



Council Study Session Agenda

ASHLAND CITY COUNCIL
STUDY SESSION AGENDA
Monday, February 5, 2024
Council Chambers, 1175 E Main Street

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

HELD HYBRID (In-Person or Zoom Meeting Access)

Public testimony will be accepted for both general public forum items and agenda items.

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

5:30 p.m. Study Session

1. Public Input (15 minutes – Public input or comment on City business not included on the agenda)
2. Croman Mill Townmakers LLC Update
3. Croman Mill Site Cleanup Update
4. Severe Weather Emergency Shelter Temperature Thresholds
5. Adjournment of Study Session

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).





Council Study Session

February 5, 2023

Agenda Item	Croman Mill District Redevelopment	
From	Brandon Goldman	Community Development Director
Contact	Brandon.goldman@ashland.or.us	
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐	

SUMMARY

Townmakers LLC is in the process of developing a conceptual plan for the redevelopment of the 61-acre former Croman Mill site. The City Council has requested Townmakers LLC provide quarterly updates to the City Council regarding the ongoing design process before a formal proposal to amend the Croman Mill District is prepared and presented to the City for consideration.

POLICIES, PLANS & GOALS SUPPORTED

The Croman Mill District currently includes five zones, Compatible Industrial (CM-CI), Mixed Use (CM-MU), Neighborhood Center (CM-NC), Office Employment (CM-OE), and Open Space/Conservation (CM-OS) and is regulated as a special district within Ashland's Land Use Ordinance ([chapter 18.3.2](#)).

BACKGROUND AND ADDITIONAL INFORMATION

In September 2021, the owners of the former Croman Mill site, along with the development team known as Townmakers LLC, began planning for a mixed-use development on the property. The development concept envisioned will include commercial, employment, light industrial, and residential components.

The property covers 60.92 acres, with almost all of it falling within the City Limits except for a 6-acre section along Siskiyou Blvd., which is inside the Urban Growth Boundary and will be brought into the city as part of the development proposal.

Townmakers LLC developed an initial plan for the development of the site and shared it with the Planning Commission, City Council, and the public at an open house in January 2022. They updated the City Council on October 3, 2022, at which point the Council asked for regular progress reports on the project. The latest update was given to the City Council on November 7, 2023. Since then, Townmakers LLC has been refining their plan. Their focus includes designing the site layout and building structures for the southern part of the property, which is pending an application for annexation. They are also coordinating transportation and economic studies and proposing amendments to the Croman Mill Masterplan through code revisions.

FISCAL IMPACTS





Council Study Session

Approval of amendments to the Land Use Ordinance and the Transportation System Plan (TSP) in relation to a redevelopment plan for the Croman Mill District will be necessary. It's crucial to emphasize that this consideration of the formal proposal is a legislative decision and will involve public hearings before the Planning Commission and City Council. However, it's important to stress that, at this point, there are no immediate fiscal implications to be taken into account.

Additionally, it's worth noting that if either the City or the applicant decides to explore the possibility of establishing an urban renewal district, this would carry significant fiscal implications. Such an endeavor would necessitate the allocation of both staff time and specialized expertise to conduct a thorough evaluation of the fiscal impacts and opportunities associated with the creation of the urban renewal district. This evaluation would be a distinct and consequential phase of the project, which would require careful consideration and analysis in the future.

DISCUSSION QUESTIONS

Townmakers LLC is available at this Council meeting to briefly present their current concept plan, and to address questions the Council may have prior to formalizing a development proposal to submit for consideration.





Council Study Session

February 5, 2023

Agenda Item	Formal Croman Mill site cleanup status update	
From	Brandon Goldman	Community Development Director
Contact	Brandon.goldman@ashland.or.us	
Item Type	Requested by Council ☐ Update ☒ Request for Direction ☐ Presentation ☐	

SUMMARY

The cleanup of the former Croman Mill site involves soil removal and sampling to address contamination, particularly from the presence of dioxins and furans. This process is guided by DEQ standards to ensure environmental safety and proper management of excavated material.

POLICIES, PLANS & GOALS SUPPORTED

The project aligns with DEQ's environmental policies, emphasizing sustainable redevelopment and adherence to clean fill standards. It supports the city's goal of transforming the site into a viable space for mixed land use.

BACKGROUND AND ADDITIONAL INFORMATION

The former Croman Mill site, spanning 60 acres near Ashland's southern end, is undergoing a DEQ-led environmental cleanup for redevelopment, including potential residential use. Operations at the mill, active from 1934 to 1995, resulted in surface soil contamination. In spring 2023, sampling revealed elevated levels of dioxins and furans, exceeding DEQ's safety criteria. The cleanup plan involves soil removal and disposal at specific sites, with ongoing assessments to ensure all contamination is addressed.

The Attached SCS Engineering report details a structured approach to excavate affected soil, with careful monitoring and confirmation sampling to ensure complete removal of contamination. This process also includes transporting the contaminated soil to designated disposal sites. Following the initial cleanup of the site by the Croman Corporation under DEQ's supervision, SCS Engineering will conduct further testing to assess the remaining extent of contaminants. Depending on these findings, a subsequent remediation plan may be developed to address any residual contamination. This systematic approach ensures thorough environmental restoration of the property.

The property owner, City and DEQ aim to remediate the site effectively to pave the way for its redevelopment into a mixed-use area, emphasizing residential development. The plan adheres to DEQ's rigorous standards for environmental safety and sustainability, reflecting a commitment to revitalizing the area while protecting public health and the environment.





Council Study Session

FISCAL IMPACTS

The voluntary cleanup of the former Croman Mill site is being conducted by the Croman Corporation under the supervision of DEQ, resulting in no financial burden on the City. This cleanup is a crucial step towards clearing the site for redevelopment, potentially enhancing economic and residential opportunities in the area.

DISCUSSION QUESTIONS

City Staff is prepared to address general inquiries from the Council regarding the Croman Mill site cleanup. For more complex questions, staff can facilitate communication with the DEQ project manager for further clarification.

ATTACHMENTS AND REFERENCES

- DEQ Fact Sheet – Environmental Cleanup 12/14/2023
- SCS FINAL Work Plan for Interim Remedial Action/Additional Soil Sampling dated 11/20/2023





Fact Sheet

Former Croman Mill Environmental Cleanup and Redevelopment

The Oregon Department of Environmental Quality is reviewing the former Croman Mill property for proposed redevelopment, which would allow for a mix of land uses, including residential development. The former lumber mill's operations contaminated surface soil at different places on the property. DEQ has approved a cleanup plan for environmental contractors to remove and dispose the contaminated soil. The former Croman Mill property covers about 60 acres and is near the southern end of Ashland, between Siskiyou Boulevard and Interstate 5.

Sampling results

During spring 2023, the property owner conducted a DEQ-approved sampling across the site. At a few locations, the sampling found dioxins and furans in shallow soils above residential and occupational use levels allowed by DEQ. Dioxins and furans are a class of toxic chemicals produced by industrial and natural sources that can increase the risk of cancer and pose other health effects. The highest dioxin and furan concentration of 152.5 parts per trillion was found at a former wood burner location. That level of dioxin and furans is greater than DEQ's health-based screening criteria for residences and places of work.

DEQ will oversee the soil removal work to address the contamination, which may start in late 2023 or early 2024. As the soil is removed, the property owner will further sample soil to confirm there isn't more contamination. Based on the sampling results there may be additional assessment. Heavy equipment will excavate the soil and load it into dump trucks, which will haul the excavated soil from the site to a privately owned quarry in Eagle Point for disposal. Some of the soil will be taken for disposal to Dry Creek Landfill, also in Eagle Point.

Mill background

Croman Mill operated at the site from 1934 to 1995. Mill activities included general sawmill and planing operations. Additionally, wood treating, wood waste burning and landfilling of wood waste and other solid waste occurred on the site. In 1987, DEQ identified wood treating chemicals, pentachlorophenol (PCP) and trichlorophenol (TCP) in shallow soil on the site. During 1989, DEQ oversaw the removal of four underground storage tanks that once held gasoline, diesel, and waste oil and the removal of nearly 12,000 cubic yards of

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800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

contaminated soil. The mill closed in 1996 and demolition of mill buildings started in 2011. Prior to mill use, the property, and surrounding area, had been used for agricultural purposes.

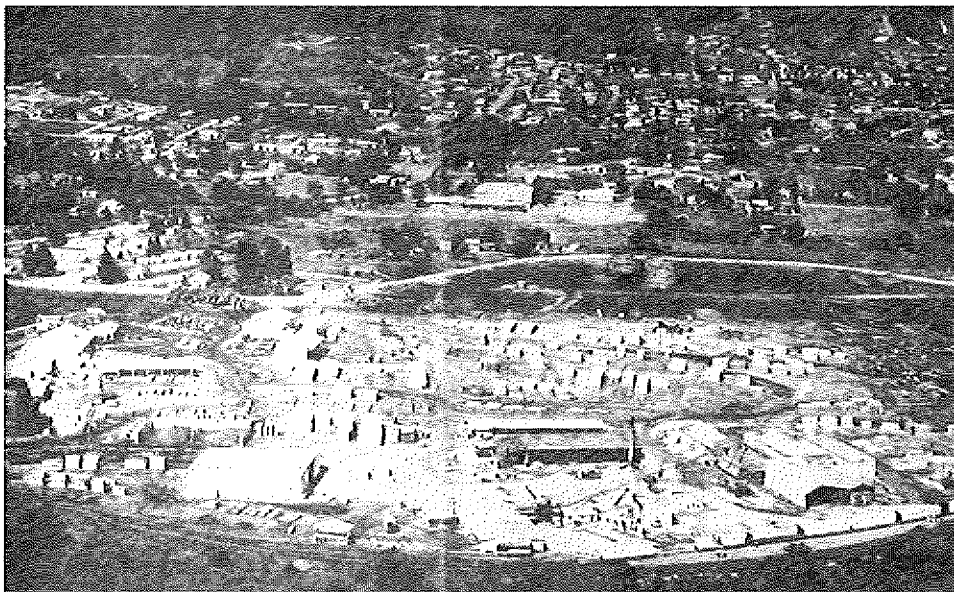
For more information go to DEQ's [Environmental Cleanup Site Information database for the Croman Mill project](#).

The City of Ashland has web pages for the [Croman Mill District Plan](#) and [Croman Mill District Updates](#).

Contacts

Anthony Chavez, cleanup project manager,
anthony.chavez@deq.oregon.gov,
541-687-7348.

Dylan Darling, public affairs specialist,
dylan.darling@deq.oregon.gov, 541-
600-6119



Aerial view of Croman Mill in operation in 1962, when it was known as McGrew Sawmill. Photo courtesy Southern Oregon Historical Society

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

November 20, 2023

File No. 04222021.00

Mr. Anthony Chavez
Mr. Don Hanson
Oregon Department of Environmental Quality

Subject: FINAL Work Plan for Interim Remedial Action/Additional Soil Sampling
Croman Mill Property (Oregon DEQ ECSI No. 535)
146 Mistletoe Road, Ashland, Oregon

Dear Don and Anthony:

On behalf of Dwain and Bud, LLC, SCS Engineers has prepared a work plan detailing the removal of impacted soil and additional soil sampling for the former Croman Mill located in Ashland, Oregon (Figure 1). The initial site investigation was conducted under an approved Work Plan¹, and preliminary results were presented in a memo dated June 19, 2023². Soils in the area of the former dip tank Decision Unit 01 (DU01) and the two wood burners (DU02 and DU03) are impacted with dioxins and furans at concentrations above the Oregon Department of Environmental Quality (DEQ) residential and occupational risk-based concentrations (RBCs)³. We propose combining the delineation of these impacted areas with interim remedial removal action to expedite work and reduce analytical costs.

Sediments at the bottom of the pond have estimated concentrations of dioxins and furans, below the laboratory reporting limits, as well as diesel and heavy oil. Future development of the site will likely include filling the manmade pond with clean fill, making the sediments inaccessible. The pond will be discussed further at a later time. Shallow groundwater near the pond is also impacted by heavy oil and diesel and will be addressed through a beneficial use and risk assessment.

Other detections in soils include heavy oil and benzo(a)pyrene to the north of the former maintenance shop. These concentrations are above the residential RBCs, but below urban and occupational RBCs and will be addressed at a later time.

¹ SCS, 2023a. Revised Site Investigation Work Plan, Croman Mill Property, 146 Mistletoe Road, Ashland, Oregon, Oregon DEQ ECSI No. 535, February 25.

² SCS, 2023b. Memo to Anthony Chavez, Oregon Department of Environmental Quality (DEQ) re: Croman Mill Site, Ashland, Oregon – ECSI #535 Site Investigation Data, June 19.

³ DEQ, 2023. Risk-Based Concentrations for Individual Chemicals, Revision: May 2018 amended June 2023.



PURPOSE

The purpose of this work plan is to describe additional sampling to define depth and lateral extent of impacted soils in DU01, DU02, and DU03. Based on incremental sampling methodology (ISM) results, we propose removing contaminated surface soils and then testing soils at depth, which may simultaneously serve as cleanup confirmation. This would also decrease the risk of cross-contamination. Lateral extent will be confirmed by collecting additional ISM samples from the perimeter of each DU.

In addition, this work plan addresses possible impacts to shallow sediment/soils associated with surface drainage features on the property.

PROCEDURES

Soil Removal

Initial ISM samples were collected from DU01, DU02, and DU03 at approximately 6 inches below surface. Soils will be removed from the three areas to a depth of 1 foot, and the lateral extent of each DU will be expanded by approximately 30 percent, as described below and shown as green outlined areas in Figure 2.

Table 1. Decision Units and Excavation Quantities

Decision Unit	Original Size	Excavation Size	Total Yardage (cubic yards)
DU01 – dip tank area	155 feet (east/west) by 60 feet (north/south)	1-foot depth 200 feet (east/west) by 80 feet (north/ south)	593
DU02 – north burner	75-foot diameter	1-foot by 100-foot diameter	291
DU03 – south burner	75-foot diameter	1-foot by 100-foot diameter	291

Total soil volume to be removed is approximately 1,200 cubic yards. Approximately 600 yards of soil from the dip tank area (DU01) will be disposed of at a permitted Subtitle D landfill, as allowed by the No Longer Contained-In Determination memo⁴ issued by DEQ on November 13, 2023. Approximately 600 cubic yards excavated from the north and south burner (DU02 and DU03) will be

⁴ DEQ, 2023. Memo to Croman Mill Project File, Subject: No Longer Contained-In Determination, Croman Mill Site, 146 Mistletoe Road, Ashland, Oregon (ECSI #0535). November 13.

disposed of at the Greb Pit, a nearby quarry, under a Solid Waste Letter of Authorization (SWLOA)⁵ issued by DEQ and dated November 15, 2023. Copies of both documents are attached.

Confirmation Sampling

Confirmation ISM soil samples will be collected from the surface of the bottom of each excavation and will consist of 50 subsamples totaling approximately one kilogram. Following ISM processing by the laboratory, samples will be analyzed for dioxins and furans. This will result in a total of three ISM confirmation samples, one per DU. One duplicate sample will be collected from DU01 as a project QA/QC sample.

To confirm lateral extent of contamination, ISM samples will be collected from the perimeter of each excavation, approximately 10 feet beyond the edge of the excavation as shown in magenta outlines on Figure 2.

- For DU01, an ISM sample will be collected from each of the four sides, so that if the dioxin concentration exceeds the RBC, the relative direction of those impacts may be determined (Figure 2). Thirty (30) subsamples totaling approximately one kilogram will be collected from each area from approximately 6 inches below the surface. This will result in four samples.
- Soil sampling to delineate lateral extent near DU02 and DU03 will be a circular, 10-foot wide ring around each area. Each circle will be divided in half and one lateral sample collected from each side of the circle. This will result in a total of four samples, two from each wood burner-associated DU. No field QA/QC samples are planned for the perimeter samples.

Table 2. List of Samples

Decision Unit	Type of sample	Dimensions of sample areas	Number of ISM Samples	Analytical
DU01	Confirmation sample/Depth	200 feet by 80 feet @ 1-foot bgs	1 + duplicate	Dioxins and furans by EPA Method 1613B PCP and TCP by EPA 8270D ⁶
	Perimeter*	2 – 200 feet by 10 feet 2 – 80 feet by 10 feet	4	Dioxins and furans

⁵ DEQ, 2023. Solid Waste Disposal Permit: Letter Authorization #1748. Issued to: Southern Oregon Rock LLC. For Greb Pit X at 528 Linn Road, Eagle Point, Oregon, November 15.

