last several years to address housing access, quality, and affordability concerns. While the City has accomplished much to date, there is still work to be done to ensure Ashland's existing and future housing needs are met. Ashland developed and adopted a Housing Capacity Analysis in 2020, which provided information about the City's unmet housing needs. To build on their progress, the City applied for a grant with the Department of Land Conservation and Development in 2021 to develop a Housing Production Strategy.

A Housing Production Strategy (HPS) is intended to include goals and strategic actions to work together to achieve equitable outcomes for all residents of Ashland, with an emphasis on improving outcomes for underserved communities, lower-income households, and people in state and federal protected classes. An HPS considers issues of Fair Housing, which is intended to provide access to housing choice by everyone, free from discrimination. Federal protected classes are: race, color, national origin, religion, gender, familial status, and disability. Oregon's additional protected classes are: marital status, source of income, sexual orientation and gender identity, and status as a domestic violence survivor. Under Fair Housing laws, it is illegal to deny access to housing in based on the characteristics of people within these protected classes.

This report provides information about Ashland's housing needs. It provides an understanding of the issues (in Chapter 2), before solutions are proposed (in Chapter 3). This report draws its information and findings from several documents including:

- Ashland's *Housing Capacity Analysis* (2021)
- Comprehensive Plan and Housing Element Update (2019)
- *Ashland Consolidated Plan 2020-2024* (2020)[1]
- Affordable Housing Ordinance (2020)
- Rent Burden Meetings in recent years
- Missing Middle Code Update (2022)

Ashland recently completed the Ashland Housing Capacity Analysis (HCA) in 2021. Key findings from the HCA are:

- **Ashland is forecast to grow by about 858 new dwelling units between 2021 to 2041.** On average, this equates to 43 new dwelling units per year.
- **Changes in demographic characteristics will drive need for new housing.** The HCA forecast Ashland will need more attached and multifamily housing in the future than

[1] City of Ashland. (2020). Ashland's 2020-2024 Consolidated Plan.

the current housing stock provides. The key demographic trends that will affect Ashland's future housing needs are the aging of the baby boomers, the household formation of the millennials and Generation Z, and growth in Latino populations. The implications of these trends are increased demand from older (often single person and more likely to be female) households and increased demand for affordable housing for families, both for ownership and rent.

Ashland has an existing deficit of housing affordable to low- and middle-income households and is likely to have similar future deficits. Ashland's existing deficit of housing that is affordable for extremely-low and very-low income, low-income, and middle-income households indicates a need for subsidized affordable housing for renters and affordable homeownership. Without the types of solutions proposed in Chapter 3 of this report, lack of affordability will continue to be a problem and possibly will grow, in the future, if incomes continue to grow at a slower rate than housing costs.

- **Ashland has sufficient land within the urban growth boundary to support development over the next 20 years.** Ashland's HCA shows that the City can accommodate growth (858 dwelling units) over the next 20-years with a surplus of capacity remaining. However, some development in Ashland's Suburban Residential, Normal Neighborhood, and Multifamily Residential Plan Designations will need to be accommodated in the city's urbanizing area.

Requirements of a Housing Production Strategy

OAR 660-008 describes the requirements of a Housing Production Strategy (HPS) in sections 660-008-0050 through 660-008-0070. This section briefly describes these requirements and review by staff with the Department of Land Conservation and Development (DLCD).

The HPS is required to include the following information. It is noted what chapter this information is included in, in this report:

- **Unmet Housing Need in Ashland** (Chapter 2 and Appendix A in this report) should provide information about the socio-economic and demographic trends of households in Ashland, the policies the City has adopted to meet housing needs, and a summary of engagement the City has had with stakeholders about housing needs (especially with stakeholders in underrepresented groups).
- **Actions to Meet Future Housing Need** (Chapter 3 in this report) identifies specific actions, measures, and policies needed to address housing needs identified in Ashland's HCA report.
- **Achieving Fair and Equitable Housing Outcomes** (Chapter 4 in this report) evaluates the entire list of strategies to achieve equitable outcomes. The valuation considers factors such as location of housing, Affirmatively Furthering Fair Housing, facilitating housing choice, identifying housing options for residents experiencing homelessness, supporting development of affordable housing, and increasing housing stability.

The City is required to submit the HPS to DLCD after its adoption by the City Council. The City is then required to monitor progress on implementation of the HPS and progress on production of housing related to the policies and actions in this report. Linking housing development directly to implementation of the actions in this report may be challenging and difficult to quantify. But City staff will be able to report changes in building activity that occur before and after implementation of specific actions and will be able to provide qualitative feedback on implementation of actions based on development of partnerships and discussions with stakeholders.

Ashland will be required to submit a report to DLCD four years after the City adopts the HPS that includes:

- A **summary** of the actions taken by that time. For actions not adopted on the schedule in the HPS, the city must provide an explanation of the circumstances that posed a barrier to implementation and a plan for addressing the need identified in the strategy.
- An **evaluation** of the efficacy of the actions that the city has implemented for meeting the needs in the HCA and whether the actions are moving the city to achieve more fair and equitable housing outcomes.

Implementation of the HPS will take time because each action will require further consideration, such as additional analysis, engagement of consultants, changes to existing standards or programs, discussions with decision makers, or public hearings. The City may be unable or chose not to implement some of these actions because of new information that arises from further consideration about the specifics of each action.

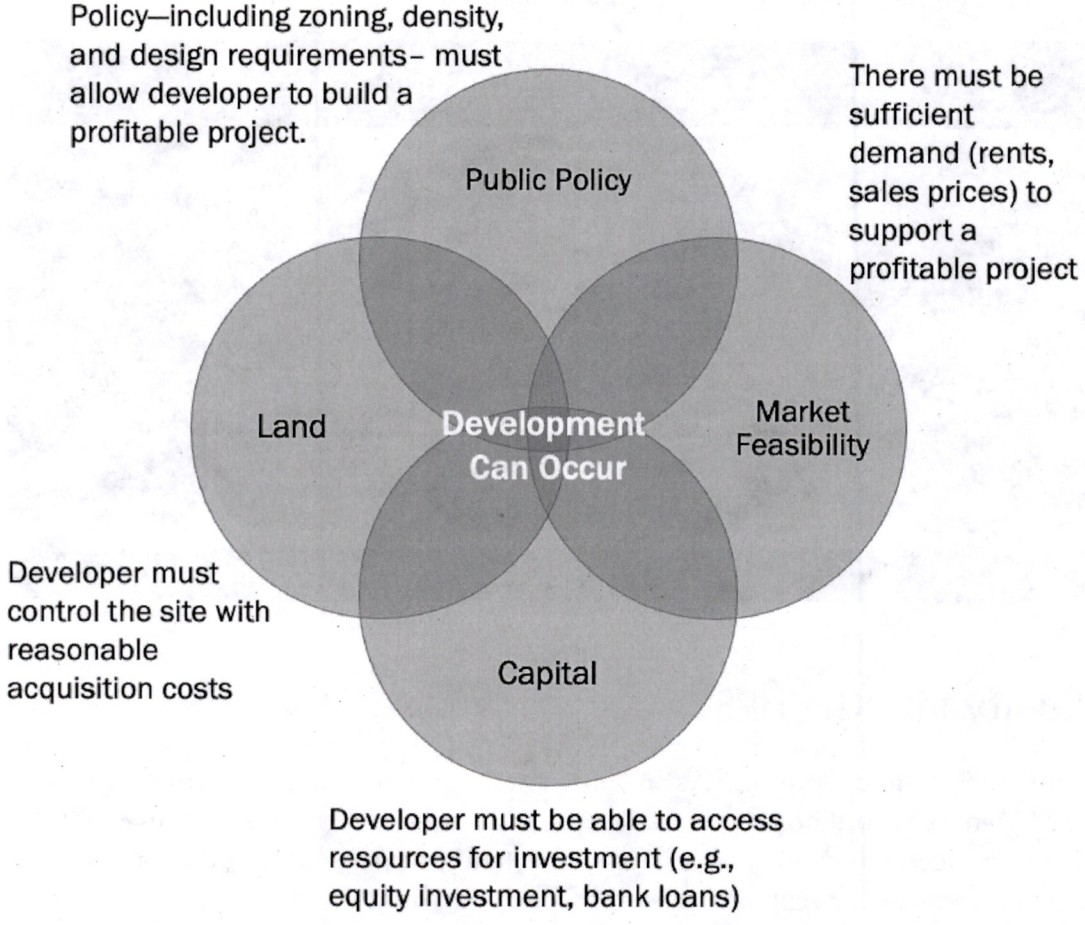
If the City is unable to or chooses not to implement an action within 90 days of the timeline proposed in the HPS, the City must notify DLCD about the action(s) that the City is taking to address this issue. The City may propose an alternative schedule for implementing the action or may identify a different action (or actions) to meet the specific housing need addressed by this action.

Considerations for Implementing the Housing Production Strategy

As part of development of the HPS, it is important to understand a city's role in housing development. Supporting and leveraging the private market's ability to deliver market-rate development at the broadest possible range of price-points is critical to increase the supply of housing more broadly, especially in light of the limited public funding available to support income-restricted housing. In an area with a reasonably strong housing market, a city's influence over market-rate development is substantial, despite the number of factors that the city does not control. The graphic in Exhibit 4 illustrates how four factors must intersect so that development can occur, and where the City has most influence.

Cities do not control all of these factors entirely. Public policy at the local level is shaped through state policy. Land is generally controlled by the individual landowners and development of infrastructure necessary to make land development can be prohibitively expensive. Market feasibility is largely affected by market forces, such as construction costs and achievable rents. Access to capital is largely controlled by investors and banks. However, cites can directly influence public policy (through its development code) and availability of land (through zoning, density, planning for new land needed for housing, redevelopment, government owned surplus land, potential urban renewal and other types of projects and acquisitions, and infrastructure planning). Cities can also have a limited influence on market feasibility (through policies that reduce costs like tax abatements or waiving fees).

Exhibit 4. Four Necessary Factors that Allow Development of New Market-Rate Housing
Source: ECONorthwest



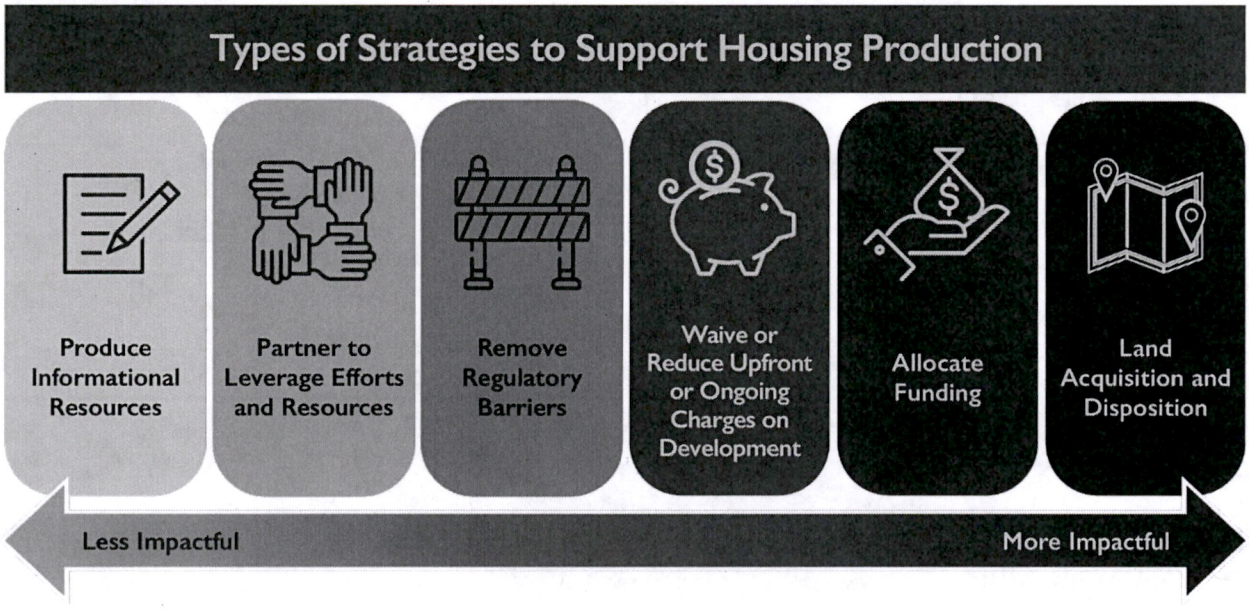
These factors all suggest that the City should consider a wide range of actions. Exhibit 5 shows the range of strategies, characterizing some strategies as more impactful and some as less impactful. More impactful strategies are those that provide funding or direct resources to support housing development (like land acquisition and disposition). These strategies are more impactful because funding and resources are the greatest constraint on development of income-

restricted affordable housing (such as housing affordable to households with incomes below 80% of MFI).

While removing regulatory barriers and partnerships are shown as less impactful strategies, they are often necessary (but not sufficient on their own) to support housing development. For example, increasing allowable densities, on its own, result in new affordable being built. The City needs other strategies to support development of affordable housing for people to live and work in Ashland.

This example also underscores the fact that many of the actions presented in this chapter build on each other. While a partnership on its own may not be sufficient to support development of housing, it may be key when combined with other actions.

Exhibit 5. Types of Strategies to Support Housing Production
Source: ECONorthwest



Building Equity into the HPS

Equity is both an outcome and a process. As an "outcome," equity means that race or other markers of social identity would no longer predict one's life outcomes (for instance in health, socioeconomic advantages, educational access, life expectancy, etc.). Achieving that outcome remains a challenge because our economic systems were, often unintentionally, designed and built to maintain inequality—and they continue to do so.

To achieve equitable outcomes, equity is also a process that people undertake to better understand, question, and disrupt historical and contemporary inequitable systems and structures. We can use this process to create policies that are based in equal opportunity and resources, and we can ensure that those most impacted by policies and practices are meaningfully involved in their creation and implementation.

Equitable housing goes beyond affordability. It aims to ensure all people have housing choices that are diverse, high quality, energy efficient, physically accessible, and reasonably priced, with access to employment opportunities, services, and amenities. This includes reducing rates of cost burden and increasing access to homeownership, especially for low-income households and vulnerable groups such as seniors, workers with low pay, people with disabilities, and communities of color. This broad definition of equitable housing includes choices for homes to buy or rent that are reasonably priced (relative to income) and accessible across all ages, household sizes, abilities, and incomes and are convenient to everyday needs such as schools, childcare, food, and parks.

Exhibit 6 provides an equity framework to increase the consideration of equity in the project process and implementation (including measuring impact). Creating equitable processes will help ensure that diverse and underrepresented communities (including vulnerable and low-income communities) are able to influence and inform policy and program development.

Exhibit 6. Housing Production Strategy Equity Framework

Identify Unmet Housing Needs	Engagement Process[2]	HPS Plan Development	Measurement and Analysis
Identify unmet housing needs, such as lower-income cost-burdened households Identify vulnerable people within the community who are at risk or who could benefit from access to more affordable housing	Engage community members to learn about their priorities, needs, and challenges to affordable housing Build community awareness and support through the engagement process Continue engagement in implementation of the actions within the HPS	Ensure that the actions in the HPS address Ashland' unmet housing needs Identify outcomes within the HPS that respond to community needs and promote housing stability and choice, particularly for those households with the unmet housing need.	Develop measurements to understand the impact and progress toward increasing equity of the actions

The HPS was developed within this equity framework. The actions in the HPS are intended to increase equitable housing outcomes as the City implements the recommendations of the HPS.

Stakeholder Involvement in Developing the HPS

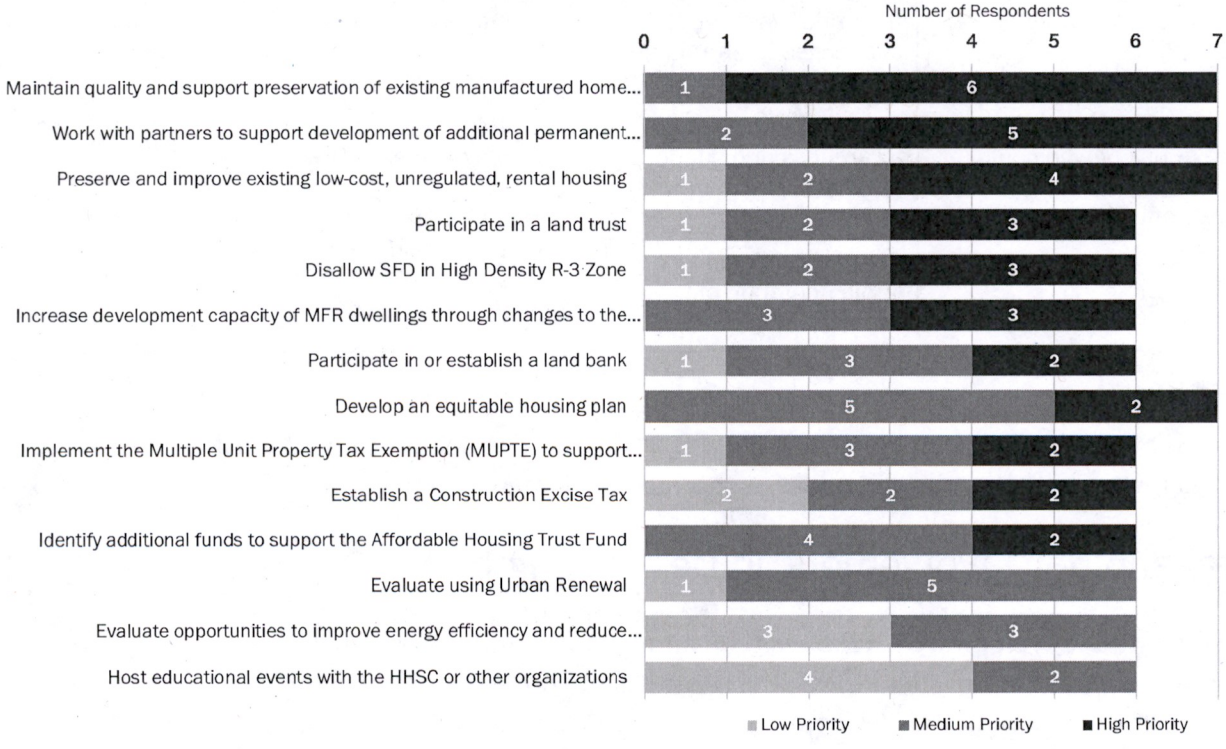
A key part of developing the HPS was consulting community members to learn about their priorities, needs, and challenges related to affordable housing. The stakeholder outreach process for developing the HPS was collaborative and included input from the following groups:

[2] Engagement builds on prior engagement that the City has done on other housing and community development projects, such as work on the Ashland Consolidated Plan. It also includes engagement conducted as part of the HPS project. Implementation of the HPS will include additional engagement.

- **Ashland's Housing Advisory Committee.** The project included five meetings with the Advisory Committee over the course of the project. The advisory committee consisted of ten community members with diverse backgrounds related to housing issues in Ashland. The committee met throughout the development of the HPS, to review the draft list of housing actions, identify gaps in the list and potential strategies to fill in gaps, refine the list of strategies and to provide input in the draft HPS document. According to a survey of Advisory Committee in October 2022, the highest priority housing actions included:
  - Maintain quality and support preservation of existing manufactured home parks and support development of new manufactured home parks.[3]
  - Work with partners to support development of additional permanent supportive housing.
  - Preserve and improve existing low-cost, unregulated, rental housing.

  The full results of the AC survey are shown in Exhibit 7 below.

Exhibit 7. Advisory Committee Housing Action Priority Survey



- **Discussions with Stakeholders.**

[3] At the April 17, 2023 meeting, the City Council removed "support development of new manufactured home parks" portion of this action.

- **Service providers** for vulnerable populations, to better understand the range of unmet housing needs for people experiencing houselessness, students, low-income renter and homeowner households, and other special needs populations. These discussions identified several actions to better support and coordinate with providers. Some of the actions discussed include:
  - Increasing partnership opportunities, such as partnering to undertake trainings to serve vulnerable populations,
  - Regular meetings and coordination with the City to discuss needs and opportunities, and
  - Funding for emergency weather related shelter coordination in a model like the one the City of Medford has with Access.
- **Local housing developers and builders** The project included five interviews with stakeholder groups, including developers, builders, planners, and architects, to solicit feedback on potential strategies and housing development barriers in Ashland. Key suggestions from these interviews included:
  - Urban Renewal has been effective in facilitating development in neighboring jurisdictions and could be a useful tool in Ashland.
  - Land banking could allow developers to construct more workforce housing.
  - Review the code for unintended barriers to density.
  - Evaluate opportunities to streamline development review.
  - Modifications to code requirements for Cottage Housing and ADUs could make these housing types more feasible.

- **Open house.** A virtual open house was held in October 2022. The open house included a presentation on housing needs in Ashland and shared information about the strategies the city is considering to meet unmet housing needs. The presentation included a brief survey for participants to share the priorities around potential housing strategies.
- **Planning Commission** – The project included four meetings with the Planning Commission. The meeting topics included 1) the project overview and associated stakeholder and community engagement, 2) strategies to accommodate housing need in Ashland, 3) reviewing the draft HPS and 4) reviewing the final HPS.
- **Housing and Human Services Advisory Committee.** The project included two presentations and one meeting with the Housing and Human Services Advisory Committee (HHSAC). The HHSAC recommended prioritizing nine strategic actions for inclusion in the Housing Production Strategy document. The HHSAC recommended tiering those nine strategies in order of highest priority, as follows:
  - Tier one (highest priority) strategic actions includes:
    - Identify additional funds to support the Affordable Housing Trust Fund

- Maintain quality and support preservation of existing manufactured home parks and support development of new manufactured home parks[4]
- Participate in a land trust
- Participate in or establish a land bank.

- Tier two includes:
  - Establish a construction excise tax
  - Disallow SFD in high density R-3 zone
- Tier three (lower priority) includes:
  - Evaluate using urban renewal
  - Implement the Multiple Unit Property Tax Exemption
  - Increase development capacity of MFR dwellings through changes to the Land Use Ordinance

Theses strategic actions were recommended with the understanding that the HHSAC's priorities should not be construed as eliminating or diminishing the remaining strategies. The motion was approved unanimously.

- **City Council.** The project included three meetings with City Council. On the August 2022 presentation, Council provided the following feedback:
  - Council was supportive of:
    - Land banking
    - Land trust - they were very interested in long-term affordability
    - Preservation of manufactured home parks
    - Evaluating using Urban Renewal
    - Potentially using a CET
  - Council asked why there wasn't inclusion of:
    - Pre-approved ADU and Missing Middle Plan Sets[5]

[4] At the April 17, 2023 meeting, the City Council removed "support development of new manufactured home parks" portion of this action.

[5] This strategy was included as a recommendation in the HPS but not specified as an action that would be implemented in the HPS because pre-approved plan sets may be less effective in supporting these types of housing developments because there may be substantial variation in development of Middle Housing types because each development is likely to have unique challenges.

- Universal design as a strategy for inclusion[6]

- Council discussed, and some suggested removing, inclusionary zoning[7]

- The Housing and Human Services Advisory Committee also conducted a survey to gauge the public's priorities around housing issues, including gauging public opinions about potential HPS strategies. Of the 236 responses, respondents overwhelming cited the biggest housing barrier in Ashland was '*there are no available rentals or properties for sale within my price range*". Over 50 percent of respondents thought the following strategies would make a significant positive difference in improving housing options for residents of Ashland:

  - Create policy that supports the construction different types of homes and broadens what is acceptable as a "dwelling unit:" Examples: cottages, accessory dwelling units, duplexes, triplexes, manufactured home parks, tiny homes, 3D printed homes, domes, repurposed cargo containers, etc.[8]

  - Limit the number of vacation rentals as well as limiting the converting existing housing into vacation rentals.

  - Require private developers to include a percentage of affordable housing units in projects that would contain more than 20 dwelling units, referred to as "Inclusionary zoning".

  - Support using city-owned land for the construction of affordable housing.

  - Support and fund non-profit organizations who build new housing that people of varied income levels can afford.

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[6] Accessibility language is included under the "Preserve and improve existing low-cost, unregulated, rental housing" strategy. Following Council's comment, language was also added to the "Equitable Housing Plan" strategy a regarding promotion of Universal Design policies or goals to address equity for people with disabilities.

[7] Inclusionary zoning was removed as a potential strategy from the HPS after discussion with City staff because of the requirements in Oregon's Inclusionary Zoning statutes that limit it to use on multifamily buildings with 20 or more units. Ashland has had very few multifamily developments over 20 units per structure in the last decade. As a result, implementing inclusionary zoning would likely have little effect and may discourage development of multifamily buildings with 20 or more dwelling units. .

[8] "Broaden the types of dwelling units allowed by Ashland development code" was initially considered as a strategy in this HPS. After discussion with city staff, it was removed as a strategy because it was determined that the barrier to these alternative building types is not Ashland code but state building code requirements.

Structure of the Report

The structure of this report is organized as follows:

- **Chapter 2. Contextualizing Housing Need** summarizes the findings about housing need in Ashland, with a focus on housing need at varying income levels and housing needs of specific groups of people.
- **Chapter 3. Actions to Meet Future Housing Need** presents the proposed policies and actions to meet the housing need described in Chapter 2.
- **Chapter 4. Evaluation: Achieving Fair and Equitable Housing Outcomes** presents an evaluation of the HPS through considerations of the location of housing, Fair Housing, housing choice, and other factors.
- **Appendix A. Contextualizing Ashland's Housing Needs** presents the data and analysis necessary to understand Ashland's housing needs in more detail.
- **Appendix B. Trends in Gentrification and Displacement Risk** presents an analysis of trends in gentrification and displacement risk developed for Ashland as part of the HPS.

2. Unmet Housing Need in Ashland

The Ashland Housing Capacity Analysis (HCA) describes the housing needs of current and future residents of Ashland based on some demographic and socioeconomic characteristics, such as age and income. It does not provide detailed data about housing needs for other demographic characteristics, such as race, ethnicity, people with a disability, or people experiencing homelessness.

This chapter provides additional information about the housing needs by income, age, race, ethnicity, disability and for people experiencing homelessness. It uses standard sources of information from the U.S. Census. It adds information from other sources, such as Oregon's Housing and Community Services Department, the United States Department of Housing and Urban Development, Costar, and the City of Ashland. This chapter meets the HPS requirement to further contextualize housing need, beyond what the HNA provided.

This chapter presents a description of the housing needs that the Housing Production Strategy is intended to address, as well as existing policies to address Ashland's housing needs. It ends with a summary of the existing and expected barriers to development of needed housing.

Housing Needs Addressed by the Housing Production Strategy

This section describes Ashland's housing needs based on data gathered in the Ashland Housing Needs Analysis report, household income shown in Exhibit 8 and on additional analysis of unmet housing needs for underserved groups (based on analysis in Appendix A).

Across Oregon, developers have been able to build some types of housing without need for public intervention, such as single unit detached housing that is affordable to people with higher incomes. However, many low- and middle-income houses have unmet housing needs because the market has been unable to keep up with their needs.

The HPS focuses on actions that ensure that developers can produce housing for low- and middle-income households. Housing at this part of the income spectrum, and housing that meets the special needs of specific groups, usually requires public intervention.

Defining Median Family Income

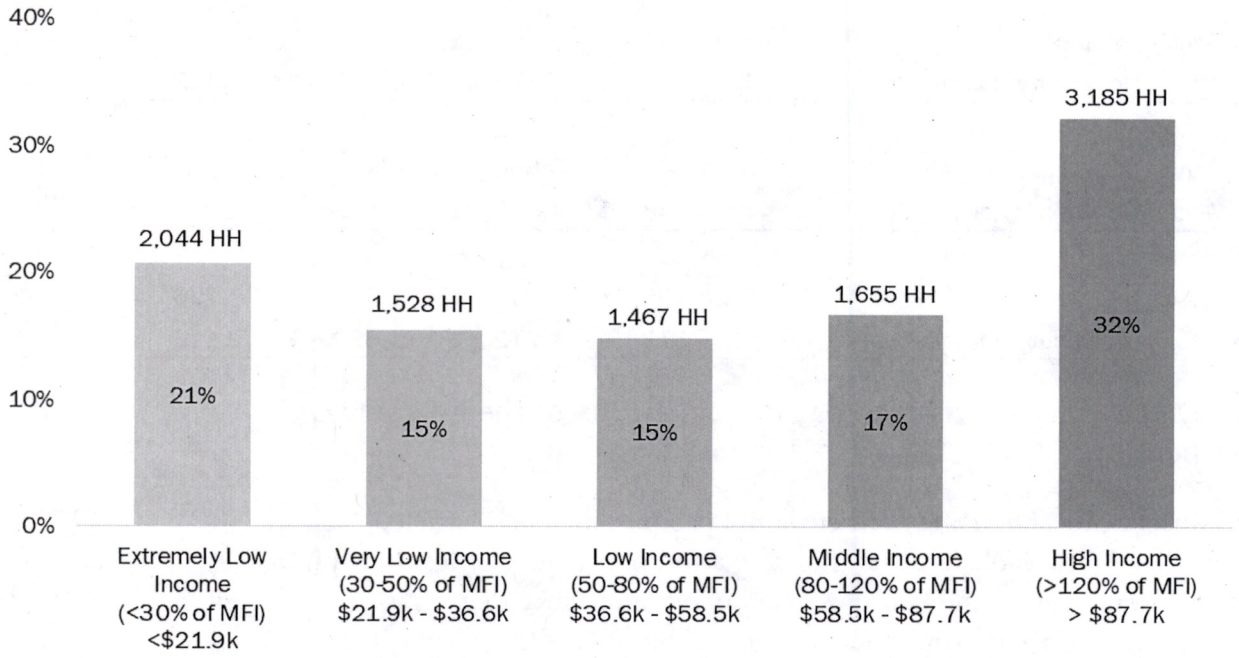
The Housing Production Strategy is intended to develop policies and actions that address Ashland's housing needs. Throughout this report, we discuss housing affordability based on Median Family Income (MFI) that is defined by the U.S. Department of Housing and Urban Services (HUD) for Jackson County for a household of four people. The terms used to describe housing affordability by income group are:

- Extremely Low Income: Less than 30% MFI or $21,900 or less for a household of four
- Very-Low Income: 30% to 50% of MFI or $21,900 to $36,600 for a household of four
- Low Income: 50% to 80% of MFI or $36,600 to $58,500 for a household of four
- Middle Income: 80% to 120% of MFI or $58,500 to $87,700 for a household of four
- High Income: 120% of MFI or more $87,700 or more for a household of four

Over one-third of Ashland households earn less than 50% MFI.

Exhibit 8 shows that 36% of Ashland's households had incomes less than 50% of Median Family Income (MFI) ($36,600) and cannot afford a two-bedroom apartment at Jackson County's Fair Market Rent (FMR) of $1,195 in 2022.

Exhibit 8. Share of Households by Median Family Income (MFI) for Jackson County ($73,100), for a household of four, Ashland, 2021
Source: Analysis by ECONorthwest; U.S. Department of HUD, Jackson County, 2021. U.S. Census Bureau, 2015-2019 ACS Table 19001.



Median Family Income varies by household size.

The actual income thresholds vary in MFI based on household size. For example, a household of one person with an income of 80% of MFI has an income of $40,940 compared to the income for a household of four ($58,480) or a household of six people ($67,855). The housing needs for a single person are also different than those of a household of four people or six people. Throughout this document, we use the income for a household of four to illustrate housing needs, but MFI varies by household size, as does the size and other characteristics of housing need.

Exhibit 9 Median Family Income and housing affordability by Household size, Jackson County (Medford-Ashland MSA), 2021
Source: Analysis by ECONorthwest; U.S. Department of HUD, Jackson County, 2021.

	30% MFI	60% MFI	80% MFI	100% MFI	120% MFI
1-person					
Annual Income	$ 15,351	$ 30,707	$ 40,940	$ 51,170	$ 61,404
Affordable Monthly Housing Cost	$ 384	$ 768	$ 1,023	$ 1,279	$ 1,535
2-people					
Annual Income	$ 17,544	$ 35,106	$ 46,799	$ 58,480	$ 70,176
Affordable Monthly Housing Cost	$ 439	$ 878	$ 1,170	$ 1,462	$ 1,754
4-people					
Annual Income	$ 21,930	$ 43,860	$ 58,480	$ 73,100	$ 87,720
Affordable Monthly Housing Cost	$ 548	$ 1,097	$ 1,462	$ 1,828	$ 2,193
6-people					
Annual Income	$ 26,906	$ 50,890	$ 67,855	$ 84,796	$ 101,755
Affordable Monthly Housing Cost	$ 673	$ 1,272	$ 1,696	$ 2,120	$ 2,544

Many households in Ashland pay more than 30% of their income for housing.

Because the local housing market cannot produce income-restricted, subsidized affordable housing (housing affordable at 60% or less of MFI) at sufficient levels – and because it cannot often produce low income/workforce housing (housing affordable at 60% to 80% of MFI) without subsidy, many households in Ashland are cost burdened.

A household is defined as cost burdened if their housing costs exceed 30% of their gross income. A household that spends 50% or more of their gross income on housing costs is said to be severely cost burdened.

Low-income households have few options for either homeownership or rental units.

Housing costs for both rental and ownership units are much higher than many residents can afford. Exhibit 10 shows financially attainable housing costs for households across the income spectrum in Jackson County. For example, a household earning median family income in Jackson County (about $73,100 per year)[9] can afford a monthly rent of about $1,830 or a home roughly valued between $256,000 and $292,000 without cost burdening[10] themselves.

Fewer than one-quarter of Ashland's households have income sufficient to afford housing sales prices in Ashland. About one-thirds of Ashland households are unable to afford the average asking rent in Ashland without cost burden.

[9] Note that Median Family Income for the region is different than Median Household Income (MHI) for Ashland (see Exhibit 27). MFI is determined by HUD for each metropolitan area and non-metropolitan county. It is adjusted by family size – in that, 100% MFI is adjusted for a family of four.

[10] A household is considered cost burdened if they spend more than 30% of their gross income on housing costs, a standard set by the U.S. Department of Housing and Urban Services to measure housing affordability.

In Ashland, a household would need to earn at least $140,000 (192% of MFI for a family of four) to afford the median sales price of a home in Ashland, as shown in Exhibit 53.[11] Rent costs are comparatively more affordable but still pose a barrier to finding affordable housing for many households. A household would need to earn about $62,000 (85% of MFI for a household of four) to afford the average asking rent of an apartment ($1,550 per month).[12]

Exhibit 10. Financially Attainable Housing, by Median Family Income (MFI) for Jackson County (Medford-Ashland MSA) ($73,100), Ashland, 2021
Source: U.S. Department of Housing and Urban Development, Jackson County, 2021. Oregon Employment Department.



[11] With higher mortgage interest rates in 2022 and into 2023, a household may need to have higher income to afford the median home sales price.

[12] CMP Real Estate Services, Inc., December 2020.

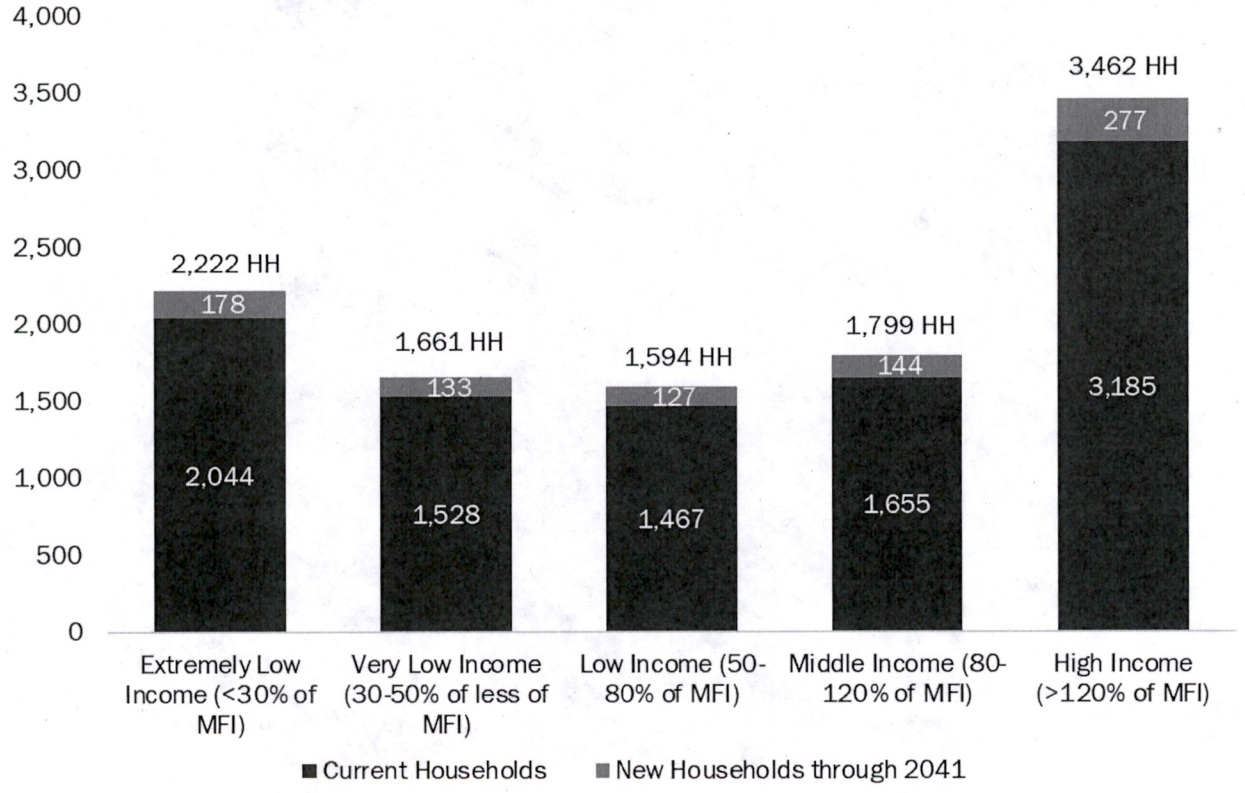
Ashland is forecast to grow by 858 new dwelling units between 2021 and 2041.

Ashland's Housing Needs Analysis projects that the City will grow by 858 new dwelling units between 2021 and 2041 to accommodate new population growth. These dwelling units will need to be available at a variety of income levels. Assuming future residents of Ashland have an income distribution that is the same as existing residents, about a third of new housing will need to be for those with very low or extremely low incomes (below 50% MFI).[13][14]

Exhibit 11. Ashland's Future Households by Income, 2021 to 2041

Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B19001, U.S. Department of HUD 2021 MFI, and PSU's Population Forecast, 2021 to 2041 as found in Ashland's Housing Needs Analysis.

Note: Median Family Income (MFI) is estimated for a household of 4.



[13] Given the fact that incomes have grown at a relatively slow pace over the last two decades in comparison to housing costs (especially home sales prices) this may be a conservative assumption about the future affordability of housing.

[14] The HPS does not anticipate building new units for all existing households in Ashland that have problems affording housing costs. But the HPS does propose actions to stabilize the housing costs of existing lower income households and may result in development of housing that is more affordable to these households, enabling them to stay in Ashland. Information about lower income households and cost burden for existing households illustrates the existing housing need in Ashland.

Housing Needs for Extremely Low Income (Less than 50% MFI) Households

What we know about the need: Within this income range, Ashland has housing need of:

- New households: **311** (from 2021-2041)
- Existing households: **3,572**

What can they afford? Rents (including basic utility costs) of not more than **$920** per month.

- A household would need to earn **$62,000** to afford average multi-unit rent of **$1,550** (about 85% of MFI for a household of four). Households with incomes of less than 50% of MFI cannot afford this rent.

What will it take to meet their needs? A combination of preserving existing income-restricted affordable housing and development of new income-restricted affordable housing. Development of income-restricted affordable housing typically requires extensive subsidy, with funding from state and federal sources, in addition to any support from the city and other partners.

Housing Needs for Low Income (50-80% MFI) Households

What we know about the need: Within this income range, Ashland has housing need of:

- New households: **127** (from 2021-2041)
- Existing households: **1,462**

What can they afford? Rents (including basic utility costs) of between $920 to $1,460 per month.

- A household would need to earn **$62,000** to afford average multi-unit rent of **$1,550** (about 85% of MFI for a household of four). These households cannot afford this rent.
- Households with this income range are likely to live in rental housing predominantly.

What will it take to meet their needs? A combination of preserving existing "naturally occurring affordable housing" and development of new income-restricted affordable housing in this price range. Some households in this income range may need rent assistance, such as a Housing Choice Voucher. Development of new housing affordable in this price range generally requires some subsidy or public support, such as tax exemptions, government funding (typically federal, state, or county, with some level of local contribution being critical) reduced systems development charges, low-interest loans, philanthropic contributions, or other financial support. Funding for rental housing affordable at 60% to 80% of MFI is scarce. Homeownership opportunities for this income range will likely be related to housing developed by nonprofit organizations, possibly with some subsidy, such as through a community land trust.

Housing Needs for Middle Income (80-120% MFI) Households

What we know about the need: Within this income range, Ashland has housing need of:

- New households: **144** (from 2021-2041)
- Existing households: **1,655**

What can they afford? Rents (including basic utility costs) of between $1,460 to $2,190 per month.

- For the most part, these households can afford rents higher than the asking rents for a two-bedroom unit of about **$1,550.**
- However, households in this range cannot afford the median home sales price in Ashland of **$549,000.**
- Some households with income in the higher part of this range are likely to live in rental housing and some may be homeowners, especially people who have owned their home for years. Households with incomes in this income range are likely need assistance in attaining homeownership.

What will it take to meet their needs? Development of rental housing (without subsidy from local or state government) and lower cost housing for homeownership. Some homeownership opportunities for this income range will likely be related to housing developed by nonprofit organizations, possible with some subsidy, such as land banking or a community land trust.

Housing Needs of People of Color

What we know about the need: POC are more likely to rent their homes and to live in multifamily housing (except Asian) than the overall average in Ashland. POC in general are cost burdened more frequently than the average household. However, in Ashland the difference in cost burden rates for POC is smaller than in many of Oregon's communities. Part of the reason for this may be the small population of POC in Ashland.[15]

About 7% of Ashland's population identified as non-Hispanic Black, Asian, two or more races, or another race. About 7% of Ashland's population identified as Latino (any race).

What will it take to meet their needs? Addressing the affordability issues, discussed above, as well as ensuring that people of color have access to housing without discrimination. This will require increasing awareness of Fair Housing rules for property owners and managers, tenants, City decision makers, and City staff. It will also require careful decision making to change policies that have created barriers to access housing by people of color.

[15] People of Color includes Black, Latino, American Indian or Alaska Native, Asian, Native Hawaiian and Pacific Islanders, and people of another or multiple races. These categories were combined due to limited data availability.

Housing Need of People with Disabilities

What we know about the need: The Census reports that about **10%** of Ashland's population have one or more disability, such as ambulatory, vision, hearing, cognitive, self-care, or independent living disabilities.

Disabilities include those that are visible, such as ambulatory or vision disabilities, and those that are not readily apparent, such as self-care, independent living, or cognitive disabilities. Other conditions may require special accommodations, such as disabling diseases or mental health conditions.

What will it take to meet their needs? Addressing the affordability issues, discussed above, as well as ensuring that people with disabilities have access to housing that addresses their disability and that they have access to housing without discrimination. This will require increasing awareness of Fair Housing rules for property owners and managers, tenants, City decision makers, and City staff. It will also require approaches that encourage development of housing with specialized design standards to accommodate special needs.

Housing Need of People Experiencing Homelessness

What we know about the need: There are approximately **831** people experiencing homelessness in Jackson County in 2021. In addition, **125** students in the Ashland School Districts experienced homelessness. The number of people experiencing homelessness in Ashland is not clearly known. In part, this is because people experiencing homelessness may move between neighboring cities.

What will it take to meet their needs? Strategies will range from emergency assistance (including rent and utility assistance), permanent supportive housing (including supportive housing with services), and improved access to an affordable unit (as discussed above).

Stakeholder Engagement about Housing Needs Conducted Before Development of the HPS

Since 2017, the City of Ashland has undertaken several strategic planning document updates and policy changes which required public engagement processes and community input.

- **Housing Element Update** – From 2017 to 2019 the City undertook an update of the Housing Element of the Comprehensive Plan. This process included a community forum and an online questionnaire as well as several public hearings.
- **5-Year Consolidated Plan** – In 2020, the City updated the 5-year Consolidated Plan for the use of Community Development Block Grant funds. This included an online questionnaire, individual stakeholder interviews and three public hearings.
- **Annual Rent Burden Public Forums** – Since 2018 the City has been holding annual rent burden public forums in accordance with HB 4006.
- **Housing Capacity Analysis** – From 2020-2021 the City worked with a consultant to complete an updated Housing Capacity Analysis which involved a subcommittee comprised of Ashland citizens, developers, land use professionals, and other community stakeholders, as well as several public hearings.
- **Middle Housing Code Update** – In 2021, the City developed new code language to establish a middle housing code in accordance with HB2001. This process took place between 2020-2021 and included several public hearings and a Development Round Table meeting.
- **Affordable Housing Program resolution and ordinance review and update** – Lastly, the City undertook a review and update of the resolution and ordinance that governs the City of Ashland Affordable Housing Program. This process included targeted public meetings with homeowners and affordable and private market housing developers as well as several public hearings before the Housing and Human Services Advisory Committee, the Planning Commission, and the City Council.

Summary of Public Feedback Themes from Recent Community Engagement Activities *(The bulleted items below include issues regularly raised by members of the public regarding needed housing and suggested policies and actions the City could explore to assist in the production of needed housing.)*

- Increase density, rezone land to ensure more multi-family zoned land/higher density zoned land, promote infill over sprawl, but only where appropriate (not in historic districts or next to existing single-family neighborhoods).
- City Planning policies should allow for more flexibility in housing type and design. More innovative alternative housing types should be allowed such as container houses, tiny houses, micro cottages. Similarly, more diversity of development and household types should be allowed, co-ops, co-housing, tiny house villages, mixed

use/commercial/residential, multi-generational households/seniors renting rooms in their homes to students, and Single Room Occupancy/boarding house type households.

- Need larger houses/units to attract families with children, but also need smaller units for the existing population of seniors and students.
- Need for more affordable housing for both rental and ownership. This is a highly prioritized need. Cost and availability of housing are consistently identified as problem areas and are prioritized for policy solutions/city support.
- The City should support alignment with the Ashland Climate and Energy Action Plan (CEAP) policies. Parks, outdoor recreation, and preservation of and access to natural areas are a high priority for the Ashland community. Eco-friendly/green housing developments, less reliance on cars, more alternative transportation friendly developments are highly prioritized.
- City should reduce parking requirements, plan for more innovative, alternative transportation options.
- Cost of public infrastructure is a barrier to development.
- City processes can be a barrier to development. The City needs to provide more information/resources to help the public learn about City incentives and processes for housing development/ARU's/annexations.

Existing Policies to Address Ashland's Housing Needs

This section lists existing measures that Ashland's has implemented to support housing development and presents preliminary draft measures (or policies or strategies) that may be included in the HPS.

The City of Ashland has the following housing measures (or policies or strategies) currently in place to address Ashland housing needs:

Zoning

Action/Strategy	Description
Allow Middle Housing types (Duplexes, Cottage housing, Townhomes, Row Houses, and Tri- and Quad-Plexes) in low density zones	Ashland allows Duplexes and Accessory Residential Units wherever a single-family dwelling unit is permitted per the requirements of HB2001. Code amendments were enacted in June 2021. Ashland adopted cottage housing ordinance in November 2017 which allows cottage housing developments within single family zones. Following adoption Ashland has approved a number of cottage housing developments.
Allow Middle Housing types in medium density zones	Ashland's cottage housing ordinance allows cottage housing developments in the R-1-5 and R-1-7.5 zones on lots that are greater than 1.5 times the minimum lot size for the zone. Cottage Housing developments can be between 3 to 12 units depending on lot size. Tri- and Quad-Plexes Townhomes, Row Houses, Stacked Townhouses are permissible in Ashland's Medium Density zone (R-2), and Townhomes are further permitted in the R-1-3.5 zone or other residential zones (R-1-5, R-1-7.5, R-1-10) through planned unit developments.
Allow Stacked Townhouses, Garden Apartments, and larger-scale Apartments in high density zones	Stacked townhomes, condominiums, garden apartments and larger-scale apartments are permitted in R-2 and R-3 zones. However due to small lot sizes of vacant/partially vacant properties available in these zones, larger scale apartments are not often achievable given existing lot sizes, height limitations, and density allowances.
Allow Live-Work housing or Mixed-use housing in commercial zones	Live-work housing and mixed-development would be a permitted use within commercial zones although not specifically listed in the allowable use table for either commercial or residential zones. Home Occupations are special permitted in all zoning designations except for industrial (M-1). **Current Action(s):** A private developer is presently working on a legislative proposal to amend the Croman Mill Masterplan which would include live-work housing and mixed-use development. The amended masterplan, as presently being developed, is intended to focus on providing more flexibility in providing both residential and commercial uses than does the existing zoning.
Allow small or "tiny" homes	Small, or tiny, units that are built on a foundation are permitted in Ashland and have been developed as Accessory Residential Units. Tiny homes on wheels would have to be in an RV park, and there are thus limited opportunities for their placement in Ashland.
Allow Small Residential Lots	Planned Unit Developments in all SFR and MFR zones will allow for small lots (up to zero lot line and no minimum lot size) at allowable Densities for the zone. Additionally, cottage housing developments in SFR zones (R-1-5 & R-1-7.5) allow lots

	smaller than the minimum lot size for the zone in conjunction with common open space. Ashland's R-1-3.5 zone has a minimum lot size of 3,500 SF. **Current Action:** Middle Housing legislation (State) will allow expedited land divisions of middle housing (Duplexes) to enable independent lots smaller than the minimum lot sizes within the zone (July 2022)
Mandate Maximum Lot Sizes	Ashland does not have a maximum lot size or minimum density requirement in Single Family Residential zones, although market development typically maximizes the number of units provided. In cases where lot sizes are proposed that exceed the minimum lot size it is often in response to physical or environmental constraints that limit the buildable portion of a site (e.g. steep slopes, floodplains, wetlands and riparian areas)
Mandate Minimum Residential Densities	Minimum Density requirements (80% base density) are in place in multifamily residential zones (R-2 and R-3) on lots large enough to accommodate 3 or more units. Minimum densities and are required of any residential annexation equal to 90% Base Density exclusive of environmentally constrained lands.
Increase Allowable Residential Densities	Ashland recently removed the maximum residential densities within the Transit Triangle Overlay area (Ashland Street, portions of Siskiyou Blvd, and Tolman Creek Road). A form-based approach is used where limitations on height, lot coverage, and setback requirements create the 3D envelope in which units can be developed. This allows for many smaller units within the same space when compared to a base density approach which can produce fewer, large apartments or condominiums. **Current Action:** Draft Ordinance removing maximum residential densities in E-1, C-1 and C-1-D zones for mixed-use development has been reviewed and recommended for approval by the Planning Commission. The City Council is expected to review revisions to the draft ordinance this year.
Allow Clustered Residential Development	Ashland permits Planned Unit Developments in SFR and MFR zones which allows clustering of units and transfer of density from naturally constrained areas to the developable portion of the site.
Re-designate or rezone land for housing	Rezoning land in Ashland is not a common practice. The City has implemented a number of master planning efforts (Normal Neighborhood, North Mountain Plan, Croman Mill District) which have identified lands to be developed as multifamily or mixed-use development. Individual property owners have requested and received rezoning of their properties to multifamily zones for specific development proposals. However, there has not been an effort to examine vacant low density and employment properties within the City Limits as candidates for a comprehensive plan and zone change to increase the supply of multifamily zoned properties. **Current Action(s):** A Draft Ordinance which would allow an increased allowance for ground floor residential in employment zoned lands (E-1, C-1) for mixed-use development has been reviewed and recommended for approval by the Planning Commission. The City Council is expected to review the draft ordinance this year. A private developer is presently working on a legislative proposal to amend the Croman Mill Masterplan which would include rezoning the district to allow for a variety of housing types on lands currently zoned for commercial, employment, and industrial uses.
Transit Triangle Overlay (Ordinances 3166, 3167,3168)	Implements recommendations of an infill strategy to promote more housing within an area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd. The approved Ordinance creates a Zoning Overlay, known as the Transit Triangle, that allows for a reduced amount of required commercial or employment uses from 65% to 35% of the ground floor in mixed-use buildings, a reduced parking requirement for small units,

(adopted: December 2020)	elimination of housing density maximums, and a requirement to provide rental housing in exchange for utilizing the optional Transit Triangle Overlay provisions.
Middle Housing Ordinance amendments (Ordinance 3199) (adopted 6/2021)	Ordinance Amendments to the duplex and accessory residential unit (ARU) standards to meet the requirements of new state laws and administrative rules included in House Bill (HB) 2001 from the 80th Oregon Legislative Assembly, 2019 Regular Legislative Session. The primary changes to the land use code for duplexes are that duplexes are permitted in all residential zones including the single-family zones, are required to have two on-site parking spaces, and the approval process requires a building permit prior to construction or conversion of an existing structure. The primary changes to the land use code for ARUs are that ARUs do not require on-site parking spaces and the approval process requires a building permit prior to construction or conversion of an existing structure
Cottage Housing Standards (Ordinance 3147) (adopted 11/2017)	The Cottage Housing Ordinance adopted allows cottage housing in single family residential zones (R-1-5, R-1-7.5, and NN-1-5) and established the following provisions: ▪ A minimum of 3, and a maximum of 12, cottages can be provided in a cottage housing development depending on lot size. ▪ Cottages shall be no larger than 1000sq.ft., and at least 75% of the cottages shall be less than 800sq.ft. The parking requirements for cottage housing units was reduced to be as follows: Units less than 800 sq. ft. - 1 space/unit; Units greater than 800 square feet and less than 1000 square feet -1.5 spaces/unit.

Reduce Regulatory Impediments

Action/Strategy	Description
Reduced Parking Requirements	Ashland provides parking reductions for small units city-wide (one space per unit for units 500 SF or less). Within the Transit Triangle Overlay parking requirements are reduced to one space per unit for units 800 SF or less. Cottages of 800 SF or less within approved cottage housing developments require one space per unit. Many parking credits may be allocated to projects including: ▪ Off-street parking credit (1 for 1) for each on-street space along the property's frontage; ▪ joint use and mixed-use development credits (sharing the same space between a commercial use and residential use when demonstrated their time of use is not in conflict); ▪ off-site shared parking; ▪ transit facilities credit; ▪ Transportation Demand Management plan implementation.
Reduce Street Width Standards	Ashland has long implemented a "Narrow Street" standard through the Street Standards and Transportation System Plan. The narrow street and interconnected grid pattern promoted by Ashland's Street Standards both reduces development costs associated with new streets in subdivisions and retains developable land are for new housing.
Encourage multifamily residential	Mixed use projects are permitted and encouraged in Ashland Commercial, and Employment zoned.

development in commercial zones	**Current Action(s):** There is currently a draft ordinance under consideration that would increase the percentage of the ground floor that could be used as residential, as well as elimination of residential density caps in such mixed -use projects. Ordinance review expected in May 2022 in consideration of an economic study being undertaken by ECONorthwest for the Ashland Chamber of Commerce.
Remove barriers to Development of Accessory Dwelling Units (ADUs) in single-family zones	Ashland allows Accessory Residential Units (ARU or ADU) as an accessory use to single-family homes throughout the City with only Building Permit approval. Ashland further provides reduced SDCs for small units of less than 500 SF. No additional parking is required for ARUs in Ashland, and there has never been any owner-occupied requirement for the development of an ARU within the City.
Affordable Housing Standards (Ordinance 3195) (adopted 2020)	Provides a clear and predicable methodology for calculating maximum rent and purchase prices for covered affordable housing units; incentivizing affordable housing production through removing barriers to coordination between non-profit and for-profit housing developers; achieving a mixture of unit types commensurate with community housing needs; and improving administrative efficiency and effectiveness of the affordable housing program.

Financial Incentives

Action/Strategy	Description
Reduced / Waived Building Permit fee, Planning fees, or SDCs	Programs that reduce various development fees as an incentive to induce qualifying types of development or building features. Ashland waives or defers 100% of System Development Charges including Parks, Transportation, Water, Sewer and Storm Water SDCs for qualified affordable housing units targeted to households earning 80% AMI or less and meeting the rent or sale requirements of the Ashland Housing Program. Ashland waives Community Development Fees, and Engineering Services fees for voluntarily provided affordable housing units that remain affordable for 60 years. Affordable ownership units that leave the program after 30 years, but less than 60 years, must repay a prorated amount of SDCs, Community Development Fees, and Engineering Services Fees that were deferred.
Scaling SDCs to Unit Size	Cities often charge a set SDC per dwelling unit, charging the same SDCs for large single-family detached units as for small single-family detached units or accessory dwelling units. Ashland's SDC methodology charges 50% of the calculated per unit SDC amount for units less than 500sq.ft., and 75% of the calculated per unit SDC amount for units between 500 and 800sq.ft. Thus, smaller units pay proportionately less SDCs for Transportation, Parks, and Sewer and Water compared to full size units due to their potential for smaller household sizes and commensurate impacts. Storm Water SDCs are based on lot coverage and thus, smaller units have lower Storm Water
Provide Density Bonuses to Developers	Ashland has four density bonuses, one of which is for development of affordable housing at higher densities and another for energy-efficient housing. ▪ Affordable housing projects meeting eligibility requirements (including rental or ownership housing affordable to households at 80% or less of AMI for a min. of 30 years) receive a density bonus of two units for each affordable unit provided, up to a max. of a 35% increase in density. ▪ The max. density bonus inclusive of other bonuses (open space, conservation) can be 60% over the base density within the zone.

