

IMPORTANT: Any citizen may orally address the Parks Commission on non-agenda items during the Public Forum. Any citizen may submit written comments to the Commission on any item on the Agenda, unless it is the subject of a public hearing and the record is closed. Time permitting, the Presiding Officer may allow oral testimony. If you wish to speak, please out the Speaker Request Form located near the entrance to the Council Chambers. The chair will recognize you and inform you as to the amount of time allotted to you, if any. The time granted will be dependent to some extent on the nature of the item under discussion, the number of people who wish to speak, and the length of the agenda.



AGENDA FOR REGULAR MEETING

ASHLAND PARKS & RECREATION COMMISSION February 26, 2018 Council Chambers, 1175 E. Main Street

7:00 p.m.

CALL TO ORDER

- I. **APPROVAL OR ACKNOWLEDGEMENT OF MINUTES**
 - a. Trail Master Plan Committee—December 29, 2017
 - b. Ad-Hoc Senior Program Advisory Committee—January 8, 2018
 - c. Parks Commission Regular Meeting—January 22, 2018
 - d. Trail Master Plan Committee—January 26, 2018
 - e. Trail Master Plan Committee—February 9, 2018

- II. **PUBLIC PARTICIPATION**
 - a. Open Forum

- III. **ADDITIONS OR DELETIONS TO THE AGENDA**

- IV. **UNFINISHED BUSINESS**
 - a. ORPD Grant Resolution for Nature Play Area at North Mountain Park (Information / Action)
 - b. Recommendation from ASPAC to Form a Standing Senior Program Advisory Committee (Information / Possible Action)

- V. **NEW BUSINESS**
 - a. Calle Guanajuato Lease Agreements for 2018 Season (Information / Action)

- VI. **SUBCOMMITTEE AND STAFF REPORTS**

- VII. **ITEMS FROM COMMISSIONERS**

- VIII. **UPCOMING MEETING DATES**
 - a. Ad-Hoc Senior Program Advisory Committee—March 12, 2018
 - Council Chambers, 1175 E. Main Street—3:15 p.m.
 - b. Study Session—March 19, 2018
 - The Grove, Otte-Peterson Room, 1195 E. Main Street—5:30 p.m.
 - c. Regular Meeting—March 26, 2018
 - Council Chambers, 1175 E. Main Street—7:00 p.m.

- IX. **ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number (800) 735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I). Parks Commission meetings are broadcast live on Channel 9, or on CHARTER CABLE CHANNEL 180. Visit the City of Ashland's website at www.ashland.or.us.

City of Ashland
PARKS AND RECREATION COMMISSION
TRAIL MASTER PLAN UPDATE COMMITTEE
MEETING MINUTES
December 29, 2017

PRESENT: **Parks Commissioners:** Jim Lewis, Mike Gardiner
 Additional Committee Members: Luke Brandy, David Chapman, Torsten Heycke, Stephen Jensen, Jim McGinnis
 City and APRC Staff: Director Michael Black; APRC Interim Parks Superintendent Jeffrey McFarland; GIS Analyst Lea Richards
 APRC Minute-taker: Betsy Manuel

ABSENT: Chief-Forestry Resource Chis Chambers; Forestry Supervisor Jason Minica

I. CALL TO ORDER

Chair Chapman called the meeting to order at 10:00 a.m. at 51 Winburn Way, Ashland OR.

II. APPROVAL OF MINUTES

a. December 15, 2017

Motion: Lewis moved for approval of Minutes for December 15, 2017 as presented. Heycke seconded and the motion carried.

IV. PUBLIC PARTICIPATION & GUEST SPEAKERS

There were none.

V. ADDITIONS OR DELETIONS TO THE AGENDA

• *Writing Assignments for the Trails Master Plan Document*

Jensen suggested completion of the writing assignments for the Trails Master Plan as an additional Agenda item.

VI. UNFINISHED BUSINESS

• *Update on Using Google Docs*

McFarland stated that after working with Eric Bruhn, the City's database administrator, Google Docs was prepared for the task of editing the Trail Master Plan document. He noted that the City's IT department would be considered the owner of the Master Plan document. McFarland explained that each Committee member would receive an invitation to set up a link to the Google Docs site that would house the document. Committee members with City emails would be asked to contact Bruhn for assistance in setting up a login. Those with existing Gmail accounts would be able to access the document with their own password.

Heycke stated that there were privacy concerns for those using their own Gmail accounts. Jensen suggested that public access could be limited, with the designation of the editable document as proprietary information. McFarland agreed to look further into ways to preserve the privacy of Committee members.

McFarland stated that he had uploaded the document, dividing it into chapters for individual editors. He stated that the editable version would lack pictures and possibly other formatting. He demonstrated a view of the original document, noting that there was a version of the original document that was not editable. He suggested that it could be used as a tool when considering a change in the language.

The folder holding the draft language would be monitored by McFarland, who would also place the name of the person assigned to a chapter on the Chapter title. He noted that some chapters would be written by an individual member and some chapters would include two people.

The editable document had the capacity to track and save the changes. In response to a question by Gardiner, Heycke noted that the program automatically saved the document. McFarland relayed that when he gave permission for a member to edit a chapter, he would do so using the share button.

There followed a question and answer session as people explored the capabilities of Google Docs. McFarland noted that once members were assigned to a particular chapter, they would not be able to change the assignment without going through McFarland for the appropriate permission. This process will also apply when the rough draft was completed and was sent to the two final editors. Once their review was completed, the document would be discussed by the Committee in a public meeting and adopted. McFarland indicated that as long as there were no more than three members working on the document at the same time, the work would be in compliance with public meeting laws. He reiterated that four Committee members constituted a quorum.

Lewis asked about tracking to distinguish changes to the document from the original text. There followed a discussion about the recordkeeping involved in recording changes. Heycke noted that once the owner had accepted the document changes, it would be recorded as history. The history section would document the person or persons who created the changes. Once the document was accepted by the administrator then the editor's contributions were no longer highlighted.

It was agreed that the document should be viewable by all members and that the editing privileges would be limited to the person or persons assigned. Lewis indicated that it would be helpful to see everyone's changes as well.

Jensen distinguished between content editing and flow editing. He said his responsibilities as a final editor would be to consider whether the flow of the sentences or paragraphs worked or if the language should be modified for clarity. He stated that often those types of changes included punctuation as well as sentence construction and they could be so common that the document was not readily readable. Jensen highlighted that the final editor would be taking care to preserve the content as submitted.

Heycke noted that the "all changes saved in drive" button would preserve the changes. There followed discussion about the process and how it would work. It was agreed that chapters with more than one editor would list one as primary so that the final editors could review and send back without exceeding the three-person rule. McFarland added that if the editors could not agree, then the document changes should be discussed in a properly noticed meeting.

Differences between the original Master Plan and the updated version were discussed in the context of work completed by the consultant. It was noted that the current update would be underwritten by Committee members rather than the consultant taking on the responsibility of editing the document.

McFarland talked about the intensive process of acceptance into the City's Comprehensive Plan, stating that the public, City planners and the State of Oregon would weigh in – creating the potential for continued changes that would facilitate adoption of the Master Plan into the Comp Plan.

Richards asked about the process for submitting maps. She commented that drafts of the maps should be forwarded on to chapter editors for feedback. McFarland noted that maps as well as pictures should be forwarded to him for uploading into the document. Questions remained about the treatment of PDFs in the editing process.

Chapter Assignments

Jensen agreed to be responsible for the following chapters:

- Acknowledgment & Partnerships
- Executive Summary
- Trails Master Plan Process
- Trails Master Plan Vision, Goals and Objectives
- History

Brandy was assigned:

- Regional Trails
- Plan Sourcing Documents
- Cascade Foothills

Heycke agreed to be responsible for the following chapters:

- Trail Safety and Etiquette
- Glossary
- Eastside
- Westside

McFarland, Black and Goldman would work on:

- Implementation and Phasing
- Coordination with the City Comprehensive Plan
- Fauna

Chapman agreed to be responsible for the following chapters:

- Executive Summary
- Wright's Creek
- Cascade Foothills

Lewis agreed to be responsible for the following chapter:

- Ashland Creek Trail Corridor

Richards agreed to be responsible for:

- Maps

Discussion

Jensen shared a section from the Trail Master Plan Vision, Goals and Objectives that detailed the intent to tie the Trail Master Plan to the City's performance measures. He asked about the process for incorporating the document and the process that planners undertook to flag relevant components. Gardiner stated that adoption into the Comp Plan would bookmark plans for implementation, and that a number of processes would include consideration of the Master Plan. He indicated that the Parks and Rec Trail Master Plan functioned as a list of goals for trail connections and expansions and it was expected that planners would consider the potential for trails in areas where there were plans for development. Lewis agreed, stating that APRC also considered planning actions that came to them for comment. He noted that the more people aware of this document, the more relevant it became.

McFarland noted that City of Ashland Planner Brandon Goldman would contribute to chapters that had future plans for development, such as the Croman Mill site. He highlighted the benefits of partnering with organizations with stake in the trails system, noting the collaborative relationship with AWTA.

McFarland summarized the handout titled Google Docs/Document Writing and Editing Protocol – stressing one-way communications would ensure that no debate or deliberation took place. He noted the written restrictions for “serial meetings” that could be construed through discussions with more than two people – even if conducted one at a time.

VIII. UPCOMING MEETING DATES

January 12, 2017 @ 10:00 a.m. @ the Siskiyou Room, 51 Winburn Way, Ashland OR [later cancelled]

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Betsy Manuel, Minute-Taker
Trail Ashland Parks and Recreation Commission

These Minutes are not a verbatim record. The narrative has been condensed and paraphrased at times to reflect the discussions and decisions made. Ashland Parks and Recreation Commission Subcommittee meetings are digitally recorded and are available upon online.

City of Ashland
PARKS AND RECREATION COMMISSION
AD-HOC SENIOR PROGRAM ADVISORY COMMITTEE (ASPAC)
MEETING MINUTES
January 8, 2018

Committee Members Present:

- Jackie Bachman, Citizen Member (Senior Program Patron / Chair)
- Marion Moore, Citizen Member (Senior Program Yoga Instructor / Vice Chair)
- Anne Bellegia, OLLI Program Director
- Peggy Byrnes, Citizen Member (Senior Program Patron)
- Rob Casserly, Citizen Member (SOU, OLLI Program Manager)
- Katharine Danner, Ashland At Home Representative
- Mike Gardiner, APRC Commissioner
- Jim Lewis, APRC Commissioner
- Laura O’Byron, RVCOG Representative
- Mary Russell-Miller, Citizen Member (SOU Faculty Member)
- Stef Seffinger, Ashland City Councilor

Facilitator Present:

- Jon Lange, Jon Lange Consulting

Staff Members Present:

- Michael Black, APRC Director
- Rachel Dials, APRC Recreation Superintendent
- Susan Dyssegard, APRC Executive Assistant

Committee and Staff Members Absent:

- None

I. Opening and Reminders (Lange, 1 minute)

Facilitator Jon Lange called the meeting to order at 3:16pm at Council Chambers, 1175 E. Main Street in Ashland. He reminded everyone to speak into their microphones and pointed out the ground rules posted in the meeting room.

II. Approval of Minutes (Bachman, 5 minutes)

MOTION: O’Byron moved / Bellegia seconded approval of the minutes as presented.

The vote was all yes

III. Additions or Deletions to the Agenda (All members, 2 minutes)

There were none.

IV. Public Input (20 minutes)

Sue Wilson, Ashland, OR

[See full testimony](#)

Gwen Davies, Ashland, OR

[See full testimony](#). She added that if APRC were moving to an Internet-based system, it would present a barrier to 40 or 50% of the seniors in Ashland who might have physical or technology challenges. She said it was a bad system to implement.

David Stein, Ashland, OR

Stein said the senior services provided by the former experienced Ashland Senior Program Outreach Specialist saved his life. He spoke about a physical health challenge and said that back in 2009, the Outreach Specialist visited his home and helped him find low income assistance through DHS and advocated on his behalf with the City of Ashland utility billing department, resulting in a lower electric bill. He said he would have fallen through the cracks otherwise. He expressed that the current absence of a program Outreach Specialist was a grave injustice that showed a lack of humanity.

Claudia Ballard, Ashland, OR

[See full testimony](#)

Ed Green, Ashland, OR

[See full testimony](#)

Michael Hersh, Ashland, OR

Hersh said the ASPAC Committee members were trapped and he offered suggestions for Item IX on the agenda, regarding the Senior Program Manager requirements and search process. He recommended that if someone other than the former manager was hired in the future, that person should possess empathy, care and relevant experience working in small towns. He said those qualities should be valued over other qualities listed in the job description. To be fair about the process, he said Senior Program users should be included on the selection committee, with full voting rights.

Bachman stated that ASPAC members were welcome to respond to the public comments, but later in the meeting.

V. Senior Program Progress Report (Dials, 5 minutes)

Dials provided an update on the programs, classes and services offered at the Senior Center located at 1699 Homes Avenue. She said the center continued to operate Monday through Friday from 8:30am to 3:30pm. She provided phone numbers and other details relevant to Ashland Senior Program offerings.

Discussion

Bellegia asked, in relation to comments made by one of the public speakers, about outreach efforts. Dials responded that APRC staff currently weren't visiting homes but were making connections when

patrons visited the center. Black said the former Outreach Specialist had worked approximately eight to ten hours per week but there were no records related to her home visits. O'Bryon said Katie Merola of RVCOG, working at the center on Wednesdays, was a resource person who engaged with individuals and referred staff to options counselors through RVCOG, Senior Disability Services. She said there was a need for education toward providing awareness about this service. Byrnes asked how to identify those in need; Black said staff relied on neighbors, friends and family to reach out to find the right agency or resource for their loved ones, with the Senior Program serving as a resource for those efforts. Seffinger said Ashland Fire and Rescue took emergency calls and referred for services. O'Bryon said RVCOG operated a disaster registry for Jackson and Josephine counties, with staff and volunteers serving as counselors during disasters. They regularly checked with registrants to verify contact information. Danner said she took the options counseling training and that all community members held a responsibility to identify neighbors and community members in need and to make phone calls if necessary.

VI. Framework for Recommendations: The National Standards of Excellence (Bachman, 2 minutes)

Bachman talked about the distinction between the Senior Center and Senior Program. She said the Senior Center was clearly the hub and central location of activities, programs and services for the senior community while the Senior Program was the service umbrella encompassing partnerships and networks linking seniors to needed services that might be located inside or outside the Senior Center. An example she provided of an outside service (as part of the Senior Program but located within the Senior Center) was the Food & Friends lunch program operated by RVCOG.

Bachman reminded ASPAC about the National Standards of Excellence and said she'd asked Dials to fill out a checklist about those criteria in the standards that were currently in place at the program, in progress or missing at this time. Dials had completed the checklist and it was included within the meeting packet. Bachman said ASPAC would be using all the public input received throughout the process—from Listening Posts, ASPAC meetings, the open house and the community assessment in January. In addition, ASPAC would be using the expertise and knowledge of ASPAC members to form and inform the recommendations. Bachman said the framework of the recommendations would be categorized under either Best Practices or Standards of Excellence.

Casserly asked about the number of senior centers nationwide using those standards and Best Practices. Bachman responded that there were two in Oregon and approximately 300 around the country. She said she was not advocating for an immediate accreditation but would like to see it completed in a few years, after a framework was implemented. Byrnes said, as a layperson, that the standards were professional-sounding and might not appeal to the public. She said the Best Practices would be a better place to focus ASPAC's attention. Bachman said the standards could still be used but simplified.

VII. Subcommittee Progress Reports (Subcommittee Chairs; 20 minutes)

A. **Partnerships Subcommittee (O'Bryon):** O'Bryon said the Partnerships Subcommittee met twice since the last ASPAC meeting – December 13 and 29 – and completed a compilation of current partnerships and possible new partnerships that could enrich Senior Program offerings, including some that could lead to the underwriting of program costs or program revenues. She said establishing and maintaining partnership relationships took time and attention and required a fully staffed program to

evaluate and prioritize those worth pursuing. She said the partnership compilation would be placed into a binder for the new permanent staff, along with other documents of an advisory nature, rather than making it a part of the recommendation report. She said she was impressed by the committee members' interest in exploring potential partnerships and what they might have to offer. Bellegia said partnerships were an extension strategy for doing the most with what was available. Casserly said there was already a good foundation of partnerships, none of which would need to be removed, so the committee could simply add to the already impressive list of partnerships. O'Bryon said the list of potential additional partnerships would provide an expanded regional awareness of options for seniors. Bellegia said the funding for all programs, including for education and health, was finite and when partnerships were formed, advocacy was expanded for funding sources to support vulnerable individuals.

B. Senior Program Needs Assessment: Purpose and Planning (Moore): Moore said the Needs Assessment Subcommittee was formed primarily to allow for adequate citizen public input for the upcoming recommendations of ASPAC. The subcommittee consisted of Byrnes, Russell-Miller, Bellegia, Moore and Black. She said the inquiry was handled in two phases: a qualitative phase and a quantitative phase. She turned the topic over to Bellegia to describe the process.

Bellegia said the qualitative phase of the needs assessment was nearly complete. She described the work of this phase: attending Parks Commission meetings in August, reviewing the Ashland Senior Program "binder," reviewing the SOS website content, attending town hall meetings, listening to public commentary, holding individual conversations with stakeholders and holding three community listening sessions. She said qualitative phase input would be driving early recommendations to the Parks Commission and staff. Toward creating a community survey, Bellegia said the group reviewed / researched other local, relevant surveys, Ashland census data, needs assessments from senior communities in other locales and the NISC's Standards of Excellence and Best Practices. Toward designing the questionnaire, goals were to 1) optimize the response rate by limiting the number and complexity of questions; 2) phrase the questions in simple, unambiguous ways and 3) identify characteristics of the response for purposes of cross-tabulations. The group was particularly interested in learning about the extent of local older citizens' challenges around health, transportation, housing, finances and social connections; learning what mattered to Ashland citizens with regard to the Senior Program; prioritizing other programs' value to community members; and an opportunity to give extensive, verbatim responses on the survey. Given the large number of Ashland seniors or those with associations with seniors, she hoped for a broad survey response.

Moore talked about the promotion and distribution of the survey, which she said would span January 10 through 26. Flyers would be distributed, a press release issued to newspapers and radio stations and an ad placed in the local newspaper. To take the survey, it would be possible to click on an electronic link posted on the City of Ashland website and on APRC's Facebook page. The link would take people directly to the Survey Monkey survey. Emails would be distributed to Ashland members of OLLI and Ashland At Home members. Respondents would be welcome to take the survey in paper form or to call in their responses to staff at the Senior Center, with all responses typed into Survey Monkey. Paper copies of the survey would be distributed to the City of Ashland City Hall utility billing office. Tabling opportunities would occur on January 15 and 19 from 10:30 to noon at Pony Espresso coffee shop on Lithia Way. It would also be possible to distribute paper copy surveys with Food & Friends home meal

deliveries. Moore said she hoped ASPAC members would approve the recommended survey and assist with distributing flyers and surveys.

Motion: Danner moved / Lewis seconded approval of the ASPAC survey and its distribution as presented.

Discussion

Danner said she was impressed with the comprehensive nature of the survey and she thanked the subcommittee for their work. A member of the audience asked whether the surveys would be distributed to churches; the answer was yes, churches would be mailed the flyer and the survey, with additional copies provided upon request.

The vote was all yes

C. **Listening Sessions / Open House Subcommittee (Bachman):** Bachman said three listening sessions were held, with approximately 30 community members in attendance per session. Common feedback received from the sessions were for experienced, knowledgeable, qualified, compassionate staff possessing the ability to provide outreach and referrals. Experience working with seniors was considered a must. Program and service recommendations included transportation assistance for the meals program, bocce ball and many others. Longer hours were requested for the center along with additional classrooms for programs, including those not at the center. Alternative funding sources were suggested. A separate division for the Senior Program was recommended along with an accelerated recruitment and hiring process for a manager. Expanded public meeting notifications were suggested along with a focus on seniors rather than on recreation. A long-term plan was requested. Bachman said all ideas generated from the listening sessions would be referred to as ASPAC crafted its recommendations.

VIII. Organizational Structure for Senior Center: Separate Division (Bachman, all members, 10 minutes)

Bachman recommended, given the public input received, that a separate division be created within APRC for the Senior Program, reporting directly to the APRC Director. She said it was currently under the supervision of the Recreation Superintendent; however, the Senior Program was not a recreation program; it provided valuable services to seniors, far beyond recreational activities.

Motion: Bellegia moved / Byrnes seconded approval of creating a new division within APRC for the Ashland Senior Program, with the position reporting to the APRC Director.

Discussion

Gardiner said there were valid reasons for creating this separate division and he would welcome seeing the recommendation come before the Parks Commission. Bachman stated that as the job description was reviewed and revised, the level of expertise required would make it clear that this was not a simple senior program; it had the higher community value of a division. Gardiner agreed and said a direct reporting structure to the APRC Director would be of value. Danner said the new manager should become actively involved with city-wide planning activities while also supervising the activities, services and staff of the program.

The vote was all yes

IX. Discussion of Suggested Requirements of Senior Program Manager Position and Search Process (O'Bryon, all members, 10 minutes)

O'Bryon said the draft program description was created by a subcommittee and was based on Best Practices and research about similar positions in other agencies. It was a recommended template that would be refined by APRC. The position would provide oversight of the Senior Program, social services, budgeting, planning, programming and evaluation, among other duties. Given all the responsibilities, it would be important to have someone with comprehensive skills. She asked for feedback on the draft program description.

Discussion

If "public outreach" were considered an important element of the program, Moore suggested including it more directly in the program description; Bellegia agreed. Bachman agreed that other layers of review were needed, including by City of Ashland HR and Legal, but said these were the qualities ASPAC believed to be essential. O'Bryon agreed with Moore regarding adding "social service outreach" or "referrals to regional outreach services" to the program description. Bellegia said the position would also assist, not just refer for services. O'Bryon said some individuals could get all they needed from a phone call while others needed additional assistance, including possible referrals, for their needs to be met. Gardiner said he and Black discussed the job description and felt that other changes were needed before forwarding it to City HR and Legal for additional feedback. Bellegia said she would want to see the concepts that were included in the position description used as part of the selection process. Lewis asked for more details about the research conducted about other senior centers; Bellegia said a dozen were researched, including some outside of Oregon. The subcommittee more heavily weighted those reflecting values similar to Ashland's. Byrnes said she had a hard time with the job description; it seemed like an impossible job. She asked how the duties would be prioritized so the job could be accomplished. O'Bryon said she had developed job descriptions throughout her career in different domains. She felt that the search committee would be able to discern the most qualified candidates who would be the best fit. Even though a job could look complicated in verbiage, ultimately the process would reveal the most qualified candidates. Lewis spoke favorably about the excellent framework provided and said the work done so far was moving the process forward to the final document; Black agreed. Seffinger expressed that some of the items seemed to be overreaches—such as long-term strategic planning. The Senior Program Manager would not develop the plan but would work with the City of Ashland to assist. She asked for some of the language to be altered to reflect that the City had this broader responsibility of developing and maintaining infrastructure and an emergency response plan and APRC had its own promotions coordinator, in charge of social media, not the Senior Program Manager. Bellegia stated that this was not the final document; it was a framemark for the recruitment process. She asked whether a motion to proceed could be offered.

Motion: O'Bryon recommended and Bachman moved / Lewis seconded approval for 1) APRC to accept the recommendation from the subcommittee, as well as ASPAC, that encouraged them to use the proposed framework document as guidance in developing the Senior Program description and Senior Program Manager job description and 2) APRC to initiate and establish the search for the Senior Program Manager as soon as possible.

Discussion

Black said he was hearing a request for a higher level of management for the position. He said ASPAC was making a recommendation to the Parks Commission about essential functions needed for the position, some of which were at a higher level, and he appreciated the work completed to date. He felt that the

commission could work with this list of essential duties and qualities. Bachman asked if Black was comfortable with having the recruitment process begin right away, with the manager starting by July 1. Black said the job description required further refinement by City HR and Legal, as well as Dials and himself, but he would move the process forward as quickly as possible.

Suggested Amendment: Lewis asked for an amendment to the document to include the word “outreach.” O’Byron said she was thinking the same thing: include within the description one more bulleted item called “social services outreach” or “referral to regional outreach services.”

