

**DRAFT MINUTES FOR THE REGULAR MEETING  
ASHLAND CITY COUNCIL**

**August 21, 2018**  
Council Chambers  
1175 E. Main Street

Note: Items on the Agenda not considered due to time constraints are automatically continued to the next regularly scheduled Council meeting [AMC 2.04.030.E.]

**I. CALL TO ORDER**

Mayor Stromberg called the Council Business Meeting to order at 7:04 PM.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Councilor Bachman, Morris, Jensen, Slattery, Seffinger and Rosenthal were present.

**IV. MAYOR'S ANNOUNCEMENTS**

Mayor Stromberg introduced the new Senior Services Superintendent Isleen Glatt. Council welcomed Ms. Glatt.

He announced the current Commission/Committee vacancies.

**V. APPROVAL OF MINUTES**

1. Special Study Session and Public Forum of August 6, 2018
2. Study Session of August 7, 2018
3. Business Meeting of August 7, 2018

**Rosenthal/Bachman moved to approve the minutes. Discussion: None. All Ayes. Motion passed unanimously.**

**VI. SPECIAL PRESENTATIONS & AWARDS**

1. Annual Presentation by Forest Lands Commission

Chair of the Forest Lands Commission Shannon Downey presented Council with the annual presentation. She went over the Forest Lands Commission Goals:

- Wildfire Management efforts.
- Maintain water quality and quantity.
- Enhance aquatic life in the watershed.
- Encourage citizen input, awareness and education.
- Collaborating with other Commissions.
- Finalize an outreach plan.
- Maintaining trails.

**VII. MINUTES OF BOARDS, COMMISSIONS, AND COMMITTEES**

[Airport](#)

[Conservation](#)

[Forest Lands](#)

[Historic](#)

[Housing and Human Svcs.](#)

[Parks & Recreation](#)

[Planning](#)

[Public Arts](#)

[Transportation](#)

[Tree](#)

[Wildfire Mitigation](#)

**VIII. PUBLIC FORUM** Business from the audience not included on the agenda.  
(Total time allowed for Public Forum is 15 minutes. The Mayor will set time limits to enable all people wishing to speak to complete their testimony.) [*15 minutes maximum*]

Louise Shawkat – Ashland – Spoke regarding a water footprint calculator and encouraged all to be aware of their footprint with electricity and water. For more information, go to: [watercalculator.org](http://watercalculator.org).

Huelz Gutcheon- HWY 99 – Spoke regarding net metering. He also discussed solar panels. He encouraged more solar installs and electric vehicles in the City.

Michael Dawkins – Ashland – Spoke regarding a trail that recently was closed. He encouraged the City to reopen this recreational trail which is used by a number of people. He spoke to the importance of social rights and amenity in the City.

Slattery asked Ms. Madding to have Staff look into this and see what can be done.

**VIII. CONSENT AGENDA**

1. Appointment of Beverly Hovenkamp to the Historic Commission
2. Appointment of Priscila Schuyler-Franco to the Forest Lands Commission
3. Liquor License Approval: Masala Mastee, LLC
4. Ratification of Labor Contract – Ashland Firefighters Association Local #1269

Rosenthal pulled this item.

Human Services Director Tina Gray gave a staff report. She explained there was a grammar error. Ms. Madding gave a brief overview of the contract. Rosenthal thanked staff who helped with the bargaining process.

