



Council Business Meeting Agenda

ASHLAND CITY COUNCIL BUSINESS MEETING AGENDA

Wednesday, October 30, 2024

Council Chambers, 1175 E Main Street

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.

If you would like to submit written testimony or if you wish to speak electronically during the meeting, **complete the online [Public Testimony Form](#) no later than 10 a.m. the day of the meeting.**

5:30 p.m. Special Business Meeting

I. CALL TO ORDER

- a. Land Acknowledgement**

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC FORUM

- 15 minutes – Public input or comment on City business not included on the agenda

V. UNFINISHED BUSINESS

- a. Appointment of Municipal Judge

VI. ADJOURNMENT

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

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

** LAND ACKNOWLEDGEMENT

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

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





Council Business Meeting

Date: October 30, 2024

Agenda Item	Appointment of Municipal Judge
From	Alissa Kolodzinski, City Recorder
Contact	alissa.kolodzinski@ashland.or.us

SUMMARY

Judge Pamela Turner resigned as Ashland Municipal Court Judge on August 30th, 2024. The municipal judge is an elected officer and therefore, the Council must appoint a new municipal judge within 60 days of the resignation per the City Charter

POLICIES, PLANS & GOALS SUPPORTED

Respect for the citizens we serve, for each other and for the work we do. Excellence in governance and City services.

BACKGROUND AND ADDITIONAL INFORMATION

Per the Charter Article III Section 4. Vacancies: An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his/her office, or unlawful destruction of public records; resignation; recall from office or ceasing to possess the qualifications for the office; or, in the case of the Mayor or Council Member, upon his/her absence from the City for thirty (30) days without the consent of the Council or upon his/her absence from meetings of the Council for sixty (60) days without like consent, and subsequent declaration of the vacancy by a two-thirds affirmative vote of the Council. A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee's term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial election, takes office for the unexpired term. The position must be appointed by November 4th per the City Charter.

Timeline;

- Week of August 19th the position description and application was posted to the City's website.
- The deadline for applications was September 3 and then extended to October 1.
- All three applications were forwarded to City Council for review
- Interviews were conducted
- Applicants will be voted on during the Business Meeting

FISCAL IMPACTS

None, the position of municipal judge has been budgeted.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to appoint _____ to be Ashland Municipal Judge for the remainder of the unexpired term.

REFERENCES & ATTACHMENTS

1. Municipal Judge job desc_
2. Municipal Court Guidelines
3. London -application_Redacted
4. Mulkins- application_Redacted
5. Parker-application_Redacted

JOB DESCRIPTION



OVERTIME: ☒ Exempt ☐ Non-Exempt

JOB TITLE: JOB GROUP: DEPARTMENT: DATE:	Judge <i>Elected</i> <i>Administration/Court Services</i> August 21, 2024
--	---

PURPOSE:

Performs judicial activities and oversees the judicial functions of the Municipal Court, ensuring conformance with legal and departmental requirements. This is an elected position that is defined by City Charter.

ESSENTIAL JOB FUNCTIONS:

The duties listed below are only intended as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the classification if the work is similar, related and/or a logical assignment to the classification.

Presides over jury and non-jury trials and renders judgements for misdemeanor cases, violations of city ordinances, and any other cases within the jurisdiction of the Municipal Court.

Authorizes issuance of various warrants.

Adjudication of non-jury trial violations based upon evidence and, if need be, imposes sentencing in accordance with the Oregon revised Statutes.

Arraigns inmates, reviews fines, and sets restitution.

Works closely with Municipal Court staff, and other City Departments.

Performs other duties of a similar nature or level.

MINIMUM QUALIFICATIONS:

EDUCATION, TRAINING AND EXPERIENCE

Education: Possession of a Juris Doctor (JD) from an accredited law school.

Experience: A minimum of 5-7 years of legal experience, including significant experience in criminal law, civil law, or judicial practice.

