

IMPORTANT: Any citizen attending a commission meeting may speak on any item on the agenda. If you wish to speak, please fill out the Speaker Request form located near the entrance to meeting room. The Chair will recognize you and inform you as to the amount of time allotted to you. The time granted will be dependent to some extent on the nature of the item under discussion, the number of people who wish to be heard, and the length of the agenda.

## **CITY OF ASHLAND PARKS AND RECREATION COMMISSION**

### **Regular Meeting Agenda FEBRUARY 23, 2015 @ 7:00 PM COUNCIL CHAMBERS ♦ 1175 E. MAIN STREET**

#### **CALL TO ORDER**

#### **APPROVAL OF MINUTES**

Study Session—January 13, 2015

Regular Meeting—January 26, 2015

#### **PUBLIC PARTICIPATION**

- Open Forum

#### **ADDITIONS or DELETIONS TO THE AGENDA**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

- Calle Contracts Discussion and Action
- AAUW Spring Garden Tour Collaboration Discussion
- Approve CIP Budget – Internal Reallocations

#### **SUBCOMMITTEE and STAFF REPORTS**

- Dogs
- Open Space / Land Acquisition
- Golf Course

#### **ITEMS FROM COMMISSIONERS**

#### **UPCOMING MEETING DATE(S) and PROPOSED AGENDA ITEMS**

- Study Session—March 16, 2015
  - Parks Office, 340 S. Pioneer Street—7:00 PM. Topics:
    - Public Records Presentation with City Recorder
    - Ethics Review with City Attorney
- Regular Meeting—March 23, 2015
  - Council Chambers, 1175 E. Main Street—7:00 PM.

#### **ADJOURNMENT**

City of Ashland  
PARKS AND RECREATION COMMISSION  
STUDY SESSION MINUTES  
January 13, 2015

**ATTENDANCE**

Present: Commissioners Landt, Lewis, Miller, Shaw; Director Black; Superintendent Dials

Absent: Commissioner Gardiner; City Council Liaison - Mayor John Stromberg; Superintendent Dickens

**CALL TO ORDER**

Landt called the study session to order at 7:00 p.m. in The Grove, 1195 E. Main Street.

**DOGS AT GOLF COURSE DISCUSSION**

*The Commission will discuss current dog practices at Oak Knoll Golf Course and hear public input. Potential dog policy changes will be discussed by the Commission.*

Black said the Dogs Subcommittee recently met and discussed dogs at the golf course, among other topics. They noted that dogs currently were not designated as allowed or not allowed at the golf course. Staff invited Golf Course Manager Tom Cronin and Golf Course Superintendent Laura Harvey to speak to the Commission.

Cronin said dogs had posed a challenge at the golf course for some time. Recently the situation felt out of control. A regular golfer in the women's club, Sonja Dedrick, wrote a letter to the commission recommending that dog walkers find another place to walk their dogs, leaving the golf course for golfers. The biggest concern was people driving to the course and allowing their dogs to run up and down fairways. Oak Knoll posed a particular challenge because it lacked fencing. If the commission chose to allow dogs, Cronin suggested posting clear signage about limited areas and hours for dogs on leash. He said golfers paid dues and fees to play golf and dog walkers used the course for free. He suggested limiting the number of hours for dogs at the golf course.

In terms of designated areas, Cronin said the main road through the course – from Highway 66 up to the clubhouse – would work for dogs on leash.

Harvey said, from a maintenance standpoint, that dogs had become more challenging in the past year. Newer residents of the Oak Knoll subdivision brought their dogs to the course and dogs dug up bunkers, causing them to cave in. Dogs were also cutting up turf and droppings were found more often than before. Harvey suggested posting clear signage about keeping dogs off the turf.

Landt said dogs had not been permitted in any City park, other than the Dog Park, until a few years ago. The Commission had since opened specific parks or portions of parks to dogs on leash. The tacit rule for the golf course had been that dogs were not allowed, but the unspoken rule was broken. He suggested moving forward with determining whether dogs should be allowed at the course.

Black said dogs hadn't been allowed but the policy hadn't been clearly defined for the golf course. The Commission could either allow dogs in designated places and at certain times or not allow them. He asked the Commission to define the dog policy in terms of the golf course.

Public Input

Richard Ogier, 835 Oak Knoll Drive, said he was one of the respectful dog owners using the golf course with his dog. As a golfer, he knew not to take his dog when there were golfers. He spoke favorably about a time restraint – preferably before 8:00 a.m. Monday through Friday. Due to a vision impairment, he was not able to take his dog into the woods and the golf course was the only place to exercise his dog. He reported picking up his own dog's waste as well as other dogs' waste. He thanked the Commission for their time and consideration.

Discussion Among Commissioners

Landt said no decisions would be made that evening, only discussion and a general plan.

Shaw reported visiting the course the following week and walking sections of the course. He spoke to Cronin and learned that having people walk their dogs while golf was in play was problematic. He wanted to find middle ground for responsible dog owners, golf workers and golfers. Signage would help but wouldn't prevent dog violations.

#### **DOGS AT GOLF COURSE DISCUSSION, cont'd.**

Lewis said the City's ordinances were clear: dogs were to be kept on leash, with owners carrying a means for picking up droppings; however, scofflaws were seen throughout Ashland. The main course entrance off Hwy 66 was a clear access route for dogs on leash; dog signage would be a helpful addition.

Miller said it made sense to have rules that accorded with City ordinances. He voiced support for allowing dog walkers wherever possible.

Landt asked staff or the Dogs Subcommittee to develop a conceptual proposal for dogs at the golf course. Once developed, the Commission could discuss it at a regular meeting. He agreed with Cronin's statement that the golf course was different from other park lands: golfers paid to play and wouldn't want their golf experience diminished. The Commission didn't want its revenues to decrease because of dogs; it wanted the course to become self sustaining. The Commission previously discussed installing a playground in a corner of the parking lot at the golf course; could a small section of that area be used for dog walkers? He suggested consideration of both ideas.

Black said any early morning dog walking allowance would require dogs remaining on leash. Cronin said start times at the golf course varied by the season: in winter it was 9 or 9:30 and in summer as early as 6:30 a.m.

Landt thanked Cronin and Harvey for their input, including Harvey's sketched out dog routes. He thanked Ogier for speaking on behalf of dog walkers.

#### **DISCUSSION OF GOALS AND PROCESS FOR FINALIZATION OF GOALS**

***The Commission will present the formatted goals discussed by the Commission and staff at the December 15 strategic planning meeting***

Black said the Commission met for a strategic planning session on December 15 and participated in a preliminary vote on goals using dots. By percentage and vote counts, the two highest ranked categories were: 1) SOU Pool; and 2) Long-term care and use of The Grove by Parks. Winburn Way sidewalks, a second dog park and updating the Open Space Plan were also high priorities for the Commission. Items with red dots were designated as the Commission's most important items. Black suggested possible Commission approval of FY 15-17 (biennial) goals at their January 26 regular meeting.

Black said approved goals would be used as workplan items for the coming biennial period. Each goal would have objectives listed and staff members assigned. Workplans would be updated on a quarterly basis. Black invited further discussion about the draft biennial budget goals.

#### Discussion Among Commissioners

Landt suggested several processes for voting on goals, including voting on red dotted items only (highest value) or voting on goals with any dots. He said some goals with completion dates of 2012 had never been completed. He asked whether all goals should be included on the list, even if they couldn't be finalized within two years.

For the Open Space Plan update, Lewis expressed interest in seeing a goal completion procedure lined out, with designated staff noted. Efforts expended could then be clearly identified, including any public meetings held.

Shaw suggested authorizing Black to review the goals list to determine if low level items (with few or no dot votes) should remain on the list or be removed.

While there were six or seven goals with few or no votes, Black expressed comfort with the full list, which he described as a normal workload for two years. He suggested reviewing the list with his staff to see if any less-voted items could be recommended for removal.

Landt asked Black to estimate the number of labor hours per item – low, medium, high – to aid the Commission in determining value. Black said he would develop a ranking system (1,2,3) for each item. Landt said this was a supportive Commission that wanted staff to succeed in achieving goals.

#### **DISCUSSION OF JOINT COUNCIL-COMMISSION MEETING**

*The Commission will review the time, place and details of a joint meeting requested by Ashland City Council. Agenda items will include upcoming annual goals and the budgeting process.*

Black said the suggested meeting date for the joint Commission / Council meeting was currently February 11 – a date when most councilors would be available. The other option was February 9, the date of the Parks Commission study session. Council first requested the meeting in November. A “doodle poll” went out from the City Administrator and Mayor’s office without Parks’ knowledge or input. Council’s intent was to talk about goals pertaining to Parks. At the time, the Commission had not entered into its goal setting process so the timing was off. Another date was then proposed – January 14 – but that did not work out. The joint meeting would be an important step toward determining Parks project budgeting. If the Commission chose to include “FY 15-17 Goals Review and Action” on its January 26 regular meeting agenda, the timing of the February 11 joint meeting would work because Parks would have a good understanding of its priorities for the new biennium.

Lewis asked to receive meeting materials well ahead of time. Black said he would send out a revised goals document, based on the evening’s discussion, by Wednesday, January 21. A reminder email would be sent to the Commission the following day regarding the February 11 joint meeting date, time and place.

#### **STAFF AND COMMISSIONER COMMENTS**

Black said staff submitted an application for Bee City USA designation for the City of Ashland, since Ashland met all criteria. A subcommittee would be established, including one staff member, one Commissioner and three members of the public. Many citizens had expressed interest in serving on the subcommittee. Staff had been working on the application and a press release and applications would be accepted until March 6. Subcommittee candidates would be presented to the Commission at their March 23 regular meeting.

Black welcomed an Ashland resident in attendance, Claudia, whose home neighbored the ice rink.

Dials said Parks staff nominated Tom Foster to receive the Ragland Citizen’s Award and Foster was chosen along with two other community volunteers. Recipients would be announced at the State of the City event held on Tuesday, January 27, at 5:30 p.m. in the Ashland Community Center.

Black announced that Dyssegard received a promotion to Administrative Supervisor.

Landt asked staff to make the Planning Department aware of Parks goals. A portion of land designated on the Open Space Plan had been lost when plans changed and Parks wasn’t notified. Better communication could have precluded the loss of a portion of potential park land. Staff was asked to request pre-applications for planning actions on, adjacent to or overlapping park land identified on the Open Space Plan.

#### **ADJOURNMENT**

By consensus, with no further business, Landt adjourned the study session at 8:17 p.m.

Respectfully submitted,



Susan Dyssegard, Administrative Supervisor  
Ashland Parks and Recreation

City of Ashland  
PARKS AND RECREATION COMMISSION  
REGULAR MEETING  
MINUTES  
January 26, 2015

**ATTENDANCE**

Present: Commissioners Gardiner, Landt, Lewis, Miller, Shaw; Director Black; Superintendents Dials and Dickens

Absent: City Council Liaison – Mayor John Stromberg

**CALL TO ORDER**

Landt called the meeting to order at 7:00 p.m. in Council Chambers, 1175 E. Main Street.

**APPROVAL OF MINUTES**

Strategic Planning Meeting – December 15, 2014

**MOTION** Gardiner moved to approve the minutes as presented. Shaw seconded the motion.

The vote was: All yes

Regular Meeting – December 17, 2014

**MOTION** Shaw moved to approve the minutes as presented. Lewis seconded the motion.

The vote was: All yes

**PUBLIC PARTICIPATION**

Sara Burrill, PO Box 3276, proposed an event in Lithia Park: The Forest Lights, America's Premier Light and Sound show, modeled after Scotland's Enchanted Forest held each October. The Lithia Park program would boost the Rogue Valley economy, with proceeds donated to local and national charities. Burrill proposed holding the event every year in December for five nights, just after dark, and concluding each night by 9:30. The lower park from the entrance to the playground would display more than eight million lights covering trees, bridges, arches, paths and water fountains. Free demonstrations by local glass blowing artists, aerial artists and figure skaters would be provided and local musicians and storytellers would perform. Burrill planned to contact local investors for financial support and return the park to its original state following the event. No flora or fauna would be harmed; event participants would be shuttled in and out of the park to reduce parking congestion. Burrill asked the Commission to consider placing the item on a meeting agenda.

Noting their full agenda, Commissioners said it was unlikely the item would be discussed that evening.

Tara Elder, 1665 Parker Street, a representative of the Ashland Soccer Club, said over 250 youth and over 50 adult members used the soccer fields at North Mountain Park (NMP). Middle school and elementary school fields were used in the past but became unsafe for play; NMP was now the only option for the Ashland Soccer Club. The Parks Department did a great job of maintaining school grounds in past years, given their staffing and equipment, and currently maintained NMP beautifully. She asked for a Parks / School District partnership allowing for school field maintenance by Parks and asked how her organization could help make that happen.

Landt expressed interest in having staff work with the school district on a maintenance partnership.

**ADDITIONS OR DELETIONS TO THE AGENDA**

The item entitled "Bee Subcommittee Formation – Discussion and Action" was relocated to "Subcommittee and Staff Reports," since no action was required; it was for information only.