**Seffinger/Bachman moved to approve the consent. City Attorney David Lohman explained that the contract should be approved by a separate motion with the correct language. Seffinger withdrew the motion.**

**Slattery/Morris moved to approve Items 1-3 of the Consent Agenda. Discussion: None. All Ayes. Motion passed unanimously.**

**Rosenthal/Bachman moved approval of the labor contract with the Ashland Firefighters' Association Local #1269, authorizing the Mayor and City Administrator to sign the new agreement with the following correction to appendix E of the contract: In the second year of the contract, incentive pay of 1% (based off Top Step Firefighter pay) will be added to the employee's compensation for any member who qualifies for the fitness incentive in the prior year by passing a time less than 10 minutes. Discussion: None. All Ayes. Motion passed unanimously.**

**IX. PUBLIC HEARINGS** (Persons wishing to speak are to submit a "speaker request form" prior to

the commencement of the public hearing. Public hearings shall conclude at 9:00 p.m. and be continued to a future date to be set by the Council, unless the Council, by a two-thirds vote of those present, extends the hearing(s) until up to 10:30 p.m. at which time the Council shall set a date for continuance and shall proceed with the balance of the agenda.)

None

**X. UNFINISHED BUSINESS**

None

**XI. NEW AND MISCELLANEOUS BUSINESS**

**XII. ORDINANCES, RESOLUTIONS AND CONTRACTS**

1. First Reading of Amendment to AMC 6.28 Transportation Network Companies

Ms. Madding gave a staff report.

Assistant City Attorney Katrina Brown gave a background on the Ordinance and went over the proposed updates. She explained that the Transportation Commission recommended to defer action until the Transit Feasibility Study was complete.

Council discussed background checks and vehicle safety inspections.

Council discussed wheelchair accessible vehicles. Mr. Lohman explained that some cities have options with Taxi companies to work together so that there is always wheelchair access.

Bachman questioned how much information would be gained if waiting for the Transit Feasibility Study to be complete. Ms. Madding spoke that Deputy Public Works Director Scott Fluery has explained that there would not be much information gained regarding TNC's with this study.

Mr. Lohman spoke that RVTD is looking at ways to coordinate with TNC's.

Council discussed cost to the City. Ms. Madding explained that the City can audit the records of TNC's twice a year which would help know the cost to the City.

**Public Input:**

Bill Nepi vqp- Ashland – Spoke that he is a homeowner, business owner, partner and driver for Uber and Lyft. He spoke that he is also a retired law enforcement professional. He asked that Council adopt relaxed version of this Ordinance. He suggested to adopt it for one year and then do a case study. He urged Council to move forward with the Ordinance.

Donna Stuart – Ashland –13-year resident spoke to have regulations regarding this Ordinance and work on reactivation of the Ashland Car Share Program.

Walter Derby-Ashland – Spoke that had 35 years in the Taxi industry. He spoke against the Ordinance and urged Council to not approve it. He spoke that approving this Ordinance would destroy the Taxi industry.

Heather Hoedgt-Central Point-Spoke that she is an Uber driver with disabilities. She spoke to the importance of having an Uber that is sensitive to someone with disabilities. She encouraged Council to adopt the Ordinance.

Slattery clarified that local TNC's would have the option to run a business here if met all the criteria this isn't just for Uber and Lyft.

**Rosenthal/Bachman moved to amend Ordinance No. 3152 to adjust section 6.28.090 vehicle safety inspection to modify the minimum of 2 years and 20,000 miles as the threshold for vehicle safety inspection, and to amend 6.28.050 to amend the 10-year background check to 7 years, and to have a 1-year review of the Ordinance and to send the Ordinance back to second reading for enactment. Bachman second. Discussion:** Rosenthal spoke regarding the time spent working on this Ordinance and thanked Staff and the Transportation Commission. He spoke that this isn't an easy decision but need to accommodate to certain trends. He spoke that the best way to study this is to make a decision, gather data and analyze it in a year. Bachman spoke in agreement with Rosenthal. She spoke that she is interested in how the Transportation Commission can collaborate with RVTD to get people to bus stops. She spoke that she has received many emails in support of this Ordinance.