	▪ Ashland's Cottage Housing Development ordinance effectively provides a doubling of the allowable density in the zone for provision of the small cottage housing units. Ashland classifies small units, of 500 SF or less, as only 75% of a unit for the purposes of density calculations. A greater number of small units can be developed within existing density allowances without employing a density bonus.
SDC Deferral Resolution (Resolution 2020-24) (adopted 2020)	Establishes the terms of affordability and recapture provisions for deferred fees and charges for qualified affordable ownership units and affordable rental units that remain in the affordable housing program for at least 30 years.
Vertical Housing Tax Credit (adopted 12/2020)	A Vertical Housing Development Zone has been established for designated Commercially zoned properties within the Transit Triangle to promote the development of mixed-use projects that incorporate multiple floors of housing.
SDC Financing Credits	Ashland amended the SDC collection of charge provisions in 2019 within the Ashland Municipal Code (4.20.090). These amendments allow SDCs to be paid over a 10-year period in semi-annual installments. A one-year installment loan shall not be subject to an annual interest rate provided all charges are paid prior to the City's issuance of the Certificate of Occupancy, time of sale, or withing one year of when the charge was imposed, whichever comes first. For installments that exceed one year, repayment interest on the unpaid balance at annual rate of six percent (6%) is assessed for a five-year installment loan or seven percent (7%) for a 10-year installment loan.

Financial resources

Action/Strategy	Description
CDBG	Ashland is a direct Community Development Block Grant (CDBG) entitlement community and receives HUD allocations of approx. $175,000/year. The 5-year Consolidated Plan for use of CDBG funds prioritizes capital restricted CDBG funds toward affordable housing and shelter and 15% of the award is typically provided to service providers benefiting extremely low-income individuals.
General Fund Grants or Loans	Ashland's Affordable Housing Trust Fund is part of the General Fund and is used to support the development of affordable housing. The City has not issued a bond to generate revenue for affordable housing
Transient Lodging Tax (TLT)	Ashland collects Transient Occupancy Taxes (TOT), and applies them toward tourism related activities, economic development grants, and social service grants annually in accordance to the restricted/unrestricted use parameters.
Fees or Other Dedicated Revenue	Ashland has an Affordable Housing Trust Fund, and the City Council has dedicated Marijuana Tax revenue (up to $100,000 annually) to support the AHTF through the annual budgeting process.
Local Improvement District (LID)	Ashland has utilized LIDs for specific public improvement projects within the City, which has enabled a group of property owners to share the cost of a project or infrastructural improvement on a pro-rata basis, where the City contributes the majority of the costs of public improvements.

Reimbursement District	Ashland's municipal code (13.30.0150) was amended in 2010 to enable a developer to request the City establish a Reimbursement District to collect public improvement costs that exceed those attributable to service the property owned by the applicant. Examples of excess costs include (but are not limited to): Full-street improvements instead of half street improvements; Off-site sidewalks; Connection of street sections for continuity; Extension of water lines; and Extension of sewer lines To date, no Reimbursement District has been requested or formed.

Tax Exemption and Abatement

Action/Strategy	Description
Vertical Housing Tax Abatement (Locally Enabled and Managed)	On December 15, 2020, Ashland passed a Vertical Housing Tax Credit and designated Commercially zoned properties within the Transit Triangle overlay area as an eligible Vertical Housing Development Zone.

Land, Acquisition, Lease, and Partnerships

Action/Strategy	Description
Land Trusts	A land trust is typically a nonprofit organization that owns land and sells or leases the housing on the land to income-qualified buyers. There are 49 units within Ashland that are operated under the land Trust model. The Ashland Community Land Trust operated in Ashland from 2000 until 2015 when the non-profit organization formally dissolved. And transferred their 18 affordable land trusted housing units to ACCESS Inc. Rogue Valley Community Development Corporation developed 31 units under the land trust model which were transferred to NeighborWorks Umpqua for administration.
Public Land Disposition	Ashland has dedicated surplus City property for the development of affordable housing or sold surplus City property and directed the proceeds into the Ashland Housing Trust Fund to support affordable housing development. **Current Action:** The City of Ashland is presently evaluating the disposition of surplus property, as well offering the air rights above a city owned parking lot to develop needed housing. Affordable and workforce housing providers will be extended the opportunity to respond to any Request for Proposals or purchase/sale solicitation efforts.
Parcel Assembly	Parcel assembly involves the city's ability to purchase lands for the purpose of land aggregation or site assembly The City has experience acquiring property for the future development of affordable housing, having acquired 10 acres on Clay Street in cooperation with the Housing Authority of Jackson County. Over the last decade this property provided a location for 120 units of affordable housing. The City typically relies on affordable housing partners to identify property for a proposed development and has provided financial assistance (CDBG or Affordable Housing Trust Fund (AHTF) to assist in acquisition. Most recently the City helped purchase a parcel using AHTF for Columbia Care to develop a 30-unit affordable housing project

Requirements

Action/Strategy	Description
Preserving Existing Housing Supply	Ashland has an ordinance that regulates conversion of apartments into condominiums, providing for preservation of multi-family rentals and providing for longer notice periods prior to tenant displacement and relocation assistance can be required. Ashland's demolition ordinance does regulate demolitions of housing, requiring replacement dwellings be provide as part of the demolition proposal. Further, the demolition of a house (over 45 years old) must demonstrate it is not financially viable to retain the structure versus replacement, thus promoting renovation as opposed to removal.
Inclusionary Zoning	Ashland requires a percentage of affordable housing (25% of the base density exclusive of unbuildable areas) as part of residential annexations, as well as for zone changes that increase residential density by 4 units or more: https://ashland.municipal.codes/LandUse/18.5.8.050.G Ashland has not implemented an inclusionary zoning ordinance for residential developments within the City Limits for proposed structures containing 20 units or more under the State's 2020 inclusionary zoning legislation.
Condominium Conversion Ordinance	An Ordinance establishing that conversion of existing rental units into for-purchase units (Condominium Conversions) requires that half of the units in an existing apartment complex are to be retained as rentals upon conversion in the event any relief from current land use requirements is requested. In the event the applicant chooses to convert all the apartments in a complex into for purchase housing, the ordinance establishes a requirement that 25% of the total number of units be designated as affordable ownership housing.

Other

Action/Strategy	Description
Comprehensive Plan Housing Element (adopted 2019)	In 2019 the City of Ashland rewrote the entirety of the Housing Element of the Comprehensive Plan. The Housing Element sets forth general goals and policies which provide guidance for Ashland's growth and development over time. The adopted Housing Element includes Goals and Policies under four main categories: ▪ Diversity of Housing Types ▪ Production and Preservation of Affordable Housing ▪ Environmental Stewardship and Sustainability ▪ Data, Inventories, Projections and Permitting
Tenant Rights (Ordinance 2939)	An Ordinance establishing Chapter 10.115 of the AMC which provides for Tenant Rights and relocation benefits for residents facing displacement due to condominium conversions.

Existing and Expected Barriers to Development of Needed Housing

The barriers to development of needed housing in Ashland include:

- **Having enough development-ready land for the next 5 years.** While the Ashland HCA shows that there is enough land within the UGB to meet housing needs over the next 20 years, land in the UGB is not necessarily development ready. Land requires the full suite of backbone services (water, wastewater, transportation) before it is development ready. The cost of building out infrastructure is increasing. Additionally, the annexation process in Ashland can be a lengthy and uncertain process, which adds cost and risk to development. Inclusionary zoning requirements for residential annexations add further cost to greenfield development. These factors affect the short-term availability of land to meet immediate housing needs.

- **Zoning limitations for higher density housing**. Density, height and lot coverage limitations in R-2 and R-3 zones are barriers to higher density residential development. Stacked townhomes, condominiums, garden apartments and larger-scale apartments are permitted in R-2 and R-3 zones. However, due to small lot sizes of vacant/partially vacant properties available in these zones, larger scale apartments are not often achievable given existing lot sizes, height limitations, and density allowances. Additionally, the Ashland HCA shows there are only 11.7 acres of net buildable land in the City's R-3. These factors limit the number of units that can be built in the City's higher density residential zones

- **Land for development of regulated affordable housing.** Land for development of regulated, income-restricted affordable housing is scarce. Building income-restricted housing (i.e., housing that is affordable at 60% or less of MFI) requires land that is affordable, allows multi-unit development, and in an appropriate location. The locations best suited for development of affordable income-restricted housing are areas with access to transit, near services (both social services and other services), and near jobs (or with easy access to jobs). Land in these locations is often higher-cost and may not currently be zoned to allow multi-unit housing.

- **Funding and resources to support development of income-restricted affordable housing**. Developing income-restricted housing for households with incomes below 60% of MFI generally requires federal, state, and local subsidy so that it can cover the costs of development and operations with restricted rents. One of the key barriers to development of income-restricted affordable housing is identifying sufficient funding to support its development. A city's options for funding affordable housing development include direct funding (i.e., monetary contributions for housing), contributions of land, and cost reductions (e.g., tax abatements or waiving fees).

- **Funding and resources to support development of housing affordable to middle-income households**. Developing new housing affordable to households with incomes of

60% to 120% of MFI is often not financially feasible without subsidy. Federal and state funding is harder to access for building housing affordable in this income group. As a result, supporting development of housing affordable to middle-income households requires city intervention, such as removing zoning barriers to development of this type of housing and ensuring that infrastructure is available to support housing development, both of which are discussed above. In addition, cities can support development of this type of housing through direct funding (i.e., monetary contributions for housing), contributions of land, and cost reductions (e.g., tax abatements or waiving fees).

- **Capacity of the development community to support development of needed housing**. Capacity for development of housing includes developers willing and able to develop needed housing, nonprofits with the capacity to support development of affordable housing, and availability of skilled construction labor to do the housing development (or renovations). Each of these are potential barriers and can have different impacts on development of affordable housing. Capacity in the development community can include knowledge of navigating affordable housing financing and reporting requirements, knowledge of development of new or innovative housing projects, and capacity to take on new housing development. Capacity for nonprofits can be a combination of staff capacity for executing on projects and funding to support affordable housing projects.
- **Lack of existing nonprofit capacity to support affordable housing development.** There are no nonprofit organizations currently available to partner with Ashland on housing development, such as nonprofit organizations running local land banks or land trusts. Partnering with local nonprofits that can support the City's broader goals around affordability could help improve access to a variety of housing types affordable at lower and middle incomes. A lack of nonprofit capacity to develop housing, as well as running programs that support the City's broader housing goals, can be a substantial barrier to developing affordable housing.

3. Actions to Meet Future Housing Need

Summary of the Actions and How They Work Together

Most of the actions and funding tools discussed in this section can be used to meet housing needs at different income levels. This section describes how groupings of strategies, into initiatives, are necessary to work together to meet Ashland's housing needs.

The City developed four initiatives that address key housing needs in the city. The initiatives comprise a set of potential city-led strategies, funding sources, and potential partnerships with other entities that help to achieve an overarching goal. By bundling strategies and funding sources, the City acknowledges that several strategies and partnerships are necessary to achieve the City's housing goals.

Many of the actions and funding tools discussed in this project can be used to meet housing needs at different income levels. This section describes how groupings of actions, into initiatives, are work together to meet Ashland housing needs.

The initiatives are:

- **Encourage development of low- and moderate-income affordable rental housing.** This initiative seeks to increase the housing options for unregulated rental households earning between 60% and 120% of MFI ($43,900 to $87,700).
  - Identify additional funds to support the Affordable Housing Trust Fund
  - Evaluate participating in or establishing a land bank.
  - Evaluate opportunities to participate in a land trust.
  - Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing
- **Increase opportunities for affordable homeownership.** This initiative seeks to increase the housing options for homeownership for households earning less 120% of MFI (less than $87,700).
  - Identify additional funds to support the Affordable Housing Trust Fund
  - Maintain quality and support preservation of existing manufactured home parks
  - Evaluate participating in or establishing a land bank.
  - Evaluate opportunities to participate in a land trust.
  - Establish a Construction Excise Tax
- **Encourage development of income-restricted affordable housing units.** There are limited options available in Ashland that are affordable to households with income of

less than 60% of MFI ($43,900). This initiative supports development of housing affordable in this income group.

  - Work with partners to support development of additional permanent supportive housing
  - Establish a Construction Excise Tax
  - Evaluate using Urban Renewal
  - Evaluate participating in or establishing a land bank.
  - Evaluate opportunities to participate in a land trust.

- **Preserve existing of low- and moderate-income affordable housing.** This initiative seeks to increase the housing options for households earning less than 120% of MFI (less than $87,700).
  - Maintain quality and support preservation of existing manufactured home parks
  - Preserve and improve existing low-cost, unregulated, rental housing
  - Identify additional funds to support the Affordable Housing Trust Fund

Exhibit 12. Housing Initiatives and the Potential Actions
■ Primary Focus of the initiative □ Secondary Focus of the initiative

	Initiative Name			
Action Name	Encourage development of low- and moderate-income affordable rental housing	Increase opportunities for affordable homeownership	Encourage development of income-restricted affordable housing units	Preserve existing supply of low- and moderate-income affordable housing
Actions				
A. Evaluate participating in or establishing a land bank.	■	■	■	
B. Evaluate opportunities to participate in a land trust.	■	■		
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	□	■	■	■
D. Develop an equitable housing plan	□	■	■	■
E. Disallow SFD in High Density R-3 Zone	■		□	□
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	■			
G. Maintain quality and support preservation of existing manufactured home parks	□	■		■
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	■		■	
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	■			□
J. Preserve and improve existing low-cost, unregulated, rental housing				■
K. Work with partners to support development of additional permanent supportive housing			■	
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	■	■	□	

Action Name	Initiative Name			
	Encourage development of low- and moderate-income affordable rental housing	Increase opportunities for affordable homeownership	Encourage development of income-restricted affordable housing units	Preserve existing supply of low- and moderate-income affordable housing
Funding Sources				
M. Establish a Construction Excise Tax	■	■	■	■
N. Evaluate using Urban Renewal	□	□	■	■
O. Identify additional funds to support the Affordable Housing Trust Fund	■	■	■	■

Funding the Actions

One of the key limitations to implementing the actions in the HPS is the availability of funding. Funding is needed not only to build units, preserve affordable housing, and provide access to equitable housing, but also for staff time to implement the Plan. Identifying a set of realistic funding sources is necessary for achieving the vision of affordable housing in Ashland.

A robust set of housing preservation and development programs requires funding sources that are dedicated toward these activities and that are stable and flexible. In addition to existing available funding options, the City will need to pursue new funding sources that can help fund its programs.

- **Urban Renewal District**. Freezes property tax accumulation in a designated Urban Renewal District until the Urban Renewal District expires or pays off bonds. The City could use Urban Renewal to support development of infrastructure necessary to support housing development.
- **Construction Excise Tax (CET) Revenues.** The allowed uses for CET funding, as defined by state statute, include: at least 50 percent must be used for developer incentives, up to four percent may be used to cover administrative costs, 15 percent goes to the Oregon Housing and Community Services for homeowner programs and up to 35 percent may be used flexibly for affordable housing programs, as defined by the jurisdiction. As part of establishing a CET in Ashland, the City will need to develop a plan for use of CET funds to support affordable housing development.
- **Affordable Housing Trust Fund (AHTF).** The AHTF provides direct financial resources to the development of affordable housing for low-income households. The HPS describes several potential avenues the City could pursue to identify additional funding sources for the AHTF, including a general obligation bond, construction excise tax, transfer of development density fees, transient occupancy tax, continuing the use of Marijuana tax funds, or providing one time contributions to the fund through bequests or the sale of surplus city property.

Other Funding Sources Considered

The City has a variety of other options for locally controlled funding sources that could support affordable housing. While this project did not include a robust funding analysis component, the project team discussed these funding sources with the Task Force.

Exhibit 13. provides an overview of which funding sources advanced to the HPS.

Exhibit 13. Funding Sources Evaluated

Recommendation for Inclusion in the HPS as an Action?	Revenue Source	Rationale for Inclusion/Exclusion?
Yes	**New Urban Renewal Area, if established**	Could provide a stable, dedicated revenue source in an area with limited existing infrastructure.
Yes	**Use of CET funding, if established**	Provides a funding source to support developer incentives, affordable homeownership and affordable housing programs.
No but staff will continue to pursue	Grants and State Funding	Not included as an action but considered as a source of funding for other housing strategies.
No but the City will accept these	Private donations and gifts	Pursue as the City has staff capacity, without dedicated staff this is not likely to be a substantial source of funding
Consider as a source of funding for the AHTF	General Obligation Bond	Requires voter approval and may be difficult to pass
No	New local option levy	Requires voter approval, unlikely to pass
No	Increased lodging tax	Only 30% increased revenue could go to housing; 70% dedicated to tourism promotion
No	Marijuana tax	A portion of the proceeds from the City's portion of the State Marijuana Tax is already a long-term revenue source to fund the AHTF.
No	Increase Systems Development Charges	Does not provide a source of funding for development or preservation of housing.
No	Increased utility fee	Does not provide a source of funding for development or preservation of housing.
No	Increased building and planning permit fees	Does not provide a source of funding for development or preservation of housing.
No	New business license fee	May hinder local business development
No	New food and beverage tax	The city passed this, but revenue was not allocated for housing.
No	New sales tax	May not be politically feasible
No	New payroll/business income tax	May not be politically feasible
No	New ticket tax	May not be politically feasible
No	New real estate transfer tax	Not legal in Oregon
No	New vacant/second home tax	Untested and possibly not legal in Oregon

Actions

This section presents the proposed actions for inclusion in the HPS.

Summary of Actions

In developing the HPS, we evaluated each of the actions considered for inclusion in the HPS based on the following. Appendix B provides more details about these evaluation criteria, beyond the summary below.

- **Income level served**, focusing on incomes below 120% of MFI is a way to best support housing affordable to households who are most likely to have difficulty affording housing.
- **Impact for housing development,** considers the potential scale of impact of the action, which provides some context for whether the policy tool generally results in a little or a lot of change in the housing market.
- **Administrative complexity,** considers how much staff time and resources (financial or otherwise) are required to implement the action and whether the action is difficult or costly to administer once it is in place.
- **Feasibility**, assesses the political and community acceptability of the action for stakeholders, as well as potential need to coordinate with other organizations.
- **Flexibility,** describes whether the action can be flexibly used to achieve multiple outcomes

Exhibit 14. Summary of Actions

	Level of Affordability Addressed						
Action Name	<50% MFI	50%-80% MFI	80%-120% MFI	Impact for Development	Admin Complexity	Feasibility	Flexibility
Actions							
A. Evaluate participating in or establishing a land bank.	X	X		Small to Moderate	High	Moderate	More
B. Evaluate opportunities to participate in a land trust.	X	X		Small to Moderate	High	Moderate to Less Depends on having a nonprofit partner	More

Action Name	Level of Affordability Addressed			Impact for Development	Admin Complexity	Feasibility	Flexibility
	<50% MFI	50%-80% MFI	80%-120% MFI				
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	X	X	X	Small	Low	More	More
D. Develop an equitable housing plan	X	X	X	Small	Low	More	Moderate
E. Disallow SFD in High Density R-3 Zone	X	X	X	Small to Moderate	Low	Moderate	Moderate
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	X	X	X	Small to Moderate	Low	Moderate	Moderate
G. Maintain quality and support preservation of existing manufactured home parks	X	X		Small to Moderate	Low	Moderate to Less Depends on funding	Less
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	X	X	X	Small	Low	More	Moderate
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing		X		Moderate	Medium	Moderate	Moderate
J. Preserve and improve existing low-cost, unregulated, rental housing	X	X		Small to Moderate	Medium	Moderate to Less Depends on funding	More
K. Work with partners to support development of additional permanent supportive housing	X			Small to Moderate	Medium	Moderate to Less Depends on funding	Less
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	X	X	X	Small	Medium	Moderate	Less
Funding Sources							
M. Establish a Construction Excise Tax	X	X		Moderate to large	Medium	Less to Moderate	More
N. Evaluate using Urban Renewal or other financing tools	X	X	X	Moderate	High	Less to Moderate	More

Action Name	Level of Affordability Addressed			Impact for Development	Admin Complexity	Feasibility	Flexibility
	<50% MFI	50%-80% MFI	80%-120% MFI				
O. Identify additional funds to support the Affordable Housing Trust Fund	X	X		Moderate to large	High	Less	More

Potential Partners

Implementing the actions in this strategy will require participation of key partners who have roles essential to the construction, delivery, and preservation of housing units. Exhibit 15 shows how each of the partners would play a role in different actions.

Exhibit 15. City and Partner Roles

Actions	City	Other Government Agencies	Affordable and Market Rate Developers	Local Nonprofits	Other
A. Evaluate participating in or establishing a land bank.	Contribute land or funding		Develop housing		
B. Evaluate opportunities to participate in a land trust.	Contribute land or funding		Develop housing	Manage Land Trust	
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	Partner to identify needs, develop materials, do outreach and plan/host events			Partner to identify needs, develop materials, do outreach and plan events	Coordinate with HHSAC
D. Develop an equitable housing plan	Develop plan, adoption, implementation,	Provide input	Provide input	Provide input	Coordinate with HHSAC
E. Disallow SFD in High Density R-3 Zone	Revise development code				
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	Revise development code				

G.	Maintain quality and support preservation of existing manufactured home parks	Revise development code; outreach to property owners and nonprofits	OHCS: partnership on preservation efforts		Partnership on preservation efforts	Owners of manufactured home parks: provide input
H.	Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	Revise development code		Provide input		
I.	Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	Outreach, develop eligibility criteria, adoption, implementation, promotion	Taxing Districts: consider exemption approval	Provide input		
J.	Preserve and improve existing low-cost, unregulated, rental housing	Develop program; funding; outreach & promotion	Ashland Housing Authority: provide input & materials; outreach		Partnership; provide input & materials; outreach	Property owners
K.	Work with partners to support development of additional permanent supportive housing	Provide funding and development assistance opportunities	Jackson County: partnership to develop regional approach.		Service providers: identify and utilize funding and development assistance opportunities.	
L.	Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	Evaluate opportunities; determine implementation steps and identify partners	Ashland Conservation Division, Electric Department, Building Division: provide input	Provide input		Ashland Climate Policy Commission: provide input
Funding Sources						
M.	Establish a Construction Excise Tax	Develop and implement plans		Provide input		Major employers, and the business community: provide input
N.	Evaluate using Urban Renewal or other financing tools	Establish and partner w/Urban Renewal Agency	URA: Select projects; implement the Plan			Property owners
O.	Identify additional funds to support the Affordable Housing Trust Fund	Evaluate new sources of funding,				Residents: provide input

	develop, and implement plan				

Implementation Schedule for Actions

The table below presents a draft schedule for implementation of the Housing Production Strategy. The table shows each of the 10 policies with the actions below. Each action will go through a period of development where staff works with decision makers to develop the specifics of the action, then potential adoption and implementation. The activities for each of these are described below.

- **Further refinement:** The actions will require some level of further refinement prior to adoption, which may range from simple logistics (such as developing materials about an existing program) to complicated coordination between multiple internal and external stakeholders (such as implementation of a tax abatement). The refinement period will occur before adoption.
- **Adoption or City Council direction:** This occurs when the City takes official action to adopt an action (or uses another official acknowledgement that the City is going to execute on the strategic action) or gives staff official direction on implementation of an action. The table shows the expected time of adoption in the time period the table. The City's deadline for adoption (or for other official city action) is the last day of the year shown in Exhibit 16.
- **Implementation:** This occurs when the City officially allows the strategic action to be used, represented by a tan color in the table.

Exhibit 16. Implementation Schedule[16]

Actions	July 1 2023 through December 2023	2024	2025	2026	2027	2028	2029	2030	2031
A. Evaluate participating in or establishing a land bank.			Evaluate opportunities	Get policy direction from City Council	Implement				
B. Evaluate opportunities to participate in a land trust.		Evaluate opportunities	Get policy direction from City Council	Implement as opportunity arises					

[16] The City of Ashland expects to comply with the Climate Friendly and Equitable Communities (CFEC) Rules. Implementation of CFEC requirements is likely to affect the timeline for some of the strategies in the HPS including Actions E, G, K, and M.

Actions	July 1 2023 through December 2023	2024	2025	2026	2027	2028	2029	2030	2031
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations		On-Going							
D. Develop an equitable housing plan	Develop Plan	Adopt	Implement						
E. Disallow SFD in High Density R-3 Zone				Develop Ordinance	Adopt	Implement			
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones			Adopt	Implement					
G. Maintain quality and support preservation of existing manufactured home parks	Begin Refining	Adopt	Implement						
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance				Develop Ordinance	Adopt	Implement			
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing					Begin Implement-ation Steps	Adopt	Implement		
J. Preserve and improve existing low-cost, unregulated, rental housing			Evaluate programs	Get policy direction from City Council	Implement				
K. Work with partners to support development of additional permanent supportive housing		On-Going							
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development							Get policy direction from City Council	Implement	

Actions	July 1 2023 through December 2023	2024	2025	2026	2027	2028	2029	2030	2031
M. Establish a Construction Excise Tax		Evaluate approach	Adopt	Implement					
N. Evaluate using Urban Renewal or other financing tools				Evaluate approach	Develop Plans	Adopt	Implement		
O. Identify additional funds to support the Affordable Housing Trust Fund		Evaluate new sources	Get policy direction from City Council	On-Going					

The following actions are under consideration for inclusion in the HPS. This section presents some information about each action. If selected for inclusion in the HPS additional information will be included for each action. In Action A, we show all of the information that will be included in the HPS, with placeholders for information we will fill in later.

A. Evaluate participating in or establishing a land bank

Rationale

Land control is critical because costs make affordable housing development difficult or financially infeasible. Land banks support low- and moderate-income affordable housing development by reducing or eliminating land cost from development, increasing a nonprofits' capacity to build affordable housing.

Description

Through land banking, the City can provide a pipeline of land for future development and control the type of development that may occur on that land. The City could pursue land banking in five ways:

- Designate city-owned land as surplus and contribute that land to the land bank, eventually conveying that land to affordable housing developers for development of housing at agreed-on level of affordability, such as housing affordable below 60% of MFI.
- Purchase properties for the purpose of building affordable housing and convey that land to affordable housing developers for development of housing at agreed-on level of affordability.
- Accept land which is dedicated to the City to satisfy affordable housing requirements associated with annexations, zone changes, or other inclusionary housing standards.
- Accept properties which are either donated to the City for the express purpose of providing for the development of affordable housing.
- Provide funds to support land banking done by another organization, with the purpose of building affordable housing in the future.

Land banking could be used as a strategy to increase housing for renters or homeownership. If used for rental housing, land banking would likely be used for income-restricted affordable housing. If used as a strategy to increase homeownership opportunities, then land banking would be used in conjunction with a community land trust.

City Role

The City could have multiple roles for land banking, including:

- Partner-led project with a nonprofit developer or land trust in which City contributes funds or land to the project. City can contribute land to support the affordable housing development.
- City-led affordable housing development project with city-owned land banking. City can provide funds or land and help with parcel assembly.

The City may participate in multiple projects over time that involve different types of land banking strategy. The City's role may vary on different projects, such as contributing city-owned surplus land for development, assisting with land purchase and assembly, providing funding to support land purchase, or partnering in an affordable housing development project that includes land banking as well as other strategies.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Nonprofit agencies, including faith-based organizations, other governmental agencies, and representatives from the private sector.

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low- and middle-income households	Up to 80% of Median Family Income	Renter or Owner	Low to moderate

Potential Risks

If public land is used for affordable housing, it cannot be used for other city functions. However, the land would have been identified as surplus and not needed for city functions. Funds spent on affordable housing will be unavailable for other city services. If the City does not ensure that housing will be affordable at below 80% of MFI for the foreseeable future, the housing costs may increase, making the housing less affordable.

Implementation Steps

- Get policy direction from City Council on the role the City should take in land banking.
- Inventory publicly and privately-owned properties (including properties owned by faith-based organizations) in areas well-suited for a land bank purpose.
- Partner with and contribute funds or land to an existing non-profit land bank or participate in the formation of a new non-profit land bank if one does not exist with sufficient capacity to serve Ashland.
- Incorporate publicly owned land into a bank or acquire new land to incorporate to the land bank.
- Partner with and contribute land to a community land trust that is led by an existing entity, often a nonprofit organization.
- Acquire land or maintain existing land until it can be made available to developers through a Request for Proposals to develop as affordable housing.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Get policy direction from Council - 2026	2027; on-going	On-going; as land is identified

Funding or Revenue Implications

Partnering is the most administratively efficient and cost-efficient approach to implementing this strategy. If the City is contributing land to the land bank at low- or no-cost, then the City is forgoing realizing the value of the land if it was sold on the open market. If the City contributes funds to a land bank or land trust, the City will need to identify a source of funding for the contributions.

B. Evaluate opportunities to participate in a land trust

Rationale

Land trusts support affordable housing development by reducing or eliminating land cost from development. Land trusts hold land in perpetuity and sell or lease the housing on the land at below-market rate prices. Land trusts most frequently provide opportunities for homeownership that remain affordable over the long-term.

There are currently 49 units within Ashland that are operated under the land trust model. Beginning in 2000 the Ashland Community Land Trust developed 18 land trusted affordable housing units, which are currently administered by ACCESS Inc. Ashland Community Land Trust has since dissolved. Rogue Valley Community Development Corporation developed 31 units under the land trust model which were transferred to NeighborWorks Umpqua for administration.

Description

The City may participate in a community land trust that is operated by an existing entity, often a nonprofit organization. The City's role in a community land trust could be as a partner, possibly assisting the trust with land acquisition through land banking (Action A) or through providing funding to support housing development.

A land trust is typically managed by a nonprofit organization that owns land and sells/leases the housing on the land to income-qualified buyers. Because the land is not included in the housing price for tenants/buyers, land trusts can achieve below-market pricing. Land trusts are most commonly used as a method for supporting affordable home ownership goals. The City's role would be one of supporting and partnering with the nonprofit that runs the land trust.

City Role

Partner with and contribute funds or land to an existing non-profit land trust or participate in the formation of a new non-profit land trust if one does not exist with sufficient capacity to serve Ashland.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. ACCESS Inc, Neighborworks UMPQUA, other nonprofits involved in the creation of affordable housing.

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low- and middle-income households	Up to 80% of Median Family Income	Renter or Owner	Low to moderate

Potential Risks

If public land is used for affordable housing, it cannot be used for other city functions. However, the land would have been identified as surplus and not needed for city functions. Funds spent on affordable housing will be unavailable for other city services. If the City does not ensure that housing will be affordable at below 80% of MFI for the foreseeable future, the housing costs may increase, making the housing less affordable.

Implementation Steps

- Get policy direction on implementing this action from City Council.
- Identify a community land trust that is interested in operating in Ashland.
- Partner with and contribute land to a community land trust that is led by an existing entity, often a nonprofit organization.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Get policy direction from Council - 2025	2026; on-going	On-going; as opportunity arises

Funding or Revenue Implications

Partnering is the most administratively efficient and cost-efficient approach to implementing this strategy. If the City is contributing land to the land trust at low- or no-cost, then the City is forgoing realizing the value of the land if it was sold on the open market. If the City contributes funds to a land trust, the City will need to identify a source of funding for the contributions.

C. Host educational events with the Housing and Human Services Advisory Committee or other organizations.

Rationale

Education around housing issues is important to preventing and addressing housing discrimination, ensuring rights are protected, and connecting residents with housing resources.

Description

The City can work with the Housing and Human Services Advisory Committee or other organizations to host educational events. Trainings could focus on topics such as fair housing and housing discrimination, foreclosure, eviction, tenant and landlord rights, trainings to serve vulnerable populations, or other information needs as they arise. Fair Housing education events could be held for residents, property owners, property managers, realtors, lenders and others involved with real estate transactions.

City Role

The City can work with the Housing and Human Services Advisory Committee or organizations to identify information needs and training ideas. Regular meetings or coordination with the City and partners could occur to discuss needs and opportunities. The City could also contract with trainers or area experts to provide trainings and host educational events.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Housing and Human Services Advisory Committee, Fair Housing Council

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low- and middle-income households; others involved with real estate	All levels of income, primarily households with incomes of less than 80% of Median Family Income (MFI).	Renter	None

Potential Risks

Impacts are likely to be minor or have no negative impact.

Implementation Steps

- Work with partners to identify education needs and target populations.
- Develop presentation materials
- Identify city-led presentation calendar for each year
- Work with partners to plan, advertise, and convene educational events.
- Participate in city-led presentations
- Work with partners to execute on outreach on topics that are not city-led, such as Fair Housing outreach.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Begin in 2024	On-going	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy.

D. Develop an equitable housing plan

Rationale

The City's *2020-2024 Fair Housing Analysis of Impediments to Fair Housing Choice Update for the City of Ashland* identified impediments to fair housing such as: limited community awareness about fair housing protections and resources, instances of discrimination in housing transactions, and a lack of affordable housing. An equitable housing plan could address the issues identified in this report by outlining initial steps, action plans with goals and methods to measure progress to achieve more equitable housing and continuously examine ways to make improvements to the housing system to achieve equity.

Description

An equitable housing plan could implement strategies from the *Fair Housing Analysis of Impediments Report*, including:

- Offering education and training to City Staff, Elected and Appointed Officials, and the community.
- Reviewing City policies for disparate impact and biased language.
- The adoption of a tool to ensure inclusivity in decision making process regarding City grant funding.

The action described in the third bullet above, adoption of a tool to ensure inclusivity in decision making, could be tied to a broader City effort to adopt a Social and Environmental Equity matrix.[17] For housing, this matrix could help guide City decisions around grants, funding for housing, and other city policies focusing on developing and preserving housing. The City could also include questions in the matrix to help assess potential impacts from other City decisions around housing and displacement risk, and to promote Universal Design policies and address equity for people with disabilities.

[17] The Housing and Human Services Advisory Committee has considered developing a social and environmental equity matrix, similar to Eugene's triple bottom line, to help evaluate grant funding decisions. Eugene's Triple Bottom line is a framework in that helps the City assess the environmental, equity and economic impacts, benefits and trade-offs of decisions.

City Role

Develop and adopt an equitable housing plan and implement projects.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Housing and Human Services Advisory Committee, Fair Housing Council of Oregon, La Clinica – Learning Well, affordable housing providers, Social Equity and Racial Justice Commission, Rogue Valley Council of Governments Lifelong Housing Division

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low-income people, seniors, people with disabilities, People of Color, other vulnerable or historically marginalized populations	All levels of income, primarily households with incomes of less than 80% of Median Family Income (MFI).	Renter and Owner	None

Potential Risks

If the adoption of a Social and Environmental Equity matrix requires an additional review for certain planning and development procedures, it could create a development barrier by adding review time. Additionally, depending on how the Social and Environmental Equity matrix is applied, it could potentially create additional costs. For example, if an affordable housing development received funding from the City, and the matrix requires developments receiving city funding to include accessibility improvements, it could add to development costs.

Implementation Steps

- Work with the Housing and Human Services Advisory Committee to develop the Equitable Housing Plan.
- Work with Ashland's Work with Ashland's Planning Commission and City Council to adopt the plan.
- Implement actions identified in the Plan.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2024	2025	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy. Third party consultant services may be required to prepare plan and carrying out implementation steps (such as hosting staff trainings).

E. Disallow SFD in High Density R-3 Zone

Rationale

Efficient use of Ashland's residential land is key to ensuring that Ashland has adequate opportunities to grow from 2021 to 2041 and beyond. The City's Housing Capacity Analysis shows that Ashland has sufficient land within the UGB to accommodate growth over the 2021-2041 period but has very limited capacity (and nearly a deficit of land) for housing in the High-Density Residential zone. Disallowing single-family detached housing in the High Density Residential Plan Designation (R-3 zone) would preserve this zone for higher-density housing.

Description

The City can evaluate changes to Ashland's zoning code to disallow single-family detached housing in the High Density Residential Plan Designation (R-3 zone). Such a change may not include very small existing lots, where single-family detached housing is all that is buildable. The City should also consider compatibility in historic districts within R3 zones that are largely developed as single-family. The changes could be written such that they do not apply to properties within a historic district.

City Role

The City would amend the zoning code to remove single-family detached housing from the allowed uses in the R-3 zone.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. None

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
All residents	All levels of income	Owner and Renter	Indirect, low

Potential Risks

Disallowing single-family detached housing in existing residential neighborhoods may cause concern for existing residents. Additionally, residents could be concerned if this amendment has the potential to impact historic districts.

Implementation Steps

- Draft code amendment, including identifying opportunities to increase clarity of this section of the code.
- Work with Ashland's Planning Commission and City Council to get public input on and adopt the code revisions.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2027	2028	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy.

F. Evaluate increasing allowances for residential dwellings in commercial and employment zones

Rationale

Lowering or eliminating barriers to residential development in commercial or mixed-use zones can help encourage the development of more dense multifamily housing in these zones, helping to meet the City's projected housing needs.

This action is intended to increase the supply of needed housing by promoting the development of mixed-use buildings, utilizing vacant commercial floor areas as regulated affordable rental housing, maintaining an inventory of employment parcels to attract new business development, and jumpstarting redevelopment in areas near public transit and daily services. The goal of this activity would be to allow the City to be responsive to changes in the economy and housing demand by providing more opportunities to develop housing in commercial areas.

Description

The City could evaluate increasing allowances for residential dwellings in commercial and employment zones, such as removing residential density caps and allowing an increased amount of residential uses in ground floor commercial spaces. Ashland City Council recently considered, but did not approve, an ordinance that included these types of amendments.[18] Instead, Council directed City staff to evaluate this action after the next Economic Opportunities Analysis (EOA), which will calculate the City's employment and commercial land needs and projected employment growth. The next Economic Opportunities Analysis is scheduled for 2024.

[18] In 2023, Ashland City Council considered but did not approve Ordinance 3205, which presented land use code amendments to the residential standards for mixed-use development in the Commercial (C-1) and Employment (E-1) zones. The proposed ordinance included a series of amendments to AMC Title 18 Land Use relating to the residential standards for mixed-use development located in the Commercial (C-1) and Employment (E-1) zones. Specifically, the proposed code amendments would increase the allowance for residential uses from 35 to 65 percent of the ground floor in multi-story, mixed-use buildings and developments located in the C-1 and E-1 zones and outside of the Downtown Design Standards overlay. Additionally, the development of flexible Commercial Ready Residential Space would allow residential uses within the 35% commercially designated floor area provided an agreement is executed with the City, or deed restriction is recorded on the property, demonstrating that the residential use will be in conformance with the Ashland Affordable Housing Program as affordable rental housing for households earning 80% AMI or less.

City Role

The City would evaluate potential amendments to commercial and employment zones that would encourage more housing development in these zones. The City would amend the zoning code to increase residential allowances and remove multifamily barriers in these zones.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. None

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
All residents	All levels of income	Owner and Renter	Moderate

Potential Risks

If this action resulted in removal of requirements for commercial or retail ground floor uses in areas intended for mixed use development; it could reduce the amount of available commercial or retail space available to meet the city's economic needs. Additionally, the removal of mixed-use requirements could result in more uniformly residential development in these areas, potentially reducing the amount of nearby services or amenities and impacting the walkability of the area.

Implementation Steps

- Draft code amendment including identifying opportunities to increase clarity of this section of the code.
- Work with Ashland's Planning Commission and City Council to get public input on and adopt the code revisions.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2025	2026	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy.

G. Maintain quality and support preservation of existing manufactured home parks

Rationale

Preserve and support development of existing manufacturing housing parks because they play a significant role in providing naturally occurring affordable housing.

Description

Ashland has four manufactured home parks, as of November 2020, with a total of 255 spaces. Manufactured home parks provide opportunities for affordable housing for homeowners of a type that is not otherwise present in the housing market. Closure of manufactured home parks was common in Oregon during the mid-2000's and new manufactured home parks have not been developed in Oregon cities in the last decade or more.

Oregon regulates closure of manufactured home parks (in ORS 90.645). The State requires owners of manufactured home parks to give notice of closure or conversion of a manufactured home park. Manufactured home park owners are required to pay households a fee (of between about $6,000 and $10,000) when closing manufactured home parks.

In the face of closure or sale of a manufactured home park, preservation of manufactured home parks can be accomplished through a range of approaches, such as resident owned cooperatives or non-profit ownership. Since 2007, 30 manufactured home parks have been preserved statewide. In 2019, the Legislature funded a manufactured dwelling park loan program through OHCS specifically preserve manufactured home parks. Oregon Housing and Community Services (OHCS) works with Community Development Financial Institutions (CDFI) to preserve manufactured home parks through this loan fund.

Organizations that provide support for preservation of manufactured home parks includes: OHCS, Network for Oregon Affordable Housing, Banner Bank, and CDFIs. Nonprofits like CASA of Oregon and St. Vincent de Paul of Lane County have assisted with preservation of many of the 30 manufactured home parks.[19] Between 2019 and September 2021, OHCS' manufactured dwelling park loan program supported preservation of a manufactured home park in Newport

Another approach is adopting a zone that allows manufactured home parks as a permitted use and prohibits other types of single-family detached or multifamily housing. Cities such as Cornelius and Portland have taken this approach. [20]

The City can also support repair and rehabilitation of manufactured home parks as part of Action I.

Ashland could work with owners of manufactured home parks, especially those where redevelopment is being considered, to identify opportunities to preserve manufactured home parks through these approaches.

City Role

Working with owners and nonprofit organizations to support preservation efforts.

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[19] Based on information from the report *Washington County's Manufactured Housing Communities: Facts, Risks, and Resource*, Final Report, April 2022.

[20] *Washington County's Manufactured Housing Communities: Facts, Risks, and Resource*, Final Report, April 2022.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Oregon Housing and Community Services (OHCS), owners of manufactured home parks

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely-low, very-low, low-income households; existing residents of manufactured home parks	Households with incomes below 80% of MFI	Renter or Owner	None; Preservation of existing manufactured home parks

Potential Risks

Impacts are likely to be minor or have no negative impact. If zoning changes were implemented in such a way that property owners can demonstrate the land use regulations reduce the fair market value of their property, the property owner could file a Measure 49 claim and the city could be required to compensate the property owner based on the reduction in the fair market value of the property resulting from the land use regulation.

Implementation Steps

To support preservation of existing manufactured home parks:

- Draft code amendment to adopt a zone that allows manufactured home parks as a permitted use and prohibits other types of single-family detached or multifamily housing.
- Work with Ashland's Planning Commission and City Council to get public input on and adopt the code revisions.

To support preservation of existing manufactured home parks:

- Partner with nonprofits, the housing authority, and manufactured home park owners to support preservation efforts. Offer financial support where possible.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2024	2025	On-going

Funding or Revenue Implications

If no specific funding or revenue source is identified at this time, staff time and available Planning Division tools and resources will be relied on to provide support in the form of letters of support, research on preservation options, and acting as a convener of stakeholders. Providing monetary resources to help preserve existing parks could result in a higher-cost strategy.

H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance

Rationale

Amending the Land Use Ordinance to allow for a wider range of development will help ensure there are development opportunities for needed housing types. Zoning changes that could remove barriers to the development of multifamily housing include increased density, increased allowable height, and reduced parking requirements. Prior analysis shows that two to three times as many units per acre as allowed under the current density standards can potentially fit on a typical site with limited changes to other development standards. [21] Higher densities are especially important for small infill sites where efficiency is at a premium. Allowing more housing on a given infill site helps the City meet its housing needs with less land.

Description

The City could evaluate several amendments to the land use ordinance:

- Increasing the maximum allowed densities in the Multi-Family Residential (R-2), High Density Residential (R-3), and parts of the Normal Neighborhood and Croman Mill District designations.
- Increasing allowed height in the R-2 and R-3 multi-family residential zones, outside of designated historic districts, from 2 1/2 to 3 stories and from 35 to at least 40 feet, and up to 50 feet.
- Increasing lot coverage allowances slightly in the R-2 and R-3 zones to support the other code amendments.
- Evaluating the code to identify and remove unintentional barriers to density, such as the certain elements of the solar ordinance, parking or driveway requirements.

City Role

Draft amendments to the land use ordinance and work with Ashland's Planning Commission and City Council to adopt the revised standards.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Area developers and stakeholders

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
All residents	All levels of income	Owner and Renter	Indirect, low

Potential Risks

Allowing greater density in existing residential neighborhoods may cause disruption and concern for existing residents.

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[21] ECONorthwest, *Ashland Housing Strategy Implementation Plan,* June 2019.

Implementation Steps

- Review development code to identify potential amendments that could allow greater density and remove barriers to density in the Ashland's high-density zones.
- Draft code amendments, including identifying opportunities to increase clarity of this section of the code.
- Work with Ashland's Planning Commission and City Council to get public input on and adopt the revised definitions.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2027	2028	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy.

I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing

Rationale

The Multiple Unit Property Tax Exemption (MUPTE) program is flexible and eligibility criteria can be set locally, allowing the City to target the program to meet its needs. It offers an incentive for preservation and development of housing for low- to moderate-income households. It can offer an incentive for mixed-income housing, providing a way to leverage private, market-rate development to expand affordable housing.

Description

MUPTE allows cities to offer a partial property tax exemption (limited to the value of the housing, not the land) for multifamily development that meets specific locally established criteria, such as having an affordability agreement with a public agency. The terms of the affordability agreement can be set by the City—there are no specific income / affordability requirements in the state statute that enables the program.

The City could explore using MUPTE in two possible ways:

- To incentivize mixed income development through inclusion of below-market units (units affordable below 80% of MFI) in otherwise market-rate developments.
- To incentivize owners of existing low-cost market rate housing to rehabilitate properties without displacing existing tenants or escalating rents.

What does the exemption apply to? It applies to rental housing that is affordable at incomes at or below 120 percent, often in a mixed-income multifamily building. The exemption applies only to improvement value of the housing.

How long does it apply? The property tax exemption can be granted for up to 10 years, except that for low-income housing, exemption can be extended for as long as the housing is subject to the public assistance contract.

What taxing districts would participate? The property tax exemption only applies to city property taxes (which account for about 27% of property taxes in Ashland) unless the City gets affirmative support from at least 51% of overlapping taxing districts for the exemption to apply to their tax collections.

City Role

Implement the exemption and execute on annual reporting and administration procedures.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Ashland Finance Department, School Districts, Jackson County and other overlapping Taxing Districts

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Middle-income renter households	60 – 80% of Median Family Income	Renter	Moderate

Potential Risks

The City and participating taxing districts will lose property tax income for the duration of the exemption, reducing revenue for city services and revenue for participating taxing districts.

Implementation Steps

To implement the exemption, the City would take the following steps:

- Determine desired eligibility criteria (percentage of affordable or workforce housing or other public benefits, where the program applies, etc.).
- Seek agreement from taxing districts representing 51% or more of the combined levying authority on the property to include all the taxing jurisdictions in the abatement. If the City is unable to get agreement from other taxing districts, the abatement will only apply to the City's portion of property taxes.
- Establish annual reporting and administration procedures.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2028	2029	The property tax exemption can be used after adoption for as long as the City offers the tax exemption.

Funding or Revenue Implications

MUPTE reduces general fund revenues for all overlapping taxing districts. The City of Ashland must weigh the loss of tax revenue against value of the rent discounts offered by qualifying development.

J. Preserve and improve existing low-cost, unregulated, rental housing

Rationale

Keeping low-cost unregulated housing both habitable and affordable reduces the need for subsidized new construction. Rental housing that is affordable to low- and moderate-income households and not subject to affordability restrictions is typically older, privately-owned housing. This type of housing may have deferred maintenance issues due to a lack of resources to make improvements and pay for repairs (and, in some cases, owner neglect).

Description

The City can work with property owners of low-cost unregulated rental housing to support needed repairs without displacing tenants. This could include:

- Offer low-interest loans and/or grants to property owners for repairs and major rehabilitation, providing they do not displace residents.
- Evaluate reducing regulatory requirements and permitting challenges for owners seeking to improve older, rental housing.
- Provide information/technical assistance to smaller property owners regarding state and local resources to support weatherization and healthy housing.
- Use the Multiple Unit Property Tax Exemption to support rehabilitation.
- Provide information, resources, and grants to support accessibility upgrades to allow residents to age in place.

The City should consider funding sources available from the state and federal governments to support rehabilitation and weatherization. For instance, the City could consider pursuing grant funding through the Oregon Healthy Homes Program, which provides financial assistance to eligible homeowners and landlords to repair and rehabilitate dwellings.[22] The City could pursue funding from other programs that fund rehabilitation or weatherization, such as the federal Weatherization Assistance Program.

City Role

The City could evaluate programs, technical assistance opportunities, regulatory changes, and other options to support property improvements. The City could provide grant funding in support of rehabilitation, weatherization or accessibility upgrades (e.g., through Community Development Block Grant (CDBG) funding, the Oregon Healthy Homes Program, or other programs).

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. ACCESS, Ashland Housing Authority, Habitat for Humanity, Rebuilding Together, property owners of low-cost, unregulated, rental housing

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[22] HB 2842 recently directed the Oregon Health Authority (OHA) to provide grants to third-party organizations to "provide financial assistance to eligible homeowners and landlords to repair and rehabilitate dwellings to address climate and other environmental hazards, ensure accessible homes for disabled residents, and make general repairs needed to maintain a safe and healthy home." Rulemaking is currently underway to allow funding for this program in the fall of this 2023. Cities and other eligible organizations can then apply for grants to fund these types of rehabilitation and repair programs.

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low and middle-income renters	Households with incomes below 80% of MFI	Renter	Low

Potential Risks

If the City does not ensure that housing will be affordable at below 80% of MFI for the foreseeable future, the rent may increase, making the housing less affordable. Funds spent on this program would be unavailable for other city services.

Implementation Steps

- Get policy direction from City Council on implementing this action.
- Develop a list of lower-cost, unregulated, rental housing, including property locations, number of units per development, and property owner contact information.
- Evaluate programs, technical assistance opportunities, regulatory changes, and other options to support property improvements. This step can include multiple approaches, as noted in the description of this action.
- Reach out to property owners (identified in Step 1). Gauge their interest in improving the safety, health, and stability of their property. Determine what kinds of improvements their properties might need and what resources would be most useful to them.
- Refine and implement programs, technical assistance opportunities, regulatory changes, and other options (identified in Step 2) based on feedback from property owners.
- Develop requirements for maintaining lower cost rent as a condition of receiving financial assistance from this program.
- Connect interested property owners to established programs and opportunities.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Get policy direction from Council - 2026	2027	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy. Providing low-interest loans or grants will require a funding source to backfill program dollars awarded/loaned. Beyond CDBG funding, no specific funding or revenue sources are identified or secured at this time. Implementation of a Multiple Unit Property Tax Exemption program (described in Strategy H.) would be required before MUPTE could be used to support rehabilitation.

K. Work with partners to support development of additional permanent supportive housing

Rationale

Permanent supportive housing is income-restricted housing that includes services with a goal of ending chronic homelessness. This type of housing is typically built with state funding, with a nonprofit or housing authority taking lead on such development. The City's role is as a partner to support its development. Working with nonprofits is key to meeting Ashland's need for housing and supportive services for people who need ongoing services over the long term.

Description

The City can work with partners, such as the housing authority or nonprofit developers, to support development of housing for households with very low incomes (or no income) that includes services necessary to help a person transition from homelessness into housing. This type of housing is typically multifamily and often funded through state and federal sources. The city can support these types of housing through facilitating the planning process, contributions of land (connected to the land banking action), direct project funding support, grant assistance, reduced fees for affordable housing (such as system development charges), funding off-site infrastructure, or other types of resources or support development for these housing types.

City Role

The City would work with service providers to identify and utilize funding and development assistance opportunities. The City could collaborate with Jackson County and neighboring jurisdictions to develop a regional approach to this strategy.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Jackson County, Jackson County Continuum of Care, Housing Authority of Jackson County, Columbia Care, Maslow Project, ACCESS, Rogue Community Health, Asante, Jackson Care Connect, faith-based partners, neighboring jurisdictions

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Homeless community; Extremely low-income to low-income households, as well as underserved communities.	0-30% of Median Family Income	Renter	Low

Potential Risks

The largest risk is that more permanent supporting housing is not built.

Implementation Steps

The City should work with nonprofit agencies and developers in conjunction with the Continuum of Care to identify additional resources that the City may be able to provide support for, such as supportive housing and services to people experiencing homelessness in Ashland.

Building more permanent supportive housing is likely to be dependent on completion of other actions, such as use of land from a land bank (Action A), increase density allowed in multifamily buildings (Action G), and community education about need for income-restricted housing (Action C). In addition, funding from a potential CET (Action L) and potential Urban Renewal District (Action M) maybe crucial to developing this housing.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2024	On-going	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be relied on to accomplish this strategy. If the City is contributing land, then the City is forgoing realizing the value of the land if it was sold on the open market. If the City is contributing funding directly to project or funding off-site infrastructure, the City will need to identify sources of funding. If the City offers reduced fees for affordable housing, the City must weigh the loss of revenue against the value offered by qualifying development.

L. Evaluate opportunities to improve energy efficiency and reduce greenhouse gas emissions during housing development

Rationale

The City of Ashland adopted its Climate and Energy Action Plan (CEAP) in March of 2017 "to reduce its emissions and improve its resilience to future impacts of climate change on its environment, infrastructure, and people. Housing that is developed with energy-efficient processes, uses energy-efficient materials, and operates in an energy efficient way over time can help the City meet its CEAP goals and can lower long term household energy costs.

Description

The City can incorporate elements of the CEAP into housing developments, including increased energy efficiency, solar access, electrical vehicle parking and charging opportunities, reduction of fossil fuels dependency, and increased resilience to natural hazards resulting from a changing climate (such as the risk of wildfire). The City could offer or facilitate energy efficiency incentives for new buildings, whether for sale or rental.

City Role

The City can evaluate opportunities to incorporate elements of the CEAP into housing developments. The City could also facilitate access to energy efficiency incentives available from the federal and state government, particularly for development of affordable housing. The City could also partner with the Conservation Division, which offers energy efficiency audits and a variety of incentives to homeowners.

The City expects to comply with the Climate Friendly and Equitable Communities Rules. The implementation of these rules may dovetail with and refine this strategy.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Ashland Climate Policy Commission, Ashland Conservation Division, Ashland Electric Department, Ashland Building Division, local developers

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
All residents	All levels of income	Renter or Owner	Low

Potential Risks

Impacts are likely to be minor or have no negative impact.

Implementation Steps

- Evaluate opportunities and approach.
- Get policy direction from City Council on implementing this action.

- Implementation steps would depend on the specific incentives or requirements identified through the evaluation.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Get policy direction from Council - 2029	2030	On-going

Funding or Revenue Implications

Staff time and available Planning Division tools and resources will be required to evaluate opportunities to improve energy efficiency and reduce greenhouse gas emissions during housing development. If incentives are provided in exchange for certain green building practices or certifications, this could require funding or reduce revenue.

Funding Sources

M. Establish a Construction Excise Tax

Rationale

Construction Excise Tax (CET) is one of few options to generate additional locally-controlled funding for affordable housing. A CET is intended to provide funding to support development of affordable housing. The funds from the CET are required by State law to be spent on developer incentives, supporting affordable housing programs, and homeownership programs. Ashland does not collect a Construction Excise Tax for affordable housing as allowed by SB 1533.

Description

CET is a tax assessed on construction permits issued by local cities and counties. The tax is assessed as a percent of the value of the improvements for which a permit is sought unless the project is exempted from the tax. The City could use CET revenue funds to support the development or re-development of affordable housing. Affordable housing itself is typically exempt from a CET, and as such this tax on new construction does not impact regulated affordable housing development.

In 2016, the Oregon Legislature passed Senate Bill 1533 which permits cities to adopt a construction excise tax (CET) on the value of new construction projects to raise funds for affordable housing projects. CETs may be residential only, commercial only, or residential and commercial. If the City were to adopt a CET, the tax would be up to 1% of the permit value on residential construction and an uncapped rate on commercial and industrial construction. The allowed uses for CET funding are defined by the state statute. The City may retain 4% of funds to cover administrative costs. The funds remaining must be allocated as follows, if the City uses a residential CET:

- 50% must be used for developer incentives (e.g. fee and SDC waivers, tax abatements, etc.)
- 35% may be used flexibly for affordable housing programs, as defined by the jurisdiction.
- 15% flows to Oregon Housing and Community Services for homeowner programs.
  If the City implements a CET on commercial or industrial uses, 50% of the funds must be used for allowed developer incentives and the remaining 50% are unrestricted. The rate may exceed 1% if levied on commercial or industrial uses.

City Role

Develop and implement the plans for using CET funds for affordable housing development.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partners. Local developers, Chamber of Commerce, major employers, and the Ashland business community

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Depends on how revenue is used, but would be for extremely low, very low, and low-income and underserved communities.	Depends on how revenue is used, but most likely directed toward 0-60% of Median Family Income, however, could be used to meet other income groups, such as contribution to homeownership for households at 61-80% of Median Family Income.	Renter or Owner	Moderate to high

Potential Risks

Homebuyers and businesses that pay the CET will have slightly higher costs for their homes and for commercial or industrial development. The increase in home prices will not exceed 1% because of the CET and may be smaller if the City establishes a CET below 1%.