⁶ PCP = pentachlorophenol and TCP = 2,3,4,6-tetrachlorophenol

Decision Unit	Type of sample	Dimensions of sample areas	Number of ISM Samples	Analytical
DU02	Confirmation Sample/Depth	100-foot diameter circle @ 1-foot bgs	1	Dioxins and furans
	Perimeter*	½ perimeter by 10-foot width	2	Dioxins and furans
DU03	Confirmation Sample/Depth	100-foot diameter circle @ 1-foot bgs	1	Dioxins and furans
	Perimeter*	½ perimeter by 10-foot width	2	Dioxins and furans

Note: confirmation samples will include 50 subsamples and perimeter samples will include 30 subsamples.

*= perimeter samples to be collected at approximately 6 inches bgs.

bgs = below ground surface

Soils in these areas appear to be relatively shallow and weathered granite (bedrock) was observed in some areas. There may be areas where soil removal is limited and this will be documented during excavation and soil sampling. Both soil removal and confirmation sampling will need to be adapted should weathered granite be encountered at targeted depths.

Drainage Soil Sampling

As requested by DEQ, soil samples will be collected from drainage features that appear to potentially move water and sediments offsite. An intermittent drainage feature was observed with flowing water during the initial site investigation in May 2023 on the northern portion of the subject property (in DU07). The intermittent drainage feature appeared to originate north and east of the pond and flow toward the northeast. There was a gap in the berms along the northeast property boundary and the drainage appeared to run through the gap and exit the property. SCS proposes to collect sediment at this drainage feature using a composite sampling methodology consisting of approximately 10 subsamples in proximity to the property boundary. Sample locations will be mapped and documented, accordingly.

South of the former wood burners, a second, intermittent drainage appears to flow along the southern property boundary and exit the subject property near the southeast corner. SCS proposes to collect a composite sample consisting of approximately ten samples near where it exits the property (Figure 2). If any other drainages are observed that appear to leave the property, particularly near DU02 and DU03, these will also be sampled using the same protocol. If water is observed flowing in any of the drainages, a water sample will be collected.

All sediment samples will be analyzed for dioxins and furans, as well as NWTPH-Dx (since diesel and motor oil were detected in some site soils) and polyaromatic hydrocarbons (PAHs). The sediment samples will also be analyzed for pentachlorophenol (PCP) and 2,3,4,6-tetrachlorophenol (TCP).

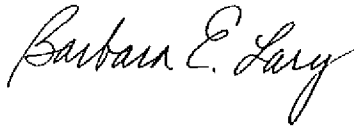
REPORTING

Preliminary soil analytical results will be submitted to DEQ in memo format for review and discussion. All results will be included in a final closure report to be submitted once field work and sampling are complete.

SCHEDULE

Field work will start once a landfill disposal permit is obtained for the DU01 soil and this work plan is approved. The work is tentatively scheduled for November/December 2023.

Sincerely,



Barbara E. Lary, RG
Senior Geologist
SCS Engineers



Shane D. Latimer, PhD
VP/Senior Environmental Planner
SCS Engineers

Attachments: Figure 1. Property Location Map

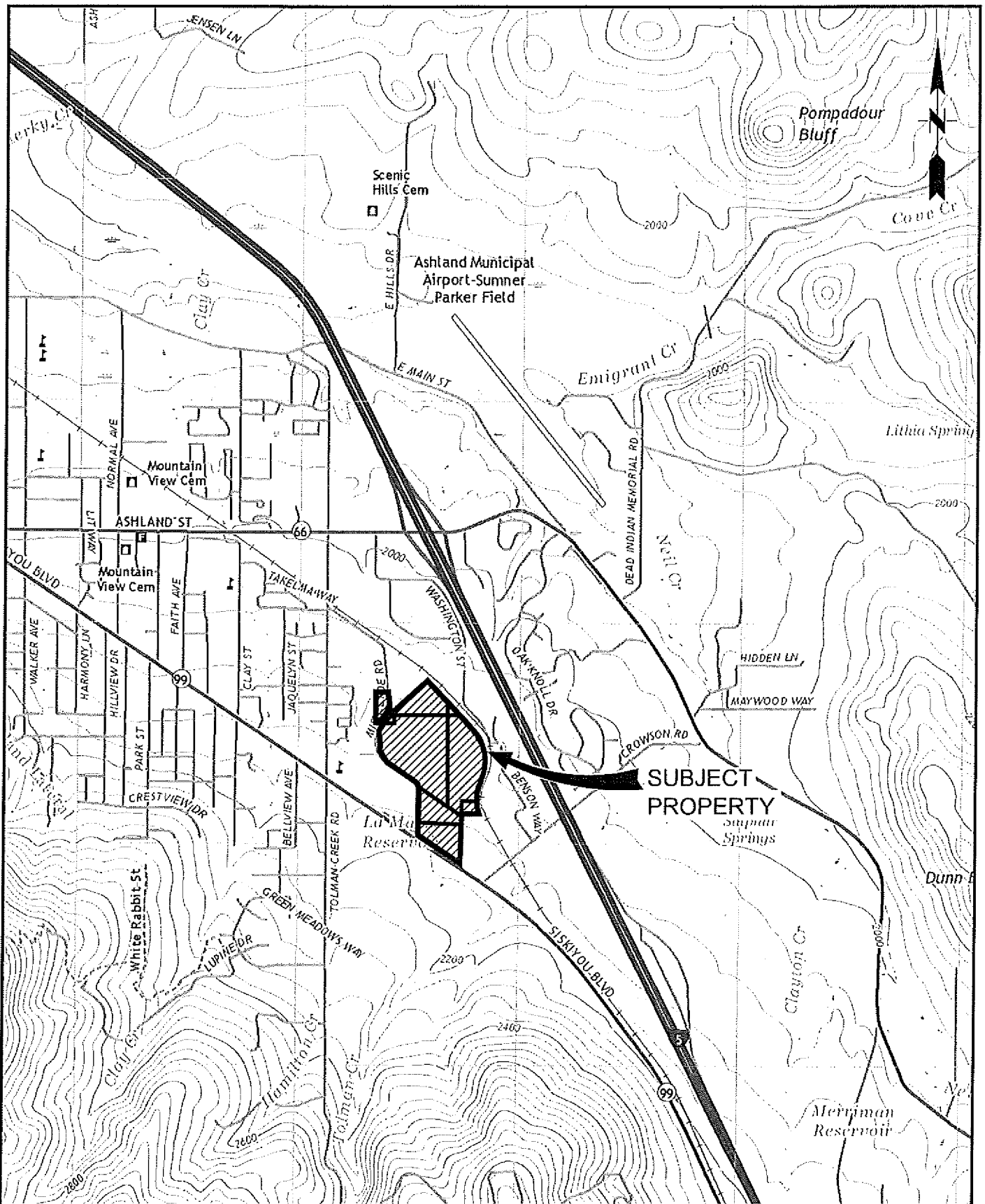
Figure 2. Site Plan

Attachment 1: DEQ NLCI Memo for DU01 soil, November 13, 2023

DEQ SWLOA for DU02 and DU03 soil to Greb Pit, November 15, 2023.

cc: Mike Montero, Montero and Associates
Kory Kaufman, Croman Corporation

Figures



SOURCE: U.S. Geological Survey, Ashland
7.5-minute topographic quadrangle, 2021

0 1/4 1/2
SCALE IN MILES

SCS ENGINEERS

Environmental Consultants and Contractors

15940 SW 72nd Avenue
Portland, Oregon 97224
(503) 639-9201 FAX: (503) 684-6948

PROJECT NO. 04222021.00	DES BY L.E.L.
SCALE AS SHOWN	CHK BY B.L.
CAD FILE FIGURE 1	APP BY S.L.

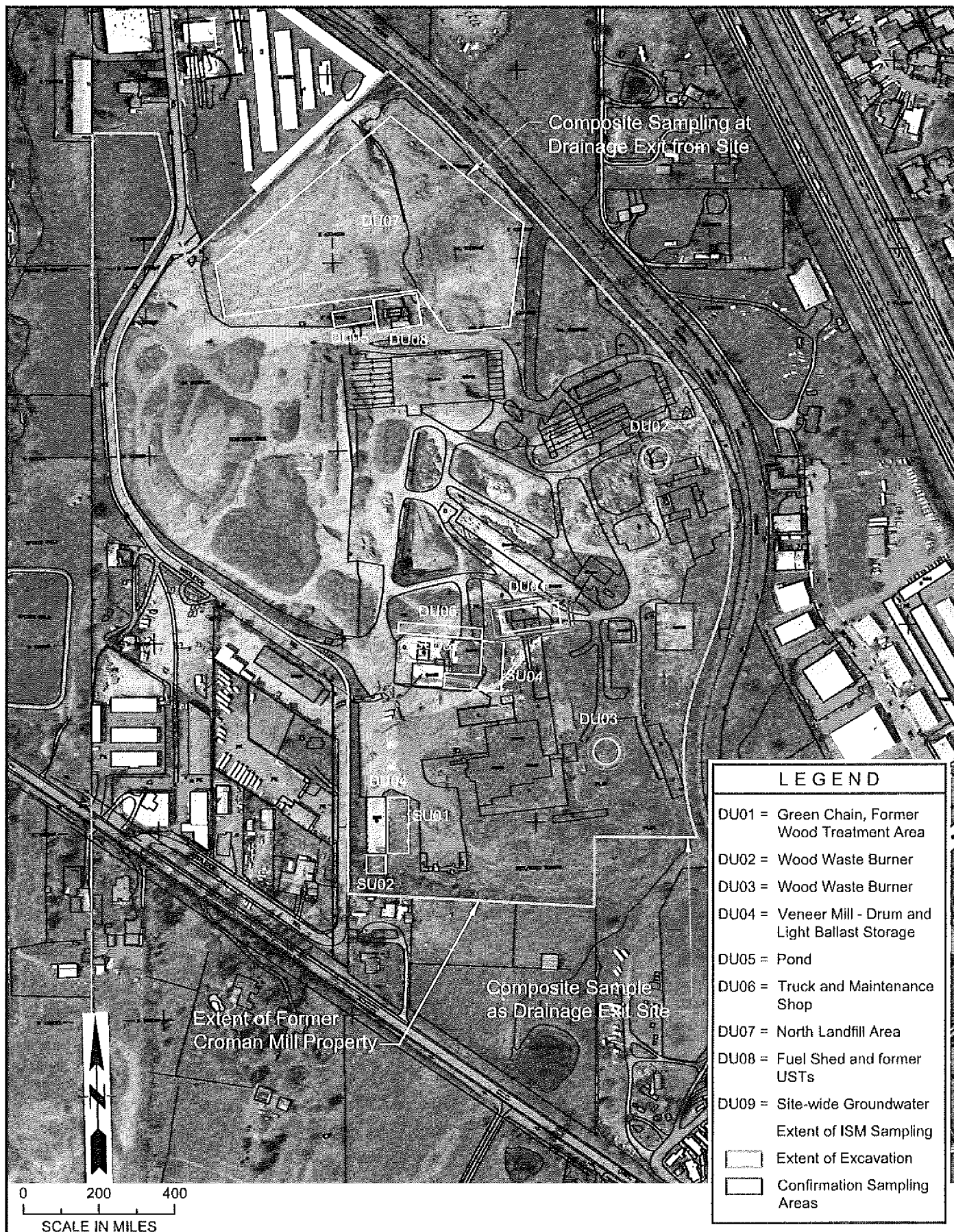
PROPERTY LOCATION MAP

CROMAN PROPERTY
146 MISTLETOE ROAD
ASHLAND, OREGON 97520

DATE
JUNE 2022

FIGURE

1



SCS ENGINEERS Environmental Consultants and Contractors 15940 SW 72nd Avenue Portland, Oregon 97224 (503) 639-9201 FAX: (503) 684-6948	PROJECT NO.	DES BY	SITE PLAN CROMAN PROPERTY 146 MISTLETOE ROAD ASHLAND, OREGON 97520	DATE
	04222021.00	L.E.L.		NOV 2023
	SCALE	CHK BY		FIGURE
	AS SHOWN	B.L.		
	CAD FILE	APP BY		
	FIGURE 2	S.L.		2

Attachment 1

DEQ NLCI Memo for DU01 soil, November 13, 2023

DEQ SWLOA for DU02 and DU03 soil to Greb Pit, November 15, 2023.

State of Oregon
Department of Environmental Quality Memorandum

Date: November 13, 2023

To: Project File, Croman Mill, ECSI File #0535
From: Anthony Chavez, Project Manager, WR Cleanup Program
Through: Killian Condon, WR Hazardous Waste Compliance Inspector
Approved: Becky Williams, WR Hazardous Waste Program Manager
Brad Shultz, WR Cleanup Program Manager
Subject: No Longer Contained-In Determination
Croman Mill Site, 146 Mistletoe Road
Ashland, Oregon (ECSI #0535)

DEQ's Western Region Cleanup and Hazardous Waste program staff have prepared this No Longer Contained-In (NLCI) Determination for contaminated soils identified from an investigation at the former Croman Mill, located in Ashland, Oregon. Enrolled in DEQ's Voluntary Cleanup Program, during May 2023, site owners conducted an environmental investigation under a DEQ-approved Work Plan¹. Sampling identified dioxins and furans in surface soils from an area previously used for anti-sapstain wood treatment. Treatment likely used a chlorophenolic product that was applied using a dip tank. Dioxin and furan presence is suspected from drippage onto the ground as treated wood products were transferred from the dip tank to other parts of the site. These soils are therefore listed hazardous waste carrying EPA waste code F032.

This determination is for approximately 600 cubic yards of soil planned for excavation from the former treatment area, measuring approximately 200 feet by 80 feet, and one foot in depth.

Representative sampling was conducted using incremental sampling methodology (ISM) in the area of the former dip tank. The sampling area was determined through interviews with people knowledgeable of the site processes and reviewing of historical aerial photographs. For sampling identification, the area was designated Decision Unit 1 (DU01). The soils were analyzed for SVOCs by USEPA 8270D, RCRA 8 metals by USEPA 6010D, diesel-range hydrocarbons by NWTPH-Dx, and dioxins & furans by EPA 8290A. Results of the analyses are tabulated below, with only the detected compounds listed. Dioxins and furans are listed by their 2,3,7,8-TCDD equivalent. Additionally, two replicates were also collected from DU01.

¹ SCS, 2023. Revised Site Investigation Work Plan, Croman Mill Property, 146 Mistletoe Road, Ashland, Oregon, Oregon DEQ ECSI No. 535, February 25.

Table 1. Sample Results* and Direct Contact of Soil Risk-Based Concentrations (mg/Kg)

Soil Sample	Benzo[a] anthracene	Benzo[b] fluoranthene	Chrysene	Pyrene	2,3,7,8- TCDD equivalent	Arsenic	Chromium
DU01	0.036 J	0.20 J	0.036 J	0.029 J	0.000024	2.3	12 B
DU01 Rep#1	0.022 J	0.170 J	ND	0.020 J	0.000040	2.3	13 B
DU01 Rep#2	0.032 J	0.20 J	0.032 J	0.025 J	0.000021	2.2	11 B
20X TCLP Limit	NA	NA	NA	NA	NA	100	100
Occupational	2.1	21	2,100	23,000	0.000016	1.9	>MAX
Construction Worker	17	170	17,000	7,500	0.00017	15	530,000

* Only detections of F032 listed compounds from 40CFR268.40 are presented here. See findings report for complete analytical results.

B = Compound was found in the blank and sample.

J = estimated concentration above detection limit but below the method reporting limit

mg/Kg = milligram per kilogram

NA = Not Available

ND = not detected above the laboratory method detection limit

>Max = RBC is calculated at greater than 1,000,000 mg/Kg, therefore, deemed not to pose risks in this scenario.

A No Longer Contained-In Determination is needed to show that the soil is not characteristic hazardous waste, that F032-listed compound concentrations are below protective levels, and, if applicable, Land Disposal Requirements (LDRs).