The motion was unanimously approved as amended

X. Discussion of Senior Program Budget (Bachman, all members 10 minutes)

Bachman gave a brief history of the Senior Program budget, stating that it was transferred from the City to APRC ten years prior, as the City had been financially stressed at that time and APRC was well funded then. The transfer had been conducted without any specific financial assistance from the City, nor was any assistance provided henceforth. This had created the current need for additional funding. In order to provide the appropriate level of staffing and the ability to link seniors to essential services while expanding programs and services such as referral information, outreach, transportation, additional classes and more field trips, more ongoing funding was needed in the APRC Senior Program budget for personnel. The current approved Senior Program budget for personnel for 2018-19 was \$151,000, including benefits, for one Senior Program Manager and two part-time, 10-hour-per-week office support staff (max). This would mean that the center would not be covered when the manager was off-site attending trainings or for other professional reasons. In order to hire at the level discussed above, the cost of personnel would be \$232,000 for a Tier 3-level PERS employee up to \$262,000 for a Tier 1-level PERS employee. These funds would provide from a 1.75 FTE level up to 3.0 FTE. This meant that APRC needed an approximate additional \$100,000 to fund the Senior Program at an appropriate level and to provide adequate services for Ashland seniors. She asked from where the funding would be generated. She asked for a joint APRC / City of Ashland strategic planning session about meeting the needs of Ashland seniors on an ongoing basis (not a one-time agreement). She suggested that APRC and the City of Ashland jointly provide a support mechanism to link seniors with needed services, especially for those in the 80+ category, the “Super Senior” group and the fastest growing subgroup of seniors in the 2010 Ashland census (coined the “silver tsunami” by Bellegia). She referenced a 2014 article written by Seffinger for the Tidings about the growth of the local senior population. Seffinger said she wanted to see the needs of seniors infused into all the City of Ashland departments along with strategic planning efforts. Seffinger said that as the 2017-19 budget currently stood, the Budget Committee decided what APRC would get for its needs and APRC determined how to spend those funds. Bachman said she was hoping to hear questions and comments about her presentation and to hear from staff about how the currently approved budget would be used to meet the needs of Ashland seniors.

Discussion

Lewis said a listening session speaker had talked about a community foundation in which foundation funds were used as an accessory to the property taxes budgeted for the senior program. Bellegia said she thought people in general did not understand the reality that they, or someone they cared about, would have serious, unanticipated, expensive needs in the future. She said those needs mainly required guidance toward resources. ASPAC had heard public testimony to this effect from many citizens. She said Ashland had a 46% population of seniors, an accelerated number from past years. Due to the accelerated

number and higher need, it had to become an accelerated priority for the City of Ashland. Gardiner said a biennial budget was approved in spring 2017 for BN 2017-2019. If someone were hired by July 1, 2018, that would be one year into the approved biennial budget. So to find an additional \$100,000 in the second biennial year would be squeezing those funds out of another category, providing a shortfall in the other area. Seffinger spoke about social service grants, established by council, which came out of the City of Ashland General Fund for non-profit organizations. She felt that it could be investigated but it would be a one-time grant for social services for seniors. Danner asked, for future meetings in which budgets were discussed, to have handouts about those figures in advance, both current budgets and proposed budgets. Bachman agreed and said she would work with Black to get the numbers and email the information out to the committee before the February ASPAC meeting.

XI. Items from Committee – Round Table (Lange, 30 minutes)

Lewis said the Parks Commissioners took ASPAC's recommendations very seriously.

Bellegia seconded the public input heard during the meeting about basing the selection of the Senior Program Manager on qualities such as empathy and warmth rather than artificial qualifications such as advanced degrees. She said job experience or personal experience could count quite a bit. Her second point related to outreach (within the program description, which was added to the document based on the meeting discussion). With regard to the survey, the subcommittee made sure to include many different mechanisms for taking it, including making a phone call or having someone else make a phone call on their behalf.

Seffinger said it would be important to decide how much of the new Senior Program Manager's time would be needed at the Senior Center in providing direct services versus whether the new person could develop volunteer services to meet some of those needs.

Danner said one-on-one services were wonderful but the work could also be done by others, still within the scope of the Ashland Senior Program.

Bachman said hard work had been going on behind the scenes. She said it was important to create a standing advisory board, with the ending of ASPAC in March, that could take over from there and continue with that work. She said she would be happy to assist staff with recruitment, publicity and an application process for those committee selections. She asked if she could work with staff on the criteria process and asked if a motion was in order. Black said it was not the norm to make motions if items weren't included on published agendas. He said it would be a policy decision at the commission level rather than an ASPAC action item. Bachman said she understood and would simply meet with Black and Dials about the application process, with the matter further reviewed by ASPAC at their February meeting.

Bellegia said a background binder was already underway based on the work of ASPAC. The binder items, which would be transferred to the standing advisory committee and the Senior Program Manager at the conclusion of ASPAC, would include such things as the survey, standards, community partners, facilities, transportation, fundraising and marketing. It would not be appropriate for ASPAC to take on those tasks but the binder would serve as a foundation for the future standing committee and the new Senior Program Manager.

XII. Next Meeting Dates and Location (Bachman, 2 minutes)

- February 12 from 3:15 to 5:15 pm – Council Chambers
- March 12 from 3:15 to 5:15 pm – Council Chambers

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:17 p.m.

Respectfully submitted,

Susan Dyssegard, Executive Assistant
Ashland Parks and Recreation Commission

City of Ashland
PARKS AND RECREATION COMMISSION
Regular Meeting
Minutes
January 22, 2018

Present: Commissioners Gardiner, Heller, Landt, Lewis, Miller; APRC Director Black; Recreation Superintendent Dials; Forestry Supervisor Minica; Executive Assistant Dyssegard; Assistant Manuel

Absent: Interim Superintendent Jeffrey McFarland; City Council Liaison Mayor Stromberg

CALL TO ORDER

Chair Gardiner called the meeting to order at 7:00pm in Council Chambers, 1175 E. Main Street.

APPROVAL OR ACKNOWLEDGEMENT OF MINUTES

- Ad-Hoc Senior Program Advisory Committee, December 11, 2017—acknowledged
- Trail Master Plan Committee, December 15, 2017—acknowledged

- Regular Meeting—December 18, 2017

Motion: Landt moved to approve the Minutes of December 18, 2017, with an amendment as follows:

Page 4, Paragraph 6: Heller moved to *increase* the fee to \$.45 per square foot for Clay Street Park plots”
Should be: Heller moved to *decrease* the fee to \$.45 per square foot for Clay Street Park plots.”

Motion: Landt moved to approve the Minutes of December 18, 2017, as amended. Miller seconded.
The vote was all yes.

PUBLIC PARTICIPATION

- *Open Forum*

Luther Lyman of 321 Clay Street in Ashland, Oregon, was called forward.

Lyman stated that he had been playing tennis in Ashland for over 30 years. During that time, courts available at Southern Oregon University had deteriorated to the point that players preferred to use the courts at Hunter Park. Lyman noted that the courts at Hunter Park were also deteriorating and tennis players had attempted to fill cracks in four of the courts. He thanked Jason Minica for his help in obtaining needed materials and for his commitment to re-painting the boundary lines.

Lyman relayed that court five had more significant issues – cracks wide enough to cause injury. He also reported that the courts on the railroad side were dangerous under certain conditions. Lyman talked about the \$55,000 that had been set aside for tennis in the CIP, noting that he had suggested resurfacing court five as a more permanent solution. He stated that he had learned that those funds were to be used for capital improvements rather than maintenance.

Dale Swire of 233 Clay Street in Ashland, Oregon, was called forward.

Swire stated that Ashland’s tennis courts were not up to best standards. He relayed that with other disciplines such as pickleball and bike polo using the same courts, tennis players were finding it more difficult to find suitable places to play.

Swire asked for assistance from APRC, suggesting that dedicated pickleball courts be added to relieve the overcrowded conditions on the tennis courts.

Dave Ferguson of 995 B. Street in Ashland, Oregon, was called forward.

Ferguson highlighted similar concerns, advocating for a long-term plan. He suggested that dedicating \$55,000 for something new did not take into account the value of the existing assets: the courts currently in need of refurbishment.

Ferguson talked about the repairs made by players to date, noting that people from 60 to 90 years of age worked an entire day to fill the cracks in courts one through four.

Ferguson referred to the Lithia Park Master Plan, stating that planning for the future should include the repair and maintenance of existing APRC assets.

Jane Ferguson of 995 B. Street in Ashland, Oregon, was called forward.

Ferguson spoke to the couple's experience as newcomers in town, highlighting the welcome extended by tennis players. She commented that they were great ambassadors for the community. She reiterated concerns about the condition of the courts, stating that the cracks would continue to need work and that temporary repairs had obscured the boundaries. She said nets and fencing were also in need of repair.

Ferguson expressed a fear that a player at play could be injured. She stated that it would be in APRC's best interests to take care of these courts.

David Chuse of 392 Taylor Street in Ashland, Oregon, was called forward.

Chuse presented a broader context for local tennis. He noted that Ashland's Big Al's Tournament was a USTA-certified regional tournament. He talked about tennis as a lifelong sport, ranking #4 in the world with a global reach of over one billion people according to Totalsportek.com. [Tennis: A Top World Sport](#)

Chuse reported that last year's Big Al's Tournament winner was a local high school student with great promise. With AHS tennis teams for both boys and girls using the Hunter courts, they were in high demand.

- ***Senior Center Public Comment***

Sandra Sawyer of 585 Thornton Way in Ashland, Oregon, was called forward.

Sawyer read a [prepared statement](#) that referenced her past testimony regarding the Senior Program process and the recommendations regarding the Program that had been made at the time by Director Black. In that testimony, she advocated for postponement of the approved recommendations.

Sawyer asked that recommendations made by the Ad-Hoc Senior Advisory Committee also be postponed until the public could assess the Committee's recommendations and present alternatives.

Avram Chetron of Ashland, Oregon, was called forward.

Chetron relayed that he had lived in Ashland for eleven years. He talked about the proposed adoption of recommendations from the Ad-Hoc Committee and advocated for postponing approval until the Ad-Hoc Committee completed its work.

Reading from a [prepared statement](#), Chetron highlighted the quality of the survey, raising concerns about the questions asked, the survey sampling, and the projected outcome.

Ed Green of Ashland, Oregon, was called forward.

Green talked about discussions he held with citizens while trying to obtain signatures for recall petitions for three elected Parks Commissioners. He noted that people tended to ask why Senior Center staff were let go in August 2017 and he called for a reply from the Commissioners.

Gardiner noted that Open Forum was the Commissioners' time to listen to the public, not the time for dialogue. As an alternative, he encouraged one-on-one contact with the APRC Director or a Commissioner.

- **Pickleball**

Jack Methot of 885 Jaquelyn Street in Ashland, Oregon, was called forward.

Methot noted that there was a Southern Oregon Pickleball Association (SOPA) in the Rogue Valley with approximately 360 email recipients, most of whom were seniors. He said local pickleball players were able to play on two courts in Lithia Park on Monday, Wednesday and Friday mornings.

Methot spoke of a program initiated by pickleballers to support growth of the sport; specifically, local players had offered to teach pickleball to middle school students in Ashland, Phoenix and Talent, with equipment and expertise provided. The challenge was in finding available pickleball courts.

Methot proposed, as a short-term solution, adding dedicated pickleball times in Ashland on evenings and weekends. The group's goal was to grow the sport in Ashland by promoting it as family entertainment involving persons of all ages. He expressed confidence that young people would respond enthusiastically to the sport.

Methot said finding dedicated pickleball courts would be a long-term solution that would allow pickleball players to play without time constraints. An added benefit would be returning tennis courts back to tennis players.

ADDITIONS OR DELETIONS TO THE AGENDA

There were none.

ELECTION OF OFFICERS (ACTION)

Motion: Landt nominated Gardiner to serve as 2018 chair. Heller seconded. Gardiner accepted the nomination.
The vote was all yes.

Motion: Miller nominated Landt to serve as 2018 vice chair. Lewis seconded. Landt accepted the nomination.
The vote was all yes.

UNFINISHED BUSINESS

- ***Ashland American Legion Baseball Banner Status Report (Information-Action)***

Dials noted that Ashland American Legion Baseball was requesting placements of sponsorship banners on outfield fences between the foul line and temporary fencing at North Mountain Park for the 2018 season. She explained that the organization made a similar request in 2017 but were not able to implement the program that year. She introduced representative Ken Buccino and invited him to speak about the request.

Buccino said there were a number of reasons why the program was not implemented in 2017. He expressed optimism that prior APRC approval would provide an opportunity for installation of the banners and reiterated that the banners were an important fundraising tool for the high school-aged baseball program.

There followed a brief discussion about potential concerns.

Motion: Landt moved to extend the 2017 Commissioner approval of banner placements on North Mountain Park outfield fences to the 2018 season. Miller seconded.

The vote was all yes.

- ***APRC Adopted Goals (Updated-Amended / Action).***

Black highlighted the January business meeting discussion regarding proposed modifications to the goals and said he presented an update on all BN17-19 goals at that time. As discussed, two goals were presented that seemed to be redundant and it had been determined that a key component was missing. After several iterations of the two goals, the Commissioners agreed that the intent had been to rebuild the community pool with the addition of competition-style elements. Descriptions of the goals were combined and modified to add clarity to the intent and to reduce redundancies.

Landt proposed modifications as follows: "Rebuild the Daniel Meyer community pool and increase its functions to include a cover and a competitive component. Existing pool functions to be retained. Partner with users such as the Ashland School District and Rogue Valley Masters Swimmers to ensure that APRC's portion of the operational costs fit within the APRC budget."

Motion: Landt moved to adopt the modified statement as listed above in replacement for the former two goals. Miller seconded.

Discussion of Motion

Landt commented that it would be easy to decide to rebuild the Daniel Mayer pool with more functionality than to seek funding via a bond. He stated that the more difficult task with regard to the pool would be to ensure that the operating costs remained within budget once the rebuild was accomplished. Landt noted that expenses for a year-round pool would be considerably higher than current operational costs, and he was appreciative of the work that Director Black was focusing on to ensure that the operational costs would remain within budget. He applauded the focus on long-term costs and the fiscal responsibilities of building a budget that would work. Landt stressed the importance of finding the sponsors needed to accomplish that goal.

Motion: Landt moved to adopt the modified goal as follows: "Rebuild the Daniel Meyer community pool and increase its functions to include a cover and a competitive component. Existing pool functions to be retained. Partner with users such as the Ashland School District and Rogue Valley Masters Swimmers to ensure that APRC's portion of the operational costs fit within the APRC budget." Miller seconded.

Discussion of Motion

Heller asked about the best way to proceed with stakeholders, noting that community partners could choose to cancel future agreements for pool services if a preferable alternative became available. If that were to happen, the pool budget could be significantly impacted.

Lewis noted that partnering was an integral part of the rebuild and Commissioners must be comfortable with the arrangements once agreements were established.

Gardiner noted that the project would be placed on hold pending further developments with potential community partners. Black addressed ways to reach agreements with partners, stating that negotiating partnerships would remain a dynamic process until it became sustainable and the Commissioners were satisfied.

Motion: Landt moved to adopt the modified goal as follows: "Rebuild the Daniel Meyer community pool and increase its functions to include a cover and a competitive component. Existing pool functions to be retained.

Partner with users such as the Ashland School District and Rogue Valley Masters Swimmers to ensure that APRC's portion of the operational costs fit within the APRC budget". Miller seconded.

The vote was all yes.

NEW BUSINESS

- *Recommendations of Ad-Hoc Senior Program Advisory Committee (ASPAC) (Possible Action)*

Black reviewed the background that resulted in the creation of the Ad-Hoc Senior Program Advisory Committee in September 2017. He stated that the Committee had worked diligently toward solutions to develop a Senior Program that would be more robust and inclusive, as envisioned by APRC. The Committee noted that a program description and a well-defined job description for a high-level Manager were key components in moving the program forward. The Committee identified the basic tenets and characteristics that would provide the framework and overarching principles for the program and its leader.

Jackie Bachman, Chair of ASPAC, was called forward.

Reading from a [prepared statement](#), Bachman noted that the main goal of ASPAC was to create recommendations that would provide a framework for moving the Senior Program forward. She said three objectives were developed to reach that goal:

1. Listen to the public
2. Draw upon the knowledge and experience of local experts
3. Research Best Practices and the National Standards of Excellence as related to Senior programs.

Bachman detailed the experience and skills contributed by each ASPAC Committee member, and outlined ways the Committee facilitated communication and public input. She reported on the results of the Committee's research into the Best Practices and Standards of Excellence, highlighting key services that needed to be strengthened – particularly in the areas of referral and outreach – and provisions for transporting seniors. Bachman referenced the National Standards for Excellence and the areas for improvement based upon the Standards. The Committee determined program needs as follows:

- Develop a current Action Plan with Goals and Objectives
- Provide an updated Mission Statement
- Establish a series of annual reports and other reporting processes
- Develop a Policies and Procedures Manual
- Convene an Advisory Committee and a Fundraising Committee
- Provide a Senior Program Evaluation Plan
- Improve Referral and Outreach partnerships and procedures

Bachman called for approval of the proposed Senior Program Description, the Senior Program Manager Job Description Essentials and establishment of the Senior Program as a Separate Division. She explained that a higher level of leadership was needed to ensure that the program would be successful.

Backman announced that ASPAC would complete their work in March 2018, noting that the Committee recommended that the new Senior Program Manager begin employment on July 1, 2018.

Discussion

Black expressed appreciation for all those who worked on the ASPAC project to date, recommending approval of the three components listed above. He explained that the Job Description called for a higher level of qualifications to provide the leadership needed to strengthen the Senior Program.

Black noted that ASPAC was also recommending that the Senior Program become its own Division - one that would report directly to the APRC Director.

There followed an extensive discussion regarding the proposed organizational changes and budgetary impacts. Landt suggested that the new Division function as other divisions within APRC, with the leadership identified at the highest levels as Superintendents. Black noted that regardless of title, the intent was to empower a senior-level manager who would become a part of the APRC Administration team.

Black reviewed the Senior Program Description and a summary of program elements. Black noted that the Referral and Outreach components should be added to the summary – as envisioned by ASPAC.

Heller asked about the members of the public who were disgruntled and whether their concerns had been addressed and reflected in the recommendations.

Bachman replied that most concerns would be assuaged with inclusion and transparency – quoting the AARP slogan “Nothing about us without us”. She acknowledged that it would take time to dissipate the anger within the community, stating that it would take at least a year to come to terms with the changes.

Bachman shared a recent story related to the Center, and highlighted the increased number of people who were contributing to the program as volunteers – two examples that were indicative of the positive changes that were beginning to happen at the Center.

Bachman noted that ASPAC had spoken to hundreds of people and the majority were looking for a leader at the Center. She advocated for moving forward quickly with approval of the recommendations so that the unmet needs of vulnerable seniors could be addressed as soon as possible. She explained that the process of finding a qualified, high-level Senior Manager was time-consuming and that ASPAC was recommending a hire date of July 1, 2018 - the beginning of the APRC fiscal year.

Gardiner commented that Commissioners Lewis and Gardiner had been participating in the process for the past year and the original vision of the Senior Program as an expanded program with broader and more inclusive services would come to fruition based on ASPAC recommendations.

Heller asked about the number of respondents to the survey. Discussion about the survey focused around the compilation of 675+ surveys received. Heller asked whether there would be value in waiting for completion of the compilation prior to making a hiring decision.

Black advocated for immediate adoption of the Senior Manager Job Description because of the length of time that an interview process would require. He stated that the Job Description had been crafted by experts in the field who were familiar with the essential elements needed and that a new manager would want to participate in the development of a refreshed mission and vision as well as in the formulation of goals toward expanding the program.

Bachman noted that the survey was a Community Needs Assessment. She stated that without the framework of a program description, the manager would not be able to meet those needs effectively. Bachman explained that ASPAC had documented a comprehensive amount of information in addition to the Needs Assessment that would become a valuable resource for the manager.

Landt stated that the Senior Program Description and the proposal to create a separate Division for the Senior Program were straightforward and clear. He expressed concerns about the proposed Job Description, noting that additional vetting was necessary. Landt indicated that he would vote in favor of the description if it was understood

that it was *conceptual* rather than *actual* so that changes could be made. Black agreed, noting that approval would facilitate the emphasis on a higher level of leadership. He stated that some steps were remaining, such as vetting by the City's HR and Legal departments, edits for consistency in formatting with other City job descriptions, and any content changes based on input received from the Commissioners and ASPAC members.

Black highlighted a key component – namely the National Standards for Senior Programs. The Standards would become the benchmark for improvements to Ashland's Senior Program as well as providing a methodology that could be measured. He noted that the Standards provided an opportunity to explore cutting-edge programs and services that had been implemented nationally. Black noted that the manager's Job Description was also based upon nine Standards of Excellence.

Bachman stated that each of the Standards were detailed in workbooks, providing guidance on the processes needed to accomplish each improvement. She indicated that the Standards had been a missing element in the prior program and that each benchmark would provide needed perspective and documentation demonstrating progress. Black agreed, stating that the Standards provided the Senior Program Manager with the tools to accomplish Best Practices and move the program forward to the next level.

Senior Program Description

Motion: Landt moved to adopt the proposed conceptual Senior Program description as edited by staff. Lewis seconded

The vote was all yes.

Discussion

Black reiterated that the motion to approve would be for the conceptual job description with the understanding that it would continue to be modified as appropriate. He indicated that the basis of the job description would remain substantially the same with minor edits.

Landt suggested changing the summary under Planning and Development from "Develops long-range strategic plan with operational goals in meeting the needs of Ashland seniors, in conjunction with the Ashland Parks and Recreation Commissioners and APRC Director, and in alignment with the advice and recommendations of the Senior Program Advisory Board" to "Develop a long-range strategic plan with operational goals in meeting the needs of Ashland seniors, with general direction from the APRC Director".

Landt also suggested that when the document referenced the Senior Program Advisory Board, that the Board be identified in parenthesis as an APRC Subcommittee. He stated that the clarification would ensure the organizational integrity that all APRC divisions follow and would ensure that all recommendations were forwarded to the Commissioners for approval.

Black agreed, noting that subcommittees do not have the authority to make policy decisions. He discussed a scenario that delineated the responsibilities of the Advisory Board as recommendations only and the APRC Commissioners as the decision makers. He agreed to review the proposed bylaws for clarity.

Bachman also agreed, stating that in her opinion, the role of an Advisory Board was to advise and assist. She highlighted the precedent set across the nation regarding Advisory Boards or Committees, indicating that they operated in the same manner as a subcommittee, with the same representation. Bachman described an Advisory Board that would include approximately five citizens who participated in senior programs, a community partner or two, an APRC Commissioner, a City Councilor, the Senior Program Manager and possibly the APRC Director.

Landt advocated for the removal of any language that inferred policy oversight for the Advisory Board or Senior Program Manager. Lewis asked about a friendly amendment to include the clarification, stating that he would accept that into the motion. Landt indicated that assurances from staff that the bylaws would be reviewed and modified was sufficient. Black proposed that a Commissioner be appointed to review the final version of any documents that were modified prior to distribution.

Gardner volunteered to conduct the final review.

Senior Program Manager Job Description Essentials

Motion: Lewis moved to approve the conceptual Senior Program Manager job description as described and edited by staff. Heller seconded.

The vote was all yes.

Discussion among Commissioners

Heller commented that the proposed organizational change designating the Senior Program as a separate division was significant and he asked whether the change would cause dissention among APRC staff. Black replied that he represented staff and he felt that the change was understood and accepted. He identified work in progress that defined the new division as an integral part of APRC. He said the the Senior Program Manager would be included within the administrative team and the organizational chart would reflect that association.

Landt inquired about the budgetary impact of a higher-level manager. Black acknowledged that the requirements for increased responsibilities would trigger an increase in the pay range. He stated that exact figures were as yet unknown but he estimated that the budgetary impact for the top range would be approximately 10% higher than the previous salary range.

There followed a brief discussion of the benefits package. Black stated that he would bring additional information to the Regular Meeting on February 26.

Senior Program as a Separate Division

Motion: Landt moved to approve the change in organizational structure so that the Senior Program Manager reported directly to the APRC Director and the Senior Program became a Division of APRC. Lewis seconded.

The vote was all yes.

SUBCOMMITTEE AND STAFF REPORTS

- ***Annual Forestry Division Report (Information)***

Black introduced the Forestry, Trails and Open Space Supervisor, Jason Minica.

Minica highlighted the goals and objectives of the APRC Forestry Division, noting that daily work focused on reducing fire hazards, conducting weed abatement and doing fire-wise landscaping to promote wilderness conservation and protect the environment.

Minica reported that the division was responsible for managing 269.79 acres of developed land and 491.27 acres of undeveloped land. Fuels reduction work included tree removals and thinning. One project completed this year was the removal of beetle killed trees on the Lithia Park hillside and on Waterline Trail.

He explained that Ashland had lost a substantial number of trees to beetle infestations related to drought conditions. Trees that could be salvaged were converted to firewood, brush was burned and wood that remained infested was transported to Biomass to be burned.