Implementation Steps

- Evaluate potential approach. Include projections on potential revenue and what programmatic goals could be accomplished with revenue. Include SWOT analysis for both residential and commercial/industrial.
- Engage with developers, major employers, and the business community in Ashland to evaluate tolerance for a CET on commercial and industrial development and where there are shared interests in supporting local housing production.
- Seek direction on whether to proceed with adoption from City Council at work sessions.
- Ashland City Council could impose the CET by adoption of an ordinance or resolution that conforms to the requirements of ORS 320.192–ORS 320.195.
- If directed, create a plan for the use of CET funds.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
2025	2026	If a CET is implemented, it may take several years for funds to accumulate to an amount that could be used to support development of housing.

Funding or Revenue Implications

Adopting a CET would provide funding for other strategies. Because a percentage (4%) of the revenue can be applied to the City's costs for administering the program, there should be minimal additional cost for the City.

N. Evaluate using Urban Renewal

Rationale

Urban renewal provides a flexible funding tool that can support many of the key strategies identified in the Housing Production Strategy. Urban renewal funds can be used to support development of off-site infrastructure necessary to support new housing development. In addition, urban renewal funds could be used to support rehabilitation of existing housing in poor condition, possibly with future requirements that it remain affordable at an income level like 80% or less of MFI.

Description

Ashland does not have an Urban Renewal District for Tax Increment Financing. Urban renewal can be used to support to support development of affordable housing, most likely in commercial areas.

The City could use Urban Renewal to support development of infrastructure necessary to support housing development. The City could coordinate Capital Improvements Program and Transportation System Plan infrastructure investments in areas identified for multi-family, mixed-use and transit-oriented housing developments.

The City will need to decide how to use the funding. The best use of funding may be in coordination with other actions in the HPS, such as with land banking and support of development of income-restricted housing.

City Role

Evaluate the potential to use Urban Renewal to support infrastructure and affordable housing, including developing a set aside share of Tax Increment Financing (TIF) revenue to support infrastructure development necessary for new housing. The City would need to develop and implement an Urban Renewal Plan, establish an Urban Renewal Agency, and select projects to fund through Urban Renewal.

Partners and their Role

Lead Partner. Ashland Planning Division

Partners. Ashland Finance Department, Ashland Public Works Department, and property owners within the Urban Renewal Area.

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low- and middle-income householders	All levels of income	Renter or Owner	Moderate

Potential Risks

The City and participating taxing districts will forgo revenue increases from increasing property value for the duration of the Urban Renewal district(s), decreasing property tax revenues in the district(s).

Implementation Steps

- As part of Urban Renewal planning for a potential new district, evaluate whether a housing set-aside is an appropriate expenditure for the district and how much can be allocated while balancing the need for infrastructure investments.
- Should a new Urban Renewal district be deemed appropriate, proceed with creating and adopting an Urban Renewal Plan. Establish priorities for the area, identify a project list, consult with taxing districts, prepare a feasibility study, prepare required plan documents, and hold adoption hearings.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Evaluate approach – 2026 Develop plans – 2027 Adopt – 2028	2029	After implementation, it would likely be several years before there is sufficient revenue in the Urban Renewal District to have enough funds to make significant investment in housing.

Funding or Revenue Implications

TIF results in foregone tax revenue for the City and other overlapping taxing districts for several decades, though it can (and should) grow the tax base in the long-term by supporting development that would not otherwise have occurred.

O. Identify additional funds to support the Affordable Housing Trust Fund

Rationale

Identifying additional funding sources for Ashland's Affordable Housing Trust Fund would support the development of affordable housing. Affordable housing trust funds are public sector tools used to provide direct financial resources to the development of affordable housing for low income households.

Description

The Ashland Affordable Housing Trust Fund was formed in 2008 with the goal of encouraging the creation of housing for homeownership or rent at a cost that will enable low and moderate income families to afford quality housing while paying no more than thirty per cent of gross household income on housing. To be successful in this goal a dedicated and sustainable source of revenue is needed for the AHTF.

One option is a General Obligation (GO) Bond, which could provide a stable, dedicated revenue source to fund infrastructure to support affordable housing, land acquisition, property acquisition, and direct project subsidies through increased property tax rates. GO bonds are issued for a specific dollar amount and paid for over the period of the bond through increased property taxes. Because they are legally limited to use for capital investments and require a public vote to enact, these bonds are typically used for major infrastructure investments (such as roadway improvements that benefit all, or nearly all, of a city's residents). However, GO bonds can be used for land acquisition or affordable housing development if the city's residents agree to fund them. Bonds cannot be used for supportive services or for operations. GO bonds are not subject to Measure 5 and 50 rate limits. They can be structured to provide revenue in increments over time, rather than in one large up-front amount.

Other funding sources could also be considered such as transfer of development density fees, transient occupancy tax, continuing the use of Marijuana tax funds, or providing one time contributions to the fund through bequests or the sale of surplus city property. The City does not currently have a mechanism for accepting funding through bequests and private donations, and would need to work with their legal and accounting departments to set this mechanism up. The City may want to lobby the Legislature to allow for other mechanisms for funding affordable housing, such as allowing a Real Estate Transfer Tax.

City Role

The City would develop a funding plan, conduct polling/engagement, develop ballot initiative, implement projects (if successful). The City could also evaluate opportunity for use of other funding sources.

Partners and their Role

Lead Partner. City of Ashland Planning Division

Partner 2. City of Ashland Finance Department, Legal Department, Ashland City Council, Ashland residents

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely and very-low-income households	Households up to 60% of the Median Family Income	Renter or Owner	Moderate to High

Potential Risks

Funds spent on affordable housing will be unavailable for other city services and may require additional resources to sustain the ongoing operations of new projects. Community support for some of these options, such as a GO bond, may be weak, resulting in no action on issuing a bond.

Implementation Steps

- Identify and evaluate new sources of funding for income-restricted affordable housing.
- Get policy direction from City Council on implementing this action.
- Implement suitable funding sources. This step will vary by funding source (an example is provided below).

General Obligation Bond Implementation Steps:

- The City of Ashland will need to evaluate the types of projects they wish to include on the ballot (and their costs) to determine a bond rate. The bond funds may only be used to pay for capital costs related to construction; acquisition or rehabilitation of residential buildings for affordable housing; other capital construction costs; predevelopment costs; and administrative costs.
- The City should vet projects with the general public to gauge acceptability. They should also educate the public about the proposed projects' value.
- General obligation bonds are issued with long-term, fixed rates. The City of Ashland should evaluate the type of bond it will pursue (20-year or 30-year).
- General obligation bonds must be approved by a simple majority through a ballot measure.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact
Get policy direction from Council - 2025	2026	It may take several years before there is sufficient revenue to have enough funds to make significant investment in housing.

Funding or Revenue Implications

Depends on funding source implemented; it is recommended that the City consider using general obligation bond revenue to leverage additional funds (from potential partners or grantors) to support development of affordable housing. This action will generate new funding, likely for capital costs, but will require additional staff time to administer the new revenue. The GO Bond funds could cover administrative costs related to the capital costs funded by the bond.

Recommendations for Future Actions

The following actions, while important and useful, will not be included as strategies in the HPS. Instead, the HPS will include them as recommendations that the City may want to consider in the future or as part of another process. The City will not have to report on progress towards these actions.

- **Develop pre-approved plan sets for Middle Housing Typologies and Accessory Dwelling Units.** As a follow-up to HB 2001 implementation, the City should develop pre-approved plans for middle housing typologies, such as cottage clusters, townhomes, and other middle-income housing types as well as accessory dwelling units. The plans should be highly efficient, designed for constrained lots and low-cost solutions, and would allow for streamlined permitting. The city could consider adopting pre-approved plans developed by other cities or working with other cities to develop pre-approved plans. For pre-approved plan sets, the Building Department may decrease the charges (plan check fee) by as much as 50% and decrease the approval time (possibly as short as three days).
- **Consider staff capacity for implementation of the HPS.** Staff has the capacity and expertise to implement some, but not all, of the strategies included in the HPS. For instance, the City may need to hire consultant services for grant writing, zoning amendments, or strategies that require specific technical expertise, such as implementation of a TIF district. The City should review the HPS to consider staff capacity and assess where additional assistance would be needed in order to implement the HPS. The City should also do an assessment of staff capacity on a case-by-case basis at the beginning of each strategy

4. Evaluation: Achieving Fair and Equitable Housing Outcomes

This chapter presents an evaluation of the goals and strategic actions for achieving fair and equitable housing outcomes. It also includes a discussion of monitoring the outcomes of Ashland's HPS.

Evaluation of the Policies and Strategic Actions

OAR 660-008 requires an evaluation of all the HPS for achieving the following types of outcomes. The discussion below provides a brief evaluation of each of the expected outcomes for the policies and actions of the HPS, with a focus on housing opportunities for federal and state protected classes.[23] This is not intended to be an exhaustive evaluation of how each action addresses these outcomes but a high-level overview of the HPS as a whole.

- **Affordable Homeownership.** This criteria focuses on actions that support production of housing affordable for homeownership and includes actions to support development of housing affordable at less than 120% of MFI. Many of the actions in the HPS support development of affordable housing for homeownership through supporting development of lower-cost ownership housing, removing regulatory barriers to development of affordable ownership housing, supporting Fair Housing, and making capital improvements necessary to support affordable ownership housing. Some of the actions within the HPS that support affordable homeownership include:
  - *Existing actions and programs*
    - Zoning amendments to allow a broader array of more affordable unit types in a wider variety of zones including middle housing, live-work, tiny homes, small lots, cottage housing, garden apartments, and higher residential density development.
    - Ashland scales SDCs so that smaller units pay lower SDCs, potentially increasing affordability.
    - Ashland provides a density bonus for development of for energy-efficient housing.
  - *Actions in the HPS*

[23] Federal protected classes are: race, color, national origin, gender, familial status, and disability. Oregon's additional protected classes are: marital status, source of income, sexual orientation, and status as a domestic violence survivor. Under Fair Housing laws, it is illegal to deny access to housing in based on the characteristics of people within these protected classes.

- Evaluate participating in or establishing a land bank
- Evaluate participating in a land trust
- Disallow SFD in High Density R-3 Zone
- Maintain quality and support preservation of existing manufactured home parks
- Increase development capacity of MFR dwellings through changes to the Land Use Ordinance
- Establish a Construction Excise Tax
- Evaluate using Urban Renewal
- Identify additional funds to support the Affordable Housing Trust Fund

- **Affordable Rental Housing.** Supporting affordable rental housing includes actions to support production of both income-restricted affordable housing (affordable to households with incomes below 60% of MFI) and privately developed affordable housing (affordable for households with incomes between 61% and 80% of MFI). Actions within the HPS that support affordable rental housing development include:
  - *Existing actions and programs*
    - Zoning amendments to allow a broader array of more affordable unit types in a wider variety of zones including middle housing, live-work, tiny homes, small lots, cottage housing, garden apartments, and higher residential density development.
    - Ashland scales SDCs so that smaller units pay lower SDCs, potentially increasing affordability.
    - Ashland provides density bonuses for development of affordable housing at higher densities and for energy-efficiency.
    - Affordable Housing Standards Ordinance and removal of other regulatory barriers to encourage development of new smaller units and multifamily units.
    - Financial incentives to encourage development of affordable housing.
    - Affordable Housing Trust Fund
    - Inclusionary zoning as part of new residential annexations.
  - *Actions in the HPS*
    - Evaluate participating in or establishing a land bank
    - Evaluate participating in a land trust
    - Disallow SFD in High Density R-3 Zone
    - Maintain quality and support preservation of existing manufactured home parks

- Increase development capacity of MFR dwellings through changes to the Land Use Ordinance
- Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing
- Establish a Construction Excise Tax
- Evaluate using Urban Renewal
- Identify additional funds to support the Affordable Housing Trust Fund

- **Housing Stability.** Increasing housing stability includes actions that increase the stability of existing households and prevent displacement, mitigating gentrification resulting from public investments or redevelopment. Actions within the HPS that address housing stability include:
  - *Existing actions and programs*
    - Tenants Rights Ordinance
    - Ordinances to preserve existing housing supply
    - Ashland regulates conversion of rental housing to condominiums.
  - *Actions in the HPS*
    - Host educational events with the Housing and Human Services Advisory Committee or other organizations.
    - Develop an equitable housing plan
    - Maintain quality and support preservation of existing manufactured home parks
    - Preserve and improve existing low-cost, unregulated, rental housing
- **Housing Options for People Experiencing Homelessness.** Increasing options for people experiencing homelessness includes working with partners and identifying ways to address homelessness and actions that reduce the risk of households becoming homeless (especially for households with income below 30% of MFI). The HPS includes the following options for people experiencing homelessness:
  - *Existing actions and programs*
    - Community Development Block Grant funding towards affordable housing and shelter and funding to service providers benefiting extremely low-income individuals.
    - Affordable Housing Trust Fund contributions to affordable housing development and safety net housing.
  - *Actions in the HPS*
    - Work with partners to support development of additional permanent supportive housing

- Identify additional funds to support the Affordable Housing Trust Fund

- **Housing Choice.** Increasing housing choice involves increasing access to housing for communities of color, low-income communities, people with disabilities, and other state and federal protected classes. Increasing housing choice also means increasing access to existing or new housing that is located in neighborhoods with healthy and safe environments and high-quality community amenities, schooling, and employment and business opportunities. Actions within the HPS that increase housing choice include:
  - *Existing actions and programs*
    - Zoning amendments to allow middle housing, live-work, tiny homes, small lots, higher residential density and clustered residential development.
  - *Actions in the HPS*
    - Evaluate participating in or establishing a land bank
    - Evaluate participating in a land trust
    - Disallow SFD in High Density R-3 Zone
    - Maintain quality and support preservation of existing manufactured home parks
    - Increase development capacity of MFR dwellings through changes to the Land Use Ordinance
    - Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing
    - Preserve and improve existing low-cost, unregulated, rental housing
    - Identify additional funds to support the Affordable Housing Trust Fund
- **Location of Housing.** Diversifying the location of housing requires increasing options for residential development that is compact, in mixed-use neighborhoods, and available to people within state and federal protected classes. This measure is intended, in part, to meet statewide greenhouse gas emission reduction goals. Actions within the HPS that support development of compact, mixed-use neighborhoods include:
  - *Existing actions and programs*
    - Zoning amendments to allow a broader array of more affordable unit types in a wider variety of zones including middle housing, live-work, tiny homes, small lots, cottage housing, garden apartments, and higher residential density development.
    - Transit Triangle Overlay allowed more housing development in this transit-supportive area.
    - Ashland gives parking credits in areas with transit facilities.
    - Ashland established a Vertical Housing Development Zone.

- *Actions in the HPS*
  - Disallow SFD in High Density R-3 Zone
  - Increase development capacity of MFR dwellings through changes to the Land Use Ordinance
  - Evaluate using Urban Renewal

- **Fair Housing.** Supporting Fair Housing is accomplished by increasing access to housing for people in state and federal protected classes, Affirmatively Furthering Fair Housing, addressing disparities on access to housing opportunity for underserved communities, and decreasing patterns of segregations or concentrations of poverty. Actions within the HPS that further Fair Housing policies include:
  - *Existing actions and programs*
    - Education, outreach, and compliance enforcement through partnership with the Fair Housing Council of Oregon,
    - Educational events with elected and appointed officials and for the public.
    - Past support for the Center for Non-Profit Legal Services for fair housing assistance through the City's Social Service Grant fund.
  - *Actions in the HPS*
    - Production of affordable rental and homeownership housing, increasing housing stability, identifying housing options for people experiencing homelessness, and increasing housing choice are all part of supporting Fair Housing. These issues are addressed above.
    - Host educational events with the Housing and Human Services Advisory Committee or other organizations.
    - Develop an Equitable Housing Plan

Taken together, the policies and actions included in Ashland's Housing Production Strategy are intended to work together to achieve equitable outcomes for all residents of Ashland, with an emphasis on improving outcomes for underserved communities, lower-income households, and people in state and federal protected classes.

Assessment of Benefits and Burdens from the Action

Ashland is required to consider the anticipated benefit and burden from each action for the following groups of people who have been historically marginalized: low-income communities, communities of color, people with disabilities, and other state and federal protected classes.[24]

Exhibit 17. Assessment of Benefit and Burden for Historically Marginalized Communities as a Result of Each Action

Strategies	Benefits	Burdens
A. Evaluate participating in or establishing a land bank.	• Depending on the structure, could benefit households at **extremely low income, very low-income, low-income, and limited moderate-income** households. • The groups more likely to have incomes qualifying for this action are disproportionately marginalized communities, including POC, people with disabilities, and seniors. • In the development agreement for land in the land bank, the City may want to require outreach to members of marginalized communities for occupancy of new rental housing or as part of sales of ownership housing. The purpose of the outreach is to ensure that marginalized communities are aware of and have an opportunity to live in the new housing, if they meet income and other qualifications.	• Unlikely to increase burdens for these communities.
B. Evaluate opportunities to participate in a land trust.	• Depending on the structure, could benefit households at **extremely low income, very low-income, low-income, and limited moderate-income** households. • The groups more likely to have incomes qualifying for this action are disproportionately marginalized communities, including POC, people with disabilities, and seniors. • Some land trusts specialize in providing services to these communities. To increase benefits to people in state and federal protected classes, the City may want to consider focus on working with land trusts that prioritize working with these groups of people.	• Unlikely to increase burdens for these communities.

[24] Federal protected classes include: race, color, religion, national origin, age, sexual orientation, gender identify, familiar status, and disability. Oregon's protected classes include: race, color, national origin, religion, disability, sex (including pregnancy), sexual orientation, gender identify, age, and marital status.

Strategies	Benefits	Burdens
C. Host educational events with the Housing and Human Services Advisory Committee or other organizations	• Will benefit households with **all income levels** with an emphasis on benefit to people most likely to experience housing discrimination, which includes POC, people with disabilities, seniors, and other protected classes.	• Unlikely to increase burdens on POC, people with disabilities, seniors, and other protected classes.
D. Develop an equitable housing plan	• Will benefit households with **all income levels** with an emphasis on benefit to people most likely to experience housing discrimination, which includes POC, people with disabilities, seniors, and other protected classes.	• Unlikely to increase burdens on POC, people with disabilities, seniors, and other protected classes.
E. Disallow SFD in High Density R-3 Zone	• Could benefit households at **all income levels.**	• Unlikely to increase burdens on POC, people with disabilities, and seniors.
F. Evaluate increasing allowances for residential dwellings in commercial and employment zones	• Will benefit households at **all income levels.** May increase overall housing availability for people in Ashland, potentially decreasing competition for lower-cost housing slightly, which may benefit marginalized communities.	• Unlikely to increase burdens on POC, people with disabilities, and seniors.
G. Maintain quality and support preservation of existing manufactured home parks	• Will benefit existing manufactured home park residents, who are likely to have **extremely low, very-low, low-income households.** The groups more likely to have incomes qualifying for this action are disproportionately POC, people with disabilities, and seniors.	• Unlikely to increase burdens for these communities. • If POC, people with disabilities, or seniors have been excluded from living in the manufactured home parks, they cannot benefit from this action.
H. Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	• Depending on the structure, could benefit households at **all income levels.**	• Unlikely to increase burdens on POC, people with disabilities, and seniors.
I. Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	• Will benefit **low- to middle-income** households.	• Unlikely to increase burdens for these communities.
J. Preserve and improve existing low-cost, unregulated, rental housing	• Will benefit renter households of lower-cost rental housing. To the extent that POC, people with disabilities, and seniors are more likely to live in lower-cost rental housing, they may benefit more from this action than households with middle- and higher incomes.	• Unlikely to increase burdens on POC, people with disabilities, and seniors.

Strategies	Benefits	Burdens
	• If the City is contracting with another agency to manage the program, the City may want to consider focus on working with agencies that prioritize working with marginalized communities or require outreach specific to marginalized communities.	
K. Work with partners to support development of additional permanent supportive housing	• Will benefit **extremely low-, and very low-income households and people experiencing homelessness.** The groups more likely to have incomes qualifying for this action are disproportionately POC, people with disabilities, and seniors. • The City may want to require that the developer perform outreach to marginalized communities to ensure they have opportunities to occupy the new housing.	• Unlikely to increase burdens for these communities. • Could have less positive impact for POC, people with disabilities, or seniors if these communities are not recruited from for participation in the program.
L. Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	• Depending on the policy approach, this action could benefit households of all incomes level. A focus on energy efficiency incentives for affordable housing would benefit **extremely low-, very low, low- and middle-income** households. A focus on energy efficiency incentives for homeowners would benefit higher income households.	• Will depend on the policy approach the City takes after evaluating options. If the policy approach includes requiring elements of elements of the CEAP in housing developments, the cost of those improvements could be passed on to tenants. The City could evaluate ways to mitigate such an increase in housing costs such as incentives that lower development costs.
M. Establish a Construction Excise Tax	• The CET could benefit households at **extremely low-, very low-, low- and middle-income** households, depending on the City's funding priorities. • The City is required to use half of funds for developer incentives for affordable housing. • Fifteen percent of funds go toward statewide affordable housing programs, which would benefit low- and middle-income households. • Thirty five percent of funds go toward affordable housing programs. The City has full discretion on how to use these funds.	• Developers may pass along some of the costs of the tax to future renters. However, many renters in new market-rate buildings would be middle- to high-income households.
N. Evaluate using Urban Renewal	• Will benefit **extremely low-, very low, low- and middle-income** households, depending on how the City prioritizes funding. • The groups more likely to have incomes qualifying for this action are disproportionately marginalized communities, including POC, people with disabilities, and seniors.	• As property values increase in an Urban Renewal District, there is a potential for displacing existing residents. The City could evaluate incorporating anti-displacement strategies into their Urban Renewal plan to mitigate this risk.

Strategies	Benefits	Burdens
0. Identify additional funds to support the Affordable Housing Trust Fund	• Will benefit **extremely low-, very low, low- and middle-income** households, depending on how the City prioritizes funding.	• Unlikely to increase burdens for these communities.

Monitoring Outcomes of the HPS

This is Ashland's first HPS. As a result, the City is required to describe how it will measure the implementation and progress of the HPS. This section focuses on these issues.

Ashland is required to report progress on implementation of the HPS to DLCD every four years.[25] This report must include:

- **A summary of the actions taken to implement the HPS**. If there are actions that the City has not implemented on the schedule for the first four years of the HPS (i.e., actions expected to be adopted by December 31, 2024), the City needs to provide an explanation of the barriers to implementation and a plan for addressing the need that the action was intended to address. That plan could include identification of other actions in the HPS that will meet the identified need or it could include development of a new action to meet the need.
- **A reflection of the efficacy of the actions the City has implemented**. This reflection should discuss the outcomes the City is observing from the actions they have implemented to date and could include expectations for future outcomes.
- **A reflection of the efficacy of the actions in the context of the outcomes described above.** This section evaluates the goals and actions in the HPS for expected outcomes such as increasing housing options for affordable homeownership, affordable rental housing, housing stability, housing options for people experiencing homelessness, housing choice, location of housing, and Fair Housing. The report should describe whether the goals and actions implemented have resulted in the outcomes described above.

In addition, Ashland is required to report about actions that will not be adopted on the schedule presented in Exhibit 16. The City must notify DLCD that it will be unable to adopt the action within 90 days of the end of the timeline to implement the action. This notice must identify the actions or combinations of actions that the City will take to address the need that the action was intended to address. This could include identification of other actions in the HPS that will meet the identified need or it could include development of a new action to meet the need.

The City will review its progress toward the plan on an annual basis, coinciding with Council work planning. During the review, the City will report on the implementation actions taken

[25] This report is due to DLCD no later than December 31 four years after Ashland adopts its HPS.

over the previous year for the strategies in progress or scheduled to begin that year, along with the housing development activity that has occurred. Every four years, these annual updates will be combined into a report. Key questions that Council can consider in its assessment include:

- Are additional actions needed to address new or changing conditions?
- Is staff capacity sufficient to meaningfully advance the strategies?
- What benefits has the City seen from its efforts to date? Are the City's residents, and especially its lower-income residents and communities of color, seeing a return on the investments that the City has made?

In addition, the City can track indicators of plan progress in Exhibit 18.

Exhibit 18. Monitoring by Strategy

Strategies	Annual monitoring
Overall Monitoring	▪ Number of affordable units developed by income range ▪ Number of affordable projects developed
Evaluate participating in or establishing a land bank.	▪ Number of acres acquired for land banking ▪ Number of dwelling units developed on land from land banking ▪ Amount of funding contributed to land bank
Evaluate opportunities to participate in a land trust.	▪ Number of partnerships with land trusts ▪ Number of acres contributed to land trusts ▪ Amount of funding contributed to land trust ▪ Number of dwelling units developed in land trusts
Host educational events with the Housing and Human Services Advisory Committee or other organizations	▪ Number of events hosted ▪ Number of attendees at events ▪ Demographics of attendees ▪ Topics of events, such as affordable housing or Fair Housing
Develop an equitable housing plan	▪ Equitable housing plan developed and adopted.
Disallow SFD in High Density R-3 Zone	▪ Ordinance developed and approved. ▪ Comparison of newly developed housing in R-3 with historical densities
Maintain quality and support preservation of existing manufactured home parks	▪ Ordinance developed and approved. ▪ Number of partnerships established to support preservation efforts. ▪ Amount of funding contributed to support preservation. ▪ Changes in manufactured park ownership
Increase development capacity of MFR dwellings through changes to the Land Use Ordinance	▪ Ordinance developed and approved. ▪ Comparison of newly developed multifamily housing with historical densities
Implement the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing	▪ Exemption developed and implemented ▪ Number of inquiries about tax exemption ▪ Number of projects (and units) granted tax exemption
Preserve and improve existing low-cost, unregulated, rental housing	▪ Amount of funding used for rehabilitation or preservation ▪ Number of units where funding was given for rehabilitation or preservation ▪ New partnerships established or expanded for preservation
Work with partners to support development of additional permanent supportive housing	▪ New partnerships established or expanded ▪ Number of permanently supportive housing projects (and units) developed
Evaluate opportunities to improve energy efficiency and reduce GHG emissions during housing development	▪ Number of new ordinances or policies that encourage energy efficiency ▪ Number of new housing units developed under those policies.
Establish a Construction Excise Tax	▪ Ordinance adopted ▪ Plan developed for the use of CET funds. ▪ Use of CET funds

	▪ Number and types of units developed supported by CET; affordability levels
Evaluate using Urban Renewal	▪ Urban Renewal Plan developed and adopted ▪ Amount of funding investments made with urban renewal dollars to support affordable housing ▪ Number of all units and of affordable units built using urban renewal dollars
Identify additional funds to support the Affordable Housing Trust Fund	▪ Additional funding sources identified. ▪ Amount of additional funding directed to the Affordable Housing Trust Fund. ▪ Use of AHTF funds Number and types of units developed supported by AHTF; affordability levels

In addition, the City could monitor current market conditions to help the Council understand the context in which the overall Housing Production Strategy is operating:

- Number and type of new homes produced and total within the city over time - tenure, size, sales price/asking rent, and unit type
- Share of rent-burdened residents
- Sales prices and rents for existing homes
- Number, location, and expiration date of regulated affordable units with change in units provided over time

When Ashland produces its next HPS in eight years, the City will be required to summarize the efficacy of each action included in this HPS. The information resulting from these measures will help Ashland to summarize the outcomes and efficacy of the actions in this HPS.

Appendix A: Contextualizing Ashland's Housing Needs

This chapter provides information to contextualize Ashland's housing needs. It provides an understanding of the issues, before solutions are proposed. This appendix draws its information and findings from other planning efforts, described in the main report. Where appropriate, this appendix also draws on information gathered through the City of Ashland's past engagement efforts with housing producers and consumers, including underrepresented communities.

As a part of providing context to better understand Ashland's housing needs, this appendix presents information about housing in Ashland for race, ethnicity, age, disability status, and other characteristics of the community to understand disproportionate housing impacts on different groups.

Demographic and Socio-Economic Characteristics Affecting Ashland's Housing Needs

This section describes unmet housing needs for people in Ashland by age, race and ethnicity, disability, household size and composition, and household income.

Data Used in this Analysis

Throughout this analysis data is used from multiple well-recognized and reliable data sources. One of the key sources for housing and household data is the U.S. Census. This report primarily uses data from two Census sources:[26]

- The **Decennial Census**, which is completed every ten years and is a survey of *all* households in the U.S. The Decennial Census is considered the best available data for information such as demographics (e.g., number of people, age distribution, or ethnic or racial composition), household characteristics (e.g., household size and composition), and housing occupancy characteristics. As of 2020, the Decennial Census does not collect

[26] It is worth commenting on the methods used for the American Community Survey. The American Community Survey (ACS) is a national survey that uses continuous measurement methods. It uses a sample of about 3.54 million households to produce annually updated estimates for the same small areas (census tracts and block groups) formerly surveyed via the decennial census long-form sample. It is also important to keep in mind that all ACS data are estimates that are subject to sample variability. This variability is referred to as "sampling error" and is expressed as a band or "margin of error" (MOE) around the estimate.

This report uses Census and ACS data because, despite the inherent methodological limits, they represent the most thorough and accurate data available to assess housing needs. We consider these limitations in making interpretations of the data and have strived not to draw conclusions beyond the quality of the data.

more detailed household information, such as income, housing costs, housing characteristics, and other important household information.

- The **American Community Survey (ACS)**, which is completed every year and is a *sample* of households in the U.S. The ACS collects detailed information about households, including demographics (e.g., number of people, age distribution, ethnic or racial composition, country of origin, language spoken at home, and educational attainment), household characteristics (e.g., household size and composition), housing characteristics (e.g., type of housing unit, year unit built, or number of bedrooms), housing costs (e.g., rent, mortgage, utility, and insurance), housing value, income, and other characteristics.

This report primarily uses data from the 2014-2018 and 2015-2019 ACS for Ashland and comparison areas.[27] Where information is available and relevant, we report information from the 2000 and 2010 Decennial Census. [28] Among other data points noted throughout this analysis, this report also includes data from Oregon's Housing and Community Services Department, the United States Department of Housing and Urban Development, Costar, and other sources.

Age of People in Ashland

Population growth is the primary driver of growth in housing. Between 2000 and 2021, Ashland's population grew by 2,032 people (10%) with most of the growth occurring between 2010 and 2021 where Ashland's population grew by 1,476 new residents. Between 2000 and 2021, Ashland grew at a slower rate than Jackson County.[29]

Growth in Ashland's senior population, as well as other age cohorts, will continue to shape the city's housing needs. Seniors account for 31% of Ashland's existing population and Jackson County expects to have more than 18,458 more people over 60 years old by 2040 than in 2020.[30]

Growth in the number of seniors will result in demand for housing types specific to seniors, such as small and easy-to-maintain dwellings, assisted living facilities, or age-restricted developments. Senior households will make a variety of housing choices, including remaining in their homes as long as they are able, downsizing to smaller single-family homes (detached

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[27] Five-year 2020 ACS data was not available when this report was compiled.

[28] The 2020 Census was completed at the end of 2020. However, extenuating circumstances brought on by the COVID-19 pandemic has led to some challenges with the data. The Census Bureau is undergoing a post-enumeration survey to understand the accuracy of the 2020 Census which was not complete as of February 2022. The 2020 Decennial Census data is more limited than usual as a result of the COVID-19 pandemic.

[29] Certified Population Estimates July 1, 2021, prepared by the Population Research Center at Portland State University.

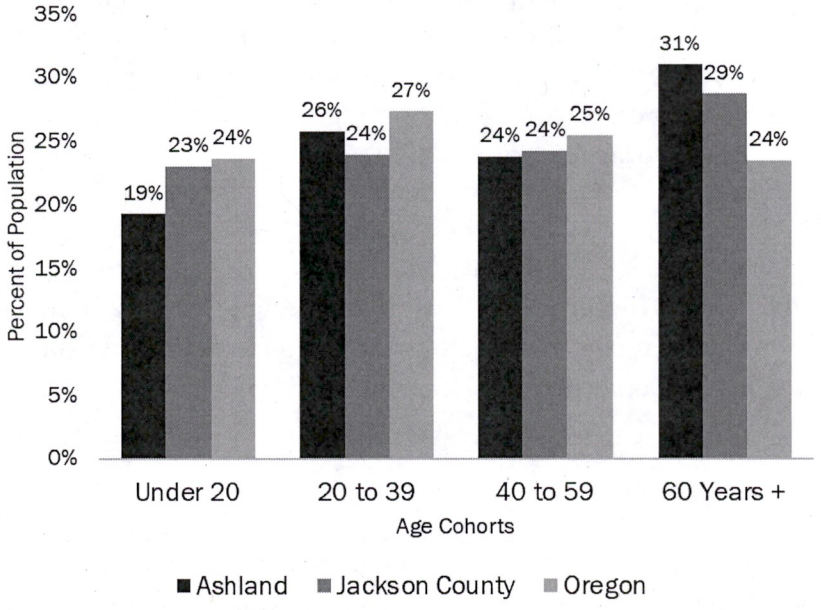
[30] Final Population Forecast for Jackson County, prepared by the Population Research Center at Portland State University, June 20, 2017.

and attached) or multifamily units, moving in with family, or moving into group housing (such as assisted living facilities or nursing homes), as their health declines.

50% of Ashland's residents were between the ages of 20 and 59 years.

Ashland had a larger share of people over the age of 60 than the county and state and a smaller share of residents under the age of 20.

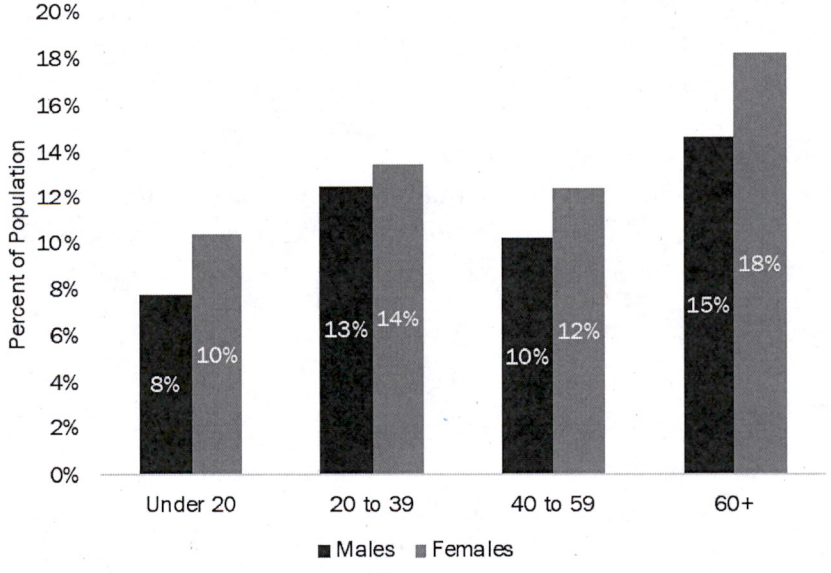
Exhibit 19. Population Distribution by Age, Ashland, Jackson County, and Oregon, 2014-2018
Source: U.S. Census Bureau, 2014-2018 ACS, Table B01001.



About 55% of Ashland's population is female and 45% is male.

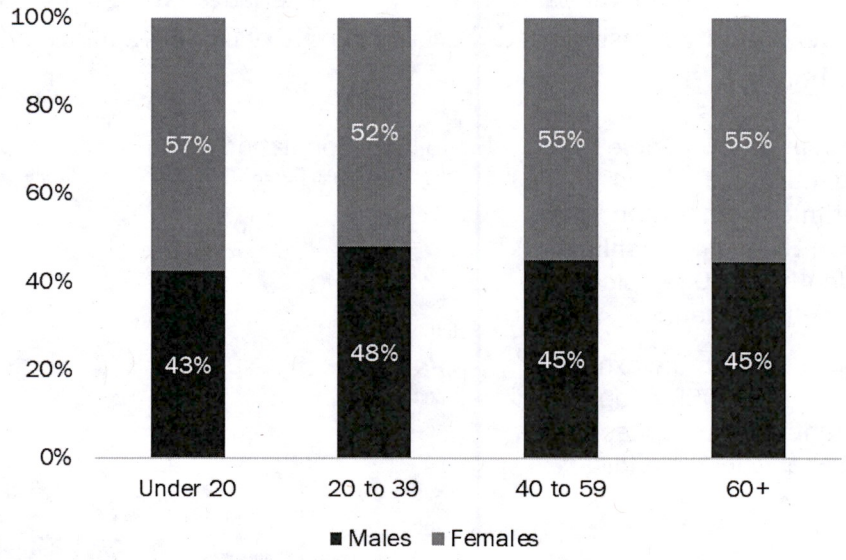
Females account for a larger share of population among each age group, with the largest different for people 60 years and older.

Exhibit 20. Population by Age and Sex, Ashland, 2015–2019
Source: U.S. Census Bureau, 2014–2018 ACS, Table B01001.



There are more females in every age group than males.

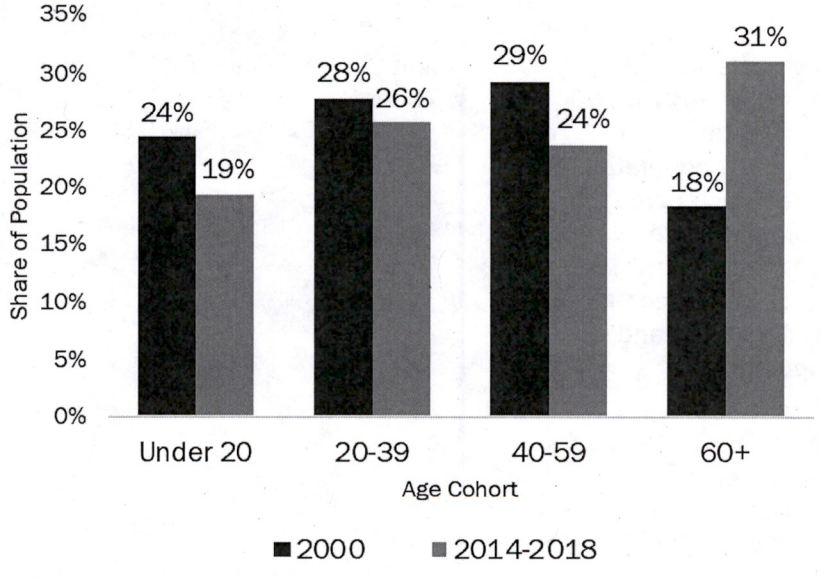
Exhibit 21. Population Distribution by Sex for Each Age Group, Ashland, 2015-2019
Source: U.S. Census Bureau, 2015-2019 ACS, Table B01001.



Between 2000 and 2018, the population aged 60 and older grew the most.

In this time, those aged 60 years and older grew by 2,909 people (from 3,509 people in 2000 to 6,499 people in 2018).

Exhibit 22. Population Growth by Age, Ashland, 2000, 2014–2018
Source: U.S. Census Bureau, 2000 Decennial Census Table P012 and 2014–2018 ACS, Table B01001.
B01001.



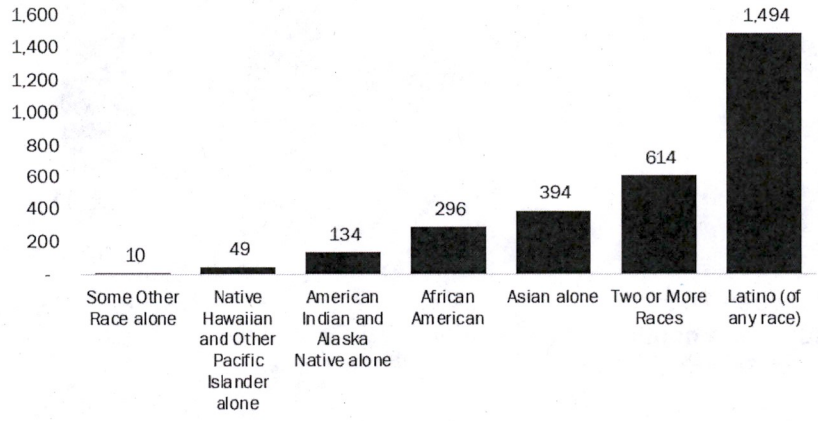
Race and Ethnicity

Understanding the race and ethnicity characteristics[31] in Ashland is important for understanding housing needs because people of color often face discrimination when looking for housing.

About 3,000 people identify as a race or ethnicity other than White, non-Hispanic in Ashland. Nearly 1,500 people identify as Latino.

Not shown in the exhibit are the 18,065 people identifying as White, non-Hispanic in Ashland.

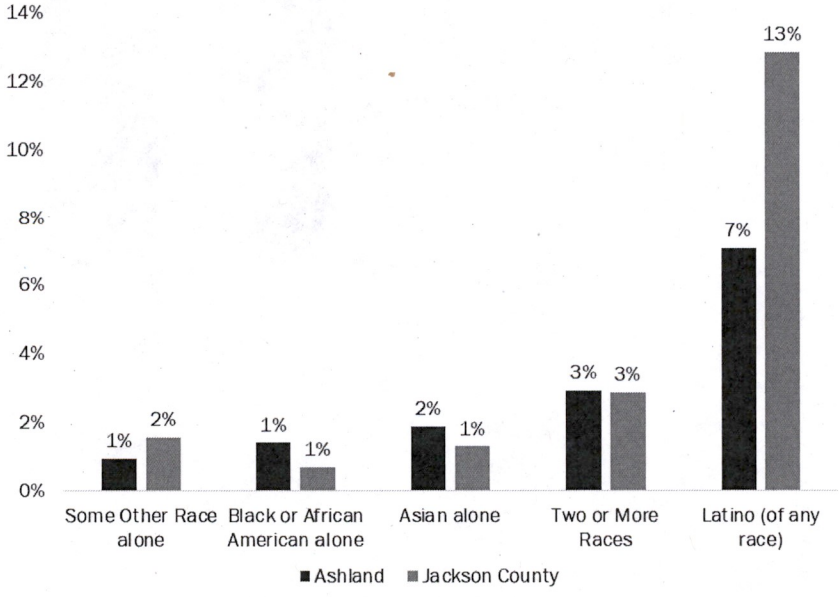
Exhibit 23. Population by Race/Ethnicity, Ashland, 2015-2019
Source: U.S. Census Bureau, 2015-2019 ACS, Table B03002.



Residents who identify as Latino (of any race) account for 7% of Ashland's population. The largest racial group in Ashland besides White, non-Hispanic are Two or More Races accounting for 3% of Ashland's population.

Not shown in the exhibit, is about 86% of Ashland's population and 81% of the Jackson County's population identifying as White, non-Hispanic.

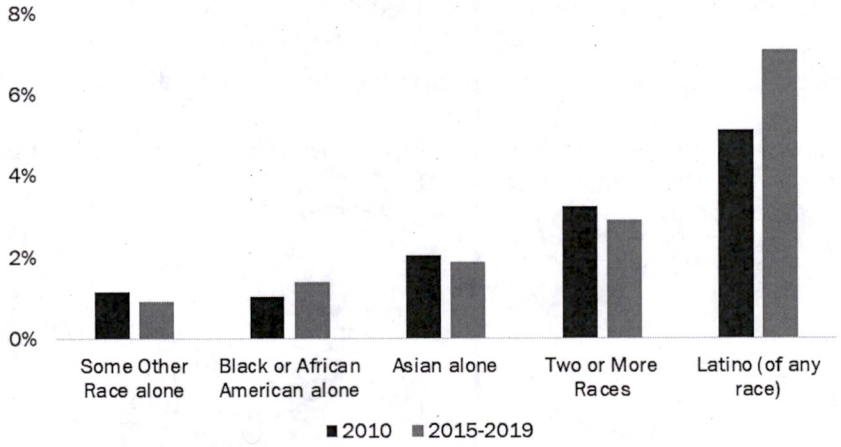
Exhibit 24. Population Distribution by Race and Ethnicity, Ashland, 2015-2019
Source: 2015-2019 ACS, Table B03002.



[31] The U.S. Census Bureau considers race and ethnicity as two distinct concepts. Latino is an ethnicity and not a race, meaning individuals who identify as Latino may be of any race.

The share of Ashland's households that identified as Latino (of any race) increased from 1,028 people in 2010 to 1,494 people in 2018, consistent with regional trends.

Exhibit 25. Change in Population by Race and Ethnicity as a Percent of the Total Population, Ashland, 2010 and 2015–2019
Source: U.S. Census Bureau, 2010 Decennial Census Table P005001, 2015–2019 ACS Table B03002.

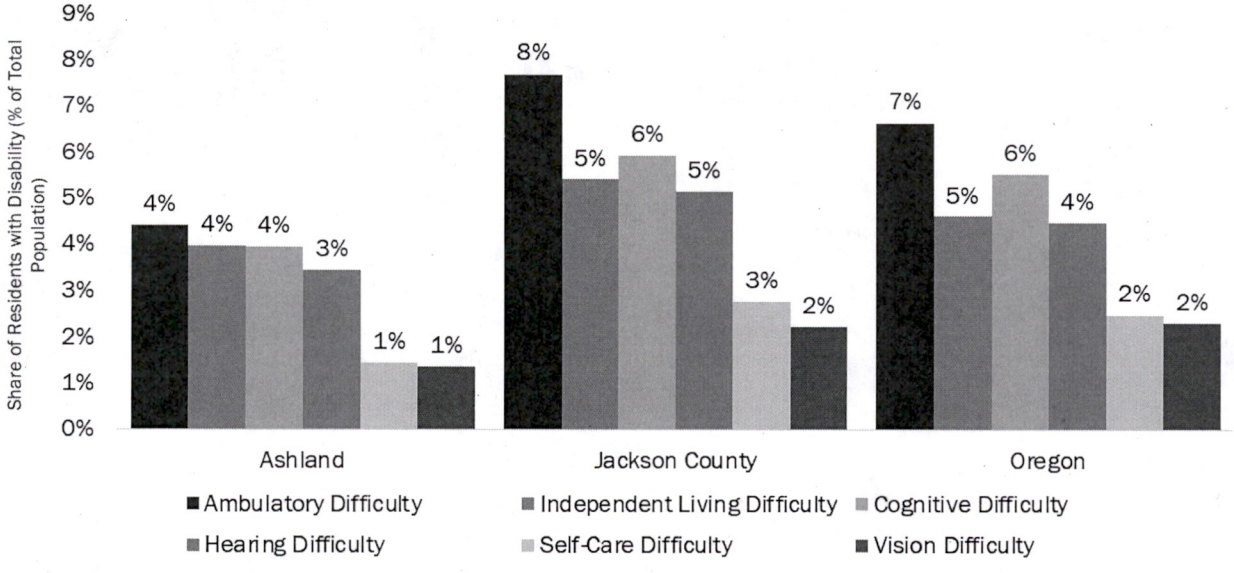


People with a Disability

People with one or more disabilities have special housing needs because they may need housing that is physically accessible, housing that meets the needs of people with cognitive disability, or housing with specialized services.

About 10% of Ashland's population has one or more disabilities (about 2,100 people).

Exhibit 26. Persons Living with a Disability by Type and as a Percent of Total Population, Ashland, Jackson County, Oregon, 2014-2018
Source: U.S. Census Bureau 2014-2018 ACS, Table S1810.



Household Size and Composition

Housing need varies by household size and composition. The housing needs of a single-person household are different than those of a multi-generational family. On average, Ashland's households are smaller than Jackson County's and Oregon's.

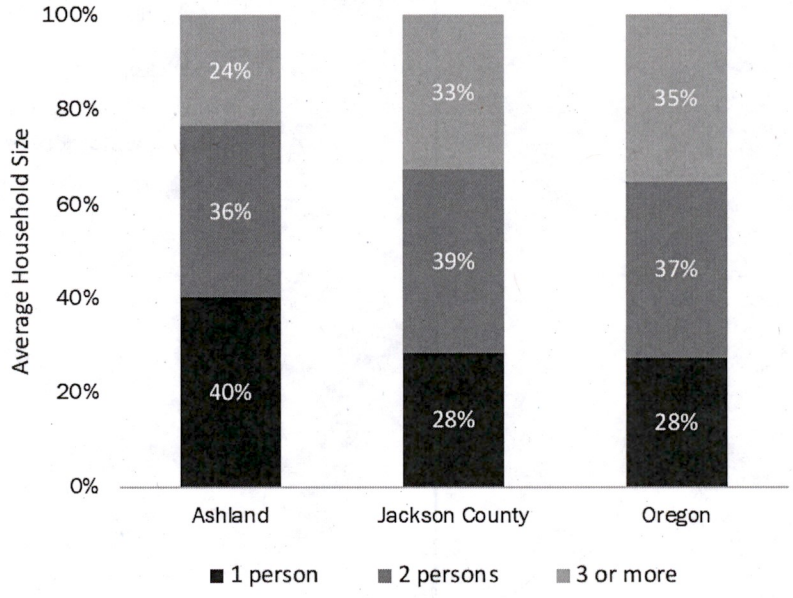
Ashland's average household size was smaller than Jackson County's and Oregon's.

Exhibit 27. Average Household Size, Ashland, Jackson County, Oregon, 2014-2018
Source: U.S. Census Bureau, 2014-2018 ACS 5-year estimate, Table B25010.

2.06 Persons	2.41 Persons	2.51 Persons
Ashland	Jackson County	Oregon

Ashland had a larger share of one-person households compared to the County and State.

Exhibit 28. Household Size, Ashland, Jackson County, and Oregon, 2014-2018
Source: U.S. Census Bureau, 2014-2018 ACS 5-year estimate, Table B25010.

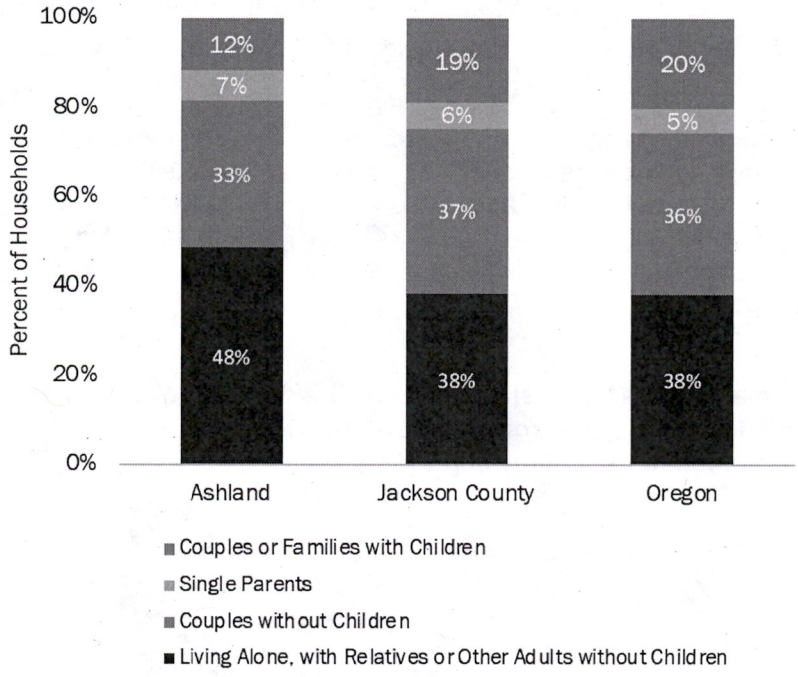


Ashland has a larger share of households with adults only that live alone or with others (non-couples) than Jackson County and Oregon.

About 19% of Ashland's households have children, compared with 25% of Jackson County households and 25% of Oregon households.

Exhibit 29. Household Composition, Ashland, Jackson County, and Oregon, 2015-2019

Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table DP02.

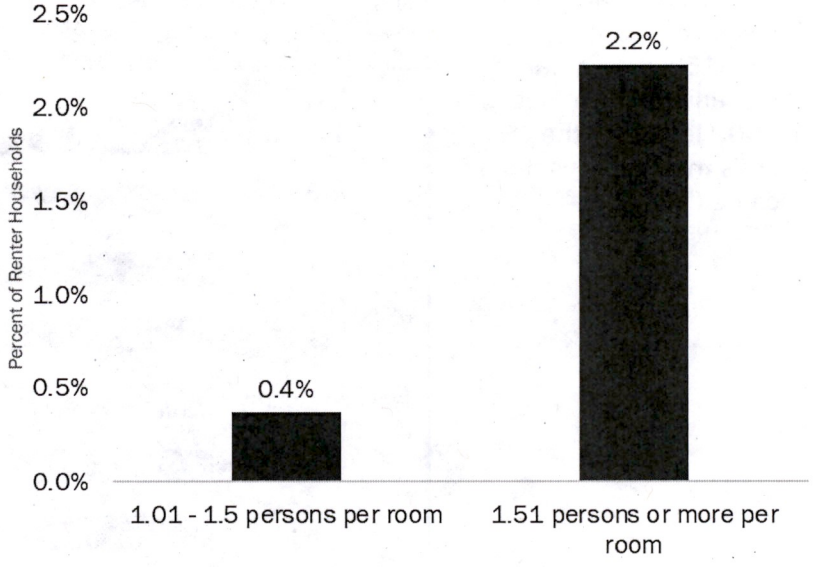


Overcrowding

Overcrowding occurs when the relatively high cost of housing either forces a household to double-up with another household or live in a smaller housing unit to afford food and other basic needs. An overcrowded household is defined by the Census as one with more than one person per room, excluding bathrooms, kitchens, hallways, and porches. Severely overcrowded households are households with more than 1.5 persons per room. Overcrowding can indicate that community does not have adequate supply of affordable housing, especially for larger families.

Approximately 2.6% of all renter households (118 households) in Ashland are overcrowded. No owner households are overcrowded.

Exhibit 30. Overcrowding by Tenure, City of Ashland, 2015-2019
Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B25014.



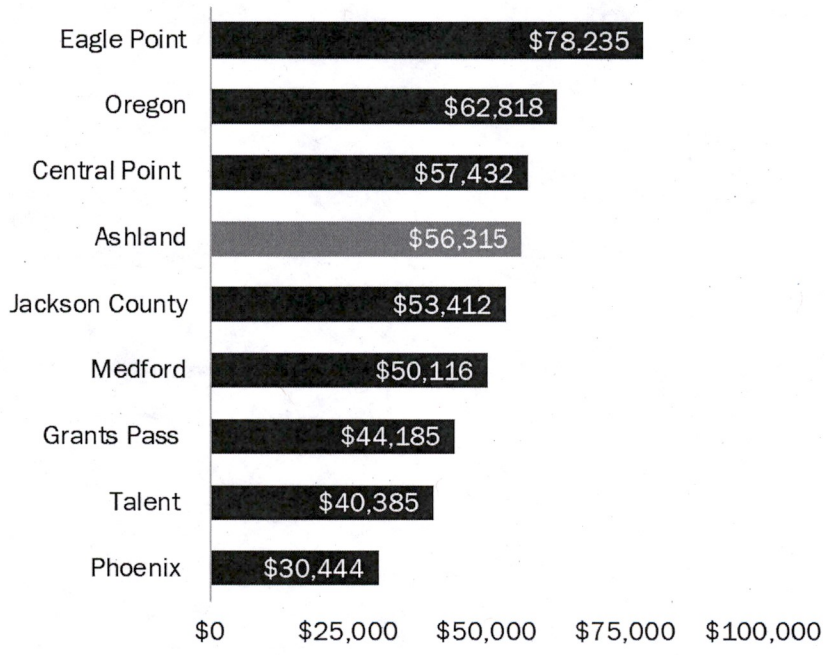
Household Income

Income is one of the key determinants in housing choice and households' ability to afford housing. Income for residents living in Ashland was slightly lower than the Jackson County median household income and the state's median household income.

Median household income or median earning data is available for many groups of people, as shown in the exhibits below, but is not available by sex at the city level. Median earnings is available by sex for the U.S. as a whole. On average, median earnings for males is $52,989, compared with $43,215 for femails, $9,774 less than males' incomes on average.[32]

Ashland's median household income ($56,315) was similar to the county's, but about $6,500 less than the state's median household income (MHI).

Exhibit 31. Median Household Income, Ashland, Jackson County, Oregon, Comparison Cities, 2015-2019
Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B25119.



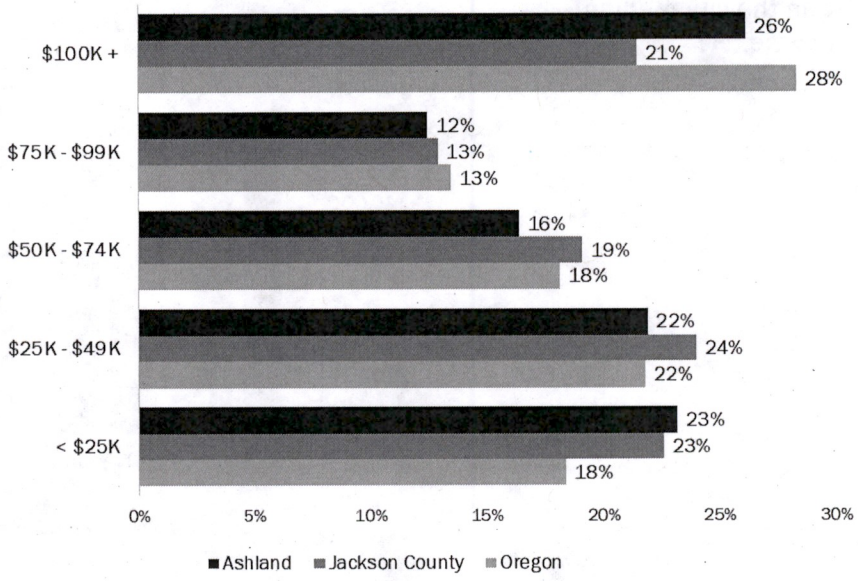
[32] U.S. Census Bureau, 2019 ACS 1-year estimate, Table S2002.