To demonstrate that the soil no longer “contains” hazardous waste, the following conditions need to be met:

- 1) The soil (solid) must not exhibit a characteristic of hazardous waste (must not be reactive or toxic). There are no toxicity limits for the detected semi-volatile organic compounds or dioxins and furans, so no comparison can be made for those constituents. The metals that are detected are all below the 20 times TCLP limit listed above. As such, the soil is not a characteristic waste.
- 2) The soil must not exhibit a characteristic of a hazardous waste (must not be ignitable or corrosive). Based on levels of detections, and knowledge of the process, DEQ has determined that the soil is neither ignitable nor corrosive.
- 3) Concentrations of hazardous constituents from the listed waste must be below health-based levels. It is DEQ’s policy that if soil is to be taken to a lined Subtitle D facility then concentrations of hazardous constituents should be below the DEQ “Occupational” risk-based concentration (RBC) for direct contact. However, on November 6, 2023, a variance was granted by DEQ’s Hazardous Waste program allowing for the use of “Construction Worker” RBCs to screen soils from DU01. (DEQ November 2023). As such, detected F032 constituents are below health-based level RBCs for direct contact of contaminated soil.

- 4) RCRA land disposal restrictions do not apply because the waste was not removed from the area of contamination prior to this determination.

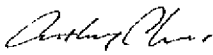
Underlying contaminants may be present in the soil at concentrations below the minimum reporting levels (MRLs) shown in the laboratory data. Using the MRL concentrations and our knowledge of the process, we can assume the following about the soil:

- It would not be ignitable, corrosive nor reactive;
- Concentrations of underlying constituents would be below toxicity characteristics (for applicable analytes);
- Concentrations of underlying constituents would be below DEQ protective levels (construction worker RBCs).

Based on our review of the data and findings above, DEQ Cleanup has determined that the soil from the former dip tank area (DU01) proposed for excavation and removal at the former Croman Mill site does not exhibit characteristics of hazardous waste. The concentrations of detected F032-listed compounds in soil samples are below DEQ's construction worker risk-based standards. The soil does not pose an unacceptable risk under the waste management scenario proposed. If this soil is disposed of at a permitted Subtitle D landfill DEQ has approved for this purpose, the waste will no longer contain hazardous waste. If the waste is not managed and disposed of in accordance with these conditions of approval, this No Longer Contained-In Determination does not apply: the waste remains hazardous waste and must be managed and disposed of in compliance with applicable hazardous waste laws.

Oregon DEQ Contained In Determination Approval Signoff Sheet

Site Name: Former Croman Mill
Location: 146 Mistletoe Road, Ashland
Media: Soil
Approved Disposal: Dry Creek Landfill, Eagle Point – Subtitle D

DEQ Project Manager:  **Date:** 11/13/2023
Anthony Chavez

DEQ HW Staff:  **Date:** 11/13/2023
Killian Condon

DEQ HW/MM Program Manager: Becky Williams **Date:** 11/14/2023
Becky Williams

DEQ Cleanup Program Manager: Brad Shultz **Date:** 11/14/23
Brad Shultz



Oregon

Tina Kotek, Governor

Department of Environmental Quality
Western Region Eugene Office
165 East 7th Avenue, Suite 100
Eugene, OR 97401
(541) 686-7838
FAX (541) 686-7551
TTY 711

Nov. 15, 2023

John Holmes
Southern Oregon Rock LLC
PO Box 1347
Jacksonville, OR 97530

RE: Solid Waste Letter Authorization
Greb Pit X
SWLA # 1748
Jackson County

Dear Mr. Holmes:

The attached Solid Waste Letter Authorization Permit 1744 is issued in response to your application received on Aug. 14, 2023. You are urged to carefully read the letter authorization and comply with its conditions. The authorization is valid for six months, until **May 14, 2023**.

This authorization has been issued to allow the disposal of contaminated soils as a mine reclamation fill material as denoted in the *Fill Placement Plan* dated April 25, 2017, at the plan denoted Greb Pit. This authorization is being issued as a 6-month limited duration interim permit. This authorization is renewable one time for a period not to exceed 6 months. As this is a Department of Geology and Mineral Industries permitted site, you must ensure that this placement is consistent with the site Imported Fill Plan prior to accepting this material.

If you have any questions, please contact Seth Sadofsky at 541-687-7329 or at seth.sadofsky@deq.oregon.gov. For more information on DEQ's Materials Management Program including rules, statutes and technical assistance visit <https://www.oregon.gov/deq/mm/swpermits/Pages/default.aspx>.

Sincerely,

Becky Williams

Becky Williams, Manager
Hazardous and Solid Waste Program
Western Region

cc: Barbara Lary, blary@scsengineers.com
ECSI file 535 c/o Anthony Chavez, DEQ Eugene anthony.chavez@deq.oregon.gov
Montero-associates@charter.com



SOLID WASTE DISPOSAL SITE PERMIT: Letter Authorization

Oregon Department of Environmental Quality
165 E. Seventh Ave., Suite 100
Eugene, OR 97401-3049
541-687-7465

Issued in accordance with the provisions of Oregon Revised Statute Chapter 459 and subject to the Land Use Compatibility Statement referenced below.

Issued to:

Southern Oregon Rock, LLC
PO Box 1347
Jacksonville, OR 97530
541-899-4494

Facility name and location:

Greb Pit X
528 Linn Road
Eagle Point, OR 97524
Jackson County

Property Owner:

T Greb Properties LLC
3415 Brophy Rd
Eagle Point, OR 97524

Operator:

Southern Oregon Rock, LLC
PO Box 1347
Jacksonville, OR 97530
John Holmes
541-899-4494 tara@johnnycatinc.com

ISSUED IN RESPONSE TO:

- Application for Solid Waste Letter Authorization dated Aug. 14, 2023
- Land Use Compatibility Statement, dated May 5, 2017, from the Jackson County Planning Department

Pursuant to OAR 340-093-0060 the determination to issue this permit is based on findings and technical information included in the permit application record.

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

Becky Williams

Nov. 14, 2023

Becky Williams, Manager
Western Region Materials Management
Permitting and Compliance

Date

PERMITTED ACTIVITIES

A. Description

This Solid Waste Letter Authorization covers the acceptance and placement of contaminated soils removed solely from a distinct parcel located in Ashland, Jackson County. This site being specifically denoted by the Jackson County Assessor's Office as follows: Section 14D, Township 38 South, Range 1 East, Tax Lot 1301 and 1100. Soils at this site are contaminated with low concentrations of dioxins and furans. This soil will not pose a risk to public health or ecological receptors if managed as outlined in the application.

Mine reclamation fill activities will occur at 528 W Linn Road in Eagle Point, Oregon, Jackson County (also known as Map and Tax Lot 100 of 36S 1W 04). Up to 1500 cubic yards of material will be placed in the fill area. Upon receipt, the contaminated soil will be placed directly into the DOGAMI approved (DOGAMI ID# 15-0098) fill placement area as denoted in the "Fill Placement Plan", Section 1.3 and Figure 3.

No buildings, tanks or additional infrastructure development/construction is planned.

B. Site Operation Plans

Mine reclamation fill operations shall be in accordance and in keeping with all of allowances and restrictions denoted in the following: DOGAMI Operating Permit, Solid Waste Letter Authorization Permit Application, "Fill Placement Plan", "Soil Management Plan", Land Use Compatibility Statement, "Jackson County Planning and Development Services Aggregate Resource Site Plan Review", this Solid Waste Letter Authorization, and all other associated plans and information provided by applicant and approved by appropriate jurisdictional authorities.

Site operations and plans shall be modified as necessary, to maintain a high level of protection to human health, the environment and to minimize nuisance conditions. All operational changes and plan modifications will be submitted to the department for approval prior to implementation. In the event of immediate operational changes necessary to protect human health, the environment or process integrity, notification will be as soon as practicable and in no circumstances later than 72 hours. A record of daily activities is to be maintained in a Site Operational Log.

The soils placed under this permit must be placed above the seasonally-high water table, covered with a geotextile demarcation layer and 3 feet of clean fill the top of the placed soils below planned final grade.

C. Prohibited Materials, Unknown Materials, and Suspected Hazardous Materials

If the permittee discovers any materials not specifically allowed by this Letter Authorization, once safe to do so, the permittee will segregate those materials, store them in a manner that safeguards human health and the environment, notify DEQ of the discovery, and properly dispose or recycle the materials. These materials may include but are not limited to the following: metals, waste tires, pressurized cylinders, plastics, bio-sludge and/or human bodily wastes, medical/pharmaceutical waste, PCBs, animal mortality waste, animal processing waste, appliances/electronic devices, treated/painted wood waste, and all hazardous waste as defined in 40 CFR 261. Unknown materials and suspected hazardous materials will require a hazardous waste determination. Contact the Western Region Solid Waste Permit Coordinator at 541-687-7465 to obtain assistance with hazardous waste determinations.

D. Disclaimers

The issuance of this permit does not convey and property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.

DEQ, its officers, agents or employees do not sustain any liability on account of the issuance of this permit or on account of the construction, maintenance, or operation of facilities pursuant to this permit.

E. Authority and Regulatory

All site operations must be conducted in a manner to protect public health and the environment. Conditions of this permit are binding upon the permittee. The permittee is liable for all acts and omissions of the permittee's contractors and agents [ORS 459.376].

The permittee shall allow representatives of DEQ access to the disposal facility at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data and carrying out other necessary functions related to this permit.

Issuance of this permit does not relieve the permittee from the responsibility to comply with all other applicable federal, state or local laws or regulations. This includes the following solid waste requirements, as well as all updates or additions to these requirements:

- a) Solid Waste Letter of Authorization Permit Application received Aug. 14, 2023
- b) Oregon Revised Statutes, Chapters 459 and 459A
- c) Oregon Administrative Rules, Chapter 340
- d) Any other documents submitted by the permittee and approved by DEQ

F. Notification

The permittee shall notify DEQ in writing (email is acceptable) of the start date and the completion date of the project. Any and all process "upsets," emergency conditions, spills and releases, and discovery of unknown or hazardous materials will be reported to DEQ as soon as practicable. The permittee shall notify DEQ of all complaints resulting from site operations (i.e., odor, vector, dust, noise) and actions taken to address those complaints within 72 hours of the complaint being lodged. All notifications will be logged into the Site Operational Log. The Site Operational Log is a reviewable document during site inspections and will be made available to DEQ, if requested, as part of the document review portion of site inspections.

Submit all notifications, correspondence and reports to the Western Region Solid Waste Permit Coordinator at: 165 E. Seventh Ave., Suite 100, Eugene, OR 97401, 541-687-7465.

G. Expiration

Solid Waste Letter of Authorization No. 1748 expires six months from the signature date of this permit and can be renewed once for an additional six months at a cost of \$500.00.

Following expiration of this permit a report shall be submitted to DEQ within 30 days outlining the start and end date of soil placement and how the soils have been covered.



Council Study Session

February 5, 2024

Agenda Item	Severe Weather Emergency Shelter Temperature Thresholds			
From	Kelly Burns / Sabrina Cotta	Emergency Management Coordinator/ Interim City Manager		
Contact	<u>kelly.burns@ashland.or.us</u> / <u>sabrina.cotta@ashland.or.us</u>			
Item Type	Requested by Council ☒ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☐ Old Business ☐			

SUMMARY

The City Council has asked to review the thresholds as outlined in Resolution 2022-23 which sets conditions under which the City of Ashland calls for the availability of protective or emergency shelter during severe weather-related events.

POLICIES, PLANS & GOALS SUPPORTED

Public Safety, including emergency preparedness for climate change risk

Regional cooperation, including in the support for public safety and homelessness

BACKGROUND AND ADDITIONAL INFORMATION

In June of 2022 the Housing and Human Services Commission made a recommendation at the request of City Council to address the extreme weather needs of Ashland residents, including extreme cold, extreme heat and dangerous level of wildfire smoke and the role of the City. Prior to the currently adopted resolution, Resolution 2013-04 only set parameters for cold weather conditions under which the City would declare a weather emergency and commit City resources in the form of a City owned building. The City has struggled in the past to have available space in City owned buildings and has relied on volunteer coordination for both securing alternative locations and staffing of volunteers for emergency shelter purposes. Reliance on volunteers meant at times the City was unable to stand up the emergency shelter due to the lack of personnel needed to do so.

In August of 2023 the City acquired 2200 Ashland Street securing a city facility for the purpose of having a space for an emergency and inclement weather shelter. On November 7, 2023 City Council approved a contract with Opportunities for Housing, Resources, and Assistance (OHRA) to provide severe weather emergency shelter coordination and operations. These two steps have resulted in the City having the ability to both have a location for the emergency weather shelter as well as a partner to staff the shelter when needed.

Given the thresholds as outlined in Resolution 2022-23, the City has temperature thresholds, both heat and cold, that are variable from those throughout the state and Southern Oregon area. This results in the City of Ashland potentially calling for more severe weather shelters to be stood up than regional partners.

Staff recommends judiciously managing our resources by limiting operational days, ensuring that we are fully equipped to offer shelter during periods of the most severe and dangerous weather. Staff recommends considering adjusting temperatures to match those of regional partners and including additional factors and considerations:





Council Study Session

- Forecasted low temperatures of 25 degrees Fahrenheit or less.
- Forecasted temperatures at 32 degrees Fahrenheit or less, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to cold, including:
 - Precipitation
 - Wind
 - Humidity, including dense fog
 - Sustained temperature, including during the day
 - Consecutive days (cumulative effects)
 - Overall weather patterns (e.g. precipitation, then drop in temperature)
 - Special alert such as warning or watch
- Hot Weather
 - Forecasted high temperature of 102 degrees Fahrenheit or more
 - Forecasted temperatures of 80 Fahrenheit degrees or more, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to heat, including:
 - Precipitation
 - Humidity
 - Wind
 - Duration and potential for cumulative effects (hours per day, consecutive days)
 - Overall weather patterns
- Air Quality
 - Air Quality index of "very unhealthy" or more
- Other conditions that result in a Severe Event, such as:
 - Chemical spill or release

FISCAL IMPACTS

The temperature thresholds have a fiscal impact on the city depending on where they are set. For example:

November 1, 2022– May 1, 2022

Total days at or below 32 degrees: 127

Cost per night: estimated at \$1500 = Fiscal impact of \$190,500

Total days at or below 25 (temperature threshold of regional partners): 53

Cost per night: estimated at \$1500 = Fiscal impact of \$79,500

The fiscal impact will vary depending on heat, cold and smoke days per year. One element to consider, the fiscal year begins July 1. Given the need to meet both heat and cold needs, the City may struggle to stand up and fund needed cold weather sheltering if the City experiences numerous extreme heat days.





Council Study Session

DISCUSSION QUESTIONS

Would the City Council like to alter the temperature thresholds to align with the region?

Would the City Council like to alter the temperatures to some other threshold?

SUGGESTED NEXT STEPS

There are numerous options for next steps. Some options include:

- Staff direction to return with a revised Resolution altering temperature thresholds as recommended by Council.
- No action needed, retain current thresholds.

REFERENCES & ATTACHMENTS

Attachment 1: 2022-23 A Resolution Repealing Resolution No. 2013-04 and Setting Policies and Condition Under Which Ashland will Activate Severe Weather Emergency Shelter Facilitation.

Attachment 2: City of Medford's Administrative Regulation 708

Attachment 3: Monmouth County Example

Attachment 4: Housing and Human Services Commission Severe Climate Event Policy Recommendation June 6, 2022

Attachment 5: Acquisition of the Coming Attractions property at 2200 Ashland Street for an emergency and inclement weather shelter

Attachment 6: Contracting for Severe Weather Emergency Shelter Services November 7, 2023



RESOLUTION N O . 2022-33

A RESOLUTION REPEALING RESOLUTION NO. 2013-04 AND SETTING POLICIES AND CONDITIONS UNDER WHICH ASHLAND WILL ACTIVATE SEVERE WEATHER EMERGENCY SHELTER FACILITATION

RECITALS:

- A. Ashland is in an area that has four distinct seasons, all of which can exhibit extreme conditions due to severe weather events that can be hazardous to persons without access to adequate heating, cooling, sheltering or air quality resources.
- B. The City of Ashland desires to set forth the conditions under which it will call for the availability of protective or emergency sheltering during severe weather-related events and the policies related to the procedures the City will take to determine when to call of a shelter and how the City will coordinate with community volunteers and disseminate information on such emergency shelter.

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. This resolution repeals and replaces Resolution 2013-04.