Minica said year-round weed abatement includes the removal of blackberries on APRC-managed lands and the removal of Scotch broom and other invasive species in the forestlands and parks. The division is also responsible for mowing the Central Bike Path – which APRC staff completes multiple times during the spring and summer. Tree removal occurs on a nearly daily basis and approximately 48 miles of trails are maintained.

APRC staff work to protect infrastructure and promote trail safety while respecting the environment. Community partnerships facilitate trail management and maintenance while allowing for public participation in environmental projects.

Minica noted that approximately 65 Woof Waste stations are serviced throughout the year, resulting in the use of approximately 400,000 bags annually. The stations are monitored and serviced twice a week during the summer season.

Minica displayed pictures of tools of the trade specifically designed for trail work. Trails are chipped where needed, with students from the John Muir School taking on work projects four times each year.

Detailed logs are kept of the work done within the parks, trails and forested areas. The logs detail where the work was completed, the number of staff hours spent, the amount of debris collected and the costs incurred for hauling materials away. Forest treatments are logged, acreages are recorded and the number of burn piles are documented. Any collaboration with partners is also recorded. The number of trees removed that are twelve inches in diameter or larger are detailed.

Landt talked about the Acid Castle Rocks property acquisition, highlighting fuels reduction work completed in that area. He characterized the acquisition as a win-win situation providing additional trail connectivity as well as improvements in the health of the forest in that area.

There followed discussion focused on the expertise provided by an in-house arborist and the budget implications, given that an in-house specialist accomplishes much more than an outside consultant would. Landt inquired about a decrease in net costs for operations due to the shift from outside consultant to in-house specialist. Black answered that the arborist was a Park Technician III – a Supervisor who manages people as well as monitoring tree health. In that context, there was a cost savings. He stated that one day per week was dedicated to the care of trees in the parks and trail areas – something that would be unaffordable without in-house assistance. Landt agreed, stating that with 700+ acres, it was a wise use of the operational budget.

ITEMS FROM COMMISSIONERS

There were none.

ANNOUNCEMENTS

Dials noted that the Senior Program Newsletter had been distributed to each Commissioner. She indicated that programming for seniors had recently increased, warranting an extra page in the newsletter. She highlighted free safety classes offered by Ron Kohl, a retired detective and Crime Prevention Specialist, a free repair class, an AARP Smart Driver class and more.

Dials noted that an Information and Referral Specialist was available at the Senior Center on Wednesdays from 8:30-3:30pm. The Ad-Hoc Senior Program Advisory Committee was scheduled to meet on Monday February 12th at 3:15pm in Council Chambers.

Dials thanked Natalie Mettler, Lori Ainsworth and Jane Evans-Davis, current Senior Program support staff, for their hard work ensuring that programs and services were ongoing Monday through Friday and that there were opportunities for new workshops and programs.

Discussion

There followed a discussion of distribution sites for the newsletter. Heller suggested that the Ashland Library be added to the list.

Black talked about the number of comments received from the Senior Survey, stating that there were many who responded positively in addition to those expressing concerns. He stressed that no personal information was solicited as survey respondents were anonymous. He encouraged those who had not yet responded to do so as the deadline for completing the survey was Friday, January 26, 2018.

UPCOMING MEETING DATES

- o Ad-Hoc Senior Program Advisory Committee, February 12, 2018, Council Chambers, 1175 E. Main, 3:15pm
- o Study Session, February 12, 2018, The Grove, 1195 E. Main, 5:30pm
- o Regular Meeting, February 26, 2018, Council Chambers, 1175 E. Main, 7:00pm

ADJOURNMENT INTO EXECUTIVE SESSION

By consensus, Vice Chair Landt adjourned into executive session at 9:15pm

Executive Session: Real Estate Discussion and Disposition, ORS 192.660 (2)(h)

ADJOURNMENT OUT OF EXECUTIVE SESSION

By consensus, Vice Chair Landt adjourned out of executive session at 9:45pm

Respectfully submitted,

Betsy Manuel, Assistant

These Minutes are not a verbatim record. Narratives have been condensed and paraphrased at times to reflect discussions and decisions. All Ashland Parks and Recreation Commission Study Session and Regular Meeting are digitally recorded; digital recordings are available upon request.

City of Ashland
PARKS AND RECREATION COMMISSION
TRAIL MASTER PLAN UPDATE COMMITTEE
MEETING MINUTES
January 26, 2018

PRESENT: **Parks Commissioners:** Jim Lewis, Mike Gardiner
 Additional Committee Members: Luke Brandy, David Chapman, Stephen Jensen, Jim McGinnis
 City and APRC Staff: Director Black; APRC Interim Parks Superintendent Jeffrey McFarland; GIS Analyst Lea Richards
 APRC Minute-taker: Betsy Manuel

ABSENT: Chief-Forestry Resource Chis Chambers; Torsten Heycke

I. CALL TO ORDER

Chair Chapman called the meeting to order at 10:00 a.m. at The Grove - 1195 E. Main Ashland, OR.

II. APPROVAL OF MINUTES

a. December 29, 2017

Jensen asked that the Minutes be changed as follows:

*Page 3 Paragraph 4: "He stated that often those types of changes included punctuation as well as sentence construction and they could be so common that the document *was not* readily readable...."*

*Should be: "He stated that often those types of changes included punctuation as well as sentence construction and they could be so common that the document *would not be* readily readable...."*

Motion: Gardiner moved for approval of Minutes for December 29, 2017 as amended. Jensen seconded and the motion carried. The motion carried.

III. PUBLIC PARTICIPATION & GUEST SPEAKERS

• *Open Forum*

Two written comments were received via google-docs.

Black suggested that the comments be included in Agenda Item *Public Participation* so that people who submit them would see that their comments have been acknowledged.

IV. ADDITIONS OR DELETIONS TO THE AGENDA

There were none.

V. UNFINISHED BUSINESS

There was none.

VI. NEW BUSINESS

a. Discuss/Present Public Comment/Review Information

McFarland reported that public comment had been received for the Google docs Trails Master Plan edits. He stated that a button had been added to Google docs to allow access to a form designed to facilitate public comments.

McFarland noted additional access was available through the City's website. A click button provides a link to the form entitled "Contact the TMP Committee". Chapman stated that when a completed form has been submitted, it is sent by email to TMP Chair David Chapman, Interim Parks Superintendent Jeff McFarland, APRC Dorinda Cottle, and Final Editor Steven Jensen. The information will then be presented to Committee members at the next regularly scheduled TMP meeting.

McFarland noted that all public comments are automatically saved to a spreadsheet for recordkeeping. Any comments that are pertinent to a particular Chapter will then be sent to the Chapter editor. In response to a question by Brandy, Black replied that the comments would automatically become part of the public record. McGinnis suggested that public comments be solicited during a specific timeframe so that there are no surprises once the document is completed. Chapman added that once the editing process has been completed, there would be a series of public announcements with opportunities to comment prior to sending the document to the consultant for publication. McFarland noted that an open house could be held as well.

Black noted that there were two different channels for soliciting input – the first being prior to completion of the Master Plan – when people want to respond while the Master Plan update process is underway – because they have specific areas of interest. The second solicitation of public input could take place once the edits have been completed and people have an opportunity to review the final document.

Gardiner offered to talk about the Trails Master Plan Update as part of a series of regular articles in the Ashland Daily Tidings called the Park Views. He stated that he could provide an overview of the Committee's work in a Park Views article in February. There followed a brief discussion about submitting the article to other publications as well.

McFarland explained that the public would have access to the original Master Plan but not the edited versions until the edits have been "accepted" by the Chapter editor. He stated that he could not reassign or take any action until the Chapter editor "accepts" the edits. The mechanism for accepting the edits is a checkmark. When there are multiple editors on a Chapter, each one should click to accept upon closing.

Chapman detailed the steps that must be taken to complete the Chapters and add commentary so that the next editor can see the editing history. He suggested that a table be added at the top of the document with checkmarks that document where each Chapter is in its development – whether it is in its original state, or is currently undergoing edits as a draft copy, or when the final edits have been made and approved.

McGinnis asked about procedures for questions and/or the gathering of information. It was agreed that asking for information was acceptable within the edited draft, but that comments must be forwarded to APRC staff so the commentary could be made public.

Brandy noted that he adds parenthesis with comments into the document itself as a tool for reminders or for other editors to see. McFarland agreed, noting that such commentary could act as placeholders for information. McGinnis stated that there were redundancies within the original Master Plan that were repeated in the Appendix as well. It was agreed that the final editor would bring any unresolved redundancies or questions to the Committee for a final decision.

Chapman stated that once a Chapter editor had completed his work and accepted the draft, a note should be sent to McFarland so that he could move the document into a completed Chapters folder. Jensen noted that mapping should be included as a step in the finishing process.

Richards stated that it was helpful to read the Chapters once they have been completed in order to develop a map that would depict the locational information defined in each Chapter. She explained that for new areas such as the Cascade Foothills area, finding the reference points described in the text assisted her in determining mapping for the area. Richards stated that highlighting any additional references points listed in existing Chapters would be helpful. She indicated that there was a maps folder in google maps that contains draft copies of the maps. Chapman commented that sending her questions while writing the new Chapters would give her time to evaluate the Chapter for mapping.

b. Editors Corner: Editing Clarifications

Citations

Jensen recommended that citations should be included in parenthesis at the end of the referencing paragraph. He suggested posting the information (including the date) without formatting. The final editor would format each Chapter for uniformity.

Brandy stated that online version could contain a hyper-link and page number that would go directly to the referencing document.

Jensen inquired whether Committee members would prefer to list the citations at the end of each Chapter or in an Appendix. McGinnis stated his preference for inclusion as an Appendix. Jensen agreed, noting that the citations would be in alphabetical order. In response to a question by Brandy, McGinnis proposed that references become footnotes with a hyper link. Once completed footnotes would become numbered end-notes. It was agreed by all that footnotes would be used rather than parenthesis.

Update

Jensen talked about the most pertinent way to describe the work of the Trails Master Plan Committee. He stated that in his opinion, the work was more substantial than described when using the word "update".

Ashland City Planner Brandon Goldman noted that the term "update" was common vernacular in governmental circles. He stated that an update communicates that there has been a superseded document. Chapman noted that using the word "update" as descriptor implies that there are historical references to the Trails Master Plan.

There followed a brief discussion about the difficulties in formatting copy. McFarland explained that it was most likely because the material had been scanned and uploaded.

Glossary

Jensen noted that a decision should be made regarding the Glossary and what it would include. He asked that if a Chapter editor has a word that should be explained, it should be so noted at the end of the Chapter.

Appendix

Jensen explained that the Appendix should only exist if it is referred to in the Chapter write-up. (i.e. "see Appendix"). He stressed that the Chapter should be able to stand as written without an Appendix.

Trail Safety and Etiquette

In response to a question from Jensen, Chapman noted that in Chapter II – Objective C-3 was to create and promote a "trail etiquette" protocol.

Brandy talked about the trails section in the 2016 Ashland Forest Plan where the different uses were detailed. He stated that it was important to explain the different uses and what the protocols were. Brandy noted that pedestrian safety was an integral part of a good plan. McFarland agreed referring to Appendix A.

Fauna

Chapman noted that it might be appropriate to list fauna in the Appendix with possibly a small paragraph in the corresponding Chapter as a reference.

McGinnis asked if flora and fauna would be referenced in every Chapter. He noted that the Eastside and Westside chapters mentioned the flora and fauna in the context of the terrains. Brandy suggested that the focus should be on the trails but not on the geologic history.

c. Discuss Flora Questions – Appendix D

McFarland noted that there was a comprehensive list of the flora in Appendix D. He proposed that the list be stricken and references should be made where appropriate with a link to a referenced authority – such as the Native Plant Section of the 2016 Ashland Forest Plan.

McFarland stated that the Cascade Foothills would link to SOLC for discussion of the flora in that area. It was agreed that one page in the Appendix would contain the links to the various reference materials.

In response to a question by Jensen, McGinnis suggested that differences in the wildlife or vegetation could be briefly noted in the pertinent Chapter to provide perspective. Links could then provide more comprehensive discussion as needed. McFarland noted that many of the corridors contain sensitive riparian areas that contain specific types of flora and fauna. Brandy noted that he had included a sentence or two in the Regional Trails Chapter that highlighted changes from Ashland's watershed areas to the high mountain forests. Existing historic information about the trails would be carried forward. Richards stated that it was important to include points of interest.

In response to a question by Jensen about indigenous peoples and their cultural impact, Black relayed that the Nature Center had taken that on as part of their educational efforts. McGinnis noted that there could be a link to forestland trails that discussed indigenous people and their impact on the development of trails. Brandy noted that there were more extensive references in other publications as well. It was agreed that references would be included in the Appendix.

d. Discussion/Review Chapters 1 & 2

Chapman noted that the original Trails Master Plan had been approved by the Ashland City Council in 2006. He explained that the updated vision and mission had been discussed and approved early on by the TMP Committee so it was inserted into Chapter 2. Chapman stated that the goals and objectives as originally written were incorrectly identified. He commented that after several tries he left the goals and objectives as written – adding an explanation that specified that the goals and objectives were areas of concern and interest.

Chapman stated that he had added a section called “Trail Access and Parking”. He described the rationale that had the methodology for a new paragraph as follows:

“An urban trail system is analogous to a mass transit system in that there are multiple access points along a system of linked corridors as opposed to the traditional trailheads in remote trail systems. These points are intended to be within a reasonable walk from home or destinations. Access to the system via vehicle, with the exception of stations or transfer hubs or park-n-rides, is through finding nearby legal street parking. In general, function of major trailheads, which provide parking, restrooms and water, will be provided by our existing or future parks. It may be necessary in some areas that are heavily used for recreation to add new parking or facilities. Each corridor should identify and map the location of all facilities”.

Black stated that the viewpoint expressed was consistent with a transportation system. Brandy indicated that the sentence about stations or transfer hubs or park-n-rides might be best edited to refer to nearby, legal, street parking only. The availability of parking was discussed as well as how to represent current parking and future possibilities.

Chapman noted that the overview for Chapter 2 was written to include goals and objectives, but that the objectives as outlined in the original Master Plan were actually goals. Black stated that objectives do not have to be detailed and in fact, tend to change over time.

It was agreed that further discussion about goals and objectives would be placed on the Agenda for the next regularly scheduled meeting.

VII. UPCOMING MEETING DATES

February 9, 2018 in the Siskiyou Room, Community Development Building, 51 Winburn Way - 10:00 a.m.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:40a.m.

Respectfully submitted,
Betsy Manuel, Minute-Taker
Trail Ashland Parks and Recreation Commission

These Minutes are not a verbatim record. The narrative has been condensed and paraphrased at times to reflect the discussions and decisions made. Ashland Parks and Recreation Commission Subcommittee meetings are digitally recorded and are available upon online.

City of Ashland
PARKS AND RECREATION COMMISSION
TRAIL MASTER PLAN UPDATE COMMITTEE
MEETING MINUTES
February 9, 2018

PRESENT: Parks Commissioners: None
Additional Committee Members: Luke Brandy, David Chapman, Torsten Heycke, Stephen Jensen, Jim McGinnis
City and APRC Staff: APRC Interim Parks Superintendent Jeffrey McFarland; GIS Analyst Lea Richards
APRC Minute-taker: Betsy Manuel

ABSENT: **APRC:** Director Black; Commissioners Jim Lewis, Mike Gardiner; Chief-Forestry Resource Chis Chambers

I. CALL TO ORDER

Chair Chapman called the meeting to order at 10:00 a.m. at 51 Winburn Way, Ashland OR.

II. APPROVAL OF MINUTES

- *January 26, 2018*

Approval of the Minutes for January 26, 2018 was postponed until the next regularly scheduled meeting.

III. PUBLIC PARTICIPATION & GUEST SPEAKERS

- *Open Forum*

There were no written comments or public commentary.

IV. ADDITIONS OR DELETIONS TO THE AGENDA

Chapman noted that Chapter 1 and the Regional Trails Chapter were available for group review.

V. UNFINISHED BUSINESS

a. Chapter 1

Jensen led the discussion, indicating that the Chapter 1 had been completed, accepted and reviewed by final editors Jensen and Chapman. In keeping with the process, Committee members et al would provide an additional review and any policy decisions or changes to text would be discussed per public meeting law.

Participating members suggested changes to the wording in several paragraphs that did not substantially change the text – rather it was edited for additional clarity. Branch suggested that a table of timelines could clarify Chapter 1. A timeline would be helpful because of the complexities between the original Trails Master Plan, the updated Trails Master Plan (currently under review) and the potential for a look ahead.

There followed a brief discussion about public input and how to communicate that there was a mechanism in place throughout the update process to record public input.

Chapman explained that the existing vision and mission statements in Chapter 1 remained as originally described - with minor revisions. He acknowledged the difficulty of describing what was then and what is now particularly when changing tenses.

Richards asked about changes to the corridors – noting that the updated version combined Paradise Creek and Roca Creek into a single corridor.

Chapman suggested an additional sentence in Chapter 1 where the document speaks to the need for mapping regional connections. The sentence would function as a bridge between a look back at the regional connections and a look forward at new areas of connectivity.

McGinnis talked about the role of trail volunteers versus the role of trails ambassadors. Further discussion focused on the differences between the two – noting that volunteers focused primarily on maintaining the trails, while ambassadors placed more emphasis on the uses within the Parks and on the trails. McFarland highlighted the importance of establishing a protocol for trails volunteers. He noted that AWTA had developed a take-away that identified various protocols that strengthened recreational immunity as defined in Oregon law. Chapter 1 of the TMP was modified to define “Interest in a citizen-based trail volunteer program to augment trail maintenance and proper trails use” Heycke suggested that the final version be simplified to state “Interest in a citizen/ trails volunteer program”.

Committee members debated whether the volunteer aspect of the TMP should be a separate chapter or included as a section in an existing chapter.

b. Continued Discussion about Goals and Objectives, Chapter 2 (Chapman)

Chapman noted that a discussion about Chapter 2, would involve possibly re-thinking the goals as referenced. Jensen agreed, stating that such a discussion should be postponed until a meeting when Director Black was present.

VI. NEW BUSINESS *Maps Discussion (Richards)*

a. Helpful Guidelines for Chapter Editors

Jensen introduced a detailed guide designed to facilitate editing in a consistent and efficient manner. He described two ways to edit in google docs- either by selecting the “editing” button or by selecting the “suggesting” button. Jensen proposed a change of color for any text that has been moved.

Jensen explored his preferred methodology for footnoting and he described a process to propose and review glossary items. There followed a brief question and answer period as people become more familiar with editing in google docs.

McFarland presented a chart that depicted the steps that each chapter would take in the editing process. He noted that the Update Committee should identify photos for each chapter – one of the steps not yet completed. He detailed the process beginning with the first editor (called rough draft editor) who would re-write or add to a specific chapter. Once completed the rough draft editor would send the chapter to a second editor who would review in tandem with a third editor (known as final editors). When the document

was declared as complete as possible, it would move on to be vetted by the Update Committee collectively. The public would also be invited to provide comment and a public meeting would be scheduled and held. A modified final "final: would go to consultant Mark Mularz for further formatting. APCR would review and approve the document for adoption. The Ashland Planning Department would integrate the document into the Comprehensive Plan pending final approval from the Ashland City Council.

Jensen expressed a concern about gathering photos in a timely manner. Chapman indicated that a photo list would be compiled so that Committee members can pick and choose between them.

McFarland proposed that new chapters would be labeled consecutively in alphabetical order. The Glossary and Bibliography would be inserted at the end of the Master Plan.

One undecided element was where to locate a paragraph or two about volunteers.

Richards stated that she would answer any geographical questions that arise. McFarland noted that the boundaries for the Eastside and Westside areas were still to be determined.

VII. UPCOMING MEETING DATES

February 23, 2018 @ 51 Winburn Way - 10:00 a.m.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:43 a.m.

Respectfully submitted,
Betsy Manuel, Minute-Taker
Trail Ashland Parks and Recreation Commission

These Minutes are not a verbatim record. The narrative has been condensed and paraphrased at times to reflect the discussions and decisions made. Ashland Parks and Recreation Commission Subcommittee meetings are digitally recorded and are available upon online.

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Matt Miller



Michael A. Black, AICP
Director

541.488.5340
AshlandParksandRec.org
parksinfo@ashland.or.us

PARKS COMMISSIONER STAFF REPORT

TO: Ashland Parks and Recreation Commissioners

FROM: Rachel Dials, Recreation Superintendent

DATE: February 20, 2018

SUBJECT: OPRD Grant Resolution for Nature Play Area at North Mountain Park
(Information / Action)

Action Requested

Staff is requesting approval of the Grant Resolution to apply for an Oregon Parks and Recreation Department (OPRD) grant for the development of a Nature Play Area at North Mountain Park.

Background

Staff is seeking grants to enhance a 4,000-sq-ft area of North Mountain Park through a safe and educational natural play area composed of natural materials including wood, rocks, sand and water. Nature Center Manager Libby VanWyhe will be applying for a local government grant through OPRD.

A part of the process includes an approved resolution from the APRC to apply for the grant. This resolution means that you are supportive of the project and the process and agree to ongoing operations and maintenance of the facility if OPRD grant funds are awarded.

The City Attorney has reviewed and approved the draft grant resolution.

Recommendation

Staff recommends approval of the Resolution.

Attachments:

- Final draft of Grant Resolution

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

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Mike Gardiner
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Matt Miller



Michael A. Black, AICP
Director

541.488.5340
AshlandParksandRec.org
parksinfo@ashland.or.us

RESOLUTION AUTHORIZING APPLICATION FOR GRANT FOR THE DEVELOPMENT OF NATURE PLAY AREA AT NORTH MOUNTAIN PARK

IN THE ELECTED ASHLAND PARKS AND RECREATION COMMISSION, JACKSON COUNTY, OREGON

IN THE MATTER OF AUTHORIZING THE Ashland Parks and Recreation Commission TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR development of Nature Play Area at North Mountain Park AND DELEGATING AUTHORITY TO THE PARKS DIRECTOR TO SIGN THE APPLICATION.

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and **WHEREAS**, the Ashland Parks and Recreation Commission desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, the Commissioners and Staff have identified improvements at North Mountain Park as a high priority need in Ashland; and

WHEREAS, this capital improvement project intends to enhance a 4,000-sq-ft area of North Mountain Park through a safe and educational natural play area composed of natural materials, wood, rocks, sand and water; and

WHEREAS, the Ashland Parks and Recreation Commission has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

WHEREAS, the Ashland Parks and Recreation Commission will provide adequate funding for ongoing operations and maintenance of this park and recreation facility should the grant funds be awarded; and

NOW, THEREFORE, BE IT RESOLVED BY THE ASHLAND PARKS AND RECREATION COMMISSION AS FOLLOWS:

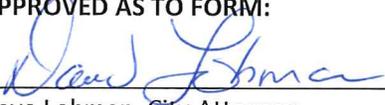
Section 1: The Ashland Parks and Recreation Commission demonstrates its support for the submittal of a grant application to the Oregon Parks and Recreation Department for development of a Nature Play Area at North Mountain Park.

Section 2: This Resolution shall be effective following its adoption by the Ashland Parks and Recreation Commission.

Passed by the Ashland Parks and Recreation Commission

Dated this _____ day of February, 2018.

APPROVED AS TO FORM:



Dave Lohman, City Attorney
City of Ashland

Mike Gardiner, Chair of APRC

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Matt Miller



Michael A. Black, AICP
Director

541.488.5340
AshlandParksandRec.org
parksinfo@ashland.or.us

PARKS COMMISSIONER STAFF REPORT

TO: Ashland Parks and Recreation Commissioners

FROM: Rachel Dials, Recreation Superintendent

DATE: February 20, 2018

SUBJECT: Recommendation from ASPAC to Form a Standing Senior Program Advisory Committee (Information / Action)

Action Requested

The Ad-Hoc Senior Program Advisory Committee (ASPAC) made a recommendation to the Parks Commission at their February 12, 2018, meeting to create a standing Senior Program Advisory Committee and establish an appointment process. Staff is seeking discussion and action on the recommendation.

Background

The Ad-Hoc Senior Program Advisory Committee (ASPAC) will complete their duties in March of 2018. In order for a seamless transition to occur from ASPAC, they are recommending an advisory committee be formed to work with Senior Program staff and the APRC Director to make future recommendations on the Senior Program to the APRC. Resolution 2007-14 gives the Parks Commission authority to establish an advisory committee for the Senior Program. Interested applicants for the advisory committee would fill out the standard application for appointment to City Commission/Committee. The advisory committee and open recruitment would be publicized for four weeks beginning on February 28th and closing on March 28th. The Committee would have similar requirements to other City Commissions and Committees including 3 year terms, residency requirements and bylaws. Applications for this proposed committee would be presented to the Parks Commission at the Regular Meeting on Monday, April 23, for review and action.