**2015 ELECTION OF OFFICERS**

Landt nominated Gardiner to serve as chair in 2015. Shaw seconded the nomination.

The vote was: All yes

Gardiner nominated Landt to serve as vice chair for 2015. Lewis seconded the nomination.

The vote was: All yes

## **UNFINISHED BUSINESS**

### **POTENTIAL FEE ADJUSTMENTS FOR PARKS AND RECREATION PROGRAMS AND SERVICES:**

#### **Review, Discussion and Action**

Dials said in 2006, the Ashland Parks and Recreation Commission set an annual goal of reviewing fees and charges as a kick-off to its budget process. Annual reviews included fees and charges associated with the Calle Guanajuato, North Mountain Park Nature Center, Ashland Senior Center, adult, youth and adapted recreation programs, indoor and outdoor reserved facilities, the Oak Knoll Golf Course, the Daniel Meyer Pool, and the Ashland Rotary Centennial Ice Rink. Dials reviewed her Powerpoint presentation and packet items. On her document entitled "Recreation Programs Services on Cost Recovery," she referred to revised cost recovery recommendations appearing in red: Ashland Rotary Centennial Ice Rink (50% - down from 70%), NMP Nature Center (25% - down from 30%), Special Events (85% - down from 90%), Facility Rentals (60% - down from 100%) and Sports Field Lighting (85% - down from 100%). Staff had heard requests from users about not raising sports field lighting fees. Staff would also be recommending fee adjustments in the following five areas:

- **Daniel Meyer Pool**
  - Last increase in June of 2009
  - Currently recovering at a rate of 27%
  - Changes to apply to pool users "dressed down" to bathing suits
  - Simplify fees by combining recreation open swim, lap swim and youth water polo session and age groups.
  - For lap swim, raise from \$2.50 to \$3.50 for those 13 and over
  - For senior lap or gentle swim, raise from \$2 to \$3 per session
- **Indoor Facilities**
  - Currently recovering at 53%. Fees last increased on July 1, 2013.
  - With an increase of 11% for current three-tiered rate system, rates would be raised by \$2 for each: long-term / nonprofits (\$18 to \$20 / hour), weekday renters (\$21 to \$23) and weekend renters (\$33 to \$35).
  - Increases in line with other agencies in southern Oregon.
  - 32% of current users have free use of facilities, including the VFW, cold weather shelter, Pinochle and Garden clubs, City of Ashland public / staff meetings and the Boy Scouts.
  - 39% of users receive long-term/ nonprofit rate
  - 29% of users pay regular weekday or weekend rates
  - Even with rate increases, facility rentals would not recover at 100%. Pricing rental fees toward a 100% recovery rate would "price out" customers.
  - Staff recommends annual evaluation of rates
- **Field Use Fees**
  - Two current established fees:
    - \$34 per hour for field light use
    - \$36.50 per team per day for tournaments
  - No current fee in place for regular field use; no revenues currently associated with field maintenance
  - Staff recommends establishing a per-season field use fee for any organization using a field (in addition to current fees for lights and tournaments). Proposed fees:
    - \$100 per season: 1 day per week
    - \$150 per season: 2-3 days per week
    - \$200 per season: 3-4 days per week – 4 to 5??
    - \$250 per season: 5-7 days per week – 6 to 7 ??
  - Other state agencies polled, including Eugene, Portland, Medford, Central Point, Albany. Most offer per-hour rates. An hourly rate system would require staff time to coordinate and be cost-prohibitive for organizations.



## **UNFINISHED BUSINESS**

### **POTENTIAL FEE ADJUSTMENTS FOR PARKS AND RECREATION PROGRAMS AND SERVICES:**

#### **Review, Discussion and Action, cont'd.**

- **Establish Electricity Use Fee**
  - Requests received throughout the year for:
    - Electricity for jump houses in park areas
    - Use of batting cages requiring electricity (Hunter and North Mountain parks)
  - These activities require electricity as well as staff coordination
  - Staff recommends a \$25 fee for every four hours of park use requiring electricity
- **Facilities Fees – Recommended Changes**
  - **Security deposits:** Lower from \$300 to \$150 for regular renters.
  - **All-day wedding rate:** Discontinue all-day rate of \$800. Not utilized.
  - **Half-day wedding rate:** Reduce from \$400 to \$200.
  - **Wedding package:** Discontinue rate of \$1150. Not utilized.
  - **Lithia Park picnic areas:** Discontinue \$60 and \$65 rates; keep \$55 and \$75 rates. Fees currently based on size of area; rates of \$55 and \$75 accurately reflect those sizes.

Dials said staff recommended implementing any approved fee adjustments on July 1, 2015. Staff was requesting direction from the Commission on the proposed fee recommendations and cost recovery goals as outlined.

In terms of fees for field use, Landt asked how the YMCA fields fit into that category. Black said the YMCA requested field use at the beginning of each year and paid nothing. The current proposals would not affect the YMCA's current use of their fields. Gardiner asked why the YMCA would be exempt from such charges. Black said it was somewhat like the Boy Scouts using Pioneer Hall for free – a handshake agreement established in the past. Black reported speaking to the YMCA and hearing of their interest in spending capital dollars for field improvements.

In terms of field users paying for field maintenance, Landt asked if a current maintenance fee had been established for regular users. Dials said no revenues were currently associated with field maintenance.

#### Public Input

**Tara Elder**, 1665 Parker Street, said people needed to pay for what they used. As a user of fields, she said the proposed fee of \$250 seemed low. She stated that electricity fees should be recovered at 100%. For pool fees, she said charging one dollar more for children 13 and older could cause a reduction in pool usage by teens.

**Michael Carew**, 484 Helman Street, said he was new to the community and wanted to get involved. He asked why there was no set fee for seniors regardless of swim session title, only a senior swim timeslot. In other areas he'd lived, seniors got a break in rates every time they swam. He asked for a longer season at the Daniel Meyer Pool – with the pool opening earlier and staying open well into September. He offered to volunteer his time for keeping the pool open longer. A longer season would bring a higher pool recovery rate. With the upcoming closure of the SOU pool (June of 2015), the Daniel Meyer Pool would be well utilized.

Dials said no precedent was set in the past for a senior discounted rate. She did not have the historical background available but thought it could be due to a short season at a small pool and possible concerns about overcrowding, especially during lunch hours. In the past, when staff was available, a longer season was implemented into September; however, it was not possible to open the pool earlier due to hiring and training high school and college-aged staff by June 15. Staff would look into options for keeping the pool open longer in 2015. Shaw remarked that the pool building was not winterized.

#### Discussion Among Commissioners

Landt noted that the important question was staffing: If the pool could stay open longer, would it be financially viable? If there was a demand, he suggested looking into staffing a longer season; Shaw concurred. Shaw said he would be fine with approving the proposed cost recovery plan and said he appreciated staff's adjustments.

## **UNFINISHED BUSINESS**

### **POTENTIAL FEE ADJUSTMENTS FOR PARKS AND RECREATION PROGRAMS AND SERVICES:**

#### **Review, Discussion and Action, cont'd.**

**MOTION:** Shaw moved to accept the cost recovery plan as recommended by staff. Lewis said he would accept the motion if a field use maintenance fee could be added to the list of cost recoveries. Shaw said that could also be added in the future. Lewis said he could approve Shaw's motion as originally stated.

#### Discussion of Motion

Landt observed that cost recovery goals were being lowered because they were not being met. He felt uncomfortable with the sports lighting issue as he felt users should pay for their usage and electricity costs should be recovered at 100%. As for indoor facility rental rates, he asked why some groups used facilities for free while others received discounts or paid the full hourly rates. The system seemed unfair to some groups and favorable to others. He understood that staff could find nothing in writing from past agreements but thought the Commission should set a goal of creating more fairness in its facilities rate structure.

Shaw said he understood that some groups received free usage because they helped the City obtain the buildings, which was worthy of recognition. He suggested recovering 100% of costs for sports light usage.

Lewis said incremental increases were more acceptable to users and no cost recoveries had ever come in at 100%. He asked staff to work with the City on why Parks paid \$45,000 per year to use the rentable City buildings while allowing the City to use the buildings free of charge. He suggested moving forward with the fee increases as proposed and incrementally increasing them in future years.

Black said he had asked Dials to reduce recovery rates given unmet targets. If the Commission wished to ask for a 100% recovery on field light usage, staff could adjust rates to meet that goal. In terms of free building usage for certain groups, he said staff was trying to honor long-held City traditions; however, if the Commission wanted staff to meet with the groups, that could be done.

Landt said he would vote against the current motion, since lighting costs should be recovered at 100% and facility recovery costs could be higher if steps were taken to ensure it.

Gardiner said he would vote for the motion, though there might be a better way to calculate and achieve higher rates of recovery.

The vote was:

Gardiner, Lewis, Miller, Shaw – yes

Landt - no

### **PROPOSED FEE ADJUSTMENTS FOR DANIEL MEYER POOL**

Miller asked for clarification: If toddler and youth rates existed at the pool, why not a senior rate? Dials said there was a senior swim session in place but no senior rate. Shaw asked how many seniors attended swim sessions outside the senior swim session; Dials said she did not know but could find out.

**MOTION:** Landt moved to approve the proposed fee structure for Daniel Meyer Pool as proposed by staff. Lewis seconded the motion.

#### Discussion of Motion

Gardiner asked whether seniors might be willing to give up their senior-only swim session if they were given an overall senior rate. Dials said she would look into the matter.

The vote was: All yes

### **FIELD USE FEES**

In terms of the comment by Tara Elder regarding low fees for field usage, Shaw asked what Medford Parks and Recreation charged for field use per organization per season. Dials said she wasn't sure but thought the proposed rate was a good starting point. Landt asked if the fee would be charged to every organization, including the Ashland School District; Dials said yes.

**MOTION:** Landt moved to approve the fee structure for field usage as proposed by staff; Shaw seconded the motion:



## UNFINISHED BUSINESS

### POTENTIAL FEE ADJUSTMENTS FOR PARKS AND RECREATION PROGRAMS AND SERVICES:

#### Review, Discussion and Action, cont'd.

- Per-season field use fee for any league using a field (in addition to current fees for lights and tournaments):
  - \$100 per season: 1 day per week
  - \$150 per season: 2 days per week
  - \$200 per season: 3-4 days per week
  - \$250 per season: 5-7 days per week

#### Discussion of Motion

It was noted that \$250 per season would not cover any maintenance costs. Dials stated that Little League (10-12 teams) used Hunter Park for their practices and games five to seven days per week. They would also be charged the \$250 per season fee. Landt said these were small fees because the Commission was in place to provide parks and recreation opportunities but he wanted staff to continue working on refining the fees and charges system.

Dials said she would change the second bulleted item, per Commission suggestion, to \$150 per season for 2 days per week (noted above).

#### AMENDMENT TO MOTION

Landt said he would consider Dials's clarification as a friendly amendment to his motion; Shaw seconded the amendment.

The vote was: All yes

## INDOOR FACILITIES

Black asked for clarification from the Commission: Should staff meet with grandfathered groups about why they thought they should not pay facility use fees. Landt said that should happen as this was an equity issue. He could not vote on the proposal as currently outlined by staff. Shaw suggested moving forward with implementing the proposal but asking staff to research where the historical information was located and what it indicated. Dials stated that the new fees would not be set in motion until July 1, 2015, giving staff time to conduct this research. Black said fees and charges needed to be acted upon because staff was working on preparing budget figures for the FY15-17 biennial period. Lewis said these issues had arisen before; how would the grandfathered groups' payment of fees (and other cost recoveries) change the overall budget picture? Landt said the fees discussion had arisen before and was never acted upon; therefore, he would not be able to vote favorably on a motion for accepting the proposed fees for indoor facilities. Dials reported meeting with the Pinochle Club several months earlier and asking them to move out of the Community Center, since they met during a high volume time, and relocate their activity to the Senior Center. They were resistant to changing their venue. She said she would meet with other grandfathered groups during the summer and report back to the Commission.

**MOTION:** Shaw moved to accept the indoor facilities fees as proposed by staff: Increase hourly rates by 11% or \$2 per category: Long-term / nonprofits (\$18 to \$20), weekday renters (\$21 to \$23) and weekend renters (\$33 - \$35). He further moved to ask staff to research "grandfathered" groups about the history of free building usage and report back to the commission. Lewis seconded the motion.

The vote was:

Lewis, Miller, Shaw – yes

Gardiner, Landt – no

## ESTABLISH ELECTRICITY USE FEE

**MOTION:** Lewis moved to approve the staff recommendation for electricity use: \$25 for every four hours of time requested using electricity. Gardiner seconded the motion.

The vote was: All yes

## UNFINISHED BUSINESS

### POTENTIAL FEE ADJUSTMENTS FOR PARKS AND RECREATION PROGRAMS AND SERVICES:

Review, Discussion and Action, cont'd.