45% of all households in Ashland earned less than $50,000, compared to 47% of Jackson County households, and 40% of Oregon households.

Ashland has more households earning $75,000+ compared to Jackson County.

Exhibit 32. Household Income Distribution, Ashland, Jackson County, Oregon, 2015-2019

Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B19001.

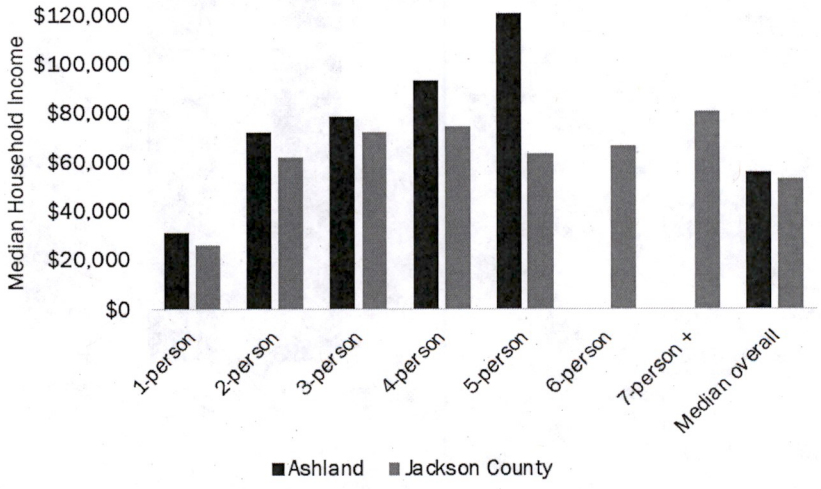


Median household income in Ashland tends to increase with household size and peaks with 5-person households.

Exhibit 33. Median Household Income by Household Size, Ashland, Jackson County, 2015-2019

Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B19019

Note: Exhibit 33 displays median household income for households in Ashland, with Jackson County information providing additional context. Data for 6- and 7-person households was not available at the City level.

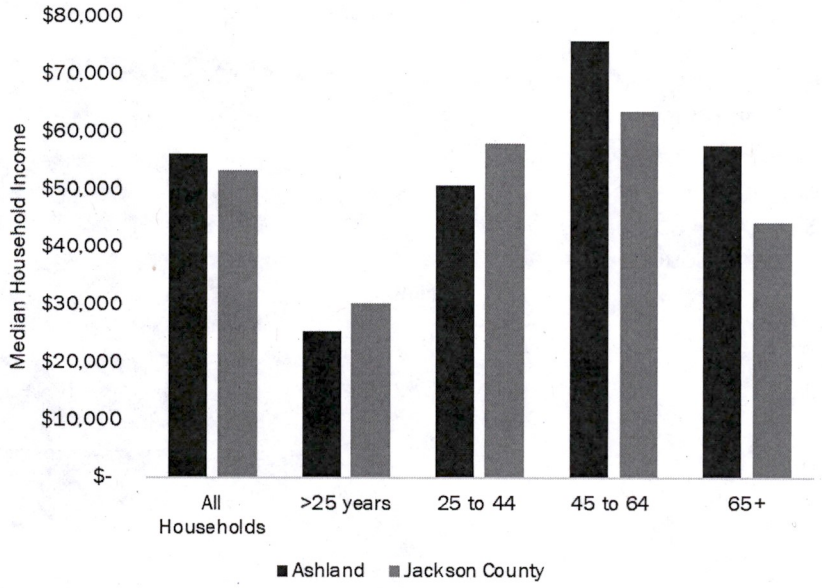


In Ashland, households with a householder under the age of 45 make less than the city median income.

Household income peaks between ages 45 and 65 and declines after age 65.

Exhibit 34. Median Household Income by Age

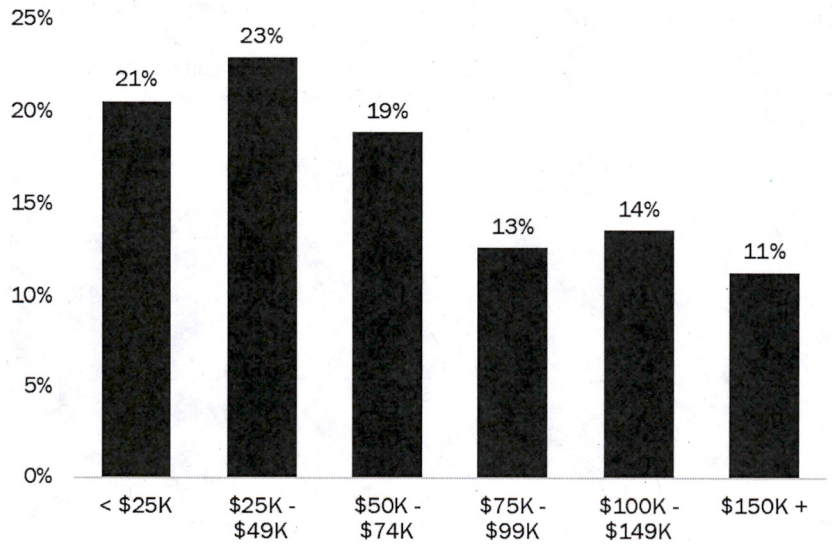
Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B19049.



Forty-four percent of households with a head of householder aged 65 or older earned less than $50,000 per year.

Exhibit 35. Household Income Distribution for Householders Aged 65 Years and Older, Ashland, 2015-2019

Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B19037.



Latino and some other race alone households had incomes below the City's median.

Exhibit 36. Median Household Income by Race and Ethnicity for the Head of Household, Ashland, 2015-2019

Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table S1901.
Note: Black/African American, American Indian/Alaska Native, Asian, and two or more races were not included for Ashland due to high margins of error. Black bars denote the potential upper and lower bound of the estimate using the margin of error reported by the Census.

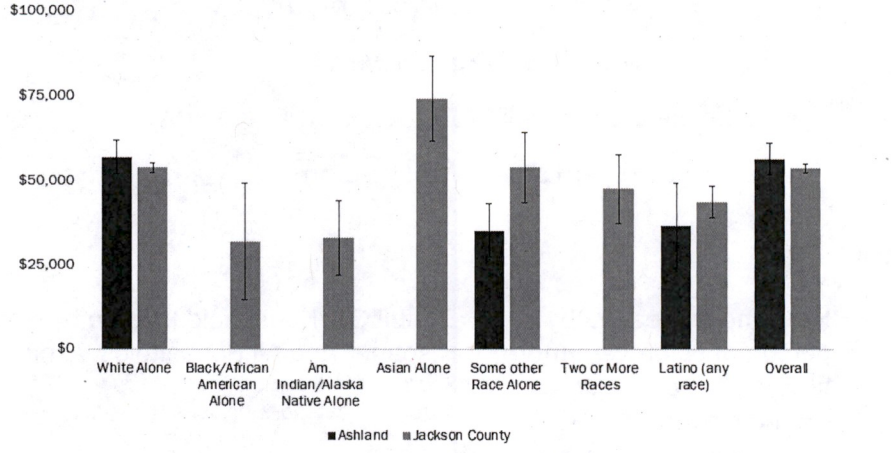


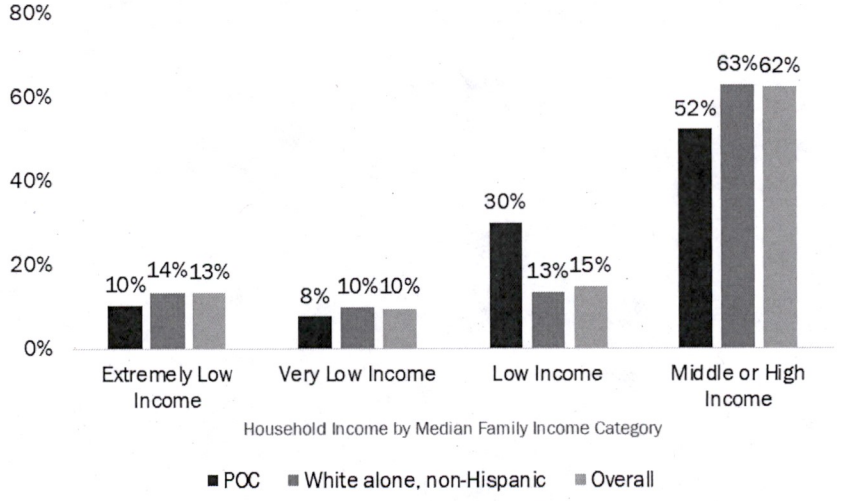
Exhibit 37 to Exhibit 39 compare household income for POC households with White non-Hispanic households to show disparities in come levels. The income levels shown in these graphs are the same used throughout this report:

- Extremely Low Income: Less than 30% MFI
- Very-Low Income: 30% to 50% of MFI
- Low Income: 50% to 80% of MFI
- Middle Income: 80% to 120% of MFI
- High Income: 120% of MFI or more

Households headed by a person of color were more likely to be low income than the average household in Ashland.

About 48% of households headed by a person of color had an income below 80% median family income compared to 37% of households with a head of household who identifies as White.

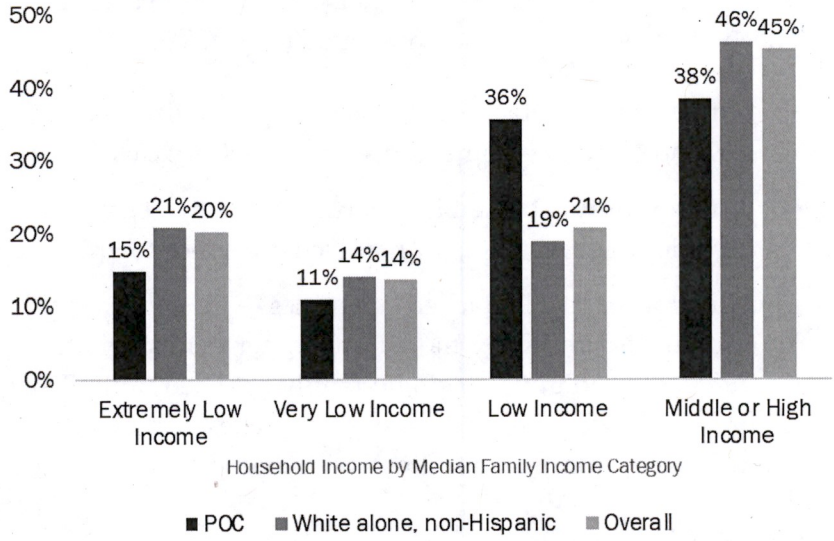
Exhibit 37. Household Income by Income Grouping POC, White non-Hispanic, and All Households, Ashland, 2014-2018
Source: CHAS, Table 2.
Note: POC category includes Hispanic.



Over 50% of all renter households make below 80% MFI (have low, very low, or extremely low income).

Sixty-two percent of POC renter households are low income compared to 54% of White households.

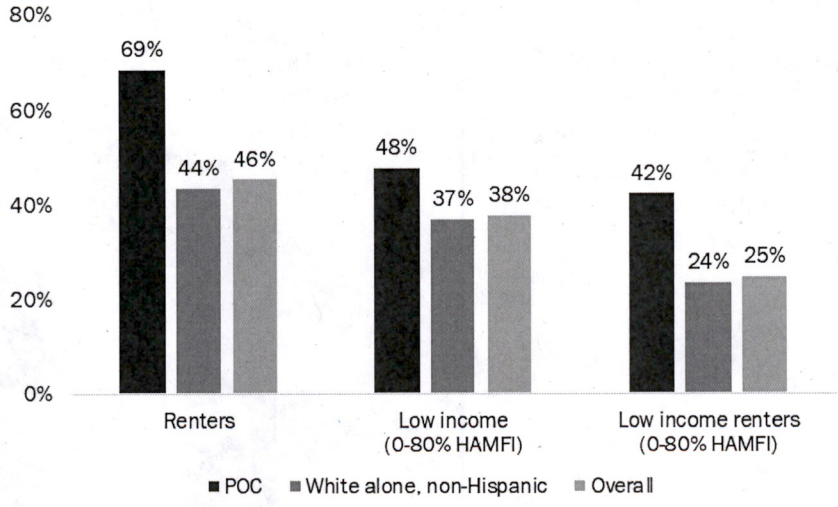
Exhibit 38. Renter Income by Income Grouping for POC, White non-Hispanic, and All Households, Ashland, 2014-2018
Source: CHAS, Table 2.
Note: POC category includes Hispanic.



Nearly 70% of POC households are renters compared to 44% of White households.

Over 40% of POC households that rent are low income.

Exhibit 39. Comparison by Tenure and Income POC, White non-Hispanic, and All Households, Ashland, 2014-2018
Source: CHAS, Table 2.
Note: POC category includes Hispanic.



Housing Market Conditions and Trends

An analysis of housing market conditions and trends in Ashland provides insight into the functioning of the local housing market. The housing types used in this analysis are consistent with needed housing types as defined in ORS 197.303:

- **Single-family detached** includes single-family detached units, manufactured homes on lots and in mobile home parks, and accessory dwelling units.
- **Single-family attached** is all structures with a common wall where each dwelling unit occupies a separate lot, such as row houses or townhouses.
- **Multifamily** is all attached structures (e.g., duplexes, tri-plexes, quad-plexes, and structures with five or more units) other than single-family detached units, manufactured units, or single-family attached units. This analysis groups multifamily units into two sub-categories: (1) duplexes, triplexes, and quadplexes and (2) multifamily units in buildings with five or more units per structure.

Existing Housing Stock

According to the 2014-2018 American Community Survey (ACS) from the U.S. Census, Ashland had 10,705 dwelling units, an increase of 1,634 dwelling units from 2000. Most new units built were single-family units.

About 66% of Ashland's housing stock was single-family detached housing.

Ashland had a larger share of multifamily housing than Jackson County.

Exhibit 40. Housing Mix, Ashland, Jackson County, and Oregon, 2014-2018

Source: U.S. Census Bureau, 2014-2018 ACS Table B25024.

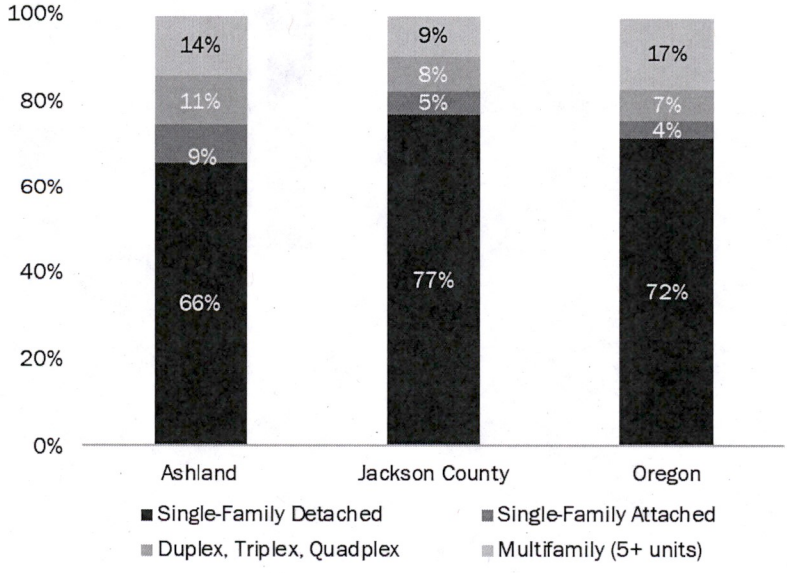


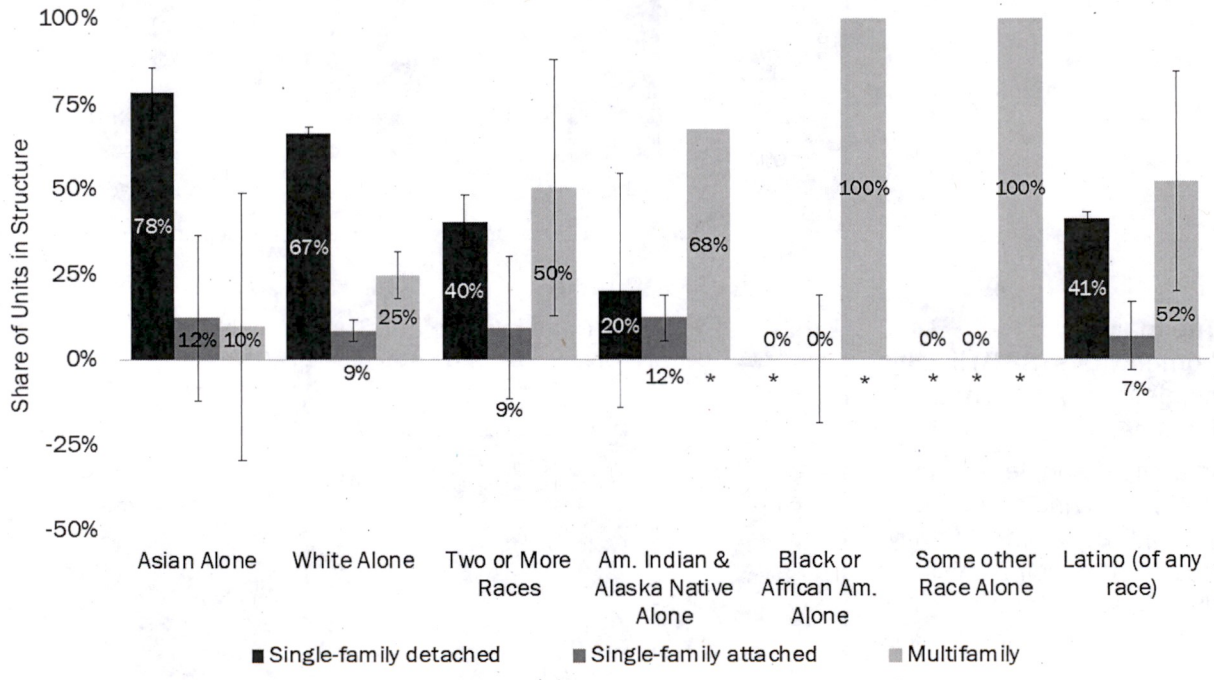
Exhibit 41 shows the types of dwelling units by race and ethnicity in Ashland. It shows that households that identified as Asian Alone were most likely to live in single-family detached housing (78%). Households that identified as Black/African American Alone or Some other Race

Alone were most likely to live in multifamily housing. Of any race, about 41% of the households that identified as Latino lived in single-family detached housing.

Exhibit 41 includes an indication of margin of error (the "whisker" lines shown in the graph). The number of people of color in Ashland is relatively small. Exhibit 23 shows that groups like Black or American Indian include a small number of people living in Ashland. Exhibit 41 shows a high margin of error in the data for these groups, with either a long "whisker" line or an asterisk (*) to indicate that the margin of error exceeds 50% (indicating high uncertainty about the data).

The take-away point from Exhibit 41 is that some people of color (not including Asians) are more likely to live in multifamily housing than the Ashland average in Exhibit 40, which shows that 14% of households live in multifamily housing.

Exhibit 41. Occupied Housing Structure by Race and Ethnicity, Ashland, 2014-2018
Source: U.S. Census Bureau, 2014-2018 ACS Table B25032 A-I.
Note: Margin of errors marked with an asterisk (*) indicate the value exceeds 50%.



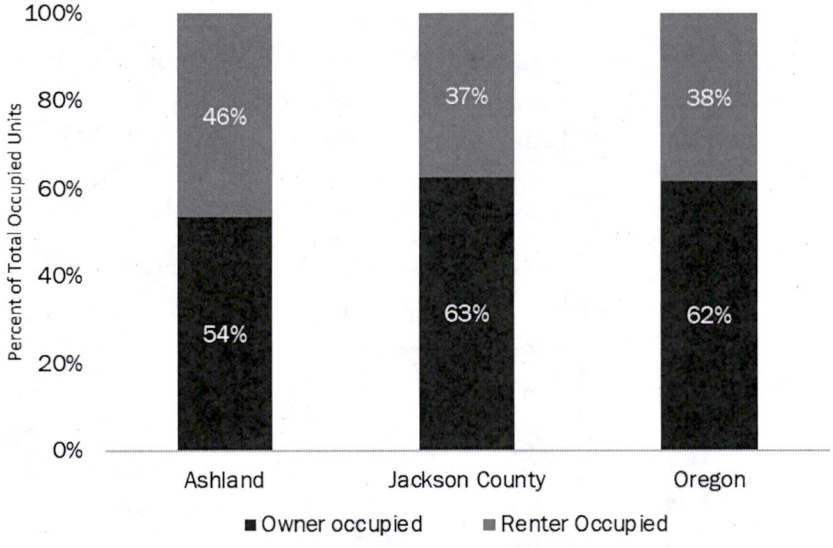
Housing Tenure

Housing tenure describes whether a dwelling is owner- or renter-occupied. In the 2014-2018 period, about 54% of Ashland's housing stock was owner occupied and 46% was renter occupied. Ashland's homeownership rate increased by two percentage points since 2000.

Ashland had a lower homeownership rate than Jackson County and Oregon.

Exhibit 42. Tenure, Occupied Units, Ashland, Jackson County, and Oregon, 2014-2018

Source: U.S. Census Bureau, 2014-2018 ACS 5-Year Estimates, Table B24003.

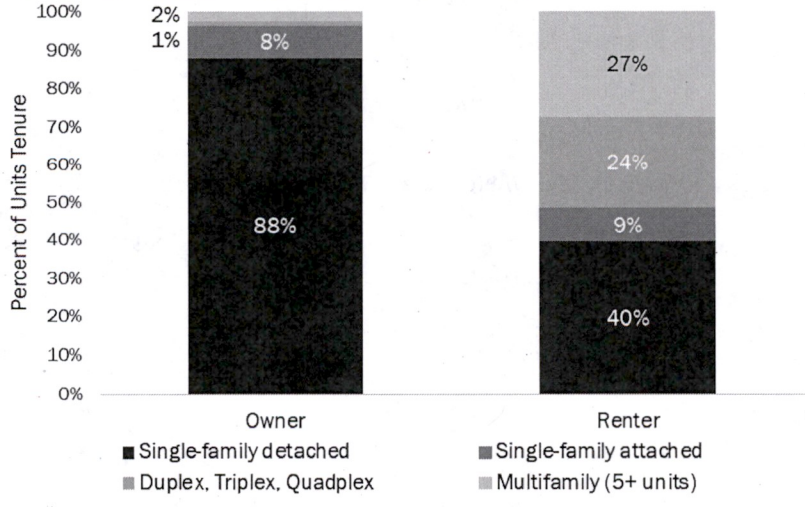


The majority of homeowners (88%) lived in single-family detached housing.

In comparison, less than half of Ashland's renters (40%) lived in single-family detached housing; over half lived in some form of multifamily housing (51%).

Exhibit 43. Housing Units by Type and Tenure, Ashland, 2014-2018

Source: U.S. Census Bureau, 2014-2018 ACS Table B25032.

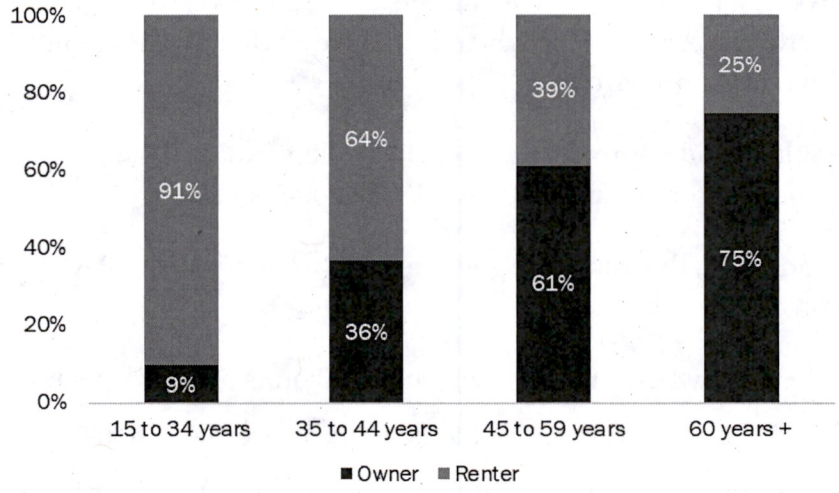


Ashland's homeownership rate increased with the age of the household.

In Ashland, about 75% of householders sixty years of age or older owned their homes.

Exhibit 44. Housing Tenure by Age of the Head of Household, Ashland, 2015-2019

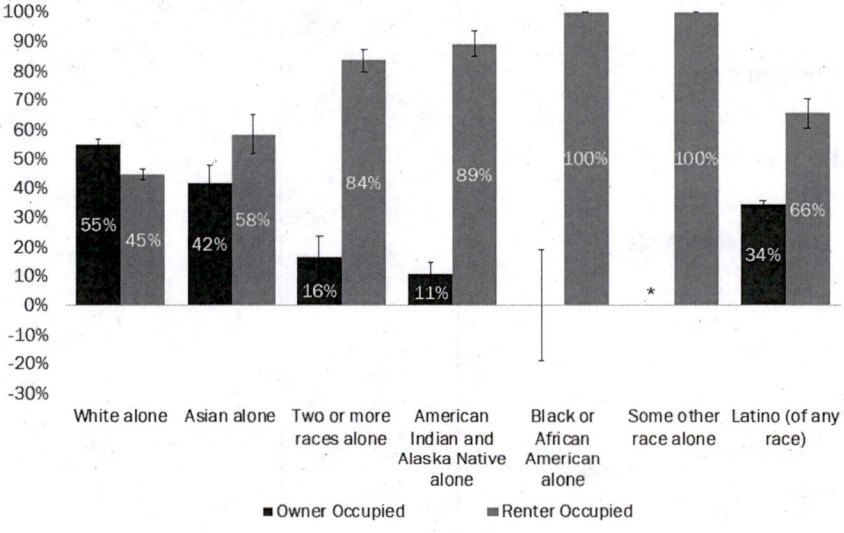
Source: U.S. Census Bureau, 2015-2019 ACS Table B25007.



Households of color are more likely to rent their housing than White households.

Exhibit 45. Tenure by Race and by Ethnicity, Ashland, 2014-2018

Source: U.S. Census Bureau, 2014-2018 ACS Table B25003A-I. Black bars denote the potential upper and lower bound of the estimate using the margin of error reported by the Census. Margin of errors marked with an asterisk (*) indicate the value exceeds 50%.



Rent-Restricted and Emergency Housing

There are 10 government-assisted housing developments in Ashland with a total of 267 dwelling units. Over three quarters of the 267 dwelling units (79%) are units with one- or two-bedrooms. About 26 of Ashland's rent-restricted dwelling units (10%) were larger units with three- or four-bedrooms.

Ashland had approximately 10,705 dwelling units in the 2014-2018 period. Rent-restricted units accounted for about 2.5% of Ashland's total housing stock.

In addition, the following government-assisted housing developments are under development or recently completed in Ashland:

- Snowberry Brook 2, which has 60 units of affordable housing
- Rogue Ridge, which has 30 units of affordable housing

These new developments increase the affordable housing in Ashland by 90 units, bringing the total to 357 units of affordable housing in Ashland.

Exhibit 46. Government-Assisted Housing, Ashland, 2019
Source: Oregon Health and Human Services, Affordable Housing Inventory in Oregon.

Development Name	Total Affordable Units	Studio units	1-bedroom units	2-bedroom units	3-bedroom units
Chestnut Apts	**40**		**8**	**28**	**4**
Ashley Senior Center Apts	83	29	54		
Bridget Street	**4**			**2**	**2**
Chestnut Apts	4			2	2
Grant Street Apts	**2**			**2**	
Hyde Park	6		3	1	2
Parkview Apts	**6**	**2**		**3**	**1**
Snowberry Brook	60		12	38	10
Star Thistle Apts	**11**		**11**		
Stratford Apts	51		17	29	5
Total	**267**	**31**	**105**	**105**	**26**

People experiencing homelessness in Ashland have access to 198 emergency shelter beds (84 of which are voucher/seasonal/overflow beds), 272 transitional shelter beds, and 538 permanently supportive housing beds.

Exhibit 47. Facilities and Housing Targeted to Households Experiencing Homelessness in Ashland, 2020

Source: Ashland's 2020-2024 Consolidated Plan.

Population Served	Emergency, Safe Haven, and Transitional Beds		Permanent Supportive Housing Beds
	Emergency Shelter	Transitional Housing	
Households with Adult(s) and Children	57	69	247
Households with Only Adults	**116**	**143**	**190**
Chronically Homeless Households	-	-	68
Veterans	10	58	33
Unaccompanied Youth	15	2	-

Manufactured Homes

Manufactured homes provide a source of affordable housing in Ashland. They provide a form of homeownership that can be made available to low- and moderate-income households. Cities are required to plan for manufactured homes—both on lots and in parks (ORS 197.475-492). Ashland has five manufactured home parks within its UGB. Within these parks, there are a total of 255 spaces (of which 21 spaces were vacant as of November 2020).

Exhibit 11. Inventory of Mobile/Manufactured Home Parks, Ashland UGB, 2020

Source: Oregon Manufactured Dwelling Park Directory.

Community Name	Location	Type	Total Spaces	Vacant Spaces	Comprehensive Plan Designation
Pines Mobile Home & RV	**1565 Siskiyou Blvd**	**Family**	**52**	**1**	**Commercial**
Siskiyou Village	**2799 Siskiyou Blvd**	**Family**	**49**	**10**	**Employment**
Tolman Creek Park	**215 Tolman Creek Rd**	**Family**	**38**	**-**	**Residential - Suburban**
Wingspread	**321 Clay St**	**Family**	**116**	**-**	**Residential - Low Density Multiple Family**
Total	-	-	**255**	**21**	-

People Experiencing Homelessness

According to HUD's 2021 Annual Homeless Assessment Report (AHAR), across the United States, the number of people experiencing *sheltered* homelessness has been decreasing since 2015, but the drop between 2020 and 2021 was steeper than in recent years.[33] It is likely that some of this decline is due to COVID-related precautions that resulted in fewer beds available (due to the need to have more space between beds). Other factors include people being unwilling to use shelter beds due to health risks as well as eviction moratoria and stimulus payments which may have prevented people from needing emergency shelter.

Pandemic-related disruptions to *unsheltered* homelessness counts made it difficult to determine if this population is increasing or decreasing in communities. Many communities chose not to conduct unsheltered PIT counts due to the risk of increasing COVID-19 transmission. While the communities that conducted unsheltered counts seem to indicate that this population did not increase, trends on unsheltered homelessness are known for only half of communities.

The Oregon Statewide Homelessness Estimates 2021 report from the Oregon Housing and Community Services presented two counts in their report – estimated and reported counts. The estimated counts were developed to address concerns that data limitations imposed by the COVID-19 pandemic resulted in an undercount.[34] This report uses the estimated count.

The following exhibits provide more localized estimates of homelessness in Ashland's region.

Jackson County's Point-in-Time Homeless count increased by 31% from 2017 to 2021.

Exhibit 48. Number of Persons Homeless, Jackson County, Point-in-Time Count, 2015, 2019, and 2020
Source: Oregon Housing and Community Services and Annual Homeless Assessment Report (AHAR) data.
Note: OHCS reported two counts in 2021 – estimated and reported counts. This report uses the estimated counts.

633 Persons	712 Persons	831 Persons
2017	2019	2021

[33] The U.S. Department of Housing and Urban Development (2021). The 2021 Annual Homeless Assessment Report (AHAR) to Congress. Office of Community Planning and Development.

[34] The *reported* count for sheltered homelessness is what was collected/reported while the *estimated* count is the largest sheltered count reported during 2019-2021 in Jackson County. For unsheltered, the 2021 PIT count is not available for all counties, so the report modeled it by adding the predicted 2019-2021 change, determined through analysis of past trends and other homelessness data, to the 2019 PIT count.

In 2021, an estimated 831 people experienced homelessness in Jackson County, the majority of which were unsheltered.

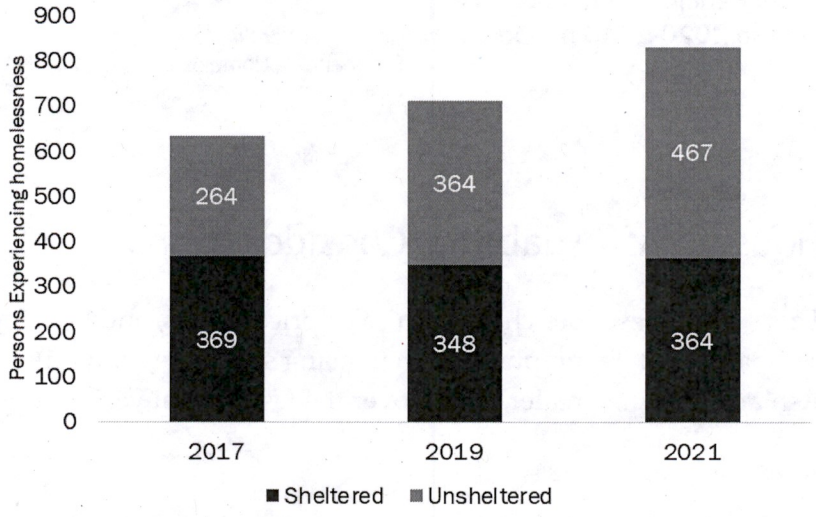
Oregon Housing and Community Services presented two counts in 2021 – estimated and reported counts. The estimated counts were developed to address concerns that data limitations imposed by the COVID-19 pandemic resulted in an undercount. This report uses the estimated count.

About 10% of people experiencing homelessness in Jackson County are in Ashland.

Exhibit 49. Point-in-Time Homelessness Estimates, Ashland, Jackson County CoC, 2017-2021

Source: Oregon Housing and Community Services and Annual Homeless Assessment Report (AHAR) data.

Note: OHCS reported two counts in 2021 – estimated and reported counts. This report uses the estimated counts.

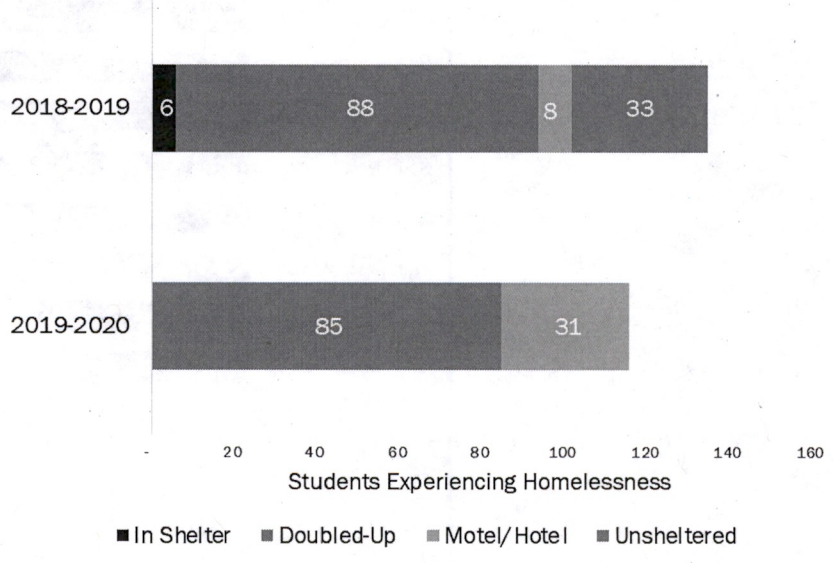


From the 2018-19 school year to the 2019-20 school year, student homelessness decreased from 135 students to 125 students, a decrease of 10 students.

Of the 125 students in 2019-20 experiencing homelessness, 24 were unaccompanied.

Exhibit 50. Students Homeless by Living Situation, Ashland School District, 2018-2019 and 2019-2020

Source: McKinney Vento, Homeless Student Data.



Based on the Oregon's Regional Housing Capacity Analysis, Ashland will need about 310 housing units to accommodate people experiencing homelessness in the 2020-2040 period.

Exhibit 51. Estimate of Future Housing Need for People Experiencing Homelessness, Ashland, 2020 to 2040
Source: From the Report *Implementing a Regional Housing Capacity Analysis Methodology in Oregon: Approach, Results, and Initial Recommendations* by ECONorthwest, August 2020.

310 Dwelling Units	16 Dwelling Units
New Units Needed for People Experiencing Homelessness (2020-2040)	Annual Average

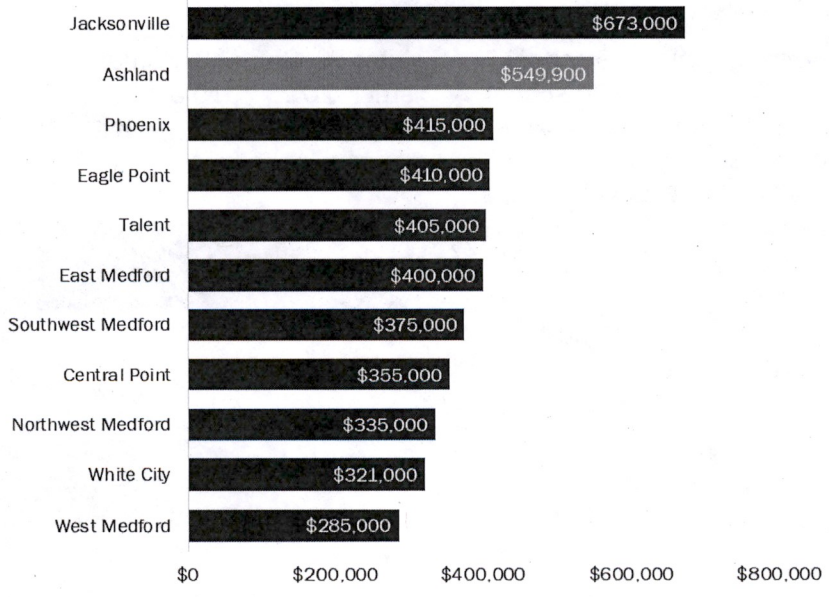
Housing Affordability Considerations

This section describes changes in sales prices, rents, and housing affordability in Ashland and a comparison of geographies. Both housing sale prices and rents have increased steadily in Ashland and the greater region over the last several years.

Housing Sale Prices

Ashland's median home sales price was higher than most other Southern Oregon submarkets.

Exhibit 52. Median Home Sale Price, Ashland and Comparison Cities, November 2021 – January 2022
Source: Southern Oregon Multiple Listing Service.

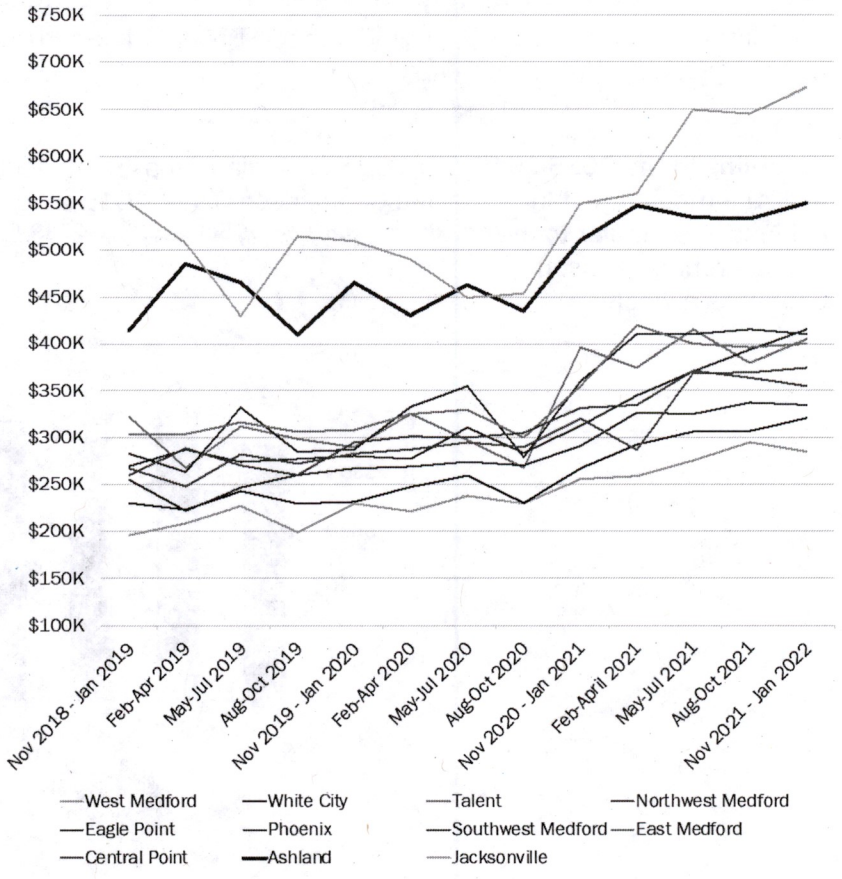


The median price of a home in Ashland increased 33% from $415,000 in the November 2018 to $550,000 in November 2021.

Increases in other comparable cities over the same period ranged from $80,000 (Northwest Medford) to $146,000 (Phoenix).

Exhibit 53. Median Sales Price, Ashland, and Comparison Cities, 2018 through 2022

Source: Southern Oregon Multiple Listing Service.

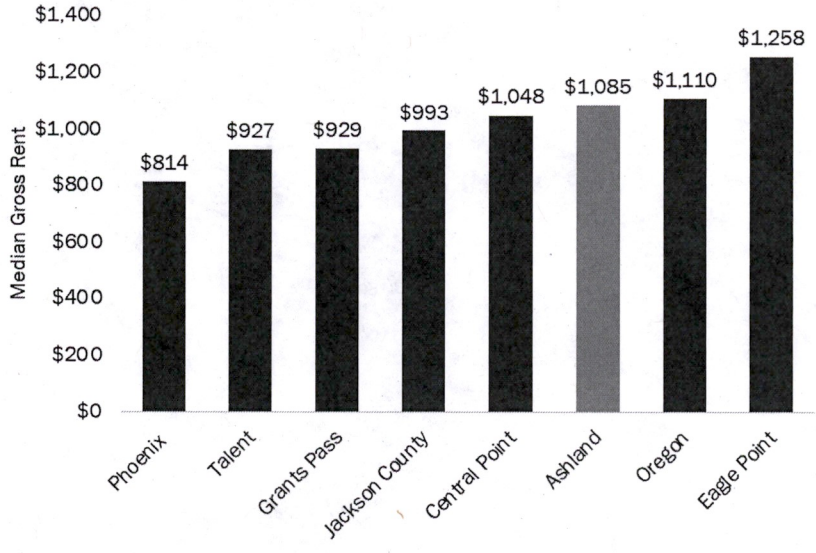


Rental Costs

The median gross rent in Ashland was $1,085 in the 2015-2019 period, up from $582 in 2000. However, additional research shows that asking rents for currently available rental properties in Ashland in December 2020 were $1,145 to $1,560 for a 2-bedroom unit and $1,595 to $1,995 for a 3-bedroom unit.[35]

According to the 2015-2019 ACS, the median rent in Ashland was similar to the median rent in Jackson County as a whole.

Exhibit 54. Median Gross Rent, Ashland, Jackson County, Oregon, and Comparison Cities, 2015-2019
Source: U.S. Census Bureau, 2015-2019 ACS 5-year estimate, Table B25064.



[35] CMP Real Estate Services, Inc., December 2020.

Housing Cost Burden

Financially attainable housing costs for households across the income spectrum in Jackson County are identified in In Ashland, a household would need to earn $137,000 to $157,000 (187% to 215% of MFI for a family of four) to afford the median sales price of a home in Ashland. A household would need to earn about $62,000 (85% of MFI for a family of four) to afford the median gross rent ($1,550).

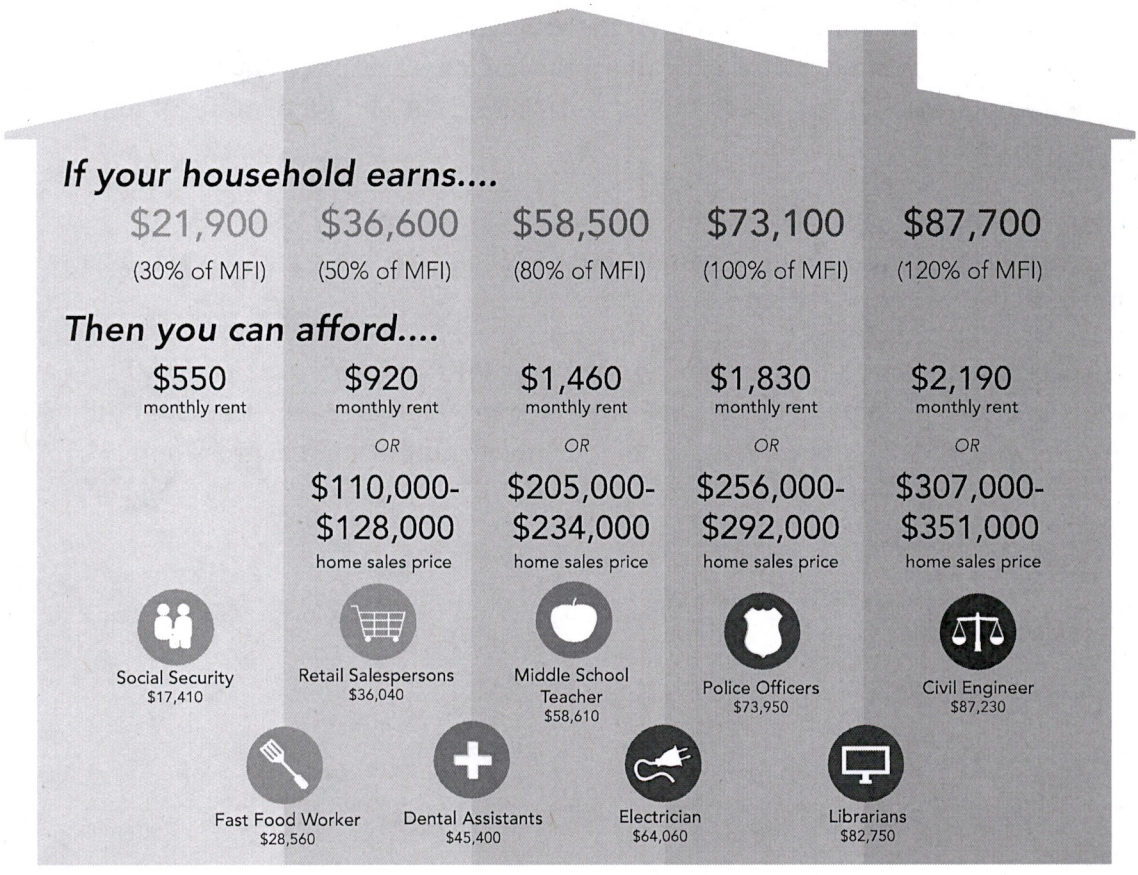
Exhibit 55. For example, a household earning median family income in Jackson County (about $73,100 per year)[36] can afford a monthly rent of about $1,830 or a home roughly valued between $256,000 and $292,000 without cost burdening themselves.

In Ashland, a household would need to earn $137,000 to $157,000 (187% to 215% of MFI for a family of four) to afford the median sales price of a home in Ashland. A household would need to earn about $62,000 (85% of MFI for a family of four) to afford the median gross rent ($1,550).

[36] Note that Median Family Income for the region is different than Median Household Income (MHI) for Ashland (see Exhibit 27). MFI is determined by HUD for each metropolitan area and non-metropolitan county. It is adjusted by family size – in that, 100% MFI is adjusted for a family of four. MHI is a more general term. MHI includes the income of the householder and all other individuals 15 years old and over in the household, whether they are related to the householder or not.

Exhibit 55. Financially Attainable Housing, by Median Family Income (MFI) for Jackson County ($73,100), Ashland, 2021

Source: U.S. Department of Housing and Urban Development, Jackson County, 2021. Oregon Employment Department.



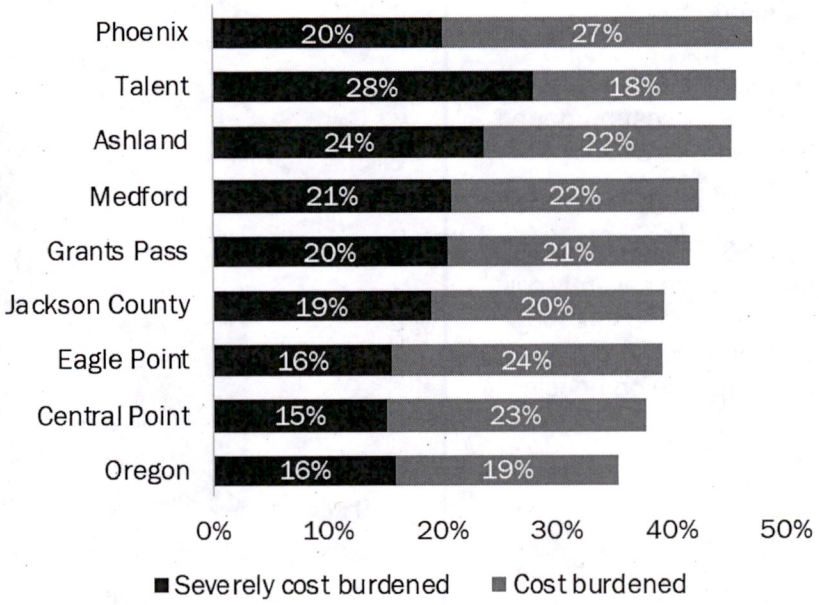
Because the local housing market cannot produce income-restricted, subsidized affordable housing at sufficient levels – and because it cannot often produce middle income/workforce housing without subsidy, many households in Ashland are cost burdened (as Exhibit 56 through Exhibit 61 show). A household is defined as cost burdened if their housing costs exceed 30% of their gross income. A household that spends 50% or more of their gross income on housing costs is said to be severely cost burdened.

Overall, about 46% of all households in Ashland were cost burdened.

Ashland had a higher share of cost burdened households compared to Jackson County and the state.

Exhibit 56. Housing Cost Burden, Ashland, Jackson County, Oregon and Other Comparison Cities, 2014-2018

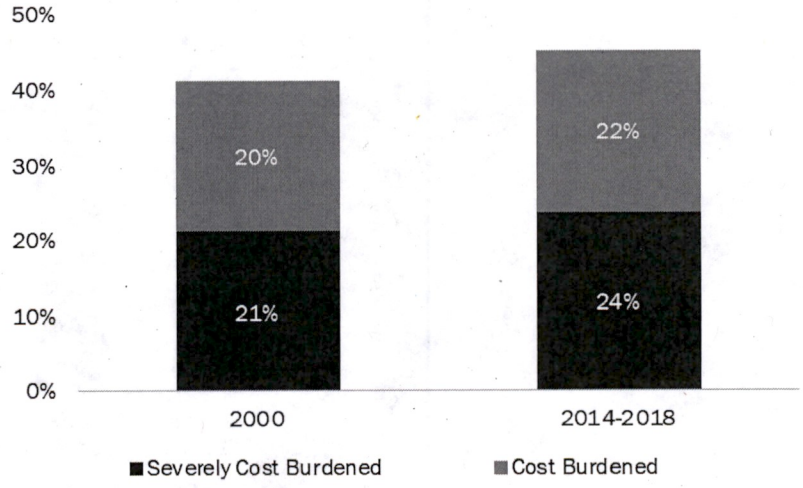
Source: U.S. Census Bureau, 2014-2018 ACS Tables B25091 and B25070.



From 2000 to the 2014-2018 period, the number of cost-burdened and severely cost-burdened households increased slightly.

Exhibit 57. Change in Housing Cost Burden, Ashland, 2000 to 2014- 2018

Source: U.S. Census Bureau, 2000 Decennial Census, Tables H069 and H094 and 2014-2018 ACS Tables B25091 and B25070.

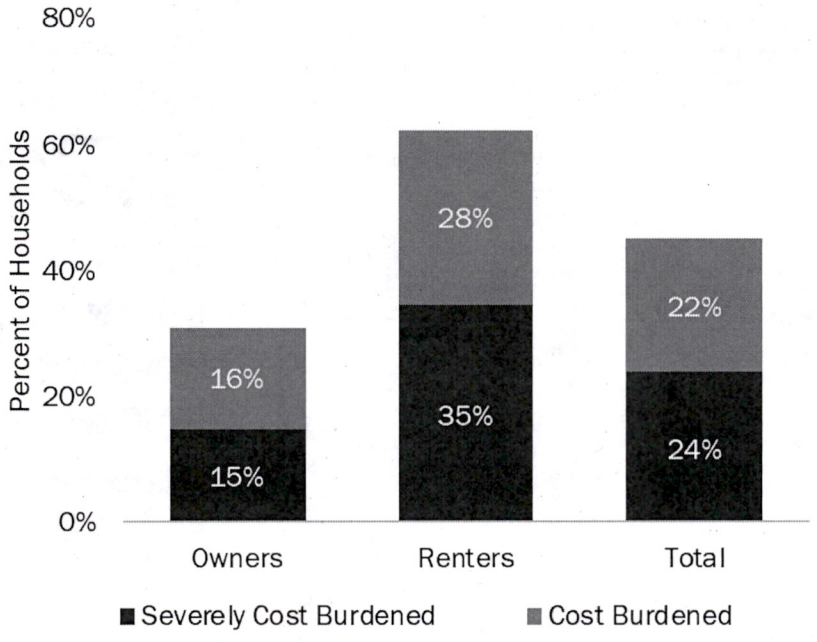


Renters were much more likely to be cost burdened than homeowners in Ashland.

About 63% of Ashland's renters were cost burdened or severely cost burdened, compared to 31% of homeowners.

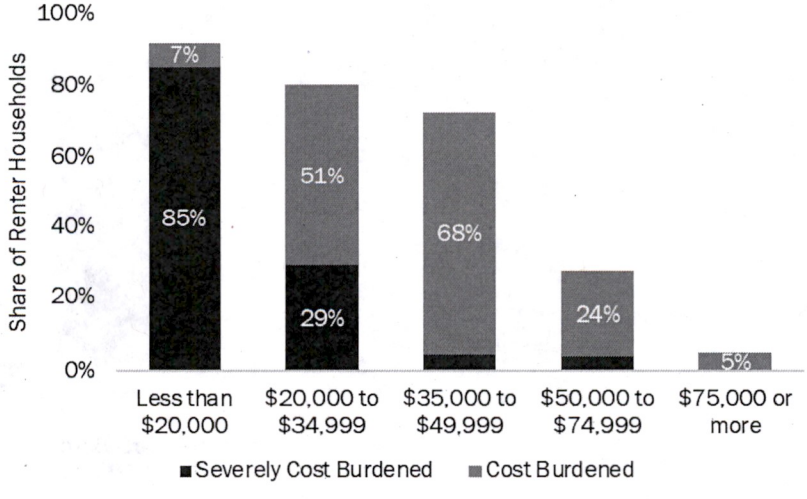
About 35% of Ashland's renters were severely cost burdened, meaning they paid 50% or more of their gross income on housing costs.

Exhibit 58. Housing Cost Burden by Tenure, Ashland, 2014-2018
Source: U.S. Census Bureau, 2014-2018 ACS Tables B25091 and B25070.



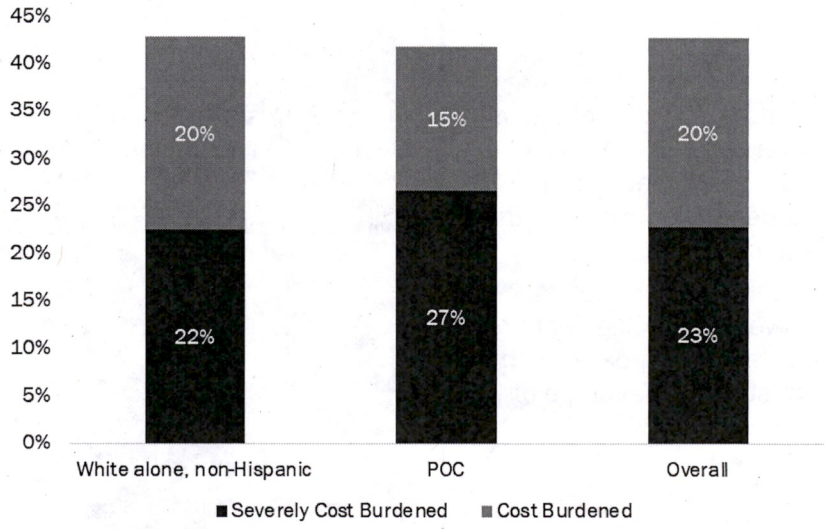
Most households earning less than $50k are cost burdened.

Exhibit 59. Cost Burdened Renter Households, by Household Income, Ashland, 2015-2019
Source: U.S. Census Bureau, 2015-2019 ACS Table B25074.



The difference in rates of cost burden for POC is smaller than in many of Oregon's communities. Part of the reason for this may be the small population of POC in Ashland.

Exhibit 60. Cost Burdened for POC, White non-Hispanic, and All Households, Ashland, 2014-2018
Source: CHAS Table 9.



The difference in rates of cost burden for POC, both as renters and owners, is smaller than in many of Oregon's communities.

Part of the reason for this may be the small population of POC in Ashland.

Exhibit 61. Cost Burdened by Tenure for POC, White non-Hispanic, and All Households, Ashland, 2014-2018
Source: CHAS Table 9.