**Jensen/Slattery moved to exempt vehicle for hire agencies and drivers from the business license requirement found in AMC Chapter 6.04.** Discussion: Jensen spoke that it is not needed to require a business license and a permit. Slattery agreed with Jensen. Morris spoke that he will not support the motion. Mr. Lohman clarified that there is a requirement in the Ordinance to have a permit. What is being requested in this motion is to not have to pay for both a permit and a business license. Slattery spoke that we are asking TNC drivers to do more than others and feels it is a fair exchange. **Roll Call Vote: Slattery, Bachman, Jensen and Seffinger: YES. Morris and Rosenthal: NO. 4-2**

**Deliberation to main motion:** Jensen spoke that this will be great for students and the elderly. Slattery agreed with Jensen. He spoke that the Ordinance is not perfect yet but in the end it provides a benefit for the citizens. He spoke to the importance of the 1-year review. Seffinger spoke that this will benefit students who can't afford a car and will be good for the citizens. She spoke in concern of a possible surge pricing and weather conflicts. Morris spoke that he will support the Ordinance but is uncomfortable with it. He spoke that it is risky and the 1-year review will be very important. Mayor Stromberg spoke in concern that Uber has capital and has the ability to come here and charge low enough prices to put cab companies out of work. **Roll Call Vote: Slattery, Morris, Bachman, Seffinger, Rosenthal and Jensen: YES. Motion passed unanimously.**

## 2. First Reading of AMC CH 9 & 18 Wildfire Mitigation Ordinance

Ms. Madding gave a staff report.

Senior Planner Brandon Goldman, Division Chief of Forestry Chris Chambers and Fire Adapted Communities Coordinator went over a PowerPoint presentation (*see attached*).

Items discussed were:

- Ordinance updates.
- General Fuel Modification impacts on shrubs.
- Spacing of existing shrubs that are flammable.
- Prohibited flammable plant list.

### **Public Input:**

Dan Dawson – Ashland-Urged Council to approve the Ordinance. He spoke that this is a good first step

but had some concerns with the prohibited plant list. Since it is a resolution it can be dealt with as

Gil Livni- Ashland-Spoke that he survived the 1991 Oakland fire. He spoke that there needs to be changes in the proposed Ordinance and went over his suggestions. Staff suggested for Mr. Livini to meet with them regarding the changes.

Bill Heimann- Ashland- Spoke in favor of the Ordinance. He spoke that his only concern is the cost to the City. He spoke that to implement this Ordinance it will take additional Staff time which is money. He spoke that before this is passed he would like to know the cost associated with it.

Slattery asked for clarification on how much impact adopting this Ordinance would have in case of a fire. Mr. Chambers answered that this does not guarantee that Ashland would not suffer in a large fire but it is an important piece of the solution for risk management. With this there is better chance of surviving the fires.

Council discussed the importance of Community awareness and education.

**Jensen/Seffinger moved to approve first reading of an ordinance titled, an Ordinance amending Chapters 18.3.10, 18.4.3.080, 18.4.4, 18.5.1, 18.5.3.060, 18.5.5.020, 18.5.7 and 18.6.1 of the Ashland Land Use Ordinance to amend development standards for wildfire lands. This Ordinance also amends the official Physical and Environmental Constraints Map to expand the boundary of Ashland's designated Wildfire Lands to include all properties within the city limits, and moved the ordinance to second reading. Discussion:** Jensen spoke that the Ordinance is not perfect but the time is now and it is important. Seffinger spoke that this is the necessary first steps and hopes that as we look at expanding this we are realistic in helping people know what they should do with their property and the cost. Rosenthal spoke that this is a major legislation decision about to be voted on. He spoke that he is comfortable with the Ordinance and it has been well researched. He spoke that it is a first step. He spoke that the practical impact is significant but minimal. Bachman spoke to the importance of this Ordinance and seeing the Community being educated on what they can do. Morris spoke in support of the Ordinance. Slattery spoke in support of the Ordinance and that it is a good first step. He spoke that it has been vetted many times. He spoke in support of the Firewise Program and the need to get more information out regarding this program. **Roll Call Vote: Rosenthal, Jensen, Seffinger, Bachman, Morris and Slattery: YES. Motion passed unanimously.**

Mayor Stromberg thanked Council and Staff for their work on this Ordinance.