### FACILITIES FEES – RECOMMENDED CHANGES

**MOTION:** Landt moved to accept the staff proposal for security deposits, wedding rates, picnic fees and Lithia Park usage rates as proposed:

- **Security deposits:** Lower from \$300 to \$150 for regular renters
- **All day wedding rate:** Discontinue all day rate of \$800. Not utilized
- **Half-day wedding rate:** Reduce from \$400 to \$200
- **Wedding package:** Discontinue rate of \$1150. Not utilized
- **Lithia Park picnic areas:** Discontinue \$60 and \$65 rates; keep \$55 and \$75 rates. Fees currently based on size of area; rates of \$55 and \$75 accurately reflect those sizes.

Lewis seconded the motion.

The vote was: All yes

## NEW BUSINESS

### 2014 ACCOMPLISHMENTS REPORT

Black said a National Citizen Survey was recently completed and Parks ranked extremely high (98%) as compared to the 500 other cities participating in the survey. He said Mayor Stromberg would talk about many City achievements at the first "State of the City" event at the Ashland Community Center on Tuesday, January 27, at 5:30 p.m.

Black presented highlights of 2014 accomplishments for Ashland Parks and Recreation in 2014:

- Deferred maintenance in parks:
  - Golf hole #9 replaced and golf course netting replaced
  - Hunter Park and Daniel Meyer Pool improvements
- Park signs replaced throughout the system (with new logo)
- Calle Guanajuato resurfaced
- Nature Center scholarships grant received (\$3,000)
- Ashland Creek Park Grant (\$309,000)
- APA Award – Lithia Park designated as one of ten great places in America
- Historical restorations awards for Enders Shelter and Atkinson Bridge
- Forestry and Trails Division accomplishments, including building Ashland Creek Park
- Miscellaneous: new Parks Director, new Parks logo, ice rink cover, review of Dogs in Parks policy

### 2015 SUBCOMMITTEE ASSIGNMENTS – DISCUSSION AND ACTION

- **Parks Development Subcommittee:** Commissioners Landt and Lewis
- **Dogs Subcommittee:** Commissioners Miller and Shaw
- **Forest Lands Commission:** Commissioner Miller
- **Golf Course Subcommittee:** Commissioners Gardiner and Lewis
- **Joint Powers Committee:** Commissioner Gardiner
- **Open Space / Land Acquisition Subcommittee:** Commissioners Landt and Shaw
- **Public Arts Commission (Parks liaison):** Commissioner Lewis
- **Signs, Plaques & Memorials Subcommittee:** Commissioners Lewis and Shaw
- **Bee City Subcommittee** – Commissioner Gardiner

## **NEW BUSINESS**

### **2015-17 GOALS – DISCUSSION AND ACTION**

Black said FY 2015-17 goals would be set for two years but modified in 2016, with completed items removed. He reviewed a presentation in which he described the background of the goal setting process, prioritization of goals, and the top five goals:

- Partnership toward year-round competitive swimming pool
- Transfer of The Grove to Parks
- Sidewalks built on Winburn Way and a second dog park developed at lower Clay Street
- Update of Trails and Open Space Plan
- Lithia Park master plan

Priorities within goal categories were outlined:

- Trails, open space and land conservation
- Volunteers
- Facilities and programming
- Planning and development
- Organization
- Parks and recreation governance

Due to low or no votes, several recommendations for deleted goals included:

- Public park space
- Evaluate Oak Knoll Golf Course in terms of dogs
- Improved signage at Oak Knoll

Black said next steps would include workplan items. The top five goals would be continually worked on by staff. For the SOU pool item, Landt said it would be helpful to have a Parks Commission aquatics representative. Black said the pool community currently needed some input from people knowledgeable about pools; no decisions or guarantees were being made at this time. He felt more funding would be needed from the community than was realized. While Representative Buckley could provide some funding through a state grant, he could not provide all funding. Representative Buckley was currently asking for a number for what it would cost to build a new pool to replace the existing SOU pool.

Miller voiced interest in serving as the Parks Commission representative among the pool community. Other commissioners voiced support for his role in that capacity.

Landt asked for an additional goal: under "Planning and Development," a parks maintenance and design standards goal. He said this had been a goal some years back but was never completed. Black said he would add the goal under that category and work with Landt in that capacity.

**MOTION:** Shaw moved to accept the FY 15-17 goals as outlined by Black, including "Parks Maintenance and Design Standards" under "Planning and Development."

The vote was: All yes

## **SUBCOMMITTEE and STAFF REPORTS**

### **Bee Subcommittee Formation – Update**

Dials said that as of December 16, 2014, Ashland became the fifth Bee City USA in the US. Staff developed a news release and distributed it the following week. Staff was now working on forming a subcommittee, one of the requirements for the designation of Bee City USA. The deadline for citizen applications was March 6. After March 6, Gardiner and the staff liaison, Libby VanWyhe, would be reviewing applications and proposing three citizen subcommittee members to the Commission.

### **Ashland Creek Park Update**

Dickens reported that a substantial completion meeting was set for the following day with Parks staff and the contractor for Ashland Creek Park, Roxy Ann Rock.

**SUBCOMMITTEE and STAFF REPORTS, cont'd.**

**Open Space Subcommittee Update**

Landt said a realtor was hired to help the Parks Commission locate properties for purchase based on the City's Open Space Plan. The realtor, Eric Poole, had been helpful and effective.

**ITEMS FROM COMMISSIONERS**

Landt reported on a recent visit to the Skate Park, where he saw 24 users, all of whom were not wearing helmets. Given that there had been an accident in the past, he asked for greater enforcement of rules at the Skate Park.

**UPCOMING MEETING DATES & PROPOSED AGENDA ITEMS**

- Study session set for February 9 at 7:00 p.m., Parks Office, 340 S. Main Street
- Joint meeting with Council set for February 11 at 7:00 p.m., Council Chambers, 1175 E. Main Street
- Regular meeting set for Monday, February 23 at 7:00 p.m., Council Chambers, 1175 E. Main Street.

**ADJOURNMENT**– By consensus, with no further business, Gardiner adjourned the meeting at 9:45 p.m.

Respectfully submitted,



Susan Dyssegard, Administrative Supervisor  
Ashland Parks and Recreation

# ASHLAND PARKS AND RECREATION COMMISSION

340 S. PIONEER STREET • ASHLAND, OREGON 97520

## COMMISSIONERS:

Mike Gardiner  
Rick Landt  
Jim Lewis  
Matt Miller  
Vanston Shaw



Michael A. Black  
Director

TEL: 541.488.5340  
FAX: 541.488.5314  
parksinfo@ashland.or.us

## MEMORANDUM

**TO :** Ashland Parks and Recreation Commission  
**FROM :** Rachel Dials, Recreation Superintendent *10*  
**DATE :** February 23, 2015  
**SUBJECT :** 2015 Calle Guanajuato Seating Agreements

### Background

The following have applied for seating on the Calle for the 2015 season:

- Sesame
- Umi Sushi
- Louie's
- Salame
- Greenleaf
- Mix Sweet Shop
- Lithia Artisans Market
- Oberon's

Each year, restaurants along the Calle Guanajuato and the Lithia Artisans Market have the ability to request seating. Restaurants are charged \$7 per square foot and the Lithia Artisans Market \$5 per square foot for the determined season upon approval by the Parks and Recreation Commission. Parks staff, restaurant owners, and the manager of the Lithia Artisan's Market work together to address any issues or concerns to avoid conflicts before submitting requests to the Parks Commission. Staff is asking the commission to take action on the following items:

### **Actions Requested**

**1. Determine the “season of operation” for artisans and restaurants**

In 2014 the commission approved a season spanning May 1 through November 15. The season opened later because of construction on the Calle. Historically the “season of operation” has been April 15-November 15. The Lithia Artisans Market as well as the restaurants would like the ability to start their season sooner. Staff recommends March 15-November 15<sup>th</sup>, 2015

**2. Approve or deny the new Concessionaire’s License for the Lithia Artisans Market which includes the ability to utilize the Calle on the 4<sup>th</sup> of July.**

The Lithia Artisans Market 5-year contract expired in December of 2014. Staff recommends using the attached Concessionaires License which is similar to the one used by the restaurants where a new one is required every year.

The Artisans have historically utilized their designated spaces on the 4<sup>th</sup> of July holiday regardless of the day it falls upon. Staff would recommend officially adding this to the yearly concessionaire agreement.

**3. Approve or deny the request for the Lithia Artisans Market to utilize the Calle on Memorial Day and Labor Day.**

Staff was never made aware that the Artisans had utilized the Calle on these holidays but would be supportive of adding this into the agreement.

**4. Approve or deny the seven seating agreements for the Calle Guanajuato.**

Staff requests Commission approval of the seating agreements and locations for Sesame, Umi Sushi, Louie’s, Salame, Greenleaf, Mix Sweet Shop and the Lithia Artisans Market. Oberon’s has applied for seating and staff recommends denial of that request. The current seating allocation policy states that seniority takes precedence when two or more restaurants are within the same proximity to a seating location. In this case, Salame would take precedence and has shown continuous use of the space.

**5. Space Allocation Proposal**

Jordan Mackay, owner of Oberon’s, submitted a Calle Space Allocation Proposal as he feels there are long-term issues related to the current allocation of space along the Calle Guanajuato. Commission discussion is suggested.

### **Attachments**

- 2015 Space Requests, including pictures and square footage
- Artisan Concessionaire agreement
- Current seating allocation policy
- Request from Artisans for use of the Calle Guanajuato on the 4<sup>th</sup> of July, Memorial Day and Labor Day
- Space Allocation Proposal
- Email from Ann Wilton, Owner of Renaissance Rose



2015 Calle Guanajuato Space Requests

1. Sesame: 520sf

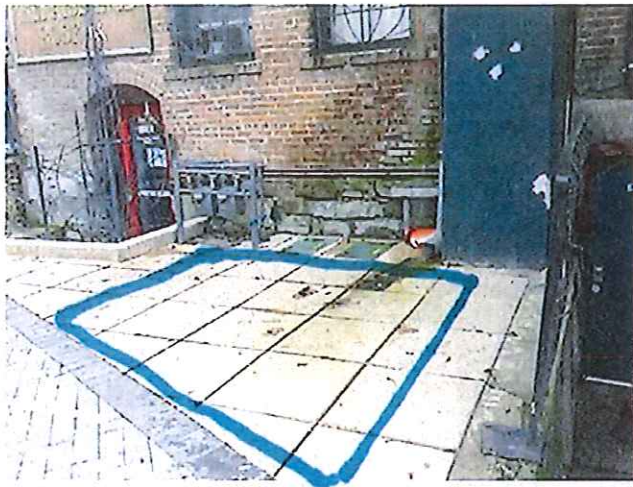


2. Umi Sushi: 180sf





**3. Louies: 577sf**



**4. Salame: 270sf**



5. Greenleaf: 345.75sf



6. Mix: 98sf



# TOPOGRAPHIC SURVEY

FOR

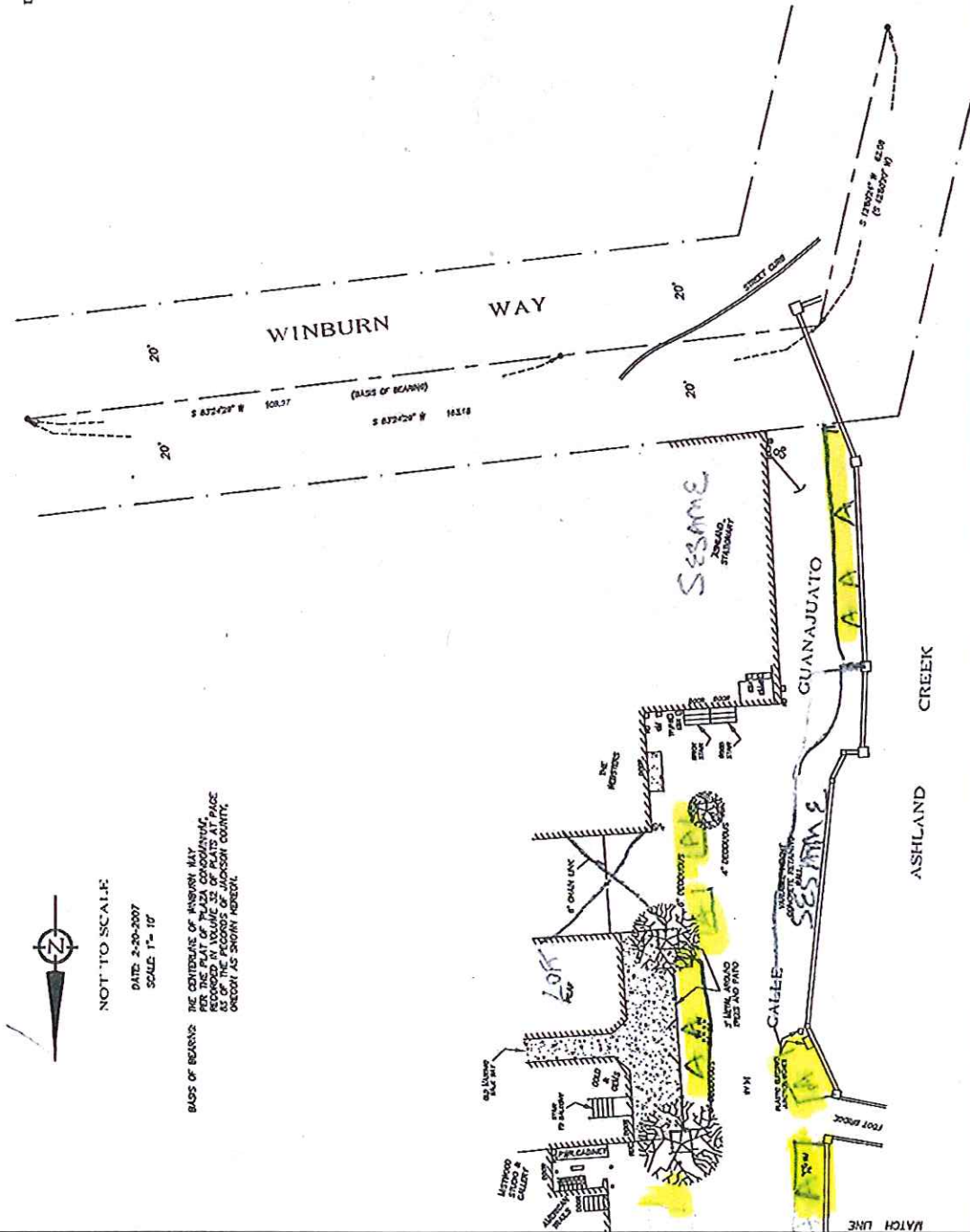
DEPARTMENT OF PARKS and RECREATION  
CITY OF ASHLAND  
340 SOUTH PIONEER STREET  
ASHLAND, OREGON 97520