Recommendation

Staff recommends approval of the ASPAC recommendation for creation of a standing Senior Program Advisory Committee with the associated proposed publicity timeline and appointment process.

Attachments:

- Senior Program Advisory Committee Appointment Process, Purpose and Appointment Process as recommended by ASPAC.
- Resolution 2007-14 Appointing Parks Commission to facilitate Senior Program

RESOLUTION NO. 2007-14

A RESOLUTION REPEALING RESOLUTION NOS. 81-20 , 81-63 ,89-14 AND APPOINTING PARK COMMISSION TO FACILITATE SENIOR PROGRAM

Whereas, the Senior Program of the City of Ashland has changed over the years since its establishment; and

Whereas, the original Resolutions 81-20, as amended by 81-63 and 89-14 establishing the program and creating an organizational structure are no longer appropriate.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASHLAND:

SECTION 1. That resolutions 81-20, 81-63 and 89-14 are repealed.

SECTION 2. The Parks and Recreation Department shall hereafter be responsible for facilitation of all senior programs and activities for the City of Ashland.

SECTION 3. Parks and Recreation will have the authority to create an advisory committee for the senior program, if necessary.

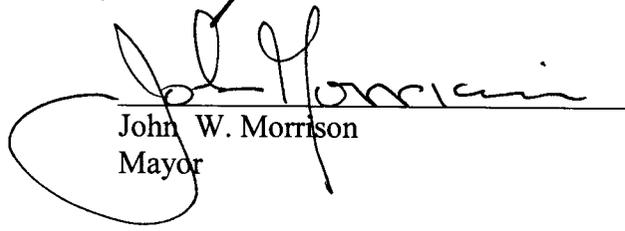
SECTION 4. This resolution shall become effective upon the signing of the Mayor.

The foregoing Resolution was READ and DULY ADOPTED at a regular meeting of the City Council on the 1 day of May, 2007.



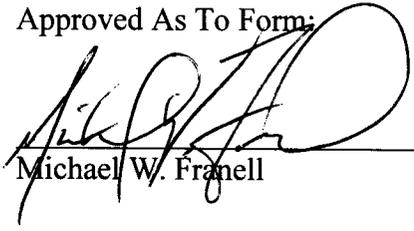
Barbara Christensen
City Recorder

Signed and Approved this 2 day of May, 2007



John W. Morrison
Mayor

Approved As To Form:



Michael W. Franell

Senior Program Advisory Committee Application and Appointment Process

The Ad Hoc Senior Program Advisory Committee (ASPAC) will complete its duties in March 2018. In order for a seamless transition to occur from ASPAC to a standing Advisory Committee, there are three main steps the Ashland Parks Commissioners must take:

1. Define the role of a Senior Program Advisory Committee (SPAC), including the purpose, makeup, and term limits.
2. Open an application process, and allow at least 4 weeks to gather applications.
3. Publicize the new advisory committee openings so knowledgeable and collaborative community members can apply.

Purpose

The Senior Program Advisory Committee's (SPAC) purpose is to advise the Ashland Parks and Recreation Commissioners on matters related to the Ashland Senior Program and to coordinate with the Director and Senior Program Manager on matters related to the general operations, quality, promotions and programming of the Ashland Senior Program.

Committee Make-up

The suggested total membership of program participant representatives and community partner representatives should be no more than five (5) members, total. There should be a minimum of 2, maximum of 3, program participant

members, and the same minimum of 2, maximum of 3, community partner members of the SPAC.

In addition, there should be one (1) APRC Commissioner, and one (1) City Council Liaison, for a total of seven (7) Members.

Staff Support

The Senior Program Manager and/or APRC Director will attend and assist in the planning advertising and management of the SPAC meetings.

Term Limits

The term of each SPAC member will be three (3) years, with no member serving more than two (2) consecutive terms.

Bylaws and Program Mission

Once the Advisory Committee Members are appointed by the Commissioners, they will create SPAC Bylaws in collaboration with APRC staff and approval of the Parks Commissioners at a regular business meeting. The SPAC may also choose to develop a strategic plan and revise their mission and vision statement concurrent with the adopted goals of the Commissioners.

Application Process

Senior Program Advisory Committee (SPAC) Application Process:

1. Present the process to ASPAC for approval and recommendation to the Commissioners, February 12, 2018. (Action)
2. Pending approval by the Parks Commission, SPAC Application process should be open and publicized February 28th through Wednesday March 28th (4 weeks.)
3. Review applications March 28th through April 4th (one week, Commissioners)
4. Commissioners vote on SPAC Appointments at the April 16th Parks Commission Study Session (potential special meeting) or at the April 23rd Regular Parks Commission Meeting
5. Create SPAC Bylaws with APRC staff and Commission Approval.

Rachel Dials will present the above recommended application and appointment process at our February 12, 2018 ASPAC Meeting.

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Matt Miller



Michael A. Black, AICP
Director

541.488.5340
AshlandParksandRec.org

PARKS COMMISSIONER STAFF REPORT

TO: Ashland Parks and Recreation Commissioners
FROM: Rachel Dials, Recreation Superintendent
DATE: February 20, 2018
SUBJECT : 2018 Calle Guanajuato Lease Agreements (Information / Action)

Background

The following applicants have submitted requests for Commercial Space on the Calle Guanajuato for the 2018 season:

Square Footage Requests (all are 7-day requests unless noted)

- Sesame 588 sf
- Ex Nihilo 210.5 sf (5 days)
- Little Tokyo 330 sf (7 days) and 143 sf (5 days)
- Louie's 577.5 sf
- Ostra's 141 sf
- Oberon's 120 sf
- Greenleaf 345.75 sf
- Mix Bake Shop 98 sf
- Lithia Artisans Market 2300 sf (2 days)

Each year, restaurants adjacent to the Calle Guanajuato and the Lithia Artisans Market have the ability to request seating. Currently, restaurants are charged \$8 per square foot (7 days per week) or \$5 per square foot (5 days per week) and the Lithia Artisans Market is charged \$5.50 per square foot (2 days per week) upon approval by the Parks and Recreation Commissioners. Staff, restaurant owners and the manager of the Lithia Artisans Market work together to address any issues or concerns to avoid conflicts before submitting requests to the Parks Commissioners.

Staff has included in the packet a draft of the boundary map of the Calle Guanajuato that shows where restaurants and artisans will be located for the 2018 season. There are no changes from 2017.

Actions Requested and Recommendations:

1. **Determine the “season of operation” for the contracts. Staff recommends March 12-November 11, 2018.** In 2017 the commission approved a season spanning March 13 through November 12 and staff recommends a similar arrangement for the 2018 season.
2. **Approve or deny the nine seating agreements for the Calle Guanajuato. Staff recommends approval of all nine seating agreements as proposed.**
3. **Approve the Boundary Map for the 2018 Calle Guanajuato season. Staff recommends approval of the boundary map.** The requests for 2018 are the same as the 2017 requests. The boundary map depicts spaces that are restaurants, spaces that are used by the Artisans and also spaces that can be shared by both parties.

Attachments

- 2018 Request for Commercial Space and Site plans for all nine applicants
- Calle Commercial Use Policy
- Draft Boundary Map
- Draft Contract for Lithia Artisans Market
- Draft Contract for Restaurants

**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Sesame Asian Kitchen WORK PHONE 541 482 0119

MESSAGE PHONE 541 2926874 EMAIL ADDRESS lisajbeam@mac.com

NAME OF AUTHORIZED REPRESENTATIVE Lisa Beam

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

MAILING ADDRESS

21 Winterson Way

CITY Ashland STATE OR ZIP 97520

- ✓ PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.
- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO
IF YES, WITH WHOM? _____

[Signature]
Signature of Applicant

4/2/19
Date Signed

This section to be filled out by APRC Staff

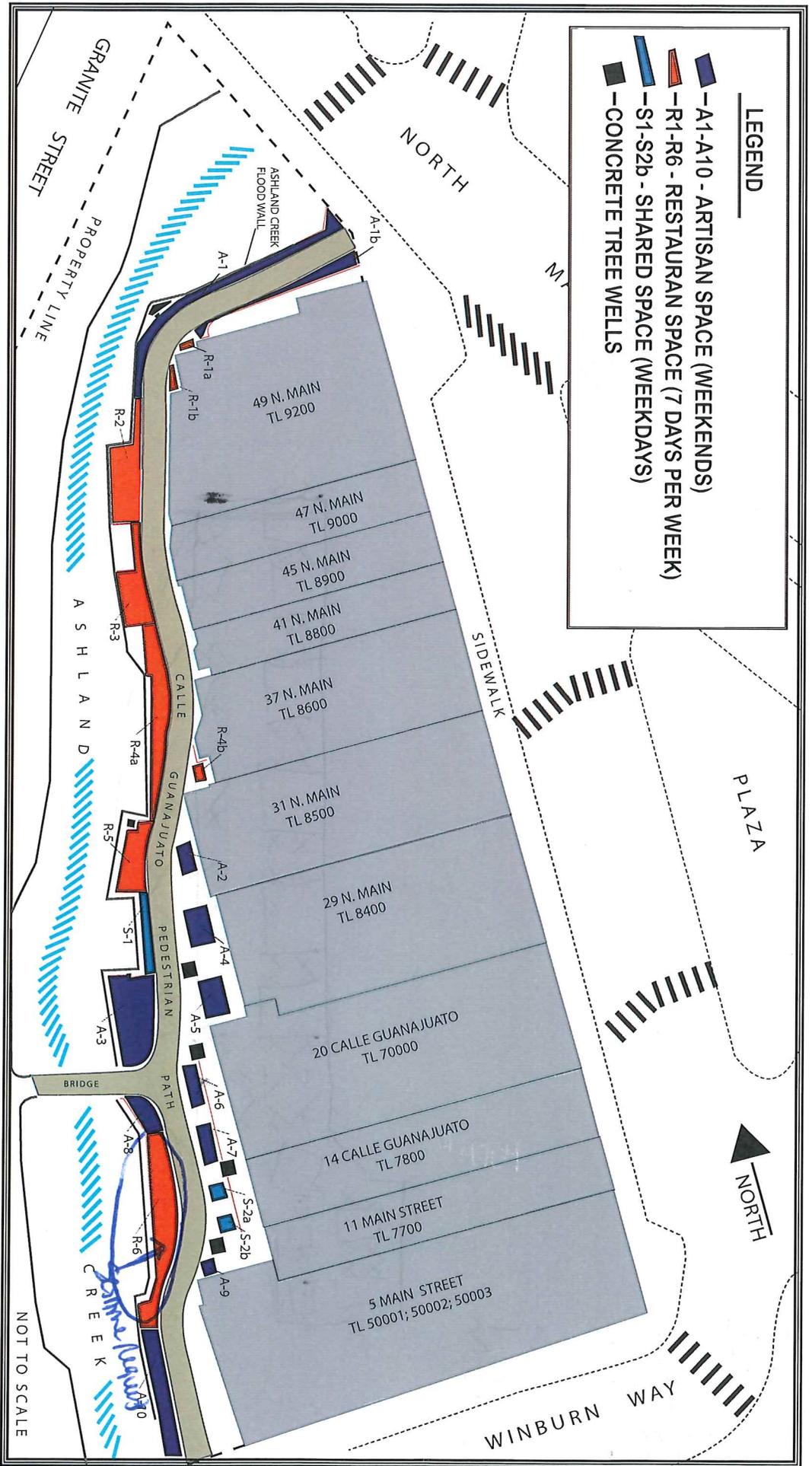
588sf
Total Square Footage x \$ 8.00 = \$ 4704 Date Paid _____

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

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017



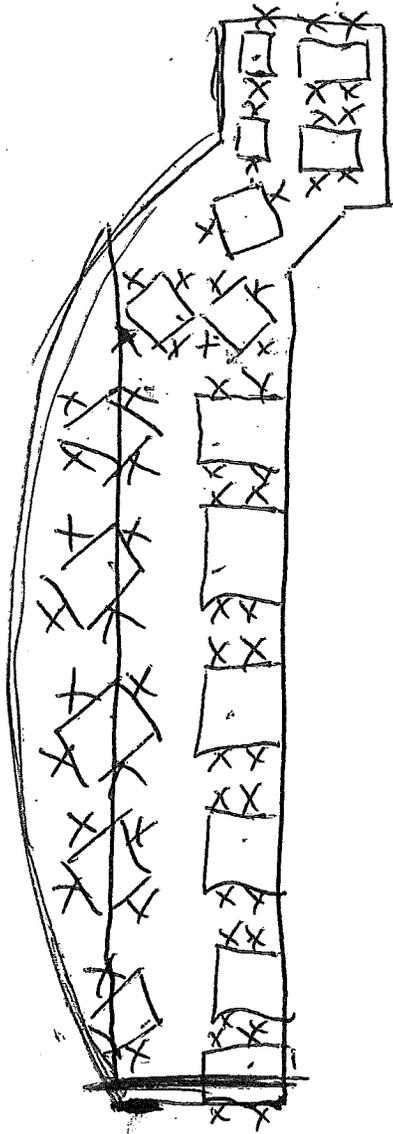
LEGEND

- A1-A10 - ARTISAN SPACE (WEEKENDS)
- R1-R6 - RESTAURAN SPACE (7 DAYS PER WEEK)
- S1-S2b - SHARED SPACE (WEEKDAYS)
- CONCRETE TREE WELLS



R-6

18-20 Tables
60 - Seats
3-5 umbrellas



**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Ex Nihilo WK PHONE 541 905 1092
MESSAGE PHONE 541-905-1092 EMAIL ADDRESS elevation1st@gmail.com
NAME OF AUTHORIZED REPRESENTATIVE Kevin Broadie

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

MAILING ADDRESS

14 Calle Guanajuato way
CITY Ashland STATE OR ZIP 97520

Same as last year, would also like to discuss additional seating in R6 (right third) or if that doesn't work A3.
Thank you

- PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION. on back
- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA? (Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO
IF YES, WITH WHOM? _____

[Signature] _____ 1/10/18
Signature of Applicant Date Signed

(5 days) 210.5sf (M-Only) **This section to be filled out by APRC Staff**
Total Square Footage x \$ 5.00 = 1052.50 Date Paid _____

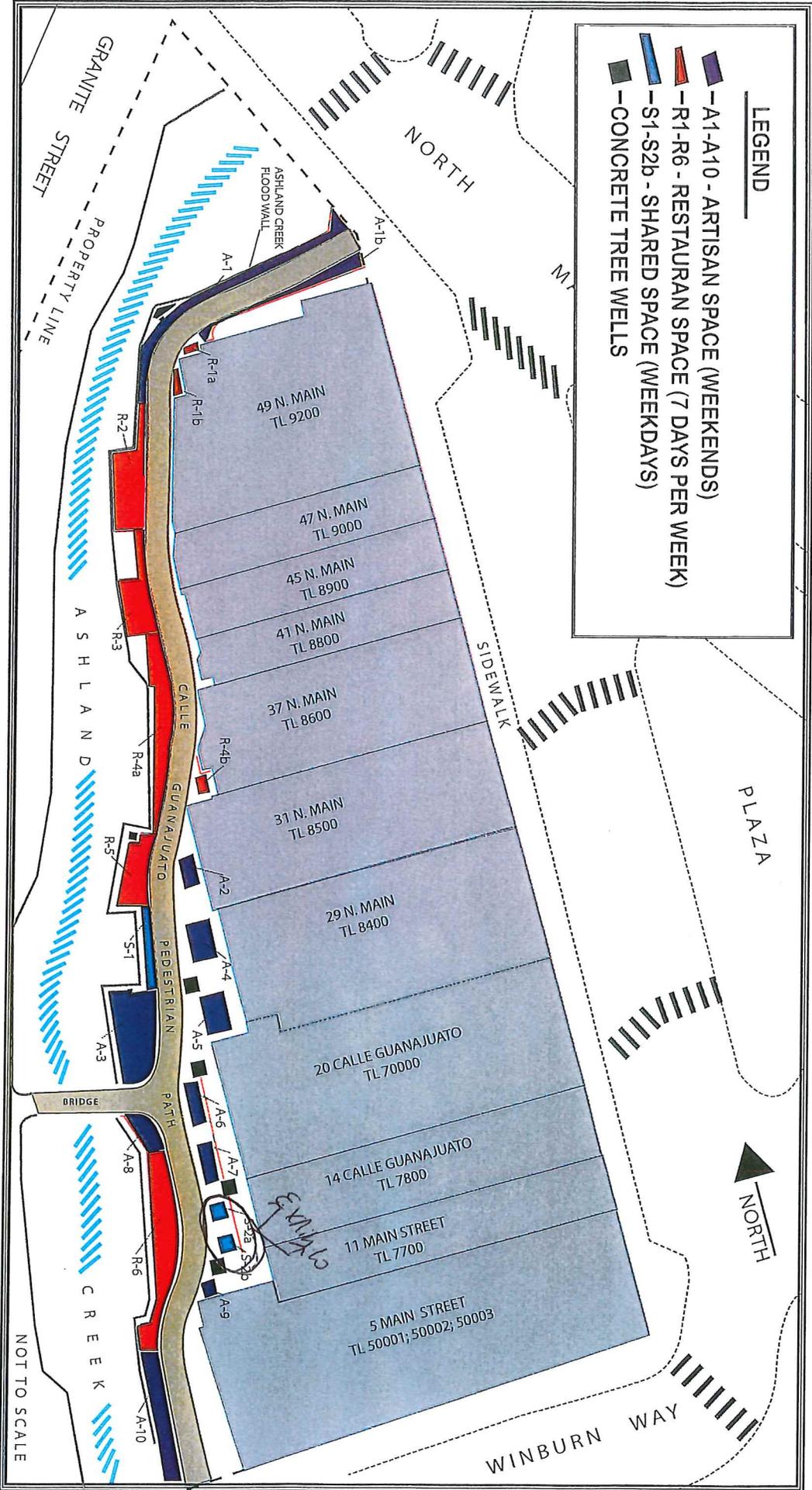
The following items must be obtained before permit can be issued:

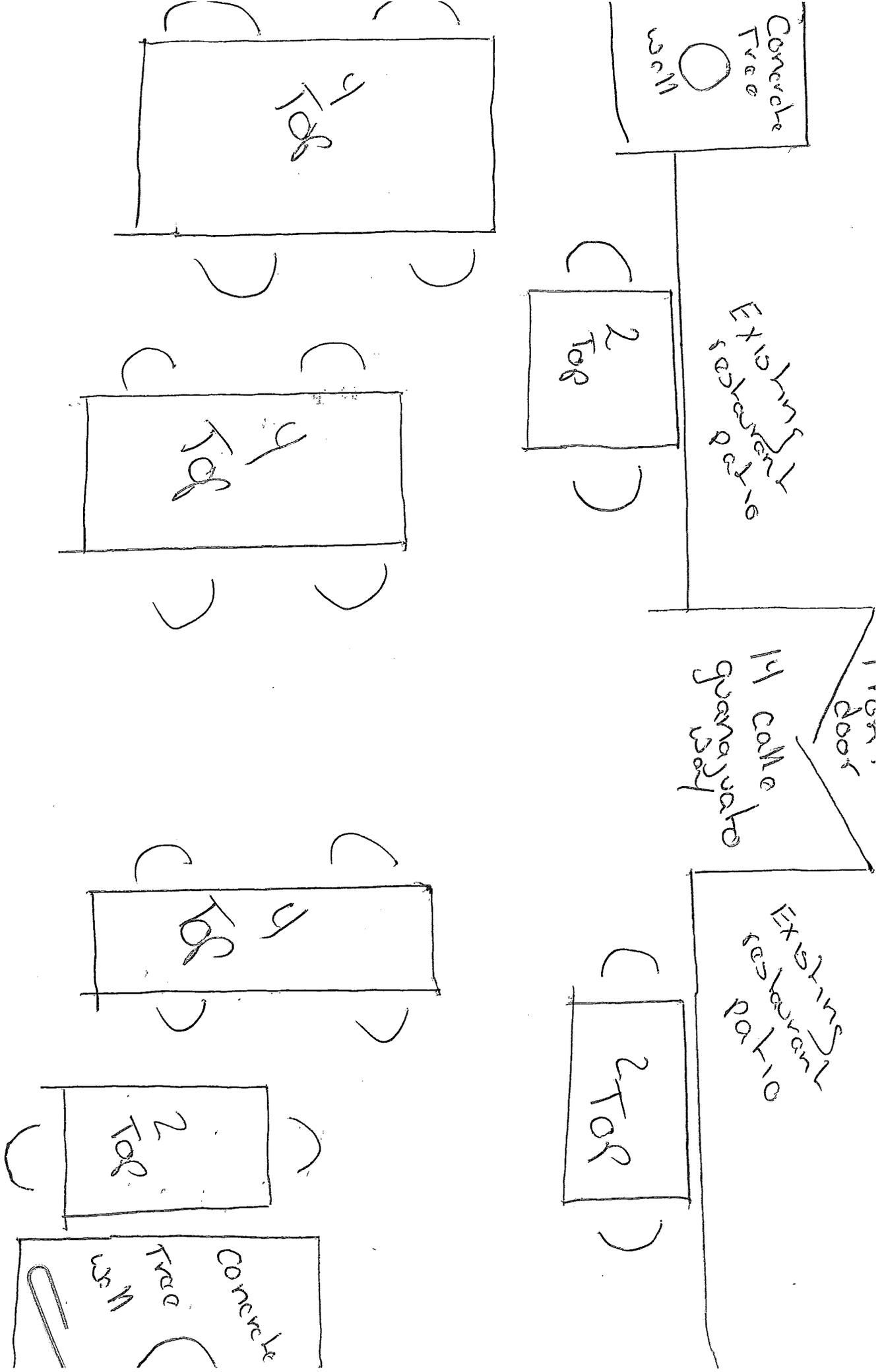
- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

→ All of these provided last year, let me know if you need copies.
[Signature]

CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017





Spaces 20x20 what I had last year. I would also like to request the spaces straight across on the right side

sidewalk

(16 seats, 105 vehicles)

**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

Little Tokyo

NAME OF APPLICANT Koang Sun Lee WK PHONE 541-778-6366

MESSAGE PHONE 541-292-9860 EMAIL ADDRESS Zenzen9888@yahoo.com

NAME OF AUTHORIZED REPRESENTATIVE Rocky Davis Koang Sun Lee

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

MAILING ADDRESS
29 N. Main St.

