

ASHLAND CITY COUNCIL
REGULAR BUSINESS MEETING AGENDA

Tuesday, August 17, 2021

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

Written and oral testimony will be accepted for public input. For written testimony, email public-testimony@ashland.or.us using the subject line: Ashland City Council Public Testimony.

For oral testimony, fill out a Speaker Request Form at ashland.or.us/speakerrequest and return to the City Recorder. The deadline for submitting written testimony or speaker request forms will be on Monday, August 16 at 10 a.m. and must comply with Council Rules to be accepted.

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

6:00 PM REGULAR BUSINESS MEETING

I. CALL TO ORDER

Mayor Akins called the Business Meeting to order at 6:00 PM.

II. PLEDGE OF ALLEGIANCE

Councilor Graham led the Council in the Pledge of Allegiance.

III. ROLL CALL

Councilors' Hyatt, Graham, Moran, DuQuenne, Seffinger and Jensen were present.

IV. MAYOR'S ANNOUNCEMENTS

Mayor Akins spoke regarding the COVID -19 Emergency.

Mayor Akins spoke regarding the Commission appointment process.

Mayor Akins spoke that 2 items would be pulled from the Agenda: Transportation Safety Plan and Plan Zero (*see attached memo*).

Moran read the Territorial Acknowledgment.

V. APPROVAL OF MINUTES

1. Study Session of August 2, 2021
2. Business Meeting of August 3, 2021

Hyatt/Jensen moved to approve the minutes. Discussion: None. All Ayes. Motion passed unanimously.

VI. SPECIAL PRESENTATIONS & AWARDS

1. Annual Report to Council by the Conservation and Climate Outreach Commission
Commissioner Marnie Koopman gave a presentation (*see attached*).

Items discussed were:

- CCOC Powers and Duties.
- Conservation Corner – Recent Topics.
- Presentations From SOU, City of Ashland and Recology.
- Actions.
- Coordination with other Commissions.
- Outside organizations. Advocate the CEAP. Importance of implementing the CEAP.
- Looking ahead:
 - Priorities
 - Encourage increased guidance from Council.
 - Increase more age gender to join the Commission.
 - Work with the CPC and Staff.

Council thanked the Commission.

2. Annual Report to Council by the Forest Lands Commission

Commissioner Priscilla Schuyler-Franco resented Council with the Forest Lands Commission Annual Report.

3. Discussion on Extending the COVID-19 Emergency Declaration

Interim City Manager Gary Milliman gave a Staff report.

Jensen/Hyatt moved approval of the proposed Declaration of Emergency Extension through October 19, 2021. Discussion: None. DuQuenne, Seffinger , Moran Graham, Jensen and Hyatt: YES. Motion passed unanimously.

VII. MINUTES OF BOARDS, COMMISSIONS, AND COMMITTEES

Airport	Budget	Conservation & Climate Outreach
Historic	Housing and Human Svcs.	Parks & Recreation
Forest Lands	Climate Policy	Community Center & Pioneer Hall Ad Hoc
Planning	Public Arts	Social Equity & Racial Justice
Transportation	Tree	Wildfire Safety

VIII. PUBLIC FORUM

Business from the audience not included on the agenda. The Mayor will set time limits to enable all people wishing to speak to complete their testimony. [15 minutes maximum]

See attached submitted Public Testimony

Linda Peterson Adams – Ashland - Spoke regarding the TSP update.

IX. CITY MANAGER REPORT

Interim City Manager Gary McMillin gave the Manager Report.

X. CONSENT AGENDA

1. Appointment of Bernard Spera to the Airport Commission

Hyatt/Graham moved to approve the Consent agenda. Discussion: None. All Ayes. Motion passed unanimously.

XI. PUBLIC HEARINGS

Persons wishing to speak are to submit a “speaker request form” prior to the commencement of the public hearing. Public hearings conclude at 8:00 p.m. and are continued to a future date to be set by the Council, unless the Council, by a two-thirds vote of those present, extends the hearing(s) until up to 9:30 p.m. at which time the Council shall set a date for continuance and shall proceed with the balance of the agenda.

XII. UNFINISHED BUSINESS

XIII. NEW AND MISCELLANEOUS BUSINESS

1. Approval of a Professional Services Contract with Kittelson & Associates for the Transportation System Plan Update

This item was moved to a future agenda.