Desirable Qualifications: Experience as a judge, justice of the peace, or similar judicial role preferred.

SPECIAL REQUIREMENTS

Must be a member of the Oregon State Bar Association.

KNOWLEDGE, SKILLS AND ABILITIES

- Strong knowledge of courtroom procedures and judicial processes.
- Excellent analytical and decision-making skills.
- Ability to maintain impartiality and fairness in proceedings.
- Demonstrated ability to remain calm, composed, and fair under pressure.

- Strong sense of justice and adherence to ethical standards.
- Deep understanding of criminal and violation law.
- Ability to interpret and apply legal principles accurately.
- Effective verbal and written communication skills.
- Ability to explain legal rulings clearly and concisely.
- Ensure all individuals receive a fair and impartial hearing.
- Maintain judicial independence and integrity.
- Manage court proceedings efficiently to ensure timely resolution of cases.
- Foster positive relations with the community and legal professionals.
- Promote public understanding of the judicial process.

PHYSICAL DEMANDS:

The physical and mental demands described here are representative of those that must be met by employees to successfully perform the essential functions of this classification. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

(1) Mobility: frequent sitting for long periods of time; occasional bending or squatting. (2) Lifting: occasionally up to 10 pounds. (3) Vision: constant use of overall vision; frequent reading and close-up work; occasional color and depth vision. (4) Dexterity: frequent use of keyboard; frequent repetitive motion; frequent writing; frequent grasping, holding, and reaching. (5) Hearing/Talking: frequent hearing and talking, in person and on the phone. (6) Emotional/Psychological: frequent decision-making and concentration; frequent public and/or coworker contact; occasional working alone.

WORKING CONDITIONS:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this classification. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed in a typical office environment and is subject to moderate noise.

This is a salaried position of \$73,366 annually with the addition of health/dental benefits.





MUNICIPAL COURT Standard Operating Procedures

The Municipal Court plays an active role in upholding the social standards of the City, whether that be through criminal prosecution, code compliance, search warrants, traffic hearings, or other such duties that are appropriate for a municipal court. To fulfill the Municipal Court's obligations to the City's operations and ensure equal access to justice, the City Manager outlines the standard operation procedures for the Ashland Municipal Court.

Court Open: Court will be open to the public Monday through Friday 8a.m. to 4:30p.m. Closed for lunch 12-1p.m.

In-person Court Appearances: All public-facing operations of the Ashland Municipal Court shall be conducted in-person, with limited exceptions permitted for electronic appearances. The Municipal Judge, as the director of the Municipal Court, shall run all appearances (criminal, violations, trials, pretrial conferences, or otherwise), with court staff providing administrative support.

Exceptions for electronic appearances may be permitted in the following circumstances:

- **Defendants:** A Defendant request for an electronic appearance may be granted upon written request and for good cause (e.g. the Defendant lives out of state, medical emergency, pre-scheduled conflict)
- **Officers:** An Officer request for an electronic appearance regarding traffic trials may be granted upon written request, with the Officer's Sergeant copied, if the trial is scheduled on a day or time that the Officer is not scheduled to work.

Municipal Court

1175 East Main Street
Ashland, Oregon 97520
Ashlandoregon.gov

Tel: 541.482.5214
Fax: 541.488.5586
TTY: 800.735.2900



- **Pretrial Conferences:** Pretrial Conferences shall be conducted in-person. Attorneys may appear electronically if, upon written request, the attorney has a good cause reason for the electronic appearance.

Court Dockets: It is standard operating procedure that courts have designated time slots available for a variety of matters, or dockets. Court staff and attorneys can then accordingly set matters on those dockets with the expectation that matters can be heard and resolved in an efficient manner.

It is within the Municipal Judge's discretion, as director of the Municipal Court, to determine a schedule that accommodates the following requirements.