CITY Ashland STATE OR ZIP 97520

- ✓ PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.
 - ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
 - WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
 - IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO
IF YES, WITH WHOM? _____
- Signature of Applicant [Signature] Date Signed Jan-10-18

7 days 330sf x 8.00 = \$2640 *****
5 days 143sf x 5.00 = \$715.00
Total Square Footage x \$ = \$3355 Date Paid _____

This section to be filled out by APRC Staff

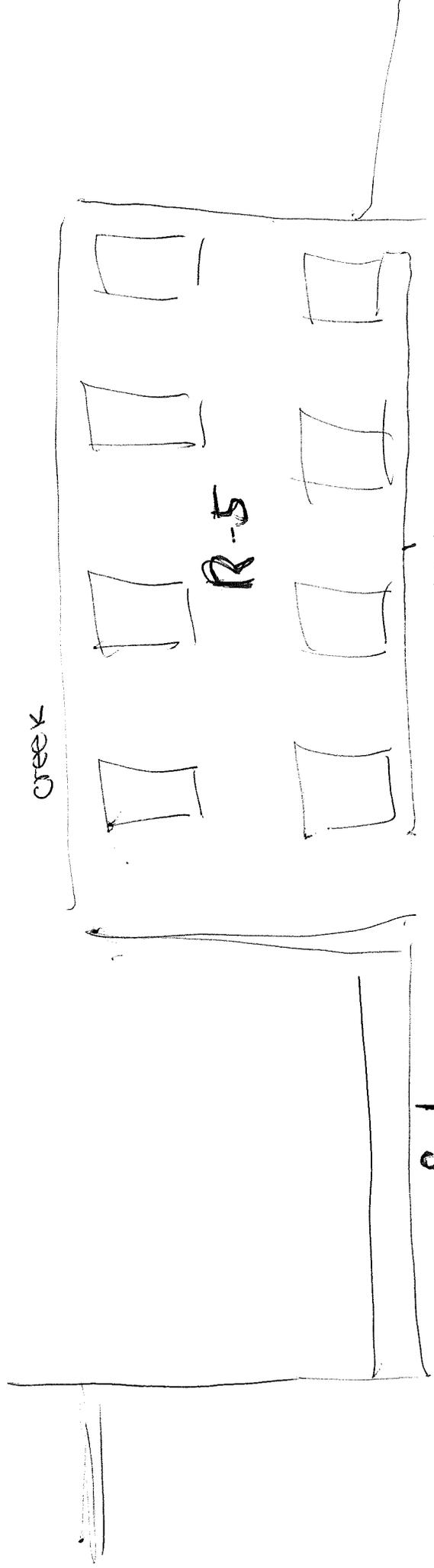
The following items must be obtained before permit can be issued:

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

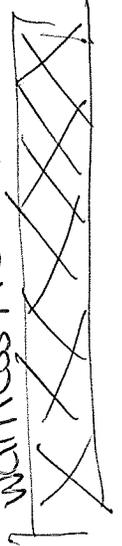
3

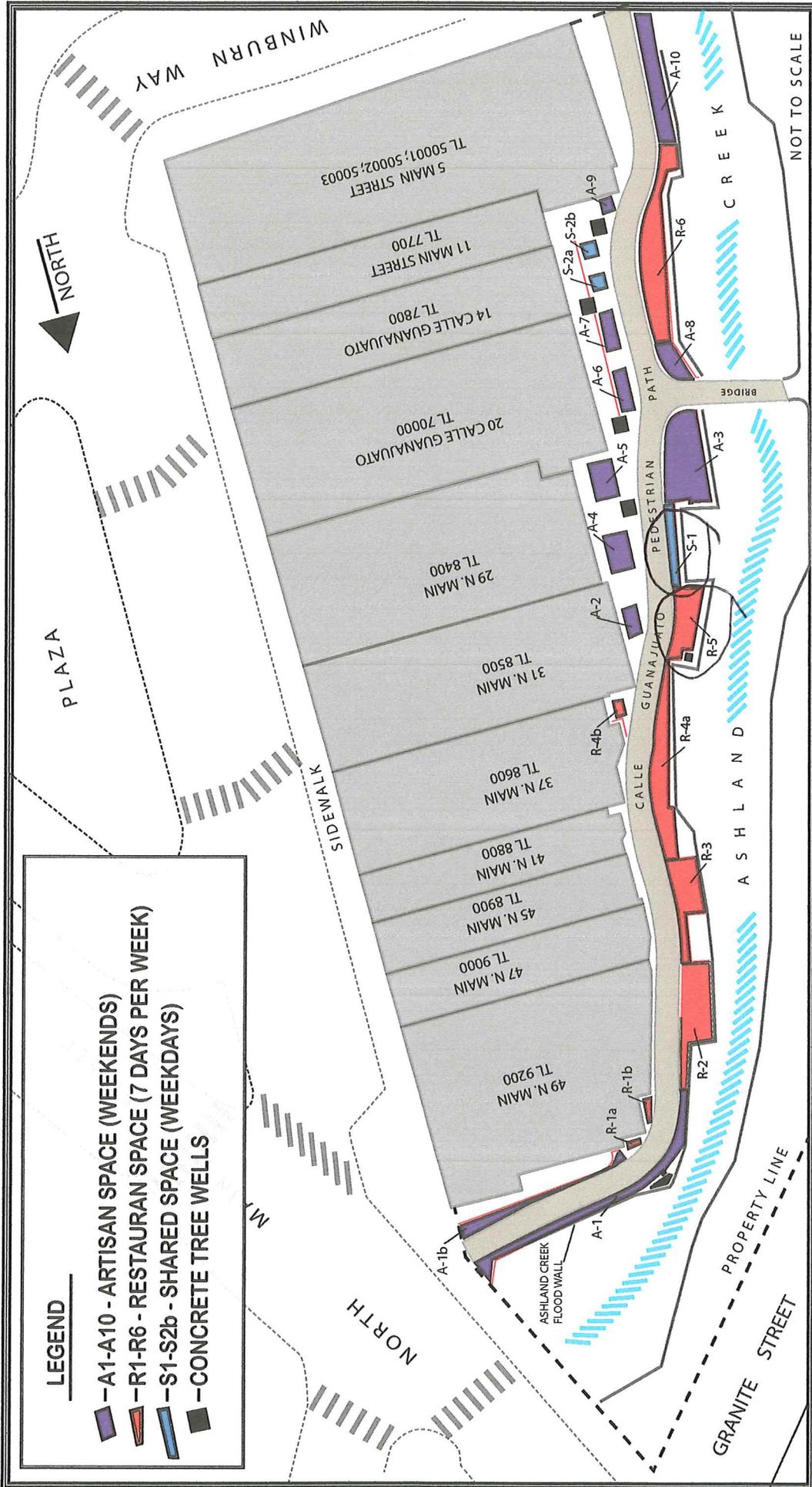
3

3



waitress / refrigerator





CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017

**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Louie's Restaurant WK PHONE 541-482-9701
MESSAGE PHONE 541-301-4068 EMAIL ADDRESS tdubois1@gmail.com
NAME OF AUTHORIZED REPRESENTATIVE Melissa Jensen
WHAT IS THE BEST WAY TO CONTACT YOU? *(Circle one) email/phone
MAILING ADDRESS
41 N main St
CITY Ashland STATE OR ZIP 97520

- PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.
- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
 - WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
 - IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO
- IF YES, WITH WHOM? _____

M Jensen
Signature of Applicant

12/23/17
Date Signed

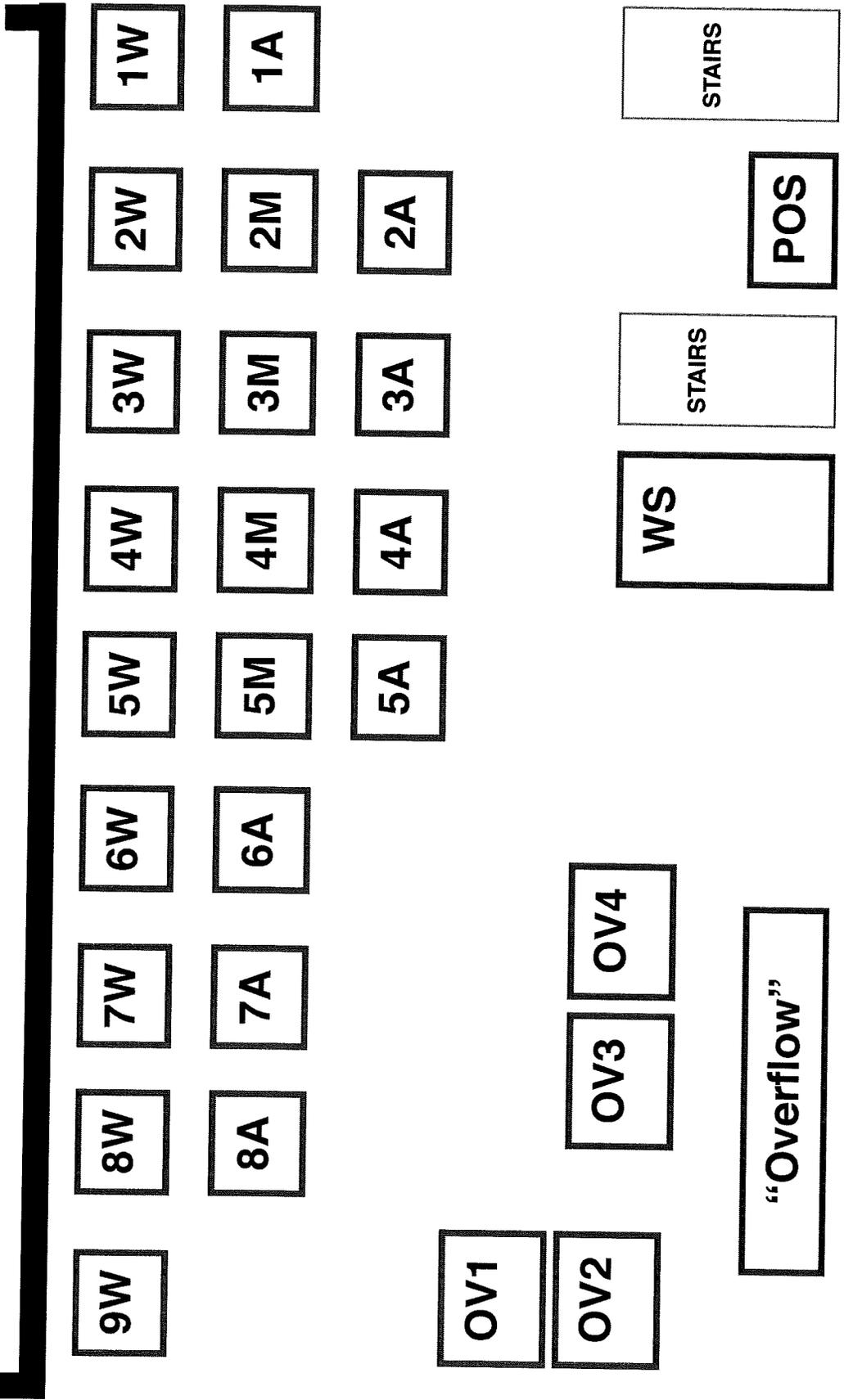
This section to be filled out by APRC Staff

Total Square Footage x \$ 577.5 sf 800 = \$4620⁰⁰ Date Paid _____

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

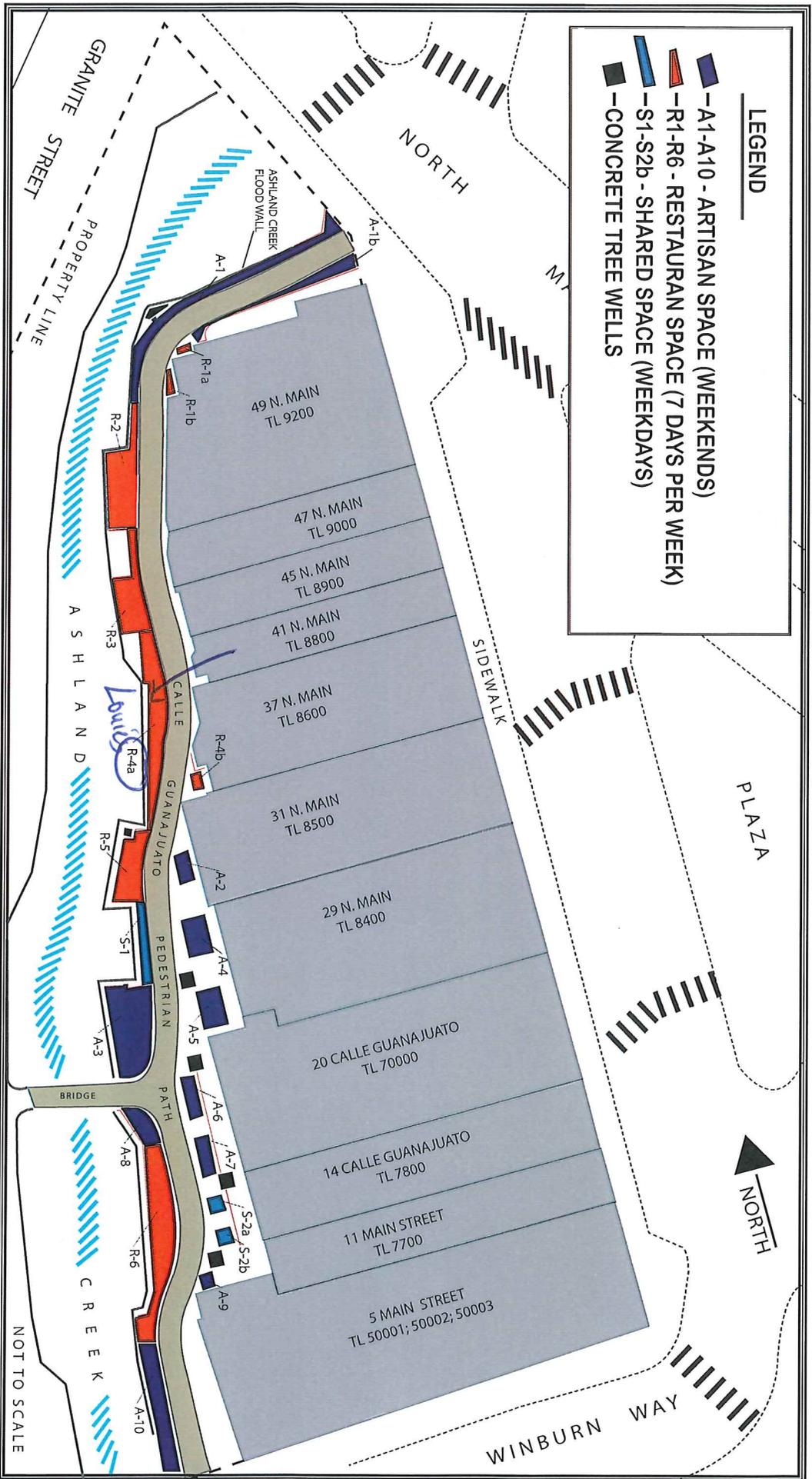
- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

Louie's Outdoor Seating Tables Map



CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017



**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT BILLY OLIVER INC WK PHONE (541) 708 0528
MESSAGE PHONE _____ EMAIL ADDRESS EAT@OSTRASASHLAND.COM
NAME OF AUTHORIZED REPRESENTATIVE OLIVER FIX
WHAT IS THE BEST WAY TO CONTACT YOU? *(Circle one) email phone (808) 217-7332
MAILING ADDRESS
47 N MAIN STREET
CITY ASHLAND STATE OR ZIP 97520

PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.

- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO

IF YES, WITH WHOM? _____

Oliver Fix 1-10-18

Signature of Applicant

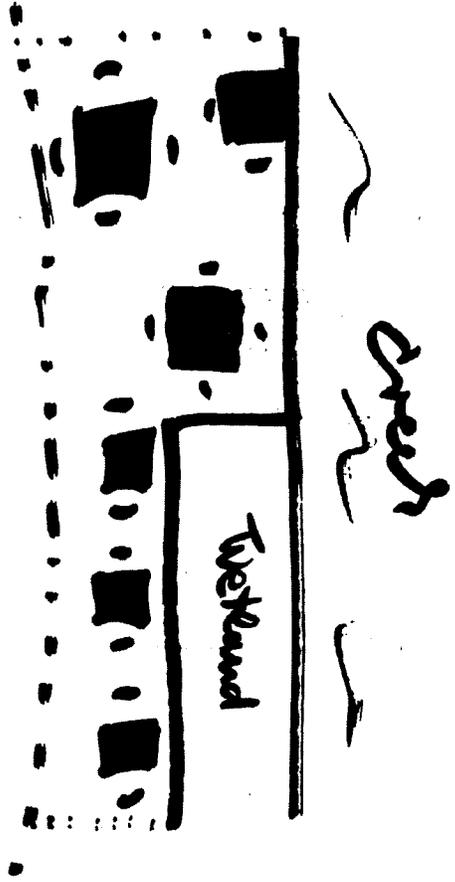
Date Signed

This section to be filled out by APRC Staff

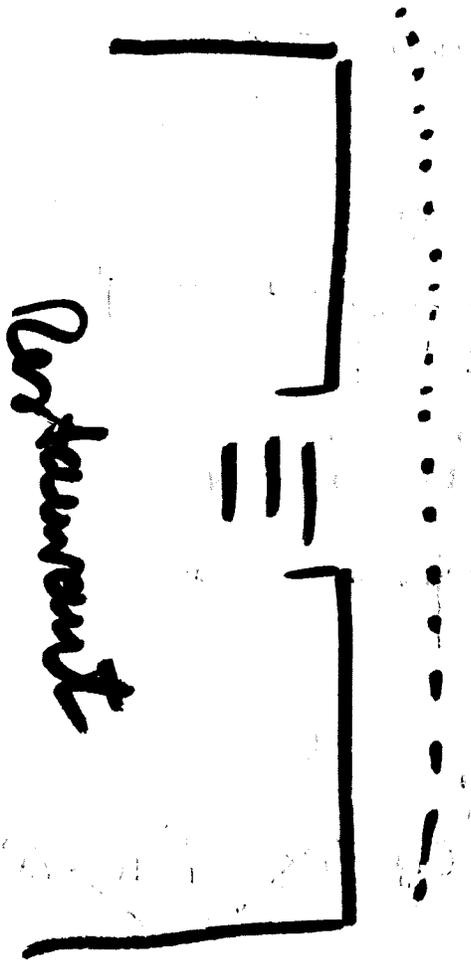
Total Square Footage x \$ 141sf 8⁰⁰ = 1128⁰⁰ Date Paid _____

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

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

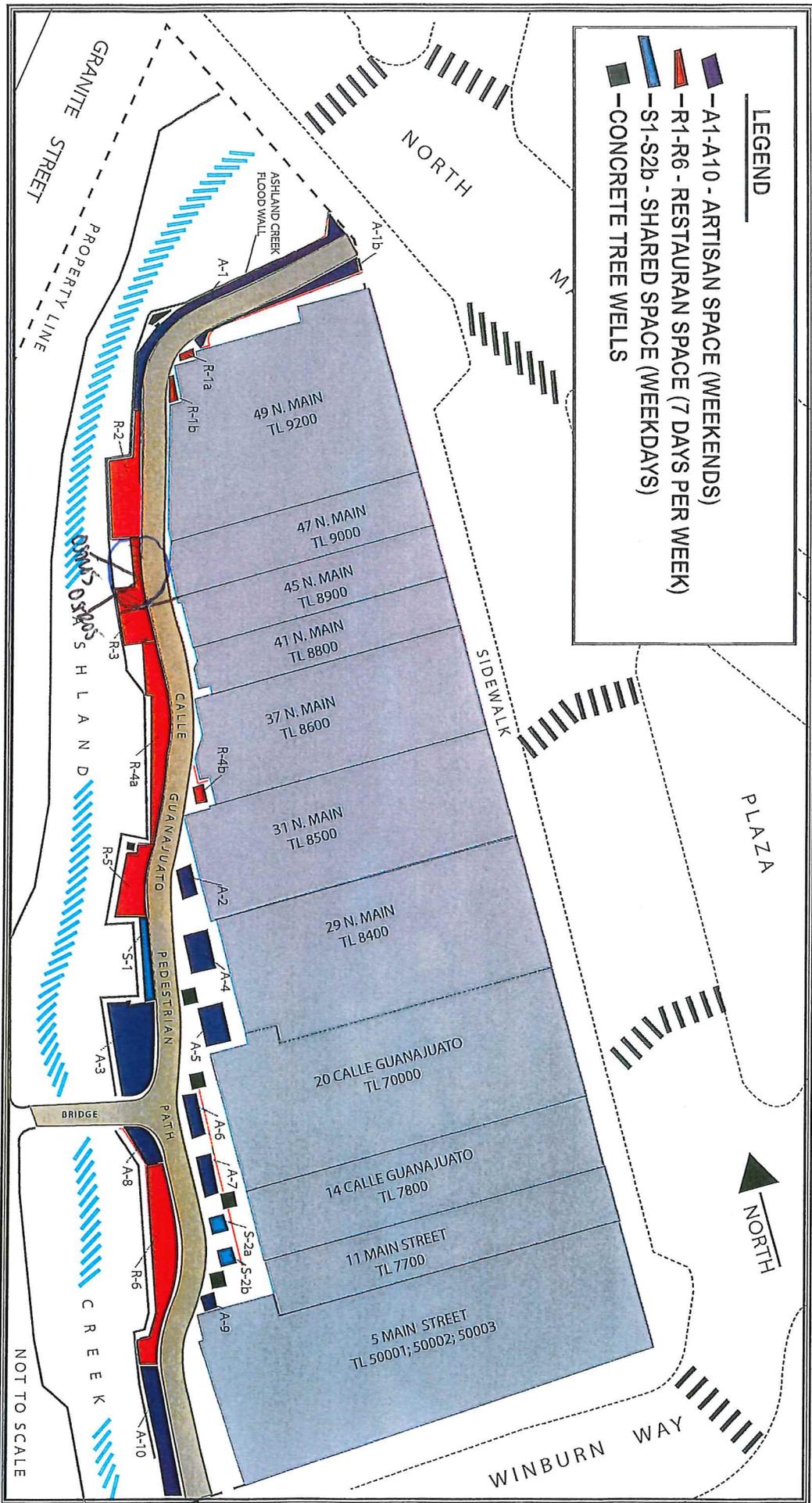


Fiselen



CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017



**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Oberon's Restaurant/Bar WK PHONE 541-864-9093

MESSAGE PHONE 541-864-9093 EMAIL ADDRESS sachtabakshi@gmail.com

NAME OF AUTHORIZED REPRESENTATIVE Sachta Card

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

MAILING ADDRESS
45 N. Main St.

CITY Ashland STATE OR ZIP 97520

- PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.
- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO
IF YES, WITH WHOM? _____

[Signature] Signature of Applicant 12/18/17 Date Signed

This section to be filled out by APRC Staff

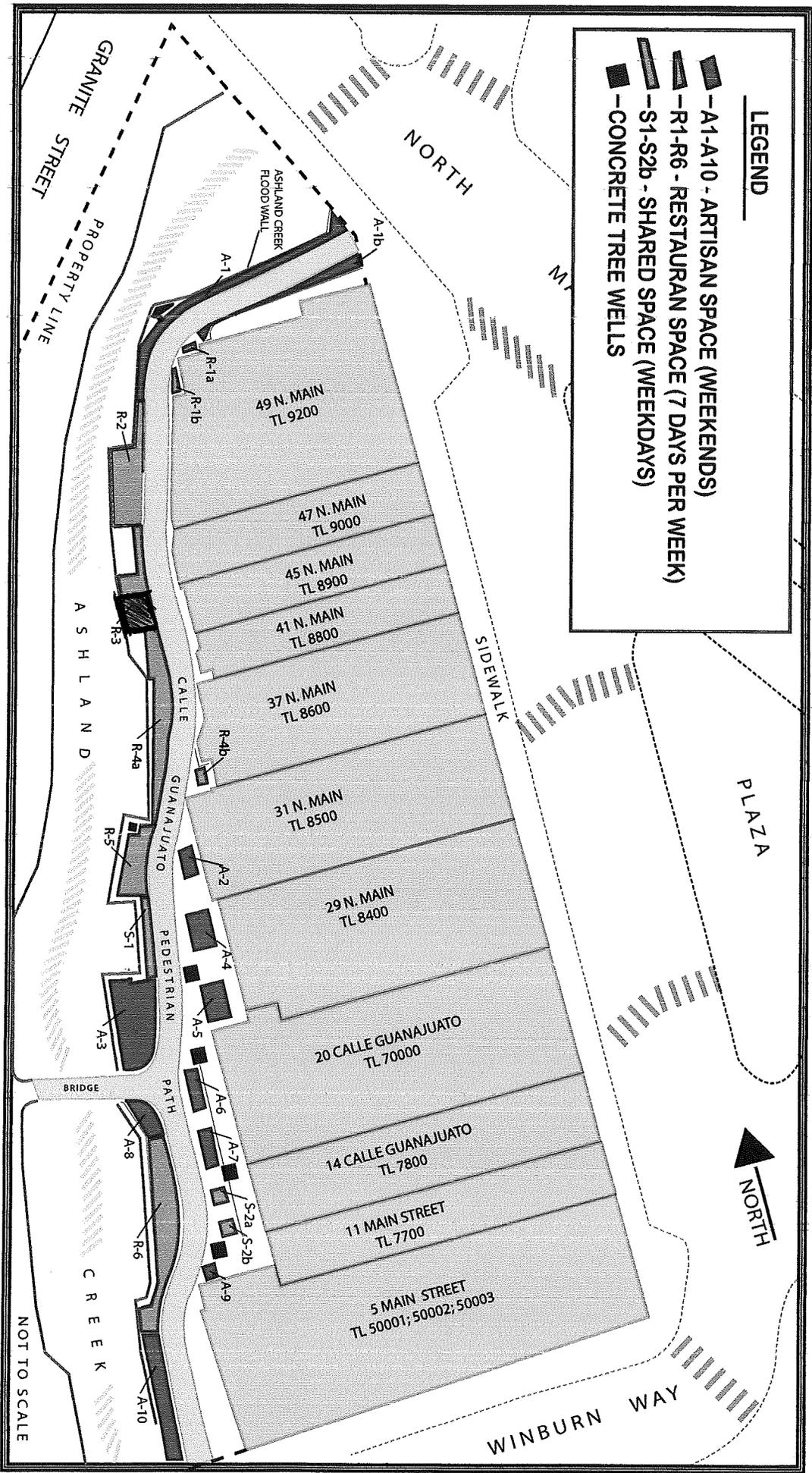
Total Square Footage x \$ 120sf 800 = \$96000 Date Paid _____

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

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

LEGEND

-  -A1-A10 - ARTISAN SPACE (WEEKENDS)
-  -R1-R6 - RESTAURAN SPACE (7 DAYS PER WEEK)
-  -S1-S2b - SHARED SPACE (WEEKDAYS)
-  - CONCRETE TREE WELLS