XIV. ORDINANCES, RESOLUTIONS AND CONTRACTS

1. Resolution No. 2021-21 Setting the Vision Zero Goal for the Transportation System

This item was moved to a future agenda.

2. Second Reading of Ordinance No. 3200 Amending the Ashland Comprehensive Plan to Adopt the Housing Capacity Analysis as a Technical Report and Supporting Document to Chapter VI Housing Element and Adoption of Findings of Fact and Conclusions of Law

Milliman gave a Staff report. Katrina gave a Staff report.

Jensen/ Hyatt moved to Motion for Approval of Ordinance I move to approve Second Reading of Ordinance No. 3200, which is titled, “An Ordinance Amending the City of Ashland Comprehensive Plan to Adopt the Housing Capacity Analysis as a Supporting Document to the Housing Element of the Comprehensive Plan. Discussion: Jensen spoke that this has been thoroughly presented and it is necessary. Hyatt thanked Staff and Commissions who have been involved. Roll Call Vote: Graham, Hyatt, Moran, Seffinger, Jensen and DuQuenne: YES. Motion passed unanimously.

Jensen/Graham Motion for Approval of Findings of Fact I move to approve the Findings of Fact and Conclusions of Law document dated August 17, 2021. Discussion: None. Roll Call Vote: Hyatt, DuQuenne, Jensen, Graham, Moran and Seffinger: YES. Motion passed unanimously.

3. Second Reading of Ordinance No. 3201 Relating to Transient Occupancy Taxes; Repealing and Replacing AMC Chapter 4.24, Amending AMC 2.29.005, AMC 2.29.180, AMC 6.04.020, and AMC 13.03.060.

Katrina gave a brief Staff report.

Graham/Hyatt moved to approve second reading of Ordinance No. 3201 relating to

Transient Occupancy Taxes; repealing and replacing AMC Chapter 4.24, amending AMC 2.29.005, AMC 2.29.180, AMC 6.04.020, and AMC 13.03.060. Discussion: Graham spoke that she is excited for the opportunity to improve the collection of our Transient Occupancy Tax and reduce the cost to do so. Hyatt thanked the Budget Committee for their work on this and spoke in support of the motion. **Roll Call Vote: Moran, DuQuenne, Seffinger, Hyatt and Graham: YES. Motion passed unanimously.**

XV. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

Graham/Hyatt moved to add an agenda item to send a letter to Jackson County regarding COVID-19. Discussion: None. Roll Call Vote: Graham, Hyatt, Moran, DuQuenne, Seffinger and Jensen: YES. Motion passed unanimously.

Graham gave a Staff report. She read a letter into the record (*see attached*).

Council discussed the options.

Graham/Hyatt moved that the Ashland City Council approve sending the letter just read into the record to the Jackson County Commissioners on behalf of the City of Ashland. Discussion: None.

Roll Call Vote: Hyatt, Graham, DuQuenne, Jensen and Seffinger: YES. Moran: NO. Motion passed 5-1.

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

Council gave consensus to have Councilor Liaison DuQuenne to bring this to the Housing & Human Services Commission meeting for discussion and bring back to Council.

Graham requested for the Climate Policy Commission to review the information brought forward by local citizens regarding rescinding the nuclear-free zone ordinance of the City of Ashland and bring back to Council a recommendation regarding that recommendation in a timely manner. Council gave consensus to have this be brought back to Council.

XVI. ADJOURNMENT OF BUSINESS MEETING

Hyatt/ Moran moved to adjourn the Council Business Meeting: All Ayes.

The Council Business Meeting was adjourned at 8:06 PM.

Respectfully submitted by:

City Recorder Melissa Huhtala

Attest:

Mayor Akins.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at (541) 488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

Memo

TO: Mayor and City Council

Cc: Scott Fleury, Alison Chan, Elizabeth Taylor

FROM: City Manager Pro Tem

DATE: August 17, 2021

RE: **Transportation Agenda Items for August 17, 2021 City Council meeting**



Following discussion with several Councilors, including Transportation Commission liaison Paula Hyatt, and the Transportation Commission Chair, staff is recommending that the following items be removed from the August 17, 2021, City Council Business Meeting and rescheduled for a City Council workshop.