SECTION 2. Provision of Emergency Shelter During Severe Weather Events

- 1) Ashland will facilitate the provision of protective or emergency shelter within available resources as set forth here during times of extreme weather. Calling or activating a severe weather shelter is subject to practical considerations which may include, but are not limited to, identifying an available facility/facilities appropriate for the intended use, the ability to operate the shelter(s) in a safe manner for all potential users and supporting volunteers/staffing, the capacity of the shelter operations to adhere to the Severe Weather Shelter Operations Policy (attached), and the availability and level of necessary resources to support shelter operation. Necessary resources include volunteer support and contracted/city staffing, authorized and available funding. The City's ability to address or manage practical considerations will impact its ability to call for or maintain over time a severe weather shelter. For purposes herein, weather conditions shall be considered extreme under the following:
 - The general threshold for calling a cold weather shelter: 32 degrees or below considering such factors as wind chill, precipitation, number of days' duration or in instances where the National Weather Service issues a Weather Warning.
 - The general threshold for calling an extreme heat shelter: 95 degrees or above depending upon other factors such as humidity, UV index, and overnight lows or in instances where the National Weather Service issues an Extreme Heat warning.
 - The threshold for calling a smoke related shelter: an air quality index of 150 and above or designation of "unhealthy for everyone") or above.
 - And/or any combination of weather conditions, community circumstances including interruption of electric or essential city services, which, at the discretion of the City Manager, or their designee, make conditions hazardous to human life without adequate shelter.

SECTION 3. City's Role in Instances of Emergency Shelter

1) The City Manager, or their designee, will fulfill the following duties:

- Shelter Activation: Determine when the City will activate the provision or opening of protective or emergency shelter and approve the use of City resources for this purpose.
- 48 Hour Notice: The City will strive to provide 48-hour notice, unless in times of sudden severe weather conditions to contracted shelter provider to allow ample time for volunteer coordination and dissemination of information to the public.
- Communication: Communicate between internal City staff and the community. This will include communication between non-profits contracted to provide shelter coordination and City staff involved/concerned with sheltering activities, including but not limited to staff from Emergency Operations, Ashland Fire and Rescue, the Community Emergency Response Team (CERT) Coordinator or other AFR staff as designated by the Fire Chief, Ashland Police, Ashland Parks and Recreation, and City Administration, as well as with the Mayor and City Council, and other elected and appointed officials.

Communication will include coordination with or use of Nixle alerts as appropriate. The communication should provide information to the public regarding shelter information, which could include posting new items on the City's website, notifying 211, and posting information about shelters on the City's social media platforms.

- Shelter Coordination: Protective and emergency weather shelter will be staffed by community and/or CERT volunteers. The City will take steps within funding appropriated for the purpose to contract with a third-party non-profit organization to provide shelter coordination and oversight, including volunteer coordination and the provision of liability insurance to cover all emergency shelter related activities. Contracted shelter coordination may also include soliciting, vetting, and providing trainings to shelter volunteers (in coordination with CERT volunteer trainings), maintaining a shelter volunteer contact list, and coordinating with the City staff regarding background checks for shelter volunteers. These items and any additional duties will be outlined in a separate shelter coordinator service contract.

The City will arrange for the provision of materials and resources as needed to protect those managing and utilizing its facilitated emergency shelter. Materials and resources will also be made available for the training of protective and emergency shelter associated staff and volunteers.

Shelter coordination should also include periodic or regular meetings as necessary between City staff, the non-profit shelter coordinator and volunteer participants/stakeholders to debrief event management and review shelter processes/procedures for planning and coordinating improvement.

- 2) Emergency shelter during or in anticipation of a severe weather event may require the use of an available city owned building/facility. Previously booked/scheduled groups in those locations will be subject to cancellation in such a case. The City will endeavor to establish an appropriate, permanent location and facility for emergency weather shelter for the community.

SECTION 4. Severe Weather Activation

Provisions for emergency shelter will be activated as follows:

- a) When the City Manager, or their designee, determines that weather conditions are or are

likely to become "extreme," they will contact the City's Emergency Operations Officer or CERT Coordinator to confirm the emergency circumstances and activate the provision of protective or emergency shelter.

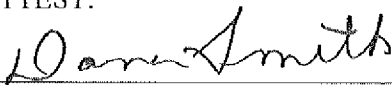
- b) Emergency Operations Officer or CERT Coordinator will, in turn, contact the following:
- City's non-profit shelter coordinator to determine the feasibility of initiating emergency shelter operations, including the availability of volunteer staffing, and
 - The City's Parks and Recreation Department and other facilities management to determine if a city facility or facilities are available for the sheltering event. If no suitable City building is available, city staff and the non-profit shelter coordinator will work with community partners toward securing a sheltering location elsewhere in the city.
- c) The Non-profit Shelter Coordinator will contact designated representatives from volunteer organizations to arrange for on-site volunteers at the shelter.
- d) The CERT Coordinator or other AFR staff as designated by the Fire Chief, will put out a call for volunteers through the CERT system annually to notify them of shelter training availability.
- e) Shelter volunteers should bring their own cell phones in case of emergency.

SECTION 5. Emergency shelter will be operated consistent with the attached Severe Weather Shelter Operations Policy.

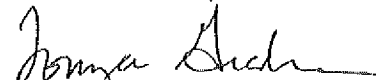
SECTION 6. This resolution takes effect upon signing by the Mayor.

ADOPTED by the City Council this 6th day of December, 2022.

ATTEST:


Dana Smith, Clerk of the Council Pro Tem

SIGNED and APPROVED this 18th day of July, 2023.


Tonya Graham, Council Chair

Reviewed as to form:


Doug McGeary, Interim City Attorney



Title: Shelters

Purpose:

These policies have been established in coordination with other City of Medford departments including Building, Planning, Police, and Fire to provide a safe solution for providing shelters for sleeping purposes. Many of these policies are based on the Oregon State Fire Marshal's Technical Advisory for Temporary Shelters (OSFM TA 14-12). These policies allow a building not normally designated as a Residential "R" Occupancy to be used as a shelter (Residential use of a building, or a portion thereof, for temporary living and sleeping purposes). **These requirements apply to *Temporary Shelters, Non-Temporary Shelters, and Severe Event Shelters*, unless noted otherwise.** These requirements are intended to be a starting point. Every shelter will be different, and these requirements are intended to provide a reasonable level of life safety. Therefore, some requirements will be on a case-by-case basis and **may be modified, if approved.**

City of Medford municipal code requirements for Temporary and Non-Temporary Shelters and Severe Event Shelters shall take precedence when in conflict with these requirements.

Application:

This policy will be applied by multiple departments and stakeholders, including:

- City Management will declare a Severe Event
- The Building Safety Department, Fire Department, Planning Department and other City of Medford departments to review and approve the use of shelters
- Stakeholders in the community dedicated to or affected by providing shelters for those in need.

Definitions:

Incapable of Self-Preservation (OFC Section 202): Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment cannot respond as an individual to an emergency situation.

Individual Area: An individual space or area provided per person (occupant) for sleeping purposes. Unless approved otherwise, the minimum dimensions shall be as follows:

- 4 ft x 7 ft if no storage area is provided. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.
- 3 ft x 7 ft if a separate storage area is provided. This area does not include area required for means of egress. This is the minimum individual area to be provided when adequate storage space is provided for storage of personal belongings. The occupants may have

small items within their individual space, such as a purse or small bag. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.

- A six foot minimum separation between sleeping areas is recommended from the Center for Disease Control.

Limited Assistance: Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment require limited verbal or physical assistance while responding to an emergency situation.

Marking of Sleeping Area: Markings, such as tape or another approved method, shall be provided to designate and define the exit access including aisles, and exits. Markings may also be used, and are encouraged, for *Individual Areas*. The purpose of these markings is to maintain clear egress paths at all times

Non-Temporary Shelters: A permanent use within a building or buildings, meant to provide overnight sleeping accommodations and related service for individuals or groups who are homeless.

Severe Event: from City of Medford Municipal Code Section 10.012 – An act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for individuals or groups.

Severe Event Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide relief during a Severe Event to individuals or groups who are homeless or are at risk of exposure to a severe event.

Note: Rather than overwhelm Temporary Shelter resources, the intent of allowing Severe Event Shelters is to supplement Temporary Shelters by providing respite during Severe Events.

Sleeping Area: Space or area that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Temporary Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

- Note: a Temporary Shelter is a place or area within a building that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Policy:

USE OF SHELTERS:

Approval Requirements:

Prior to approval for use of a shelter, the following items are required:

- All Shelters (Temporary & Non-Temporary Shelters and Severe Event Shelters)
 - Approval from the Medford Building Department
 - An approved Operational Permit through Medford Fire-Rescue
 - If not included in the application, please request a Business Safety Checklist for common fire hazards.

- Note: Consultations/inspections for pre-approval will generally be provided at no cost. Fees may be required if a significant number of consultations or inspections are requested.
- Inspection and approval from a fire code official and building code official prior to opening.
- Temporary & Non-Temporary Shelters:
 - Approval from the Planning Department for use of a location, including a Conditional Use Permit (CUP) issued in compliance with Medford Municipal Code 10.819A.
- Severe Event Shelters:
 - Conditional Use Permit (CUP) is not required
 - Locations are subject to zoning regulations
 - Shall only be operated during a declared Severe Event

Severe Event Declarations:

The Mayor or City Manager, or their designee, may consider declaring a Severe Event based on the following factors and criteria:

- Cold Weather
 - Forecasted low temperatures of 25 degrees Fahrenheit or less.
 - Forecasted temperatures at 32 degrees Fahrenheit or less, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to cold, including:
 - Precipitation
 - Wind
 - Humidity, including dense fog
 - Sustained temperature, including during the day
 - Consecutive days (cumulative effects)
 - Overall weather patterns (e.g. precipitation, then drop in temperature)
 - Special alert such as warning or watch
- Hot Weather
 - Forecasted high temperature of 102 degrees Fahrenheit or more
 - Forecasted temperatures of 80 Fahrenheit degrees or more, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to heat, including:
 - Precipitation
 - Humidity
 - Wind
 - Duration and potential for cumulative effects (hours per day, consecutive days)
 - Overall weather patterns
- Air Quality
 - Air Quality index of “very unhealthy” or more

- Other conditions that result in a Severe Event, such as:
 - Chemical spill or release

LOCATION PLANNING AND REQUIREMENTS:

Occupancy Requirements:

How each occupant responds during an emergency can affect the risk of all occupants. Considerations that can influence the ability to respond correctly to an emergency include, but are not limited to, mental and physical abilities. For this reason, there are more strict requirements for locations where some of the occupants require physical or verbal assistance to respond to an emergency including fire protection, staffing, training, etc. As such, the following requirements apply to all shelters:

- (OFC 1101.1) Persons who are Incapable of Self-Preservation shall not be permitted to stay at a shelter.
- (OFC 104.8, 1101.1) Shelters may allow persons requiring Limited Assistance to sleep at the shelter when approved. Considerations for approval include, but are not limited to:
 - The number of persons requiring limited assistance.
 - The presence of fire protection systems such as an automatic sprinkler system
 - Staffing
 - Staff training
 - Modifications to the Emergency Evacuation Plan.
 - Provisions for moving individuals who require limited assistance to a different location when the maximum number is exceeded.
- Locations may be approved to shelter persons who are Incapable of Self-Preservation and/or require Limited Assistance when sufficient fire and life safety features are provided. Approval will be on a case-by-case basis.
- Shelter Operations Plans shall include procedures for moving persons who are incapable of self-preservation to a location that can safely meet their needs.

Fire Protection Requirements:

The following life-safety requirements apply to buildings used as a shelter:

- (OFC 1101.1, 104.8) Automatic Sprinkler System. Buildings used as shelters shall be protected throughout with and approved Automatic Sprinkler System, with the following exceptions:
 - Temporary Shelters: Approval through Medford Fire-Rescue and the Building Department is required in order to locate a Temporary Shelter in a building not protected throughout with a fire sprinkler system. For shelters not protected throughout to be approved, the sleeping areas and shelter operations shall be limited to the ground floor with a minimum of two (2) exits directly to the outside at ground level.
 - Severe Event Shelters: An automatic fire sprinkler system is not required for Severe Event Shelters that are located on the ground floor with a minimum of two (2) exits

directly to the outside at ground level. Severe Event Shelters shall meet the other requirements of this Policy.

- Fire extinguishers with a minimum rating of 2-A:10-B:C shall be provided within 75 feet of travel, and within 10 feet of exits. A minimum of 2 fire extinguishers shall be provided unless approved otherwise.

Means of Egress (Exiting – OFC Chapter 10):

The following requirements apply to all shelters, unless noted otherwise. All means of egress (exit) paths shall be maintained free of obstructions at all times.

- Exits from sleeping areas within buildings protected throughout by an automatic sprinkler system shall be as follows;
 - Sleeping areas located on the ground floor of a shelter with an occupant load of 49 (i.e. persons using shelter) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
 - All other floor levels (other than the ground floor) used as Temporary Shelter sleeping areas that have an occupant load of 10 or more shall have two (2) exits from the area.
 - The exits serving the areas shall be separated by a distance equal to at least 1/3 of the longest diagonal distance of the area.
- Exits from sleeping areas within buildings NOT protected throughout by an automatic sprinkler system:
 - For *Temporary Shelters* and *Severe Event Shelters* that are approved without an automatic fire suppression system, the sleeping areas shall only be located on the ground floor, and a minimum of 2 exits shall be provided for occupant loads of 10 or more.
 - Shelters approved without a fire suppressions system with an occupant load of nine (9) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
 - The exits serving the areas shall be separated by a distance equal to at least 1/2 of the longest diagonal distance of the area.
- Doors shall operate properly. The intent of this is that doors are easily opened and closed, even for people with limited strength and mobility.
- Emergency egress lighting shall be provided. This lighting may be the plug-in type with battery backup.
- Egress for *Sleeping Areas*:
 - *Sleeping areas* shall be grouped in single (1) or double (2) rows of *Individual Areas*.
 - The total number of *Individual Areas* provided shall not exceed the maximum occupant load minus the minimum staffing.
 - A 36" min. aisle (OFC 1017.5) shall be provided on both sides of rows of *Individual*, except that:
 - An aisle may be provided on one side of a single row of *Individual Areas* against a wall.

- Egress paths shall be marked (such as with tape on the floor) and shall be maintained clear at all times.
- (OFC 1007.1) Accessibility: An accessible egress path shall be provided, unless approved otherwise.

Maximum Number of Occupants Allowed:

(OFC 104.8, 1004.1.2) The maximum number of allowable shelter occupants will be approved by both a building code official and a fire code official on a case-by-case basis.

An occupant load sign shall be posted in a clear and obvious location near the entrance showing the maximum number of occupants in the shelter.

PLEASE NOTE: Additional requirements will apply when the occupant load exceeds 49 people in sprinklered shelters, and 9 people in unsprinklered shelters.

Smoke Alarms and Detection (OFC 907.2):

- All shelter sleeping areas shall be provided with approved smoke alarms or a complete approved smoke detection system.
- All other areas of the building used for shelter operations shall be equipped with smoke alarms or a smoke detection system as required by the local fire code official.
- Smoke alarms may be battery-powered.

Carbon Monoxide (CO) Alarms and Detection (OFC 908.7):

- All shelter sleeping areas shall be provided with approved carbon monoxide alarms or an approved Carbon Monoxide detection system
- Carbon monoxide alarms may be battery-powered.

Cooking Facilities:

(OFC 609.1 and 904.11) Shelters where food is provided may have to meet requirements for new construction for cooking equipment. This will be determined on a case-by-case basis.

Storage:

(OFC Section 315, Chapter 10) Provisions for storage shall be provided in order to maintain egress paths and allow storage of items that are not permitted within the shelter.

Sanitation:

Toilets, hand washing, and trash disposal shall be provided. Provisions for bathing are typically recommended, but not required.

OPERATIONAL (USE) REQUIREMENTS:

Operational Permit:

An Operational Permit through Medford Fire-Rescue will be required. A plan / layout shall be submitted as part of operation permit. The following shall be shown on the plan:

- Location, size and occupant load for all areas including sleeping areas, kitchen, bathroom, storage, etc.
- Access points
- Trash cans
- Lighting
- Emergency vehicle access
- Etc.

These items may be shown on the building floor plan required as part of the Emergency Evacuation Plan as long as the plan is legible and reasonably useful. A separate building floor plan may be required as part of the Emergency Evacuation Plan in order to provide only critical information needed during an emergency.

Staffing:

A minimum ratio of staff per occupants shall be provided as follows:

- Unless approved otherwise in rare circumstances, a minimum of 3 people shall staff a shelter at all times:
 - A minimum of 1 staff per 25 occupants, but not less than 2
 - A person dedicated to Fire Watch in addition the staffing required for the occupants

Recommended Staff:

- Shelter Liaison – Represents the owner(s) of the shelter location
- Shelter Coordinator – Directs and leads the shelter operation.
 - Shelter Host – Responsible for operations under the direction of the Shelter Coordinator
 - Meal Coordinator – Arranges meals, if provided
 - Logistics Coordinator – Necessities, transportation, etc.