## LEGEND

- ROAD CITY OF ASHLAND BRIDGE CAP  
CENTER LINE INDICATOR
- PLAZA SURVEY ELEVATION FOR  
PLAZA CONCORDANCE
- ( ) RECORD DATA FOR PLAZA CONCORDANCE
- POINT OF PLAT LINE
- CONCRETE CURB
- PLAZA LINE
- TELEPHONE POST
- CABLE TELEVISION (AND) BOX
- GAS METER
- ELECTRIC METER
- ELECTRIC JUNCTION BOX
- CONCRETE (ELECTRIC) FOUNDATION
- GAS METER
- ROOF DRAIN
- RAIN METER
- WATER VALVE
- FIRE HYDRANT
- CLEAN OUT
- DRAIN
- ASPHALT CURB
- CONCRETE STEP
- OR AS INDICATED
- METAL GATE
- CATCH BASIN
- HAND RAIL
- FENCE AS NOTED
- TREE AS NOTED

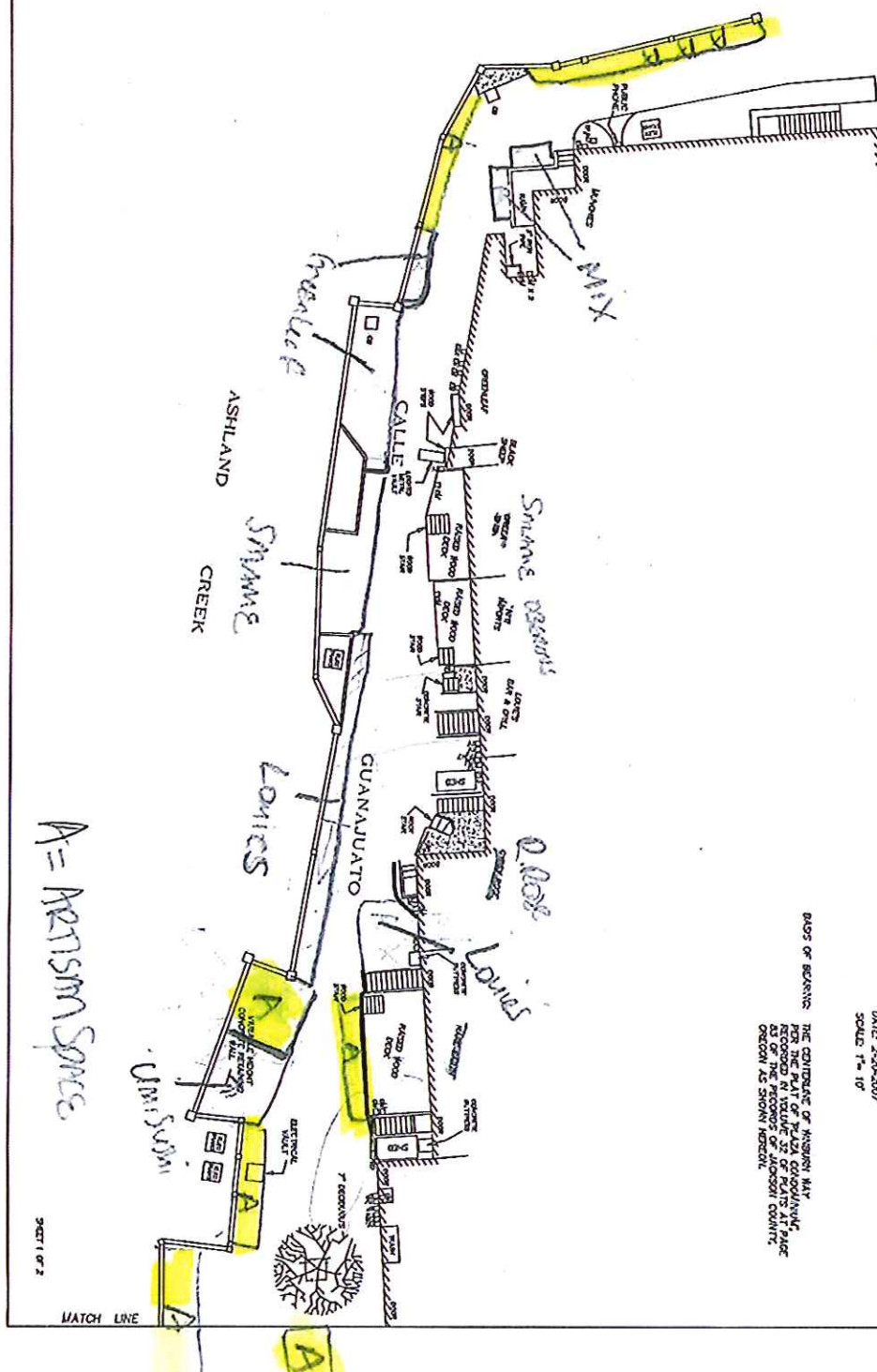
TERRASURVEY, INC.  
PROFESSIONAL LAND SURVEYORS  
224 NORTH STREET  
ASHLAND OREGON 97520  
PHONE 924-1111  
FAX 924-1112

SHEET 2 OF 2





FOR  
DEPARTMENT OF PARKS AND RECREATION  
CITY OF ASHLAND  
340 SOUTH PIONEER STREET  
ASHLAND, OREGON 97520

[illegible]

THE COPIES OF HISBURY MAY  
FOR THE PLAY OF PLAZA GOVERNMENT,  
RECORDED IN VOLUME 32 OF PLATS AT PAGE  
83 OF THE RECORDS OF JACKSON COUNTY,  
OREGON AS SHOWN HEREON.

NOT TO SCALE

DATE: 2-20-2009  
SCALE: 1"= 10'



**TERRASURVEY, INC.**  
PROFESSIONAL LAND SURVEYORS  
271 FOX RITH STREET  
ASHELAND, OREGON 97103  
(503) 482-6744  
SERVING THE PAC

Page 1 of 2

MATCH LINE

**Exhibit B**  
**Proposal Documents**

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Ashland Parks & Recreation Department

**REQUEST FOR**  
**ARTISAN MARKET SPACE-CALLE GUANAJUATO**

**NAME OF RESTAURANT** \_\_\_\_\_ **WK PHONE** \_\_\_\_\_

**MESSAGE PHONE** \_\_\_\_\_ **EMAIL ADDRESS** \_\_\_\_\_

**NAME OF AUTHORIZED REPRESENTATIVE** \_\_\_\_\_

**WHAT IS THE BEST WAY TO CONTACT YOU? \* (Circle one) email/phone**

**MAILING ADDRESS**

\_\_\_\_\_

**CITY** \_\_\_\_\_ **STATE** \_\_\_\_\_ **ZIP** \_\_\_\_\_

**TOTAL NUMBER OF SQUARE FEET REQUESTED?** \_\_\_\_\_ (**\$** \_\_\_\_\_ **per square foot**)

**Date** \_\_\_\_\_

\_\_\_\_\_  
**Signature (owner or representative)**

\*\*\*\*\*

**Total Square Footage x \$** \_\_\_\_\_ **=** \_\_\_\_\_ **Date Paid** \_\_\_\_\_

**The following items must be obtained before license can be issued:**

- **Business License Number:** \_\_\_\_\_
- **Copy of Insurance Certificate naming City of Ashland as additional insureds**

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## Exhibit C

### Insurance Requirements

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The Concessionaire, at its sole cost and expense, commencing on the effective date of this License, shall procure and maintain insurance acceptable to the City in full force and effect throughout the term of this License. It is agreed that any insurance maintained by City shall apply in excess of, and not contribute with, insurance provided by Concessionaire. Concessionaire's Insurance shall be primary and non-contributory and have a cross-liability clause. During the term of this contract, Concessionaire shall maintain in full force, all the insurance coverage noted below with the City named as additionally insured:

1. **Comprehensive General Liability** insurance, with a general aggregate limit of not less than \$2,000,000 and \$2,000,000 per occurrence. Each policy shall contain a blanket contractual liability endorsement to cover the Concessionaire's indemnification and other obligations under this License as well as owners' and contractors' protective insurance, products and completed operations coverage, fire damage, personal and advertising injury coverage. It shall also include, if appropriate for the contract, coverage for Concession Area operations, explosion and collapse hazard, underground hazard, products, completed operations, contractual insurance, and independent contractors.
2. **Comprehensive Automobile Liability** insurance, with a general aggregate limit of not less than \$2,000,000 and \$2,000,000 per occurrence, including coverage for owned, hired or non-owned vehicles.
3. **Notice of cancellation or change.** There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without 30 days written notice from the Concessionaire or its insurer(s) to the City.
4. **Certificates of insurance.** As evidence of the insurance coverage's required by this contract, the Concessionaire shall furnish acceptable insurance certificates to City at the time Concessionaire returns signed contracts. For general liability insurance and automobile liability insurance the certificate will provide that the City, Parks Commission, its officers, employees and agents are Additional Insureds. The certificate will include the 30-day cancellation clause, and will include the deductible or retention level. Insuring companies or entities are subject to City acceptance. If requested, complete copies of insurance policies shall be provided to the City. The Concessionaire shall be financially responsible for all pertinent deductibles, self-insured retention's, and/or self-insurance. **Certificates of Insurance shall be forwarded to: (Ashland Parks and Recreation 340 S. Pioneer St., Ashland OR 97520).**
5. **Workers Compensation** insurance in compliance with Oregon Statutes, [ORS 656.017] which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers. (Required of Concessionaires with one or more employees, unless exempt under ORS 656.027). ) Only if Concessionaire does not employ workers subject to ORS Chapter 656, Concessionaire shall sign the following affidavit:

#### EXEMPTION AFFIDAVIT

Concessionaire declares, under penalty of perjury and false swearing, that Concessionaire does not currently employ, and will not employ any individuals for work under this contract during the term this License is in force.

\_\_\_\_\_  
Concessionaire

Date: \_\_\_\_\_

**Exhibit B**  
**Proposal Documents**

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Ashland Parks & Recreation Department

**REQUEST FOR**  
**RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**

NAME OF RESTAURANT Sesame WK PHONE 541 482 0119  
MESSAGE PHONE 541 292 6874 EMAIL ADDRESS lisa.j.beam@mac.com  
NAME OF AUTHORIZED REPRESENTATIVE Lisa Beam

WHAT IS THE BEST WAY TO CONTACT YOU? \* (Circle one) email/phone

**MAILING ADDRESS**

21 Winburn Way  
CITY Ashland STATE OR ZIP 97530

**DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)**

\* Same as last year.

ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?  
(Circle One) YES ☒ NO

TOTAL NUMBER OF SQUARE FEET REQUESTED? 520 (\$ 7.<sup>00</sup> per square foot)

WILL ALCOHOLIC BEVERAGES BE SERVED? ☒ YES ☐ NO

Date 1/14/15

[Signature]  
Signature (owner or representative)

\*\*\*\*\* STAFF ONLY BELOW THIS LINE

Total Square Footage x \$ \_\_\_\_\_ = \_\_\_\_\_ Date Paid \_\_\_\_\_

**The following items must be obtained before license can be issued:**

- Business License Number: \_\_\_\_\_
- Copy of OLCC License for outdoor seating \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds



**Exhibit B  
Proposal Documents**

Ashland Parks &amp; Recreation Department

**REQUEST FOR  
RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**NAME OF RESTAURANT Um) SUSHI WK PHONE 541-9518386MESSAGE PHONE \_\_\_\_\_ EMAIL ADDRESS CARL.CANDOS@GMAIL.COMNAME OF AUTHORIZED REPRESENTATIVE: CARL TINSLEYWHAT IS THE BEST WAY TO CONTACT YOU? \*(Circle one) email/phone

## MAILING ADDRESS

29 N MAIN STCITY ASHLAND STATE OR ZIP 97520

DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)

ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?  
(Circle One) YES NOTOTAL NUMBER OF SQUARE FEET REQUESTED? 180 (\$ 7.00 per square foot)WILL ALCOHOLIC BEVERAGES BE SERVED? X YES NO

Date

1/20/15

Signature (owner or representative)

C. Tinsley

\*\*\*\*\* STAFF ONLY BELOW THIS LINE

Total Square Footage x \$ 7.00 = 1260.00 Date Paid \_\_\_\_\_

The following items must be obtained before license can be issued:

- Business License Number: \_\_\_\_\_
- Copy of OLCC License for outdoor seating \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds

**Exhibit B**  
**Proposal Documents**

Ashland Parks & Recreation Department

**REQUEST FOR**  
**RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**

**NAME OF RESTAURANT** LOUIES **WK PHONE** 541 282-9701 *plz do not call - call Melissa's personal cell*  
*Melissa's personal cell*  
**MESSAGE PHONE** 541 301 4068 **EMAIL ADDRESS** Melissa Jensen 7@gmail.com  
**NAME OF AUTHORIZED REPRESENTATIVE** MELISSA JENSEN TOM DUBOIS

**WHAT IS THE BEST WAY TO CONTACT YOU? \*** (Circle one) email/ (phone)

**MAILING ADDRESS**

41 NORTH MAIN

**CITY** ASHLAND **STATE** OR **ZIP** 97520

**DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)**

SAME AS 2014

**ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?**

(Circle One) YES (NO) SAME AS 2014

**TOTAL NUMBER OF SQUARE FEET REQUESTED?** 577 (\$ 7.2 per square foot)

**WILL ALCOHOLIC BEVERAGES BE SERVED?** X YES        NO

**Date** 12/17/2014

*Melissa Jensen*  
**Signature (owner or representative)**

\*\*\*\*\* STAFF ONLY BELOW THIS LINE

**Total Square Footage x \$**        =        **Date Paid**       

**The following items must be obtained before license can be issued:**

- Business License Number:
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds

**Exhibit B**  
**Proposal Documents**

Ashland Parks & Recreation Department

**REQUEST FOR**  
**RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**

NAME OF RESTAURANT Salame WK PHONE 541.708.5881  
MESSAGE PHONE 778.9297 EMAIL ADDRESS salumiashland@gmail.  
NAME OF AUTHORIZED REPRESENTATIVE anna Hogan  
WHAT IS THE BEST WAY TO CONTACT YOU? \*(Circle one) email/ phone  
MAILING ADDRESS 47 North Main  
CITY Ashland STATE OR ZIP 97520  
DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)

ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?  
(Circle One) YES NO

TOTAL NUMBER OF SQUARE FEET REQUESTED? 280 (\$ 7.25 per square foot)

WILL ALCOHOLIC BEVERAGES BE SERVED? X YES NO

Date 1.16.15

[Signature]  
Signature (owner or representative)

\*\*\*\*\*

Total Square Footage x \$ 7.25 = 2030 Date Paid \_\_\_\_\_

The following items must be obtained before license can be issued:

- Business License Number: \_\_\_\_\_
  - Copy of OLCC License for outdoor seating \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds

**Exhibit B**  
**Proposal Documents**

Ashland Parks & Recreation Department

**REQUEST FOR**  
**RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**

NAME OF RESTAURANT Oberon's Tavern WK PHONE (541) 482-2316  
MESSAGE PHONE (541) 864-9922 EMAIL ADDRESS thenextquest@hotmail.com  
NAME OF AUTHORIZED REPRESENTATIVE Jordan Mackay  
WHAT IS THE BEST WAY TO CONTACT YOU? \*(Circle one) email/ phone

**MAILING ADDRESS**

45 N. Main St.  
CITY Ashland STATE OR ZIP 97520

**DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)**

The space immediately behind 45 N. Main street and stretching slightly in either direction

**ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?**  
(Circle One) YES NO

**TOTAL NUMBER OF SQUARE FEET REQUESTED?** 350 (\$ ? per square foot)

**WILL ALCOHOLIC BEVERAGES BE SERVED?** X YES NO

Date 12/19/14

Jordan Mackay  
Signature (owner or representative)

\*\*\*\*\* STAFF ONLY BELOW THIS LINE

**Total Square Footage x \$ \_\_\_\_\_ = \_\_\_\_\_ Date Paid \_\_\_\_\_**

**The following items must be obtained before license can be issued:**

- Business License Number: \_\_\_\_\_
- Copy of OLCC License for outdoor seating \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds

No  
Available  
Space

✓  
Scanned

**Exhibit B**  
**Proposal Documents**

Ashland Parks & Recreation Department

**REQUEST FOR**  
**RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**

NAME OF RESTAURANT Greenleaf WK PHONE 541-482-2808  
MESSAGE PHONE 541-941-1428 <sup>Daniel cell</sup> EMAIL ADDRESS Daniel@greenleafrestaurant.com  
NAME OF AUTHORIZED REPRESENTATIVE Daniel Greenblatt  
WHAT IS THE BEST WAY TO CONTACT YOU? \* (Circle one) email / phone

MAILING ADDRESS  
49 North Main St.  
CITY Ashland STATE OR ZIP 97520


DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)

ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?  
(Circle One) YES NO

TOTAL NUMBER OF SQUARE FEET REQUESTED? 345.75 <sup>Same as 2014 or more!!</sup> (\$ 7.00 per square foot)

WILL ALCOHOLIC BEVERAGES BE SERVED? YES NO

Date 12-17-14

  
Signature (owner or representative)

\*\*\*\*\* STAFF ONLY BELOW THIS LINE

Total Square Footage x \$ 345.75 x \$ 7.00 = 2420.25 Date Paid \_\_\_\_\_

The following items must be obtained before license can be issued:

- Business License Number: \_\_\_\_\_
- Copy of OLCC License for outdoor seating \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds

✓  
Scanned

**Exhibit B  
Proposal Documents**

Ashland Parks & Recreation Department

**REQUEST FOR  
RESTAURANT SERVICE SPACE-CALLE GUANAJUATO**

NAME OF RESTAURANT Miso bakeshop WK PHONE 541. 488. 9885  
MESSAGE PHONE 541. 326. 7480 EMAIL ADDRESS jami@amuserestaurant.com  
NAME OF AUTHORIZED REPRESENTATIVE Jamie North  
WHAT IS THE BEST WAY TO CONTACT YOU? \*(Circle one) email / phone  
MAILING ADDRESS 57 N. Main Street  
CITY Ashland STATE OR ZIP 97520

DESCRIPTION OF AREA. SEE ATTACHED PICTURE (Exhibit A)

Same as last year

ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?  
(Circle One) YES NO

TOTAL NUMBER OF SQUARE FEET REQUESTED? 96 ~~100~~ (\$ 7.2 per square foot)

WILL ALCOHOLIC BEVERAGES BE SERVED? X YES NO

Date 1/14/14

Signature (owner or representative)

\*\*\*\*\* STAY ONLY BELOW THIS LINE

96  
Total Square Footage x \$ 7.2 = \$672.00 Date Paid \_\_\_\_\_

The following items must be obtained before license can be issued:

- Business License Number: \_\_\_\_\_
- Copy of OLCC License for outdoor seating \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds

**Exhibit B**  
**Proposal Documents**

---

Ashland Parks & Recreation Department

**REQUEST FOR**

**ARTISAN MARKET SPACE-CALLE GUANAJUATO**

Market Lithia Artisans Market  
NAME OF RESTAURANT of Ashland (LAMA) WK PHONE 541 301 9811

MESSAGE PHONE Same EMAIL ADDRESS marcosantoncous@gmail.com

NAME OF AUTHORIZED REPRESENTATIVE Marcel Scott

WHAT IS THE BEST WAY TO CONTACT YOU? \*(Circle one) email/phone either/both

MAILING ADDRESS  
PO Box 3585

CITY Ashland STATE OR ZIP 97520

TOTAL NUMBER OF SQUARE FEET REQUESTED? 1600-1800 <sup>sq ft</sup> (\$ 500 per square foot)

Date Feb 10, 2015 [Signature]  
Signature (owner or representative)

\*\*\*\*\*

Total Square Footage x \$ \_\_\_\_\_ = \_\_\_\_\_ Date Paid \_\_\_\_\_

The following items must be obtained before license can be issued:

- Business License Number: \_\_\_\_\_
- Copy of Insurance Certificate naming City of Ashland as additional insureds



## 2015 Calle Guanajuato Marketplace Artisan's Concessionaire License

This **ARTISAN LICENSE** (also referred to herein as "License") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by and between the **City of Ashland**, a municipal corporation of the State of Oregon, by and through the **Ashland Parks and Recreation Commission**, (hereinafter collectively referred to as "City"), and **Lithia Artisans Market of Ashland** (hereinafter referred to as "Concessionaire").

1. **SCOPE OF GRANT:** Concessionaire has license to operate and maintain an outdoor marketplace within the described Concession Area Exhibit A.
  - a. This license gives no estate or interest in the Concession Area, is revocable and not assignable.
  - b. This license does not otherwise waive, modify or grant compliance with federal, state, or local laws applicable to the Concessionaire or its business.
  - c. The City retains all rights to use and maintain the Concession Area for those purposes which it holds the property without unreasonably interfering with the license granted to concessionaire.
2. **TERM / EFFECTIVENESS:** The term of this License shall commence upon approval and execution by both City and Concessionaire and shall terminate on November 15, 2015, unless terminated early as provided for herein.
3. **DURATION / MINIMUM INTERVAL OF USE:** The duration and scope of the revocable License and Concession granted by this License is for one season, beginning **March** \_\_, **2015** and ending **November** \_\_, **2015**.
  - a. Concessionaire is permitted to prepare, operate, and shall terminate Concession Area for outdoor marketplace operation between the period beginning Sunday March 15, 2015 at 11 A.M. and ending Sunday November 15, 2015 at 5:00 P.M. The Market can only operate on Saturdays from 10am-6pm and Sundays from 11am-5pm. The market can operate on the 4<sup>th</sup> of July Holiday, regardless of which day it falls upon.
4. **PAYMENT OF LICENSE FEES AND REIMBURSABLE EXPENSES:**
  - a. Concessionaire shall pay a license fee based upon the square footage of the Concession Area. The square footage awarded shall be determined each year by written order of the Parks Director and shall be set forth precisely in Exhibit A.
    - i. The square footage flat fee shall be **\$5.00** per square foot for the Lithia Artisans Market, for the 2015 concession year.
    - ii. Any payments for fees, taxes or assessments required or in arrears or disputed must be made by Concessionaire before any new license will be authorized for the Concessionaire.
  - b. The Concessionaire will reimburse the city for all actual utility and service costs the city provides, including electric power, water, sewer, garbage and cleaning services as applicable.
5. **USE OF PREMISES AND CONCESSION OPERATION LIMITS:**
  - a. Concessionaire will operate the Marketplace independently of the established Plaza Merchant businesses.
    - i. Concessionaire will assure that all market vendors and their agents limit their merchandise sales to handcrafted and personally created items.
    - ii. Concessionaires will further assure that all market vendors, their agents, and/or their guests and customers do not act, in any manner, to:
      1. Damage, conflict or interfere with Plaza Merchant businesses, including operations during permitted access and normal business functions.
      2. Sell mass produced items by virtue of this concession.
      3. Serve any type of prepared or packaged food or edible and/or beverage within the Concession Area.
  - b. **Compliance with Law.** Comply with all federal, state and local laws, rules,

and regulations applicable to public health and safety and licensing related to food and food handling and doing business in the State and City of Ashland;

- i. Concessionaire is responsible for obtaining a business license in accordance with AMC Chapter 6.04. If Concessionaire does not pay for a license, for any reason whatsoever, then each vendor shall be required to obtain an individual business license. See, AMC 6.04.085.
    - ii. Any permit or authorization granted by the City, shall not in any way be interpreted as a waiver, modification, or grant of any other city, state, county or federal agency permits or authorizations or permission to violate any city, state, county or federal law or regulation.
    - iii. Failure to comply with any provision of this section is grounds for immediately revoking Concessionaire's license. The City reserves the right to seek penalties for Concessionaire's or vendors' violations of law including enforcement of its own Ashland Municipal Code.
  - c. **Maintenance and Safety.** Maintain all the grounds, improvements, facilities, assets equipment and fixtures contained within the Concession Area in good repair and in safe, sanitary, clean, and attractive condition that is approved acceptable by the City, such approval not to be unreasonably withheld.
  - d. **Temporary Structures.** Except for placement of temporary structures authorized below, this Agreement does not authorize or permit physical improvements or alterations to City property or installation of structures or fixtures within the Concession Area without the express written authorization of the City Parks Director and the Community Development Director.
  - e. Concessionaire may allow each market vendor to construct a temporary structure in accordance with size and safety specifications as found in the Calle Guanajuato Vendor Information Handbook.
    - i. All booths shall be kept neat with tables covered and boxes out of sight.
    - ii. Concessionaire shall pack out all garbage and keep the Concession Area in a clean and neat order during the Marketplace hours of operation
      1. Refuse will be collected as soon as possible consistent with normal operations of the sanitary service, and each day within two (2) hours after the Marketplace closure.
      2. The Marketplace shall not use trash receptacles which belong to or are paid for by Plaza business establishments.
    - iii. Concessionaire will promptly remove and/or correct any structure, fixture, or condition in violation of this License upon the reasonable request by the City.
6. **FIRE AND LIFE SAFETY.** Concessionaire shall comply with any and all fire and life safety guidelines, recommendations and requirements issued by the City of Ashland Fire Marshal, including, but not limited to:
  - a. Maintain all required fire and emergency access areas;
  - b. Ensure that permitted equipment shall not encroach upon or obstruct public walkways or open space areas while maintaining a clear eight (8) foot pathway for emergency vehicles as approved by the City of Ashland Fire Marshal;