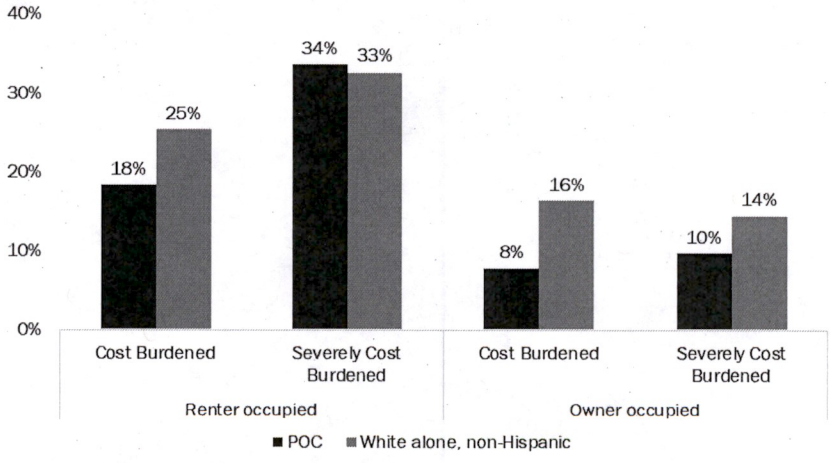


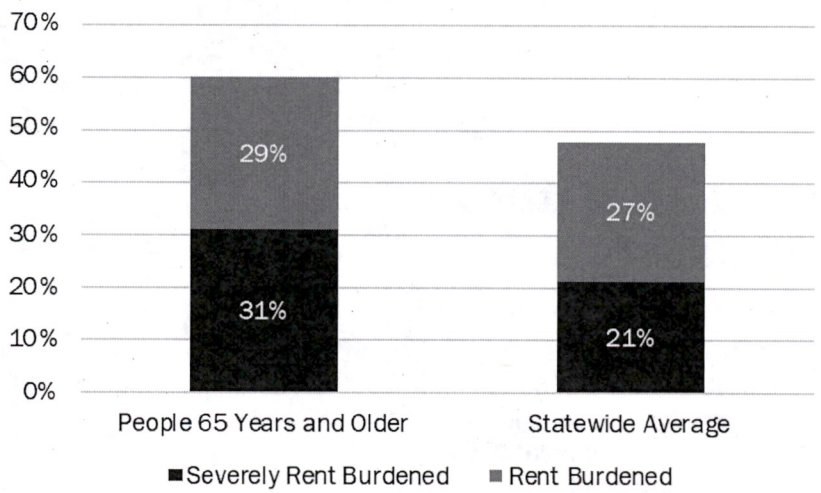
Exhibit 62 to Exhibit 63 show cost burden in Oregon for renter households for seniors, people of color, and people with disabilities.[37] This information is not readily available for a city with a population as small as Ashland, which is why we present statewide information. These exhibits show that these groups experience cost burden at higher rates than the overall statewide average.

Renters 65 years of age and older were disproportionately rent burdened compared to the state average.

About 60% of renters aged 65 years and older were rent burdened, compared with the statewide average of 48% of renters.

Exhibit 62. Cost Burdened Renter Households, for People 65 Years of Age and Older, Oregon, 2018

Source: S. Census, 2018 ACS 1-year PUMS Estimates. From the Report *Implementing a Regional Housing Needs Analysis Methodology in Oregon: Approach, Results, and Initial Recommendations* by ECONorthwest, August 2020.

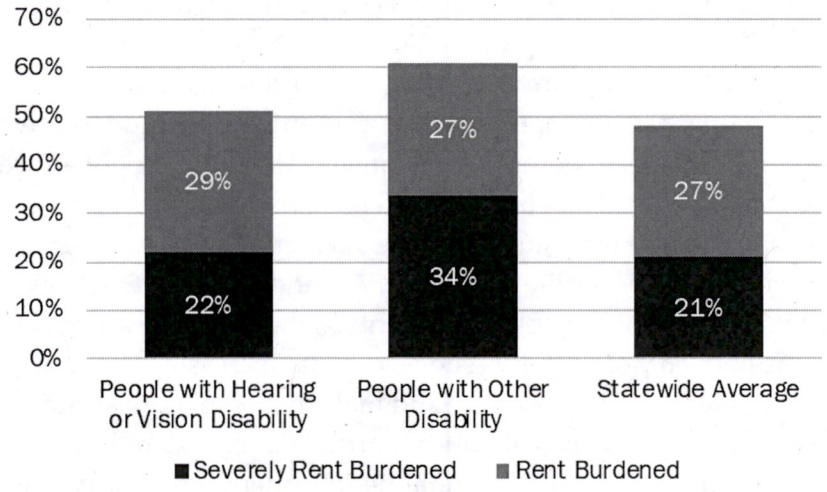


[37] From the report *Implementing a Regional Housing Needs Analysis Methodology in Oregon*, prepared for Oregon Housing and Community Services by ECONorthwest, March 2021.

Renters with a disability in Oregon were disproportionately cost burdened.

Exhibit 63. Cost Burdened Renter Households, for People with Disabilities, Oregon, 2018

Source: S. Census, 2018 ACS 1-year PUMS Estimates. From the Report *Implementing a Regional Housing Needs Analysis Methodology in Oregon: Approach, Results, and Initial Recommendations* by ECONorthwest, August 2020.



Findings from Outreach and Engagement

The City has conducted extensive engagement on housing related issues, including targeted outreach to students and low-income households. The full summary of recent engagement and community feedback is included as Appendix D. Based on the comments provided, it appears that off-campus housing in Ashland for SOU students is generally expensive and difficult to find. Many students are struggling to afford housing and are forced to take on multiple jobs or rely on financial aid in order to pay for rent. Some students have resorted to living in hotels or with roommates in order to save money. There is a lack of affordable apartment options in the area, and the high cost of rent often forces students to choose between affording housing or transportation. Some students have also reported being evicted or scammed while searching for housing on websites like Craigslist. Additionally, the feedback received indicates there are a number of unhoused college students in the area who are couch surfing or living in hotels due to the high cost of rent. It is suggested that increasing the supply of housing options in Ashland could potentially lower prices and make housing more affordable for students. Similarly, respondents to community questionnaires administered through an online format, through tabling events, and at the Annual Rent Burden forum, also identified housing price as the most pressing housing issue in Ashland.

Key Terms in the HPS

This appendix presents applicable key terms used in Ashland's Contextualizing Housing Needs report. Per the Department of Land Conservation and Development, the following key terms will be incorporated into the Definitions section of OAR 660-008 (if they are not already):

- **Consumers of Needed Housing:** any person who inhabits or is anticipated to inhabit Needed Housing, as described in the definition of "Needed Housing" in ORS 197.303.
- **Housing Production Strategy Report:** the report cities must adopt within one year of their deadline to complete an updated Housing Capacity Analysis, pursuant to OAR 660-008-0050.
- **Housing Production Strategy:** a specific tool, action, policy, or measure a city will implement to meet the housing needs described in an adopted Housing Capacity Analysis. A Housing Production Strategy is one component of a Housing Production Strategy Report.
- **Needed Housing:** housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels, including (but not limited to) renter and owner-occupied attached and detached single-family housing, multifamily housing, and manufactured homes.
- **Producers of Needed Housing:** developers, builders, service providers, or other persons or entities providing materials and funding needed to build housing. Producers of Needed Housing may include non-profit organizations or public entities.
- **Unmet Housing Needed:** occurs when housing need determined pursuant to subsection(3)(b) is greater than the housing capacity (i.e., buildable, residential land is insufficient to accommodate demand for housing).

Appendix B: Trends in Gentrification and Displacement Risk

This appendix presents an analysis of trends in gentrification and displacement risk developed for Ashland as part of the HPS.

DATE: July 18, 2022

TO: Brandon Goldman and Linda Reid

FROM: Beth Goodman, Emmanuel Lopez, and Justin Sherrill

SUBJECT: Trends in Gentrification and Displacement Risk in Ashland

As the City of Ashland sets the stage for its Housing Production Strategy, staff are interested in understanding current trends in gentrification and displacement risk in Ashland. The Housing Production Strategy Project Team will use this information to inform potential actions that the City could take to mitigate the risk that the city's most vulnerable populations would be displaced from their housing.

The initial, high-level results of our analysis reveal that:

- **Highway 99 is a dividing line when it comes to socioeconomic vulnerability.** In general, more vulnerable and gentrifying areas are to the north of the highway, and more stable or very late-stage gentrified areas to the south.
- **Most Ashland residents live in neighborhoods that are not currently at risk of gentrification.** Approximately 90% of households live in tracts that are either already gentrified or have remained demographically and economically unchanged since 2010.
- **Ashland has a substantial number of households that are at-risk of displacement and vulnerable, especially in the northern parts of the city.** 39% of Ashland households live in tracts that display high rates of socioeconomically vulnerability and risk of displacement *should gentrification start occurring*, such as people with less than a Bachelor's degree, Hispanic population, and People of Color.

In the following sections, we will examine results and trends in further detail. An overview of the methodologies used in this analysis are within this memorandum.

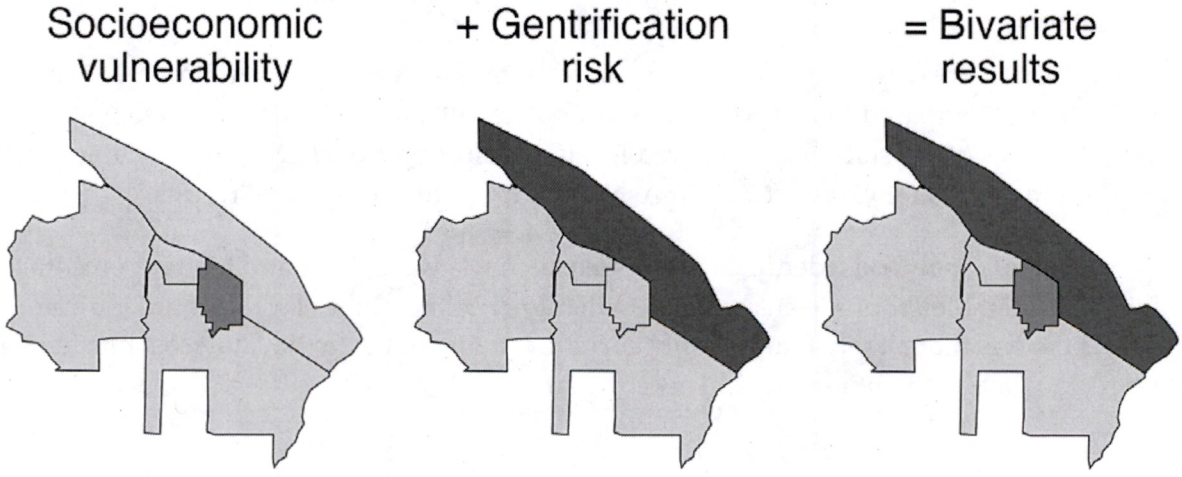
Analysis Methodology

ECONorthwest conducted this analysis by combining two parallel models that look at 1) where the city's most **socioeconomically vulnerable populations** are currently clustered and (2) where **gentrification** has been most rapidly advancing within Ashland since 2010.

Within the **socioeconomic model**, we designed a model that identified the Southwestern Oregon region's most disproportionately cost-burdened demographic groups (such as households with children present or households with people of color, or households with people with a disability) using 2016-2020 ACS PUMS data, then compiled Census tract-level estimates of these demographic groups.

Within the **gentrification model**, we used Dr. Lisa Bates' 2018 gentrification and displacement methodology that the Portland Bureau of Planning and Sustainability (BPS) used for the city of Portland, which identifies areas in different stages of gentrification, from stable (low risk of gentrification) to early-stage gentrification to late-stage gentrification. The data we used was similar to the data Dr. Bates used but shifted over a few years for ease of accessibility, for example: rather than using decennial census, we used American Communities Surveys for the years of 2006-2010, 2011-2015, and 2016-2020. For housing market conditions, we utilized Property Radar data to capture median sale prices within a census tract for the years of 2010 and 2020.

Exhibit 64. Bivariate Analysis Outline



Socioeconomic Vulnerability Methodology

In this part of the analysis, ECONorthwest answers the question, "Who is most likely to be displaced if housing market conditions were to further appreciate in price or stay the same?"

We began with identifying groups that are inequitably burdened by housing costs, meaning that these groups have higher rates of cost burden compared to all households. First, we developed a weighted vulnerability indexing analysis, based on Oregon's 2019 Public-Use Microdata Survey (PUMS) data at the state level to identify demographic groups that are unequally burdened by housing costs. This means that a given group's share of the state's cost-burdened households is greater than its total share of all state households. For example, households with a Hispanic/Latino head comprise 8.6% of the state's households, but 13.4% of the state's cost-burdened households – a difference of 4.8% points.

Our analysis identified six demographic groups that were most disproportionately burdened:

- Households with children present
- People of Color (neither White non-Hispanic, nor Hispanic/Latino people are included in this group)
- People of Hispanic/Latino origin, any race
- People five years and older with limited English proficiency (LEP)
- People with one or more disabilities
- People 25 years and older who have an educational attainment of less than a Bachelor's degree

Disproportionate cost burdening varies across the state. To capture this variation, ECONorthwest compared disproportionate cost burdening among these groups for six geographic areas of the state and compared levels of disproportionate cost burden among the demographic groups for Census tracts in Ashland with state and regional results.[38]

The result of this analysis is identification of Census tracts with lower and higher percentages of people in vulnerable groups. Census tracts with higher vulnerability levels would indicate places where it is more likely that not only current, but where future housing cost burdening and possible displacement are more likely to occur.

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[38] ECONorthwest rank-ordered vulnerable demographic groups by six geographic areas of the state. We used the rank (1 through 6) as a weighting factor. Based on this rank-ordered list, we next used tract-level 2019 ACS estimates of all six demographic groups to calculate each tract's percentage of its region's total number of vulnerable groups. This share was then converted to decile ranks, and each decile rank was multiplied by the rank-ordered weighting factor. These "scores" were then summed for each tract, with total scores ranging between 21 to 210. Lastly, this score was then divided by the maximum possible value to compute a more intuitive percentage value, with "100%" indicating tracts with the **highest** levels of **all** vulnerable demographic groups.

Gentrification & Displacement Methodology

Gentrification has many definitions such as *"a process of neighborhood change that includes economic change in a historically disinvested neighborhood —by means of real estate investment and new higher-income residents moving in – as well as demographic change – not only in terms of income level, but also in terms of changes in the education level or racial make-up of residents."*[39] This analysis uses the methodology developed by Dr. Lisa Bates at Portland State University in tandem with the City of Portland's Bureau of Planning and Sustainability (BPS) in their "2018 Gentrification And Displacement Neighborhood Typology Assessment."[40]

The analysis identifies Census tracts in Ashland where gentrification is taking place or may take place in the future. These tracts where place-specific ordinances and location-specific research can serve to protect vulnerable populations and determine how much the data matches the lived experience of residents on the ground.

The Gentrification and Displacement Risk Analysis methodology used in this analysis mirrors closely to what BPS and Dr. Lisa Bates utilized in 2018 with an additional typology, explained below.[41] The analysis considers the following characteristics:[42]

- **Vulnerable populations** are ones with:
  - High rates of renting households relative to the region
  - Large shares of communities of color relative to the region
  - Large shares of adults (25 years and older) without a four-year degree relative to the region

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[39] Chapple, K., & Thomas, T., and Zuk, M. (2021). Urban Displacement Project website. Berkeley, CA: Urban Displacement Project.

** The Stable – Low Vulnerability typology was developed to show tracts that have historically not had a vulnerable population (between 2010 and 2020) while also experiencing low amounts to no demographic change.

[40] In previous anti-displacement in gentrification analysis, Dr. Lisa Bates of Portland State University and BPS used a large sample of 168 census tracts (as of 2019 Census Tract estimates) to measure and compare statistics.
In this analysis ECONorthwest sought to maintain consistency with the previous methodology. Given that the City of Ashland has just 9 tracts, we used regional level data to calculate the baseline statistics for each of the indicators of gentrification and social vulnerability analysis. We compared Ashland against the regional analysis. The intention behind this was to provide a more robust picture for what the City of Ashland should compare itself to. It would not have been effective to compare the city of Ashland to the city of Medford or Grants Pass, but instead to compare it to the entire region to provide a more accurate depiction of housing market conditions, socioeconomic vulnerability, and other considerations in the analysis.

[41] The methods used by ECONorthwest draw from the work of Dr. Lisa Bates and BPS, but used the observation years of 2010, 2015, and 2020 for both Census and American Communities Surveys years.

[42] More information about the definitions for the "Vulnerable Population", "Demographic Change", and "Housing Market Condition" can all be found in the 2018 report here.

    - Large shares of low-income households (below 80% Median Family Income) relative to the region
- **Demographic changes** (over the last decade or so) require three of the following four conditions being true or the **two bolded** were true:
    - Share of homeowners increased or decreased slower than the regional average
    - **Share of white population increased or decreased slower than the regional average**
    - **The share of adults with a four-year degree increased faster than the regional average**
    - Median household income increased faster than the regional average
- **Housing market conditions** are Census tracts with the following conditions:
    - **Adjacent tracts**:
        - Had low or moderate 2010 home values/rents
        - Experienced low or moderate 2010-2020 appreciation (or 2015-2020 rental appreciation)
        - Touched the boundary of at least one tract with high 2020 values and/or high 2010 appreciation (or 2010-2020 rental appreciation)
    - **Accelerating tracts**:
        - Had low or moderate 2020 home values/rents
        - Experienced high 2010-2020 appreciation (or 2010-2020 rental appreciation)
    - **Appreciated tracts**:
        - Had low or moderate 2010 home values/rents
        - Had high 2020 home values/rents
        - Experienced high 2010-2020 appreciation

This analysis of change (in populations, demographics, and housing markets) over time is completed at the regional and Census-tract levels, rather than at the household level. A basic limitation of census and ACS data is that they cannot provide longitudinal data on individual households between surveys (e.g., over +10 year spans of time). Whether or not low-income families in Ashland have been displaced from other neighborhoods in that time (tracts labeled Late: Type 1 or Dynamic) requires a much deeper level of analysis and qualitative analysis done by either academics or the City.

Exhibit 65 shows a summary of the typologies used in this analysis. They are:

- **Early-Stage Gentrification.** These tracts have not started to gentrify or show early signs that they could be gentrifying.

- **Susceptible.** These tracts have higher shares of vulnerable populations but have not yet experienced demographic changes. Their housing market sales and rents were low or moderate in costs, but they are adjacent to tracts whose housing costs are already high or are increasing rapidly.
- **Early: Type 1.** These tracts have higher shares of vulnerable populations but have not yet experienced demographic changes. Their housing market is still low or moderate in cost but has experienced high appreciation since 2010.
- **Early: Type 2.** These tracts have higher shares of vulnerable populations but have experienced demographic changes showing the loss of vulnerable populations. Their housing market is low or moderate in costs, but they are adjacent to tracts whose housing costs are already high or are increasing rapidly.

- **Mid-Stage Gentrification.**
  - **Dynamic.** These tracts are currently undergoing gentrification. They have higher shares of vulnerable populations and have experienced demographic changes by losing vulnerable populations. Their housing market is still low or moderate in costs but has experienced high appreciation since 2010.
- **Late-Stage Gentrification.** These tracts have mostly gentrified but vulnerable populations may still reside in there. The housing market has completely shifted from low or moderate to high housing costs.
  - **Late: Type 1.** These tracts have higher shares of vulnerable populations but have experienced demographic changes by losing vulnerable populations proportionally. Their housing market used to be low or moderate in 2010 but has appreciated rapidly since, and now values are high.
  - **Late: Type 2.** These tracts no longer have high shares of vulnerable populations like they used to in 2010. They have experienced demographic changes by losing their once-high share of vulnerable populations. Their housing market is still low or moderate but has experienced high appreciation since 2010.
  - **Continued loss .** These tracts no longer have high shares of vulnerable populations like they used to in 2010 or in 2015. The share of white people is growing and/or the share of people with a four-year degree is growing. Their housing market used to be low or moderate in 2010 but has appreciated rapidly since, and now values are high.
- **Stable Low-Vulnerability Communities.** These tracts are ones that have had historically low levels of vulnerable populations relative to the region (from 2010-2020).

Exhibit 65. Gentrification/Displacement Methodology

Typology	Vulnerable Population?	Demographic Change?	Housing Market Condition
Early-Stage Gentrification			
Susceptible	**Yes**	**No**	**Adjacent**
Early: Type 1	Yes	No	Accelerating
Early: Type 2	**Yes**	**Yes**	**Adjacent**
Mid-Stage Gentrification			
Dynamic	**Yes**	**Yes**	**Accelerating**
Late-Stage Gentrification			
Late: Type 1	**Yes**	**Yes**	**Appreciated**
Late: Type 2	Used to be in 2010 or 2015	Yes	Accelerating
Continued Loss	**Used to be in 2010 or 2015**	**Increasing share of white people and adults with bachelor's degree**	**Appreciated**
Stable - Low Vulnerability **	No	No	Any**

What neighborhoods are at most risk of gentrification and displacement?

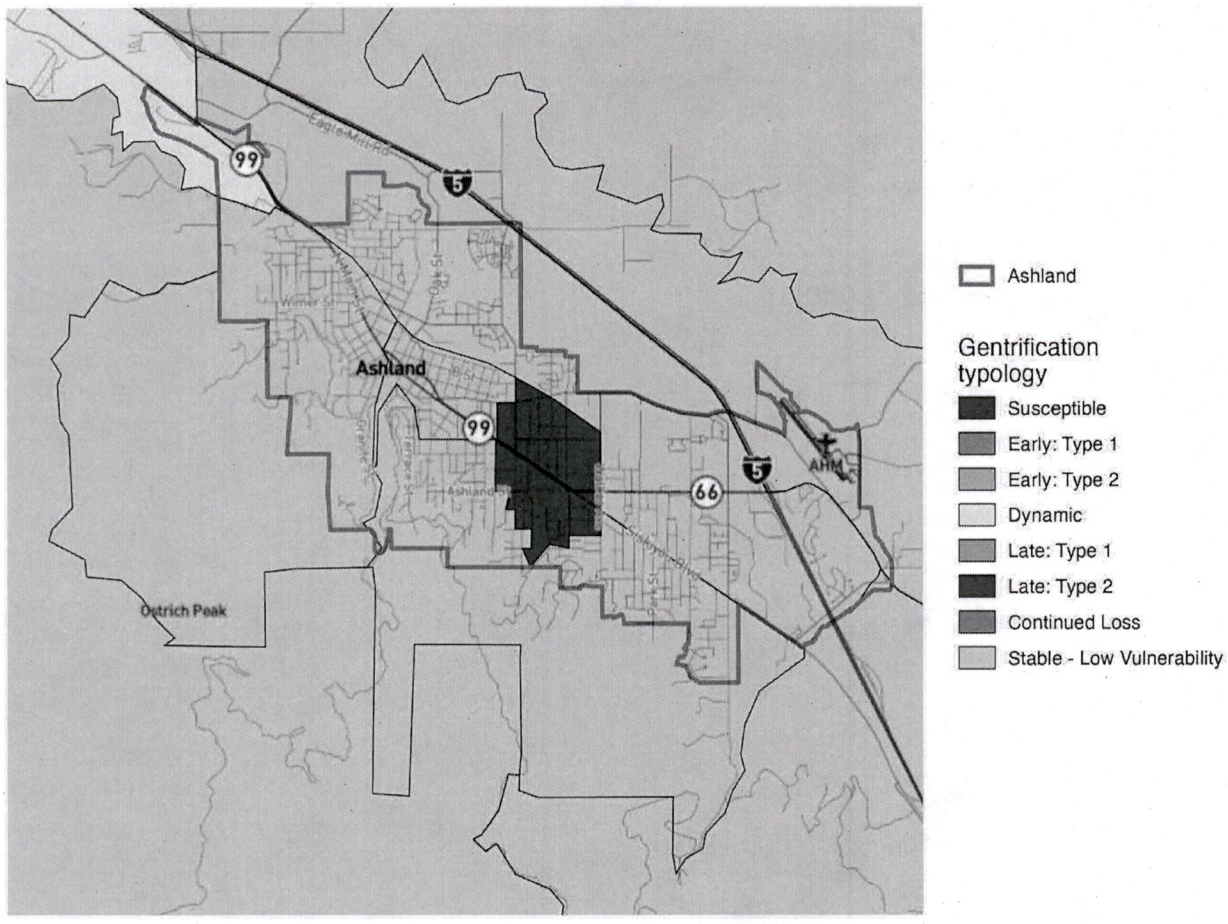
The most at-risk neighborhoods are in the central east areas of Ashland, while the more stable, low-risk neighborhoods makeup the rest.

The majority of households (~90%) live in Census tracts that are stable and not showing recent signs of gentrification, while around 10% are in susceptible areas (see Exhibit 67).

Only one tract in Ashland can be considered Susceptible (see Exhibit 66). Central Ashland (along the junction of Highway 99 and West of the Highway 66) have a census tract that is considered Susceptible to gentrification, meaning that it has a high share of economically vulnerable households while also being around census tracts that have had high rates of home sale appreciation or rent appreciation.

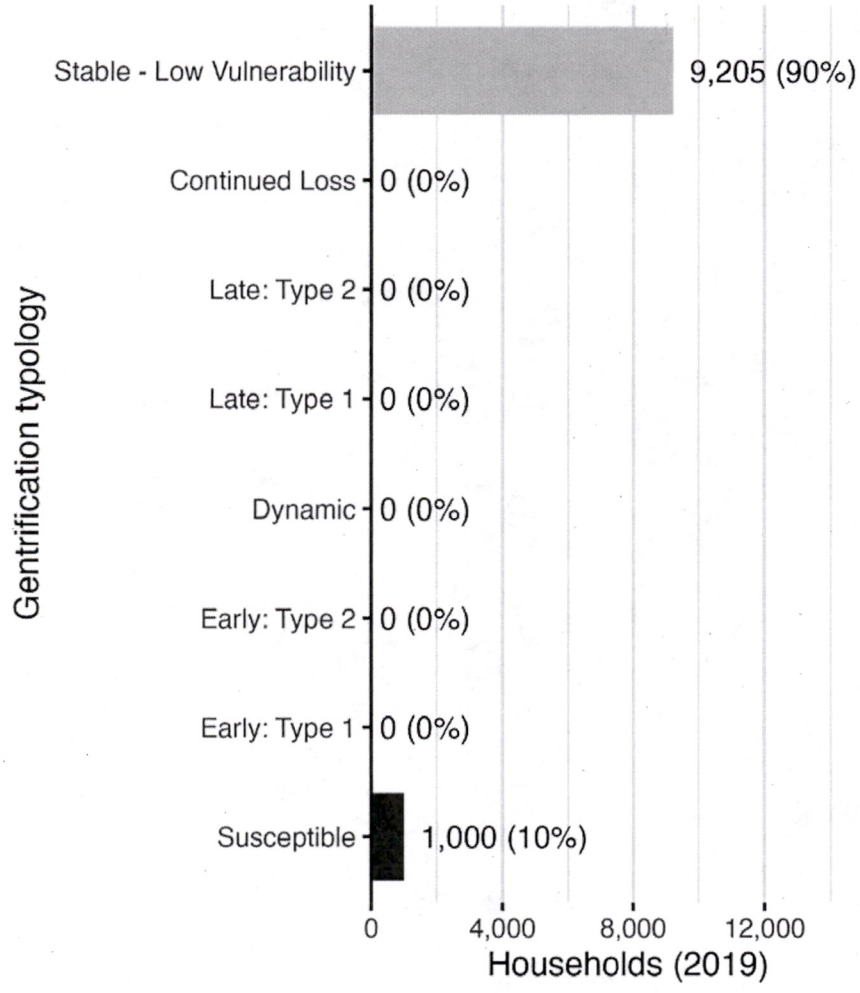
Exhibit 66 shows Ashland's gentrification typology by census tract.

Exhibit 66. Gentrification Typology by Tract
Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest, Bates/BPS



About 10% in Ashland live in one tract that is classified as in the **Susceptible** stages of gentrification, as shown in Exhibit 67. While this does not necessarily indicate that 10% of *all households* are at risk of gentrification, it indicates that the majority of Ashland shows signs of housing stability relative to its surrounding region. The tract in Ashland's northwest corner does contain a few dozen houses close to Highway 99, but the majority of this tract is within Talent and has therefore been omitted from our summary tables.

Exhibit 67. Total Ashland Households by Tract Gentrification Typology
Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest



Neighborhood-Level Observations Results

Gentrification can be quite a nuanced topic. While the data presents one story about an entire census tract, Ashland's neighborhoods that are in the process of being gentrified may be a much smaller portion of that Census tract.

For Ashland, one tract falls under the definition of **Susceptible**. This typology is characterized by having high levels of economic vulnerability, low rates of demographic change, and having nearby tracts (called "adjacent" tracts) becoming more valuable (rents and/or sale prices appreciating quickly) between 2010 and 2020. This tract is one where the City may want to focus active monitoring to make sure that residents who are already cost-burdened are not forced to leave due to gentrification. Given that a portion of this tract is taken up by Southern Oregon University, this area is likely to have a high student concentration, both in dorms and student housing, as well as other households in Ashland.

Most tracts in and around Ashland are classified as **Stable – Low Vulnerability**. This typology is characterized by low levels of economic vulnerability, little to no recent demographic change, and a housing market that has already appreciated or has stayed relatively flat in the last 10 years.

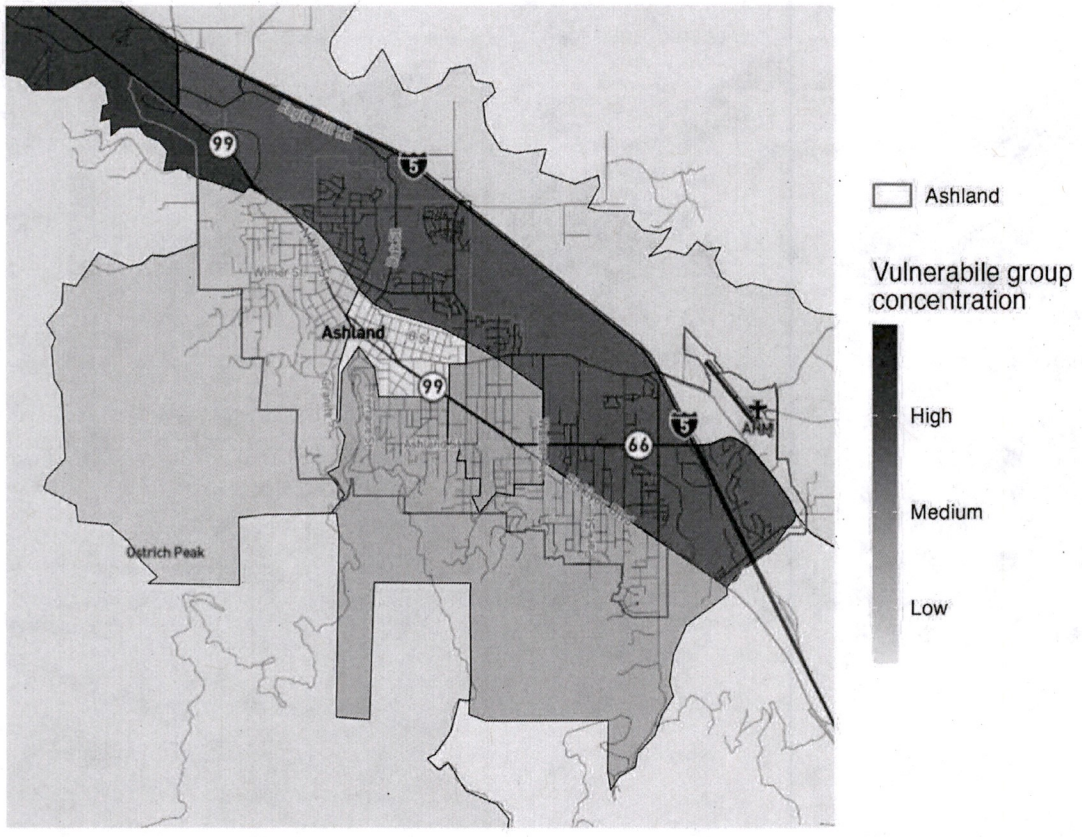
Where do Ashland's most vulnerable residents live?

While the previous section provides information on how tracts in Ashland have or have not gentrified, based in part on the Dr. Bates/BPS methodology, this does not answer the question of which neighborhoods and demographic groups are most disproportionately burdened by housing costs. To address this issue, ECONorthwest developed a separate model (described on page 123) using ACS/census datasets to determine which tracts in Ashland are most acutely and unequally burdened by housing prices – the implication being that, should trends hold, the most burdened households today will likely be the first to be displaced tomorrow.

Tracts showing the highest levels of vulnerability are mainly clustered around Ashland's northern boundary.

Exhibit 68 shows the results of the Socioeconomic Vulnerability model. These "high-vulnerbility" tracts contain the combined largest shares of the region's most disproportionately cost burdened demographic groups, such as people without a bachelor's degree or higher, people of color, and people living with one or more disabilities. Low-vulnerability tracts in Ashland are mostly found in the south and central areas of the city. Ashland's most vulnerable tract is one that spans along the north side of Highway 99, but the demographic groups that could be impacted by rising housing prices can be found across Ashland.

Exhibit 68. Overall Socioeconomic Vulnerability by Tract
Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest



Who is most likely to be displaced if housing market conditions housing market conditions continue to appreciate or stay the same?

Some interesting trends include a noticeable clustering of all demographic groups along Ashland's northeastern boundary, along with a higher POC, LEP, and Hispanic household shares in Ashland's central east neighborhood area. Exhibit 69 shows the results of our Socioeconomic Vulnerability analysis, broken out by each demographic group examined.

Across the state of Oregon, having less than a Bachelor's degree was the strongest determinant of cost-burdened households. Ashland's largest vulnerable group is Less than a Bachelor's degree as well, though this group can also include relatively more financially secure elder or retired residents.

Exhibit 69. Vulnerable Group Concentration by Tract
Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest

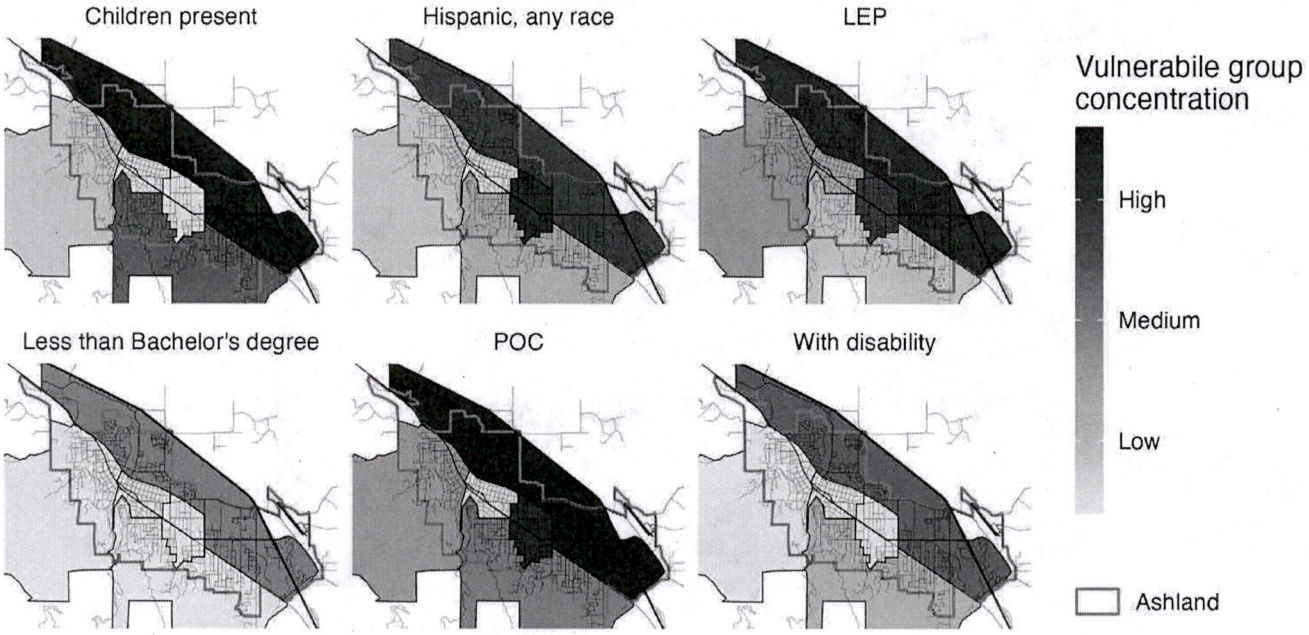
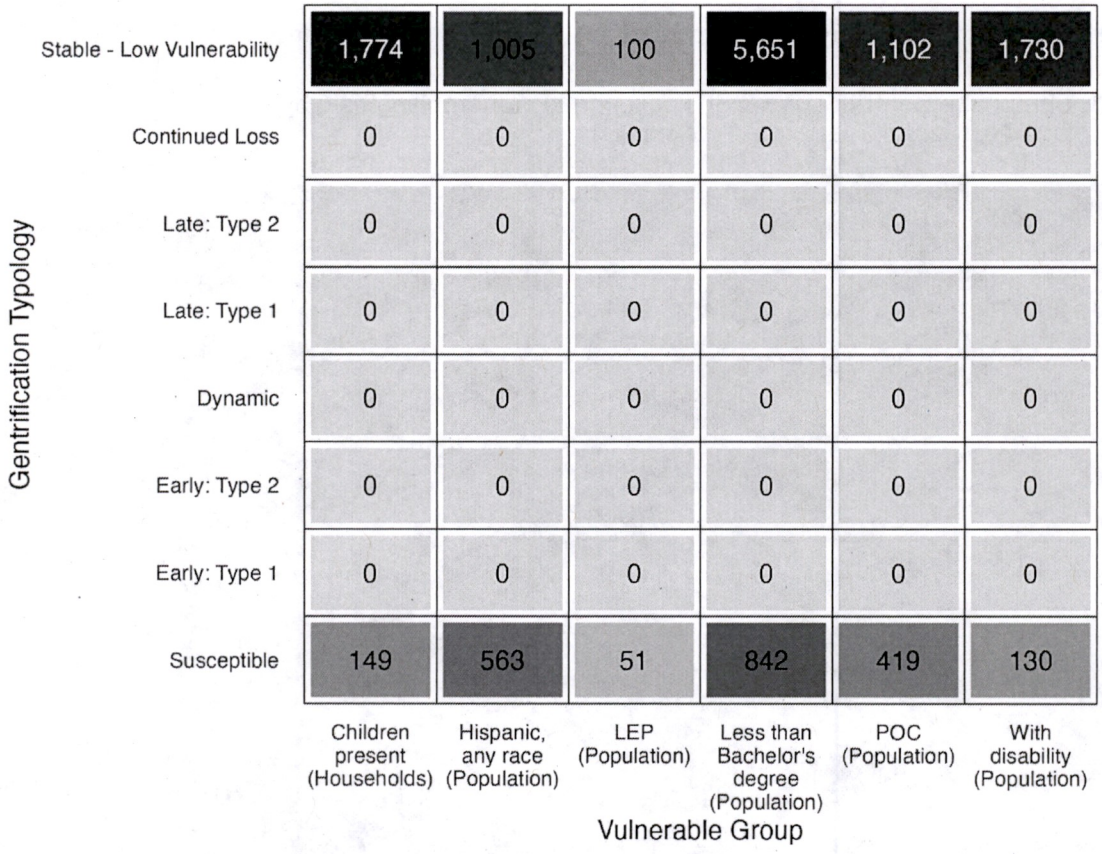


Exhibit 70 depicts the combined Socioeconomic Vulnerability model results in terms of number of households that reside in tracts with intersecting gentrification typologies and socioeconomic vulnerability groupings. For instance, we find that the most common intersection of our model are the 5,651 people living in Stable – Low Vulnerability tracts and having an educational attainment of less than a bachelor's degree. These demographic groups are not mutually exclusive, so many households would be counted in multiple groups (i.e., a POC individual with a disability would be counted twice).

Exhibit 70. Estimated Households or Population by Vulnerability Group and Gentrification Typology
Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest



Most socioeconomically vulnerable residents in Ashland are in the "Less than Bachelor's Degree" group, which falls in line with high degrees of housing cost-burdening across the state of Oregon. This sub-group is the most common within Ashland's **Susceptible** tract,[43] followed by Hispanic and POC residents. In Ashland's **Stable – Low Vulnerability** tracts, residents with less than a Bachelor's degree are again the most common, followed by households with children present and people living with one or more disabilities.

[43] This tract contains Southern Oregon University and a high concentration of college students in university housing.

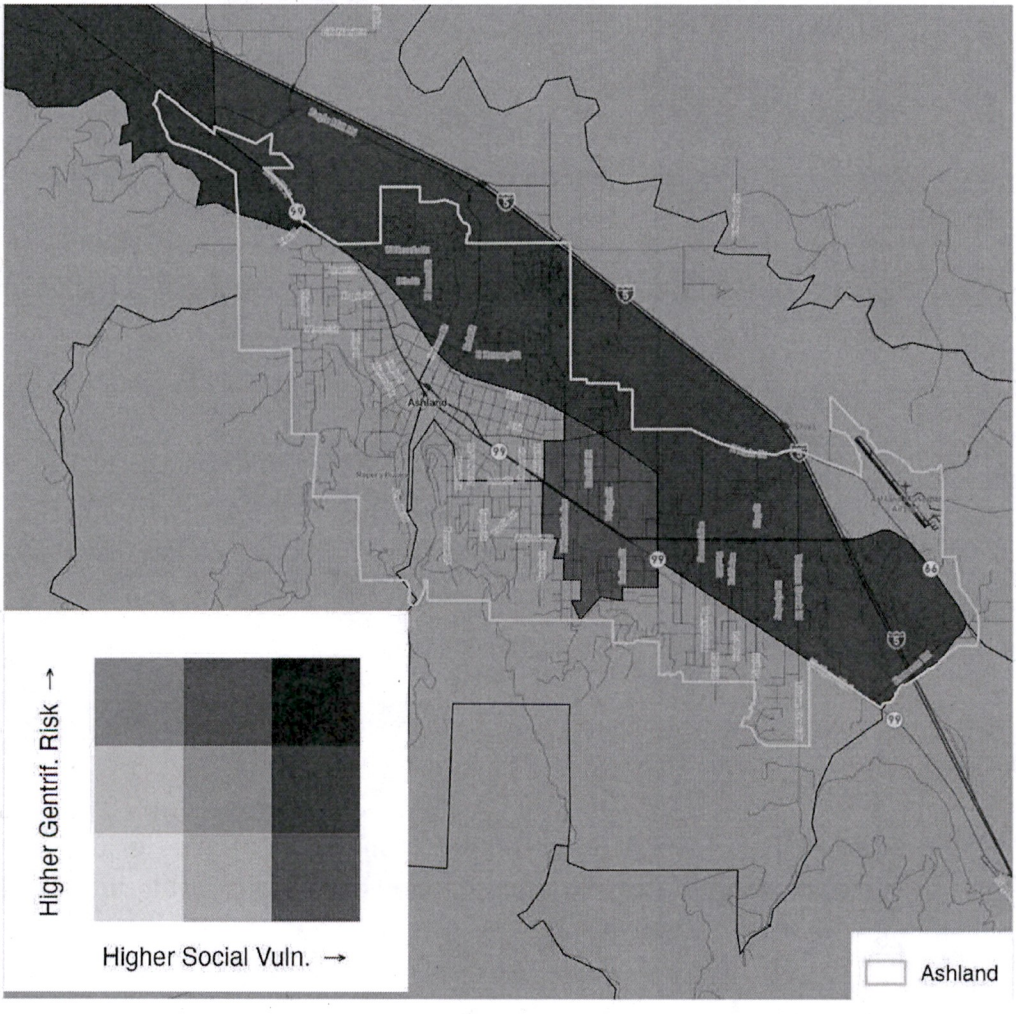
Where do areas with higher gentrification risk and vulnerable populations intersect?

Highway 99 is a dividing line when it comes to gentrification and vulnerability.

Ashland, along with portions of nearby Talent, contain significant amounts of the region's most vulnerable tracts when considering displacement risk, but only one tract in Ashland has been classified as Susceptible to gentrification. Interestingly, our model does not show an intersection between gentrifying and more socioeconomically vulnerable tracts in Ashland.

Exhibit 71 shows areas with higher gentrification risk and areas with higher social vulnerability.

Exhibit 71. Composite Gentrification & Socioeconomic Vulnerability Risk, by Tract
Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest



Indicators of **higher gentrification risk** include:

- high shares of low-income households,
- changing socioeconomic demographics as compared to the region
- rising prices of housing for sales and rent

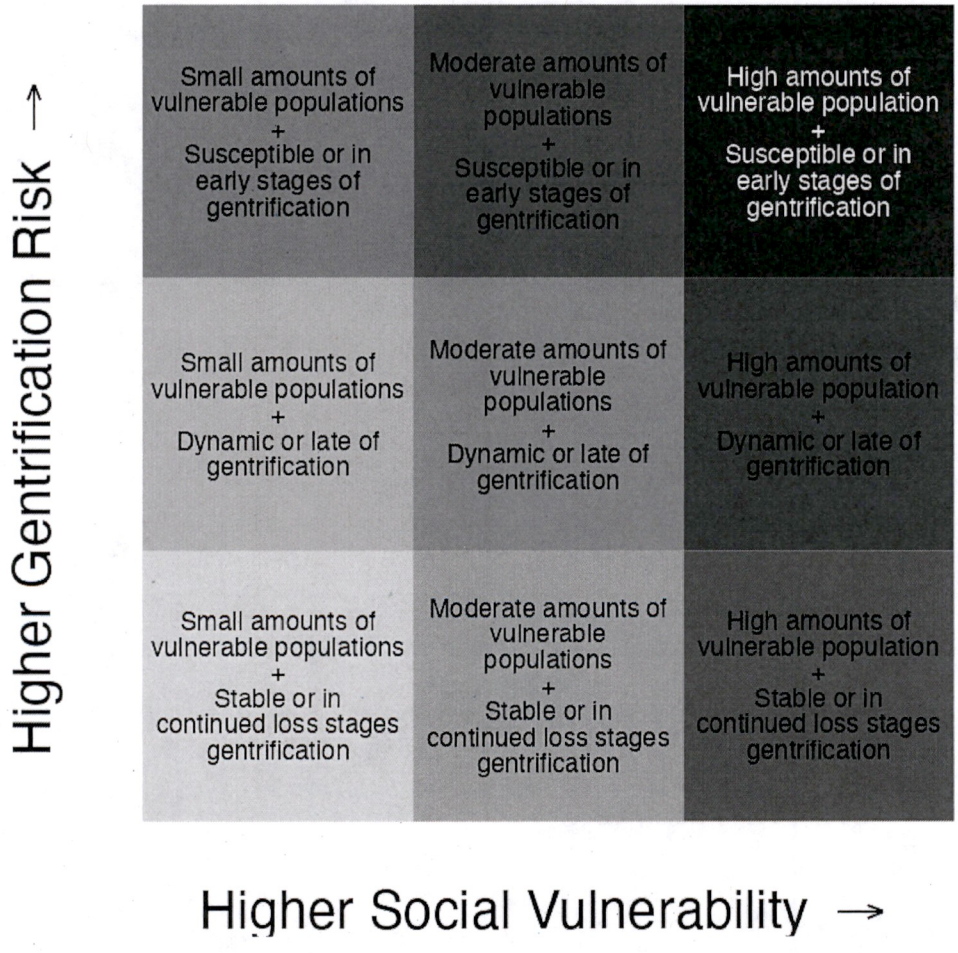
Indicators of **higher social vulnerability** include:

- higher shares of the region's POC or Hispanic population
- higher shares of the region's population without a bachelor's degree or higher

Exhibit 72 provides more context about the risk for gentrification and the level of social vulnerability in Exhibit 71. The following describes the gentrification risk and social vulnerability at each corner of the matrix in Exhibit 72.

- **Top row, left side – in blue.** These areas are at risk of displacing existing populations but the populations in these areas are generally less vulnerable as compared to the region. This may also indicate that neighborhoods nearby are experiencing appreciations in home sales and rents.
- **Top row, left side – in dark grey.** These areas are the highest risk of displacement of existing vulnerable population, such as lower-income households, people of color, Latino households, or other vulnerable populations.
- **Bottom row, left side – in light grey.** These are areas with little risk of displacement and few vulnerable populations.
- **Bottom row, right side – in pink.** These areas have little existing risk of displacement but are home to vulnerable populations.

Exhibit 72. Gentrification & Socioeconomic Vulnerability Risk Matrix



Most Ashland residents live in neighborhoods that are not currently at risk of gentrification

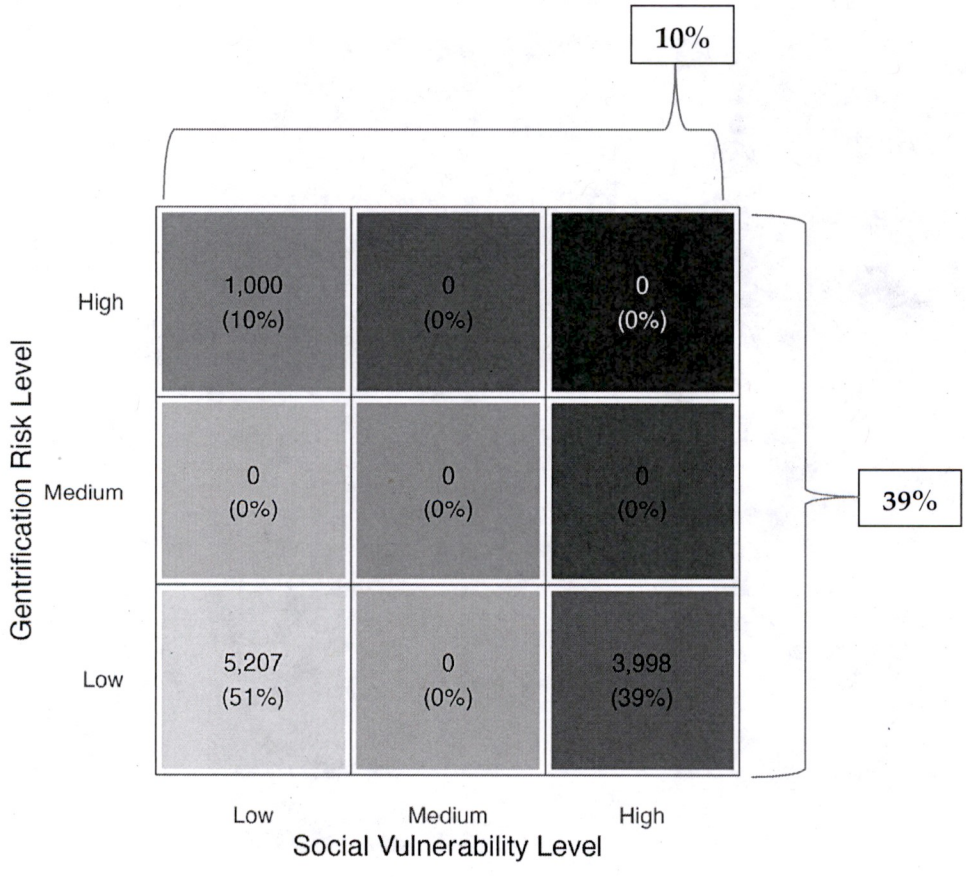
Just over half (51%) of Ashland residents live in Census tracts that combine a low gentrification risk and a low socioeconomic vulnerability level.

Exhibit 73 shows a more simplified version of the percentage of population in Ashland in each of the groupings shown in Exhibit 71 and Exhibit 72.

- 10% of Ashland households reside within a tract identified as at high risk of gentrification (either in early or susceptible stages), but this same tract does not display high rates of socioeconomic vulnerability according to our model.
- 39% of households reside in tracts identified as at high socioeconomic risk of housing displacement, but low risk of gentrification.

Exhibit 73. Ashland Households Within Composite Gentrification & Socioeconomic Vulnerability Tracts

Source: ACS 2010, 2015, 2019 (5-year), RLIS, ECONorthwest



Implications and Next Steps for the Housing Production Strategy

This analysis shows that one central area of Ashland is in early stages of gentrification or at-risk of gentrification. As neighborhoods that were once low-income begin to appear as appealing to new residents, it is important to recognize that the people living in those neighborhoods may not have the same economic opportunities as the people moving in.

For the City of Ashland to validate what is happening on the ground, it is important to consider neighborhood characteristics and design community charettes to accurately represent what change looks like to the residents there now. Ashland may want to take steps to further understand potential for gentrification and potential displacement of vulnerable population, such as conducting additional research about areas at risk for gentrification to better understand the demographic characteristics of people who may be displaced.

The HPS may include actions to preserve existing affordable housing, stabilize households, and prevent future displacement and gentrification.

Appendix C. Housing Developer Interview Summaries

This appendix summarizes the interviews conducted as part of the Housing Production Strategy with stakeholders in the Ashland development community.

DATE: September 12th, 2022

TO: Brandon Goldman, Linda Reid, City of Ashland

FROM: Kaitlin La Bonte, Mackenzie Visser, ECONorthwest

SUBJECT: Summary of Developer Interviews

Purpose of Interviews

ECONorthwest collected input from stakeholders in Ashland, including developers, builders, planners, and architects. The goal of these meetings was to collect feedback on potential strategies and get insight into development barriers in Ashland. Five interviews were conducted over the course of August, 2022.

Interview Structure

Interviews were conducted in a semi-structured interview style, where conversations included the following topics and questions:

Barriers to development:

- What are the biggest challenges to development in Ashland?
- Are there specific barriers to housing development you've encountered in the development code?
- Are there specific barriers to housing development you've encountered in the review process?

Initiatives proposed in the HPS, including:

- Encourage development of low- and moderate-income affordable rental housing.
- Increase opportunities for affordable homeownership.
- Encourage development of income-restricted affordable housing units.
- Preserve existing of low- and moderate-income affordable housing.

Potential strategies, including:

- Increasing development capacity of MFR dwellings through changes to the Land Use Ordinance.
- Disallowing SFD in High Density R-3 Zone.
- Implementing the Multiple Unit Property Tax Exemption (MUPTE) to support multifamily or affordable housing.
- Exploring the potential of Inclusionary Zoning.
- Establishing a Construction Excise Tax.
- Evaluating using Urban Renewal.

Stakeholder Interviews Summary

Key feedback and themes from the stakeholder interviews are summarized in the table below:

Themes	Stakeholder Feedback
Barriers to Development	
Stakeholders agreed that the cost of land in Ashland was a major driver of development costs.	▪ There is a shortage of available land to develop on in Ashland, pushing up land prices. ▪ The price of land is a major barrier to development in the City, leading to increased housing costs. ▪ Existing land can be difficult to build on due to slope, solar ordinances, wetlands, and other factors.
Some administrative processes create barriers to development.	▪ The pre-application waiting period can be a barrier to development. An expedited permitting process for experienced developers could shorten the development process by several months. ▪ Increased communications between City departments (such as engineering, permitting, etc.) could facilitate the application process. ▪ Planning Commission procedures, such as reviewing planning decisions only once a month and delaying adoption of findings until a second hearing, add substantial time to review procedures. ▪ Additional City staff could facilitate development by expediting review times, helping developers navigate the code, and providing other supports.

Themes	Stakeholder Feedback
Decreasing SDCs could incentivize development in Ashland.	▪ Stakeholders felt that SDCs were a barrier to providing affordable, workforce, and multifamily housing. ▪ Respondents believed that SDC fees and permit fees are more expensive than neighboring jurisdictions, which may deter development in Ashland.
Parking requirements	▪ Parking minimums add to development costs.
Certain code requirements create de facto density limitations.	▪ Two stakeholders cited the Solar Ordinance as a requirement that limits buildable area on a site. ▪ One stakeholder mentioned that driveway spacing requirements as a barrier to density. ▪ Other limitations on density that stakeholders cited included tree preservation requirements, stormwater retention facility requirements, requirements for gravel barriers around houses, and the lot coverage limitations in woodland zones.
Certain code requirements create confusing and unpredictable review processes.	▪ Stakeholders cited the annexation process, the solar ordinance, the modified flood zone, and street standard requirements as challenges to navigating Ashland's development code.
Feedback on Initiatives	
Stakeholders agreed that housing costs were too high for many Ashland households.	▪ Stakeholders generally agreed that building more affordable and workforce housing is an important priority for the City. ▪ Stakeholders generally supported increasing density and vertical development in Ashland, but recognized the difficulties associated with doing so.
Stakeholders gave mixed feedback on the City's performance.	▪ Two stakeholders expressed they would like the City to use more of the zoning and urban planning tools at its disposal. ▪ Two stakeholders expressed that they were satisfied with the work the City is doing, especially compared to neighboring jurisdictions.
Feedback on Strategies	
Urban Renewal	▪ Two stakeholders were engaged with Urban Renewal efforts in other jurisdictions and reported that it was helpful in facilitating development.