Notification:

Temporary Shelters:

- First Opening: A fire inspection shall be completed and final approval shall be received prior to opening a shelter for the first time.
- Subsequent Openings: The fire code official (Fire Marshal or Deputy Fire Marshal) shall be notified 48 hours minimum prior to each anticipated non-consecutive use of a shelter. The fire code official may require a fire inspection prior to the shelter being used.

Severe Event Shelters:

- Pre-Authorization: a location shall be approved by a building code official and fire code official prior to use as a *Severe Event Shelter*. A fire inspection should be requested a minimum of 2 months prior to anticipated use. The shelter shall not be used until a final inspection has been completed and approval for been provided.

- Approval Prior to Opening: The fire code official and operators will work together to schedule/conduct a fire inspection prior to use of a *Severe Event Shelter*. This is intended to be a follow-up inspection in addition to the fire inspection required prior to approval of a *Severe Event Shelter* location.

Time limits:

Temporary Shelters:

- A building may be used as a *Temporary Shelter* for a maximum of ninety days (90) within any twelve (12) month period of time beginning on the first (1st) day of occupancy or as approved by the local authority having jurisdiction.
- Additionally, Temporary uses exceeding a six month (180 day) time period beginning on the first (1st) day of occupancy require approval from the Building Code Official.

Severe Event Shelters:

- *Severe Event Shelters* shall only be operated during a *Severe Event*.

Emergency Evacuation Plan (OFC Chapter 4):

An approved emergency evacuation plan addressing the evacuation of all occupants in an emergency event shall be available at all times at the shelter location (not a remote location). The plan shall be reviewed a minimum of once per year, and shall be revised when needed. At a minimum, the emergency evacuation plan shall contain the following:

- Emergency Response Plan: complete and review with a fire code official
- Occupant log: A log of all occupants for each night must be maintained and made available to the emergency personnel in the event of a fire or incident.
- Building floor plans: Building floor plans for each floor of the shelter shall be posted throughout the shelter, and shall include:
 - *Sleeping Areas* clearly identified.
 - Room size: the square footage of all rooms within the shelter.
 - Evacuation Routes: the primary and secondary egress (exit) paths from all areas of the shelter shall be shown.
 - Accessible egress routes: locations shall be shown on the building floor plans.
 - Life-safety systems: include locations for fire sprinkler system including riser room, fire alarm panel and controls, etc.
 - Manual Fire Alarm Pull Boxes, if present
 - Fire Extinguishers
 - AED (Automated External Defibrillator), if present

Documentation:

Documentation of all fire safety requirements including copies of an Emergency Plan and a Shelter Operational Plan shall be maintained on site and shall be immediately available for review if requested by the fire code official.

Fire Watch:

A fire watch shall be maintained continuously. See fire watch packet for additional requirements. A fire watch shall be maintained during sleeping hours at a minimum, and may be required at other times. This means at least one responsible person shall be awake and assigned this responsibility. The intent is that if one person cannot survey all areas of the shelter, then additional persons will be required. Fire watch personnel are dedicated to this task and shall not be responsible for other duties such as serving food. This duty may be rotated among a number of responsible adults. The fire watch personnel shall be familiar with the building, the emergency plan, and shall be trained on procedures during an emergency. They have the responsibility for a continuous patrol of the shelter for the purpose of detecting fire or other emergencies and transmitting an immediate alarm to the Fire Department and occupants. If a fire alarm system is not present, fire watch personnel shall have a manual device such as a whistle or bell for alerting occupants and a cell phone for alerting the fire department and other Fire Watch personnel.

General Safety Requirements:

- Alcohol and drugs shall not be in possession or used
- (OFC 310) No smoking inside. Outside smoking, if allowed, shall be in designated locations and non-combustible containers filled with water shall be provided. Smoking shall be a minimum of 10 ft away from entrances, exits, windows, ventilation intakes, etc.
- (OFC 305) Potential fire ignition sources such as lighters and candles shall not be allowed in shelters, unless stored in supervised or locked storage areas.
- Use of portable heaters or unvented fuel-fired heaters shall be prohibited inside. Outside use may be approved.
- Separate locations or areas for different populations including families, single men, etc. shall be required, unless approved otherwise.

Responsibilities:

The Building Safety Department, Fire Department, Planning Department and other City of Medford departments will be responsible for:

- Review of shelters
- Approval of shelters
- Developing and maintaining a Shelter Team with stakeholders from City departments and the community

The City of Medford will not be responsible for:

- Providing staffing for Temporary Shelters or Severe Event Shelters
- Providing locations for Temporary Shelters or Severe Event Shelters

The Shelter Team will be responsible for:

- Developing partnerships within the community
- Revising policies and practices related to shelters

For Severe Events, the Mayor or City Manager, or their designees, will be responsible for:

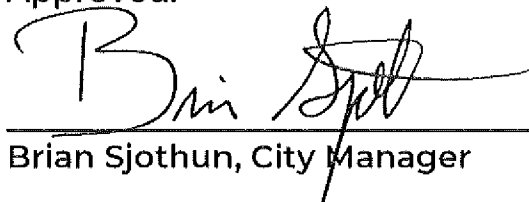
- Ensuring the procedures are followed where possible
- Declaring a Severe Event
- Providing early warning of a Severe Event Declaration as soon as possible (ideally 48 hours) by:
 - Communicating Severe Events to Provider Network and City Departments,
 - Conducting media out reach

Severe Event Procedures:

Administrative Regulation 908 Emergency Notification System Severe Event Incident Response Guide (IRG) will be used when declaring a Severe Event.

- Prepare for Severe Events:
 - Engage and partner with stakeholders to
 - Share information
 - Pre-authorize shelter locations
 - Develop processes and policies ahead of events
- Identify a Severe Event threat
 - Communicate a warning that a Severe Event may be declared
 - Notify stakeholders as soon as possible (48 hours is preferred)
 - Coordinate with providers and stakeholders to:
 - Estimate need (# of beds, population type etc.)
 - Identify available resources
- Declare Severe Event
 - Communicate resources and shelter locations (media, provider network, 211info, etc.)
- Monitor the event
 - Communicate anticipated end of Severe Event
- Declare and end to the Severe Event
 - Communicate end of Severe Event
 - Shelter Team Review event and communicate ways to improve

Approved:



Brian Sjothun, City Manager

11/05/2020
Date

Legal Reference(s):

Oregon Fire Marshal's Technical Advisory 14-12
Oregon Fire Marshal's Technical Guidelines (OFC)
Medford Municipal Code 10.012 and 10.819A
Administrative Regulation 908

Severe Weather and Homelessness

For information on severe weather shelters, check multco.us/cold (<http://multco.us/cold>)

Support people living outside

If someone outside is unsheltered and whose life appears to be in danger, call 9-1-1. Otherwise, if you see someone about whom you are concerned during cold weather, such as not being dressed for the weather conditions, call [Multnomah County's non-emergency response line](http://multco.us/em/police-and-fire-non-emergency) (<http://multco.us/em/police-and-fire-non-emergency>) at 503-823-3333 and request a welfare check.

To help someone locate shelter and transportation to shelter, please call 2-1-1.

People seeking to get warm on winter days when severe weather shelters are not open are welcome in government buildings that are open to the public, including, for example, libraries and community centers. Library hours are listed on Multnomah County [Library's website](https://multcolib.org/hours-and-locations) (<https://multcolib.org/hours-and-locations>).

City of Portland community center information is [listed here](https://www.portlandoregon.gov/parks/39839) (<https://www.portlandoregon.gov/parks/39839>).

Severe Weather Planning

County staff monitor weather conditions and other factors, including severe temperature fluctuations, emergency department visits for hypothermia, and wind chill. City of Portland and Multnomah County officials meet to discuss those weather conditions — consulting with Emergency Management, Health Department, County Human Services and Joint Office experts — and then jointly decide on shelter plans as needed.

Severe weather shelters open as needed when any of the following thresholds are met for any one of the conditions below that are forecasted to persist for four (4) hours or more between the hours of 8:00 p.m. - 7:00 a.m.

- Forecasted temperature of 25° F (-4° C) or below.
- Forecasted snow accumulation of 1.0 inch or more.
- Forecasted temperature at or below 32° F (0° C) with driving rain of 1.0 inch or more overnight.

Cold Weather Alerts

Even when severe weather thresholds aren't met — but when overnight temperatures are forecast at 32 degrees or below, for roughly four hours or longer — the Joint Office will issue a "cold weather alert."

No severe weather beds will open during a cold weather alert. But providers will conduct additional and focused outreach to find vulnerable people, and they will have the ability to quickly obtain and distribute cold weather gear. Providers will step up coordination around information on resources and system shelter capacity. Overflow shelter capacity will be made available to outreach workers, who can refer people in need.

Council Study Session

June 6, 2022

Agenda Item	Housing and Human Services Commission Severe Climate Event Policy Recommendation	
From	Linda Reid	Housing Program Specialist
Contact	reidl@ashland.or.us 541-552-2043	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☒	

SUMMARY

At a regular meeting held on August 7, 2021 the City Council approved a motion to request that the Housing and Human Services Commission develop a proposal for addressing the need for shelter options during extreme weather events. The Council motion is as follows:

Council requests the Housing and Human Services Commission work with local partners, as well as the staff and council liaisons to the commission, to identify the options available to comprehensively address the extreme weather needs of Ashland residents, including extreme cold, extreme heat, and dangerous levels of wildfire smoke. The Council further requests that the Housing and Human Services Commission develop a proposal for Council consideration regarding how the Ashland Community can best address these needs and the specific role the City will have in that process.

POLICIES, PLANS & GOALS SUPPORTED

2020-2024 Consolidated Plan for Use of CDBG funds

Tier 1: Higher Priority

- Emergency Preparedness
- Address Climate Change

Tier 2: Moderate Priority

- Economic Development
- Housing Needs
- Homeless Services
- All-Age Friendly Community

PREVIOUS COUNCIL ACTION

Not Applicable

BACKGROUND AND ADDITIONAL INFORMATION

The City has had two resolutions that address how the City will respond to incidents of inclement winter weather. The current policy Resolution 2013-04 which replaced 2007-11, only set parameters for cold weather conditions under which the City would declare a weather emergency and commit City resources in the form of a City owned building. However, for many years the City had dedicated a small amount of funding to support staff time at partnering non-profit agencies to provide volunteer coordination, communication, and trainings in support of City initiated emergency shelters. The volunteer coordinator was also tasked with finding alternate locations if a City

owned building was not available, and with communicating with other City staff who supported their efforts. This staff included Fire Department staff (CERT Coordinator) and Parks Department staff regarding the use of City owned buildings.

Stakeholder Outreach

The Commission formed a Severe Climate Event Policy Recommendation Workgroup which met several times throughout the process of developing recommendations. The Workgroup created and implemented a plan to solicit stakeholder input to fulfill the Council's outreach request and to gain input from those interfacing or serving impacted populations, or those who have had a role in the emergency shelter process in prior years, and those who have lived experience.

The workgroup also completed an audit of policies and best practice recommendations for severe and inclement weather shelters and parameters from other communities throughout Oregon and the nation. As well as information from prior programs implement by the City of Ashland in partnership with area non-profits. The workgroup also reviewed information on the health impacts of extreme climate events from a variety of resources, including but not limited to, the Center for Disease Control and Prevention, the Federal department of Health and Human Services, and non-profit organizations who advocate for special populations.

The Workgroup used these policy documents from other communities as a template to provide a framework for the discussion and as a way to clarify and organize the key elements that a comprehensive and inclusive policy should address. These elements were utilized as discussion topic prompts for both the stakeholder listening sessions as well as for the discussion among the full commission.

The feedback from the stakeholder listening sessions, including a debrief meeting after enacting a severe climate shelter event, as well as model language and potential structures gleaned from the resource audit were combined and provided back to the larger commission as a starting point for discussion. The key elements of a comprehensive policy are outlined below, as well as the recommendation that resulted from the discussion of the full commission.

Policy Recommendations

- 1. The policy will set parameters for extreme temperatures both hot and cold and during extreme weather events, and for instances of bad air quality.*

The commissioners discuss a number of different temperature thresholds. The commissioners also discussed feedback form stakeholders, and their own feelings about the difficulties of balancing what most felt to be morally and ethically right with the realities of resources and what could be reasonably accomplished. The Commissioners agreed that in an ideal world the thresholds be more reflective of public health needs, however, they also agreed that the City should not adopt guidelines where the triggers for emergency shelter outpace the City and community's ability to enact shelters. The City's guidelines should have flexibility, which would set the thresholds as a baseline but still allow for the calling of shelters as needed. Such as in instances when the National Weather Service issues weather warnings that may necessitate calling for a shelter outside of any set temperature thresholds.

- 2. The policy will identify a coordinator for identification and coordination of shelter locations.*

Feedback regarding shelter locations included a recognition that daytime cooling and smoke shelters could be accommodated in most publically owned buildings including some located on the SOU campus (though it has also been pointed out that some homeless individuals have been trespassed from the SOU

campus). These buildings would potentially be in use and open to the public during the daytime shelter operational hours, and as such would be available to shelter members of the public and may not need any volunteer oversight to operate them as daytime shelters. Overnight shelters however, generally operate outside of normal business hours and may have different safety code requirements to accommodate an overnight use, therefore a coordinator is needed for the night time shelter coordination. There was a consensus among Commissioners and stakeholders that city buildings should be made available for sheltering purposes, even if they have previously been reserved for use as rentals or for recreational purposes. City owned buildings specifically discussed for shelter uses included Pioneer Hall (it has been discussed that Pioneer Hall is preferred, however, there are needed repairs to this building to accommodate an overnight use), the Community Center and the Grove. It was also suggested to approach the school district about utilizing a space that is owned or managed by that entity as those buildings are often well suited to sheltering purposes. Lastly, it was suggested that the City look at making available or developing a commercial kitchen space for use during emergency events as well as for the use of non-profit organizations providing meals for low income populations. The Pioneer Hall kitchen already has Health Department approval to operate as a commercial kitchen for the purposes of community meal preparation, but requires a periodic fee to be paid to maintain that certification.

3. *The policy should outline a plan for calling and staffing an emergency shelter as well as plan for implementation of the shelter. A severe climate shelter team should be identified and included in the plan. It is recommended that shelter coordination should be City's primary role, and that the City should set aside resources to fund a shelter coordinator either as part of a City staff person's role or through a contract with an outside agency, which is how the City has supported this role in the past.*

It is recommended that shelter coordination should be City's primary role. The City should identify a Decision Making Activator Team (similar to the process that the City of Medford has identified) with the City Manager acting as the lead. The team would resemble a phone tree of sorts, with the City Manager as the leader at the top of the tree in making the determination to call a shelter, a designated staff person would be identified and tasked with issuing a notification for both the need for volunteers as well as to post public information regarding the availability of shelter spaces. The shelter implementation plan could potentially issue a call to the existing CERT volunteer lists (or to specific CERT volunteers who have attended trainings specific to sheltering events) and would also issue a NIXLE alert. Another staff role would be to coordinate communications between members of the Decision Making Activator Team, relevant City staff involved in specific aspects of shelter organization (such as law enforcement, parks department staff, and administration) and any community members or non-profit entities serving in a paid/contracted volunteer coordination role.

4. *The plan should coordinate a group of people inside and outside of the City to work together to implement an Extreme Climate Event shelter.*

Community stakeholders should work together to identify and secure resources to implement Severe Climate Event shelters. This includes ongoing regular cooperation, communication, and collaboration to coordinate volunteer lists and other resources to support volunteers (like offering shelter specific trainings) locally and regionally. There was agreement for the desire to, "center the voices with lived experience". Focused on those who are needing respite during emergent events, such as seniors, low-income/fixed income households, people's with disabilities, medically fragile individuals, and other

vulnerable populations. It has also been suggested that the City create a central online volunteer list which can be accessed by both City Staff members of the Decision Making Activator team and community partners involved in shelter organization.

It is recognized that while the City has seen a dramatically increased capacity to house homeless populations in the new OHRA Center, the UU Pallet Shelter Project, and the soon Rogue Retreat Pallet Shelter Community, neither of these shelters addresses emergent and short term sheltering needs. So while there may be a reduced number of homeless households seeking overnight shelter during extreme climate events, there still will exist some measure of short term need among that population for temporary overnight respite, and there will continue to be a need for short term emergent daytime smoke and cooling shelters, some of which may be able to be assisted by these organizations at their respective locations. However, locations and volunteers will still need to be mobilized during these short term emergent climate events.