- c. Maintain a clear, unobstructed space around any fire hydrant as required for fire safety;
  - d. Have available and shall maintain such fire extinguishers as determined by the Fire Marshal;
  - e. Advise patrons and shall strictly abide by the Park prohibition on smoking. Smoking is not permitted on the Concession Area under any circumstances; and
  - f. No use any bottled gas, electrical devices, or hazardous materials or hazardous substances without prior approval by the Ashland Parks Director. [For purposes of this License "Hazardous Substance" or "Hazardous Material" means any hazardous, toxic, infectious, or radioactive substance, waste, or material as defined or listed by any local, state or federal environmental law.]
7. **VEHICULAR ACCESS.** As otherwise provided herein, Concessionaire shall strictly comply with vehicular access to the Calle Guanajuato as is permitted by AMC 10.68.400.
- a. City, at its sole discretion, will issue revocable access permits to Concessionaire according to limited purposes and for limited times to facilitate set up, take down, and removal of structures, equipment, supplies, waste, and other materials authorized by this License.
  - b. Vehicles will exclusively ingress and egress from Winburn Way, and will not enter or exit from the plaza end of Calle Guanajuato; nor will they extend beyond the area designated for the Concession.
  - c. At no time will the Concessionaire interfere with the eight (8) foot path required for emergency vehicles.
  - d. The Concessionaire shall ensure that appropriate pedestrian safety precautions are maintained while vehicles using the access permits are in the vicinity.
  - e. Concessionaire shall procure and maintain insurance in accordance with the requirements of Exhibit C in full force and effect throughout the term of this
8. **INSURANCE:** Concessionaire shall, at its sole cost and obligation, procure and maintain insurance in accordance with the requirements of Exhibit C in full force and effect throughout the term of this License. Concessionaire shall provide the City with copies of said insurance certificates and shall name the City of Ashland as additional insureds.
9. **INDEMNITY AND HOLD HARMLESS:** Concessionaire will defend, indemnify and hold City and/or Parks Commission, their officers, employees and agents harmless from any and all losses, claims, actions, costs, expenses, judgments, subrogations, or other damages resulting from injury to any person (including injury resulting in death,) or damage (including loss or destruction) to property, of whatsoever nature arising out of or incident to this license or the activities that take place on licensed property. Concessionaire waives the right of subrogation regarding the insurance policy as described in the Insurance Section in this License. Concessionaire will not be held responsible for damages caused by negligence of City and/or the Parks Commission.
- a. The obligation to indemnify is expressly understood to survive termination of this License for any reason, and includes reasonable attorneys' fees, including attorneys' fees on appeal, and investigation costs and all other reasonable costs, expenses and liabilities incurred by City or its attorney from the first notice that any claim or demand is to be made or may be made.
10. **TERMINATION:** Notwithstanding any other provision herein, the City may terminate this license, in whole or in part, at any time for any reason considered by the City, in the exercise of its sole discretion, to reasonably be in the public interest. The City will provide the Concessionaire seven (7) days prior written notice of a termination for public convenience.
- a. Concessionaire's remedy to contest termination of the license by City is provided in AMC 2.30, Uniform Administrative Appeals Process.
  - b. Notwithstanding any other provision herein, City may order vacation of the Concession Area or immediately remove the Concessionaire or any other

person who may be occupying the Concession Area without resort of a Court Order sanctioning such action.

- c. Upon failure to vacate, City is expressly authorized to remove all Concessionaire property from the Concession Area at the Concessionaire's expense.

- i. City will reasonably maintain the property of the Concessionaire for at least 30 days and shall leave it reasonably available for Concessionaire to take possession. City may dispose of any property that remains unclaimed after 30 days. The City may use reasonable discretion to immediately dispose of non-durable or solid waste, including but not limited to food and other putrescible waste.

- 11. **SURRENDER:** Upon the expiration of the original term or terms, as extended by the parties, Concessionaire shall surrender to the City the Concession Area in as good or better condition and order as was originally received; except as allowed for within the typical wear and tear.

- 12. **DISPUTE RESOLUTION AND ATTORNEY FEES:** The preferred method of resolving disputes between the parties under this License shall be first by mediation. Mediation shall be conducted by a mediator chosen by mutual agreement of the parties; if there is no agreement, the mediator shall be appointed by the elected Municipal Court Judge or Judge pro tem.

- a. Any mutually incurred cost from the provision of these services, except costs associated with building a case including but not limited to attorney fees or fees for expert witnesses, shall be shared equally between the two parties.
  - b. In any administrative appeal or litigation between the parties arising out of this license, the prevailing party shall recover its reasonable attorneys fees incurred at trial and upon appeal. "Attorneys fees" shall include the reasonable value of the services of in-house counsel.

13. **MISCELLANEOUS PROVISIONS.**

- a. **Notice.** Any notice affecting the rights of the parties under this License shall be delivered in writing either in person or to the following parties by first class mail:

City: Director, Michael A. Black  
Ashland Parks and Recreation Commission  
340 South Pioneer Street  
Ashland, Oregon 97520  
(Telephone 541-488-5340; FAX: 541-488-5314)

Copy to: City Administrator, Dave Kanner  
City of Ashland  
20 East Main Street  
Ashland, Oregon 97520  
(Telephone: 541-552-2100; Fax: 541-488-5311)

Concessionaire: Name: Lithia Artisans Market of Ashland  
Attn to:  
Address:  
Phone Number:

- b. **Governing Law.** This License, and all matters relating to this License, shall be governed by the laws of the State of Oregon in force at the time any need for interpretation of this License or any decision or holding concerning this License arises. The parties to this License do not intend to confer on any third party any rights under this License.
    - c. **Severability.** If any provision of this License is held by a court of competent jurisdiction to be either invalid, void, or unenforceable, the remaining provisions of this License shall remain in full force and effect.
    - d. **Merger.** THIS LICENSE CONTAINS THE ENTIRE AGREEMENT BETWEEN THE PARTIES HERETO AND SUPERSEDES ANY AND ALL PRIOR EXPRESS AND/OR IMPLIED STATEMENTS, NEGOTIATIONS AND/OR AGREEMENTS BETWEEN THE PARTIES, EITHER ORAL OR WRITTEN, AND MAY NOT BE AMENDED, CHANGED

OR MODIFIED IN ANY WAY, EXCEPT BY WRITTEN AGREEMENT SIGNED BY ALL PARTIES HERETO.

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.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015

**Licensee / Concessionaire:**

**Licensors/City of Ashland,  
Oregon:  
Parks and Recreation  
Commission**

\_\_\_\_\_  
*Printed Name:*\_\_\_\_\_

\_\_\_\_\_  
Michael A. Black, Director  
Ashland Parks and Recreation

**Date:**\_\_\_\_\_

**Date:**\_\_\_\_\_

\_\_\_\_\_  
Dave Kanner, City Administrator

Approved as to form:

\_\_\_\_\_  
Dave Lohman, City Attorney

## Exhibit A- Concession Area

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See attached picture and highlight entire area of interest.

**Exhibit D**  
**Minimum Policies, Procedures, and Concession Standards for**  
**Outdoor Dining on Calle Guanajuato**

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*The Ashland Parks and Recreation Commission may award a concession on the Calle Guanajuato to Plaza restaurants, adjacent to Calle, for the specific purpose of placing outdoor food service tables on approved concession sites, said sites designated and approved by the Parks Director on an annual basis. The Policies, Procedures and Standards below govern this process. [Subject to change by the Parks Commission].*

**Definitions** For the purpose of this document, all references, certain words and phrases are defined, and certain provisions shall be constructed as herein set out, unless it appears from their context that a different meaning is intended.

- "Restaurants" shall pertain strictly to City of Ashland Plaza Restaurant owners and establishments adjacent to Calle Guanajuato. These restaurants are in the business of selling or causing to be sold for cash or consideration of any kind any of the following items: food or edibles of any type whether hot, cold, fresh prepared or packaged. This definition includes an offer for sale.
- "Concession" is that City authorization which provides the restaurant owner the right to maintain a restaurant venture at a certain location on the Calle Guanajuato.
- "Calle Guanajuato" is that area behind the Ashland Plaza business area, adjacent to the south side of Ashland Creek, between North Main Street and Winburn Way.
- "Restaurant Equipment" includes but is not limited to any materials, merchandise, tools, carts, tables chairs, podiums, or other items owned by, in possession of or associated with a licensed restaurant owner.
- "Restaurant Owner" is a person or legal entity who is the legal owner of the restaurant business.
- "Employee" means any person hired or paid compensation by, or any person under contract to, a licensed restaurant owner.
- "Site Location" (also referred to as "concession area", or "premises" is that useable space or area on Calle Guanajuato which has been allocated for individual plaza restaurant use by the Ashland Parks Director.
- "Licensed" is that business license required by the City of Ashland constituting a tax for revenue purposes, and is not a regulatory permit fee. The payment of a license tax required by, and its acceptance by the City, and the issuance of such license to any person, shall not entitle the holder thereof to carry on any business on the Calle Guanajuato unless he or she has complied with all the requirements of the City and all other applicable site permit policies and rules of the Ashland Parks and Recreation Commission as agreed upon when obtaining a site permit.

**Restaurant Concession Application.**

- Every plaza restaurant, adjacent to Calle Guanajuato, desiring an outdoor dining concession on the Calle Guanajuato shall file an application with the Ashland Parks and Recreation Commission upon a form obtained from the Ashland Parks and Recreation Department. The applicant shall meet the application deadline and place the same on file with the department.

**Review of Concession Applications.**

**Restaurants shall have first priority for all Calle Guanajuato alcove use as site locations. Calle's alcove position, design and square footage provides an appropriate setting for restaurant traffic and layout.**

Upon receipt of applications, the Ashland Parks and Recreation Commission shall review each according to the following "priority" criteria:



- Restaurant proximity shall constitute a major determining factor for a site location on Calle Guanajuato. Only restaurants that are adjacent to and have the greatest accessibility to a designated location shall have contractual preference.
- Restaurant "seniority" shall take precedence when two or more restaurants are within the same proximity to a site location. "Seniority" shall be determined by a review of past year's site permit agreements affording privilege status to most recent and / or continuous use. Final selection shall be made by the Commission.

#### **Restaurant Concession Fee Schedule.**

The Calle Guanajuato Restaurant Concession Fee Schedule shall be set at **\$7.00 per square foot of use.** **March \_\_ through November \_\_** shall constitute a concession season. **The site permit fee shall be paid by the second Friday of May of each year covered under the permit.** Minimum Period of operation is between Memorial Day and Labor Day.

#### **Restaurant Concession Reservation and Duration.**

1. Any restaurant concession shall be nontransferable and shall be valid for one season in a single calendar year.
2. No Plaza restaurant may hold or be issued more than one concession. (Owners with interests in multiple restaurants are not restricted by this provision).
3. Should a restaurant "abandon" a reserved site, it shall be "awarded" through the competitive process under the selection "Review of Applications."
4. At the end of each year, during the month of December, an "intent" notification shall be required of the restaurant owner regarding continued use of the original reservation. After the third (3) consecutive "intent" notification, the restaurant must reapply for a new concession and no reservation will held.
5. In considering "intent" notifications, the Ashland Parks and Recreation Commission shall consider the original application criteria in the section "Review of Applications" and the restaurant owner's compliance with other applicable City laws and regulations. Any site permit reservation which is rescinded shall receive in writing an explanation of such action from the Commission.

#### **Restaurant Cancellation.**

- A restaurant issued a concession may be canceled at the request of the restaurant owner. In such case, the annual site permit fee requirement shall be null and void.
- In the event of a cancellation, the restaurant site vacated shall be available for another licensed plaza restaurant owner or designated as part of the Calle Guanajuato Marketplace Concession.
- The Ashland Parks and Recreation Department reserves the right to revoke any restaurant's concession for a designated Calle area at any time if that individual restaurant does not conform to applicable law, including but not limited to the rules and regulations established by the Ashland Parks and Recreation Commission.

#### **Restaurant Concession Regulations.**

- Concessionaires shall be required to enter into a standard Concession agreement with the City to lawfully operate a concession on city park property.