- Trials for traffic and code violations shall be scheduled within 30 days of first appearance.
- Arraignments shall be held Tuesday and Thursdays (or as needed) to allow for the arraignment of lodged individuals.
- Bench trials shall be held weekly.
- A weekly time slot for emergency hearings in order to resolve time-sensitive matters (e.g. bail hearings, dog bite hearings, search warrants).

Sample Calendar:

	<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>
<u>AM</u>	Change of Plea	Arraignments	Jury Trials	Arraignments	Office hours
<u>PM</u>	Bench trials	Bench Trials	Jury Trials	Bench/ Emergency hearings as needed	Office hours/ Emergency hearings as needed

Municipal Court

1175 East Main Street
Ashland, Oregon 97520
Ashlandoregon.gov

Tel: 541.482.5214
Fax: 541.488.5586
TTY: 800.735.2900

Miscellaneous:

- The judge shall not recuse themselves from a court appearance, trial or arraignment without prior written notice to the city manager stating, with specificity, the reason for recusal.
- The defendant shall submit in writing a motion outlining the basis for a judicial recusal.

Security: There are panic buttons located in chambers. The bailiff will be given a radio for direct communication with APD. For the first month of in-court appearances APD will be available as needed to ensure safety and assess safety concerns.

Follow-Through Expectations:

In-person court shall begin August 5, 2024. To follow through on the scheduling requirement, please submit a proposed schedule to the City Manager no later than July 29, 2024. If there are any scheduling issues to be addressed with city management, please notify the City Manager so they may be addressed in anticipation of the August 5, 2024 in-person start date. Any actions falling below these obligations or standards will be considered an inattention to duties.

A meeting will be scheduled in January to assess the court operations and make adjustments to the operating procedures and schedule as needed.

Municipal Court

1175 East Main Street
Ashland, Oregon 97520
Ashlandoregon.gov

Tel: 541.482.5214
Fax: 541.488.5586
TTY: 800.735.2900

September 27, 2024

City Recorder, City of Ashland, Oregon

RE: CITY OF ASHLAND, MUNICIPAL JUDGE INTEREST LETTER

Dear City Recorder:

I am writing to express my interest in serving as the Municipal Judge for the City of Ashland, Oregon. Since beginning my legal career as a clerk for two federal judges who truly inspired me to develop the skills and temperament needed to be a great judge, I tailored my experience to serve a community from the bench with integrity, fairness, and deep legal knowledge. I have served as the Judge *pro tempore* in Veneta, Oregon since 2017 and in Cottage Grove, Oregon since 2021. Currently, I serve as a board member of the Oregon Judge's Association which provides legal education to municipal judges in order to stay current with the law and share ideas about how to best serve their communities from a practical standpoint.

As my resume describes in detail, I have a very considerable knowledge of criminal law, as well as the important practical aspects of the work between prosecutors and defense attorneys. Through prosecutorial work in several municipalities for ten (10) years since 2013, I have tried several criminal cases to jury each year on average. In the course of providing *pro tempore* judicial services and prosecutorial services, I have significant experience with municipal law, including analyzing city code to address specific issues and the practical issues of enforcement.

In addition to building on past experience and technical understanding of the law, judges should have a desire to research areas of the law with which they are not familiar. It is important also to stay current and apply the law in accordance with statute and decisions of higher courts because that knowledge helps protect the City from liability. In my roles as a judge and prosecutor, I have found success by staying current on legislation, recent decisions, and discussing these issues with my municipal judge colleagues throughout the state.

My work within the Oregon Judges Association has taught me that judges are often called on by the City Council and court staff to do more than just conduct court, but to take a long-term view with an eye for continuous improvement. This includes helping to define court procedures and how those best interact with law enforcement, attorneys, and outside agencies such as the DMV, OJD, OSP, and others. One unique skillset and perspective that I bring to court operations is my ability to guide implementation of current technology in appropriate ways to reduce the burden on court staff and create efficiencies for the attorneys and law enforcement agencies that interact with the court. This includes the use of in-court audio/video equipment,



remote hearing technology, as well as use of the court docket and document management systems.