Themes	Stakeholder Feedback
	▪ Another stakeholder was not confident that Urban Renewal would be successful in Ashland and felt the City should focus more on other strategies.
ADUs	▪ Under current conditions, ADUs are generally not feasible to develop as rental units, as high development and materials costs require higher revenues to pencil. ▪ Requirements for separate water meters, sewer, power, and storm systems for ADUs drive up costs. ▪ Reducing SDCs based on size could encourage ADU development.
Annexation	▪ Two stakeholders mentioned the Grant Terrace project and felt it was a positive development for Ashland, though noted the challenges involved in the annexation process. ▪ Multiple stakeholders felt easing the annexation process could increase the amount of buildable land in Ashland, lowering costs. ▪ Some stakeholders felt the City should annex additional land to increase development, rather than increasing density.
Increasing development capacity of MFR dwellings through changes to the Land Use Ordinance	▪ Two stakeholders felt increasing lot coverage allowances would support development. ▪ Two stakeholders doubted whether this strategy would have much of an impact because there is not sufficient demand for higher density MF developments
Land banking	▪ One builder expressed interest in building more workforce housing if they could do so feasibly and would be interested in partnering with the City if the city had land available.
Stakeholder Recommendations	
To promote housing development	▪ Evaluate opportunities to streamline development review. ▪ Increase Cottage Housing SF allowances to 850 feet. The 800 SF maximum limits flexibility for an amenity such as a ½ bath or powder room, and limits tenant type to single users and not families or single adult and one child. ▪ Allow temporary residential use of future commercial spaces to provide affordable housing while the market adjusts. It

Themes	Stakeholder Feedback
	can be difficult to get financing for commercial spaces, limiting overall mixed-use development.
To encourage density	▪ Push for Vertical Housing Tax Credits in all R-3 and Mixed-Use Zones, including the Downtown, by eliminating unnecessary regulation and providing staff assistance with the application materials; ▪ Review the code for unintended barriers to density.
To increase feasibility of ADU development	▪ Amend code to increase "lot coverage" allocations with ADU proposals. For instance, allow an extra 15% of lot coverage for ARU's less than 350 sq. ft. ▪ Reduce or eliminate current building separation requirements for structures on the same lot, specifically main house and ARU units

Appendix D. HPS Summary of Past Engagement and Community Feedback on Housing Related issues

Meeting Name	Meeting Date	Purpose	Who participated	Summary of Input
Middle Housing Public Meeting (ORD 3199)	10/13/2020 12/22/2020 2/23/2021 4/27/2021	Review and discussion of ORD 3199- Middle Housing policies	Planning Commission 3 members of the public 1 professional planner	Discussion and information regarding State requirements and changes. Recommendation for the City to provide pre-approved plans such as other cities have done. Parking concerns. https://www.ashland.or.us/Agendas.asp?AMID=7599&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7656&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7698&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7738&Display=Minutes
Middle Housing Public Hearing (ORD 3199)	5/11/2021	Public input on Ordinance establishing middle housing policies	Planning Commission	Planning Commission recommended approval of the ordinance.
Development Round Table Meeting	4/21/2021	Provide information and obtain comments on proposed	35 development professionals: developers, planners, design professionals, contractors	Thirty-five development professionals including planners, design professionals, contractors and developers attended a developer round table to learn about HB2001, and to review and discuss proposed code

		code amendments		changes to support the development of Accessory Residential Units and Duplexes within Ashland.
Middle Housing Public Meeting (ORD 3199)	4/22/2021	Review, discussion, and recommendation of ORD 3199- Middle Housing policies	Housing and Human Services Commission[44]	Supported recommendations for duplex and ARU code Changes. https://www.ashland.or.us/Agendas.asp?AMID=7737&Display=Minutes
Middle Housing Public Meeting (ORD 3199)	5/5/2021	Review, discussion, and recommendation of ORD 3199- Middle Housing policies	Historic Commission	No recommendations https://www.ashland.or.us/Agendas.asp?AMID=7744&Display=Minutes
HCA Advisory Group meetings	01/11/2021 03/01/2021 04/26/2021 12/07/2020	Review of assumptions, review and discussion of policies/actions,	Planning, housing, climate action commission members, Ashland School Board member, and private and affordable housing developers	https://www.ashland.or.us/SIB/files/Ashland_Housing_Strategy_Draft_02_19_21.pdf https://www.ashland.or.us/SIB/files/Ashland_HCA_AC_%232_Meeting_Notes.pdf https://www.ashland.or.us/SIB/files/Ashland_HCA_PAC_%231_Meeting_Notes.pdf

[44] The Housing and Human Services Commission has since changed its name to the Housing and Human Services Advisory Committee.

Housing Capacity Analysis Virtual Open House	4/1-4/16/2021	Provide information and obtain public comments to better understand and address the communities housing needs.	394 community members attended	https://www.ashland.or.us/SIB/files/HCA_openhouse_Survey_Results_20210416.pdf
Housing Capacity Analysis Public Hearings	05/19/2020 05/17/2021 08/17/2021 08/03/2021	Review and Recommendations for the HCA data, assumptions, policies, and actions	City Council	Approved HCA as presented. https://www.ashland.or.us/Agendas.asp?AMID=7530&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7760&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7832&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7820&Display=Minutes
Housing Capacity Analysis Public Hearings	07/13/2021 03/23/2021	Review and Recommendations for the HCA	Planning Commission	Commissioner Thompson shared her concern on building smaller units that seemed more suited for retirees and not families. She was interested in strategies for larger units that were affordable. Chair Norton was encouraged that 400 people attended the virtual meeting and they received 300 surveys. https://www.ashland.or.us/Agendas.asp?AMID=7803&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7714&Display=Minutes

Housing Capacity Analysis Public Hearings	03/25/2021 06/24/2021	Review and Recommendations for the HCA	Housing and Human Services Commission Joint Housing and Planning Commission	https://www.ashland.or.us/SIB/files/2021_6_24_draft_minutes.pdf https://www.ashland.or.us/Agendas.asp?AMID=7715&Display=Minutes Commission discussed aging population and urban renewal. Commission voted to accept and support the HCA.
2020-2024 Consolidated Plan-priorities questionnaire	2/1-3/1/2020	Evaluation of spending priorities for the CDBG program over the five-year period between 2020-2024	134 community members and DHS staff	Citizens identified which types of activities were high or low priorities for the limited CDBG resources. Affordable housing was the highest priority identified.
2020-2024 Consolidated Plan Public Hearing	3/26/2020	Review, discussion, and recommendation of the 2020-2024 Consolidated Plan	Housing and Human Services Commission	Recommended approval of 5- year strategic Plan for the use of CDBG funding. https://www.ashland.or.us/Agendas.asp?AMID=7519&Display=Minutes
2020-2024 Consolidated Plan Public Hearing	4/21/2020	Review, discussion, and recommendation of the 2020-2024 Consolidated Plan	City Council	Approved adoption of the 5-year strategic Plan for the use of CDBG funding. https://www.ashland.or.us/Agendas.asp?AMID=7522&Display=Minutes

Housing Element Housing Forum	3/8/2017	Discussion policies, priorities and narrative	20 community members/developers/service providers	Support of environmental and conservation measures, concerns and support of more goals/policies that support affordable housing, support of universal design/accessibility/aging in place. Comments about using vernacular language (not technical) tables and references and assumptions are dated and some are no longer accurate.
Housing Element Questionnaire	1/2017 9/2018	Feedback on policies and priorities	357 visits, 144 responses 553 visits, 221 responses	https://www.ashland.or.us/SIB/files/adopted-housing-policy-questionnaire-2017-all.pdf
Housing Element Public Hearing	11/15/2018	Review, discussion, and recommendation	Housing and Human Services Commission	Recommended approval with no changes. https://www.ashland.or.us/Agendas.asp?AMID=7119&Display=Minutes
Housing Element Public Hearing	11/27/2018	Review, discussion, and recommendation	Planning Commission	Recommended approval of the document with some alterations: Suggested an additional policy under proposed Goal 1 to encourage the retention and development of rental housing. Suggested that a definition for universal housing/universal design, suggested wording and policy changes to improve clarity. https://www.ashland.or.us/Agendas.asp?AMID=7124&Display=Minutes
Housing Element Public Hearing	06/04/2019 06/18/2019	Review, discussion, and recommendation, and approval	City Council	Concerns about density and parking. HE approved as presented. https://www.ashland.or.us/Agendas.asp?AMID=7293&Display=Minutes https://www.ashland.or.us/Agendas.asp?AMID=7306&Display=Minutes

Rent Burden	9/26/2019	Public Forum to discuss rent burden	Housing and Human Services Commission	https://www.ashland.or.us/Agendas.asp?AMID=7382&Display=Minutes
Rent Burden	12/10/2020	Public Forum to discuss rent burden	Housing and Human Services Commission	https://www.ashland.or.us/Agendas.asp?AMID=7650&Display=Minutes
Rent Burden	08/25/2022	Public Forum to discuss rent burden and HPS strategies	Housing and Human Services Commission	https://www.ashland.or.us/Agendas.asp?Display=Agenda&AMID=8134
Housing and Human Services commission Regular Monthly Meeting	4th Thursday of the month	To provide public comment and recommendations and information to the City Council regarding policy and funding strategies relating to housing and human services, Community Development Block Grants, and Affordable	Housing and Human Services Commission is comprised of nine volunteer members and their regular monthly meetings are public meetings where the continuum of housing and human services needs of the community are discussed.	https://www.ashland.or.us/CCBIndex.asp?CCBID=239

		Housing Trust Fund allocations.		
SOU tabling and focus group meeting to discuss housing issues and HPS strategies	5/23/2022	Obtain targeted community feedback regarding housing needs and strategic priorities	46 students completed surveys 3 students participated in a focus group	SOU Family Housing is dealing with competition for space—students, some staff/faculty. Policy is changing to make it harder for staff/faculty to get units, putting higher priority on veterans, students with families. Housing staff are also contending with increasing costs for maintenance/repairs/materials as well as a staff shortage. These students all report a monthly income 1000-2000/mo. Very low income. Students report running into caps in rental agreements on the number of persons who can share bedrooms. Additional way some people raise rent money: dealing drugs. S. reported that the people she knows who have the most money to live on are dealers. Suggestions for what City policy could do to help: N. suggested more flexibility for allowing domes or other alternative housing structures in the city, encourage more innovative/unconventional housing types that would be affordable. Adding a City fee/tax on vacant/unoccupied houses. SOU workforce housing issues some employees get SOU apartments as part of their compensation. Jason noted that the only way he could afford to take this job was that it came with living quarters. Both said their annual income was around $35K annually, in addition to the campus supplied housing.

Open City Hall online survey	8/24/22-10/14/2022	Obtain community feedback regarding housing needs and strategic priorities	339 attendees 236 responses	https://www.ashland.or.us/Page.asp?NavID=13461&pd_url=https%3A%2F%2Fwww.opentownhall.com%2Fportals%2F89%2FIssue_12081#peak_democracy
Virtual Open House	10/19/2020	Obtain community feedback regarding housing needs and strategic priorities	7 attendees	

Appendix E. Pre-HPS Survey

Category	Strategy	Encourage Needed Housing	Increase Affordability	Reduce Rent Burden
A - Zoning and Code Changes	A01 - Ensure Land Zoned for Higher Density is not Developed at Lower Densities	Yes	Yes	Yes
Comments:	Stacked townhomes, condominiums, garden apartments and larger-scale apartments are permitted in R-2 and R-3 zones. However due to small lot sizes of vacant/partially vacant properties available in these zones, larger scale apartments are not often achievable given existing lot sizes, height limitations, and density allowances.			
A - Zoning and Code Changes	A01 - Ensure Land Zoned for Higher Density is not Developed at Lower Densities	Yes	Yes	Yes
Comments:	Minimum Density requirements (80% base density) are in place in multifamily residential zones (R-2 and R-3) on lots large enough to accommodate 3 or more units. Minimum densities and are required of any residential annexation equal to 90% Base Density exclusive of environmentally constrained lands.			
A - Zoning and Code Changes	A02 - Zoning Changes to Facilitate the Use of Lower-Cost Housing Types	Yes	Yes	Yes
Comments:	Tri- and Quad-Plexes Townhomes, Row Houses, Stacked Townhouses are permissible in Ashland's Medium Density zone (R-2), and Townhomes are further permitted in the R-1-3.5 zone or other residential zones (R-1-5, R-1-7.5, R-1-10) through planned unit developments.			
A - Zoning and Code Changes	A03 - FAR, Density, or Height Bonuses for Affordable Housing	Yes	Yes	Yes
Comments:	Ashland has four density bonuses, one of which is for development of affordable housing at higher densities and another for energy-efficient housing. ? Affordable housing projects meeting eligibility requirements (including rental or ownership housing affordable to households at 80% or less of AMI for a min. of 30 years) receive a density bonus of two units for each affordable unit provided, up to a max. of a 35% increase in density. ? The max. density bonus inclusive of other bonuses (open space, conservation) can be 60% over the base density within the zone. ? Ashland's Cottage Housing Development ordinance effectively provides a doubling of the allowable density in the zone for provision of the small cottage housing units. Ashland classifies small units, of 500 SF or less, as only 75% of a unit for the purposes of density calculations. A greater number of small units can be developed within existing density allowances without employing a density bonus.			
A - Zoning and Code Changes	A05 - Code Provisions for ADUs	Yes	Yes	No
Comments:	Ashland allows Duplexes and Accessory Residential Units wherever a single-family dwelling unit is permitted per the requirements of HB2001. Code amendments were enacted in June 2021.			

A - Zoning and Code Changes	A08 - Promote Cottage Cluster Housing	Yes	Yes	No
Comments:	Ashland adopted cottage housing ordinance in November 2017 which allows cottage housing developments within single family zones. Following adoption Ashland has approved a number of cottage housing developments.			
A - Zoning and Code Changes	A08 - Promote Cottage Cluster Housing	Yes	Yes	Yes
Comments:	The Cottage Housing Ordinance adopted allows cottage housing in single family residential zones (R-1-5, R-1-7.5, and NN-1-5) and established the following provisions: ? A minimum of 3, and a maximum of 12, cottages can be provided in a cottage housing development depending on lot size. ? Cottages shall be no larger than 1000sq.ft., and at least 75% of the cottages shall be less than 800sq.ft. The parking requirements for cottage housing units was reduced to be as follows: Units less than 800 sq. ft. - 1 space/unit; Units greater than 800 square feet and less than 1000 square feet -1.5 spaces/unit.			
A - Zoning and Code Changes	A10 - Inclusionary Zoning	Yes	Yes	Yes
Comments:	Ashland requires a percentage of affordable housing (25% of the base density exclusive of unbuildable areas) as part of residential annexations, as well as for zone changes that increase residential density by 4 units or more: https://ashland.municipal.codes/LandUse/18.5.8.050.G			
A - Zoning and Code Changes	A13 - FAR & Density Transfer Provisions	Yes	Yes	No
Comments:	Ashland permits Planned Unit Developments in SFR and MFR zones which allows clustering of units and transfer of density from naturally constrained areas to the developable portion of the site.			
A - Zoning and Code Changes	A14 - Re-examine Requirements for Ground-floor Retail/Commercial	Yes	No	No
Comments:	Mixed use projects are permitted and encouraged in Ashland Commercial, and Employment zoned.			
A - Zoning and Code Changes	A15 - Encourage Diverse Housing Types in High-Opportunity Neighborhoods	Yes	Yes	Yes
Comments:	Ashland recently removed the maximum residential densities within the Transit Triangle Overlay area (Ashland Street, portions of Siskiyou Blvd, and Tolman Creek Road). A form-based approach is used where limitations on height, lot coverage, and setback requirements create the 3D envelope in which units can be developed. This allows for many smaller units within the same space when compared to a base density approach which can produce fewer, large apartments or condominiums.			
A - Zoning and Code Changes	A15 - Encourage Diverse Housing Types in High-Opportunity Neighborhoods	Yes	Yes	Yes
Comments:	Live-work housing and mixed-development would be a permitted use within commercial zones although not specifically listed in the allowable use table for either commercial or residential zones. Home Occupations are special permitted in all zoning designations except for industrial (M-1).			

A - Zoning and Code Changes	A17 - Small Dwelling Unit Developments	Yes	Yes	Yes
Comments:	Planned Unit Developments in all SFR and MFR zones will allow for small lots (up to zero lot line and no minimum lot size) at allowable Densities for the zone. Additionally, cottage housing developments in SFR zones (R-1-5 & R-1-7.5) allow lots			
A - Zoning and Code Changes	A18 - Increase Density near Transit Stations and Regional Multi-use Trails	Yes	Yes	Yes
Comments:	Implements recommendations of an infill strategy to promote more housing within an area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd. The approved Ordinance creates a Zoning Overlay, known as the Transit Triangle, that allows for a reduced amount of required commercial or employment uses from 65% to 35% of the ground floor in mixed-use buildings, a reduced parking requirement for small units, elimination of housing density maximums, and a requirement to provide rental housing in exchange for utilizing the optional Transit Triangle Overlay provisions.			
B - Reduce Regulatory Impediments	B01 - Remove or Reduce Minimum Parking Requirements	Yes	Yes	No
Comments:	Ashland allows Accessory Residential Units (ARU or ADU) as an accessory use to single-family homes throughout the City with only Building Permit approval. Ashland further provides reduced SDCs for small units of less than 500 SF. No additional parking is required for ARUs in Ashland, and there has never been any owner-occupied requirement for the development of an ARU within the City.			
B - Reduce Regulatory Impediments	B01 - Remove or Reduce Minimum Parking Requirements	Yes	Yes	No
Comments:	Ashland provides parking reductions for small units city-wide (one space per unit for units 500 SF or less). Within the Transit Triangle Overlay parking requirements are reduced to one space per unit for units 800 SF or less. Cottages of 800 SF or less within approved cottage housing developments require one space per unit. Many parking credits may be allocated to projects including: ? Off-street parking credit (1 for 1) for each on-street space along the property's frontage; ? joint use and mixed-use development credits (sharing the same space between a commercial use and residential use when demonstrated their time of use is not in conflict); ? off-site shared parking; ? transit facilities credit; ? Transportation Demand Management plan implementation.			
B - Reduce Regulatory Impediments	B10 - Public Facility Planning	No	Yes	No
Comments:	Ashland has long implemented a "Narrow Street" standard through the Street Standards and Transportation System Plan. The narrow street and interconnected grid pattern promoted by Ashland's Street Standards both reduces development costs associated with new streets in subdivisions and retains developable land are for new housing.			
C - Financial Incentives	C01 - Reduce or Exempt SDCs for Needed Housing	Yes	Yes	Yes

Comments:				
C - Financial Incentives	C03 - Reduce or Exempt SDCs for ADUs	Yes	Yes	Yes
Comments:	for a unit less than 800 sqft we charge .75 SDC's, and for units under 500 sqft we charge .50 SDC's			
C - Financial Incentives	C03 - Reduce or Exempt SDCs for ADUs	Yes	Yes	No
Comments:	Allow a deferment in the payment of SDC's to occur at Certificate of Occupancy, or one year at 0% interest, or up to 10 years with an indexed interest rate. For multifamily units can utilize an installment loan of up to 20 years with a 0% interest. AMC 4.20			
C - Financial Incentives	C06 - Publicly Funded Infrastructure Improvements	Yes	Yes	Yes
Comments:	Through CDBG and the City's Affordable Housing Trust Funds			
D - Financial Resources	D01 - Community Development Block Grant (CDBG)	Yes	Yes	Yes
Comments:	Ashland is a direct Community Development Block Grant (CDBG) entitlement community and receives HUD allocations of approx. $175,000/year. The 5-year Consolidated Plan for use of CDBG funds prioritizes capital restricted CDBG funds toward affordable housing and shelter and 15% of the award is typically provided to service providers benefiting extremely low-income individuals.			
D - Financial Resources	D03 - Housing Trust Funds	Yes	Yes	Yes
Comments:	Ashland's Affordable Housing Trust Fund is part of the General Fund and is used to support the development of affordable housing. The City has not issued a bond to generate revenue for affordable housing			
E - Tax Exemption and Abatement	E03 - Vertical Housing Development Zone Tax Abatement	Yes	Yes	Yes
Comments:	A Vertical Housing Development Zone has been established for designated Commercially zoned properties within the Transit Triangle to promote the development of mixed-use projects that incorporate multiple floors of housing.			
F - Land, Acquisition, Lease, and Partnerships	F03 - Community Land Trusts	Yes	Yes	No
Comments:	A land trust is typically a nonprofit organization that owns land and sells or leases the housing on the land to income-qualified buyers. There are 49 units within Ashland that are operated under the land Trust model. The Ashland Community Land Trust operated in Ashland from 2000 until 2015 when the non-profit organization formally dissolved. And transferred their 18 affordable land trusted housing units to ACCESS Inc. Rogue Valley Community Development Corporation developed 31 units under the land trust model which were transferred to NeighborWorks Umpqua for administration.			

F - Land, Acquisition, Lease, and Partnerships	F05 - Preserving Low-Cost Rental Housing to Mitigate Displacement	Yes	No	No
Comments:	Ashland has an ordinance that regulates conversion of apartments into condominiums, providing for preservation of multi-family rentals and providing for longer notice periods prior to tenant displacement and relocation assistance can be required. Ashland's demolition ordinance does regulate demolitions of housing, requiring replacement dwellings be provide as part of the demolition proposal. Further, the demolition of a house (over 45 years old) must demonstrate it is not financially viable to retain the structure versus replacement, thus promoting renovation as opposed to removal.			
F - Land, Acquisition, Lease, and Partnerships	F12 - Surplus Land for Affordable Housing	Yes	Yes	Yes
Comments:	Ashland has dedicated surplus City property for the development of affordable housing or sold surplus City property and directed the proceeds into the Ashland Housing Trust Fund to support affordable housing development.			

Council Business Meeting

May 2, 2023

Agenda Item	Class Special Procurement Sourcing Method Approval for "C" Mix Asphalt	
From	Scott Fleury PE	Public Works Director
Contact	Scott.fleury@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐	

SUMMARY

Before the Council is a request to approve a "Class Special Procurement" (sourcing method) to use the Informal Intermediate Procurement process for purchasing C Mix Asphalt. C Mix Asphalt is purchased by the Street Division by the ton, hauled, and utilized by the Street Department for road maintenance and overlay projects.

POLICIES, PLANS & GOALS SUPPORTED

City Council Goals:

Essential Services

- Streets

Department Goals:

- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community
- Evaluate all city infrastructure regarding planning management and financial resources

BACKGROUND AND ADDITIONAL INFORMATION

A Special Procurement is used for the purpose of seeking an exemption from the formal competitive bid process required under Ashland Municipal Code (AMC), when a good or service price exceeds $100,000. The special procurement process defines a custom contracting or alternative contracting approach and can be approved by the City Council per the AMC. The Special Procurement Approval Request Form (written findings), is attached for Council consideration and review.

The cost of "C" mix asphalt will exceed $100,000 annually: therefore, a formal Competitive Sealed Bid (invitation to Bid) is required per AMC 2.50.090. The special procurement structure is requested to use an informal intermediate procurement process per AMC 2.050.090 (B) and AMC 2.50.100 (C) to procure "C" mix asphalt. An Intermediate Procurement (sourcing method) requires a written solicitation and at least three written quotes. This process was previously approved by the City Council at the June 6, 2017 Business Meeting (Minutes, Staff Report)

Special Procurement Process:

1. Follow Informal Procurement Process and develop appropriate solicitation documents for bidding
2. Obtain quotes from three (3) local C mix asphalt suppliers every 3-4 months
3. Award to lowest responsive bidder on each quote cycle.

FISCAL IMPACTS

The proposed annual procurement for C Mix Asphalt is $240,000 and part of the infrastructure line appropriated within the Street fund. The actual amount of "C" Mix asphalt purchased will be subject to available funding, project need, and weather limitations.

DISCUSSION QUESTIONS

Does the Council have any questions about the special procurement process?

SUGGESTED NEXT STEPS

Next steps include issuing obtaining quotes for "C" Mix Asphalt for street maintenance operations.

REFERENCES & ATTACHMENTS

Attachment #1: Form #9, Special Procurement – Request for Approval Form
Attachment #2: Ashland Municipal Code 2.50

FORM #9

CITY OF ASHLAND

SPECIAL PROCUREMENT REQUEST FOR APPROVAL

To: *City Council, Local Contract Review Board*

From: *Chuck Schweizer, Street Supervisor*

Date: *413/2023*

Subject: REQUEST FOR APPROVAL OF A SPECIAL PROCUREMENT

In accordance with ORS279B.085, this request for approval of a Special Procurement is being presented to the City Council for approval. This written request for approval describes the proposed contracting procedure and the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth ORS 279B.085(4).

1. **Requesting Department Name:** Street Division

2. **Department Contact Name: Chuck Schweizer**

3. **Type of Request:** X Class Special Procurement _____ Contract-specific Special Procurement

4. **Time Period Requested:** From July 1, 2023, To: July 30, 2029

5. **Total Estimated Cost:** $240,000 per fiscal year (subject to available funding and weather)

6. **Short title of the Procurement:** "C" Mix Asphalt

Supplies and/or Services or class of Supplies and/or Services to be acquired:

"C" Mix asphalt is purchased by the ton and hauled and utilized by the Street Department for road maintenance and storm drain repairs. The actual amount of "C" Mix asphalt purchased will be subject to available funding, necessity, and weather.

7. **Background and Proposed Contracting Procedure:** Provide a description of what has been done in the past and the proposed procedure. The Agency may, but is not required to, also include the following types of documents: Notice/Advertising, Solicitation(s), Bid/Proposal Forms(s), Contract Form(s), and any other documents or forms to be used in the proposed contracting procedure. Attach additional sheets as needed.

Background: For the previous five years, under the special procurement Council granted in 2017, written quotes have been requested from three known suppliers of "C" mic asphalt. Johnny Cat Inc., Knife River Materials and Mountain View Paving

Proposed procedure:

The cost of "C" mix asphalt exceeds $100,000: therefore, a formal Competitive Sealed Bid (invitation to Bid) is required per AMC 2.50.090. This Class-special procurement is requested to use an informal intermediate Procurement (alternative solicitation process) per AMC 2.050.0 90 (B) and AMC 2.50.100 (C) to procure "C" mix asphalt. An Intermediate Procurement (sourcing method) requires a written solicitation and at least three written quotes.

The Three known local suppliers are in agreement and willing to offer firm pricing for terms of 3-4 months. Firm pricing for a longer term would require an "escalation clause" for oil prices, etc, and/or bidders would need to increase their bid pricing to cover any potential escalation in oil prices etc.

8. **Justification for use of Special Procurement:** Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

Obtaining written price quotes every 3-4 months will encourage competition, provide "firm" pricing and allow price comparisons to ensure the City is procuring "C" mix asphalt at a fair price.

9. **Findings to Satisfy the Required Standards:** This proposed special procurement:

_X_____ (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

The proposed process will "encourage" competition because quotes will be requested from each of the suppliers able to provide "C" mic asphalt as specified by the Street Division. If and/or when additional suppliers become known to the City, they too will be given an equal opportunity to provide price quotes for "C" mix asphalt.
(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); **and**

_X_____ (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

The City will have the flexibility to obtain competitive quotes and to procure "C" mix asphalt from the lowest bidder.
(Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); **or**

_X_____ (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

It is in the City's best interest to facilitate a fair an impartial solicitation process to obtain firm competitive price quotes to ensure the City is paying a fair price for "C" mic asphalt.

_____
(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)

Public Notice:

Pursuant to ORS 279B.085(5) and OAR 137-047-0285(2), a Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as a public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement and shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

After the Special Procurement has been approved by the City Council, the following public notice will be posted on the City's website to allow for the seven (7) day protest period.

Date Public Notice first appeared on www.ashland.or.us - *[Enter date]*

PUBLIC NOTICE
Approval of a Special Procurement

First date of publication: *[Enter date]*

A request for approval of a Special Procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on *[Enter date]*.

[Describe the goods and services –or- class of goods and services – include whether or not it's "Contract-specific special procurement" or a "class special procurement", cost, terms, etc. – brief explanation of procurement]

[Describe the alternative contracting procedure – include the time period requested]

It has been determined based on written findings that the Special Procurement will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and result in substantial cost savings or substantially promote the public interest in a manner that could not be realized by complying with the requirements that are applicable in ORS 279B.055, 279B.060, 279B.065, or 279B.070.

An affected person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0300. A written protest shall be delivered to the following address: City of Ashland, *[Enter department name, Contact name, and complete address]*. The seven (7) protest period will expire at 5:00pm on *[Enter date-seven calendar days from first date of publication]*

This public notice is being published on the City's Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Special Procurement.

Chapter 2.50
RULES OF PROCEDURE FOR PUBLIC CONTRACTING

Sections:

2.50.010 Short Title
2.50.020 Purpose
2.50.030 Adoption of State Law
2.50.040 Definitions
2.50.050 Applicability
2.50.060 Local Contract Review Board Authority
2.50.070 Public Contracting Officer Authority
2.50.080 Formal Processes - Competitive Sealed Bidding and Proposals
2.50.090 Exemptions from Formal Competitive Selection Procedures
2.50.095 Additional Requirements for Exemptions Pursuant to 2.20.090(I)
2.50.100 Informal Process - Process for Exempt Procurements
2.50.110 Electronic Advertisement of Public Contracts
2.50.120 Personal Services Contracts
2.50.125 Cost and Feasibility Determinations
2.50.130 Record Keeping
2.50.140 Protests of Procurement Process and Solicitation Award

2.50.010 Short Title

The provisions of this chapter and all rules adopted hereunder may be cited as the Ashland Public Contracting Code. (Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006; Ord. 2917, amended, 03/01/2005; Ord. 2857, amended, 06/20/2000)

2.50.020 Purpose

The purpose of the Ashland Public Contracting Code is to utilize public contracting practices and methods that maximize the efficient use of public resources and the purchasing power of public funds by:

A. Promoting open and impartial competition;

B. Using solicitation materials that are complete and contain a clear statement of contract specifications and requirements;

C. Taking full advantage of evolving procurement methods that suit the contracting needs of the City; and

D. Providing direction to city staff regarding purchasing practices and purchasing authority those results in a systematic and uniform administration of public contracts.

The City shall endeavor to utilize local suppliers of materials and services whenever practical and feasible while seeking to obtain the lowest and best responsible bid, quotation or proposal. (Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006; Ord. 2917, amended, 03/01/2005; Ord. 2857, amended, 06/20/2000)

2.50.030 Adoption of State Law

Except as specifically provided herein, or by subsequent ordinance or resolution, the Model Rules, Oregon Administrative Rules (OAR) Chapter 137, Divisions 46, 47, and 49, adopted by the Attorney General under ORS Chapters 279A, 279B, and 279C, as they now exist, are hereby adopted as the City of Ashland's Public Contracting Code. A copy of the Oregon Public Contracting Code and Model Rules shall be maintained in the City Recorders Office. Words and phrases used in these rules that are defined in Oregon Revised Statutes (ORS) Chapters 279A, 279B, 279C, and in the Model Rules shall have the same meaning as in those statutes and rules, except as may be provided for herein. In the event that the rules adopted by the local contract review board do not address a particular situation, the Model Rules apply. (Ord. 3013, added, 05/18/2010)

2.50.040 Definitions

Words and phrases that are used and defined in the Model Rules and the Oregon Public Contracting Code shall have the same meaning as in those statutes and rules, except for the following:

A. "City Attorney" shall mean the Ashland City Attorney or his/her designee as specified by written order.

B. "Department" shall mean City of Ashland instead of Oregon Department of Administrative Services.

C. "Director" shall mean Public Contracting Officer as defined in this section instead of the Director of Administrative Services.

D. "Findings" are the statements of fact that provide justification for a determination. Findings may include, but are not limited to, information regarding operation, budget and financial data; public benefits; cost savings; competition in public contracts; quality and aesthetic considerations; value engineering; specialized expertise needed; public safety; market conditions; technical complexity; availability; performance; and funding sources.

E. "Finance Director" shall mean the Director of the City's Finance Department or his/her designee as specified by written order.

F. "Local Contract Review Board" shall mean the Ashland City Council.

G. "Public Contracting Officer" means the City Manager or his/her designee as specified by written order.

H. "Model Rules" means the public contracting rules adopted by the Attorney General pursuant to ORS 279A.065.

I. "Oregon Public Contracting Code" means ORS Chapters 279A, 279B and 279C.

J. "Personal services contract" means a contract with an independent contractor predominantly for services that require special training or certification, skill, technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of architects, engineers, land surveyors, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants and property managers. The Public Contracting Officer shall have discretion to determine whether additional types of services not specifically mentioned in this definition fit within the definition of personal services. (Ord. 3192 § 35, amended, 11/17/2020; Ord. 3013, added, 05/18/2010)

2.50.050 Applicability

The Ashland Public Contracting Code shall apply to procurements by all City departments and divisions, including Ashland Parks and Recreation. (Ord. 3013, added, 05/18/2010)

2.50.060 Local Contract Review Board Authority

The Local Contract Review Board shall have all the duties and authority of a contracting agency that are granted under state and local law. The Local Contract Review Board may delegate its powers and responsibilities by ordinance, resolution, or board order consistent with the Model Rules and the Oregon Public Contracting Code. (Ord. 3013, added, 05/18/2010)

2.50.070 Public Contracting Officer Authority

A. Except as otherwise provided by this code, the Public Contracting Officer shall have authority to:

1. Purchase and contract for all materials, supplies, equipment, services and public improvements for which funds have been appropriated by the City Council and the contract price does not exceed $100,000;

2. Contract for all personal services as long as the contract price does not exceed $75,000; and

3. Sell or dispose of all personal property of the City in accordance with AMC 2.54.

4. Enter into any intergovernmental agreement as long as the annual cost to the City does not exceed $25,000 and the agreement does not create a new intergovernmental entity.

Contracts approved under this section require no further approvals by the Local Contract Review Board.

B. Except when this Chapter, or the Oregon Public Contracting Code and Model Rules, specifically requires the Local Contract Review Board to take action or exercise its discretion and delegation is not allowed, any act required or permitted to be performed by an "agency," "head of a contracting agency," "local contract review board" or the "director" under the Model Rules or Oregon Public Contracting Code shall be performed by the Public Contracting Officer.

C. The Public Contracting Officer may develop such forms that are convenient to the administration of the City's contracts and may promulgate procedures reasonably necessary to accomplish the purposes of this Chapter, the Model Rules, and the Oregon Public Contracting Code. The City Attorney may promulgate standard forms for use by the Public Contracting Officer. (Ord. 3136, amended, 2017; Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006; Ord. 2917, amended, 03/01/2005; Ord. 2857, amended, 06/20/2000)

2.50.080 Formal Processes - Competitive Sealed Bidding and Proposals

Except as otherwise expressly provided herein, in addition to the requirements of the Model Rules and the Oregon Public Contracting Code:

A. The Finance Director must sign off that there are appropriate funds for the project before the project is put out for bids.

B. The City Attorney must determine that the contract is appropriate as to form before the project is put out for bids. In addition, the City Attorney shall review all formal competitive solicitations or formal competitive bids to ensure that the appropriate process is being followed.

C. The Local Contract Review Board shall approve the award of all contracts for which the Ashland Municipal Code or the Oregon Public Contracting Code require formal competitive solicitations or formal competitive bids.

D. *Electronic Solicitation.* Competitive sealed bids and competitive sealed proposals may be available online, but applicants will NOT be able to submit their proposals and/or responses online. Bids and proposals must be delivered in hard copy form to the City in accordance with the requirements for the competitive solicitation. Individuals that obtain the solicitation materials electronically are responsible for regularly checking for instructions, addenda, and related materials. (Ord. 3039, amended, 11/07/2010; Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006; Ord. 2917, amended, 03/01/2005)

2.50.090 Exemptions from Formal Competitive Selection Procedures

All Public Contracts shall be based upon Competitive Sealed Bidding (Invitation to Bid) or Competitive Sealed Proposals (Request for Proposal) pursuant to ORS 279A – 279C and the Model Rules except for the following:

A. Contracts listed in ORS 279A.025(2).

B. Purchases through federal programs as set forth in ORS 279A.180.

C. Public Improvement Contracts that qualify for exemption as set forth in 279C.335.

D. Small Procurements – a public contract not exceeding $5,000.

1. Small Procurements shall be awarded in accordance with ORS 279B.065, OAR 137-047-0800, OAR 137-047-0265 and all other applicable provisions of law.

E. Intermediate Procurements – a public contract for goods and services greater than $5,000 and less than $100,000.

1. Intermediate Procurements shall be awarded in accordance with ORS 279B.070, OAR 137-047-0800, OAR 137-047-0270 and other applicable provisions of law.

F. Sole Source Procurements – a public contract in which the Department Head finds in writing that there is only one provider of a product or service of the quality and type required available.

1. Sole-source procurements shall be awarded in accordance with ORS 279B.075 and all other applicable provisions of law.

G. Special Procurements – a public contract for a class special procurement, a contract specific procurement or both, based upon a contracting procedure that differs from procedures described in ORS 279B.055, 279B.060, 279B.065, 279B.070. The contracting approach may be custom designed to meet the procurement needs.

1. Special procurements shall be awarded in accordance with ORS 279B.085 and all other applicable provisions of law.

H. Emergency Procurements – a public contract that is necessary because an emergency exists meaning there are circumstances creating a substantial risk of loss, damage, interruption of services or threat to public health, safety, welfare, or property that could not have been reasonably foreseen and requires prompt execution of a public contract to remedy the condition.

1. Emergency procurements shall be awarded in accordance with ORS 279B.080 and all other applicable provisions of law.

I. The following classes of contracts are hereby specifically exempted from the Oregon Public Contracting Code and Model Rules pursuant to ORS 279A.025(t):

1. Contracts for the purchase of materials where competitive bids for the same materials have been obtained by other public agencies or the federal government whose processes for bid and award are substantially equivalent to those set forth herein, and the contract is to be awarded to the party to whom the original contract was awarded as long as no material change is made to the terms, conditions, or prices of the original contract.

2. Contracts for licenses and maintenance of computer hardware, computer software, and telecommunications products (including cable, video and television products).

3. Purchase of items or services of an artistic nature, including, but not limited to public art.

4. *Contracts for removal, cleanup or transport of hazardous materials.* As used in this Subsection, "hazardous materials" include any material or substance which may pose a present or future threat to human health or the environment, including Hazardous Waste as that term is used in the Resources Conservation and Recovery Act (42 USC 6901 et seq.).

5. Contracts for purchase of used motor vehicles, defined as any motor vehicle that is at least one year old.

6. Contracts for the purchase of used heavy construction equipment.

7. Contracts for the purchase of copyrighted materials where there is only one supplier available within a reasonable purchase area for such goods.

8. Contracts for the purchase of advertising, including legal advertising intended for the purpose of giving public notice.

9. Contracts for the purchase or sale of all utilities including, but not limited to, electric power, gas, water, sewage, internet, cemetery lots, cable and telecommunication services, and the sale of telecommunication materials or products or other services, materials or products traditionally provided by the City.

10. Contracts for the purchase of goods or services where the rate or price for the goods or services being purchased is established by federal, state or local regulating authority. (Ord. 3039, amended, 11/07/2010; Ord. 3013, added, 05/18/2010)

2.50.095 Additional Requirements for Exemptions Pursuant to 2.20.090(I)

Any contract exempted under 2.20.090.I shall additionally satisfy these criteria:

A. The performance bond requirements of ORS 279C.375 and 279C.380, unless an emergency exemption exists in accordance with the Oregon Public Contracting Code and Model Rules.

B. The construction and landscape contractor registration and requirements of ORS Chapter 671.630 et seq. and Chapter 701;

C. Any other law applicable to such a contract; and,

D. To the extent that BOLI applies, the City and the contractor shall comply with the prevailing wage provisions of ORS 279C.800 - 279C.870. (Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006)

2.50.100 Informal Process - Process for Exempt Procurements

The following process shall apply to all contracts that are exempt from formal competitive selection procedures in AMC 2.50.090.

A. The Public Contracting Officer is responsible for determining whether a project is subject to an exemption pursuant to AMC 2.50.090 that will allow a process other than a formal solicitation. Except for small procurements and emergency procurements, it is the responsibility of the Public Contracting Officer to evaluate whether an exemption exists and write findings consistent with Oregon law to document the exemption. A copy of the written findings shall be given to the City Attorney. If an exemption is approved all applicable provisions of the Oregon Public Contracting Code and the Model Rules must be followed. Notwithstanding the exemptions, the City Attorney, the Public Contracting Officer, or Local Contract Review Board may require a formal competitive solicitation to ensure the purposes of this Chapter.

B. Except for small procurements equal to or less than $5,000, and emergency procurements, any informal procurement process, listed in AMC 2.50.090 shall require the Public Contracting Officer to obtain written authorization from the Finance Director to ensure that adequate funds are available for the project.

C. For intermediate procurements of any amount the contracting agency shall use a written solicitation to obtain quotes, bids, or proposals.

D. For all contracts over $5,000 the City Attorney must determine that the contract is appropriate as to form before the contract is awarded. Use of a City standard form contract negates the need for legal sign off on all informal contracting processes.

E. After the procurement process is complete, the Public Contracting Officer must execute the procurement contract, and the Finance Director must endorse the amount of the contract if the value of the contract exceeds the amount originally approved by the Finance Director on the requisition documents.

F. The Public Contracting Officer must execute any change orders or amendments to the contract that are authorized under the Oregon Public Contracting Code or the Model Rules. (Ord. 3039, amended, 11/07/2010; Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006)

2.50.110 Electronic Advertisement of Public Contracts

The City may publish the advertisement for Offers by posting it on the website of the City, or if applicable, another governmental entity as long as the content required by the Model Rules and Oregon Public Contracting Code is available. Individuals that obtain the solicitation materials electronically are responsible for regularly checking for instructions, addenda, and related materials. (Ord. 3013, added, 05/18/2010)

2.50.120 Personal Services Contracts

A. A personal service contract that does not exceed $35,000 may be awarded by direct appointment. Personal Services Contracts that are for contract amounts greater than $35,000, but less than $75,000 shall follow the process for Intermediate Procurements as outlined above. In addition, for personal services contracts greater than $5,000, but less than $75,000, the Public Contracting Officer shall make findings that City personnel are not available to perform the services, and that the City does not have the personnel or resources to perform the services required under the proposed contract. However, the City Attorney, the Public Contracting Officer, or Local Contract Review Board, can require a formal solicitation for bids to ensure that the purposes of this chapter are upheld.

1. *Class Exemption – Attorney Services.* Personal service contracts for legal counsel, legal services, expert witnesses, court-appointed attorneys, stenographers and other legal services are exempt from the competitive procurement requirements of this section and may be entered into based upon the judgment of the City Attorney. The City Attorney shall obtain City Council approval of any expenditure for legal services paid to a single legal services provider that is expected to exceed $50,000 prior to entering into the contract. In addition, except for legal counsel hired by the City to provide legal services to indigent criminal defendants prosecuted by the City, the City Attorney shall select and retain all outside legal counsel hired by the City subject to the approval of the City Council.

2. *Pre-qualified Pool Exemption.* The City may directly award a personal services contract that does not exceed $100,000 to a provider that has been selected to be on a list of:

   a. The City's current list of qualified providers through a formal process; or

   b. From another public contracting agency's current list of qualified providers as long as the public contracting agency uses a process substantially similar to the City's to derive the list.

3. *Continuation of Work Exemption.* Personal service contracts of not more than $100,000 for the continuation of work by a contractor who preformed preliminary studies, analysis or planning for the work under a prior contract may be awarded without competition if the prior contract was awarded under a competitive process and the Public Contracting Officer determines that use of the original contractor will significantly reduce the costs of, or risks associated with, the work.

B. The Local Contract Review Board is hereby opting out of OAR 137-048 regarding architectural, engineering, and land surveying services.

C. The standard procurement rules adopted above shall apply to such contracts, as well as the following personal services selection criteria:

1. Specialized experience in the type of work to be performed;

2. Capacity and capability to perform the work, including any specialized services within the time limitations for the work;

3. Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability to meet schedules, and contract administration where applicable;

4. Availability to perform the assignment and familiarity with the area in which the specific work is located, including knowledge of designing or techniques peculiar to it, where applicable;

5. Cost of the services; and

6. Any other factors relevant to the particular contract. (Ord. 3039, amended, 11/07/2010; Ord. 3013, added, 05/18/2010; Ord. 2934, replaced, 11/21/2006)

2.50.125 Cost and Feasibility Determinations

The Public Contracting Officer shall make written cost or feasibility findings pursuant to ORS 279B.030. If the Public Contracting Officer is performing a cost analysis pursuant to ORS 279B.033, the Public Contracting Officer shall add a profit margin of ten percent (10%) of the cost of the project when estimating the total cost of hiring a contractor. (Ord. 3013, added, 05/18/2010)

2.50.130 Record Keeping

All records shall be retained in accordance with OAR 137-047-0620. To facilitate contract file record keeping and reduce accounting and auditing difficulties in having dispersed contract files, each city department will maintain a complete file on all contracts executed on behalf of that department. Information to be included in the file shall include, at a minimum:

A. Any and all invitation for bids, requests for proposals, and any advertisements;

B. Council consent authorizing contract execution when applicable;

C. Copies of the signed contract, any required insurance certificates, bonds, or other bid security;

D. Any approved Local Contract Review Board waivers; and

E. List of who the solicitation documents were sent out to or the list of plan holders.

The City Recorder's Office shall retain the original executed contract as well as original copies of any required insurance certificates, performance bonds, and payment bonds or other bid security. The department which is responsible for the procurement shall continually monitor insurance certificates to ensure the City remains an additional insured and that the other party has sufficient coverage. (Ord. 3013, added, 05/18/2010)

2.50.140 Protests of Procurement Process and Solicitation Award

A. The Uniform Administrative Appeals Process outlined in AMC 2.30 shall apply to all protests of the procurement process and award of public contracts except that the timelines of this section shall govern when determining whether an appeal is filed timely.

B. *Timelines for Submitting Protests.*

1. Protests regarding the process or specification shall be received no later than ten (10) calendar days prior to bid closing.

2. Protests regarding the award of the contract shall be received within seven (7) calendar days from the notice of intent to award the public contract.

C. Failure to strictly comply with the applicable protest requirements, including but not limited to the required elements for the written protest required by the Model Rules and the Oregon Public Contracting Code, payment of the applicable appeal fee pursuant to AMC 2.30, and time for filing as specified in this section, shall constitute jurisdictional defects resulting in the summary dismissal of the appeal. (Ord. 3013, added, 05/18/2010)

The Ashland Municipal Code is current through Ordinance 3215, passed December 22, 2022.

Disclaimer: The City Recorder's office has the official version of the Ashland Municipal Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.ashland.or.us
City Telephone: (541) 488-5307
Code Publishing Company, A General Code Company

Council Business Meeting

Date

Agenda Item	IGA with City, SOU, and ASD	
From	Joe Lessard	City Manager
Contact	Joe.lessard@ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☒	

SUMMARY

The City of Ashland, Southern Oregon University, and the Ashland School District are partnering together creating an Intergovernmental Agreement (IGA) to form a joint-Emergency Operations Center which will provide collaborative and coordinated support for response and recovery to large-scale emergencies in Ashland and our surrounding communities.

POLICIES, PLANS & GOALS SUPPORTED

Creation of this IGA meets the #2 goal of the climate and energy action plan: to prepare Ashland to be more resilient from climate change impacts. The IGA establishes a coordinated partnership between the City, SOU and the ASD for joint emergency operations and planning. a functional Emergency Operations Center (EOC), training for personnel to staff the EOC and its services, and to ultimately provide better coordination to support our local large-scale climate caused and human caused disasters that threaten our way of life in this valley.
(I looked up the Council Goals on the website, they only include 2019-2021 and seem outdated... Maybe we use the Vision and Values from the Better Together posters? Many of them relate: environmental resilience, regional cooperation, sustainability...)

BACKGROUND AND ADDITIONAL INFORMATION

In the wake of the Almeda Fire and so much devastation to so many Oregon communities in 2020, efforts were made to develop the resiliency and capacity in Ashland. The City evacuation plan was created and adopted, but more coordination with local stakeholders needed to be developed. City Manager Joe Lessard recognized the need for more collaboration between existing agencies. He began discussions with the Fire and Police Chiefs, SOU, and the Ashland School District to create a unique partnership in the development of a joint Emergency Operations Center. Utilizing the strengths of each agency, and building capacity through individualized training, a standing EOC staffed with trained local personnel could support large-scale events affecting our community and businesses. The IGA between these partners is a big step forward in this process.

FISCAL IMPACTS

The City of Ashland is providing a full-time Emergency Management Coordinator to help build and maintain the EOC, and to coordinate training staff in each agency to serve in EOC positions (salary and benefits are available on Open.gov..?) SOU is providing available space for the EOC, while the ASD has allocated funding for training for EOC staff.

DISCUSSION QUESTIONS

What are the immediate costs of the facility? What will be ongoing costs? My salary, the cost of the utilities, cost of moving antennas and installing frequencies on them, costs of updated functional software and forms for EOC positions and roles, cost of ongoing trainings and personnel hours to attend those trainings.

Who will staff the EOC? City employees, SOU employees, and ASD employees. We are exploring further partnerships with the City of Talent.

For what would an EOC need to be activated for? Large-scale climate driven or human caused disasters: fire, flood, hostile events, earthquakes. Outside of disasters, an EOC's Incident Management Team could be activated to support larger-scaled events in our community: football games, parades, concerts.

What does it actually do? An EOC handles support and information functions in large scale disasters. It assists incident commanders with getting more resources, support services, and recovery efforts in major events in the long and short-term.

What kind of training does one need to perform in an EOC role? FEMA provides the framework and coursework for anyone involved in EOC work. Roles and functions are based on NIMS Incident Command structures which have been established and used for decades.

What are the biggest challenges either fiscally or realistically in this process? Each potential disaster we are faced with demands a different level of response and work (fire, flood, earthquake, human catastrophes and refugees, pandemics, other climate-driven events that will impact our infrastructure). Top four challenges in any disaster are: communications (expensive to build and maintain), depleted or limited resources (people and equipment), data collection and sharing, and getting the proper support and notifications to those in immediate need.

SUGGESTED NEXT STEPS

We will need to get the EOC up and running for fire season. Once operational, we need training and exercises to build up our muscle-memory to function.

Need to develop a secondary and tertiary EOC location (can't always depend on our primary location).

We need every community member to review the Ashland evacuation plan and practice their own evacuation, and secondary routes.

We need every community member to sign up for Citizen Alert (existing Nixle members should log onto citizen alert and update their information):

https://jacksoncountyor.org/emergency/resources/citizen-alert

Work towards more collaboration with City of Talent (we are doing joint training in April and June with City of Talent).

To council:

Work with your EMC to understand your role as an elected/appointed official in a disaster.

Learn your AMC and help find places we can develop our practices and procedures for emergencies.

Encourage your constituents to be prepared for evacuations, have a plan and practice it, get a 72 hour emergency kit.

Be adaptable and resilient in the face of coming events and disasters, no one is alone in any of this, and we are Better Together...

REFERENCES & ATTACHMENTS

The IGA.

INTERGOVERNMENTAL AGREEMENT BETWEEN SOUTHERN OREGON UNIVERSITY, THE ASHLAND SCHOOL DISTRICT, AND THE CITY OF ASHLAND FOR JOINT EMERGENCY OPERATIONS AND PLANNING

This Intergovernmental Agreement ("Agreement") is made by and between The City of Ashland, a political subdivision of the State of Oregon, ("City"), Southern Oregon University ("SOU") a public university in Oregon, and the Ashland School District ("ASD") a public school district that serves the city of Ashland, Oregon, jointly the Partners or individually Partner

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, counties, cities, and units of local governments may enter into cooperative agreements for the performance of any or all functions and activities that a Partner to the Agreement, its officers, or agents have the authority to perform.
2. Each Partner to this Agreement has authority and responsibility to organize and respond to emergencies and disasters within their jurisdiction.
3. EOC services means any Partner's response to emergency or disaster conditions to maximize the health and safety of the public, to minimize property damage, and to maintain community control ("EOC Services").
4. All Partners seek to participate in the creation of an Emergency Operation Center that is aligned with Federal, State, and County plans that provide coordinated response and recovery EOC Services during an emergency warranting EOC Services.
5. The Partners, due to resource constraints, cannot individually establish and run fully functioning EOC Services through multiple operational periods. As such, the Partners wish to coordinate resources and activities and, together, work collaboratively with other Federal, State, local, community and faith-based organizations, tribal, and private-sector partners.
6. Adequate adjustable space is crucial for EOC coordination, including assembling, operating, maintaining, and accommodating additional requirements such as sheltering in place, rest and recovery areas for sleeping, changing, and washing.
7. The Lithia Motors Pavilion, under SOU's control, has been determined by the Partners as a suitable EOC facility for local/regional emergency response, recovery, and management.
8. The Partners understand that emergency management planning is a continuous process that is linked closely with training and exercises to establish a comprehensive

preparedness agenda and culture and that specific expertise, including personnel resources, are required.

9. The City has prioritized EOC and is capable of providing the expertise and personnel to lead and allocate resources systemwide. The City's responsibilities and authority to use Emergency Powers are acknowledged by the Partners, including as defined in Ashland Municipal Code (AMC) Chapter 2.62.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Partners hereto as follows:

TERMS OF AGREEMENT

1. **Term**. The term of this Agreement shall begin on the date all required signatures are obtained and shall continue until terminated by the Partners according to the terms herein.

2. **EOC Facility.** SOU agrees to allow the use of the EOC Facility as follows:

   a. SOU has designated the use of Lithia Motors Pavilion, Room 031, as the Emergency Operations Center ("EOC Facility").

   b. SOU will allow the use of the use of the EOC Facility and other campus facilities as deemed necessary for pre-planned emergency trainings that are mutually agreed upon by the Partners, which shall generally be conducted between SOU's Spring academic semester and before its Fall academic semester. SOU, in its sole judgment, will make reasonable efforts, to allow the Partners, individually or jointly, to prepare, maintain and access facilities necessary for training.

   c. SOU, in the event of a local natural or human-caused disaster triggering EOC Services, will use all reasonable efforts, in its sole judgment, to make the use of EOC Facility and Lithia Pavilion Rooms 032 and 033 a priority over normal operations. The Partners will make all reasonably practical efforts and accommodations not to interfere with SOU's use of Lithia Motors Pavilion and the EOC Facility during EOC activations. During the State of Oregon designated fire season, the EOC Facility shall serve standing, ready for immediate activation and use for potential EOC Services.

   d. There may be other event-driven areas or facilities needed for EOC Services and events which shall be based on mutual agreement between the Partners.

3. **EOC Staffing.**

   a. City, having general responsibility for policing, firefighting, and rescue operations within the Partners jurisdiction, will provide the following on-site or remote staff at the EOC Facility during a training or activation, as appropriate;

      i. Emergency Management Coordinator (EMC) – Assigned to lead/mange the development of a joint Emergency Management Plan (EMP) and lead emergency management operations through the phases of emergency preparedness including: prevention, mitigation, preparedness, response &

recovery;

ii. EOC Communications Coordinator – Responsible for the development and flow of public information with Partners' assigned PIOs;

iii. Utilities Coordinator –Responsible for coordinating the availability of utility resources to each Partners' service areas; and

iv. EOC Emergency Medical Service (EMS) Coordinator, assigned to coordinate with area medical providers.

b. Depending on the type and location of the emergency event, Partners will jointly provide EOC staffing as follows:

i. Coordination Lead – Each Partner's assigned Emergency Manager/Liaison Officer (LNO) to assist the EMC Officer (the EMC function/role may be assigned to the EOC Officer as appropriate and agreed between the Partners);

ii. Public Information Officer (PIO) – Each Partner's assigned information manager to work with the EOC Communications Coordinator to ensure public and constituent information is timely and accurate and appropriately voiced;

iii. Procurement Lead – Each Partner's assigned purchasing manager to expedite the purchase and distribution of necessary equipment and supplies on behalf of their partner entity; and

iv. Information Technology (IT) Support – Each Partner's assigned IT manager to assist in filling information technology support equipment and software needs and to trouble-shoot/solve related issues.

c. SOU will provide the following EOC Service staffing:

i. Provide EOC Facility security staff, as reasonably permitted, to coordinate with Ashland Police Department as appropriate given its access and control of the potential EOC Facility and needs for adjacent parking, commercial kitchen, and public congregate spaces and any event-driven needs;

ii. Secured Access – Each Partner's staff assigned to the EOC Facility will need to have identification and secure electronically monitored access to the EOC Facility provided/managed by SOU. A list of authorized staff and positions certified will be maintained by the EMC and SOU Campus Public Safety. Any Partner personnel who are working in and for the EOC Facility or during a training or actual event will have the right to move freely in the public areas of the SOU campus. The use of privately contracted security officers for EOC Services may be used upon explicit approval of the SOU Partner, which may reasonably be withheld.

iii. Functional Section (Operations, Logistics, Finance and Administration) staff support, and Command and General Staff support as required to support task management.

iv. Provisions for additional staffing will be determined by the joint emergency management plan adopted in accordance with this Agreement.