5. Each shelter should have a scheduled debrief under an action/reflection model.

This is part of the ongoing local and regional coordination that should result in improved process and best practices.

6. City's role with regard to resource needs.

A review of other City's policies has shown that there are a minority of City's that provide direct funding to support Severe Climate Event/Emergency Sheltering activities. The feedback received through the stakeholder outreach events revealed that many stakeholders feel that the City's role should be to provide more resources, including funding to support short term shelters. Stakeholders felt that the City relies too heavily on churches for providing locations, volunteers, and resources. Within the community, the volunteer pool is aging and is less able to provide the same level of service as in years past and many would like to see the City provide more resources to support short term shelters. These resources include:

- Locations for hosting shelters-which could impact City revenues through reduced classes/rental income.
- Direct funding to support volunteer training, coordination and support (though not necessarily through providing a city staff person to do these activities, but could be part of an existing staff's responsibilities).
- Direct funding to support the resource needs of the shelter.
- Materials (air purifiers, etc.)
- In-Kind donations

Recommendations Overview:

H&HSC Recommendations for new Thresholds for calling a shelter:

- The threshold for calling a cold weather shelter should be changed to 32 degrees or below (considering such factors as: wind chill, precipitation, number of days' duration) or in instances where the National Weather Service issues a Weather Warning.
- The threshold for calling an extreme heat shelter should be 95-100 degrees or above depending upon other factors such as humidity, UV index, and overnight lows or in instances where the National Weather Service issues an Extreme Heat warning.

- The threshold for calling a smoke related shelter should be an air quality index of 150 and above or designation of “unhealthy for everyone”) or above.

City’s Role in Instances of Emergency Shelter:

- Shelter Activation and Coordination using a phone tree model
- Establish a Decision Making Activator team similar to that established by the City of Medford
- Identify staff to fulfill specific duties: City Manager-Shelter activator; TBD-Communication Coordinator between paid shelter coordinator and city staff involved/concerned with sheltering activities, City Council and Administration; TBD-Public Information Officer/Nixle alerts/CERT activation.
- Provide City Buildings when needed, even if prior uses/reservations have to be cancelled.
- Provide ongoing funding for contract volunteer/shelter coordination services from an area non-profit service provider or in-house through existing staff.
- Provide a platform for communications between Decision Making Activator Team and shelter coordinators through an online platform that allows real time communication and updates accessible by those inside and outside the City (create a OneDrive account)
- Facilitate a regular ongoing emergency shelter group meeting to debrief after shelter events and for planning and coordination for future shelter events and needs, which could include volunteer trainings, coordination with potential providers of shelter locations and volunteers, and to communicate regionally.
- Provide materials and resources as needed (air purifiers/PPE) and in house targeted training (through CERT).

FISCAL IMPACTS

The fiscal impacts range based on the City’s level of involvement, the provision of locations for hosting shelters, and the adoption of thresholds which have the potential to increase the number of shelters days called each year,

STAFF AND COMMISSION RECOMMENDATION

Staff would like direction and a clear process in how the City addresses the need for emergency sheltering during severe climate events. The Housing and Human Services Commission is recommending all of the points above to be included in a new Resolution that supersedes all prior inclement weather policies and sets forth new and comprehensive thresholds for calling for the opening of a shelter in the instances of severe climate events. The resolution will also outline a process for enacting a shelter and will define the City’s role in that process.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

Direct Staff to draft a Resolution that supersedes all prior inclement weather policies and sets forth new and comprehensive thresholds for calling a shelter in the instances of severe climate events. The resolution will also outline a process for enacting a shelter and will define the City’s role in that process.

REFERENCES & ATTACHMENTS

Resolution 2013-04

References

RESOLUTION NO. 2013-04

**A RESOLUTION SETTING FORTH POLICIES AND CONDITIONS
UNDER WHICH ASHLAND WILL PROVIDE EXTREME WEATHER
RELATED EMERGENCY SHELTER HOUSING AND REPEALING
RESOLUTION NO. 2007-11**

RECITALS:

- A. Ashland is located in an area that has four distinct seasons, and the winter season can have weather extremes that can be hazardous to persons without adequate shelter.
- B. The City of Ashland desires to set forth the conditions under which it will provide emergency shelter housing and the policies related to those staffing or utilizing such emergency shelter.

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. Provision of Emergency Shelter.

Ashland will provide emergency shelter under the terms and conditions set forth herein during times of extreme weather conditions. For purposes herein, weather conditions shall be considered extreme when outside temperatures are 20° F or below or a combination of weather conditions, in the discretion of the City Administrator, make conditions hazardous to human life without adequate shelter.

SECTION 2. Terms and Conditions.

- 1) In the event of the need for an emergency shelter during extreme weather, an available city-owned building such as the Grove or Pioneer Hall may be used. Previously booked groups in those locations may be subject to cancellation.
- 2) The shelter will be staffed by volunteers from nonprofit organizations or other organizations in the business of providing for the needs of persons. The city's insurance company requires organizations providing volunteers to provide a letter to the City of Ashland stating that all shelter volunteers have received appropriate training to staff a shelter and have passed criminal background checks.
- 3) Shelter(s) will open at 8:00 p.m. Doors will be locked at 9:00 p.m. Guests may leave the shelter but not re-enter after 9:00 p.m. Guests arriving at the shelter after 9:00 p.m. will not be admitted unless brought to the shelter by a police officer. Guests must vacate the shelter no later than 8:00 a.m. the following morning.
- 4) Shelters must have separate restrooms for men and women and separate sleeping spaces for single men, for single women and for families. Children must not be left alone in the shelter, and signage must be conspicuously displayed to remind guests and volunteers of this requirement.

5) The shelter must contain an emergency box with a first aid kit. Shelter volunteers should bring their own cell phones in case of emergency.

SECTION 3. Emergency Shelter Activation.

Provisions for emergency shelter will be activated as follows:

- 1) When the City Administrator or designee determines that weather conditions are or are likely to become "extreme," he/she will contact the City's CERT Coordinator.
- 2) The CERT Coordinator will contact the Parks and Recreation to determine which facility or facilities will be used as an emergency shelter.
- 3) The CERT Coordinator will contact designated representatives from volunteer organizations to arrange for staff volunteers at the shelter.
- 4) Volunteers and guests are responsible for following the same cleaning requirements as other groups.

SECTION 4. Emergency Shelter Policies.

Operation of the emergency shelters shall, to the greatest extent feasible, comply with the following policy guidelines:

- 1) Shelter services must be provided with dignity, care, and concern for the individuals involved.
- 2) The buildings used as shelter must be maintained in a safe and sanitary condition at all times and must comply with City, County and State Building, Fire and Health Codes, unless exemptions have been obtained from the appropriate agencies..
- 3) In all Shelters, there should be adequate separation of families and singles, and adequate separation of single women.
- 4) No drugs, alcohol, or weapons will be allowed in shelter property at any time.
- 5) No disorderly conduct will be tolerated.
- 6) No threatening or abusive language will be tolerated.
- 7) No excessive noise will be tolerated, e.g. loud radios etc.
- 8) Smoking will be restricted to the outdoors in designated areas.
- 9) Guests should maintain their own areas in an orderly condition and may be assigned other responsibilities or tasks at the shelter.

SECTION 5. Dogs

Dogs may be permitted in an emergency shelter under the following circumstances:

- 1) Shelter volunteers must designate a specific area in the shelter for dogs. The floor of such area must be covered with thick plastic.
- 2) Dogs must remain in crates while in the shelter. Crates will not be provided, stored, repaired or cleaned by the City of Ashland and must be removed from the shelter when it is vacated.
- 3) If taken outside for biological needs, dogs must be leashed.
- 4) Shelter volunteers are to devise and follow procedures to keep dogs away from each other and other guests as they are being housed for the night and as they exit in the morning.
- 5) Shelter volunteers must be responsible for cleaning and sanitizing any areas soiled by a dog or dogs. Such cleaning is to be done to the satisfaction of City facilities maintenance staff.
- 6) Dogs that become threatening to others or are otherwise unmanageable will be required to leave the shelter.
- 7) Shelter volunteers must notify Jackson County Animal Control in the event a dog bite breaks the skin of an emergency shelter guest or volunteer.

SECTION 6. Resolution No. 2007-11 is hereby repealed.

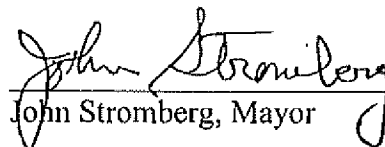
SECTION 7. This resolution takes effect upon signing by the Mayor.

This resolution was duly PASSED and ADOPTED this 5 day of March, 2013, and takes effect upon signing by the Mayor.

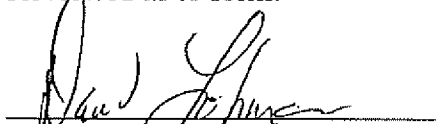


Barbara Christensen, City Recorder

SIGNED and APPROVED this 5 day of March, ~~2012~~ 2013 BC


John Stromberg, Mayor

Reviewed as to form:


David H. Lohman, City Attorney

References—

Climate/weather shelter reference list

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- Personal communications:
- Kenny LaPointe.. Executive Director Mid-Columbia Community Action Council, Hood River, OR. October 2021 Personal communication with Echo Fields
- Robert Marshall. Program Manager, Mid-Willamette Valley Community Action Agency, Salem, OR. October 2021. Personal communication with Echo Fields





Council Business Meeting

August 15, 2023

Agenda Item	Acquisition of the Coming Attractions property at 2200 Ashland Street (Taxlot 391E14BB -TL300) for an emergency and inclement weather shelter		
From	Joseph L. Lessard Scott Fleury Brandon Goldman	City Manager Public Works Director Community Development Director	
Contact	Joe.lessard@ashland.or.us		
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☐ Presentation ☐ Consent ☐ Public Hearing ☐ New Business ☒ Old Business ☐		

SUMMARY

Before Council is a request to approve the acquisition of 2200 Ashland Street (391E14BB -Tax Lot 300; 1.20 acres) with a 3097 sq-ft commercial facility, for use as an emergency and inclement weather shelter.

POLICIES, PLANS & GOALS SUPPORTED

Council Vision and Values Statement 2022

- Regional cooperation, including in support for public safety and homelessness

BACKGROUND AND ADDITIONAL INFORMATION

The Council has long been engaged with City Management to determine appropriate next steps for an emergency and inclement weather shelter, specifically acquisition of a site/building that can accommodate the City's needs long-term and align with previously awarded grants.

The City has been coordinating with a Commercial Real Estate Agent on acquisition and been negotiating for acquisition of 2200 Ashland St. ,391E14BB -Tax Lot 300. The site is 1.2 acres with a 3097 square foot commercial use officed space building and parking. The building can be improved to accommodate an overnight shelter that meets the City's need for an inclement weather shelter (primarily winter & summer seasons) that also meets requirements of the State of Oregon's 'All In' grant that was accepted by the Council at its June 6, 2023, Regular Meeting.

The negotiation has concluded with both the seller and buyer (City of Ashland) reaching terms.

The general terms of the acquisition are:

- The total purchase prices is \$2 million; and
- The purchase price will be paid by an all-cash payment of \$1.4 million from grant funds and owner carry financing of \$600 thousand at 3.75% for 20 years with no prepayment penalties.

FISCAL IMPACTS

The City has received two grants that support an emergency and inclement weather shelter for houseless individuals. The first Grant is a State of Oregon's "All In" grant of \$1,158,100. The second grant is a Department of Administrative Services (DAS) grant of \$1,000,000. The City also appropriated \$200,000 in its 2023-2025 BN General Fund Budget for use towards operation of its inclement weather shelter. These funds will be used to





Council Business Meeting

cover the cash required for the property acquisition and the remaining funding will be used to improve the facility, cover future financing payments until additional grant funds are secured and cover the facility's operation costs.

SUGGESTED NEXT STEPS

Next steps including closing on the property and making necessary improvements to begin occupation as an emergency shelter under the previously accepted grant requirements. The City staff will also respond to questions from nearby neighborhood residents and businesses concerning the emergency shelter's operation and plan to for next steps to address potential concerns.

MOTION

I move to approve the acquisition of 2200 Ashland Street, property 39IE14BB -Tax Lot 300 for a cash price of \$1,400,000 and owner carried finance of \$600,000 for twenty (20) years at 3.75% with no prepayment penalties and approve the City Manager to sign all appropriate property closing documentation.

REFERENCES & ATTACHMENTS

None



Council Business Meeting

November 7, 2023

Agenda Item	Contracting for Severe Weather Emergency Shelter Services	
From	Kelly Burns	Emergency Management Coordinator
Contact	Kelly.burns@ashland.or.us, 541-552-2299	

SUMMARY

City Staff has been in communication OHRA our non-profit organization that provides homeless services to provide severe weather emergency shelter coordination/operations and insurance coverage during our winter weather season of 2023-24. Opportunities for Housing, Resources, and Assistance (ORHA) has indicated that they are willing to take this request to their board for approval. OHRA has operated severe weather shelter services previously for the City and is knowledgeable and capable of how to operate and staff emergency severe weather shelter activity.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

N/A

BACKGROUND AND ADDITIONAL INFORMATION

The City has supported a shelter coordinator in the past through a contract with non-profit organizations. In 2017, 2018, and most recently in early 2023, the City contracted with OHRA to oversee the winter shelter program which included provisions for emergency shelter services. City staff are in support of the City contracting for volunteer coordination, staffing, and general oversight of a severe weather shelter program once again. A contract with a non-profit service provider removes the City from liability for operation of emergency sheltering activities, as the City's insurance policy does not cover such activities. Contracting with a non-profit organization to coordinate sheltering activities provides City staff and community partners with both continuity and efficiency in the process.

Should OHRA enter a contract with the City for severe weather shelter operations, the model that OHRA proposes would provide services which would include paid shelter staff as well as ongoing volunteer coordination, paid fire watch staff, connection to the resource center and navigation services for shelter participants. The severe weather shelter location will be in the large storage area of the 2200 Ashland St property. Insurance coverage will cover the activity and coordination with City staff and the community around severe weather sheltering events.

FISCAL IMPACTS

The City did not advertise for, nor has it not received any formal proposals that address the potential for providing emergency weather shelter operations. Due to the co-location of the Executive Order mandated low barrier shelter, there is a financial and operational benefit to having OHRA manage both shelters. The fiscal impacts of this action range based on the temperature thresholds, estimated number of times an emergency shelter is enacted and potential daily operating costs. The Council has identified

resources in the General Fund budget to support this activity. It should be noted that the current temperature threshold contained in our Severe Weather Resolution for cold is **32** degrees Fahrenheit. Last year the City activated a severe weather shelter 64 times, between November 1st and April 5th. These activations are not representative of the number of nights that the temperature threshold was triggered.

STAFF AND COMMISSION RECOMMENDATION

City staff recommend that the Council contract with a non-profit organization to provide emergency shelter coordination and oversight.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to authorize the Deputy City Manager to execute a contract with OHRA for Emergency Severe Weather Shelter Coordination services utilizing funding appropriated for that purpose to cover the cost of the activity.

REFERENCES & ATTACHMENTS

- 2023-24 Severe Weather Shelter Contract- OHRA

AGREEMENT FOR COORDINATING SERVICES AND OF SEVERE WEATHER
EMERGENCY SHELTER BETWEEN CITY OF ASHLAND AND OPPORTUNITIES FOR
HOUSING, RESOURCES, AND ASSISTANCE.

This Agreement by and between THE CITY OF ASHLAND, a municipal corporation (hereinafter "City"), and of OPPORTUNITIES FOR HOUSING, RESOURCES, AND ASSISTANCE ("OHRA"), a 501(c)(3) corporation registered in Oregon.