Lithia Artisans Market of Ashland (LAMA)  
PO BOX 3585  
Ashland, Oregon 97520

Feb. 17, 2015

**OFFICIAL REQUEST FROM LITHIA ARTISANS MARKET OF ASHLAND (LAMA)**

Writing on behalf of the Lithia Artisans Market of Ashland (**LAMA**). We are pleased to see the additional month (March 15th) of concessions on Calle Guanajuato. Expanded opportunity is always appreciated.

LAMA would like to propose a couple of simple adjustments to our current agreement with Parks and Recreation of Ashland.

-We would like to officially add July 4th to the days we are allowed to sell our crafts along Calle Guanajuato. The 4th of July holiday often falls on a weekday and we have historically been open on that day; however, it is not in the official contract so we have to get special permission yearly for this day of vending. Our setup and breakdown times would coincide with the Chamber of Commerce 4th of July hours of operation in Lithia Park. We request simply making this part of the contract.

-We would like to officially add Memorial Day, and Labor Day to the days we are allowed to sell along Calle Guanajuato. We have been open for these Monday holidays in the past. Those two holidays are also not part of our contract. As those two holidays happen during our regular season on Calle Guanajuato, we would like the opportunity to sell on those days and recommend adding these holidays to the contract. Our setup and breakdown times would be the same as our weekend market with vendor cars off of the Calle before 8am.

Thank you for your consideration.

Sincerely,

Marcus Scott (LAMA Manager)

## Calle Space Allocation Proposal

2/9/15

Long-term issues relating to existing Calle space allocation for 45 North Main street and any other new bar/restaurant businesses trying to survive in the Calle-access block of the plaza area are as follows:

- 1). Because of the disproportionately high rent for spaces in the plaza, all of the bar/restaurant spaces with any real ground floor access depend on rental options on the Calle to bolster their sales through the Spring and Summer months. On a nice day, the majority of bars and restaurants along the Calle are empty or emptied out almost entirely as the vast majority of patrons prefers to eat outside. Between the hours of 11am and 9pm, most restaurants with access to Calle seating do 75% or more of their total business because of access to riverside seating. Without this seating option, a new bar/restaurant business trying to survive on the Calle is at a crippling disadvantage.
- 2). There are two inherently conflicting policies that currently exist to govern the allocation of space on the Calle. The first policies expressly states that each year is a brand new rental contract - one that begins in April and contractually terminates in November. The second policy, in direct opposition to the first, gives long-term rental and space-allocation precedence to certain established businesses regardless of the footprint size of the business, or its proximity to the rented space.
- 3). This second policy rewards long-running and already financially successful businesses with a disproportionately large amount of outdoor seating, which then leaves newer businesses with a very small share of the seating available, or none at all. Those new businesses are the ones who are in desperate need of every financial opportunity they can get to survive the financially tumultuous first few years, and yet because there is limited or no access to Calle use, are not able to have the same opportunities as their neighbors. This policy rewards the already rewarded and retards the growth and survival of new businesses on the Calle.
- 4). *In my personal circumstances:* because I have been unable to access the Calle, I have come into months of conflict with my neighbors and the OLCC for a variety of reasons. Without access to seating on the Calle, I cannot afford to employ anyone to monitor our presence out back. Drifter kids have, on a few occasions, left heaps of personal items or tied up dogs behind our deck, and we have not discovered the animals or items in time to prevent a disturbance to the tranquility of surrounding diners, which frustrates our neighbors and wastes the time of P&R personnel as Rachel is barraged with a repetitive stream of complaint emails. Our difficulties are further compounded in a very serious way to the health of our business - according to OLCC laws, if a patron steps even a single foot off of our back deck with an alcoholic beverage in hand, we are liable for a \$1,155 ticket. And, after three of those tickets (which grow to \$1,650 and \$3,600 respectively) we are in grave danger of having our license cancelled entirely. Literally dozens of patrons step off our porch with a beer in hand weekly during the warm weather months, as they expect us to have seating out back, like every other ground-floor restaurant on the Calle does. You can see my dilemma. The OLCC literally urged me to hire a person to simply sit on my back deck for 12 hours a day and prevent people from walking outside, which is a ludicrous hiring expense that I can't afford due to the lack of business during sunlit hours because nobody wants to eat indoors when they can sit outside on the Calle.
- 5). Because of that inability to make money in the normal restaurant manner of my neighbors from outdoor seating, I am forced to rely heavily on a nightlife scene, which only furthers the conflict with my neighbors because of resultant noise and cigarette butts. I now have employees sweeping outside three times a day to keep the peace. If the P&R were able to provide me with the opportunity to rent Calle space, I could convert more towards a restaurant and reduce our dependency on a potentially disruptive late night scene.

6). My problem is not a unique one, and it will not go away. Because of existing policies, no new bar and restaurant business will have access to that space. And because of those same policies being in place, I cannot hope to operate at a profit. Which means I must sell, but I can't sell for any kind of reasonable sum, because the next owner will know that they won't have access to the Calle either. The space is now set up to be a food service establishment, and anyone who buys it will do so with the intention of keeping in that business vein. So the problem, and the resultant conflict with neighbors, will continue indefinitely if not addressed with new policies.

**I thusly propose; request; entreat; flat-out beg:**

That the Calle space allocation process be update to provide a distribution of space which allows all ground-floor access restaurant/bar businesses equal opportunity for success and survival, regardless of length of time they have been in business. As the rental monies collected from the Calle space would be the same for the city regardless of who is paying for them, I can only hope that the P&R department would wish to take a course of action that is judicious and encourages healthy growth of new businesses. There are two fair ways of allocating space that I can think of, and either one is (personally) amenable.

**1): To divide existing space by the number of ground-floor restaurant/bar/cafe spaces that wish to be a part of the rental pool each year.** This means that if there are seven businesses participating, then you simply divide total footage by seven, and allocate space as near to each business location as possible for ease of table service. This policy would be logical and unarguably fair.

**2): To divide existing space by footage size of the rental property abutting it.** This solution seems like the weaker of the two, as it rewards larger spaces that already have larger square footage from which to make profit. There is some logic to this, however, as those spaces also tend to have increased expense in rent and staffing anyway.

Either solution is a great leap towards solving a nagging problem, and this leap will make the difference between success and failure for my business, employees, and our customers.

I have worked very hard to make my establishment into a work of cultural art, and a reflection of the city of Ashland itself in all its theatrical theme and diverse citizenry. I would like the opportunity to be the best presence I can be here. Thank you for taking the time to consider alternatives to current policy, and for whatever you can do to help Oberon's become the whimsical drinking and dining establishment it was meant to be.

Gratefully,

-Jordan Mackay

(541) 864-9822

To: Ashland Parks Commissioners  
Atten: Rachel Dials

This email is to reiterate my position and restate my requests from June 2014 in regards to the use of the Calle behind my business.

For reference and as a refresher, I am re-sending the email I prepared at that time. (see below)

One update from last June's email, we were (finally) able to have our shed (which was stored at the Parks Maintenance Yard during re-construction) replaced in September 2014.

This has helped re-establish the much needed buffer at the top of our office stairs (see photo at the end of this email.)

However, I still maintain the position that;

1. I do NOT want any restaurant activity directly next to my building, for clarification, between the brick vehicle right-of way and my building.

I am asking the Parks Commission NOT to grant Louie's Restaurant a usage permit for this space this coming summer season.

I would not object to the area to be used for an artisan during the weekend Artisan's Markets.

I also would like to suggest to the Commission that the Parks Dept. consider providing some new public seating on the Calle. As the situation stands now, if pedestrians want to sit down on the

Calle, they must use the restaurant's seating. When I had my staff's table out behind my building

I would often see people use it to rest and enjoy the Calle without having to buy something.

My staff does miss being able to take breaks and eat their lunches outside.

Thank you and I look forward to hearing from you soon.

Sincerely,

Ann Wilton, Owner

Renaissance Rose

[renroseann@gmail.com](mailto:renroseann@gmail.com)

Cell: 541-840-1325

Renaissance Rose

37 N. Main St.

Ashland, OR 97520

Store Phone: 541-488-0119

Store Fax: 541-488-6781

[www.renrose.com](http://www.renrose.com)

[www.Facebook/RenaissanceRose](https://www.facebook.com/RenaissanceRose)

Begin forwarded message:



**From:** Ann Wilton <[renroseann@gmail.com](mailto:renroseann@gmail.com)>  
**Date:** June 18, 2014 1:32:49 PM PDT  
**To:** [stefani@ashland.or.us](mailto:stefani@ashland.or.us)  
**Subject:** Renaissance Rose's Lost space on Calle

Dear Stefani,

Please allow me to introduce myself. I am Ann Wilton and have owned Renaissance Rose on the Ashland Plaza since December 2010.

I understand that you are the head of the city Parks commission that grants usage to people who want to lease space on the Calle Guanajuato which runs behind my business.

I wish I could talk to you in person about this matter, I usually find that meeting face to face is more productive than emails. However, both Rachael Dails and Don Roberts at Parks and Rec. said the best way to contact you is by email.

Area I am discussing:



6/17/14 10:24 am

I do not own the building that my business occupies. My landlords are Victor and Evie Santos. Since my lease began, December 2010, I have had access to, and exclusive use of the areas immediately adjacent to the back of building. The spaces have been used and controlled by Renaissance Rose for many years.

This access abruptly changed at the beginning of May this year, causing many negative impacts on my business.

In late April, the re-construction and resurfacing of the Calle was being completed. At this time, I was trying to coordinate the return of our storage shed and looking forward to the summer use of my newly remodeled back areas. I agreed to allow the storage shed to be removed by the Parks Dept. during the time that the construction was taking place, on the condition that it would be replaced when they were finished.

On May 2, I had a brief, chance, discussion with Don Roberts and Rachael Dials regarding the replacement of the storage shed. Mr. Roberts informed me that the area behind the building now belonged to the city. He said that the landlords had "traded" part of their property to the city. There was now no room to put the shed back. He advised my to take the matter up with my landlords. This was the first I had heard about this development and I was, as you can imagine, shocked!

I agree that there are certain aspects of the loss of these space that I must take up with my landlord, I am currently negotiating a reduction of rent with them.

However, I now need to address the use of the spaces that were mine with the Parks Commission, because the Commission has granted use to Louie's Restaurant, and this is not OK with me. The owner of Louie's, Melissa Jensen, has always projected an attitude that she has certain rights to the back area of Renaissance Rose. Her possessiveness of our space has always made me uncomfortable. Some of the following examples will demonstrate this.

The loss of the spaces has more ramifications than just the storage shed.

Here is a description of the areas (with my estimated dimensions) and some of the ways I was using "my" former Calle space: (see more with photos below)

1. The area nearest the office stairs (8' x 10' = 80 sq. feet) was occupied by our storage shed. It was used to house extra fixtures, and other items. The shed provided us with 256 cubic feet of space (4' x 8' x 8').
2. The (8' x 13' = 104 sq. feet) area under the 2 windows (nearest Papaya) was used to put a table and chairs for my staff to have a break area.

I also, one year, used it as an outdoor sales area, much like we use the front alcove, which is also private property.



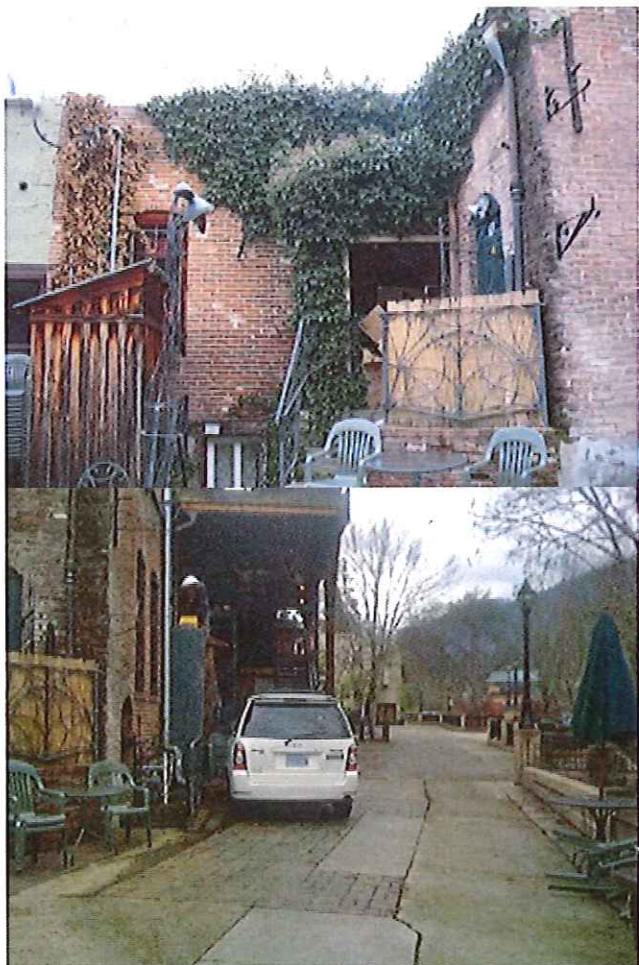
When I was not using this area for our purposes, I sub-leased the area to Restaurant for their summer outdoor tables. This generated \$200 per month for 7 months of the year (April - Oct), \$1,400 per year. Louie's and Nola (the previous owner of Ren. Rose) had this arrangement for many years before I bought the business.