4. **EMP and EOP Requirements**: Each Partner must maintain an Emergency Management Plan (EMP) or Emergency Operations Plan (EOP) that is managed to avoid interagency conflicts.

   a. Each Partner is independently responsible for developing and maintaining an EMP or EOP for their community or institution pursuant to relevant law, policy, and procedure and in all cases to the fullest extent practical, that corresponds or supports the Integrated EMP/EOP plan as contemplated by this Agreement.

   b. The Partners will establish a coordinated Integrated EMP/EOP. A document set will be jointly developed, jointly reviewed, and updated annually. A copy of the Integrated EMP/EOP set and each Partner's individual EMP/EOP documents will be kept onsite of the EOC Facility. All individual plans and the integrated plan will be reviewed by the EMC for compliance.

   c. In accordance with National Incident Management System (NIMS) standards, each Partner agrees that it will have employees with sufficient Incident Command System ("ICS") training to fulfill their assigned roles in accordance with this Agreement and the Integrated EMP/EOP. At the signing of this Agreement, the following training would be required:

      i. All EOC assigned members — ICS 100, 200 and 700

      ii. Supervisory role or entry management — ICS 300 is required

      iii. Management in the EOC — ICS 400 is required

      iv. Public Information Officer (PIO) — IS-702 is required

      v. Resource Management — IS-703

      vi. Planning — IS-800 is required

      vii. Required and further ICS position-specific training as available and applicable.

5. **Equipment, Supplies Communications.** The EOC Facility shall be equipped with adequate furnishings, materials and supplies, reference documents, and communications and power supply equipment. Planning and filling the needs of the EOC Facility will be undertaken jointly by the Partners. It is anticipated the EOC Facility may need the following:

   a. Wi-Fi accessibility capable of handling several devices simultaneously;

   b. hard-wired data ports with broadband internet access capable of handling several devices simultaneously;

   c. hard-wired antennas capable of supporting several HAM radio operators simultaneously;

d. adequate cell tower coverage with adequate signal penetration into the EOC Facility;

e. a base station two-way radio capable of communicating with police, fire, public works, etc.;

f. an auto-start two-fuel-source generator capable of maintaining power for all needed equipment; and

g. USB (uninterrupted battery supplies) need to be provided for workstations so there is no loss of power flow between power-down and generator start.

6. **EOC Facility Costs, Funding, and Allocation.**

a. SOU shall designate EOC Facility parking, priority access to the EOC Facility, utilities, and installed infrastructure. EOC Facility space includes proper locked storage for necessary documentation and equipment. Upon request by the EMC or an Incident Commander, additional spaces for an ongoing EOC Services event may be required.

b. SOU will work with their food service provider/contractor to provide essential feeding operations (assuming labor and food supplies are available).

c. Each Partner will provide their own non-Real Property Installed Equipment for the EOC (i.e., laptops, temporary IT network cabling, etc.) for their specific equipment needs.

d. The City will provide and fund a full-time position, the Emergency Management Coordinator, to assist each Partner with their respective emergency management needs.

e. To the extent of its capabilities, ASD agrees to support funding and available classroom space for ongoing education and exercises for EOC staff members. Not to not less than five thousand dollars ($5,000.00) in the first biennium. This amount is anticipated to be adjusted as costs increase.

f. Subject to unforeseen needs, funding, or allocations required for any event requiring Emergency Services, each Partner agrees to work collaboratively to resolve the issue(s) in furtherance of the mission of this Agreement.

7. **Administration.**

a. **Executive Leadership Team.** Each EOC/EMP Partner will designate a representative to be a part of the Executive Leadership Team ("ELT") who will serve as the functional experts, managers/administrators of this Agreement and are responsible for supporting the task-management of the EOC's operations. Unless otherwise agreed upon by the Partners, the ELT will operate in accordance with National Incident Management System (NIMS) standards. The ELT is responsible for incident command and will oversee activities within the emergency event's jurisdiction and may consist of officials as per the Emergency Management Plan or Emergency Operations Plan. These plans aim to maximize public safety and minimize

property damage during emergencies or disasters, primarily seen as the government's response.

b. **Activation.** Any ELT representative, or their designee as identified in the Integrated ELP/EOP, and the Emergency Management Coordinator may activate the EOC Facility for emergency management operations. However, for EOC Services that demand Partner resources beyond those listed in this Agreement, the ELT Partner or their designee(s) shall be the final decision-maker on the activation and continued use of those resources.

c. **Meeting Requirement.** The ELT shall meet, at a minimum, once during either April or May and once during either November or December to develop more detailed policies, procedures, and/or training schedules that support the functions of this Agreement.

8. **Termination.**

a. Any Partner may exit this Agreement with a twelve (12) month notice to the remaining Partners, provided in writing and delivered by certified mail or in person to the other Partners. In the final month of an exit, the exiting Partner shall remove or retrieve their documents and removable equipment from the EOC Facility space. The Exiting Partner's removal of additions or installations to the EOC Facility that are reasonably considered permanent shall only be removed with the consent of the other Partners.

The Partners may also jointly terminate this Agreement subject to a twelve (12) month termination period during which the Partners will continue their Partnership but work under a jointly adopted Termination of Partnership and EOC Operations Plan to winddown and conclude joint EOC Services in the EOC Facility.

Notwithstanding the foregoing, removal by a Partner of their documents, equipment or additions and installations in the EOC facility will not unduly conflict with continuing EOC Services and/or other EOC related uses, or with SOU operations. It is understood that Partner additions or installations to the EOC Facility that are reasonably considered permanent additions may remain at or in the Lithia Motors Pavilion unless required by SOU to be removed. Removal of documents, equipment and/or permanent installations by exiting or terminating Partnership members will be undertaken to assure the EOC space is maintained or returned to functional or operational conditions suitable for its continued use.

b. Any Partner may terminate this Agreement under any of the following conditions:

i. If any other Partner fails to provide services called for by this Agreement within the time specified herein or any extension thereof;

ii. If a Partner fails to perform any of the other provisions of this Agreement, or so fails to provide the service required of it as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from any other Partner fails to correct such failures within ten (10) days or such longer period as may be authorized by the other Partner(s);

iii. If a Partner fails to receive funding, appropriations, limitations or other

expenditure authority sufficient to allow that Partner, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement; or

iv. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or if a Partner is prohibited from paying for such work from the planned funding source.

v. If a Partner feels it is in its best interest to provide EOC Services individually instead of as part of this Agreement.

c. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Partners prior to termination.

9. SOU, City and ASD are the only Partners to this Agreement and are the only Partners entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

10. The Partners hereto agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Partners shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

11. The Partners certify and represent that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of the Partners, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Partners.

12. This Agreement may be executed in several counterparts all of which when taken together shall constitute one agreement binding on all Partners, notwithstanding that all Partners are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

13. SOU's Contract Administrator for this Agreement is its Vice President for Finance and Administration (VPFA) at Southern Oregon University, officed at 1250 Siskiyou Blvd, Ashland, OR 97520, or their assigned designee upon individual's absence. SOU shall notify the other Partners in writing of any contact information changes during the term of this Agreement.

14. City's Contract Administrator for this Agreement is its City Manager, officed at 20 E. Main St. Ashland, OR 97520, or their assigned designee upon individual's absence. Partner shall notify the other Partner in writing of any contact information changes during the term of this Agreement.

15. ASD's Contract Administrator for this Agreement is its district Superintendent, officed at 885 Siskiyou Boulevard, Ashland, OR 97520, or their assigned designee upon

individual's absence. Partner shall notify the other Partner in writing of any contact information changes during the term of this Agreement.

16. THIS AGREEMENT AND ANY ATTACHED EXHIBITS CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTNERS ON THE SUBJECT MATTER HEREOF. IN THE EVENT OF CONFLICT, THE BODY OF THIS AGREEMENT AND THE ATTACHED EXHIBITS WILL CONTROL. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS AGREEMENT. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS AGREEMENT SHALL BIND ANY PARTNER UNLESS IN WRITING AND SIGNED BY ALL PARTNERS AND ALL NECESSARY APPROVALS HAVE BEEN OBTAINED. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THE FAILURE OF ANY PARTNER TO ENFORCE ANY PROVISION OF THIS AGREEMENT SHALL NOT CONSTITUTE A WAIVER BY THAT PARTNER OF THAT OR ANY OTHER PROVISION.

SEE NEXT PAGE

DRAFT

THE PARTNERS, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

CITY OF ASHLAND,

_____
Joseph L Lessard, City Manager

Date _____

Approved as to form

_____
Douglas M McGeary, Acting City Attorney

Date _____

Partner Contact:

SOUTHERN OREGON UNIVERSITY

_____
Gregory M. Perkinson, VPFA

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By_____
General Counsel

Date_____

ASHLAND SCHOOL DISTRICT,

_____ _____
Samuel Bogdanove, Superintendent Date

_____ _____
Erika Bare, Assistant Superintendent Date

LEGAL REVIEW APPROVAL

By _____

DRAFT

Council Business Meeting

May 2, 2023

Agenda Item	Contract for Council Chambers Audio-Video-Broadcast Updates with CDW Government LLC	
From	Jason Wegner Dan Hendrix	Dept of Innovation & Technology
Contact	jason.wegner@ashland.or.us dan.hendrix@ashland.or.us	
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

This is a request for contract approval for upgrade of the audio-video and broadcast technology used by City Council and other boards and commissions in the Ashland Council Chambers.

Due to the cost of this technology remodel exceeding $100,000, council approval is required for the purchase.

POLICIES, PLANS & GOALS SUPPORTED

Undertaking the project fulfills the need to make council meetings fully hybrid, wherein all participants can see, and be seen, by all other participants and meeting attendees. By supplying more delivery options and clearer communications between Ashland's public bodies and the citizens they serve, this would support the Council's communications and transparency goals. This project also ensures that the City of Ashland complies with Oregon House Bill 2560, which requires public meetings be remotely accessible when reasonably possible.

BACKGROUND AND ADDITIONAL INFORMATION

The quality of the audio-video signal from and within the Council Chambers has been degrading over time. This manifests as additional hiss and hum in audio, microphones that may cut-out or boom when bumped, or video dropout. This reflects years of usage, movement, and room re-arrangement impacting cables, connectors, and equipment. The broadcast equipment in the broadcast control booth, which RVTV uses to create the television and internet broadcast, is beyond end-of-life and is no longer current with industry standards for compatibility and security.

FISCAL IMPACTS

Taking into account the fact that some of the existing components (e.g. monitors, cameras) would be re-used, contractor estimates for materials and installation are just over $100,000. Attached is an itemized $107,000 bid by CDW Government LLC based on the pre-bid State contract award system. Inquiries to other regional public agencies confirms that the going rate for a public meeting room equipment update project typically exceeds $100,000.

This has been quoted under the State of Oregon price agreement #5603, which is attached for reference.

DISCUSSION QUESTIONS

- As described, this project would only include audio-video-broadcast updates for the Council Chambers and the associated broadcast booth. This project does not include upgrades to other City conference rooms in which public meetings are held.
- Deferring these upgrades would result in continued degradation of audio-video signal quality over time. It would also limit communication and presentation options to those that currently exist in the room,

whereas an upgrade would provide additional options for presenters, and better support for remote attendance.

SUGGESTED NEXT STEPS

Staff recommends that the Council approve the funding for this project.

ACTIONS, OPTIONS, AND POTENTIAL MOTIONS

I move to approve a contract with CDW to upgrade council chamber audio-visual-broadcast equipment.

REFERENCES & ATTACHMENTS

Council Audio-Video Project (CDW-G) BOM --NGJT635.pdf
Council Audio-Video Project (CDW-G) SOW.pdf
State of Oregon #5603.pdf

Review and Complete Purchase

DAN HENDRIX,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
NGJT635	2/27/2023	SVT BOM	0455834	$66,800.81

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Vaddio USB 3 Extenders - USB Plenum Rated Extension Kit Mfg. Part#: 999-1005-032 Contract: Oregon IT Hardware VAR Contract (5603)	1	6091316	$1,586.29	$1,586.29
EXTRON IPCP PRO 550 XI PROCESSOR Mfg. Part#: 60-1913-01A Contract: Oregon IT Hardware VAR Contract (5603)	1	6387751	$3,829.62	$3,829.62
CRITICOM HDMI OVER CAT5 EXTENDER RX Mfg. Part#: 60-1271-13 Contract: Oregon IT Hardware VAR Contract (5603)	5	4574395	$401.18	$2,005.90
CRITICOM HDMI OVER CAT5 EXTENDER TX Mfg. Part#: 60-1271-12 Contract: Oregon IT Hardware VAR Contract (5603)	5	4574392	$434.22	$2,171.10
Sennheiser MEG 14-40 - microphone Mfg. Part#: 504791 UNSPSC: 52161520 Contract: Oregon IT Hardware VAR Contract (5603)	14	5041304	$163.30	$2,286.20
EXTRON 7IN TABLETOP TOUCHLINK PRO Mfg. Part#: 60-1562-02 Contract: Oregon IT Hardware VAR Contract (5603)	1	5640378	$1,711.47	$1,711.47
Sennheiser MAT 133-S B - stand base for microphone Mfg. Part#: 505624 UNSPSC: 56101501 Contract: Oregon IT Hardware VAR Contract (5603)	14	3927613	$199.86	$2,798.04

QUOTE DETAILS (CONT.)				
NewTek Spark Plus IO 4K audio video over IP encoder decoder Mfg. Part#: NSP4KIO Contract: Oregon IT Hardware VAR Contract (5603)	3	6071375	$925.84	$2,777.52
NewTek NDI HX PTZ3 Camera - White Mfg. Part#: NDIHX-PTZ3W Electronic distribution - NO MEDIA Contract: Oregon IT Hardware VAR Contract (5603)	4	7143405	$2,755.40	$11,021.60
EXTRON MEDIA PORT 200 Mfg. Part#: 60-1488-01 Contract: Oregon IT Hardware VAR Contract (5603)	1	4459616	$2,496.17	$2,496.17
QSC DSP ENGINE 8X8 OUT Mfg. Part#: CORE 110F Contract: Oregon IT Hardware VAR Contract (5603)	1	4143422	$3,355.90	$3,355.90
NETGEAR AV Line M4250-26G4XF-PoE+ - switch - 24 ports - managed - rack-moun Mfg. Part#: GSM4230PX-100NAS Contract: Oregon IT Hardware VAR Contract (5603)	1	6463059	$1,670.42	$1,670.42
EXTRON DXP 44 HD 4K PLUS 4X4 HDMI Mfg. Part#: 60-1493-21 Contract: Oregon IT Hardware VAR Contract (5603)	1	6825567	$3,213.23	$3,213.23
EXTRON 2-CHANNEL DANTE AMPLFIER Mfg. Part#: 60-1767-02 Contract: Oregon IT Hardware VAR Contract (5603)	1	6741103	$1,705.32	$1,705.32
JBL Control CRV - speaker - for PA system Mfg. Part#: CONTROL CRV-WH Contract: Oregon IT Hardware VAR Contract (5603)	6	7133485	$231.74	$1,390.44
NewTek TriCaster TC1SP - editing controller Mfg. Part#: TC1SP UNSPSC: 45111805 Electronic distribution - NO MEDIA Contract: Oregon IT Hardware VAR Contract (5603)	1	5025894	$6,711.40	$6,711.40
QSC Q-SYS QIO NTWK AUD I O EXPANDER Mfg. Part#: QIO-ML4I Contract: Oregon IT Hardware VAR Contract (5603)	4	7326837	$611.42	$2,445.68
Middle Atlantic Essex RCS Series Pre-Configured Rack - Floor Rack - 35 RU Mfg. Part#: RCS-3524 UNSPSC: 24102001 Contract: Oregon IT Hardware VAR Contract (5603)	1	4841127	$1,109.34	$1,109.34
Middle Atlantic Rackmount Power Strip - 9 Outlet - 15A Mfg. Part#: PD-915R UNSPSC: 39121017 Contract: Oregon IT Hardware VAR Contract (5603)	1	410974	$122.24	$122.24

QUOTE DETAILS (CONT.)				
Sennheiser SL Handheld 865 DW-4-US - wireless microphone Mfg. Part#: 505901 UNSPSC: 52161520 Contract: Oregon IT Hardware VAR Contract (5603)	1	4863797	$544.33	$544.33
Sennheiser Speechline SL MCR 4 DW-4 - receiver for wireless microphone syst Mfg. Part#: 508855 Contract: Oregon IT Hardware VAR Contract (5603)	1	5974663	$2,193.20	$2,193.20
NewTek TriCaster TC410 Plus - video production system Mfg. Part#: TC410P UNSPSC: 45111801 Contract: Oregon IT Hardware VAR Contract (5603)	1	5613832	$9,655.40	$9,655.40

SUBTOTAL	$66,800.81
SHIPPING	$0.00
SALES TAX	$0.00
GRAND TOTAL	**$66,800.81**

PURCHASER BILLING INFO	DELIVER TO
Billing Address: CITY OF ASHLAND CITY HALL 20 E MAIN ST ASHLAND, OR 97520-1850 **Phone:** (541) 552-2010 **Payment Terms:** Net 30 Days-Govt State/Local	**Shipping Address:** CITY OF ASHLAND ASHLAND COMPUTE 90 N MOUNTAIN AVE ASHLAND, OR 97520-2014 **Shipping Method:** DROP SHIP-COMMON CARRIER
	Please remit payments to:
	CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



Sales Contact Info

Tyler Leedy | (877) 885-4399 | tyler.leedy@cdwg.com

LEASE OPTIONS			
FMV TOTAL	**FMV LEASE OPTION**	**BO TOTAL**	**BO LEASE OPTION**
$66,800.81	**$1,790.93/Month**	**$66,800.81**	**$2,068.82/Month**

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.

• Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

Need Help?

 My Account

 Support

 Call 800.800.4239

About Us | Privacy Policy | Terms and Conditions

This order is subject to CDW's Terms and Conditions of Sales and Service Projects at
http://www.cdwg.com/content/terms-conditions/product-sales.aspx
For more information, contact a CDW account manager

© 2023 CDW•G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239

STATEMENT OF WORK

Project Name:	City of Ashland (SVT)	**Seller Representative:** Tyler Leedy +1 (312) 705-0227 Tyler.Leedy@cdwg.com
Customer Name:	CITY OF ASHLAND	
CDW Affiliate:	CDW Government LLC	
Subcontractor:	SVT	**Solution Architect:**
Date:	February 27, 2023	
Drafted By	Angela Tran	

This statement of work ("**Statement of Work**" or "**SOW**") is made and entered into on the last date that this SOW is fully executed as set forth below ("**SOW Effective Date**") by and between the undersigned, CDW Government LLC ("**Provider**," and "**Seller**,") and CITY OF ASHLAND ("**Customer**," and "**Client**,").

This SOW shall be governed by that certain Price Agreement #5603 – IT HVAR between the State of Oregon, acting by and through its Department of Administration Services, Procurement Services and CDW Government LLC dated the 25th day of September, 2015 (the "Agreement"). If there is a conflict between this SOW and the Agreement, then the Agreement will control, except as expressly amended in this SOW by specific reference to the Agreement.

PROJECT SCOPE

The existing AV systems in the council chamber need replacement to support Zoom calls, in person presentations, and streaming to local cable station. The new systems will include microphones, speakers, audio processing, NDI cameras, Tri-caster production system, and video distribution. The existing displays will be reused.

System removal and installation requirements:

- Provider will install (1) new Extron 60-1913-01A controller in the rack.
- Provider will install (1) new Extron 60-1562-02 touch panel on the broadcast booth.
- Provider will install (1) new Extron 60-1271-12 HDMI TX at the workstation.
- Provider will install (1) new Owner Supplied ZOOM PC at the workstation.
- Provider will install (1) new Vaddio 999-1005-032 USB EXTENDER at the workstation.
- Provider will install (1) new SENNHEISER 505901 WIRELESS MIC HANDHELD TABLE
- Provider will install (1) new SWITCHER NEWTEK TRICASTER TC410 PRODUCTION SWITCHER in the rack.
- Provider will install (14) new SENNHEISER 504791 GOOSENECK MIC at the DIAS furnished with SENNHEISER 505624
- Provider will install (1) new NEWTEK NSP4KIO IP ENCODER at the DIAS
- Provider will install (1) new Owner Supplied LAPTOP at the DIAS
- Provider will install (4) new NEWTEK NDIHX-PTZ3W CAMERA at the wall.
- Provider will install (1) new QSC CORE 110F AUDIO DSP in the rack.

- Provider will install (4) new QSC QIO-ML4I AUDIO EXPANDER in the rack. Provider will install (1) new SWITCHER EXTRON 60-1488-01 BRIDGE in the rack.
- Provider will install (2) new NEWTEK NSP4KIO IP DECODER in the rack.
- Provider will install (1) new NEWTEK TRICASTER TC1SP CONTROLLER at the Broadcast Booth.
- Provider will install (4) new Extron 60-1271-13 HDMI RX in the at the wall behind display.
- Provider will install (3) new JBL CONTROL CRV-WH WALL SPEAKER at the right wall.
- Provider will install (1) new NEWTEK NDIHX-PTZ3W CAMERA at the wall.
- Provider will install (1) new SENNHEISER 508855 TRANSCIEVER in the ceiling.
- Provider will install (1) new NETGEAR GSM4230PX-100NAS SWITCH in the rack.
- Provider will install (1) new EXTRON 60-1493-21 MATRIX SWITCHER in the rack.
- Provider will install (1) new EXTRON 60-1767-02 AMPLIFIER in the rack.
- Provider will install (3) new JBL CONTROL CRV-WH WALL SPEAKER at the left wall.
- Provider will install (4) new Extron 60-1271-12 HDMI TX in the rack.
- Provider will install (1) new Extron 60-1271-13 HDMI RX in the rack.
- The installer will reuse (4) Owner Supplied Display in the Ceiling. Mount: Owner Supplied

CUSTOMER RESPONSIBILITIES

Customer is responsible for the following:

1. Customer is responsible for ensuring client furnished equipment is in good working order. Provider is not responsible for defective or malfunctioning equipment furnished by Customer. Additional time and material may be required to provide a working system.
2. Customer is responsible for providing all necessary power and data connections.
3. Customer is responsible for providing all necessary AV wiring conduits/pathways.
4. Customer is responsible for providing any necessary structural reinforcement required to support the large display(s).
5. Customer must have all associated Microsoft Exchange/O365/Skype/Teams, Zoom, Webex (or other) user/room accounts set up and active prior to Provider's on-site installation. Provider is not responsible for these aspects of any project and is not able to provide or configure these services for Customer. It is recommended that, in addition to having these configured in advance, that Customer have the appropriate internal or external resource/admin available to troubleshoot these services/accounts should issues arise during the course of the project execution.

PROJECT ASSUMPTIONS

1. Services not specified in this SOW are considered out of scope and will be addressed with a separate SOW or Change Order.
2. The labor described within this scope of work is considered non-union labor. Union, night-time, weekend, and holidays rates are available and based on geographic location and will incur additional costs that will be billed accordingly.
3. All labor to commence within standard day-time hours during the standard 5 business days of the week, Monday – Friday, 8:00am to 5:00pm local time, exclusive of holidays and weekends.
4. Due to global semiconductor chip shortages, Provider is experiencing longer than normal lead times on equipment. As a result, Provider cannot guarantee lead times on equipment and will not be liable for any delays in equipment delivery to the extent caused by such shortages. However, Provider is working with its global suppliers on a daily basis to understand the impact of this chip shortage on delivery timelines and will use reasonable efforts to keep Customer apprised of anticipated delivery timelines and delays. Should Customer elect to purchase equipment immediately upon placement of order to mitigate delays, Provider will immediately bill Customer upon placement of such order and Customer shall pay for such equipment within the payment terms specified herein, regardless of any other agreed upon billing terms or billing terms specified herein. Provider will store such equipment in its

warehouse until delivery to Customer. Warranty on such equipment shall commence upon delivery of the equipment to Provider's warehouse, notwithstanding any other agreed upon warranty terms or warranty terms specified herein.

OUT OF SCOPE

Tasks outside this SOW include, but are not limited to:

1. Permits, licensing, or any other fees required by the local Township, State, or Federal offices.
2. Repair, troubleshooting, replacement of existing equipment.

GENERAL RESPONSIBILITIES AND ASSUMPTIONS

- Customer is responsible for providing all access that is reasonably necessary to assist and accommodate Seller's performance of the Services.
- Customer will provide in advance and in writing, and Seller will follow, all applicable Customer's facility's safety and security rules and procedures.
- Customer is responsible for security at all Customer-Designated Locations; Seller is not responsible for lost or stolen equipment, other than solely as a result of Seller's gross negligence and willful misconduct.
- This SOW can be terminated by either party without cause upon at least fourteen (14) days' advance written notice.

CONTACT PERSONS

Each Party will appoint a person to act as that Party's point of contact ("**Contact Person**") as the time for performance nears and will communicate that person's name and information to the other Party's Contact Person.

Customer Contact Person is authorized to approve materials and Services provided by Seller, and Seller may rely on the decisions and approvals made by the Customer Contact Person (except that Seller understands that Customer may require a different person to sign any Change Orders amending this SOW). The Customer Contact Person will manage all communications with Seller, and when Services are performed at a Customer-Designated Location, the Customer Contact Person will be present or available. The Parties' Contact Persons shall be authorized to approve changes in personnel and associated rates for Services under this SOW.

CHANGE MANAGEMENT

This SOW may be modified or amended only in a writing signed by both Customer and Seller, generally in the form provided by Seller ("**Change Order**"). Services not specified in this SOW are considered out of scope and will be addressed with a separate SOW or Change Order.

In the event of a conflict between the terms and conditions set forth in a fully executed Change Order and those set forth in this SOW or a prior fully executed Change Order, the terms and conditions of the most recent fully executed Change Order shall prevail.

PROJECT SCHEDULING

Customer and Seller, who will jointly manage this project, will together develop timelines for an anticipated schedule ("**Anticipated Schedule**") based on Seller's project management methodology. Any dates, deadlines, timelines or schedules contained in the Anticipated Schedule, in this SOW or otherwise, are estimates only, and the Parties will not rely on them for purposes other than initial planning.

Upon signed SOW and project kickoff, please note that labor begins prior to going to site. If a project is cancelled, Customer will be responsible for labor expended up to cancellation.

The following scheduling scenarios that trigger delays and durations to extend beyond what's been planned may require a Change Order:

- Site preparation, such as power, cabling, physical access, system access, hardware/software issues, etc. must be completed in a timely manner.
- Project tasks delegated to Customer PMs/Engineers/Techs/Management/Resources must be completed in a timely manner. For example, in the event a project 's prioritization is demoted, and Customer resources are reallocated causing the project's schedule to extend on account of experiencing interruptions to its momentum requiring complete stop(s) and start(s).
- External projects/dependencies that may have significant impact on the timeline, schedule and deliverables. It is Seller's assumption that every reasonable attempt will be made to mitigate such situations.

TOTAL FEES

The total fees due and payable under this SOW ("**Total Fees**") include both fees for Seller's performance of work ("**Services Fees**") and any other related costs and fees specified in the Expenses section ("**Expenses**").

Seller will invoice for Total Fees. Customer will pay invoices containing amounts authorized by this SOW in accordance with the terms of the Agreement. Unless otherwise specified, taxes will be invoiced but are not included in any numbers or calculations provided herein. The pricing included in this SOW expires and will be of no force or effect unless it is signed by Customer and Seller within thirty (30) days from the Date list on the SOW, except as otherwise agreed by Seller. Any objections to an invoice must be communicated to the Seller Contact Person within fifteen (15) days after receipt of the invoice.

SERVICES FEES

Services Fees hereunder are FIXED FEES, meaning that the amount invoiced for the Services will be $39,141.86.

The invoiced amount of Services Fees will equal the amount of fees applicable to each completed project milestone (see Table below).

Table – Services Fees

Milestone	Percentage	Fee
Project Kickoff Call	30%	$11,742.56
Completion of Work	70%	$27,399.30
Totals	**100%**	**$39,141.86**

EXPENSES

Neither travel time nor direct expenses will be billed for this project.

TRAVEL NOTICE

Two (2) weeks' advance notice from Customer is required for any necessary travel by Seller personnel.

CUSTOMER-DESIGNATED LOCATIONS

Seller will provide Services benefiting the locations specified on the attached Exhibit ("**Customer-Designated Locations**").

SIGNATURES

In acknowledgement that the parties below have read and understood this Statement of Work and agree to be bound by it, each party has caused this Statement of Work to be signed and transferred by its respective authorized representative.

This SOW and any Change Order may be signed in separate counterparts, each of which shall be deemed an original and all of which together will be deemed to be one original. Electronic signatures on this SOW or on any Change Order (or copies of signatures sent via electronic means) are the equivalent of handwritten signatures.

CDW Government LLC	**CITY OF ASHLAND**
By: _____	By: _____
Name: Services Contracts Manager	Name: _____
Title: Services Contract Manager	Title: _____
Date: _____	Date: _____
Mailing Address:	Mailing Address:
200 N. Milwaukee Ave.	20 E MAIN ST, CITY HALL
Vernon Hills, IL 60061	ASHLAND, OR 97520-1850

EXHIBIT A

CUSTOMER-DESIGNATED LOCATIONS

Seller will provide Services benefiting the following locations ("**Customer-Designated Locations**").

Location(s)	Address
City of Ashland	1175 M St, Ashland, OR 97520

BUYERS GUIDE

FOR

IT Hardware Value Added Reseller (IT HVAR) – Price Agreement 5603

Version 1.3 dated 09/04/18

WHAT IS COVERED UNDER THIS PRICE AGREEMENT?

categories			definition
PRIMARY CATEGORIES	1	COMPUTING	Device or system whose primary purpose is computing.
	2	NETWORKING	Device or system whose primary purpose is networking.
	3	STORAGE	Device or system whose primary purpose is storage.
	4	CONVERGED INFRASTRUCTURE	Device or system whose primary purpose is a combination of two or more of the primary categories.
SECONDARY CATEGORIES	5	PERIPHERALS	Any product that can be attached to, added within, or networked with one of the four primary categories of products.
	6	CONSUMABLES	Products that are used up in the normal course of using one of the primary or secondary categories of products.
	7	SERVICES	Installation, configuration, and training of hardware devices and/or systems, both new and ongoing maintenance and support.
	8	SOFTWARE	Software necessary for a primary category device or system to operate.

Products and services fitting into the following categories:

PRIMARY CONTACTS

CDW•G	CDW•G	DASPS
Account Manager	Finance & Leasing Specialist	Price Agreement Administrator
Adam Ryan	Jim Heidenfelder	Debbie Davis
(866) 682-0927	(866) 730-4911	(503) 378-5345
adamrya@cdw.com	jimhei@cdw.com	debbie.m.davis@oregon.gov

PRICING METHODOLOGY

Pricing is calculated as the ITHVAR's cost plus the following markup:

C#	product category	markup
1.1	Notebook / Mobile Devices	1.75%
1.2	Desktop Computers	2.00%
1.3	Servers & Server Management	3.25%
2.1	Netcomm Products	7.00%
2.2	Telephony	5.00%
3.1	Data Storage / Drives	3.00%
3.2	Enterprise Storage	3.00%
4	Converged Infrastructure *	
5.1	Accessories	7.75%
5.2	Cables	7.75%

C#	product category	markup
5.3	Carts and Office Equipment	7.75%
5.4	Memory / System Components	3.00%
5.5	Point of Sale/Data Capture	7.75%
5.6	*Power, Cooling, & Racks	7.75%
5.7	Printing & Document Scanning	5.00%
5.8	Video Projection & Pro Audio	2.25%
6	Consumables *	
7.1	CDW Delivered Services / Parts	4.00%
7.2	Services (Partner Delivered)	7.75%
8	Software	7.75%

*Converged Infrastructure and Consumables fall within other product categories and will be priced accordingly.

Please reference Exhibit A-3 for current pricing and deeper discounts within certain categories.

MANUFACTURER SELECTION PROCESS (BEST VALUE ANALYSIS)

OVER $10,000: Authorized Purchasers not subject to DAS procurement authority may select the manufacturer using their own manufacturer selection method.

Authorized Purchasers subject to DAS procurement authority shall select the manufacturer using one of the following manufacturer selection methods:

- **Brand Name Justification:** A documented brand name justification in compliance with applicable statute and rule.
- **Best Value Analysis:** Submit the minimum specifications of the Authorized Purchaser's need to the IT HVAR requesting a quote of the available options. Determine best value based on, but not limited to the following:
    - Price
    - Availability
    - Past performance
    - Compatibility

UNDER $10,000: Authorized Purchaser may select the manufacturer of its choice in compliance with applicable statute and rule.

ORDERING & FINANCING OPTIONS / PAYMENT TERMS

The following are options for ordering methods, financing methods (buy vs. lease) and terms.

ordering options	financing options	discount option
Electronic (web, email, etc.)	Purchase (credit card / invoice)	Invoices paid within 10 days of receipt may deduct 0.1% from the invoice total (0.1%10 N30 terms)
Purchase Order	Leasing or Financing	

MANDATORY PURCHASE ORDER LANGUAGE

This Purchase Order, in addition to any exhibits or addenda attached, is placed against State of Oregon RFP DASPS-2143-15 and Price Agreement 5603. The terms and conditions contained in the Price Agreement apply to this purchase and take precedence over all other conflicting terms and conditions, express or implied. There are no understandings, agreements or representations, oral or written, not specified herein.

DOJ REVIEW (APPLICABLE TO STATE AGENCIES)

Purchase orders issued in conformance with the provisions of this Price Agreement #5603, are exempt from further legal sufficiency review and approval pursuant to OAR 137-045-050(15). However, state agencies may request legal review or call DOJ with questions at any time.

Special Note: Hardware/software licenses, and maintenance/support agreements have ***not*** had DOJ review and approval. By accepting the terms of a "license" for software, hardware or operating system software/firmware for hardware and their maintenance/support agreements, agencies are taking an unknown risk. A majority of licenses have terms and conditions that go against Oregon laws and Constitutional requirements. Regardless of the dollar amount DAS PS recommends that agencies conduct a review and risk analysis of all licenses and other agreements before executing a purchase order and to submit the licnese or agreement to DOJ for review and approval.

HELPFUL LINKS

- IT HVAR Site (cdwg.com/orhvar)
- IT Procurement website
- Exhibit A
- Vendor Feedback Form

RESTRICTIONS

Restrictions for this Price Agreement are based on the Policies and authority to which Authorized Purchaser is subject.

ALL AUTHORIZED PURCHASERS must follow all:

- Statutes to which each is subject
- Rules to which each is subject
- Policies to which each is subject
- All Price Agreement instructions

AUTHORIZED PURCHASERS SUBJECT TO DAS PROCUREMENT AUTHORITY may not purchase the following categories of products under this Price Agreement and are instructed to use the statewide price agreement dedicated to those product categories (see Exhibit A-5 for details):

- Multifunction Devices (MFDs)
- Networking (Data Communication)
- Office Supplies

- Software (other than what is allowed in category 8)

AUTHORIZED PURCHASERS SUBJECT TO STATEWIDE ENTERPRISE INFORMATION TECHNOLOGY POLICIES may not purchase the following categories of products without receiving prior required approvals:

- Servers
- Enterprise Storage

PRICE AGREEMENT: 5603 – *IT HVAR*
AMENDMENT #7

SECTION 1: PURPOSE

The purpose of this Amendment between the State of Oregon, acting by and through its Department of Administrative Services Procurement Services ("DASPS") and CDW Government LLC, an Illinois Limited Liability Company ("IT HVAR"), is to amend Price Agreement (PA) #5603 as identified as follows:

1.1 MODIFICATION OF SECTION 1.4.1: To extend the price agreement term end date for one year.

SECTION 2: MODIFICATIONS

New language is indicated by ***bold underlined*** *font, deleted language is indicated by ~~strikethrough~~ font.*

2.1 MODIFICATION OF SECTION 1.4.1

SECTION 1.4.1 TERM OF AGREEMENT is modified as follows: The initial term of this Agreement begins on the date this Agreement has been signed by DASPS and IT HVAR and all required approvals have been obtained (the "Effective Date") and ends on ~~December 30, 2022~~ **December 30, 2023** unless sooner terminated or extended as provided in this agreement. DASPS has the option to extend this Agreement. The initial term and all extension terms are collectively referred to as the "Term" of this Agreement.

Except as expressly amended above, all other terms and conditions of the Price Agreement are still in full force and effect. IT HVAR certifies that the representations, warranties and certifications contained in the Price Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of execution of the Price Agreement.

CONTRACTOR:

By: Dario Bertocchi Date: Sep 16, 2022

Title: Director, Program Sales

STATE OF OREGON acting by and through its Department of Administrative Services Procurement Services

By: Debbie Davis Date: 9/22/2022

Title: IT Procurement Strategist

APPROVED PURSUANT TO ORS 291.047
(Not required if exempt under OAR 137-045-0050)

By: N/A

STATE OF OREGON

Purchase Order No.	Page

Agency	PO Date	Delivery Date	Bid Number	Requisition No.

Contractor Name and Address	Bill To

Contractor FEIN	BPO/Contract Number	Agency Contact/Phone

Ship To	FOB
	Terms

Item	Description	Quantity	U/M	Unit Price	Extended Amt.

Special Terms and Conditions:	Sub Total	
	Freight	
	Total	

This Purchase Order, in addition to any exhibits or addenda attached, is placed against State of Oregon RFP **DASPS-2143-15** and Price Agreement 5603. The terms and conditions contained in the Price Agreement apply to this purchase and take precedence over all other conflicting terms and conditions, express or implied. There are no understandings, agreements or representations, oral or written, not specified herein.

Authorized Agent/Approved Date	Total	

STATE OF OREGON

PRICE AGREEMENT: 5603

for

IT HVAR

(HARDWARE VALUE ADDED RESELLER)

with

CDW GOVERNMENT LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

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SECTION 1: AGREEMENT

This Price Agreement ("Agreement") is between the State of Oregon, acting by and through its Department of Administrative Services Procurement Services ("DASPS") and CDW Government LLC, an Illinois Limited Liability Company ("IT HVAR").

1.1 PARTIES

The only parties to this Agreement are DASPS and IT HVAR.

1.2 KEY PERSONS

1.2.1 DASPS

Contract Administrator
Toby Giddings

1225 Ferry Street SE
Salem OR 97301

(503) 378-5345

toby.giddings@oregon.gov

1.2.2 IT HVAR

Contract Manager	**Account Manager**	**Finance & Leasing Specialist**
Rick Martinez	Adam Ryan	Jim Heidenfelder
26125 Riverwoods Blvd Mettawa, IL 60045	120 S. Riverside Plaza Chicago, IL 60606	120 S. Riverside Plaza Chicago, IL 60606
(847) 371-7182	(866) 682-0927	(866) 730-4911
richmar@cdw.com	adamrya@cdw.com	jimhei@cdw.com

1.3 AUTHORIZED PURCHASERS

1.3.1 As used in this Agreement, ("Authorized Purchaser") means those entities authorized to purchase under a Department Price Agreement. Authorized Purchasers include state agencies, ORCPP members, and other units of local government.

1.4 TERM OF AGREEMENT

1.4.1 The initial term of this Agreement begins on the date this Agreement has been signed by DASPS and IT HVAR and all required approvals have been obtained (the "Effective Date") and ends on September 30, 2017 unless sooner terminated or extended as provided in this Agreement. DASPS has the option to extend this Agreement. The initial term and all extension terms are collectively referred to as the "Term" of this Agreement.

1.4.2 After this Agreement is terminated, IT HVAR shall not accept new ordering instruments.

1.4.3 Contracts may extend beyond the termination of the Agreement, but not be renewed or amended after the termination of the Agreement.

1.4.4 DASPS may terminate this Agreement upon 30 calendar days' prior written notice to IT HVAR for any or no reason.

1.5 DEFINITIONS

Capitalized terms not specifically defined in this Agreement are defined in OAR 125-246-0110.

ORCPP: The Oregon Cooperative Purchasing Program is a program of qualified agencies and organizations authorized to purchase the Goods and Services available under a Department Price Agreement.

Related Services: Services may not be acquired as a stand-alone. All service must accompany a purchase of goods. Services must be those that the original equipment manufacturer would provide or perform for any purchaser.

End User: Individuals who work on behalf of Authorized Purchaser.

SECTION 2: GOODS, SERVICES, AND PRICING METHODOLOGY

2.1 GOODS AND SERVICES

IT HVAR shall provide goods and Related Services ("Goods") as outlined in Exhibit A:

- Exhibit A-1 Categories
- Exhibit A-2 Manufacturers
- Exhibit A-3 Pricing Methodology
- Exhibit A-4 Contract Management Services
- Exhibit A-5 Restrictions

2.2 PRICING METHODOLOGY

2.2.1 Except as provided in this section, during the Term of this Agreement, IT HVAR shall offer Goods to Authorized Purchasers at prices that follow the methodology listed in Exhibit A-3.

2.2.2 IT HVAR and Authorized Purchaser may agree to lower prices for Goods. Those lower prices apply only to applicable Contracts between IT HVAR and Authorized Purchaser.

2.2.3 Either party to this Agreement may request a modification to the pricing methodology, in whole or in part.

SECTION 3: PROCESS

Authorized Purchasers may buy or lease Goods by issuing ordering instruments that create and become part of separate contracts ("Contracts"). The only parties to Contracts created by ordering instruments are the applicable Authorized Purchaser and IT HVAR. DASPS is an intended beneficiary of each Contract created by an ordering instrument.

3.1 MANUFACTURER SELECTION PROCESS

3.1.1 LARGE PURCHASES: Purchases or leases over $10,000

Authorized Purchasers not subject to DAS procurement authority may select the manufacturer using their own manufacturer selection method.

Authorized Purchasers subject to DAS procurement authority shall select the manufacturer using one of the following manufacturer selection methods:

3.1.1.1 Brand Name Justification

A documented brand name justification in compliance with applicable statute and rule.

3.1.1.2 Best Value Analysis

Submit the minimum specifications of the Authorized Purchaser's need to the IT HVAR requesting a quote of the available options. Determine best value based on, but not limited to the following:

- Price
- Availability
- Past performance
- Compatibility

3.1.2 SMALL PURCHASES: Purchases under $10,000

Authorized Purchaser may select the manufacturer of its choice in compliance with applicable statute and rule.

3.2 ORDERING INSTRUMENTS

Authorized Purchasers may order Goods during the Term of this Agreement using one of the ordering instruments described in this section. Unless expressly authorized by DASPS in writing, IT HVAR shall not accept a different type of ordering instrument from an Authorized Purchaser.

3.2.1 ELECTRONIC ORDERING: Purchases may be placed electronically through the following methods:

- IT HVAR website

- Email Notification
- Telephone
- Electronic Data Interchange (EDI)
- CDW iOS App
- e-Procurement Application
- Purchase Order Fax
- Purchase Order via Standard Postal Service

3.2.2 PURCHASE ORDER: Authorized Purchasers may use a purchase order to order Goods.

Authorized Purchasers subject to DAS procurement authority must use the DASPS-approved purchase order form attached as Exhibit B.

Authorized Purchasers not subject to DAS procurement authority may use their own purchase order forms as ordering instruments.

To be effective, the purchase order must specify all of the following:

- Language stating that the purchase order is submitted under this Agreement (and include the Agreement number)
- The specific Goods and quantity of each item ordered
- The net price
- The requested delivery schedule
- The delivery location(s)
- The invoicing address
- The Authorized Purchaser's authorized representative and relevant contact information, including an e-mail address or fax number

3.3 ACCEPTANCE OF ORDERING INSTRUMENT:

IT HVAR will respond to an ordering instrument within 5 business days after it is received. IT HVAR may reject an ordering instrument:

- using the same means as were used to deliver the ordering instrument, or
- by e-mail or facsimile if that information is evident on the ordering instrument.

IT HVAR shall specify the reason(s) for rejection.

3.4 CANCELLATION; INSPECTION AND ACCEPTANCE

Unless otherwise provided in a Contract, the Authorized Purchaser may cancel an order in whole or in part before Goods are delivered. The Authorized Purchaser has 10 calendar days from date of delivery of the entire order within which to inspect and accept or reject the Goods. If the Goods are rejected, the Authorized Purchaser shall provide IT HVAR with written notice of rejection. Notice of rejection must include itemization of apparent defects, including but not limited to:

- discrepancies between the Goods and the applicable specifications or warranties (including variance from demonstrations or sample characteristics where demonstrations or samples have been provided), or
- otherwise nonconforming Goods (including late delivery).

If cure is allowed, notice of rejection must also specify when cure will be allowed. All returns are subject to IT HVAR's then current Return Policy, which, can be found at: http://webobjects.cdw.com/webobjects/docs/PDFs/Return_Policy.pdf.

3.4.1 The Authorized Purchaser may elect to have IT HVAR deliver substitute conforming Goods at no additional cost to the Authorized Purchaser. In such an event, IT HVAR shall deliver substitute conforming Goods within 10 calendar days of receipt of notice of rejection if Goods are available in stock with IT HVAR, or 30 calendar days if Goods are not in stock or a special order.

3.4.2 If the Goods are rejected or acceptance is revoked, IT HVAR shall refund any Contract payments that have been made with regard to the rejected Goods, and shall, at IT HVAR's sole cost and expense, remove the Goods within 7 calendar days of receiving notice of rejection or revocation of acceptance.

3.4.3 Nothing contained in this section precludes Authorized Purchaser from other remedies to which it may be entitled upon rejection or revocation of acceptance.

3.5 FINANCING METHODS

3.5.1 PURCHASING

Authorized Purchasers may pay for purchases using any of the following methods:

- Credit Card
- Invoice

3.5.2 LEASING OR FINANCING

Authorized Purchasers may enter into lease agreement(s) to acquire Goods through this Agreement. Leasing agreements may be negotiated and managed between:

- Authorized Purchaser and
- IT HVAR Finance and Leasing Specialist and
- Leasing Company

3.6 INVOICES

IT HVAR shall invoice Authorized Purchaser only after delivery of all Goods ordered. Invoices shall be sent to the address provided by Authorized Purchaser for that purpose. IT HVAR shall include all of the following in its invoice:

- Price Agreement number.

- Ordering instrument number.
- Goods ordered.
- Date delivered.
- Volume or quantity of Goods delivered.
- The price per item of Goods.
- The total amount invoiced.
- The address to which payment is to be sent.

3.7 PAYMENT

3.7.1 DISCOUNT TERMS: Payment made on any invoice within 10 calendar days of issue may be short-paid by 0.1% if the purchase was made via Purchase Order.

3.7.2 RESPONSIBILITY: IT HVAR shall look solely to Authorized Purchaser for payment of all amounts that may be due under a Contract. AUTHORIZED PURCHASER IS SOLELY RESPONSIBLE FOR PAYMENT UNDER A CONTRACT. Subject to Authorized Purchaser's acceptance of Goods, payment is due from Authorized Purchaser within 30 calendar days after the date of the invoice.

3.7.3 PAYMENT ADDRESS: Payments must be sent to the address specified in the IT HVAR's invoice.

3.7.4 OVERDUE CHARGES: At IT HVAR's option, it may assess overdue account charges to Authorized Purchaser up to a maximum rate of two-thirds of one percent per month (8% per annum).

3.7.5 All payments are subject to ORS 293.462.

SECTION 4: MANAGEMENT

4.1 PRICE AGREEMENT

4.1.1 REPORTING: IT HVAR shall remit to DASPS a Vendor Collected Administrative Fee (VCAF) and Volume Sales Reports (VSR) as described in Exhibit C.

4.1.2 INSURANCE: IT HVAR shall obtain insurance specified in Exhibit D and shall maintain the insurance until all Contracts under this Agreement are terminated.

4.1.3 PERFORMANCE EVALUATIONS: DASPS may conduct evaluations of IT HVAR's performance during the term of this Agreement. DASPS will compile and maintain completed evaluations, which will become a written record of IT HVAR's performance. DASPS may also maintain as part of that written record information obtained from IT HVAR during an exit interview following Agreement termination. DASPS may provide copies of any documents in the written record to the IT HVAR and third parties upon request. DASPS may use performance evaluations in any way it deems necessary, in its sole discretion, including but not limited to making responsibility determinations and

decisions to award contracts.

4.2 PROGRAM

4.2.1 IMPLEMENTATION

4.2.1.1 Website (State Level)

IT HVAR shall enable the Oregon IT HVAR website within 15 business days of the Effective Date of the Agreement. The site must be configured as mutually agreed between Contract Manager and DASPS Contract Administrator regarding:

- Users
- Permissions
- Restrictions

4.2.2 MAINTENANCE/IMPROVEMENT

4.2.2.1 REGULAR MEETINGS

4.2.2.1.1 **Quarterly Business Reviews:** IT HVAR Contract Manager and DASPS Contract Administrator shall meet no less than once per calendar quarter for business reviews. The reviews will include, but will not be limited to:

- Manufacturers offered
- Total contract spend by manufacturer
- Agreement and Contract Highlights – documentation of any pressing issues identified from quarter to quarter
- Service Level Requirements
- Delivery – average days to ship
- Returns – total count of returns
- Data interpretation for any reports state customers run for themselves

4.2.2.1.2 **Bi-annual Contract Improvement Meetings:** IT HVAR Contract Manager and DASPS Contract Administrator shall meet no less than twice per calendar year for contract improvement meetings. The meetings will include, but will not be limited to:

- Agreement and Contract processes
- Incidences of note
- Feedback from Contract Administrator

4.2.2.2 WEBSITE AND TRAINING

4.2.2.2.1 **Website (Authorized Purchaser Level):** IT HVAR shall enable an entity under the Oregon IT HVAR website within 5 business days of a written request to the Account Manager. The entity enablement must be configured as mutually

agreed between Account Manager and the entity representative regarding:

- Users
- Permissions
- Restrictions

4.2.2.2.2 **Education/Training:** IT HVAR to provide education/training to End Users regarding:

- Website
- Reporting
- Ordering
- Invoicing

4.2.3 PROMOTION

4.2.3.1 Oregon IT HVAR Promotion and Product Expo

IT HVAR shall coordinate and host an IT HVAR promotion event once per calendar year. The event will be located in Salem unless an alternative location is approved by DASPS Contract Administrator. The event must include but will not be limited to:

- A number of manufacturers mutually agreed upon between IT HVAR and DASPS Contract Administrator.
- Manufacturer representatives and products to promote products currently available through the IT HVAR agreement and showcase upcoming products and technology.
- Marketing and promotion of the event.

4.2.3.2 Key Events

IT HVAR shall promote the Agreement at key events throughout Oregon such as the Association for Computer Professionals in Education (ACPE), Oregon Digital Government Summit, and the Oregon Public Purchasing Association (OPPA), among others.

4.3 OREGON ECONOMIC SUPPORT

IT HVAR shall conduct various activities to stimulate Oregon's economy, including but not limited to:

4.3.1 Continually seeking to establish partnerships with local Oregon businesses through IT HVAR's partner-onboarding process.

4.3.2 Attending key events around the State to network with local businesses and bring business opportunities to their attention.

4.3.3 Highlighting local products and services on the IT HVAR website.

4.3.4 Working with the Certification Office of Business Inclusion and Diversity (COBID), (known as the Office of Minorities, Women, and Emerging Small Business (OMWESB) through December 31, 2015) to promote the opportunity to partner with the IT HVAR.

SECTION 5: TERMS AND CONDITIONS

5.1 TERMS AND CONDITIONS APPLICABLE TO THE AGREEMENT

5.1.1 AGREEMENT DOCUMENTS; ORDER OF PRECEDENCE: The Agreement consists of the Agreement and the attached Exhibits. In the event of a conflict, the order of precedence is as follows

- Price Agreement, less its exhibits
- Attached Exhibits
  - Exhibit A-1: Categories
  - Exhibit A-2: Manufacturers
  - Exhibit A-5: Restrictions
  - Exhibit A-3: Pricing Methodology
  - Exhibit A-4: Contract Management Services
  - Exhibit D: Insurance
  - Exhibit C: Volume Sales Reports and Vendor Collected Administrative Fees
  - Exhibit B: PO Form
- Any Contract

5.1.2 CHOICE OF LAW: The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

5.1.3 DESIGNATION OF FORUM AND CONSENT TO JURISDICTION: Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County, provided, however, if a Claim must be brought in a federal forum, then unless otherwise prohibited by law it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. IT HVAR HEREBY CONSENTS TO THE IN PERSONAM JURISDICTION OF SAID COURTS AND WAIVES ANY OBJECTION TO VENUE IN SUCH COURTS, AND WAIVES ANY CLAIM THAT SUCH FORUM IS AN INCONVENIENT FORUM. Nothing herein shall be construed as a waiver of the State's sovereign or governmental immunity, whether derived from the Eleventh Amendment to the United States Constitution or otherwise, or of any defenses to Claims or jurisdiction based thereon.

5.1.4 ASSIGNMENTS, SUBCONTRACTS, AND SUCCESSORS: IT HVAR shall not assign, sell, transfer, or subcontract rights, or delegate responsibilities under this Agreement, in whole or in part, without the prior written approval of DASPS, except IT HVAR may

assign to its affiliates or to any successor corporation in the event of a merger or acquisition without DASPS' prior approval, provided, however, that IT HVAR shall send DASPS written notice of any such assignment. Further, no such written approval shall relieve IT HVAR of any obligations under this Agreement, and any assignee, transferee, or delegate shall be considered the agent of IT HVAR. The provisions of this Agreement are binding upon, and shall inure to the benefit of the parties and their respective successors and permitted assigns.

5.1.5 FORCE MAJEURE: Neither party is responsible for delay or default caused by an unallocated risk such as fire, riot, and acts of God or war, or by any other cause not within the control of the party whose performance is interfered with, and, which by the exercise of reasonable diligence, the party is unable to prevent. DASPS may terminate this Agreement upon written notice after determining such delay or default will reasonably prevent successful performance of this Agreement.

In the event of any such delay, IT HVAR's obligations are suspended to the extent of and for the duration of such causes. However, IT HVAR shall take all good faith efforts to eliminate the cause of any such delay, and upon the cessation of such cause, shall resume performance of IT HVAR's obligations with all reasonable diligence. If necessary, the period for performance under this Agreement will be extended to enable IT HVAR, once such causes have been removed, to fulfill its obligations hereunder.

5.1.6 NOTICES: Except as otherwise expressly provided in this Agreement, any communications between the parties, or notices to be given under this Agreement, are effective only if given in writing by personal delivery, email or United States Postal Service, postage prepaid, to the contacts listed in Section 1.2. Any communication or notice via the United States Postal Service is deemed given 5 calendar days after mailing. Any communication or notice by personal delivery is deemed given immediately upon such delivery. Any communication or notice by email is deemed given when the recipient, by an email sent to the email address for the sender or by a notice given by another method in accordance with this section, acknowledges having received that email, with an automatic "read receipt" not constituting acknowledgment of an email for purposes of this section.

5.1.7 MERGER CLAUSE; AMENDMENT; WAIVER: This Agreement, together with the attached exhibits, constitutes the entire agreement between the parties and merges all prior and contemporaneous communications with respect to the subject matter. There are no understandings, agreements, or representations, oral or written, not specified in this Agreement on the subject matter. No amendment of this Agreement is valid unless it is in writing and signed by the parties. No waiver or consent is effective unless in writing and signed by the party against whom it is asserted. Waivers and consents are effective only in the specific instance and for the specific purpose given. The failure of DASPS or an Authorized Purchaser to enforce any provision of this Agreement is not a waiver by DASPS or the Authorized Purchaser of that or any other provision.

5.1.8 ACCESS TO RECORDS: IT HVAR shall retain, maintain, and keep accessible all records relevant to this Agreement (the "Records") for a minimum of 3 years, or such longer

period as may be required by applicable law following expiration or termination of the Agreement or any Contract, or until the conclusion of any audit, controversy or litigation arising out of or related to the Agreement or any Contract, whichever date is later. Financial Records will be kept in accordance with Generally Accepted Accounting Principles (GAAP). During the record-retention period established in this section, IT HVAR shall permit DASPS and its duly authorized representatives, and the federal government access to the Records at a reasonable time and place for purposes of examination and copying.

5.1.9 TIME IS OF THE ESSENCE: Time is of the essence for performance of IT HVAR's performance obligations under this Price Agreement.

5.1.10 INDEMNIFICATION: IT HVAR SHALL DEFEND, SAVE, HOLD HARMLESS, AND INDEMNIFY DASPS, THE STATE OF OREGON AND ITS OFFICERS, EMPLOYEES AND AGENTS FROM AND AGAINST ALL THIRD PARTY CLAIMS, SUITS, ACTIONS, PROCEEDINGS, LOSSES, DAMAGES, LIABILITIES, AWARDS AND COSTS OF EVERY KIND AND DESCRIPTION (COLLECTIVELY, "CLAIM") WHICH MAY BE BROUGHT OR MADE AGAINST DASPS, THE STATE, OR THEIR OFFICERS, EMPLOYEES OR AGENTS, AND ARISING OUT OF OR RELATED TO (I) ANY PERSONAL INJURY, DEATH OR PROPERTY DAMAGE CAUSED BY ANY ALLEGED ACT, OMISSION, ERROR, FAULT, MISTAKE OR NEGLIGENCE OF IT HVAR, ITS EMPLOYEES, OR AGENTS, RELATED TO THIS AGREEMENT, (II) ANY ACT OR OMISSION BY IT HVAR THAT CONSTITUTES A MATERIAL BREACH OF THIS AGREEMENT, INCLUDING WITHOUT LIMITATION ANY BREACH OF WARRANTY, OR (III) THE INFRINGEMENT OF ANY PATENT, COPYRIGHT, TRADE SECRET OR OTHER PROPRIETARY RIGHT OF ANY THIRD PARTY BY DELIVERY OR USE OF THE GOODS. DASPS OR STATE SHALL PROMPTLY NOTIFY IT HVAR IN WRITING OF ANY CLAIM OF WHICH DASPS OR STATE BECOMES AWARE. IT HVAR'S OBLIGATION UNDER THIS SECTION SHALL NOT EXTEND TO ANY CLAIM PRIMARILY CAUSED BY (I) THE NEGLIGENT OR WILLFUL MISCONDUCT OF DASPS, OR (II) AUTHORIZED PURCHASER'S MODIFICATION OF GOODS WITHOUT IT HVAR'S APPROVAL AND IN A MANNER INCONSISTENT WITH THE PURPOSE AND PROPER USAGE OF SUCH GOODS.