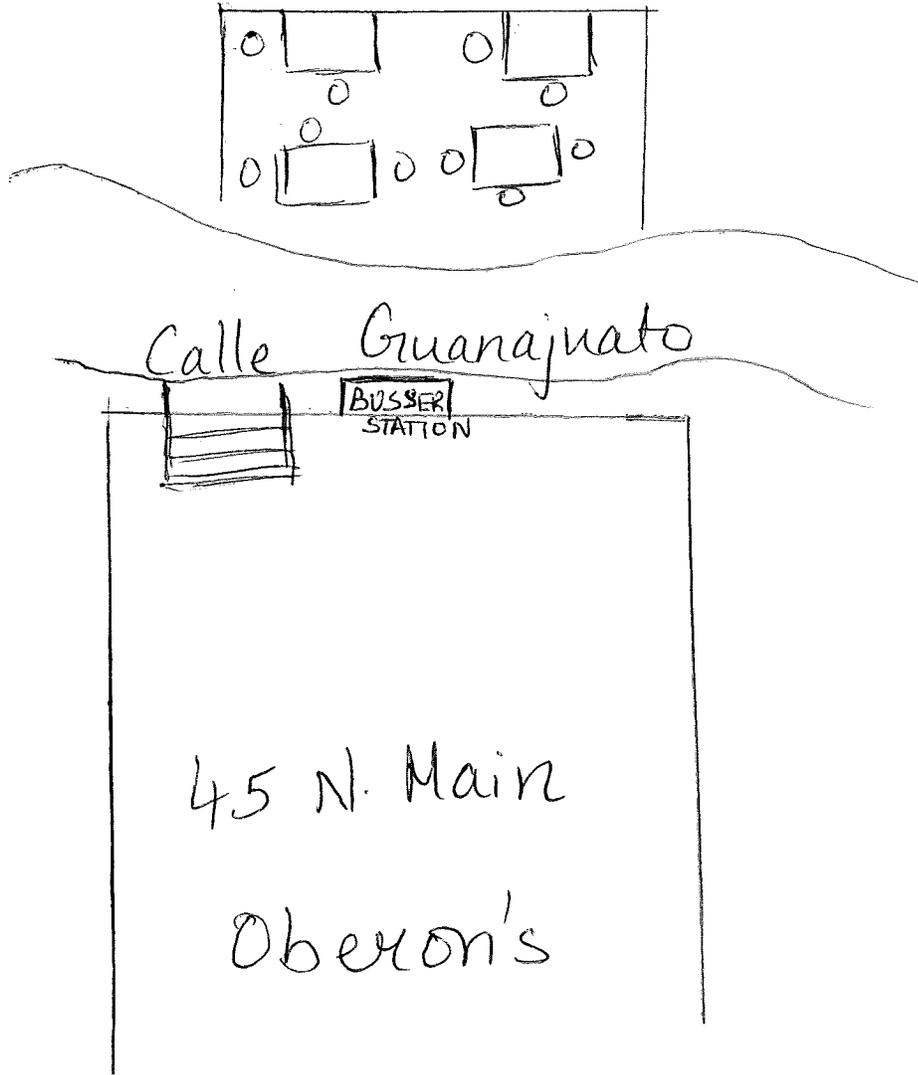
CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017



NOT TO SCALE

SITE PLAN



✓ reviewed
14/5/17

**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Greenleaf WK PHONE 541-482-2808
MESSAGE PHONE 541-941-1428 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 N. Main St.
CITY Ashland STATE OR ZIP 97520

- ✓ PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.
- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO
IF YES, WITH WHOM? _____

Signature of Applicant _____ Date Signed _____

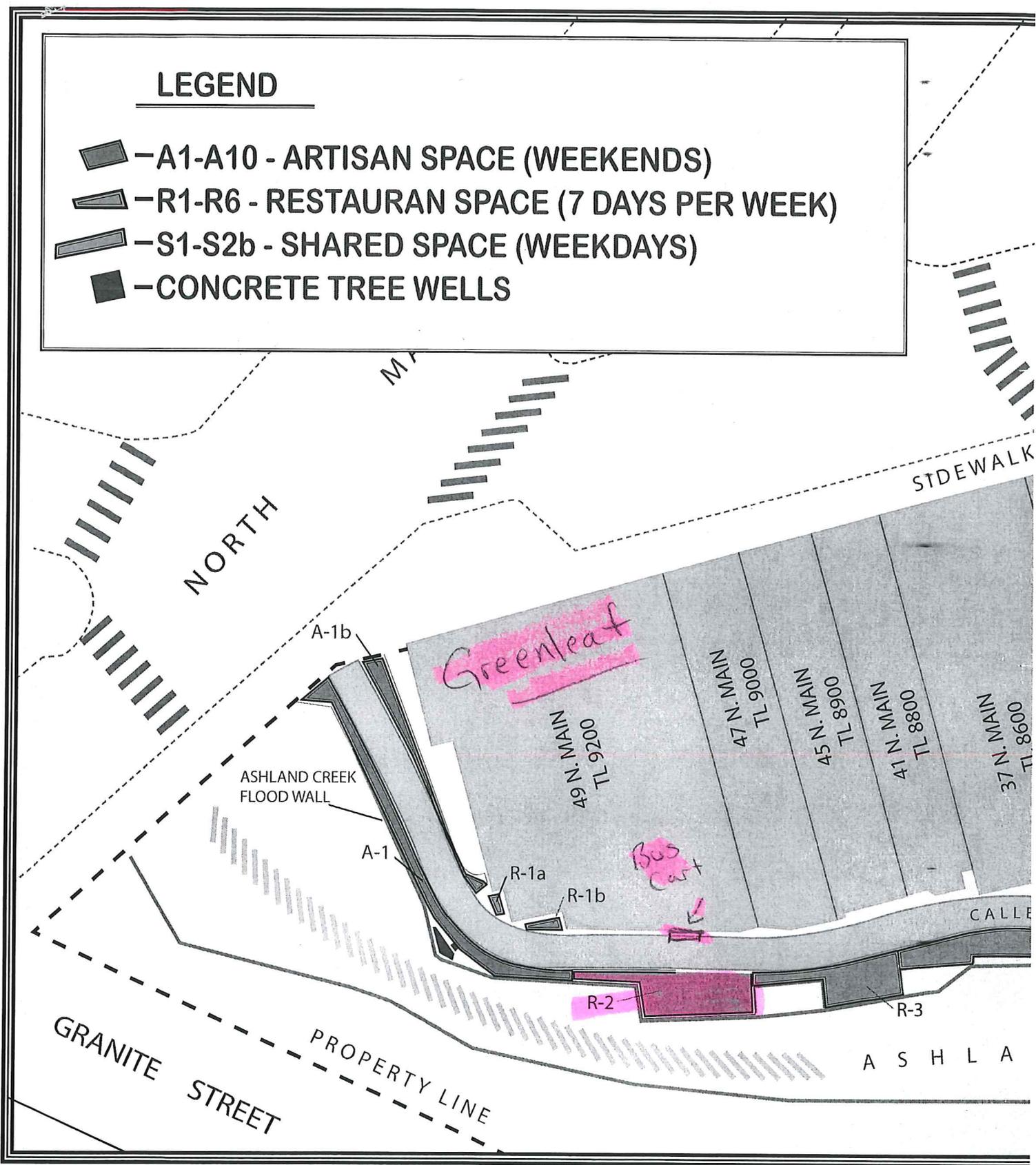
This section to be filled out by APRC Staff
Total Square Footage x \$ 345.75 sf 8.00 = \$2710.00 Date Paid _____

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

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

LEGEND

-  -A1-A10 - ARTISAN SPACE (WEEKENDS)
-  -R1-R6 - RESTAURAN SPACE (7 DAYS PER WEEK)
-  -S1-S2b - SHARED SPACE (WEEKDAYS)
-  -CONCRETE TREE WELLS



CALLE GUANAJUATO OFFICIAL

ADOPTED FEBRUARY 27, 2017

**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Mix bakeshop WK PHONE 541-488-9885
MESSAGE PHONE 541-326-7480 EMAIL ADDRESS jamie@mixonashland.com
NAME OF AUTHORIZED REPRESENTATIVE Jamie North
WHAT IS THE BEST WAY TO CONTACT YOU? *(Circle one) email/phone
MAILING ADDRESS 57 N Main St
CITY Ashland STATE OR ZIP 97520

- ✓ PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION.
- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA?
(Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO

IF YES, WITH WHOM? 98 SF Same as last year 1/9/18
Signature of Applicant _____ Date Signed _____

This section to be filled out by APRC Staff

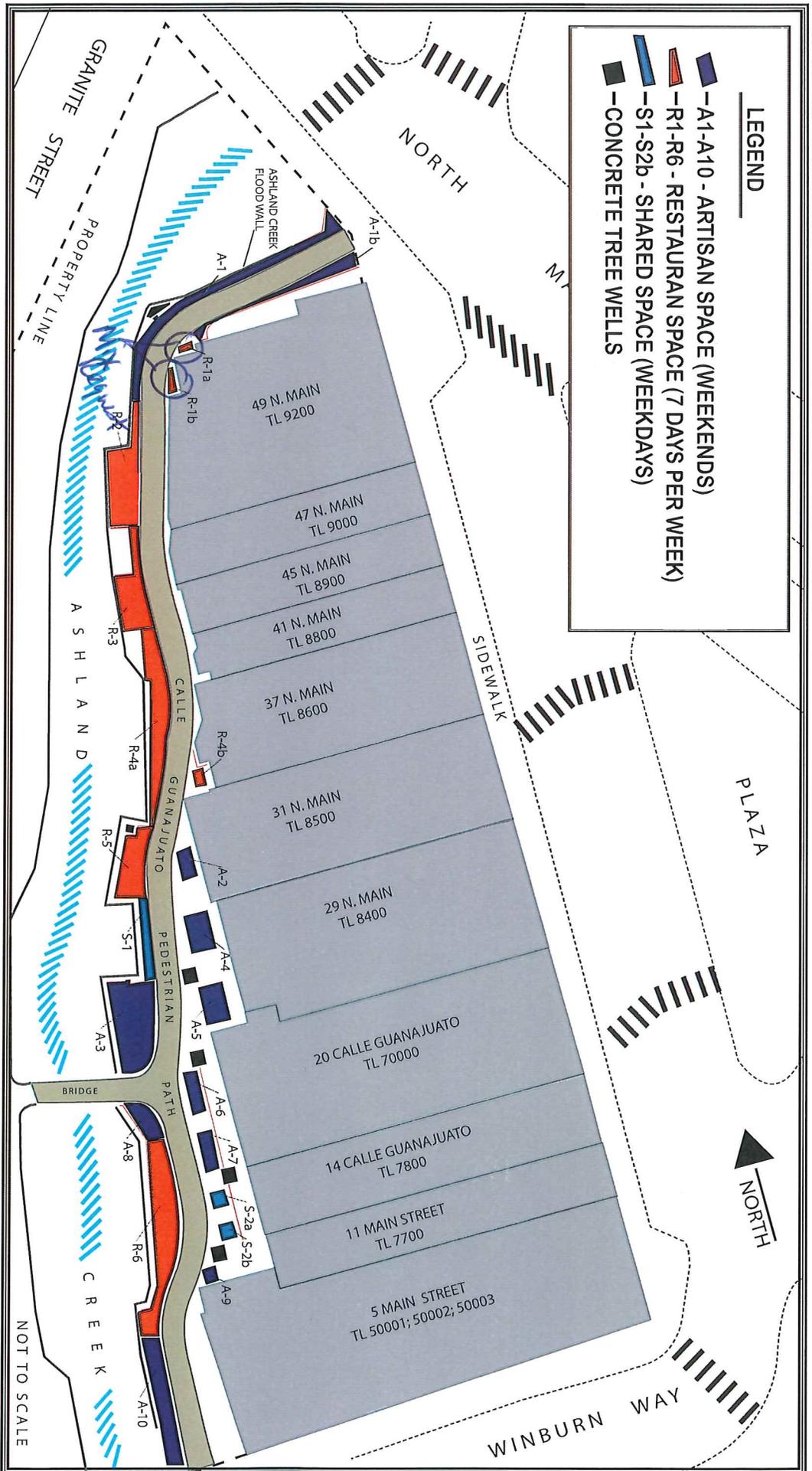
98sf
Total Square Footage x \$ 8.00 = 784.00 Date Paid _____

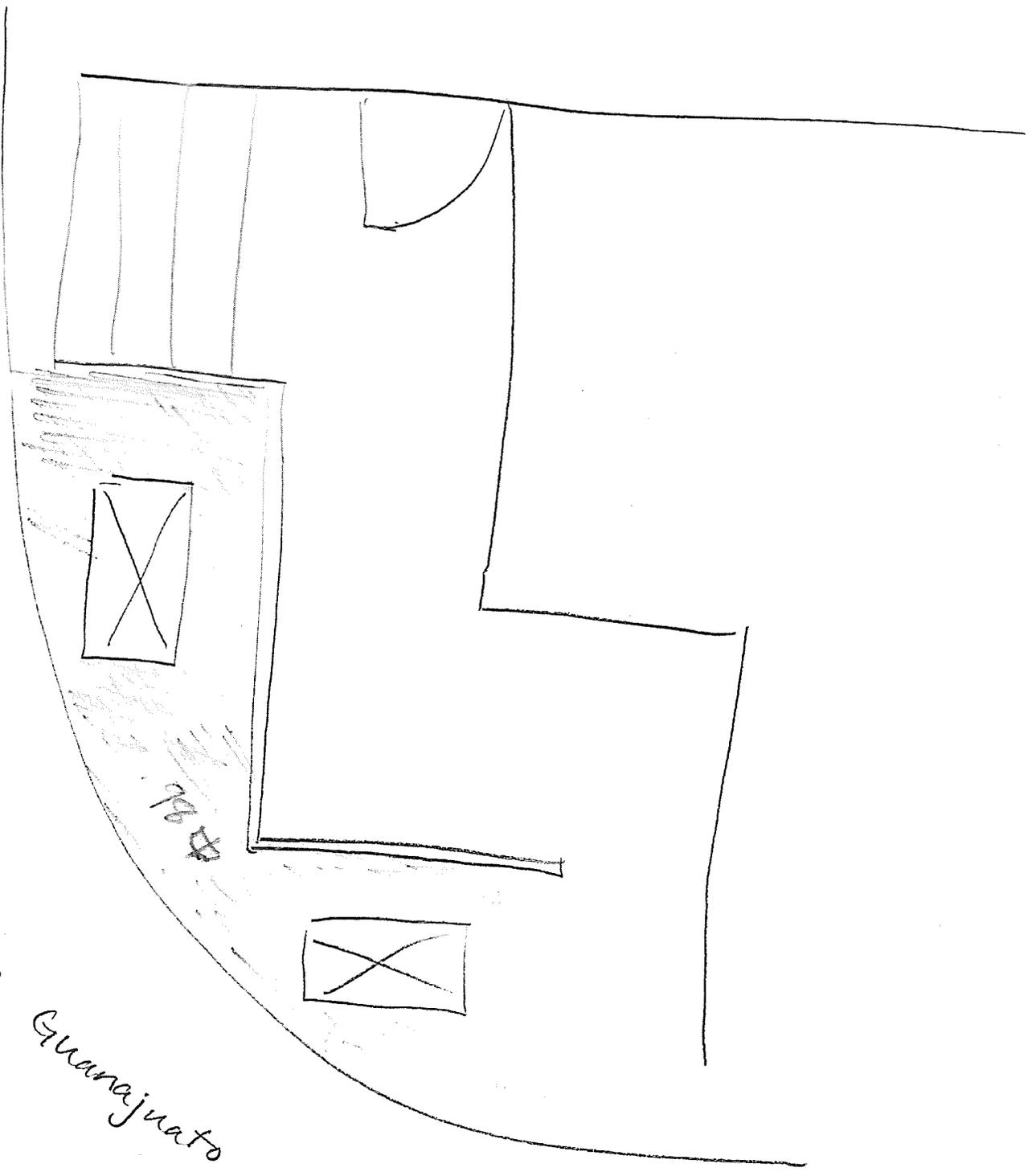
The following items must be obtained before permit can be issued:

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017





Calle Guanajuato

M: s bar's shop

**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT Lithia Artisans Market of Ashland (LAM) WK PHONE 541 301 9811
MESSAGE PHONE _____ EMAIL ADDRESS marcusantoniou@gmail.com
NAME OF AUTHORIZED REPRESENTATIVE Marcus Scott

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

MAILING ADDRESS

PO Box 3585
CITY Ashland STATE OR ZIP 97520

PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE BOUNDARY OF THE SITE LOCATION. See attached Map.

- ARE YOU REQUESTING A NEW SPACE THAT IS NOT CURRENTLY A SEATING AREA? (Circle One) YES NO
- WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO
- IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO

IF YES, WITH WHOM? _____
[Signature] M.S.
Signature of Applicant 1/10/2018 Date Signed

This section to be filled out by APRC Staff
Total Square Footage x \$ 2300sf 5.50 = \$12,650 Date Paid _____

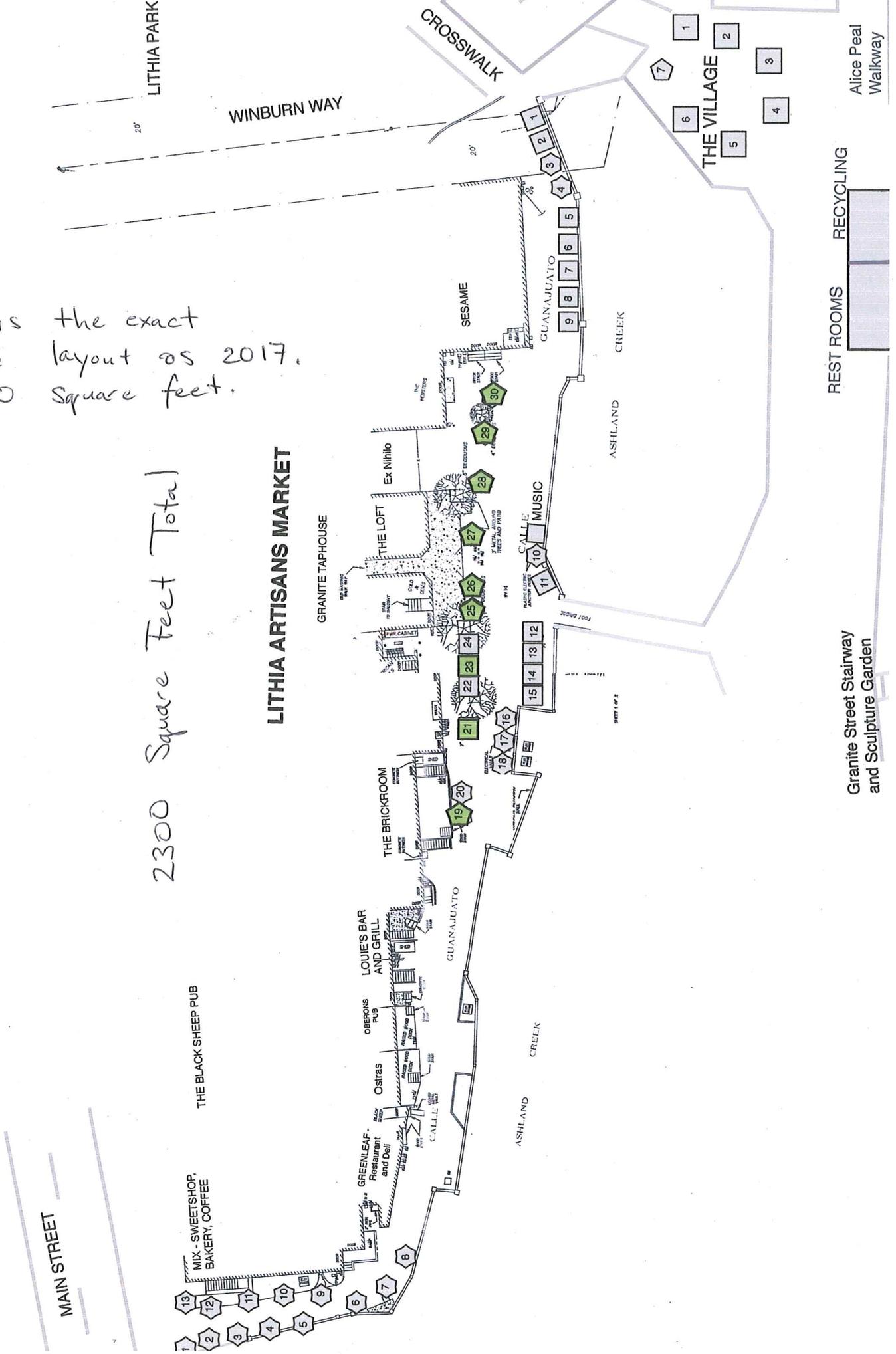
The following items must be obtained before permit can be issued:

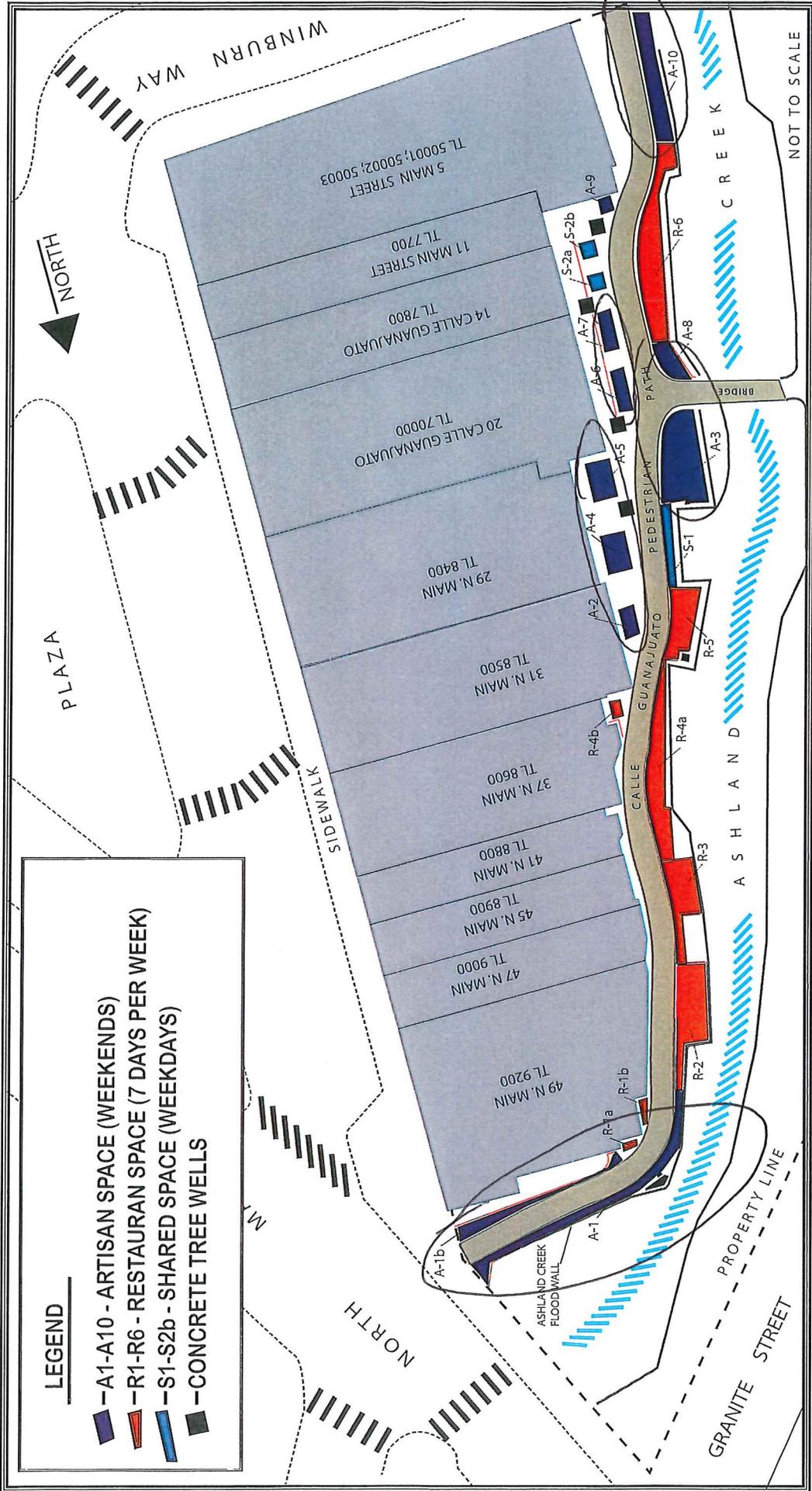
- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Signed Commercial Use Contract

This is the exact same layout as 2017. 2300 Square feet.