My judicial philosophy focuses on respect, transparency, and common sense while honoring the duty to be current on the law and apply it correctly. Common sense in my philosophy means that a judge applies their technical legal knowledge in a way that takes into account the real-life experiences of all participants in the court, community standards, and the City's goals as set by the City Council. Applying the law in this manner creates an atmosphere of fairness and respect for the judicial system by citizens.

Municipal judges represent the City to its citizens, law enforcement, the County, and other stakeholders. The primary job of a judge is to show respect to all the participants who appear before them. The participants include victims, defendants, law enforcement, and attorneys. The respect due is shown by listening attentively, speaking respectfully, and considering the unique circumstances of each participant in light of the correct law while using common sense without bias or a self-aggrandizing attitude. An effective judge does not focus attention on their authority for its own sake, but rather, uses that authority only when appropriate. In my view and experience, the judge must show the highest respect to their clerk and court staff who are doing the work every day while the judge usually only shows up for court.

If selected, I would work hard to shape a Court that reflects the City's values by applying the law correctly with fairness and integrity. I look forward to speaking with you soon and can provide additional information if requested.

Sincerely yours,



Jesse London



EDUCATION

Cornell Law School, Ithaca, NY — *J.D. / LLM in International Law*

GPA: 3.55, Rank: Top 20%

Honors: Cornell Journal of International Law, Managing Editor

Moot Court Executive Board, Vice Chancellor of International Moot Competitions

CALI Excellence for the Future Award, Highest Grade in Evidence, Spring 2010

CALI Excellence for the Future Award, Highest Grade in Comparative Law, Spring 2011

Activities: Commercial Law Summer Abroad in Beijing, China

Publications: *Baidu and Yahoo!: IP Liability Online in China*, 38 RUTGERS L. REC. 1

January 2011

Carnegie Mellon University, Pittsburgh, PA — *B.S., Information Decision Systems / French*

Minor: Computer Science

Activities: Semester Abroad in Tours, France

BAR MEMBERSHIP OR, CA, NY, U.S. Supreme Court, 9th Cir., D. Ore., N.D. Cal., E.D. Cal., USPTO #72175.

LEGAL EXPERIENCE

City of Cottage Grove, Cottage Grove, OR

February 2021 – Present

Judge Pro Tempore: Appear as Judge pro tempore to assist Judge Fisher.

City of Veneta, Veneta, OR

October 2017 – Present

Judge Pro Tempore: Appear as Judge pro tempore to assist Judge Leiman.

City of Coburg, Coburg, OR

November 2019 – June 2024

City Prosecutor: Investigate, prosecute, and conduct misdemeanor trials in municipal court.

City of Cottage Grove, Cottage Grove, OR

December 2013 – June 2019

Special Prosecutor: Investigate, prosecute, and conduct misdemeanor trials in municipal court.

City of Florence, Florence, OR

February 2016 – September 2019

Special Prosecutor: Investigate, prosecute, and conduct misdemeanor trials in municipal court.

London & Paris, LLP – Jesse L. London, Attorney, Eugene, OR

November 2012 – Present

Partner: Provide a wide range of litigation services involving primarily commercial, real-estate, landlord-tenant, tax, and IP.

Kent Anderson Law Office, Eugene, OR

September 2013 – September 2018

Of Counsel: Litigation involving commercial litigation, debt, real-estate, tax, and bankruptcy.

Judge Randall L. Dunn, U.S. Bankruptcy Court, D. of OR, Portland, OR

July 2012 – November 2012

Law Clerk: Draft memos and decisions for monthly appellate cases.

Judge Arthur Weissbrodt, U.S. Bankruptcy Court, NDCA, San Jose, CA

September 2011 - July 2012

Law Clerk: Researched and wrote memoranda, drafted decisions, and orders in a high volume judicial district.