- A. City and OHRA enter into this agreement to identify their roles and responsibilities for providing Severe Weather Emergency Shelter to vulnerable persons and families at risk who require safety and protection from exposure to extreme weather conditions; and NOW, THEREFORE, in consideration for the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

AGREEMENT

1. RECITALS. The recital set forth above is true and correct and is incorporated herein by this reference.
2. DURATION. Except for termination as provided herein, the term of this agreement shall be November 10th, 2023, through April 1st, 2024, unless otherwise amended by both parties.
3. BUDGET LIMITS. The cost to the City shall not exceed \$100,000.00, the maximum amount can be amended depending upon weather and sheltering needs.
4. OHRA SERVICES, FUNCTIONS AND RESPONSIBILITIES. OHRA shall use its best efforts to achieve the following objectives during the period of this Agreement:
 - 4.1 During the term of this Agreement, on each day City declares a shelter emergency per Resolution 2022-33, OHRA shall make all arrangements and commitments necessary and sufficient to have paid and volunteer persons at a location designated for Severe Weather Shelter use. OHRA will provide adequately trained staffing for authorized, safe, and lawful operation of the shelter.
 - 4.2 OHRA will provide communication and distribution of notices for shelter nights on each shelter emergency day.
 - 4.3 OHRA will hire and train temporary shelter staff.
 - 4.4 When a shelter emergency is declared, OHRA will ensure the provision of paid Fire Watch Staff, and any combination of paid overnight shelter staff and trained volunteers to operate Severe Weather Emergency Shelter with oversight by a Shelter Coordinator and the Director of Program Services. OHRA ensures training on the emergency plan, first aid, abuse prevention, de-escalation, trauma-informed care, safety, and emergency communications for the shelter, and execution of waivers, in a form reviewed by the City, which releases City from liability as provided in section 12 below.

4.5 OHRA ensures compliance with the Ashland Municipal Code by paying a living wage, as defined in AMC 3.12, to all persons paid to perform work under this Agreement and to any subcontractor paid to perform 50% or more of the service work under this Agreement as detailed in Exhibit A, budget for Severe Weather Emergency Shelter activity, attached to this contract. OHRA is also required to post the living wage notice prominently in areas where all its employees will see it.

5. CITY OBLIGATIONS. The City shall declare a shelter emergency upon forecasted conditions set forth under the City's Resolution 2022-33;

5.1 The City will give 48 hours notice to OHRA when declaring the need for Severe Weather Shelter.

5.2 The City will ensure that money is budgeted and available to make payments to OHRA as provided in this Agreement. City will pay OHRA for costs as identified in the budget for Severe Weather Emergency Shelter activity, attached as Exhibit A, all costs will be paid on an actual or per event basis.

5.3 OHRA will invoice one to four times per month for actual nightly and operational costs as identified in attached Exhibit A. The City will reimburse weekly for invoices submitted.

6. PAYMENT. This agreement involves the payment of money from the City of Ashland to OHRA for Severe Weather Emergency Shelter Services.

6.1 All payments made to OHRA under this Agreement should be sent to the following address:

Opportunities for Housing, Resources, and Assistance
P.O. Box 1133
Ashland, OR 97520

7. PERSONNEL. OHRA shall be solely responsible for wages and benefits paid to any employees working for OHRA.

8. REAL OR PERSONAL PROPERTY. There shall be no transfer of title or possession to any real or personal property pursuant to this Agreement.

9. TERMINATION.

9.1 All or part of this Agreement may be terminated by mutual consent by both parties; or by either party at any time, upon thirty (30) days' notice in writing and delivered by certified mail. In the event of termination of the Agreement, each party shall be responsible for its own costs and expenses in complying with the Agreement.

9.2 This Agreement may be terminated by either party if the other party commits any material breach of any of the terms or conditions of this Agreement and fails or neglects to correct the same within 10 days after written notice of such breach. If the breach is of such nature that it cannot be completely remedied within the 10-day period, this provision shall be complied with if correction of the breach begins within the 10-day period and thereafter

proceeds with reasonable diligence and in good faith to affect the remedy as soon as is practicable.

10. ASSIGNMENT. OHRA shall not assign or transfer any interest in this Agreement without prior written consent of the City, provided, however, that OHRA may subcontract the performance of any provision or obligation required by this Agreement, so long as OHRA remains primarily responsible to the City for the performance of such provision or obligation.

11. INSPECTION RECORDS.

- 11.1 OHRA shall maintain books, records, documents, and other evidence and accounting procedures and practices sufficient to properly reflect all costs of whatever nature claimed to have been incurred and anticipated in the performance of the Agreement. The City and its duly authorized representatives shall have access to the books documents, papers, and records of OHRA which are directly pertinent to the Agreement for the purpose of making audit, examination, excerpts, and transcripts. Such books and records shall be maintained by OHRA for three years from the date of the completion of work unless a shorter period is authorized in writing. OHRA is responsible for any OHRA audit discrepancies involving deviation from the terms of the Agreement.

12. HOLD HARMLESS AND INDEMNIFICATION.

- 12.1 The City of Ashland is not providing services but rather purchasing services from OHRA. Accordingly, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the parties both shall hold each other harmless, defend and indemnify the other from any and all claims, demands, damages or injuries, liability of damage, including injury resulting in death or damage to property, that anyone may have or assert by reasons of any error, act or omission of the other, its officers, employees or agents. Similarly, the City of Ashland shall not be held responsible for any claims, actions, costs, judgments, or other damages, directly and injury proximately caused by any form of negligence by OHRA, its employees, or agents, or its volunteers. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.

13. INDEPENDENT CONTRACTOR STATUS. OHRA is an independent contractor and neither OHRA nor anyone performing work pursuant to this Agreement and under OHRA's auspices is an employee of the City. OHRA shall have complete responsibility for performance of its obligations under this Agreement. Except as provided for in this Agreement, the City shall not be liable for any obligations incurred by OHRA. OHRA shall not represent to any person that the City is liable for OHRA's obligations; except for such obligations the City may be liable as provided for in this Agreement.

14. INSURANCE. Each party is responsible for its own insurance and coverage relating to claims arising from providing or staffing a Severe Weather Emergency Shelter. No City coverage is extended to the other parties or volunteers; however, the City will maintain existing property coverage of the facility.

15. DISPUTE RESOLUTION. City and OHRA shall attempt to resolve all disputes through staff discussions at the lowest possible level. Both parties to this Agreement agree to provide other resources and personnel to negotiate and find resolution to disputes that cannot be resolved at the staff level. As a next step, claims, disputes or other matters in questions between the parties to this Agreement arising out of or relating to this Agreement, or breach thereof shall be determined by mediation, arbitration, or litigation. Disputes shall be initially submitted to mediation by a mediator chosen by the parties. The cost of mediation shall be borne equally by the parties. If the parties are unable to agree upon a mediator within 5 days or if mediation fails to resolve the dispute and if either party wants to further pursue the dispute, either party may request that the dispute be submitted to arbitration before a single arbitrator agreed to by the parties. If both parties agree to arbitration but are unable to agree upon an arbitrator, each party shall select an arbitrator.

The arbitrators so chosen shall select a third, and the decision of a majority of the arbitrators shall be final, binding the parties, and judgment may be entered thereon. Unless the parties mutually agree otherwise, any arbitration proceeding shall be conducted in accordance with the currently in effect Arbitration Rules of the American Arbitration Association pursuant to ORS 190.720. Notwithstanding the above, either party may, at its own discretion, elect to resolve disputes in excess of \$50,000 by litigation, if mediation is not successful.

16. NOTICE AND REPRESENTATIVES. All notices, certificates, or communications shall be delivered or mailed postage prepaid to the parties at their respective places of business as set forth below or at a place designated hereafter in writing by the parties.

CITY of Ashland:

City Manager 20 East Main
Ashland, OR 97520

Opportunities for Housing, Resources, and Assistance

P.O. Box 1133
Ashland, OR 97520

And when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed

given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills, and payments are to be given by giving notice pursuant to this paragraph.

MERGER. THIS AGREEMENT CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS AGREEMENT. NO AMENDMENT, CONSENT, OR WAIVER OR TERMS OF THIS AGREEMENT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY ALL PARTIES. ANY SUCH AMENDMENT, CONSENT OR WAIVER SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THE PARTIES, BY THE SIGNATURES BELOW OR THEIR AUTHORIZED REPRESENTATIVES, ACKNOWLEDGE HAVING READ AND UNDERSTOOD THE AGREEMENT AND THE PARTIES AGREE TO BE BOUND BY ITS TERMS AND CONDITIONS.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in two (2) duplicate originals, either as individuals, or by their officers thereunto duly authorized.

CITY OF ASHLAND

Approved as to form

BY: Sabrina Cotta

Douglas M McGearry

Title: Acting City Manager

Acting City Attorney

Dated: _____

OPPORTUNITIES FOR HOUSING, RESOURCES, AND ASSISTANCE

By: Cass Sinclair

Title: Executive Director

Dated: _____

Nightly Costs:			
	Personnel Cost	Cost Per Night	NOTES
	Shelter Coordinator	\$110.00	4 hr/night x \$25/hr. + 10% Payroll Tax & Workers Comp
	Overnight Firewatch	\$325.60	16 hours x \$18.5/hr + 10% Payroll Tax & Workers Comp
	Shelter Staff - Night	\$651.20	2 staff people 16 hours x \$18.5/hr + 10% Payroll Tax & Workers Comp
	Volunteer and Food Coordinator	\$55.00	2 hr/night x \$25.00/hr + 10% Payroll Tax & Workers Comp
	Total Personnel Costs	\$1,141.80	
	Operating Costs		
	Daily Professional Cleaning	\$79.00	Estimate
	Printing Cost	\$15.00	\$0.10/copy (For sign in and guest policies)
	Food Allowance	\$360.00	\$12 per night for 30 people
	Laundry	\$30.00	Wash Shelter Blankets, towels etc
	Program Supplies	\$237.00	
	Total Operating Costs	\$721.00	
	TOTAL PERSONNEL AND OPERATING COSTS	\$1,862.80	
	Admin @ 15% of Perspnnel and Operating Costs	\$279.42	
	TOTAL NIGHTLY PROGRAM COSTS	\$2,142.22	
Fixed Costs			
	Insurance	\$2,000.00	Not to exceed- to be final billed adjusted for actuals
	Indeed Job Postings	\$1,000.00	Not to exceed- to be final billed adjusted for actuals
	Emergency/disease prevention items	\$200.00	Estimate for Blood spill, sharps, etc.- to be billed at actuals
	Total Estimated Costs	\$3,200.00	

Misc. Operational Overhead Costs Budget* (not to exceed billed at actual costs)			
	Relias training and licenses	\$2,030.00	
	Background checks	\$300.00	
	Total Estimated Costs	\$2,330.00	
Equipment Costs Budget* (to be acquired based on use/need but within not to exceed budget; if purchased, ownership will remain with/be transferred to the City)			
	Refrigerator	\$1,200.00	Not to exceed (May be donated and remain with OHRA)
	Sleeping mats	\$700.00	Not to exceed- to be billed upon acquisition
	Total Estimated Costs	\$1,900.00	
Program Supplies Schedule (Nightly Cost)			
	Hand soap	\$4.00	
	Paper plates	\$20.00	
	Utensils	\$20.00	
	Trash liners	\$2.00	
	Salt De-icing	\$6.00	
	Tea	\$40.00	
	Coffee	\$40.00	
	Coffee cups	\$20.00	
	Creamer	\$20.00	
	Sugar	\$5.00	
	Hot Chocolate	\$20.00	
	Paper towels	\$20.00	
	Water service	\$20.00	
	TOTAL PROGRAM SUPPLIES	\$237.00	

What is a Sundown Town?

Sundown towns were communities that purposefully excluded African Americans and other marginalized people from living in, or simply passing through their community, through a culture of fear, violence, and intimidation.

Our Mission

We are Ashland community members who seek to reconcile our history as a Sundown Town in order to create a new identity as a Sunrise Community.

Our Intention

We seek to write a new ending to our story as a Sundown Town, one of becoming a community in which everyone can feel safe, respected and at home.

About Ashland Together

Ashland Together is a community organization with a vision of an Ashland community that welcomes all, a circle of support dedicated to racial and social healing.

What We Do

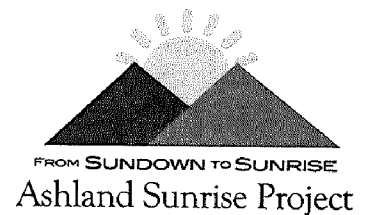
With a focus on kinship, Ashland Together brings attention to groups and organizations doing vital social and racial equity work in Ashland, and beyond. We engage white people to be active participants in creating a socially just community.

How to get involved

Visit ashlandtogether.org to join our e-newsletter mailing list, volunteer, or donate and find out about programs and events.

ashlandtogether.org

V1.01-2023



A truth and reconciliation coalition addressing our community's history as a Sundown Town.

an Ashland Together Initiative, in partnership with Oregon Remembrance

What is a Sunrise Community?

A Sunrise Community is a place that has engaged in a reconciliatory process around their history as a Sundown Town. We can't change our past, but we can always change our relationship to it.

"The end is reconciliation, the end is redemption, the end is creation of the beloved community."

- Martin Luther King, Jr.

About the Oregon Remembrance Project

Ashland Together partners with the Oregon Remembrance Project, a Portland based organization dedicated to helping communities with truth and reconciliation work.

What is a Reconciliatory Process?

We think of it in three stages:

1. Remembrance

Understanding the injustice

We listen to the stories of our past

2. Repair

Striving to end the harm that has continued

We listen to our neighbors and respond to their need in the present.

3. Redemption

Creating a just ending to the story

We listen to our neighbors, respond to their needs, and find ourselves transformed in the process.

How can I help create a Sunrise Community?

- Be caring and curious - start a conversation with someone different from you and listen to what they say.
- Be welcoming - break the ice with a friendly greeting when someone new enters your circle.
- Learn history - learn our local history and talk about it.
- Share stories - share your own story and listen to the story of others.

"Please join us in acknowledging the history of sundown towns in Oregon so that we may learn from it, grow from it, and use it to create a more welcoming community for us all." Taylor Stewart, founder, Oregon Remembrance Project

UNCOVERING OREGON'S BLACK HISTORY

REGISTER @ ASHLANDTOGETHER.ORG

People of African descent have lived and worked in Oregon since before the founding of the earliest English-speaking settlements in the Americas. Despite this, the popular narrative of our state's history excludes the experiences of African Americans before the mid-20th century. At this event Oregon Black Pioneers will attempt to correct the record by highlighting key individuals and events that characterize Oregon's unique and centuries-old Black history.

ABOUT OREGON BLACK PIONEERS

Oregon Black Pioneers illuminate the seldom-told stories of people of African descent in Oregon through exhibits, public programs, publications, and historical research.



FREE EVENT

MARIAH ROCKER, PUBLIC PROGRAMS AND EXHIBITS MANAGER
OREGON BLACK PIONEERS

MONDAY, MARCH 18, 6:00 – 7:30 PM
OSF CARPENTER HALL, 44 S PIONEER ST, ASHLAND



ASHLAND SUNRISE PROJECT

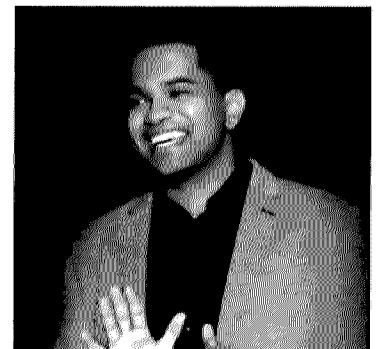


ASHLAND
SUNRISE
PROJECT

Help us launch the Ashland Sunrise Project on February 12. The Sunrise Project aims to help former sundown towns like Ashland reconcile their history of racial exclusion by creating new identities as “sunrise communities,” bringing a vision of belonging for all to our town. Learn more about the project at this free event, and how you can join us in rewriting the ending to the story of a sundown town.

ABOUT OREGON REMEMBRANCE PROJECT (ORP)

ORP was founded in 2018 by Taylor Stewart to memorialize Alonzo Tucker, Oregon’s most widely documented African American victim of lynching. Stewart started ORP after a life-changing trip to the Equal Justice Initiative’s Legacy Museum and National Memorial for Peace and Justice in Montgomery, AL. ORP has grown to become a wider movement to reconcile Oregon’s history of racial injustice, supporting residents of Coos Bay, Grants Pass, and Oregon City in creating actions recognizing past racist injustices.



LAUNCH - FREE EVENT

**FEATURED SPEAKERS: TAYLOR STEWART (ORP), GABI JOHNSEN
(GRANTS PASS REMEMBRANCE), & ANNA SLOAN (SOUTHERN
OREGON HISTORICAL SOCIETY).**

MONDAY, FEBRUARY 12, 6:00 –7:30 PM
OSF CARPENTER HALL, 44 S PIONEER ST, ASHLAND



OREGON
REMEMBRANCE
PROJECT



Oregon
Shakespeare
Festival.



Ashland Sunrise Project is a truth and reconciliation coalition addressing our community's history as a Sundown Town.