2300 Square Feet Total

LITHIA ARTISANS MARKET





CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017



**Ashland Parks and
Recreation Commission**

COMMISSION POLICY

TITLE CALLE GUANAJUATO CONDITIONAL COMMERCIAL USE POLICY	PAGE 1 of 7	POLICY No. 101
EFFECTIVE DATE May 1990	REVISED DATE December, 19, 2016	

APPROVED BY COMMISSIONER ACTION

December 19, 2016; Agenda Item: VI.(a.) Calle Guanajuato Amended Policy Approval

The Charter of the City of Ashland, **Article XIX – “Park Commission,”** gives the Ashland Parks and Recreation Commissioners the “*power to formulate and adopt rules and regulations for their government.*” This authority allows Commissioners to adopt rules and policies through a public process in order to provide organization, aide in decision making and to provide consistent regulation for park and facility uses in order to achieve the goals of the Ashland Parks and Recreation Commission (“APRC”) and protect people, the environment and assets and to ensure fair and equal use of parks by all users.

PURPOSE

The Calle Guanajuato is an asset of the APRC that provides, among other public benefits, space for restaurant seating and concessions adjacent to Ashland Creek and within proximity to local restaurants, Ashland Shakespeare Festival, Downtown Ashland and Lithia Park. Permitted commercial activity on the Calle Guanajuato shall be limited to the uses specifically designated in this policy.

Permits may only be issued for concessions by the Lithia Artisans Market and for adjacent restaurants. Permitted sites on the Calle Guanajuato are restricted by the physical limitation of the space, and the potential that the demand for space may be greater than the space available. The APRC has created the Calle Guanajuato Commercial Use Policy (the “*Policy*”) to regulate the allocation of physical space to qualifying permittees, as described herein. Permits may be awarded on an annual basis as described herein.

CALLE GUANAJUATO SEATING POLICY OBJECTIVES

The purpose of the Policy is to assist the APRC in the pursuit of the following equally-important objectives:

- I. To provide a process for the review and approval of applications for concessionaires of the Lithia Artisans Market and restaurateurs of adjacent businesses;

- II. To ensure that adequate access is achieved through the Calle Guanajuato for pedestrians and emergency vehicles;
- III. To attempt to achieve cost recovery for APRC; and,
- IV. Maintain an appealing extension of Lithia Park into downtown

GENERAL PROVISIONS

Application Process

- I. Any Calle Restaurant desiring a designated site on the Calle Guanajuato must file annually a non-refundable application with APRC staff prior to the stated deadline.
- II. The application process and criteria for submittal shall be as follows:
 - a. Prior to the beginning of the application review process, each applicant seeking a designated site on the Calle must file an application with APRC staff. The application must be submitted prior to the 2nd Friday of January of each calendar year, stating the intent of the applicant to:
 - i. Seek a permit for the same designated site as the previous year; and/or,
 - ii. Seek a permit for a designated site location that differs from the applicant's site for the previous year.
- III. The application material shall include the following:
 - a. A clear identification of the requested designated site as delineated in the official boundary map;
 - b. A simple site plan showing how restaurant equipment and/or concession stands will be organized within the boundary of the designated site;
 - c. A statement detailing how each of the specific approval criteria of the Policy will be met; and,
 - d. An application fee as adopted in the "Fees and Charges Schedule" of APRC.
- IV. Application review requirements:
 - a. Absent a timely-submitted application, APRC will not hold a previously permitted site and seniority shall be forfeited for that site.
 - b. Notwithstanding the Cancellation section of this ordinance, no late applications will be accepted.

TITLE : CALLE GUANAJUATO COMMERCIAL USE POLICY	Page 3 of 7	POLICY No. 101
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- c. Incomplete applications, or those that do not substantially meet the criteria, will be returned to the applicant without processing.
- d. Permit approvals for each season will be issued no later than February 28th of each year.
- e. The official boundary map of the Calle Guanajuato will delineate the designated site for all concession and restaurant space.
- f. A permit for a restaurant or concession shall be nontransferable between restaurateurs and shall be valid exclusively for one season in a single calendar year.
- g. No qualifying Calle Restaurant may hold or be issued more than one permit.

CONDITIONAL USE REVIEW CRITERIA

In considering applications, staff shall review the applicant's compliance with applicable City ordinances and regulations as well as the following criteria:

- I. Restaurant proximity shall constitute a major determining factor for a designated site on the Calle Guanajuato. Applicants that meet the adjacency standard for a designated site shall have preference during review over those who do not.
- II. When two or more applicants make requests for the same site or overlapping designated sites, restaurant seniority, as defined in the definitions of this policy, shall take precedence in determining which applicant receives priority consideration.
- III. Designated sites shall be used for their permitted use only (either restaurant or concession space). In the event that a site designated for restaurant use remains unused after permit issuance, the site may be made available to the Lithia Artisans Market.
- IV. The applicant must be in good standing with APRC and the City, with no active enforcement actions.
- V. The applicant must demonstrate through a simple site plan that they have the ability to carry out the requested operations without violating the public walkway or open space through the Calle Guanajuato.
- VI. **Accessory Regulations:**
 - a. **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 the following:

- i. Maintain all required fire and emergency access areas;
- ii. Ensure that permitted restaurant equipment does 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;
- iii. Maintain a clear, unobstructed space around any fire hydrant as required for fire safety;
- iv. Have available and maintain such fire extinguishers as determined by the Fire Marshal;
- v. Strict adherence to the APRC prohibition on smoking. Smoking is not permitted on the Calle Guanajuato under any circumstances; and
- vi. No use of any bottled gas, electrical devices, or hazardous materials or hazardous substances without prior approval by the Ashland Fire Marshal. [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.]

PERMIT/CONTRACT AWARD PROCESS

- I. A permittee who meets all of the approval criteria for a conditional commercial use permit will be required to enter into a contract with APRC for the use of the permitted site and will be required to provide the information required for the execution of the contract, as provided by APRC staff.
- II. Contract will be awarded by the Commissioners by the 28th of February each year.

RESTAURANT AND CONCESSION FEE SCHEDULE

- I. The Commissioners shall review and may adjust the seasonal square foot rental rate on the Calle prior to February 28th each year.
- II. Payment for approved permits must be made in full by the second Friday of May each season, unless otherwise stated by the Commissioners during fee schedule and operating season review.
 - a. If fees are not received as described above, the permit shall be revoked.

OPERATING SEASON

Due to various considerations, the season of operation for the Calle Guanajuato may vary from year to year. If the Commissioners do not approve a particular period of operation prior to February 28th, the default season of operation shall be from Memorial Day to Labor Day.

TITLE : CALLE GUANAJUATO COMMERCIAL USE POLICY	Page 5 of 7	POLICY No. 101
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RESTAURANT CANCELLATION/REVOICATION.

- I. A permit issued for restaurant use may be canceled at the request of the restaurant owner. In such a case, if the season has not begun, the site permit fee will be refunded if already paid. If the season has already begun, the fee will be pro-rated for the time used.
- II. Should a restaurant abandon, or cancel, a permitted site, the site shall become available immediately, and a time frame for new applications will be delineated by APRC staff. The designated site shall then be awarded consistent with the criteria of the competitive process under Application Review contained in the Policy.
- III. APRC reserves the right to revoke any restaurant's permit for a designated site 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, the City of Ashland, Jackson County Health Department and the Oregon Liquor Control Commission.
 - a. If an application is revoked prior to the start of the season, permit fees shall be refunded.

SITE SHARING

- I. Restaurant applicants who receive a permit for a designated site have the ability to share their space with another restaurant that meets the criteria of this policy.
- II. A restaurateur who shares space may do so without forfeiting seniority.
- III. Site location sharing may take place at any point during the year; however, only one applicant may hold a permit for a particular designated site and that applicant shall be sole beneficiary of any seniority for the season.
- IV. Applicants must note on their applications if they are planning to share the site with another restaurateur.
 - a. Applicant or permittee shall not sub-lease a designated site without APRC staff approval.

TITLE : CALLE GUANAJUATO COMMERCIAL USE POLICY	Page 6 of 7	POLICY No. 101
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DEFINITIONS

- I. **Adjacency:** is contiguous ground floor access onto the Calle Guanajuato from a Calle restaurant with direct access the Calle Guanajuato.
- II. **Applicant:** a person or entity seeking license from APRC for a concession or restaurant permit.
- III. **Boundary Map:** is the most current map that delineates areas for both restaurant seating and concession operations.
- IV. **Business License:** a certificate issued by the city authorizing the holder to conduct specified business activity within the City of Ashland.
- V. **Calle Guanajuato:** the improved surface area directly behind the plaza businesses and adjacent to Ashland Creek being bounded by the flood wall on the west side, the back of the Calle businesses to the east, Winburn Way to the south and North Main Street to the north.
- VI. **Calle Restaurant:** a restaurant business operated all, or in part, out of a building abutting the Calle Guanajuato.
- VII. **Concession:** any licensed retail sales operation on the Calle Guanajuato conducting sales using a temporary table, stand, cart, or similar equipment.
- VIII. **Concessionaire:** a licensed retail operation on the Calle Guanajuato.
- IX. **Employee:** all persons, including proprietors, working on the premises of a Calle business.
- X. **Owner of Record:** the person, or entity, in which legal or equitable title rests for private properties directly adjacent to the Calle Guanajuato.
- XI. **Public Walkway:** the 8 foot meandering brick walkway through the Calle Guanajuato.
- XII. **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 restaurant.
- XIII. **Restaurant:** a commercial establishment where food and beverages are prepared, served, and consumed primarily within a principal building which abuts the Calle Guanajuato.
- XIV. **Restaurateur:** a licensed restaurant operation on the Calle Guanajuato.
- XV. **Season:** is the term of use for concession and restaurant operation at the Calle Guanajuato each year. Exact operating dates for each season will approved annually during the review period of permits.

- XVI. **Restaurant Seniority:** shall be established for application review when a restaurateur has been granted a permit to a specific designated site for the calendar year immediately before the current calendar year. Seniority shall be forfeited when occupancy of the site has been abandoned by the applicant for any reason for at least one complete season or any part thereof.
- XVII. **Designated Site:** is the useable space or area on Calle Guanajuato which has been allocated for individual concession or restaurant use by the Ashland Parks and Recreation Commission.

Approved:


Mike Gardiner, APRC Chair

Date:

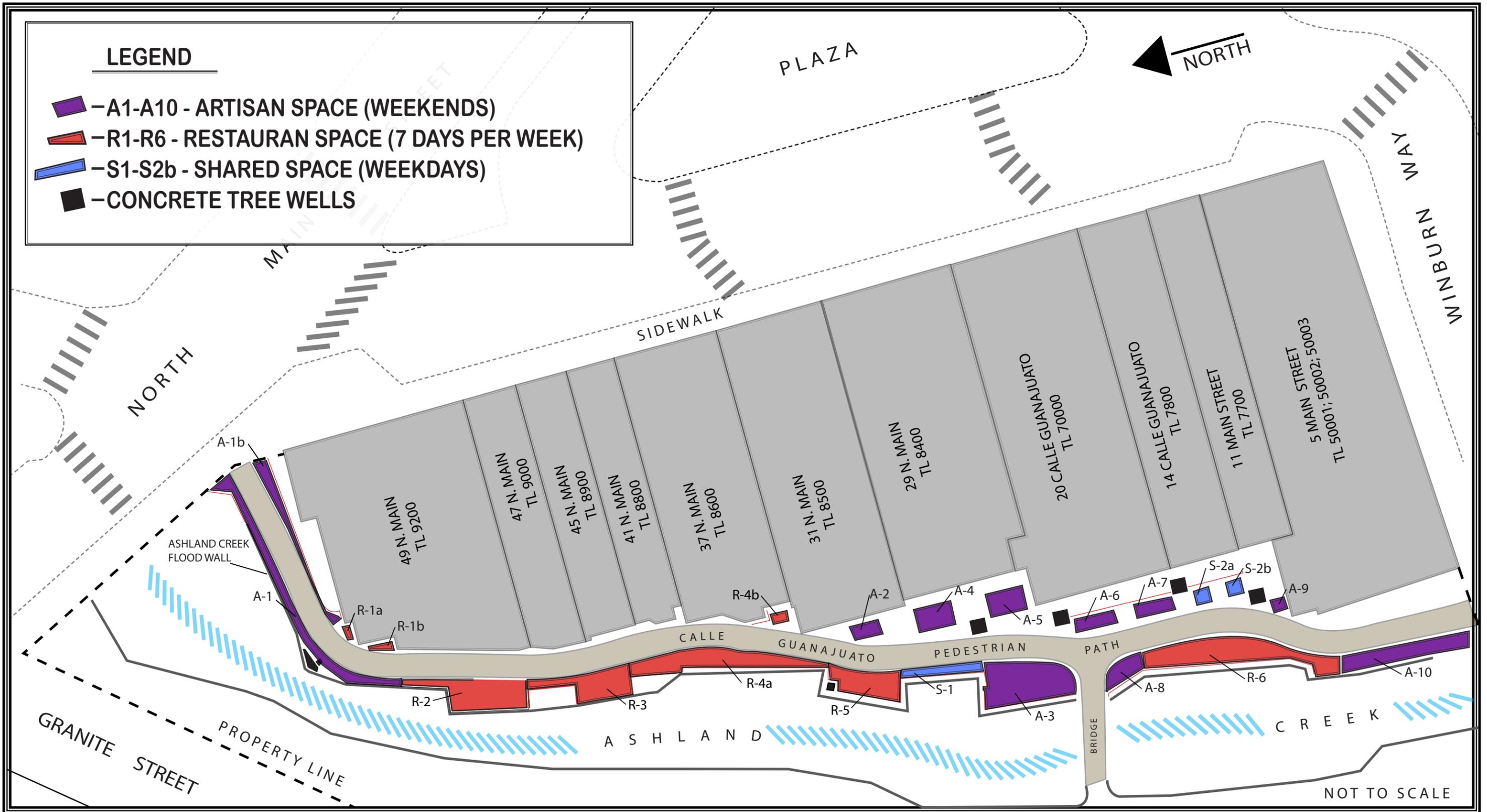
3/26/17

Approved, as to form:


Dave Lohman, City Attorney

Date:

3/30/17



CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017



Calle Guanajuato Lithia Artisans Market Commercial Use Space License Agreement

This **ARTISAN LICENSE (also referred to herein as "License")** is made and entered into this ____ day of _____ 2018, 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 "Licensee").

- 1) **SCOPE OF GRANT:** Licensee has license to operate and maintain an outdoor marketplace within the described License Area portrayed in Exhibit A.
 - a) This license gives no estate or interest in the License 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 Licensee or its business.
 - c) City retains all rights to use and maintain the License Area for the purposes for which it holds the property without unreasonably interfering with the license granted to Licensee.
- 2) **TERM / EFFECTIVENESS:** The term of this License shall commence upon approval and execution by both City and Licensee and shall terminate on November 11, 2018, unless terminated early as provided for herein.
- 3) **DURATION / MINIMUM INTERVAL OF USE:** The duration and scope of the revocable License granted herein is for one season, beginning **March 12, 2018** and ending **November 11, 2018**.
 - a) Licensee is permitted to prepare, operate, and shall terminate License Area for outdoor marketplace operation between the period beginning Monday March 12, 2018 at 11 A.M. and ending Sunday November 11, 2018 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 4th of July Holiday, regardless of which day of the week it falls upon.
- 4) **PAYMENT OF LICENSE FEES AND REIMBURSABLE EXPENSES:**
 - a) Licensee shall pay a license fee based upon the square footage of the License 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 fee shall be **\$5.50** per square foot for the Lithia Artisans Market, for 2018.
 - ii) Any payments for fees, taxes or assessments required or in arrears or disputed must be made by Licensee before any new license will be authorized for the Licensee.
 - b) The Licensee will reimburse 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 OPERATION LIMITS:**
 - a) Licensee will operate the Marketplace independently of the established Plaza Merchant businesses.

- i) Licensee will assure that all market vendors and their agents limit their merchandise sales to handcrafted and personally created items.
 - ii) Licensees 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 License.
 - (3) Serve any type of prepared or packaged food or edible and/or beverage within the License Area.
 - b) **Compliance with Law.** Licensee must comply with all federal, state and local laws, rules, and regulations applicable to them.
 - i) Licensee is responsible for obtaining a business license in accordance with AMC Chapter 6.04. If Licensee 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, license or other authorization granted by the City, shall not in any way be interpreted as a waiver, modification, grant, or affirmation 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.
- 6) Failure to comply with any provision of this section is grounds for immediately revoking Licensee's license. City reserves the right to seek penalties for Licensee's or vendors' violations of law including enforcement of its own Ashland Municipal Code.
- a) **Maintenance and Safety.** Licensee must maintain all the grounds, improvements, facilities, assets equipment and fixtures contained within the License Area in good repair and in safe, sanitary, clean, and attractive condition that is approved acceptable by City, such approval not to be unreasonably withheld.
 - b) **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 License Area without the express written authorization of the City Parks Director and the Community Development Director.
 - c) Licensee 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) Licensee must pack out all garbage and keep the License 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 Licensee's close of business.

- (2) Licensee must not use trash receptacles which belong to or are paid for by Plaza business establishments.
 - iii) Licensee will promptly remove and/or correct any structure, fixture, or condition in violation of this License upon the reasonable request by City.
- 7) **FIRE AND LIFE SAFETY.** Licensee 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 does 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 maintain such fire extinguishers as determined by the Fire Marshal;
 - e) Smoking is not permitted on the License Area under any circumstances, and Licensee must so advise its patrons; 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.]
 - g) Maintain a 24" buffer zone between the building edge and the License Area when adjacent building has outdoor seating.
- 8) **VEHICULAR ACCESS.** Unless otherwise provided herein, Licensee must strictly comply with limitations in AMC 10.68.400 on vehicular access to the Calle Guanajuato.
 - a) City, at its sole discretion, may issue revocable access permits to Licensee 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 must 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 License.
 - c) At no time may the Licensee interfere with the eight (8) foot path required for emergency vehicles.
 - d) The Licensee must ensure that appropriate pedestrian safety precautions are maintained while vehicles using the access permits are in the vicinity.
 - e) Licensee must procure and maintain insurance in accordance with the requirements of Exhibit C in full force and effect throughout the term of this
- 9) **INSURANCE:** Licensee must, 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. Licensee must provide the City with copies of said insurance certificates and shall name the City of Ashland as additional an insured.

- 10) **INDEMNITY AND HOLD HARMLESS:** Licensee 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, subrogation's, 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. Licensee waives the right of subrogation regarding the insurance policy as described in the Insurance Section in this License. Licensee 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.
- 11) **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 Licensee seven (7) days prior written notice of a termination for public convenience.
- a) Licensee's recourse 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 License Area or immediately remove the Licensee or any other person who may be occupying the License Area without resort of a Court Order sanctioning such action.
- c) Upon failure to vacate, City is expressly authorized to remove all Licensee property from the License Area at the Licensee's expense.
- i) City will reasonably safeguard and maintain the property of the Licensee for at least 30 days and shall leave it reasonably available for Licensee 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.
- 12) **SURRENDER:** Upon the expiration of the original term or terms, as extended by the parties, Licensee shall surrender to the City the License Area in as good or better condition and order as it was originally received, except for reasonable and typical wear and tear.
- 13) **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 an elected Jackson County Municipal Court Judge or Judge pro tem.
- a) Except for costs associated with building a case, for attorney fees, and for expert witnesses, any mutually incurred cost of mediation services 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.

14) 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:

(a) 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)

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

(c) Licensee: Lithia Artisans Market of Ashland
Attn:
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.

DATED this ____ day of _____, 2018

Licensee:

**Licensor/City of Ashland,
Oregon APRC**

*Printed Name:*_____

Michael A. Black, Director
Ashland Parks and Recreation

Date:_____

Date:_____

John Karns, Interim City Administrator

Approved as to form:

Dave Lohman, City Attorney

Exhibit A- License Area

A simple site plan must be submitted with the application.

Exhibit B
Proposal Documents

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE
SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT _____ 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 CODE: _____

PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT
EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE
BOUNDARY OF THE SITE LOCATION.

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

(Circle One) YES NO

WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO

IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO

IF YES, WITH WHOM? _____

*

This section to be filled out by APRC Staff

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

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

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Two copies of the signed Commercial Use Contract

Exhibit C
Insurance Requirements

The Licensee, 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 Licensee. Licensee's Insurance shall be primary and non-contributory and have a cross-liability clause. During the term of this contract, Licensee 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 Licensee'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 License 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 Licensee or its insurer(s) to the City.
4. **Certificates of insurance.** As evidence of the insurance coverage's required by this contract, the Licensee shall furnish acceptable insurance certificates to City at the time Licensee 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 Licensee 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 Licensees with one or more employees, unless exempt under ORS 656.027).) Only if Licensee does not employ workers subject to ORS Chapter 656, Licensee shall sign the following affidavit:

EXEMPTION AFFIDAVIT

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

_____ Licensee Signature

_____ Date

Exhibit D

*Ashland Parks and
Recreation Commission*



**COMMISSION
POLICY**

TITLE CALLE GUANAJUATO CONDITIONAL COMMERCIAL USE POLICY	PAGE 1 of 17	POLICY No. 101
EFFECTIVE DATE	REVISED DATE	12/19/16

APPROVED BY COMMISSIONER ACTION

December 19, 2016; Agenda Item: VI.(a.) Calle Guanajuato Amended Policy Approval

The Charter of the City of Ashland, **Article XIX – “Park Commission,”** gives the Ashland Parks and Recreation Commissioners the “*power to formulate and adopt rules and regulations for their government.*” This authority allows Commissioners to adopt rules and policies through a public process in order to provide organization, aide in decision making and to provide consistent regulation for park and facility uses in order to achieve the goals of the Ashland Parks and Recreation Commission (“APRC”) and protect people, the environment and assets and to ensure fair and equal use of parks by all users.

PURPOSE

The Calle Guanajuato is an asset of the APRC that provides, among other public benefits, space for restaurant seating and concessions adjacent to Ashland Creek and within proximity to local restaurants, Ashland Shakespeare Festival, Downtown Ashland and Lithia Park. Permitted commercial activity on the Calle Guanajuato shall be limited to the uses specifically designated in this policy.

Permits may only be issued for concessions by the Lithia Artisans Market and for adjacent restaurants. Permitted sites on the Calle Guanajuato are restricted by the physical limitation of

the space, and the potential that the demand for space may be greater than the space available. The APRC has created the Calle Guanajuato Commercial Use Policy (the “*Policy*”) to regulate the allocation of physical space to qualifying permittees, as described herein. Permits may be awarded on an annual basis as described herein.

CALLE GUANAJUATO SEATING POLICY OBJECTIVES

The purpose of the Policy is to assist the APRC in the pursuit of the following equally-important objectives:

- I. To provide a process for the review and approval of applications for concessionaires of the Lithia Artisans Market and restaurateurs of adjacent businesses;
- II. To ensure that adequate access is achieved through the Calle Guanajuato for pedestrians and emergency vehicles;
- III. To attempt to achieve cost recovery for APRC; and,
- IV. Maintain an appealing extension of Lithia Park into downtown

GENERAL PROVISIONS

Application Process

- I. Any Calle Restaurant desiring a designated site on the Calle Guanajuato must file annually a non-refundable application with APRC staff prior to the stated deadline.
- II. The application process and criteria for submittal shall be as follows:
 - a. Prior to the beginning of the application review process, each applicant seeking a designated site on the Calle must file an application with APRC staff. The application must be submitted prior to the 2nd Friday of January of each calendar year, stating the intent of the applicant to:
 - i. Seek a permit for the same designated site as the previous year; and/or,
 - ii. Seek a permit for a designated site location that differs from the applicant’s site for the previous year.
- III. The application material shall include the following:
 - a. A clear identification of the requested designated site as delineated in the

official boundary map;

- b. A simple site plan showing how restaurant equipment and/or concession stands will be organized within the boundary of the designated site;
- c. A statement detailing how each of the specific approval criteria of the Policy will be met; and,
- d. An application fee as adopted in the “Fees and Charges Schedule” of APRC.

IV. Application review requirements:

- a. Absent a timely-submitted application, APRC will not hold a previously permitted site and seniority shall be forfeited for that site.
- b. Notwithstanding the Cancellation section of this ordinance, no late applications will be accepted.
- c. Incomplete applications, or those that do not substantially meet the criteria, will be returned to the applicant without processing.
- d. Permit approvals for each season will be issued no later than February 28th of each year.
- e. The official boundary map of the Calle Guanajuato will delineate the designated site for all concession and restaurant space.
- f. A permit for a restaurant or concession shall be nontransferable between restaurateurs and shall be valid exclusively for one season in a single calendar year.
- g. No qualifying Calle Restaurant may hold or be issued more than one permit.