**Bachman/Jensen moved to approve first reading of an ordinance titled, an Ordinance amending Chapter 9.04 of the Ashland Municipal Code to declare prohibited flammable plants a nuisance, and to move the Ordinance to second reading. Discussion:** Bachman spoke to the importance of the flammable plant list. Jensen agreed with Bachman and spoke to the importance of having a Prohibited Flammable Plant Sub-Committee. **Roll Call Vote: Slattery, Morris, Bachman, Seffinger, Rosenthal and Jensen: YES. All Ayes. Motion passed unanimously.**

### 3. City Administrators Comments and Information

Ms. Madding spoke that there had been questions from citizens regarding Business Licenses. She explained that the fees have gone up slightly and there have been an increase in the amount of business licenses.

Rosenthal spoke that the increase shows an indicator that our local economy is trending up.

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

**XIV. ADJOURNMENT OF BUSINESS MEETING**

**The Business Meeting was adjourned at 10:00 PM**

**Respectfully submitted by:**

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**City Recorder, Melissa Huhtala**

**Attest:**

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**Mayor Stromberg**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator'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).*



## **What's your water footprint?**

***"This calculator helps you estimate your total water use. You know water comes from the tap, but do you know how much water goes down your drain? Soon you will!"***

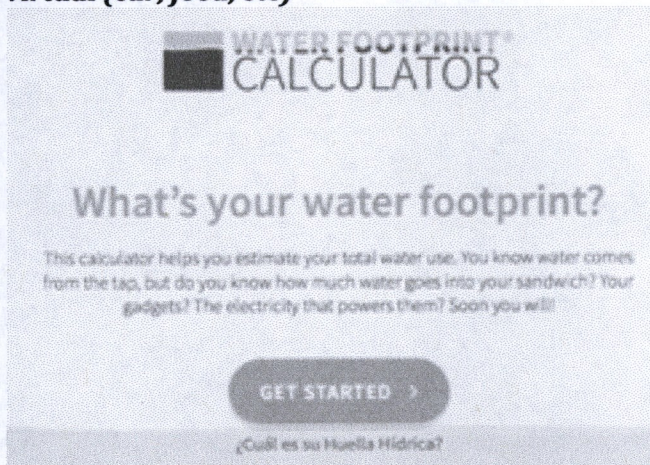
***You know that one of the best actions done by the city was hiring Julie Smitherman. She has done a fantastic job. You also know that we are 6" below the normal 17" of precipitation at this time of the year and this lack of water is being overshadowed by the smoke situation.***

***Doing the calculator allows you to actually see how much water you use and how you can reduce your usage-which is what the Ashland government is asking its citizens to do. So I am providing you with the website for the water calculator-I would like you to do it-it doesn't take longer than 15 mn. and it tells you a lot about your habits. What you learn will be ideas to reduce your water footprint and also think of ways to support water conservation. After you do the calculator and come up with a total that includes the numbers inside and outside your house, **not** the virtual water use (food, shopping) you can consult with Julie and her team for ideas to improve your stats.***

***<https://www.watercalculator.org>***

***go to website, click the get started button and there you are!***

***Do the interior and irrigation (interior of home and around the house) part not the virtual (car, food, etc)***



The image shows a screenshot of the 'Water Footprint Calculator' website. At the top, it says 'WATER FOOTPRINT CALCULATOR' with a small square icon to the left. Below that, the main heading is 'What's your water footprint?'. Underneath the heading is a short paragraph: 'This calculator helps you estimate your total water use. You know water comes from the tap, but do you know how much water goes into your sandwich? Your gadgets? The electricity that powers them? Soon you will!'. At the bottom of the main content area is a dark grey button with the text 'GET STARTED >'. Below the button, there is a line of Spanish text: '¿Cuál es su Huella Hídrica?'. The entire screenshot is set against a light grey background.