BUSINESS AND FINANCE EXPERIENCE

Jesse London, Professional Services, Portland, OR

August 2008 – September 2013

Owner: Advise manufacturing clients on best practice accounting and inventory system practices. Implement accounting software systems.

Coates & Associates, Portland, OR

September 2002 - August 2008

Associate: Sold and implemented accounting and manufacturing software systems. Developed software for accounting and logistics automation.

ConsulTrain, LLC, Raleigh, NC

November 1996 - October 2002

Owner: Sold and implemented accounting software, manufacturing software, and IT infrastructure systems.

NATVAR Company, Clayton, NC

December 1989- October 1996

Systems Engineer: Progressed from computer operator to implementer of core accounting systems.

LAW SCHOOL EXPERIENCE

Cornell Law School Child Advocacy Clinic, Ithaca, NY

Clinical Intern: Represented indigent couples in agency adoptions. Drafted appellate briefs and memoranda in child custody and parental rights cases.

Professor Sherry F. Colb, Cornell Law School, Ithaca, NY

Research Assistant: Drafted research memoranda on law and theory in Constitutional and civil rights law.

Jintai Law Firm / Chinese University of Political Science and Law, Beijing, China

Intern: Reviewed cases comparing U.S. with Chinese commercial and intellectual property law.

BAR ACTIVITIES

Oregon Judge's Association: Board of Directors (current); Member 2017-present, semi-annual conferences.

Lane County Bar Association: Programs Committee: Chair, 2023 – Present; Debtor-Creditor Section: Chair; June 2014 - June 2015.

Oregon State Bar, Technology Law Section: Executive committee; Chair, 2022; Member, 2015 – Present.

Federal Pro Bono Panel: District of Oregon and 9th Circuit Court of Appeals. Accepted appointments in cases representing indigent clients in the elder and mental disability populations involving real estate foreclosure, social security benefits, and False Claims Act lawsuits.

LANGUAGE SKILLS

French - University level in reading and writing. Generally proficient in spoken language.

Mandarin - Very basic knowledge based on university coursework, Monterrey Institute, and summer in Beijing.

Ryan Mulkins



September 22, 2024

Alissa Kolodzinski
Ashland, Oregon City Recorder
20 E Main St.
Ashland, OR 97520

Dear Ms. Kolodzinski,

This letter is to express my strong interest in the position of Ashland Municipal Court Judge. I currently serve as a Judge Pro Tem for the Medford Municipal Court and work as a part-time Deputy District Attorney in the Jackson County District Attorney's Office. Prior to these current positions, I served as the elected District Attorney in Josephine County, Oregon and served as a Deputy District Attorney in that office. I have also worked as a criminal defense attorney during my career.

Serving as a Judge Pro Tem for the Medford Municipal Court has been the most enjoyable role I have played in the criminal justice system. I have experience in presiding over both arraignment and pre-trial hearings. My work as both a prosecuting attorney and defense attorney has allowed me to appear in Court, likely in excess of 1000 times. I have experience as the lead trial attorney in cases involving Oregon's most serious criminal statutes, including murder and sexual abuse. I also have experience as the trial attorney for cases involving violation-level offenses.

I have been fortunate enough to appear in front of many excellent Judges during my career, and have learned how to ensure fairness and impartiality, as well as how to efficiently manage Court time. I think that my experience would make me an excellent fit for the position of Ashland Municipal Court Judge.

I would very much like to speak with you further about the Municipal Court Judge position.