3. This same (8' x 13') area was used by me during the winter months, as a loading/parking area. This was invaluable to me to be able to move inventory and fixtures in and out more conveniently. (I have a letter from Parks and Rec. permitting this use.)

The approximate 104 sq. feet area is worth \$104 to me per month for 5 winter months of the year.

4. The small area (approx. 5' x 5')-adjacent to the brick half-wall was used to stand a mannequin or to place a rack of clothing to let people know that our downstairs area was open. This area was also used for a break table (see photo below)

BEFORE:



Before: (Left) Note the storage shed. (Center) We used the small space at the half-wall for a break table. (Right) I used the area for loading and parking in winter.



Please also note the dead ivy on the wall at the far left the first photo. I have reason to believe that someone from Louie's purposely cut the trunk of the ivy causing it to die. Melissa Jensen (Louie's owner) had asked me if I had plans to cut the ivy a week or two earlier, and when I said that I did not, I believe she simple took matters into her own hands. Though I can't prove that she had the ivy cut, it does seem ironic that it suddenly died.



5/20/2012

Because we owned the space I was able to place merchandise outside just as we do in the alcove in the front of the store. This helped bring customers in through our back retail entrance. Note that we were using the space at the end of the shed too.



5/30/2012



8/24/2012

Our table (right) in our space. Louie's always tried to take as much of the main space as they could. Many, many times I had to move their tables back in order to get my vehicle in. Their table took up most of the pedestrian space and pushed them over against out areas.





Louie's wasn't always considerate about removing their tables at the end of the season. They stored them in a mess from the end of September to February.

They did not have permission to do so. These photos were taken Feb. 2, 2012

#### AFTER:

Now, my staff now has nowhere to sit for breaks or meals.



because Louie's now has the use of our area.



This is where we used to be able to have a staff break table.

Also, If you will note Louie's tables are directly beneath two of our windows. The window on the left is above our receiving desk. The window on the right

is in our bathroom. Loud and obnoxious restaurant noises (trash being taken out in the middle of the day, dishes clattering into dish tubs), loud patrons and the smell of food is not pleasant for my staff and I in the private areas of the store.



Louie's is now actually storing their umbrellas by leaning them against our building! Same with the chairs. The red door in the lower right is our private office area. We are subject to the same restaurant noise and commotion down there, only more now because our shed is gone and Louie's has made a larger servers area.



6/17/14 10:23 am

Sesame is polite and stores their tables well away from the "vehicle lane."





6/17/14 10:24



am

Louie's table in vehicle lane.

Photo of Louie's area taken at the same time as the one above of Sesame's.

#### **POSSIBLE SOLUTIONS:**

My first choice in this matter would be to have everything put back the way it was before the Calle was re-surfaced. At this time, since this does not seem possible, I think you will agree that some recompense and/or change is due to me for my losses and inconvenience.

I would prefer not to have Louie's use the area adjacent to my business. I would prefer that they only have use of the areas on the creek side of the "bricks" or designated "vehicle access "lane".

By allowing Louie's to use the areas next to another business the City is setting a precedent. No other business along the Calle has been subjected to this kind of "invasion" by another business. Example: Sesame (restaurant) is not allowed to use the space right against Webster's (retail).

While we are on the subject, I disagree to the Commission's judgment to allow Salame (restaurant) the area behind Oberon's. This doesn't seem at all fair or professional.

I feel that all businesses should have control of the area immediately behind their premises.

Please let me know as soon as possible how the commission might be able to rectify this situation. I would welcome the opportunity to talk to you and/or other members of the Commission in person.

Thank you. I apologize for the length of this email. But the matter is very important to me and Renaissance Rose.

Sincerely,

Ann Wilton  
[renroseann@gmail.com](mailto:renroseann@gmail.com)  
cell: 541-840-1325

Renaissance Rose  
37 N. Main St.  
Ashland, OR 97520  
store: 541-488-0119  
fax: 541-488-6781  
[www.renrose.com](http://www.renrose.com)



Shed has now been replaced to where it originally stood. Photo taken 1/22/15



# ASHLAND PARKS AND RECREATION COMMISSION

340 S. PIONEER STREET • ASHLAND, OREGON 97520

## COMMISSIONERS:

Mike Gardiner  
Rick Landt  
Jim Lewis  
Stefani Selfinger  
Vanston Shaw



Michael Black  
Director

TEL: 541.488.5340  
FAX: 541.488.5314  
parksinfo@ashland.or.us

## MEMORANDUM

TO : Ashland Parks and Recreation Commission

FROM : Michael A. Black, AICP - Director

DATE : February 18, 2015

SUBJECT : AAUW Request

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Staff was approached recently by the Ashland AAUW Spring Garden Tour organizers requesting that the Commission endorse their event in order to obtain a permit for a banner advertising their event above East Main St.

The background, as provided by Mimi Pippel from the AAUW Spring Garden Tour is as follows:

*June 7, 2015 will be the twentieth anniversary of our annual garden tour - our largest fundraiser. Each year we feature 6 private gardens in Ashland and the surrounding area that are open to the public for a self-guided tour. In the past two years we have with worked with the Conservation Commission and the Fire Wise Commission in order to obtain co-sponsorship status from the City of Ashland. It has been an opportunity for us to enlighten our visitors regarding the importance of water wise and fire wise landscaping. Each year we also feature a local landscape company that uses and endorses many of the city's recommendations regarding protecting our natural resources here in Ashland.*

*Each year we print a program that features our six gardens, the City of Ashland, a few ads from our landscapers, a map of the gardens and for the past two years we have added a page featuring recommendations from the Conservation Commission regarding Water Wise Gardening and a page featuring recommendations from the Fire Wise Commission with regards to keeping your plantings a safe distance from your home as well as types of plants that are less of a fire hazard than others. By offering the free page of advertising for each of the commissions (we sell approximately 500 programs) we receive their*



endorsements. The City of Ashland requires we receive an endorsement from their commissions in order to co-sponsor our event. The co-sponsorship is important to us for two reasons: 1.) It shows we have similar priorities about our community's environment and 2.) it allows us to hang our banner across East Main promoting our event. We propose adding a page to our program supporting your pest management policies. I hope this answers your question. Please feel free to contact me if you need further information.

# ASHLAND PARKS AND RECREATION COMMISSION

340 S. PIONEER STREET • ASHLAND, OREGON 97520

## COMMISSIONERS:

Mike Gardiner  
Rick Landt  
Jim Lewis  
Stefani Seffinger  
Vanston Shaw



Michael Black  
Director

TEL: 541.488.5340  
FAX: 541.488.5314  
parksinfo@ashland.or.us

## MEMORANDUM

TO : Ashland Parks and Recreation Commission

FROM : Michael A. Black, AICP - Director

DATE : February 18, 2015

SUBJECT : CIP Budget – Internal Reallocations

### Background

At the most recent study session of the APRC, we discussed the CIP budget for BN 2013/2015. It was reported that a number of projects had gone over budget and that an internal reallocation of funds would have to be accomplished to balance out the remaining funds. I have included the suggested internal reallocation of these funds on the attached document. Again, this is an internal issue to parks and it is necessary in order to ensure that the fund is managed efficiently.

The project that suffers the most as a result of these cost overruns is the Butler Perozzi Fountain, which was initially budget for \$500,000. Overruns on the following projects have affected the balance of that project:

1. Concrete Bridge in Lithia Park - \$14,730.32
2. Lithia Park Roofing - \$4,999.00
3. Ice Rink Cover - \$167,653.67
4. Calle Guanajuato Improvements - \$198,336.38

Total: \$385,719.37

After those items have been subtracted from the appropriated amount of \$500,000.00 for the fountain, \$111,095.33 is left to be used on the fountain or another park project as the Commission sees it fit.

### Recommendation:

Staff recommends that the Commission approve the attached spreadsheet in order to determine how funding will be reallocated to account for the overages in this biennium.

# Parks CIP Budget 2013-15

Project Number	Description	Start Date	Completion	Budget / Estimated Cost	Total Project Costs as of 11/30/2014	(Over)/Under Budget	Adjustment by Parks	Project Balance	NOTES
000021	Repair Concrete Bridge @ Lithia Park	Jul-12	Nov-13	57,862.50	57,862.50	(57,862.50)	57,862.50	0.00	\$43,122.18 from P.DD04, \$14,730.32
000022	Repair Enders Shelter @ Lithia Park	Oct-12	Oct-13	106,877.82	106,877.82	(106,877.82)	106,877.82	0.00	\$106,877.82 P.DD04
000023	Repair Perozzi Fountain @ Lithia Park	May-13		500,000.00	3,185.30	496,814.70	(385,719.37)	111,095.33	(\$385,719.37) from P.21,24,27,11
000028	Pave Clay Street Park Parking Lot							0.00	
000034	Lithia Park Restroom Replacement	Aug-13	Feb-14	80,000.00	79,128.92	871.08		871.08	
000035	Lithia Park Asphalt			28,000.00		28,000.00		28,000.00	(\$8,736.26) from P.38,39
000036	Triangle Park Cement	Aug-13	Oct-13	40,000.00	20,247.00	19,753.00	(8,736.26)	11,016.74	\$4,999.00 from P.23
000037	Lithia Park Roofing	Oct-13	Oct-13	15,000.00	19,999.00	(4,999.00)	4,999.00	0.00	\$4,716.15 from P.36
000038	Hunter Park Roofing			24,000.00	28,716.15	(4,716.15)	4,716.15	0.00	4020.11 from P.36
000039	Senior Center Improvements	Oct-13	Mar-14	25,000.00	29,020.11	(4,020.11)	4,020.11	0.00	
000040	Oak Knoll Driving Range Netting			50,000.00	28,952.50	21,047.50		21,047.50	
000041	Daniel Meyer Pool-Solar Panel Replacement	Aug-13		35,000.00		35,000.00		35,000.00	
000042	Daniel Meyer Pool-Equipment Replacement	Aug-13	Apr-14	60,000.00	72,083.14	(12,083.14)	12,083.14	0.00	\$12,083.14 from P.EE05
000045	Ice Rink Cover	Aug-13		122,000.00	289,653.67	(167,653.67)	167,653.67	0.00	\$167,653.67 from P.23
000047	Oak Knoll Green & Tees Drainage Improvements	Sep-13		80,000.00	33,076.80	46,923.20		46,923.20	
000048	Park Restroom Auto Lock Doors	Jul-14		50,000.00	26,657.83	23,342.17		23,342.17	
000049	Garfield Park Sand Volleyball Relocation	Sep-14		10,000.00	761.40	9,238.60		9,238.60	
000050	Sherwood Park Playground	Oct-14		20,000.00		20,000.00		20,000.00	
000051	Hunter Park Playground	Oct-14		80,000.00		80,000.00		80,000.00	
000052	Hunter Park Asphalt Overlay	Sep-14		40,000.00		40,000.00		40,000.00	
000053	Calle Guanajuato Improvements	Aug-13		300,000.00	498,336.38	(198,336.38)	198,336.38	0.00	\$198,336.38 from P.23
000054	Asiland Creek Park Development	Nov-13		750,000.00	581,603.52	168,396.48		168,396.48	
000056	340 S. Pioneer, Log Cabin Structural Repairs	Feb-14		20,000.00	3,200.00	16,800.00		16,800.00	
000059	2014 Golf Course Drainage	Jun-14			882.00	(882.00)	882.00	0.00	\$882.00 from P.CC03
000060	Garfield Park Water Play Replacement			450,000.00	2,808.60	447,191.40		447,191.40	
000063	Sign Replacement Plan			45,000.00	600.00	44,400.00		44,400.00	
AA01	Lower Clay Street Purchase			412,000.00		412,000.00		412,000.00	
BB02	Lithia Park Master Plan			70,000.00		70,000.00		70,000.00	
CC03	Oak Knoll Golf Course Greens Improvement			80,000.00		80,000.00	(882.00)	79,118.00	(\$882) from P.59
DD04	Lithia Park Rehabilitation Project			150,000.00		150,000.00	(150,000.00)	0.00	(\$150,000) from P.21,22
EE05	Daniel Meyer Pool Bathroom			60,000.00		60,000.00	(12,083.14)	47,916.86	\$12,083.14 from P.42
FF06	Second Dog Park Construction			90,000.00		90,000.00		90,000.00	
GG07	Project Manager			30,000.00		30,000.00		30,000.00	
HH08	Capital Equipment - Vehicle and Machinery			335,000.00	194,414.86	140,585.14		140,585.14	
II09	Land Acquisition**			800,000.00	5,303.00	794,697.00		794,697.00	
				4,851,000.00	2,083,360.50	2,767,639.50	(0.00)	2,767,639.50	

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## MEMORANDUM

**TO :** Ashland Parks and Recreation Commission

**FROM :** Michael A. Black, AICP - Director

**DATE :** February 18, 2015

**SUBJECT :** Sub-Committee Reports

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At the meeting on Monday, we expect to have the following sub-committee reports:

1. Dogs
2. Real Estate
3. Golf Course