HOWEVER, THE OREGON ATTORNEY GENERAL MUST GIVE WRITTEN AUTHORIZATION TO ANY LEGAL COUNSEL PURPORTING TO ACT IN THE NAME OF, OR REPRESENT THE INTERESTS OF, THE STATE OR ITS OFFICERS, EMPLOYEES AND AGENTS PRIOR TO SUCH ACTION OR REPRESENTATION. FURTHER, THE STATE, ACTING BY AND THROUGH ITS DEPARTMENT OF JUSTICE, MAY ASSUME ITS OWN DEFENSE, INCLUDING THAT OF ITS OFFICERS, EMPLOYEES AND AGENTS, AT ANY TIME WHEN IN THE STATE'S SOLE DISCRETION IT DETERMINES THAT (I) PROPOSED COUNSEL IS PROHIBITED FROM THE PARTICULAR REPRESENTATION CONTEMPLATED; (II) COUNSEL IS NOT ADEQUATELY DEFENDING OR ABLE TO DEFEND THE INTERESTS OF THE STATE, ITS OFFICERS, EMPLOYEES OR AGENTS; (III) IMPORTANT GOVERNMENTAL INTERESTS ARE AT STAKE; OR (IV) THE BEST INTERESTS OF THE STATE ARE SERVED THEREBY. IT HVAR'S OBLIGATION TO PAY FOR ALL COSTS AND EXPENSES SHALL INCLUDE THOSE INCURRED BY THE STATE IN

ASSUMING ITS OWN DEFENSE AND THAT OF ITS OFFICERS, EMPLOYEES, OR AGENTS UNDER (I) AND (II) ABOVE.

Data and Network Services. Except to the extent that a claim or loss results from the negligent, reckless or intentional acts or omissions of Authorized Purchaser, IT HVAR shall assume liability for all claims or losses related to data loss or breach of security caused directly or indirectly by or resulting from the Goods or Services provided by IT HVAR.

UNDER NO CIRCUMSTANCES, AND NOTWITHSTANDING THE FAILURE OF ESSENTIAL PURPOSE OF ANY REMEDY SET FORTH HEREIN, WILL IT HVAR, ITS AFFILIATES OR ITS OR THEIR SUPPLIERS, SUBCONTRACTORS OR AGENTS BE LIABLE FOR: ANY INCIDENTAL, INDIRECT, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS, BUSINESS, REVENUES OR SAVINGS, EVEN IF IT HVAR HAS BEEN ADVISED OF THE POSSIBILITIES OF SUCH DAMAGES OR IF SUCH DAMAGES ARE OTHERWISE FORESEEABLE, IN EACH CASE, AND WHETHER A CLAIM FOR ANY SUCH LIABILITY IS PREMISED UPON BREACH OF CONTRACT, WARRANTY, NEGLIGENCE, STRICT LIABILITY OR OTHER THEORY OF LIABILITY. IN THE EVENT OF ANY LIABILITY INCURRED BY IT HVAR OR ANY OF ITS AFFILIATES HEREUNDER, THE ENTIRE LIABILITY OF IT HVAR AND ITS AFFILIATES FOR DAMAGES FROM ANY CAUSE WHATSOEVER WILL NOT EXCEED THE LESSER OF: (A) 1.5 TIMES THE DOLLAR AMOUNT PAID BY THE STATE, DASPS OR AUTHORIZED PURCHASER FOR EITHER THE SPECIFIC PURCHASED ITEM(S) GIVING RISE TO THE CLAIM; OR (B) $1,000,000.00.

5.1.11 BREACH

5.1.11.1 By IT HVAR: IT HVAR breaches this Agreement if:

- IT HVAR institutes or has instituted against it insolvency, receivership or bankruptcy proceedings, makes an assignment for the benefit of creditors, or ceases doing business on a regular basis;
- IT HVAR no longer holds a license or certificate that is required for IT HVAR to perform IT HVAR's obligations under this Agreement; or
- IT HVAR commits any breach of any covenant, warranty, obligation or certification under this Agreement, provided however that IT HVAR may cure the breach within30 calendar days after delivery of the notice or within such other period specified in DASPS' notice of default.

5.1.11.2 By DASPS: DASPS breaches this Agreement if DASPS commits any breach of any covenant, warranty, or obligation under this Agreement and such breach is not cured within 10 business days after delivery of IT HVAR's notice of breach or such longer period as IT HVAR may specify in such notice.

5.1.12 REMEDIES

5.1.12.1 DASPS' Remedies: If IT HVAR is in breach under Section 5.1.11, in addition to the remedies afforded elsewhere in this Agreement, DASPS may recover any and all

direct damages suffered as the result of IT HVAR's breach. DASPS may, at its option, pursue any or all of the remedies available to it under this Agreement and at law or in equity, including, but not limited to:

- Restriction of sales under the Agreement
- Suspension of sales under the Agreement
- Termination of the Agreement as provided in Section 5.1.13;
- Initiation of an action or proceeding for damages, specific performance, declaratory or injunctive relief; and
- These remedies are cumulative to the extent the remedies are not inconsistent, and DASPS may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

5.1.12.2 IT HVAR's Remedies: If DASPS is in breach under Section 5.1.11, IT HVAR's sole remedy is termination of this Agreement.

5.1.13 TERMINATION

5.1.13.1 By Mutual Consent: This Agreement may be terminated at any time by mutual written consent of DASPS and IT HVAR.

5.1.13.2 Rights of DASPS. DASPS may, at its sole discretion, terminate this Contract for convenience with 30 calendar days' prior written notice. DASPS may terminate this Agreement immediately upon notice to IT HVAR, or at such later date as DASPS may establish in such notice if IT HVAR is in breach of this Contract under Section 5.1.11. Upon receipt of written notice of termination, IT HVAR shall stop performance under this Agreement or any Contract if and as directed by Authorized Purchaser.

5.1.13.3 Rights of The IT HVAR: IT HVAR may terminate this Agreement with a minimum 10 calendar days' prior written notice to DASPS, if DASPS is in breach of this Agreement as described in Section 5.1.11.

5.1.14 SURVIVAL: The following provisions survive termination or expiration of this Agreement: Sections 5.1.2, 5.1.3, 5.1.8, 5.1.10, 5.1.12, 5.1.15, Exhibit C.

5.1.15 SEVERABILITY: If any provision of this Agreement is declared by a court of competent jurisdiction to be illegal or otherwise invalid, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

5.1.16 INTENDED BENEFICIARIES: DASPS and IT HVAR are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or will be construed to give or provide, any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

5.1.17 PAYMENTS; LIENS; RECYCLING: DASPS's performance under this Agreement is conditioned upon IT HVAR's compliance with the obligations intended for contractors under ORS 279B.220, 279B.225 (if applicable to this Agreement), 279B.230 and 279B.235 (if applicable to this Agreement), which are incorporated into this Agreement by reference. IT HVAR shall, to the maximum extent economically feasible in the performance of this Agreement, use recycled paper (as defined in ORS 279A.010(1)(gg)), recycled PETE products (as defined in ORS 279A.010(1)(hh)), and other recycled plastic resin products and recycled products (as "recycled product" is defined in ORS 279A.010(1)(ii)).

5.1.18 FOREIGN CONTRACTOR: If the IT HVAR is not domiciled in or registered to do business in the State of Oregon, IT HVAR shall promptly provide to the Oregon Department of Revenue and the Secretary of State, Corporation Division, all information required by those agencies relative to the Agreement. IT HVAR shall demonstrate its legal capacity to perform the Services under this Agreement in the State of Oregon before entering into this Agreement.

5.1.19 CERTIFICATION OF COMPLIANCE WITH TAX LAWS: By signature on this Agreement for IT HVAR, the undersigned hereby certifies under penalty of perjury that the undersigned is authorized to act on behalf of IT HVAR and that IT HVAR is, to the best of the undersigned's knowledge, IT HVAR is not subject to backup withholding because: (i) Contractor is exempt from backup withholding, (ii) IT HVAR has not been notified by the IRS that IT HVAR is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified IT HVAR that IT HVAR is no longer subject to backup withholding.

For a period of no fewer than six calendar years preceding the Effective Date of this Price Agreement, IT HVAR faithfully has complied with:

5.1.19.1 All tax laws of this state; For the purposes of this Section 15.1.19, "tax laws" includes:

- All tax laws of this state, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318;
- Any tax provisions imposed by a political subdivision of this state that applied to IT HVAR, to IT HVAR's property, operations, receipts, or income, or to IT HVAR's performance of or compensation for any work performed by IT HVAR;
- Any tax provisions imposed by a political subdivision of this state that applied to IT HVAR, or to goods, services, or property, whether tangible or intangible, provided by IT HVAR; and
- Any rules, regulations, charter provisions, or ordinances that implemented or enforced any of the foregoing tax laws or provisions.

5.1.19.2 Any tax provisions imposed by a political subdivision of this state that applied to IT HVAR, to IT HVAR's property, operations, receipts, or income, or to IT HVAR's performance of or compensation for any work performed by IT HVAR; (iii) Any tax provisions imposed by a political subdivision of this state that applied to IT HVAT, or to goods, services, or property, whether tangible or intangible, provided by IT HVAR;

and (iv) Any rules, regulations, charter provisions, or ordinances that implemented or enforced any of the foregoing tax laws or provisions.

Further, IT HVAR shall, throughout the duration of this Agreement and any extensions, comply with all tax laws of this state and all applicable tax laws of any political subdivision of this state.

Any violation of this subsection 5.1.19 constitutes a material breach of this Agreement. Further, any violation of IT HVAR's warranty set forth in subsection 5.1.19 also shall constitute a material breach of this Agreement. Any violation shall entitle DASPS or Authorized Purchaser to terminate this Agreement or any Contract, to pursue and recover any and all damages that arise from the breach and the termination of this Agreement or Contract, and to pursue any or all of the remedies available under this Agreement or Contract at law, or in equity, including but not limited to:

- Termination of this Agreement or Contract, in whole or in part;
- Exercise of the right of setoff, and withholding of amounts otherwise due and owing to IT HVAR, in an amount equal to State's setoff right, without penalty; and
- Initiation of an action or proceeding for damages, specific performance, declaratory or injunctive relief. DASPS or Authorized Purchaser may recover any and all damages suffered as the result of IT HVAR's breach of this Agreement or Contract, including but not limited to direct, indirect, incidental and consequential damages, costs of cure, and costs incurred in securing replacement Services or Goods and applications.

These remedies are cumulative to the extent the remedies are not inconsistent, and DASPS or Authorized Purchaser may pursue any remedy or remedies singly, collectively, successively, or in any order whatsoever.

5.1.20 COUNTERPARTS: This Agreement may be executed in two or more counterparts, each of which is an original, and all of which together are deemed one and the same instrument, notwithstanding that all parties are not signatories to the same counterpart.

5.2 TERMS AND CONDITIONS APPLICABLE TO CONTRACTS

5.2.1 CONTRACT DOCUMENTS; ORDER OF PRECEDENCE: The Contract consists of the ordering instrument and the provisions in Section 5.2 and any additional attached terms and conditions. In the event of a conflict, the order of precedence is as follows

- Agreement
- Agreement Exhibits (order TBD)
  - Exhibit A-4: Contract Management Services
  - Exhibit A-5: Restrictions
  - Exhibit A-1: Categories
  - Exhibit A-2: Manufacturers
  - Exhibit A-3: Pricing Methodology

- Exhibit D: Insurance
- Exhibit C: Volume Sales Reports and Vendor Collected Administrative Fees
- Exhibit B: PO Form

- Section 5.2 terms and conditions
- Ordering Instrument
- Additional attached terms and conditions

5.2.2 CHOICE OF LAW: The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to a Contract, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

5.2.3 DESIGNATION OF FORUM AND CONSENT TO JURISDICTION

5.2.3.1 State Contract Venue; Consent To Jurisdiction: Any claim, action, suit or proceeding (collectively, "Claim") between an Authorized Purchaser that is an agency of the State of Oregon and IT HVAR that arises from or relates to this Contract shall be brought and conducted solely and exclusively within the Circuit Court of Marion County for the State of Oregon; provided, however, if a Claim must be brought in a federal forum, then unless otherwise prohibited by law it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. IT HVAR HEREBY CONSENTS TO THE IN PERSONAM JURISDICTION OF SAID COURTS AND WAIVES ANY OBJECTION TO VENUE IN SUCH COURTS, AND WAIVES ANY CLAIM THAT SUCH FORUM IS AN INCONVENIENT FORUM. Nothing herein shall be construed as a waiver of the State's or Authorized Purchaser's sovereign or governmental immunity, whether derived from the Eleventh Amendment to the United States Constitution or otherwise, or of any defenses to Claims or jurisdiction based thereon.

5.2.3.2 ORCPP Contract Venue; Consent To Jurisdiction: Any Claims between IT HVAR and an ORCPP Authorized Purchaser other than an agency of the State of Oregon that arise from or relate to this Contract order shall be brought and conducted solely and exclusively within the Circuit Court of the county in which such ORCPP Authorized Purchaser resides, or at the ORCPP Authorized Purchaser's option, within such other county as the ORCPP Authorized Purchaser is entitled under the laws of the relevant jurisdiction to bring or defend Claims. If any such Claim must be brought in a federal forum, then unless otherwise prohibited by law it shall be brought and conducted solely and exclusively within the United States District Court for the District in which such ORCPP Authorized Purchaser resides. IT HVAR HEREBY CONSENTS TO THE IN PERSONAM JURISDICTION OF SAID COURTS AND WAIVES ANY OBJECTION TO VENUE IN SUCH COURTS, AND WAIVES ANY CLAIM THAT SUCH FORUM IS AN INCONVENIENT FORUM. Nothing herein shall be construed as a waiver of ORCPP Authorized Purchaser's sovereign or governmental immunity, if any, whether derived from the Eleventh Amendment to the United States Constitution or otherwise, or of any defenses to Claims or jurisdiction based thereon.

5.2.4 ASSIGNMENTS, SUBCONTRACTS, AND SUCCESSORS: IT HVAR shall not assign, sell, transfer, or subcontract rights, or delegate responsibilities under a Contract, in whole or in part, without the prior written approval of the Authorized Purchaser, except IT HVAR may assign to its affiliates or to any successor corporation in the event of a merger or acquisition without Authorized Purchaser's prior approval, provided, however, that IT HVAR shall send Authorized Purchaser written notice of any such assignment. Further, no such written approval shall relieve IT HVAR of any obligations under a Contract, and any assignee, transferee, or delegate shall be considered the agent of IT HVAR. The provisions of this Contract are binding upon, and shall inure to the benefit of the parties and their respective successors and permitted assigns.

5.2.5 FORCE MAJEURE: Neither Authorized Purchaser nor IT HVAR is responsible for delay or default caused by an unallocated risk such as fire, riot, and acts of God or war, or by any other cause not within the control of the party whose performance is interfered with, and, which by the exercise of reasonable diligence, the party is unable to prevent. Authorized Purchaser may terminate a Contract upon written notice after determining such delay or default will reasonably prevent successful performance of a Contract.

In the event of any such delay, IT HVAR's obligations are suspended to the extent of and for the duration of such causes. However, IT HVAR shall take all good faith efforts to eliminate the cause of any such delay, and upon the cessation of such cause, shall resume performance of IT HVAR's obligations with all reasonable diligence. If necessary, the period for performance under a Contract will be extended to enable IT HVAR, once such causes have been removed, to fulfill its obligations hereunder.

5.2.6 NOTICES: Except as otherwise expressly provided in this Agreement, any communications between the parties, or notices to be given under a Contract, are effective only if given in writing by personal delivery, email or United States Postal Service, postage prepaid, to the Authorized Purchaser's authorized representative stated in the ordering instrument or to the IT HVAR's authorized representative listed in Section 1.2.2. Any communication or notice via the United States Postal Service is deemed given 5 calendar days after mailing. Any communication or notice by personal delivery is deemed given immediately upon such delivery. Any communication or notice by email is deemed given when the recipient, by an email sent to the email address for the sender or by a notice given by another method in accordance with this section, acknowledges having received that email, with an automatic "read receipt" not constituting acknowledgment of an email for purposes of this section.

5.2.7 MERGER CLAUSE; AMENDMENT; WAIVER: A Contract constitutes the entire agreement between IT HVAR and Authorized Purchaser on the subject matter of the Contract. There are no understandings, agreements, or representations, oral or written, not specified in the Contract on the subject matter. No amendment of a Contract is valid unless it is in writing and signed by the parties. No waiver or consent is effective unless in writing and signed by the party against whom it is asserted. Waivers and consents are effective only in the specific instance and for the specific purpose given. The failure of the Authorized Purchaser to enforce any provision of a Contract is not a waiver by Authorized Purchaser of that or any other provision.

5.2.8 ACCESS TO RECORDS: IT HVAR shall retain, maintain, and keep accessible all records relevant to the a Contract (the "Records") for a minimum of 3 years, or such longer period as may be required by applicable law following expiration or termination of a Contract, or until the conclusion of any audit, controversy or litigation arising out of or related to a Contract, whichever date is later. Financial Records will also be kept in accordance with Generally Accepted Accounting Principles (GAAP). During the record-retention period established in this section, IT HVAR shall permit DASPS, Authorized Purchaser, their duly authorized representatives, and the federal government access to the Records at a reasonable time and place for purposes of examination and copying.

5.2.9 TIME IS OF THE ESSENCE: Time is of the essence for performance of IT HVAR's performance obligations under a Contract.

5.2.10 INDEMNIFICATION: IT HVAR SHALL DEFEND, SAVE, HOLD HARMLESS, AND INDEMNIFY THE AUTHORIZED PURCHASER, THE STATE OF OREGON AND ITS OFFICERS, EMPLOYEES AND AGENTS FROM AND AGAINST ALL THIRD PARTY CLAIMS, SUITS, ACTIONS, PROCEEDINGS, LOSSES, DAMAGES, LIABILITIES, AWARDS AND COSTS OF EVERY KIND AND DESCRIPTION (COLLECTIVELY, "CLAIM") WHICH MAY BE BROUGHT OR MADE AGAINST ANY AUTHORIZED PURCHASER, THE STATE, OR THEIR AGENTS, OFFICERS, EMPLOYEES OR AGENTS, AND ARISING OUT OF OR RELATED TO (I) ANY PERSONAL INJURY, DEATH OR PROPERTY DAMAGE CAUSED BY ANY ALLEGED ACT, OMISSION, ERROR, FAULT, MISTAKE OR NEGLIGENCE OF IT HVAR, ITS EMPLOYEES, OR AGENTS, RELATED TO A CONTRACT, (II) ANY ACT OR OMISSION BY IT HVAR THAT CONSTITUTES A MATERIAL BREACH OF A CONTRACT, INCLUDING WITHOUT LIMITATION ANY BREACH OF WARRANTY, OR (III) THE INFRINGEMENT OF ANY PATENT, COPYRIGHT, TRADE SECRET OR OTHER PROPRIETARY RIGHT OF ANY THIRD PARTY BY DELIVERY OR USE OF THE GOODS. AUTHORIZED PURCHASER OR STATE SHALL PROMPTLY NOTIFY IT HVAR IN WRITING OF ANY CLAIM OF WHICH AUTHORIZED PURCHASER OR STATE BECOMES AWARE. IT HVAR'S OBLIGATION UNDER THIS SECTION SHALL NOT EXTEND TO ANY CLAIM PRIMARILY CAUSED BY (I) THE NEGLIGENT OR WILLFUL MISCONDUCT OF AUTHORIZED PURCHASER, OR (II) AUTHORIZED PURCHASER'S MODIFICATION OF GOODS WITHOUT IT HVAR'S APPROVAL AND IN A MANNER INCONSISTENT WITH THE PURPOSE AND PROPER USAGE OF SUCH GOODS.

HOWEVER, THE OREGON ATTORNEY GENERAL MUST GIVE WRITTEN AUTHORIZATION TO ANY LEGAL COUNSEL PURPORTING TO ACT IN THE NAME OF, OR REPRESENT THE INTERESTS OF, THE STATE OR ITS OFFICERS, EMPLOYEES AND AGENTS PRIOR TO SUCH ACTION OR REPRESENTATION. FURTHER, THE STATE, ACTING BY AND THROUGH ITS DEPARTMENT OF JUSTICE, MAY ASSUME ITS OWN DEFENSE, INCLUDING THAT OF ITS OFFICERS, EMPLOYEES AND AGENTS, AT ANY TIME WHEN IN THE STATE'S SOLE DISCRETION IT DETERMINES THAT (I) PROPOSED COUNSEL IS PROHIBITED FROM THE PARTICULAR REPRESENTATION CONTEMPLATED; (II) COUNSEL IS NOT ADEQUATELY DEFENDING OR ABLE TO DEFEND THE INTERESTS OF THE STATE, ITS OFFICERS, EMPLOYEES OR AGENTS; (III) IMPORTANT GOVERNMENTAL INTERESTS ARE AT STAKE; OR (IV) THE BEST INTERESTS OF THE STATE ARE SERVED THEREBY. IT HVAR'S OBLIGATION TO PAY

FOR ALL COSTS AND EXPENSES SHALL INCLUDE THOSE INCURRED BY THE STATE IN ASSUMING ITS OWN DEFENSE AND THAT OF ITS OFFICERS, EMPLOYEES, OR AGENTS UNDER (I) AND (II) ABOVE.

UNDER NO CIRCUMSTANCES, AND NOTWITHSTANDING THE FAILURE OF ESSENTIAL PURPOSE OF ANY REMEDY SET FORTH HEREIN, WILL IT HVAR, ITS AFFILIATES OR ITS OR THEIR SUPPLIERS, SUBCONTRACTORS OR AGENTS BE LIABLE FOR: ANY INCIDENTAL, INDIRECT, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS, BUSINESS, REVENUES OR SAVINGS, EVEN IF IT HVAR HAS BEEN ADVISED OF THE POSSIBILITIES OF SUCH DAMAGES OR IF SUCH DAMAGES ARE OTHERWISE FORESEEABLE, IN EACH CASE, AND WHETHER A CLAIM FOR ANY SUCH LIABILITY IS PREMISED UPON BREACH OF CONTRACT, WARRANTY, NEGLIGENCE, STRICT LIABILITY OR OTHER THEORY OF LIABILITY. IN THE EVENT OF ANY LIABILITY INCURRED BY IT HVAR OR ANY OF ITS AFFILIATES HEREUNDER, THE ENTIRE LIABILITY OF IT HVAR AND ITS AFFILIATES FOR DAMAGES FROM ANY CAUSE WHATSOEVER WILL NOT EXCEED THE LESSER OF: (A) 1.5 TIMES THE DOLLAR AMOUNT PAID BY THE STATE, DASPS OR AUTHORIZED PURCHASER FOR EITHER THE SPECIFIC PURCHASED ITEM(S) GIVING RISE TO THE CLAIM; OR (B) $1,000,000.00.

5.2.11 BREACH

5.2.11.1 By IT HVAR: IT HVAR breaches a Contract if:

- IT HVAR institutes or has instituted against it insolvency, receivership or bankruptcy proceedings, makes an assignment for the benefit of creditors, or ceases doing business on a regular basis;
- IT HVAR no longer holds a license or certificate that is required for IT HVAR to perform IT HVAR's obligations under a Contract; or
- IT HVAR commits any breach of any covenant, warranty, obligation or certification under a Contract, provided however that IT HVAR may cure the breach within 30 calendar days after delivery of notice or within the period specified in Authorized Purchaser's notice of default when Authorized Purchaser determines the breach is curable by IT HVAR.

5.2.11.2 By Authorized Purchaser: Authorized Purchaser breaches a Contract if:

- Authorized Purchaser fails to pay IT HVAR any amount pursuant to the terms of a Contract, and Authorized Purchaser fails to cure such failure within ten (10) business days after delivery of IT HVAR's notice or such longer period as IT HVAR may specify in such notice; or
- Authorized Purchaser commits any breach of any covenant, warranty, or obligation under a Contract and such breach is not cured within ten (10) business days after delivery of IT HVAR's notice of breach or such longer period as IT HVAR may specify in such notice.

5.2.12 REMEDIES

5.2.12.1 Authorized Purchaser's Remedies: If IT HVAR is in breach under Section 5.2.11, in addition to the remedies afforded elsewhere in a Contract, the Authorized Purchaser may recover any and all direct damages suffered as the result of IT HVAR's breach. Authorized Purchaser may, at its option, pursue any or all of the remedies available to it under a Contract and at law or in equity, including, but not limited to:

- Termination of a Contract as provided in Section 5.2.13;
- Withholding all monies due for invoiced Goods that IT HVAR is obligated but has failed to deliver or perform within any scheduled completion dates or has performed inadequately or defectively;
- Initiation of an action or proceeding for damages, specific performance, declaratory or injunctive relief; and
- Exercise of its right of setoff, and withholding of monies otherwise due and owing in an amount equal to Authorized Purchaser's setoff without penalty to Authorized Purchaser.
- These remedies are cumulative to the extent the remedies are not inconsistent, and Authorized Purchaser may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

5.2.12.2 IT HVAR's Remedies: If Authorized Purchaser terminates a Contract, or if Authorized Purchaser is in breach under Section 5.2.11 and whether or not IT HVAR elects to exercise its right to terminate a Contract under Section 5.2.13, IT HVAR's sole remedy is:

- a claim against Authorized Purchaser for the unpaid purchase price for Goods delivered,
- with respect to services compensable on an hourly basis, a claim for unpaid invoices, hours worked but not yet billed and authorized expenses for services completed ,
- with respect to deliverable-based services, a claim for the sum designated for completing the deliverable multiplied by the percentage of services completed, and
- any claim(s) allowed by applicable law.

If previous amounts paid to IT HVAR exceed the amount due to IT HVAR under this section, IT HVAR shall pay any excess to Authorized Purchaser upon written demand.

5.2.13 TERMINATION

5.2.13.1 By Mutual Consent: A Contract may be terminated at any time by mutual written consent of Authorized Purchaser and IT HVAR.

5.2.13.2 Rights of Authorized Purchaser. Authorized Purchaser may, at its sole discretion, terminate a Contract for convenience with 30 calendar days' prior written notice. Authorized Purchaser may terminate a Contract immediately upon notice to IT HVAR, or at such later date as Authorized Purchaser may establish in such notice, upon the occurrence of any of the following events:

- Authorized Purchaser fails to receive funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow Authorized Purchaser, in the exercise of its reasonable administrative discretion, to meet its payment obligations under a Contract;
- federal or state laws, regulations, or guidelines are modified or interpreted in such a way that either the purchase of the Goods by Authorized Purchasers under the Price Agreement is prohibited, or Authorized Purchasers are prohibited from paying for such Goods from the planned funding sources; or
- IT HVAR is in breach of a Contract under Section 5.2.11. Upon receipt of written notice of termination, IT HVAR shall stop performance under a Contract if and as directed by Authorized Purchaser.

5.2.13.3 **Rights of The IT HVAR:** IT HVAR may terminate a Contract with a minimum 10 calendar days' prior written notice to Authorized Purchaser, if Authorized Purchaser is in breach of a Contract as described in Section 5.2.11.

5.2.14 **SURVIVAL:** The following provisions survive termination or expiration of a Contract: Sections 5.2.2, 5.2.3, 5.2.8, 5.2.10, 5.2.12, 5.2.15, 5.2.22, 5.2.23.1, 5.2.23.4.

5.2.15 **SEVERABILITY:** If any provision of a Contract is declared by a court of competent jurisdiction to be illegal or otherwise invalid, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if a Contract did not contain the particular provision held to be invalid.

5.2.16 **ASSIGNMENT OF ANTITRUST RIGHTS.** IT HVAR irrevocably assigns to the State Of Oregon any claim for relief or cause of action which the IT HVAR now has or which may accrue to the IT HVAR in the future by reason of any violation of 15 U.S.C. § 1-15 or ORS 646.725 or ORS 646.730, in connection with any goods or services provided to the IT HVAR for the purpose of carrying out the IT HVAR's obligations under this Agreement or any Contract, including, at the State's option, the right to control any such litigation on such claim or relief or cause of action. IT HVAR shall require any subcontractors hired to perform any of IT HVAR's duties under this Agreement or any Contract to irrevocably assign to the State of Oregon, as third party beneficiary, any right, title or interest that has accrued or which may accrue in the future by reason of any violation of 15 U.S.C. § 1-15 or ORS 646.725 or ORS 646.730, in connection with any goods or services provided to the subcontractor for the purpose of carrying out the subcontractor's obligations to the IT HVAR in pursuance of this Agreement or any Contract, including, at the State's option, the right to control any such litigation on such claim or relief or cause of action.

5.2.17 **PRICES:** IT HVAR represents that all prices for Goods under a Contract follow the pricing methodology stated in Exhibit A-3.

5.2.18 **ORDERING INSTRUMENTS; ACKNOWLEDGEMENTS:** The parties acknowledge and agree that other than designation of order quantities, types of Goods, delivery destination, dates of order, and scheduled delivery of other performance, any purchase orders or acknowledgement documents are simply for the convenience of the parties to

initiate or confirm an order of Goods under a Contract and that no other terms or conditions contained in those documents are of any force or effect or are binding upon the parties.

5.2.18.1 A Contract created by an ordering instrument consists only of the terms specified by this Agreement. Additional, terms and conditions issued by Authorized Purchaser, may not vary the terms of or conflict with the terms of this Agreement. Conflicting terms and conditions on an ordering instrument are of no effect.

5.2.18.2 IT HVAR shall accept ordering instruments from Authorized Purchasers that comply with the provisions of this Agreement until this Agreement terminates. IT HVAR may, but is not required to accept an ordering instrument that requests delivery schedule of less than any minimum lead time (if any) specified in Exhibit A.

5.2.18.3 Accepted ordering instruments establish separate Contracts between the Authorized Purchaser and IT HVAR and include the terms set forth in Section 5.2. As used in the Contracts, "Price Agreement" or "Agreement" means this Agreement.

5.2.18.4 DASPS is not obligated or liable under an ordering instrument unless DASPS is purchasing Goods as the Authorized Purchaser.

5.2.18.5 Nothing in this Agreement obligates any Authorized Purchaser to place any ordering instrument.

5.2.18.6 IT HVAR shall accept ordering instruments only from Authorized Purchasers under this Agreement. IT HVAR may verify that Authorized Purchasers are ORCPP participants at the following address: http://www.oregon.gov/das/egs/ps/orcpp/orcppmemberlist.pdf.

5.2.18.7 IT HVAR shall reject an ordering instrument that does not meet the requirements of this Agreement.

5.2.19 REPRESENTATIONS AND WARRANTIES

5.2.19.1 **Officer Status, Insurance:** IT HVAR represents and warrants that it is not an "officer," "employee," or "agent" of DASPS or an Authorized Purchaser, as those terms are used in ORS 30.265. IT HVAR represents and warrants that IT HVAR has obtained and will maintain during the term of a Contract all insurance required by the Agreement.

5.2.19.2 **Warranty on Materials, Design, Manufacture:** DASPS and Authorized Purchaser acknowledge IT HVAR is not the manufacturer of the Goods and that the warranties offered are those of the manufacturer, not IT HVAR or its affiliates. **IT HVAR shall pass through all manufacturer warranties. To the extent of its knowledge,** IT HVAR represents and warrants that all Goods are new, unused, current production models, and are free from defects in materials, design and manufacture. Authorized Purchaser's remedy with respect to this warranty will be to either (a) allow IT HVAR to use its reasonable commercial efforts to re-perform any Services not in substantial

compliance with this warranty, or (b) refund amounts paid by Authorized Purchaser related to the portion of the Services not in substantial compliance; provided, in each case, Authorized Purchaser notifies IT HVAR in writing within 5 business days after performance of the applicable services. In the case of Services provided by a third party (not an employee, subcontractor or agent of IT HVAR), the third party will be responsible for providing the third party services to Authorized Purchaser, and Authorized Purchaser will look to the third party for any loss, claims or damages arising from or related to the provision of such third party services. With respect to third party services, IT HVAR acts solely as an independent sales agent when collecting any due amounts, including, but not limited to, taxes. EXCEPT AS SET FORTH HEREIN, AND SUBJECT TO APPLICABLE LAW, IT HVAR MAKES NO OTHER, AND EXPRESSLY DISCLAIMS ALL OTHER, REPRESENTATIONS, WARRANTIES, CONDITIONS AND COVENANTS, EITHER EXPRESS OR IMPLIED (INCLUDING WITHOUT LIMITATION, ANY EXPRESS OR IMPLIED WARRANTIES OR CONDITIONS OF FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, DURABILITY, ACCURACY OR NON-INFRINGEMENT) ARISING OUT OF, OR RELATED TO, THE GOODS OR THEIR PERFORMANCE OR NONPERFORMANCE, INCLUDING BUT NOT LIMITED TO ANY WARRANTY RELATING TO THIRD PARTY SERVICES (NOT PERFORMED BY IT HVAR OR ITS EMPLOYEES, SUBCONTRACTORS OR AGENTS).

5.2.19.3 Warranty on Service Standards: IT HVAR warrants that all services required to be performed, if any, shall be performed in a good and workmanlike manner in accordance with standards prevalent in the industry.

5.2.19.4 Software Warranties: IT HVAR hereby grants to Authorized Purchaser the following Software warranties:

Authorized Purchaser will receive a license to use the Software, free from any adverse claims asserted by third parties and the Software licensed to Authorized Purchaser will conform to its published documentation and such complete documentation will be delivered to State with the Software.

5.2.19.5 Warranty of Title: IT HVAR represents and warrants that all Goods are free and clear of any liens or encumbrances, that IT HVAR has full legal title to the Goods or authority to transfer full legal title to the Goods, and that no other person or entity has any right, title or interest in the Goods which is superior to or infringes upon the rights granted to the Authorized Purchaser under a Contract.

5.2.19.6 Warranty on Safety and Health Requirements: IT HVAR represents and warrants that Goods provided under this Agreement comply with all applicable federal health and safety standards, including but not limited to, Occupational Safety and Health Administration (OSHA), and all Oregon safety and health requirements, including, but not limited to, those of the Oregon Department of Consumer and Business Services.

5.2.19.7 Manufacturer Warranties: IT HVAR shall have all manufacturer warranties covering the Goods and component parts, if any, transferred to the Authorized Purchaser, and provide warranty documents to the Authorized Purchaser, at time of

delivery at no charge.

5.2.19.8 Warranties Cumulative: The warranties set forth in this section are in addition to, and not in lieu of, any other warranties provided in this Agreement or in a Contract. All warranties provided in this Agreement or a Contract are cumulative, and are intended to afford DASPS or the Authorized Purchaser the broadest warranty protection available.

5.2.20 COMPLIANCE WITH APPLICABLE LAWS AND STANDARDS

5.2.20.1 IT HVAR shall comply with all federal, state and local laws, regulations, and ordinances applicable to this Agreement and any Contract issued hereunder as they may be adopted or amended from time to time.

5.2.20.2 Statutory Terms: Authorized Purchaser's performance under a Contract is conditioned upon IT HVAR's compliance with the obligations intended for contractors under ORS 279B.220, 279B.225 (if applicable to this Contract), 279B.230 and 279B.235 (if applicable to this Contract), which are incorporated into a Contract by reference. IT HVAR shall, to the maximum extent economically feasible in the performance of a Contract, use recycled paper (as defined in ORS 279A.010(1)(gg)), recycled PETE products (as defined in ORS 279A.010(1)(hh)), and other recycled plastic resin products and recycled products (as "recycled product" is defined in ORS 279A.010(1)(ii)).

5.2.20.3 Noncompliant Goods: IT HVAR shall not sell noncompliant goods. In the event noncompliant goods are sold, Authorized Purchaser shall have the right to terminate the Contract and obtain a full refund of all amounts paid without incurring any termination fees if IT HVAR fails to correct any defect in the noncompliant goods within 30 days of receipt of written notice from Authorized purchaser that goods are noncompliant.

In the event of a conflict between the specifications in a Contract and applicable federal or State law, the law prevails.

5.2.20.4 Recalled Goods or Components: In the event any Goods or component parts are recalled by a regulatory body or the manufacturer, or discovered by IT HVAR not to be in compliance with the applicable specifications, IT HVAR shall immediately notify DASPS and the Authorized Purchaser of the recall or non-compliance, and shall provide copies of the notice or other documentation. Upon notification, Authorized Purchaser may elect to do any of the following:

- Cancel any portion of the ordering instrument.
- Reject the Goods.
- Revoke its acceptance of the Goods.
- Require IT HVAR to complete necessary modifications, where applicable, in a timely manner, at no charge to the Authorized Purchaser.
- Terminate the Contract.

In the event of rejection or revocation of acceptance under this subsection, IT HVAR shall promptly remove the Goods at its sole cost and expense, and reimburse Authorized Purchaser for any payments made.

5.2.21 MATERIAL SAFETY DATA SHEET: IT HVAR shall provide the Authorized Purchaser at time of delivery with a Material Safety Data Sheet (MSDS) as defined by the Occupational Safety and Health Administration (OSHA) for any Goods provided under the Price Agreement which may release or otherwise result in exposure to a hazardous chemical under normal conditions of use. In addition, IT HVAR must properly label, tag or mark such Goods. Additionally, IT HVAR shall deliver EPA labels and MSDS information if available and as requested by Authorized Purchasers.

5.2.22 FUNDS AVAILABLE AND AUTHORIZED; PAYMENTS: If Authorized Purchaser is an agency of the State of Oregon or another governmental body, payment obligations under a Contract are conditioned upon Authorized Purchaser's receiving funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow Authorized Purchaser, in the exercise of its reasonable administrative discretion, to meet its payment obligations under a Contract. At the time the ordering instrument was issued, Authorized Purchaser had sufficient funds available and authorized to make payments under a Contract.

5.2.23 INDEPENDENT CONTRACTOR STATUS, RESPONSIBILITY FOR TAXES AND WITHOLDING: IT HVAR is an independent contractor. Although the Authorized Purchaser reserves the right

- to determine (and modify) the delivery schedule for the Goods and
- to evaluate the quality of completed performance,

Authorized Purchaser cannot and will not control the means or manner of IT HVAR's performance. IT HVAR is responsible for determining the appropriate means and manner of performing any obligations required by this Contract.

IT HVAR is responsible for all federal and state taxes applicable to compensation or payments paid to IT HVAR under this Contract and, unless IT HVAR is subject to backup withholding, Authorized Purchaser will not withhold from such compensation or payments any amount(s) to cover IT HVAR's federal or state tax obligations. IT HVAR is not eligible for any social security, unemployment insurance or workers' compensation benefits from compensation or payments paid to IT HVAR under this Contract, except as a self-employed individual.

5.2.24 LICENSE OF OPERATING SYSTEM SOFTWARE: IT HVAR is an authorized distributor of the operating system software (and documentation and associated manuals) (the "Software"), and is authorized to sell such software to Authorized Purchaser. Authorized Purchaser shall have the right to review the proposed license agreement and negotiate terms with the licensor. If the Authorized Purchaser and licensor cannot reasonably agree to terms, Authorized Purchaser may return the Goods to IT HVAR and IT HVAR shall provide a full refund including any shipping and handling charges and without incurring any termination liability.

5.2.25 MAINTENANCE AND SUPPORT: IT HVAR represents that either

- it will, within a reasonable time following Authorized Purchaser's request, enter into an agreement with Authorized Purchaser, upon commercially reasonable terms, for long term maintenance and support; or
- within a reasonable time following Authorized Purchaser's request, IT HVAR will offer Authorized Purchaser the opportunity to enter into a maintenance and support agreement with the manufacturer or other provider, upon commercially reasonable terms.

At a minimum, such maintenance and support agreement will require the entity providing support to be available 24 hours a day, seven days a week, and to respond to Authorized Purchaser's request for support for the Goods within four hours. Such response time shall require the entity providing maintenance and support to make all commercially reasonable efforts to return Authorized Purchaser's phone call requesting support within 30 minutes, and in the case of Goods problems requiring service, to make all commercially reasonable efforts to be at Authorized Purchaser's site within 1 hour maximum. Authorized Purchaser shall have the right to review the proposed agreement and negotiate terms with the provider; upon agreement to the terms Authorized Purchaser will be bound by such agreement. If Authorized Purchaser and provider cannot reasonably agree to terms, Authorized Purchaser may return the Goods to IT HVAR and IT HVAR shall provide a full refund including any shipping and handling charges and without incurring any termination liability.

All subcontractors must be certified or authorized by the original equipment manufacturer to perform maintenance and service on the Goods.

5.2.26 ACCEPTANCE TEST: Unless otherwise provided in the Contract, Section 3.4 above controls acceptance of the Goods. However, Authorized Purchaser may specifically provide in a Contract that Authorized Purchaser shall commence acceptance testing on the first day following notification by Authorized Purchaser to IT HVAR that all Goods IT HVAR is required to provide under the Contract have been received and installed and available to be tested as required by this Agreement or any Contract issued hereunder. Authorized Purchaser shall have a 30 calendar day period or such other period as agreed upon by Authorized Purchaser and IT HVAR ("Acceptance Test Period") to test the functionality of the Goods to determine whether they perform in accordance with the specifications and in accordance with the manufacturer's official published specifications ("Acceptance Test Performance Requirements"). The Acceptance Test Performance Requirements shall constitute the acceptance test ("Acceptance Test"). Authorized Purchaser shall accept the Goods if it performs in accordance with the Acceptance Test Performance Requirements.

No later than 5 business days of the completion of the Acceptance Test, Authorized Purchaser shall notify IT HVAR in writing regarding whether the Goods has passed or failed the Acceptance Test. If the Goods pass the Acceptance Test, then such notice shall be deemed "Final Acceptance." If the Goods fail the Acceptance Test, written notice shall be given and include the specific reason(s) for the failures. In the event of failure, IT HVAR shall be entitled to conduct the Acceptance Test, within 10 calendar days of

Authorized Purchaser's notification to verify failure, at IT HVAR's expense. If the Goods pass the Acceptance Test performed by IT HVAR, and Authorized Purchaser does not agree to decree Final Acceptance of the Goods, IT HVAR shall have the option to have Authorized Purchaser return the Goods to IT HVAR at the Authorized Purchaser's expense and refund IT HVAR's shipping costs. Alternatively or in addition to such return, IT HVAR shall be entitled to pursue the remedies available to IT HVAR under the Contract.

5.2.27 **TITLE:** Title for the Goods passes to Authorized Purchaser upon acceptance and payment by Authorized Purchaser to IT HVAR.

SECTION 6: EXHIBITS

- Exhibit A-1 Categories
- Exhibit A-2 Manufacturers
- Exhibit A-3 Pricing Methodology
- Exhibit A-4 Contract Management Services
- Exhibit A-5 Restrictions
- Exhibit B Purchase Order Form
- Exhibit C Vendor Collected Administrative Fee (VCAF) and Volume Sales Report (VSR)
- Exhibit D Insurance

SECTION 7: SIGNATURES

The undersigned represents:

- He/she is a duly authorized representative of IT HVAR, has been authorized by IT HVAR to make all representations, attestations, and certifications contained in this Agreement and to execute this Agreement on behalf of IT HVAR;
- IT HVAR is bound by and will comply with all requirements, specifications, and terms contained in this Agreement;
- IT HVAR will furnish the Goods in accordance with Contracts under this Agreement; and
- IT HVAR shall furnish federal identification number or social security number under a separate document.

IT HVAR has not discriminated against and will not discriminate against minority, women or emerging small business enterprises certified under ORS 200.055 or against a business enterprise that is owned or controlled by or that employs a disabled veteran as defined in ORS 408.225 in obtaining any required subcontracts, and that IT HVAR is not in violation of any nondiscrimination laws.

CDW Government LLC

CDW Government LLC

Christina V. Rother, President — 9/25/2015 Date

Department of Administrative Services – Procurement Services

Toby Giddings, State Procurement Analyst — 9/25/2015 Date

Department of Justice – Approved

approved via email dated — 9/24/2015 Date

Karen Johnson, Assistant Attorney General

Small wireless 5.2.23

2 May 2023

ASHLAND CITY COUNCIL:

As a Councillor of the City of Ashland, you have taken an oath of office that you will faithfully perform the duties of the City Councillor position.

Your position requires you to listen to proven facts and to make judgments that benefit the community, judgments that do no harm. Yet you are allowing a cell tower to go online within 100 meters of a public school when it has been shown again and again by hard science and by testimony in this public forum that cancer rates do not drop significantly until you have a distance of 500 meters from the cell tower.

Yesterday in Massachusetts state, residents of Sheffield and Great Barrington investigated industry disinformation (1)

Disinformation that says 5G is necessary and safe

Last night, the towns of Sheffield and Great Barrington passed protective warrant articles to pause any further applications for wireless infrastructure, including 5G, until the FCC does the August 2021 court ordered remand of the science showing standards that are protective of the elderly, the children, birds, bees, trees, the environment, and the people.

On May 4, Thursday, the Massachusetts Board of Public Health will be asked to recognize electro sensitivity as a disease dangerous to public health. Medicare and the Americans Disabilities Act along with other federal agencies have already recognized the reality of electro-sensitivity. And the numbers of the electro sensitive are growing.

Ashland is concerned for the the disabled and for the homeless, yet Ashland ignores electro sensitivity among its own residents, ignores the science and facts presented to them over five - now going on six years.

An increasing number of American cities and towns are taking responsibility for the protection of their residents against the dangers of electro magnetic frequencies caused by wifi and cell towers. Ashland City Council does not.

Miriam Reed, Ph,D.

(1) https://static1.squarespace.com/static/5ed0007ce169954eea17b10b/t/644d33b5762739110998c4ef/1682781109760/EMF+Points+of+Confusion+vs.+Fact.pdf

From Ivy Ross ♡ [redacted]

Subject: Ashland's New Wireless Communication Facilities (WCF) Ordinance

Dear Mayor Graham, City Council Members, and City Staff,

As you study the issues at stake in resolving the content of the subject ordinance and who should prepare it, please consider a review of the Council study session on October 17, 2022 and the Council business meeting on October 18, 2022. The video recordings are available at the City Recorder's Web site. This is important background, especially for new Council members.

From all appearances in the October 18th business meeting, the City Council was rightfully directing City policy to City Staff to initiate dialogue with attorney Andrew Campanelli for the preparation of a new WCF ordinance for $8500.00. In a parallel effort, Council members requested that the City attorney include specific provisions in a draft ordinance he was preparing based on a template from the League of Oregon Cities (LOC). As I understand it, the Council has the responsibility to establish City policy, and it seemed, at the time, a Council decision would then identify the best legal approach and authority to prepare the new WCF ordinance. The objective is not to prevent WCFs, but to give Ashland maximum regulatory authority to keep them at a safe distance from schools and the public.

It is now obvious that by the influence of some unknown authority, Ashland is no longer considering the services of Andrew Campanelli, the premiere legal advocate of municipal regulatory authority in WCF placement. Did Council members make this decision?

I have offered to share with all of you my objective information about man-made pulsed electromagnetic radiation (PEMR). No one has found it convenient to spend 60 minutes to learn about the solid science and its implications, which I've accumulated during the last five years in supporting Oregon for Safer Technology. The source material speaks for itself. The Council seems to have no interest in PEMR science or important provisions in a WCF ordinance from a knowledgeable City resident.

I make the following observation. When an industry recognizes that science identifies invisible harm to the consumer, public, or environment in its long-standing product or service, it often censors, challenges, and otherwise ignores the science and information to protect its profits. An example is the telecom industry's adoption of the "tobacco playbook" to deal with PEMR. In another situation, a different industry can recognize that the same invisible science presents high-risk for its future profits and liabilities, and it openly adopts policies to recognize the science and mitigate its business risks. An example is the liability-insurance industry. It respects the well-documented science that PEMR exposure is a **harmful environmental pollutant** that presents unacceptable financial and liability risks to its primary business. **It will not issue a policy that provides liability coverage for PEMR exposure among other high-risk pollutants.** All policies include a "pollutants exclusion clause."

So, the question for Council members to contemplate is how does Council policy treat the science? Does the Council ignore solid science that would call for specific provisions in a WCF ordinance? Or, does the Council's ordinance decision follow the lead of the insurance industry and allow the science to guide ordinance provisions that minimize potential City liabilities?

Bringing this closer to home, it's important for Ashland to realize that the City does not have liability insurance coverage for adverse health effects from PEMR exposure. The industry, even Lloyds of London, does not offer it. Telecom only offers to "self-insure" or provide promised third-party coverage. Respected Napa-Valley attorney Mark Pollock, when he was alive, warned cities that they may go bankrupt if their WCF ordinance does not require telecom liability insurance without a "pollutants exclusions clause" and a copy of the policy. That this insurance requirement may not be readily offered is a "red flag."

We don't want Ashland to experience the relevant health tragedies and adverse publicity caused by PEMR in **Pittsfield, MA**. Sickness from a cell tower among 16 families was sufficiently serious for the Pittsfield Board of Health to issue a cease and desist order to Verizon for removal of the tower. Significant legal action has followed, including a lawsuit against the mayor and other City officials.

Also, in California, for undisclosed reasons, the legislature has exempted fire stations as sites for cell towers and WCFs. The truth is, fire fighters and paramedics previously lost significant cognitive function from this WCF exposure. It completely incapacitated them in emergencies. Their disease was confirmed in brain scans.

Does the Council have sufficient objective information from science and legal counsel to make an informed WCF-ordinance decision without further investigation? Would you consider a video conference session with Andrew Campanelli to understand how he can benefit Ashland?

One last important comment: the new ordinance does not belong as much in the right-of-

way chapter as it does in ordinance Chapter 18.4.10 Wireless Facility Ordinance with some possible content in Chapter 18.5.4 Conditional Use Permits. These Chapters guide current City approvals for WCF permit applications.

Thank you for reading this far in my long email.

Respectfully,

Alan Rathsam, BSME, MSME, PE (retired)

For Immediate release

May 1, 2023

Sheffield and Great Barrington voters approve hold on 5G applications

Berkshire County, MA – At the Sheffield and Great Barrington annual town meetings May 1st, 2023 residents voted in favor of the citizen's petition Article 32 which requires the town to hold applications for 5G installations until the "FCC completes the DC Circuit court-mandated Environmental Review of the entire 800,000 to 1 million wireless telecommunication facilities roll out to the conditions as stated in the NEPA Policy Act 1969 including studies from scientists independent from industry, who have fully investigated millimeter wave 5G small cell technology safety; and that the FCC regulations have been updated to include measures that comply with the results of this review."

Citing scientific evidence of biological harm from wireless radiation, an eleven-thousand page document was submitted as part of a legal case filed against the FCC by the Environmental Health Trust, the environmental health organization led by Dr. Devra Davis, a member of the team awarded the Nobel Peace Prize as a lead author for the Intergovernmental Panel on Climate Change scientists. The Court found that the FCC did not adequately review recorded evidence of people harmed by wireless radiation and found the FCC ignored the scientific evidence indicating harmful biological impacts. Based on this and the fact that the FCC has not updated the safety limits to include 5G small cell millimeter frequencies, petitioners want to put a hold on 5G small cell millimeter wave installations until they are proven safe.

Specific concerns from the residents target the studies revealing millimeter wave frequency harm to pollinators. As agricultural communities, voters want to be convinced that their crops will not suffer if the myriad of 5G transmitters negatively affect the bees. Their warrant asks for input from scientists who are independent from the telecom industry who can give an unbiased report. The petitioners related telecom's rollout of 5G without sufficient research as similar to big tobacco's promotion of cigarettes. It was years later and many cancer deaths before regulations were enacted limiting smoking in public places and adding warning labels to packaging. Voters spoke out that we want to know for sure a similar fate will not bestow residents where electro-hypersensitivity syndrome becomes the norm with no recourse to remove the transmitters causing the problem.

Sheffield and Great Barrington joined several other communities in Massachusetts that are focused on regulating 5G small cell installations. In response to limited phone service in some areas, the petitioners cited that the 5G small cells are not about making a phone call. They are short range and were designed to make streaming faster. But, testing has subsequently proven its hardly faster than 4G from cell towers, and the small

cell frequencies are disrupted by rain and trees so are unreliable. The Scientific Alliance for Education (S.A.F.E.) in Sheffield has provided seminars in both Sheffield and Great Barrington recently so residents could avail themselves of the non-industry research they have compiled. It seems to have paid off in both towns as the petitioners turned out and even applauded when statements for the Article was read. Nina Anderson, President of S.A.F.E. says,"this is the first step in trying to protect our towns from intrusion by industry who has not complied with the court order and not proven this technology is safe." Details on this and other wireless concerns can be found on their website www.SafeHelpsYou.org.

-end-

Speaker Request Form

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ALL INFORMATION PROVIDED WILL BE MADE AVAILABLE TO THE PUBLIC

1) Complete this form and return it to the City Recorder **prior to the discussion of the item you wish to speak about.**
2) Speak to the City Council from the table podium microphone.
3) State your name and address for the record.
4) Limit your comments to the amount of time given to you by the Mayor, usually 3 or 5 minutes.
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6) You may give written comments to the City Recorder for the record if you do not wish to speak. (Comments can be added to the back of this sheet if necessary)
7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 5/2/2023

Name Clarinda Merripen
(please print)

Address (no P.O. Box) Ashland

Phone _____ **Email** _____

Regular Meeting

Agenda topic/item number _____ **OR**

Topic for public forum (non agenda item) State of the restaurant industry

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

If you are challenging a member (a city councilor or a planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Presiding Officer will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.

Written Comments/Challenge: _____

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Tonight's Meeting Date _____

Name MIRIAM REED
(please print)

Address (no P.O. Box) 1565 Siskiyou Blvd #3 Ashland

Phone 458 658 5789 **Email** miriam@miriamreed.com

Regular Meeting

Agenda topic/item number XII (1) small wireless **OR**

Topic for public forum (non agenda item) XII Unfinished Business
small Wireless T/C Communications

Land Use Public Hearing

Please indicate the following:

For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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Tonight's Meeting Date 5/2/2023

Name ECHO FIELDS
(please print)

Address (no P.O. Box) 367 Glenn

Phone 541.821.5879 **Email** briar487@jeffnet.org

Regular Meeting

Agenda topic/item number XIII.3 **OR** Housing Production Strategy Resolution

Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: _____

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7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 5/2/

Name Alan Ackroyd (please print)

Address (no P.O. Box) 321 Clay St #54 Ashland

Phone 541-951-0177 **Email** a

Regular Meeting

Agenda topic/item number XII.3 **OR**

Topic for public forum (non agenda item) Zoning change for mobile home parks

Land Use Public Hearing

Please indicate the following:

For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date May 2, 2023

Name Rich Rohde
(please print)

Address (no P.O. Box) 124 Ohio St Ashland 97520

Phone 541 621 6647 **Email** rvoarich@yahoo.com

Regular Meeting

Agenda topic/item number ~~XIII~~ XIII. 3 **OR**
HPS 2023

Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

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7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 5/2/23

Name Delores Nims
(please print)

Address (no P.O. Box) 321 Clay St Spc. #109

Phone 541-621-2995 **Email** deloresashland@yahoo.com

Regular Meeting

Agenda topic/item number ~~XIII~~ XIII-3 **OR** HPS

Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ **Against:** _____

Challenge for Conflict of Interest or Bias

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CITY OF ASHLAND
Better Together

A PROCLAMATION CELEBRATING ASIAN AMERICAN HERITAGE MONTH

WHEREAS, The month of May was designated as Asian American and Pacific Islander Heritage Month in 1992 to recognize the innumerable contributions, vibrant cultures and rich heritage of Asian Americans, native Hawaiians and Pacific Islanders, and

WHEREAS, As some of the fastest-growing racial and ethnic groups in the nation, these communities represent a multitude of ethnicities, languages and experiences that enrich America, and

WHEREAS, Asians Americans and Pacific Islanders have lived and worked in Oregon for more than 200 years, contributing to the state's rich history, economy and culture, and

WHEREAS, Their history in Oregon is marked by a struggle for freedom, equity and justice, prevailing over the adversity of exclusion, persecution, incarceration and disparities, and

WHEREAS, These populations have helped advance Oregon's prosperity through their contributions to all fields of education, business, the arts, economic development, science and technology, and

WHEREAS, In Ashland, Chinese laborers built the railroad linking Southern Oregon to the rest of the country, and

WHEREAS, We have recognized that major contribution, in a small way, through the public art sculpture titled, *Golden Connections in Railroad Park*, and

WHEREAS, Hate crimes against Asians increased by nearly 400% in the last year and continue to threaten the safety of Asian Americans and Pacific Islanders, and

WHEREAS, As we celebrate these populations, we must redouble our commitment to combating the surge of anti-Asian hate crimes, and

WHEREAS, These acts are wrong; they must stop.

NOW, THEREFORE, I, Tonya Graham, on behalf of the City of Ashland, do hereby acknowledge the month of May as a time to celebrate the contributions of Asian Americans and Pacific Islanders to our culture and collective history. I call upon the people of Ashland to observe this month with appropriate reflection and learning and make time to visit Railroad Park and Golden Spike. In Ashland we are Better Together.

Dated this 2nd day of May 2023

Tonya Graham

Tonya Graham, Mayor

DocuSigned by:
Melissa Huhtala
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Melissa Huhtala, City Recorder

Better Together