# **Wildfire Development Standards**

**Ordinance Amendments**

**City Council**

**Public Hearing Continued**

**8/21/2018**





# Wildfire Ordinance Update

- Public Hearing
  - July 17, 2018 (continued to this evening)
- Special Study Session and Public Forum
  - August 06, 2018
- Prohibited Flammable Plant List Review
  - August 15, 2018



## Ordinances and Resolution

- Amendment to Wildfire Lands Map to designate the entire Urban Growth Boundary and City Limits as Wildfire Lands.
- Ordinance amending Chapter 18 of the Ashland Land Use Ordinance to amend the development standards for wildfire lands, and the applicability of tree removal permits.
- Ordinance amending Chapter 9 of the Ashland Municipal Code to declare Prohibited Flammable Plants a nuisance.
- Resolution establishing the proposed General Fuel Modification Area Prohibited Flammable Plant List for application in Ashland's designated Wildfire Lands.



# Wildfire Development Standards (Ch.18)

- **Changes to the Ordinance following the July 17 public hearing:**
  - **The Fire Prevention and Control Plan**
    - Applicability section clarified to note that a Fire Prevention and Control Plan is required for Commercial developments, and Multi-family residential developments of three units or more. (18.3.10.100.A.1)



# Wildfire Development Standards (Ch.18)

- **Changes to the Ordinance following the July 17 public hearing:**
  - **General Fuel Modification Area**
    - Applicability section amended to clarify that only new buildings on vacant property will trigger fuel modification for the full extent of the property(18.3.10.100.B.1.a).
    - Additions to existing building, or new buildings on a property previously developed, will trigger a 30' fuel modification area.



# Wildfire Development Standards (Ch.18)

- **Changes to the Ordinance following the July 17 public hearing:**
  - **General Fuel Modification Area**
    - The roofing section) is highlighted for discussion as it could be amended to eliminate the requirement for a zoning permit prior to re-roofing a building (18.3.10.100.3.





# Wildfire Development Standards (Ch.18)

- **Changes to the Ordinance following the July 17 public hearing:**
  - **General Fuel Modification Area-Flammable Shrubs**
    - The spacing separation requirements for existing shrubs has been amended to clarify that prohibited flammable shrubs shall be separated from one another by at least two times the shrub's height (18.3.10.100.B.2.h-j)
    - This was in a previous draft and follows the same language for newly planted shrubs and existing flammable trees that was already included in the July 17<sup>th</sup> meeting packet.







# Prohibited Flammable Plant List

- **Changes to the plant list following the July 17 public hearing:**
  - **Distance from Structures**
    - Within 5' – NO flammable plants allowed
    - Within 30' – Certain listed flammable plants are allowed when following spacing requirements
  - **Challenge to Include Exceptions**
    - Dwarf or prostrate varieties of conifer trees, some shrub species (planted to meet tree or shrub spacing requirements)
    - Rosemary, Ceanothus, Oregon grape now allowed.
  - **Revisions Before Approval**
    - An updated list and Resolution will be presented to Council during the second reading after another meeting of the Plant List Subcommittee.



# Questions

Staff Contacts:

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**Alison Lerch**, Ashland Fire and Rescue  
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City of Ashland  
Business License Stats

|                     | FY 2008       | FY 2009       | FY 2010       | FY 2011       | FY 2012       | FY 2013       | FY 2014       | FY 2015       | FY 2016       | FY 2017       | FY 2018       | FY 2019    |
|---------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|------------|
| Business License \$ | 201,259.35 \$ | 201,138.16 \$ | 196,952.86 \$ | 197,098.50 \$ | 201,935.00 \$ | 208,222.50 \$ | 208,247.00 \$ | 209,120.50 \$ | 237,028.00 \$ | 248,063.50 \$ | 233,184.50 \$ | 235,435.00 |