What is a Sundown Town?

Sundown towns were communities that purposefully excluded African Americans and other racial minorities from living in, or simply passing through, their community through a culture of fear, violence, and intimidation. Sundown towns denied African Americans the freedom to settle in many parts of the country and have contributed to our disbursement of racial demographics today.

What is the Sunrise Project?

The Sunrise Project aims to help former sundown towns develop new identities as "sunrise communities," the opposite to a sundown town. Sunrise communities are places in which everyone can feel safe and respected and can call this space their home.

The 3 Rs of Reconciliation

Remembrance: Understanding the harm that was caused.

Repair: Putting an end to harm as it continues today.

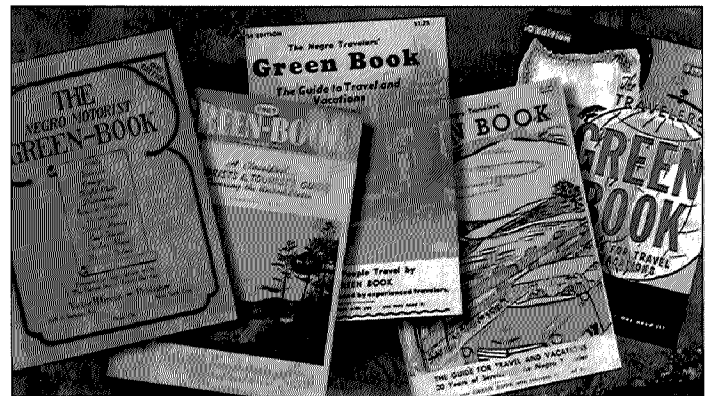
Redemption: Creating good from a story of harm

How can I help create a SUNRISE Community?

- Be caring and curious – start a conversation with someone different from you and listen to what they say.
- Be welcoming – break the ice with a friendly greeting when someone new enters your circle.
- Learn history – learn our local history and talk about it.
- Share stories – share your own story and listen to the story of others.

A Brief History of Racism in the State of Oregon and the Town of Ashland

Where We've Been, Where We Could Go



FOOTNOTES & RESOURCES: For footnotes throughout this brochure and for a list of resources, use this QR code to take you to the Ashland Together website or go to www.ashlandtogether.org



Notes

ABOUT OREGON REMEMBRANCE PROJECT

ORP was founded in 2018 by Taylor Stewart to memorialize Alonzo Tucker, Oregon's most widely documented African American victim of lynching. Stewart started ORP after taking a life-changing trip to the American South where he first encountered the history of lynching at the Equal Justice Initiative's Legacy Museum and National Memorial for Peace and Justice.

Stewart was inspired by this encounter with history to get involved in the Equal Justice Initiative's **Community Remembrance Project**, which aims to work in the communities where the lynchings of African Americans took place to find healing and reconciliation through a sober reflection on history. Originally titled the "Oregon Community Remembrance Project," ORP credits its origin to the work of the Equal Justice Initiative.

Coos Bay, Grants Pass, and an Oregon City residents have each created actions recognizing past racist injustices. Ashland Together is working with ORP to bring Ashland Sunrise Project to our community.

ABOUT ASHLAND TOGETHER

Ashland Together is a community organization with a vision of an Ashland community that welcomes all, a circle of support dedicated to racial and social healing.

What We Do

With a focus on kinship, Ashland Together brings attention to groups and organizations doing vital social and racial equity work in Ashland, and beyond. We engage white people to be active participants in creating a socially just community.

How to get involved

Visit ashlandtogether.org to join our e-newsletter mailing list, volunteer, or donate and find out about programs and events.



Remembrance

Understanding the harm that was caused

The Oregon constitution, adopted in 1857, banned slavery. This is what many people believe and honor, but the rest of the story paints a different picture.

Racial Exclusion in Oregon

When Oregon entered the Union in 1859, it was the only state that both abolished slavery and included pre-existing Black exclusionary laws in its constitution, thus making it a "Whites Only" state. It was advertised in the east as a "White Utopia."

The first "Whites Only" Black exclusion law was adopted in 1844 with sharp teeth – the "lash law."¹ The law was repealed before the grace period expired so no one was whipped under this law according to documented records. The second Black exclusion law made it unlawful for any negro or mulatto to enter into or reside in Oregon. This law was adopted in 1849 and repealed in 1853.²

Despite both of these laws being repealed, in preparation for writing the state constitution, the issue was put to a vote in 1857. About 89% voted to reestablish the Black exclusionary law which stated, "No free negro or mulatto, not residing in this state at the time of the adoption of this Constitution, shall come, reside, or be within this State, or hold any real estate, or make any contracts, or maintain any suit therein."³

The exclusionary amendment was not formally removed from the Oregon Constitution until 1926.⁴ Discriminatory laws were not limited to the Black population. In 1862, the Oregon Legislature passed two bills: one enacted an annual tax of \$5 for all people of Black, Chinese, Hawaiian, and Mulatto descent; the other prohibited mixed marriages.⁵

The federal Oregon Donation Land Claim Act of 1850 added to the exclusion of the Black population by declaring that land would be granted only to white settlers and American half-white Indians.⁶

Somewhat concurrently, Oregon forcibly took land from Native Americans. The Rogue River Wars of 1855-1866 resulted in the forced removal of several Rogue Valley Tribes to what would become the Siletz and Grand Ronde reservations in northwest Oregon.⁷

Oregon, a rebellious new state, was adamant in its discrimination. After the Civil War, Oregon refused to approve The Fourteenth Amendment, passed in 1868, granting citizenship to all persons born or naturalized in the United States. Oregon also refused to ratify the Fifteenth Amendment, passed in 1870, granting Black men the right to vote. Although Oregon could not overrule federal law, the 15th amendment was not formally ratified by the Oregon legislature until 1959, almost 90 years after its passage, and the 14th amendment was not officially ratified until 1973.⁸

The **resistance vs. racist** efforts were a continuing theme in Oregon history. Those who promulgated racist exclusion laws, such as Peter Burnett, were met with resistance from those such as Jesse Applegate and later Beatrice Cannady who fought to repeal those laws.⁹ After a number of unsuccessful attempts to repeal the exclusion laws, NAACP pressure eventually succeeded, and the Black exclusion laws were finally removed from the state constitution in 1926. The vote was 108,332 to 64,954.¹⁰

"Despite the state's hostile history, Black individuals and families did make lives for themselves here. The Oregon Black Pioneers Organization has documented the stories of Black Oregonians, the resilient brave residents including Black rodeo riders who made their mark in this "peculiar paradise."¹¹

Effects of Whites-Only Culture on Oregon

Population

In 1890, 17 of Oregon's 32 counties had 0-10 African Americans living in them. However, by 1930, 28 of Oregon's 32 counties had 0-10 African Americans living in them. African Americans were pushed from rural communities into condensed urban settings. "Sundown towns" (explained on the back cover of this booklet) became common and it is estimated that most of Oregon was once comprised of sundown towns.¹²

Individuals

In 1851, Jacob Vanderpool, a Black hotel owner in Oregon City, became the only Black man arrested and expelled from Oregon because of the color of his skin.¹³

In 1902 in Coos Bay, a Black man, Alonzo Tucker, was lynched. His lynching inspired the Sunrise Project.¹⁴

Ku Klux Klan¹⁵

In the 1920's, the Ku Klux Klan (KKK) had successfully established the largest chapter west of the Mississippi. The KKK was active in Ashland as

More Repair

Ashland's MLK Jr. Day is celebrated with public events in the Historic Ashland Armory including a public broadcast of Dr. Martin Luther King Jr.'s "I Have a Dream" speech.

In 2020, The City of Ashland appointed a Commission for Social Equity and Racial Justice (SERJ).

Ashland High School, Ashland Middle School, and Southern Oregon University have Black student unions.³²

Redemption Creating good from a story of harm.

"I grew up with a redemption that was supposed to ransom me from sin and evil. [My friend] is talking about a little different kind of redemption. But it is one I can embrace, because at its heart is the notion that anything is possible. that any of us can grow, any of us can change, any of us can head off in a new and hopefully better direction."

David B. Seaburn, "What is Redemption After All?"³³

There are many people working to acknowledge and understand the past and its impact on the lives of people in the present. It's up to each of us to learn what is needed to create a welcoming environment where we can share space, meals, and our stories.

"We have the power to rewrite the ending to Ashland's story of being a sundown town by creating an ending where we are known as one of the communities most intentionally committed to inclusivity because of our history."

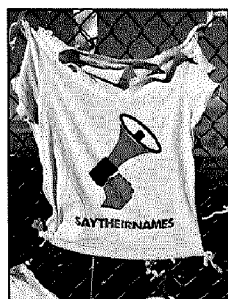
Ashland Together is partnering with the **Oregon Remembrance Project (ORP)**, a Portland based organization dedicated to helping communities with truth and reconciliation projects, to create the Ashland Sunrise Project.



The Ashland Sunrise Project is sponsored by the Oregon Shakespeare Festival.

Say Their Names Memorial in Railroad Park restored multiple times.

After Aidan Ellison's death, the Say Their Names Memorial was created in Railroad Park with more than 300 T-shirts commemorating Blacks who have been killed by violence. It has been vandalized three times and has been repaired each time better than the last.



A community-driven effort to create a permanent, public art installation inspired by the Say Their Names Memorial is a collaborative project supported by individual community members and SOARB, as well as BASE, SOBLACC, and SO Equity, which are Black-led organizations.

After the restoration of the Say Their Names Memorial, Keith Jenkins stated, "There are people who care. It is one of the reasons I like living here."³¹



"Ancestor's Future: Crystallizing Our Call," the sculpture proposed by beloved local artist, teacher and coach, Micah BlackLight, has been approved by Ashland City Council to be installed in Ashland Creek Park.

well as Medford and Portland in the 1920s. The KKK installed their own Oregon governor, Walter Pierce. Pierce wasn't a Klansman but rode the KKK support to victory. Electing Pierce was one of the Klan's biggest Oregon accomplishments. Pierce installed Klansmen across state offices, including Robert Baldock, the architect of Oregon's interstate highway system, which displaced Portland's Black community. "It is something that Oregon has really tried to forget, but we can't begin to understand this place that we live in without this information."¹⁶

In 1922, the KKK kidnapped and "necktie" lynched (meaning that the men were cut down before they died) three men including one Black man in Southern Oregon.¹⁷

Created to suppress the influence of Black and Jewish jurors, non-unanimous jury verdicts were used during Jim Crow to maintain the power of a white judicial system. Oregon was the last state with racially motivated non-unanimous verdicts until 2020 when the US Supreme Court finally declared the defendant's right to a juried unanimous decision. Out of 750 retroactive cases that were reviewed by the Oregon Department of Justice Appellate Courts, 450 were sent back for review.¹⁸

African Americans are still wary of traveling throughout much of Oregon, and those who are brave enough to settle where they were once unwelcome continue to experience the lingering ramifications of communities that have not yet reconciled their history of racial exclusion. (Taylor Stewart, Oregon Remembrance Project).¹⁹

As late as 1956, only three establishments in the entire state -- one hotel, one restaurant and the YWCA (all in Portland) -- were listed as accepting places in the Green Book.²⁰

In the late 1980s, a violent skinhead movement targeted Oregon, particularly Portland, as one of several locations in the Pacific Northwest suitable for a white homeland, and Portland became a very real danger zone for Blacks.²¹ Ashland, Medford and Central Point have had instances of hate crimes, including cross-burnings.²²

Known as Portland's most infamous hate crime—An Ethiopian student named Mulugeta Seraw was murdered by skinheads in Portland in 1988.²²

And in Ashland ...

In 1950, a Black woman named Patricia Norman was the Oregon Shakespeare Festival's first Black company member when she was cast in a production of *The Company of Errors*. Due to Ashland's sundown town status, Norman was unable to find a place to stay over the summer and had to stay in a dorm at Southern Oregon College. Norman had to be

escorted to and from the theater by bodyguards from the company for her own protection that, at times, became precarious due to the hostility of local residents.²⁴

In June 2016, in Ashland, Christiana Clark, a Black Oregon Shakespeare Festival (OSF) actor walking her dog was threatened by a man who said, "I could kill a black person and be out of jail in a day and a half. Look it up. The KKK is alive and well here."²⁵ Clark also remembers being called the n-word by a random driver at a stoplight, "So this is not a one-time thing."²⁶

In November 2020, a 19-year-old Black man, Aidan Ellison, was shot to death by a white man in the parking lot of an Ashland hotel where they both were staying. Robert Keegan, who thought Aidan was playing his music too loud, was convicted of manslaughter, and sentenced to 12 years in prison for killing Aidan Ellison.²⁷

As recently as 2021, the former OSF artistic director, a black woman, and another black, female senior management team member required security whenever they were in public because of documented death threats.²⁸

What Oregon's Black residents have to say:

Gina DuQuenne, the first Black lesbian woman to be voted onto the Ashland City Council: "Most residents assumed Black people do not live in Ashland, we only belong on the stage or are just visiting from out of town. It was not even in their consciousness that Black people could be their neighbors." (Ashland Daily Tidings, April 21, 2021).

Keith Jenkins of Southern Oregon Black Leaders, Activists, and Community Coalition (SOBLACC): "Ashland is not a friendly place."²⁹

DL Richardson, a longtime Ashland resident and Board Member of the Black Southern Oregon Alliance (BSOA) has seen ugly racism himself. Someone yelled the n-word at him on the golf course and in a restaurant. It shocked his white friends, but not him ("History of Racism," NBC, July 23, 2020).

Marvin Woodard, coordinator of SOU's Multicultural Resource Center related the time when he and two other Black men were walking at night and heard the unmistakable click of people locking their car doors.³⁰

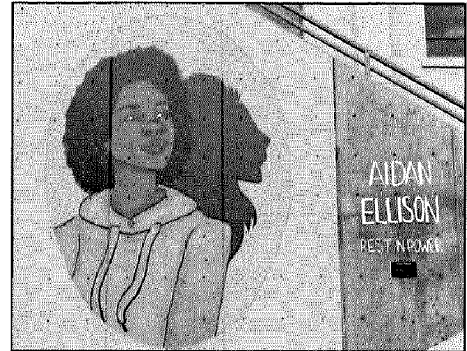
Lew Frederick, Oregon State Senator: "For me, every time I see a police officer behind me, I wonder if I'm going to live the rest of the day." (KGW News).

Repair

Putting an end to the harm as it continues

A solid base on which to build

The Ashland High School Truth to Power Club created a mural on Mountain Avenue honoring significant BIPOC people from the community including a large painting of Aidan Ellison whom the club has vowed never to forget.



Members of the Truth to Power Club, an Ashland High School student organization, sign up to provide support for Aidan Ellison's family during his murder trial.

Study Sessions

Speaker Request Form

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- 3) Limit your comments to the amount of time given to you by the Mayor, usually 3 or 5 minutes.
- 4) If you present written materials, please email a copy of the materials with this form to the City Recorder for the record.
- 5) Speakers are solely responsible for the content of their public statement.

Meeting Date	<u>Feb 5</u>
Name	<u>Ruby Nicol</u> (please print)
City	<u>Ashland</u>

Study Session

Agenda topic/item number/Topic 250 temps

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Meeting Date	<u>Feb 5, 2024</u>
Name	<u>Debbie Neisewander</u>
	(please print)
City	<u>Ashland</u>

Study Session

Agenda topic/item number/Topic Severe Wx Threshold

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Meeting Date	<u>2-5-24</u>
Name	<u>Jason Houk</u> (please print)
City	<u>Ashland</u>

Study Session

Agenda topic/item number/Topic Severe Weather Shelter
Temp. Threshold

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Meeting Date	<u>2/5/24</u>
Name	<u>Vanessa Houk</u> (please print)
City	<u>Settle Ashland</u>

Study Session

Agenda topic/item number/Topic Weather Shelter threshold

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Meeting Date	<u>2/05/24</u>
Name	<u>Aki Robinson</u>
	(please print)
City	<u>Ashland</u>

Study Session

Agenda topic/item number/Topic Severe weather temp threshold.

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Meeting Date	<u>Feb 5</u>
Name	<u>Amy Cuddy</u> (please print)
City	<u>Ashland</u>

Study Session

Agenda topic/item number/Topic 4 Severe Weather En Stelle Temperature
thresholds

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Meeting Date

Feb 5, 2024

Name

Echo Fields

(please print)

City

Ashland

Study Session

Agenda topic/item number/Topic

Emergency Shelter Temperature

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