CONDITIONAL USE REVIEW CRITERIA

In considering applications, staff shall review the applicant’s compliance with applicable City ordinances and regulations as well as the following criteria:

- I. Restaurant proximity shall constitute a major determining factor for a designated site on the Calle Guanajuato. Applicants that meet the adjacency standard for a designated site shall have preference during review over those who do not.
- II. When two or more applicants make requests for the same site or overlapping designated sites, restaurant seniority, as defined in the definitions of this policy, shall take precedence in determining which applicant receives priority consideration.

- III. Designated sites shall be used for their permitted use only (either restaurant or concession space). In the event that a site designated for restaurant use remains unused after permit issuance, the site may be made available to the Lithia Artisans Market.
- IV. The applicant must be in good standing with APRC and the City, with no active enforcement actions.
- V. The applicant must demonstrate through a simple site plan that they have the ability to carry out the requested operations without violating the public walkway or open space through the Calle Guanajuato.
- VI. **Accessory Regulations:**
 - a. **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 the following:
 - i. Maintain all required fire and emergency access areas;
 - ii. Ensure that permitted restaurant equipment does 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;
 - iii. Maintain a clear, unobstructed space around any fire hydrant as required for fire safety;
 - iv. Have available and maintain such fire extinguishers as determined by the Fire Marshal;
 - v. Strict adherence to the APRC prohibition on smoking. Smoking is not permitted on the Calle Guanajuato under any circumstances; and
 - vi. No use of any bottled gas, electrical devices, or hazardous materials or hazardous substances without prior approval by the Ashland Fire Marshal. [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.]

PERMIT/CONTRACT AWARD PROCESS

- I. A permittee who meets all of the approval criteria for a conditional commercial use permit will be required to enter into a contract with APRC for the use of the permitted site and will be required to provide the information required for the execution of the

contract, as provided by APRC staff:

- II. Contract will be awarded by the Commissioners by the 28th of February each year.

RESTAURANT AND CONCESSION FEE SCHEDULE

- I. The Commissioners shall review and may adjust the seasonal square foot rental rate on the Calle prior to February 28th each year.
- II. Payment for approved permits must be made in full by the second Friday of May each season, unless otherwise stated by the Commissioners during fee schedule and operating season review.
 - a. If fees are not received as described above, the permit shall be revoked.

OPERATING SEASON

Due to various considerations, the season of operation for the Calle Guanajuato may vary from year to year. If the Commissioners do not approve a particular period of operation prior to February 28th, the default season of operation shall be from Memorial Day to Labor Day.

RESTAURANT CANCELLATION/REVOCATION.

- I. A permit issued for restaurant use may be canceled at the request of the restaurant owner. In such a case, if the season has not begun, the site permit fee will be refunded if already paid. If the season has already begun, the fee will be pro-rated for the time used.
- II. Should a restaurant abandon, or cancel, a permitted site, the site shall become available immediately, and a time frame for new applications will be delineated by APRC staff. The designated site shall then be awarded consistent with the criteria of the process under Application Review contained in the Policy.
- III. APRC reserves the right to revoke any restaurant's permit for a designated site 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, the City of Ashland, Jackson County Health Department and the Oregon Liquor Control Commission.
 - a. If an application is revoked prior to the start of the season, permit fees shall be refunded.

SITE SHARING

- I. Restaurant applicants who receive a permit for a designated site have the ability to share their space with another restaurant that meets the criteria of this policy.
- II. A restaurateur who shares space may do so without forfeiting seniority.
- III. Site location sharing may take place at any point during the year; however, only one applicant may hold a permit for a particular designated site and that applicant shall be sole beneficiary of any seniority for the season.
- IV. Applicants must note on their applications if they are planning to share the site with another restaurateur.
 - a. Applicant or permittee shall not sub-lease a designated site without APRC staff approval.

DEFINITIONS

- I. **Adjacency:** is contiguous ground floor access onto the Calle Guanajuato from a Calle restaurant with direct access to the Calle Guanajuato.
- II. **Applicant:** a person or entity seeking license from APRC for a concession or restaurant permit.
- III. **Boundary Map:** is the most current map that delineates areas for both restaurant seating and concession operations.
- IV. **Business License:** a certificate issued by the city authorizing the holder to conduct specified business activity within the City of Ashland.
- V. **Calle Guanajuato:** the improved surface area directly behind the plaza businesses and adjacent to Ashland Creek being bounded by the flood wall on the west side, the back of the Calle businesses to the east, Winburn Way to the south and North Main Street to the north.
- VI. **Calle Restaurant:** a restaurant business operated all, or in part, out of a building abutting the Calle Guanajuato.
- VII. **Concession:** any licensed retail sales operation on the Calle Guanajuato conducting sales using a temporary table, stand, cart, or similar equipment.
- VIII. **Concessionaire:** a licensed retail operation on the Calle Guanajuato.
- IX. **Employee:** all persons, including proprietors, working on the premises of a Calle business.
- X. **Owner of Record:** the person, or entity, in which legal or equitable title rests for private properties directly adjacent to the Calle Guanajuato.
- XI. **Public Walkway:** the 8 foot meandering brick walkway through the Calle Guanajuato.
- XII. **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 restaurant.
- XIII. **Restaurant:** a commercial establishment where food and beverages are prepared, served, and consumed primarily within a principal building which abuts the Calle Guanajuato.
- XIV. **Restaurateur:** a licensed restaurant operation on the Calle

Guanajuato.

- XV. **Season:** is the term of use for concession and restaurant operation at the Calle Guanajuato each year. Exact operating dates for each season will be approved annually during the review period of permits.
- XVI. **Restaurant Seniority:** shall be established for application review when a restaurateur has been granted a permit to a specific designated site for the calendar year immediately before the current calendar year. Seniority shall be forfeited when occupancy of the site has been abandoned by the applicant for any reason for at least one complete season or any part thereof.
- XVII. **Designated Site:** is the useable space or area on Calle Guanajuato which has been allocated for individual concession or restaurant use by the Ashland Parks and Recreation Commission.

Approved: _____ Date:
Mike Gardiner, APRC Chair

Approved, as to form: _____ Date:
Dave Lohman, City Attorney

Calle Guanajuato Restaurant Commercial Use License Agreement

This **RESTAURANT COMMERCIAL USE LICENSE** (also referred to herein as "License") is made and entered into this ____ day of _____ 2018, 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 _____ (hereinafter referred to as "Licensee").

1. **SCOPE OF GRANT:** Licensee is licensed to operate and maintain an outdoor dining site in the location depicted in Exhibit A (hereinafter "Site").
 - a. This License conveys no estate or interest in the Site, is revocable and not assignable.
 - b. This License does not otherwise waive, modify or grant or affirm compliance with federal, state, or local laws applicable to Licensee or its business.
 - c. Without unreasonably interfering with the license granted to Licensee, City retains all rights to use and maintain the Site for any of the purposes for which it holds the property License.
2. **TERM / EFFECTIVENESS:** The term of this License shall commence upon approval and execution by both City and Licensee and shall terminate on November 11, 2018, unless terminated early as provided for herein.
3. **DURATION / MINIMUM INTERVAL OF USE:** The duration and scope of the revocable License is for one season, beginning **March 12, 2018** and ending **November 11, 2018**.
 - a. Licensee is permitted to prepare, operate, and shall terminate use of the Site for outdoor dining operation between the period beginning March 12, 2018 at 7:00 A.M. and ending November 11, 2018 at 10:00 P.M.
4. **PAYMENT OF LICENSE FEES:** Licensee shall pay a license fee based upon the square footage of the Site. The square footage awarded shall be determined each year by written order of the Commission and shall be set forth precisely in Exhibit A.
 - a. The fee shall be **\$8.00** per square foot for 7 days a week and **\$5.00** per square foot for 5 days per week for 2018.
 - b. Any payments for fees, taxes or assessments required or in arrears or disputed must be made by Licensee before it will be issued a new license.
5. **USE OF PREMISES AND OPERATION LIMITS:**
 - a. **Compliance with Law.** Licensee must 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;
 - b. **Maintenance and Safety.** Licensee must maintain all the grounds, improvements, facilities, assets equipment and fixtures contained within the Site 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.
 - c. **Improvements and Placement of Restaurant Equipment.** Unless otherwise set forth herein, Licensee may make physical improvements or alterations to the site location or install structures or fixtures thereon only after express written authorization of the Parks and Recreation Director, such approval not to be unreasonably withheld.
 - i. Licensee may place tables and chairs, serving tables or host podium stand or other (restaurant equipment) items reasonably related to outdoor dining in the Site. L
 - ii. Restaurant equipment must be of sturdy and durable construction, movable by one person, and shall be self-supporting, and at no time attached, tied or locked

to trees, fire hydrants, poles, fences or other items.

iii. Licensee must not allow its equipment or other materials or restaurant employees 2 block or in any way impede pedestrian access or fire and emergency vehicle access to the Calle Guanajuato.

d. No restaurant equipment, supplies or materials and no Licensee employees shall block, impede or in any way hamper vehicular traffic on Calle Guanajuato during the following hours except in compliance with a permit issued pursuant to Ashland Municipal Code 10.68.400

Monday through Friday

Prior to 11:30 a.m.
& after 10:00 p.m.

Saturday and Sunday

Prior to 8:00 a.m.
& after 10:00 p.m.

e. Licensee must promptly remove any offensive, hazardous or dangerous restaurant equipment, furniture, or solid waste within the Site.

6. **FIRE AND LIFE SAFETY.** Licensee 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 restaurant equipment does 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 maintain such fire extinguishers as determined by the Fire Marshal;
- e. Patrons and restaurant staff must strictly abide by the Park prohibition on smoking, and Licensee must so advise its patrons and restaurant staff; and
- f. Not use any bottled gas, electrical devices, or hazardous materials or hazardous substances without prior approval by the Parks and Recreation 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.** Unless otherwise provided herein, Licensee must strictly comply with limitations in AMC 10.68.400 on vehicular access to the Calle Guanajuato.

- a. Parks, at its sole discretion, may issue revocable access permits to Licensee for limited purposes and for limited times to facilitate set up, take down, and removal of restaurant equipment and other materials allowable under this License.
- b. Vehicles must exclusively ingress and egress from Winburn Way, and must not enter or exit from the plaza end of Calle Guanajuato
- c. At no time may the Licensee interfere with the eight (8) foot path required for emergency vehicles.
- d. The Licensee must ensure that appropriate pedestrian safety precautions are maintained while vehicles using the access permits are in the vicinity.
- e. Licensee must procure and maintain insurance in accordance with the requirements of Exhibit C in full force and effect throughout the term of this License.

8. **SERVICE OF ALCOHOL.** Notwithstanding AMC 10.40.030 prohibiting public consumption of alcoholic beverages, during the term of this License Restaurant is authorized serve alcoholic beverages on the Site under the following conditions:

- a. Maintain in force a comprehensive liability insurance policy including an endorsement for liquor liability at it's own expense and at all times during the duration of the license;

____(Initial from Licensee)

- b. Serve alcoholic beverages only in conjunction with prepared meals.
9. **INSURANCE:** Licensee 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. Licensee shall provide the City with copies of said insurance certificates and shall name the City of Ashland as an additional insured.
10. **INDEMNITY AND HOLD HARMLESS:** Licensee will defend, indemnify and hold City and/or Ashland Parks and Recreation Commission, their officers, employees and agents harmless from any and all losses, claims, actions, costs, expenses, judgments, subrogation's, 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. Licensee waives the right of subrogation regarding the insurance policy as described in the Insurance Section in this License. Licensee will not be held responsible for damages caused by negligence of City and/or the Ashland Parks and Recreation 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.
11. **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 Licensee seven (7) days prior written notice of a termination for public convenience.
 - a. Licensee's recourse 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 Site or immediately remove the Licensee or any other person who may be occupying the Site area with or without a Court Order sanctioning such action.
 - c. Upon failure to vacate, City is expressly authorized to remove all Licensee's property from the Site at the Licensee's expense.
 - i. City will reasonably safeguard and maintain the property of the Licensee for at least 30 days and shall leave it reasonably available for Licensee to take possession. City may dispose of any property that remains unclaimed after 30 days. City may use reasonable discretion to immediately dispose of non-durable or solid waste, including but not limited to food and other putrescible waste.
12. **SURRENDER:** Upon the expiration of the original term or terms, as extended by the parties, Licensee shall surrender to the City the Site in as good or better condition and order as it was originally received, except for reasonable and typical wear and tear.
13. **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 an elected Jackson County Municipal Court Judge or Judge pro tem.
 - a. Except for costs associated with building a case, for attorney fees, and for expert witnesses, any mutually incurred cost of mediation services 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 attorney's fees incurred at trial and upon appeal. "Attorney's fees" shall include the reasonable value of the services of in-house counsel.

14. 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: Interim City Administrator, John Karns
City of Ashland
20 East Main Street
Ashland, Oregon 97520
(Telephone: 541-552-2100; Fax: 541-488-5311)

Licensee: Business Name:
Attn:
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.

DATED this ____ day of _____, 2018

Please provide two originals.

Licensee:

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

Name Printed: _____

Michael A. Black, Director
Ashland Parks and Recreation Commission

Date: _____

Date: _____

John Karns, Interim City Administrator

Approved as to form:

Dave Lohman, City Attorney

Exhibit A- License Area

A simple site plan must be submitted with the application.

Exhibit B
Proposal Documents

Ashland Parks & Recreation Commission

**REQUEST FOR COMMERCIAL USE
SPACE
ON CALLE GUANAJUATO**

NAME OF APPLICANT _____ 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 CODE: _____

PLEASE ATTACH A SIMPLE SITE PLAN SHOWING HOW RESTAURANT
EQUIPMENT AND/OR CONCESSION STANDS WILL BE LOCATED WITHIN THE
BOUNDARY OF THE SITE LOCATION.

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

(Circle One) YES NO

WILL ALCOHOLIC BEVERAGES BE SERVED? (Circle One) YES NO

IS THIS A SHARED SPACE APPLICATION? (Circle One) YES NO

IF YES, WITH WHOM? _____

*

This section to be filled out by APRC Staff

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

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

- Copy of current Business License
- Copy of OLCC License for outdoor seating
- Copy of Insurance Certificate naming City of Ashland as additional insureds
- Two copies of the signed Commercial Use Contract

Exhibit C Insurance Requirements

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, Licensee 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 Licensee'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 Licensee's Site 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 Licensee or its insurer(s) to the City.
4. **Certificates of insurance.** As evidence of the insurance coverage's required by this contract, the Licensee shall furnish acceptable insurance certificates to City at the time Licensee 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 Licensee 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 Licensees with one or more employees, unless exempt under ORS 656.027.)) Only if Licensee does not employ workers subject to ORS Chapter 656, Licensee shall sign the following affidavit:

EXEMPTION AFFIDAVIT

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

_____ Date: _____
Licensee

Exhibit D

*Ashland Parks and
Recreation Commission*



**COMMISSION
POLICY**

TITLE CALLE GUANAJUATO CONDITIONAL COMMERCIAL USE POLICY	PAGE 1 of 8	POLICY No. 101
EFFECTIVE DATE	REVISED DATE	12/19/16

APPROVED BY COMMISSIONER ACTION

December 19, 2016; Agenda Item: VI.(a.) Calle Guanajuato Amended Policy Approval

The Charter of the City of Ashland, **Article XIX – “Park Commission,”** gives the Ashland Parks and Recreation Commissioners the *“power to formulate and adopt rules and regulations for their government.”* This authority allows Commissioners to adopt rules and policies through a public process in order to provide organization, aide in decision making and to provide consistent regulation for park and facility uses in order to achieve the goals of the Ashland Parks and Recreation Commission (“APRC”) and protect people, the environment and assets and to ensure fair and equal use of parks by all users.

PURPOSE

The Calle Guanajuato is an asset of the APRC that provides, among other public benefits, space for restaurant seating and concessions adjacent to Ashland Creek and within proximity to local restaurants, Ashland Shakespeare Festival, Downtown Ashland and Lithia Park. Permitted commercial activity on the Calle Guanajuato shall be limited to the uses specifically designated in this policy.

Permits may only be issued for concessions by the Lithia Artisans Market and for adjacent

restaurants. Permitted sites on the Calle Guanajuato are restricted by the physical limitation of the space, and the potential that the demand for space may be greater than the space available. The APRC has created the Calle Guanajuato Commercial Use Policy (the “*Policy*”) to regulate the allocation of physical space to qualifying permittees, as described herein. Permits may be awarded on an annual basis as described herein.

CALLE GUANAJUATO SEATING POLICY OBJECTIVES

The purpose of the Policy is to assist the APRC in the pursuit of the following equally-important objectives:

- I. To provide a process for the review and approval of applications for concessionaires of the Lithia Artisans Market and restaurateurs of adjacent businesses;
- II. To ensure that adequate access is achieved through the Calle Guanajuato for pedestrians and emergency vehicles;
- III. To attempt to achieve cost recovery for APRC; and,
- IV. Maintain an appealing extension of Lithia Park into downtown

GENERAL PROVISIONS

Application Process

- I. Any Calle Restaurant desiring a designated site on the Calle Guanajuato must file annually a non-refundable application with APRC staff prior to the stated deadline.
- II. The application process and criteria for submittal shall be as follows:
 - a. Prior to the beginning of the application review process, each applicant seeking a designated site on the Calle must file an application with APRC staff. The application must be submitted prior to the 2nd Friday of January of each calendar year, stating the intent of the applicant to:
 - i. Seek a permit for the same designated site as the previous year; and/or,
 - ii. Seek a permit for a designated site location that differs from the applicant’s site for the previous year.
- III. The application material shall include the following:

- a. A clear identification of the requested designated site as delineated in the official boundary map;
- b. A simple site plan showing how restaurant equipment and/or concession stands will be organized within the boundary of the designated site;
- c. A statement detailing how each of the specific approval criteria of the Policy will be met; and,
- d. An application fee as adopted in the “Fees and Charges Schedule” of APRC.

IV. Application review requirements:

- a. Absent a timely-submitted application, APRC will not hold a previously permitted site and seniority shall be forfeited for that site.
- b. Notwithstanding the Cancellation section of this ordinance, no late applications will be accepted.
- c. Incomplete applications, or those that do not substantially meet the criteria, will be returned to the applicant without processing.
- d. Permit approvals for each season will be issued no later than February 28th of each year.
- e. The official boundary map of the Calle Guanajuato will delineate the designated site for all concession and restaurant space.
- f. A permit for a restaurant or concession shall be nontransferable between restaurateurs and shall be valid exclusively for one season in a single calendar year.
- g. No qualifying Calle Restaurant may hold or be issued more than one permit.

CONDITIONAL USE REVIEW CRITERIA

In considering applications, staff shall review the applicant’s compliance with applicable City ordinances and regulations as well as the following criteria:

- I. Restaurant proximity shall constitute a major determining factor for a designated site on the Calle Guanajuato. Applicants that meet the adjacency standard for a designated site shall have preference during review over those who do not.
- II. When two or more applicants make requests for the same site or overlapping designated sites, restaurant seniority, as defined in the definitions of this policy, shall take

precedence in determining which applicant receives priority consideration.

- III. Designated sites shall be used for their permitted use only (either restaurant or concession space). In the event that a site designated for restaurant use remains unused after permit issuance, the site may be made available to the Lithia Artisans Market.
- IV. The applicant must be in good standing with APRC and the City, with no active enforcement actions.
- V. The applicant must demonstrate through a simple site plan that they have the ability to carry out the requested operations without violating the public walkway or open space through the Calle Guanajuato.
- VI. **Accessory Regulations:**
 - a. **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 the following:
 - i. Maintain all required fire and emergency access areas;
 - ii. Ensure that permitted restaurant equipment does 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;
 - iii. Maintain a clear, unobstructed space around any fire hydrant as required for fire safety;
 - iv. Have available and maintain such fire extinguishers as determined by the Fire Marshal;
 - v. Strict adherence to the APRC prohibition on smoking. Smoking is not permitted on the Calle Guanajuato under any circumstances; and
 - vi. No use of any bottled gas, electrical devices, or hazardous materials or hazardous substances without prior approval by the Ashland Fire Marshal. [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.]

PERMIT/CONTRACT AWARD PROCESS

- I. A permittee who meets all of the approval criteria for a conditional commercial use permit will be required to enter into a contract with APRC for the use of the permitted

site and will be required to provide the information required for the execution of the contract, as provided by APRC staff:

- II. Contract will be awarded by the Commissioners by the 28th of February each year.

RESTAURANT AND CONCESSION FEE SCHEDULE

- I. The Commissioners shall review and may adjust the seasonal square foot rental rate on the Calle prior to February 28th each year.

- II. Payment for approved permits must be made in full by the second Friday of May each season, unless otherwise stated by the Commissioners during fee schedule and operating season review.
 - a. If fees are not received as described above, the permit shall be revoked.

OPERATING SEASON

Due to various considerations, the season of operation for the Calle Guanajuato may vary from year to year. If the Commissioners do not approve a particular period of operation prior to February 28th, the default season of operation shall be from Memorial Day to Labor Day.

RESTAURANT CANCELLATION/REVOCATION.

- I. A permit issued for restaurant use may be canceled at the request of the restaurant owner. In such a case, if the season has not begun, the site permit fee will be refunded if already paid. If the season has already begun, the fee will be pro-rated for the time used.

- II. Should a restaurant abandon, or cancel, a permitted site, the site shall become available immediately, and a time frame for new applications will be delineated by APRC staff. The designated site shall then be awarded consistent with the criteria of the process under Application Review contained in the Policy.

- III. APRC reserves the right to revoke any restaurant's permit for a designated site 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, the City of Ashland, Jackson County Health Department and the Oregon Liquor Control Commission.
 - a. If an application is revoked prior to the start of the season, permit fees shall be refunded.

SITE SHARING

- I. Restaurant applicants who receive a permit for a designated site have the ability to share their space with another restaurant that meets the criteria of this policy.
- II. A restaurateur who shares space may do so without forfeiting seniority.
- III. Site location sharing may take place at any point during the year; however, only one applicant may hold a permit for a particular designated site and that applicant shall be sole beneficiary of any seniority for the season.
- IV. Applicants must note on their applications if they are planning to share the site with another restaurateur.
 - a. Applicant or permittee shall not sub-lease a designated site without APRC staff approval.

DEFINITIONS

- I. **Adjacency:** is contiguous ground floor access onto the Calle Guanajuato from a Calle restaurant with direct access to the Calle Guanajuato.
- II. **Applicant:** a person or entity seeking license from APRC for a concession or restaurant permit.
- III. **Boundary Map:** is the most current map that delineates areas for both restaurant seating and concession operations.
- IV. **Business License:** a certificate issued by the city authorizing the holder to conduct specified business activity within the City of Ashland.
- V. **Calle Guanajuato:** the improved surface area directly behind the plaza businesses and adjacent to Ashland Creek being bounded by the flood wall on the west side, the back of the Calle businesses to the east, Winburn Way to the south and North Main Street to the north.
- VI. **Calle Restaurant:** a restaurant business operated all, or in part, out of a building abutting the Calle Guanajuato.
- VII. **Concession:** any licensed retail sales operation on the Calle Guanajuato conducting sales using a temporary table, stand, cart, or similar equipment.
- VIII. **Concessionaire:** a licensed retail operation on the Calle Guanajuato.
- IX. **Employee:** all persons, including proprietors, working on the premises of a Calle business.
- X. **Owner of Record:** the person, or entity, in which legal or equitable title rests for private properties directly adjacent to the Calle Guanajuato.
- XI. **Public Walkway:** the 8 foot meandering brick walkway through the Calle Guanajuato.
- XII. **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 restaurant.
- XIII. **Restaurant:** a commercial establishment where food and beverages are prepared, served, and consumed primarily within a principal building which abuts the Calle Guanajuato.
- XIV. **Restaurateur:** a licensed restaurant operation on the Calle

Guanajuato.

- XV. **Season:** is the term of use for concession and restaurant operation at the Calle Guanajuato each year. Exact operating dates for each season will be approved annually during the review period of permits.
- XVI. **Restaurant Seniority:** shall be established for application review when a restaurateur has been granted a permit to a specific designated site for the calendar year immediately before the current calendar year. Seniority shall be forfeited when occupancy of the site has been abandoned by the applicant for any reason for at least one complete season or any part thereof.
- XVII. **Designated Site:** is the useable space or area on Calle Guanajuato which has been allocated for individual concession or restaurant use by the Ashland Parks and Recreation Commission.

Approved: _____ Date:
Mike Gardiner, APRC Chair

Approved, as to form: _____ Date:
Dave Lohman, City Attorney