Sincerely,

Ryan Mulkins

RYAN MULKINS



Judge Pro Tem, Medford Municipal Court: February 2024 to the present

- Preside over arraignment hearings, including advising citizens charged with crimes of their rights, setting bail and scheduling pre-trial hearings
- Preside over pre-trial hearings including accepting pleas, pronouncing sentences and scheduling cases for trial

Deputy District Attorney, Jackson County District Attorney's Office: February 2024 to the present

- Appear before the Jackson County Grand Jury on Tuesday, Wednesday, and Thursday to question witnesses and present evidence

Elected District Attorney and Deputy District Attorney, Josephine County District Attorney's Office: February 2007 – October 2019 and October 2020 – April 2022

- Managed a staff of 10 Deputy District Attorneys and 12 Support Staff
- Handled the office's interactions with the public and media
- Developed law enforcement policy for a county of approximately 90,000 people
- Coordinated law enforcement efforts with partner law enforcement agencies and offices
- Assigned to handle the county's entire adult sexual assault and child sexual abuse case load from October 2008 to July 2015
- Tried over 80 jury trials and 20 bench trials in Circuit and Juvenile Court, including murder, sexual assault, assault, kidnapping, child sexual abuse, and aggravated theft
- 2011 State of Oregon Department of Public Safety Standards and Training Child Abuse Prosecutor of the Year
- 2009 Josephine County Mothers Against Drunk Driving DUI Prosecutor of the Year
- Head of Josephine County's Multidisciplinary Child Abuse Team

Education

J.D., [REDACTED] Willamette University College of Law, Salem, OR

- Class standing: 30/129, top 24%

B.S., Finance (with Honors), [REDACTED] Portland State University, Portland, OR

- 3.63 GPA

LAURANCE W. PARKER

Attorney at Law



—



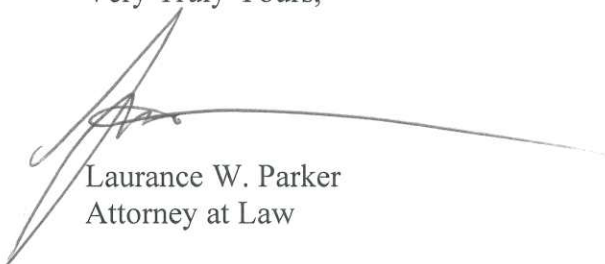
September 23, 2024

Angela Kolodzinski
City Recorder
20 East Main Street
Ashland, OR 97520

Dear Ms. Kolodzinski,

Please accept the attached resume and this letter as a statement of my interest in the City Municipal Court Judge position.

Very Truly Yours,

A handwritten signature in dark ink, consisting of a stylized 'L' and 'P' followed by a long horizontal flourish.

Laurance W. Parker
Attorney at Law

LP/ss

Laurance W. Parker was born March 4, [REDACTED] in Prineville, Oregon. He was raised in Bend, where he graduated High School in [REDACTED]. After High School, he entered into the USAF as a jet plane mechanic, and was honorably discharged in [REDACTED] as a Sergeant. He received his Bachelor of Science Degree from Southern Oregon State College (cum laude) and received his Juris Doctorate from University of Oregon [REDACTED].

Mr. Parker began his legal career at Cowling & Heysell (a local law firm) as a workers' compensation attorney. In 1990, he worked for Legal Services as a Staff Attorney, doing family law cases.

During this time, Mr. Parker argued cases before the Court of Appeals for Oregon.

From 1992 to 1997-8, he was a criminal defense attorney at the Southern Oregon Public Defender's Office. From 1997 forward, Mr. Parker has worked in private practice, doing family law, business litigation and primarily

criminal defense. For over a year, Mr. Parker volunteered to mediate small claims actions for the state, and appellate cases, until the state-funded program was ended.

From 2003 to the present, Mr. Parker has worked as a staff attorney for Los Abogados, a consortium of attorneys who perform indigent criminal defense. (from 2010 to 2016, he was the administrator for the consortium). Mr. Parker continues to practice criminal defense for both indigent and retained clients.

He attended several "Stand Down" events at the Veteran's Domiciliary, served on the Board of the Medford Theater Company (now Oregon Conservatory of the Performing Arts), and was a director and actor in several local productions.

He is active in the Jackson County Bar Association, the University of Oregon President's Society, the Elks, and AmVets.