Approval of a Professional Services Contract with Kittelson & Associates for the Transportation System Plan Update

Resolution No. 2021-21 Setting the Vision Zero Goal for the Transportation System

Staff believes that it is important to move forward with the TSP in the near term. With a large infrastructure funding Bill recently enacted by Congress, we are entering an era of increased federal funding becoming available for transportation projects. It is likely that these federal funds will be allocated to the State's which will, in turn, develop categories of eligible local projects. The transportation grant funding program typically requires that any proposed project be included in, or be consistent with, a TSP, and the State will review the currency of the TSP and the method the City has used in securing community input into the TSP. Thus, the TSP is an essential building block needed to support future grant applications. It is also important to update the TSP periodically to reflect changing public attitudes toward transportation and take into account new traffic data, changes in demographic data and land use development that has occurred over the last decade. The TSP development process would likely carry into 2023, which would be at a 10-year TSP update juncture.

Additionally, the Oregon Transportation Commission (OTC) is implementing a program to develop Regional TSP's. This means that the Area Transportation Commissions and ODOT Regional Offices will be collecting information from local TSP's and consolidating them into draft Regional TSP's, which will



Memo

then be reviewed and approved up the “chain” within ODOT. This will then feed into OTC funding decision making. It is important to have the latest information available about Ashland’s transportation needs and projects ready for inclusion in the Regional TSP.

Finally, I recall in Brookings we received a \$190,000 grant from ODOT/DLCD under the Transportation Growth and Management (TGM) program to help fund the Brookings TSP about four years ago. The total cost was \$225,000. Scott Fleury reports that Ashland applied for a TGM grant a couple of years ago to help fund the TSP, but that effort was not successful (applications often exceed available funding). Fleury advises that City secured a TGM grant for the 2012 TSP. Staff will be contacting ODOT and DLCD again regarding funding for the new TSP; the TGM application process typically occurs in the Spring. I am not sure if the current contract service would be eligible for grant funding as the procurement process would have preceded the grant award and most grant agreements prescribe a procurement process.

It is also important that this matter be fully vetted with the City Council and the community. At the workshop staff will provide additional information as to how the TSP will be funded...it is not budgeted to be funded from the General Fund...and progress made in implementing the 2013 TSP.



Public Testimony #1

Madam Mayor and Esteemed Councilors:

WHEREAS Article XIX Park Commission Section 3 of the Charter of the City of Ashland states: *It shall be the duty of said Commission and they shall, at the beginning of each month, file with the City Recorder for the information of the City Council and the public, a report of their doings for the preceding month. Such report shall specify all funds on hand and the source from whence obtained. It shall carry a clear statement of all monies expended and for what purpose. All purchases made and all labor performed, together with the cost thereof, shall be embodied in said report. And*

WHEREAS AMC Chapter 2.16.060 states:

The Recreation Commission shall make full and complete monthly and annual reports to the Mayor and City Council; and such other reports as from time to time may be requested of them by the Mayor and City Council. And

WHEREAS Article XXII Section 3 of the Charter of the City of Ashland states:

Any funds to be spent by the Recreation Commission for recreation purposes shall be from such funds as may be appropriated from time to time by the City Council, and in no event shall any funds be spent for recreation purposes that are received pursuant to Article XIX of this Charter and which relates to the Park Commission and a levy for park purposes. And

WHEREAS Article VII Section 8 of the Charter of the City of Ashland states:

Before entering upon the duties of his/her office, each officer shall take an oath or shall affirm that he/she will support the constitutions and laws of the United States, the State of Oregon, and the Charter and laws of the City of Ashland, and that he/she will faithfully perform the duties of his/her office. And

WHEREAS the reports delineated above are not being produced as required. And

WHEREAS examination of recent CAFR and Budget documents indicate that the Ashland Parks and Recreation Department and Commissions may not be utilizing public funds legally and lawfully as prescribed in Article XXII Section 3.

THEREFORE, I, a taxpayer and resident of the City of Ashland, do hereby petition the city Council to enforce the aforementioned sections of the Charter and the Code, and instruct the Ashland Parks and Recreation Commission to produce said monthly reports and make them available to the Mayor, the Council, and to the public, starting immediately.

FURTHERMORE, I call upon the City Council, the City Manager, and the Finance Director, with the assistance of an independent certified accountant, to examine and investigate the

assignment and utilization of all public funds by the Ashland Parks and Recreation Department and the Ashland Parks and Recreation Commission.

Dean Silver

Public Testimony #2

Esteemed Councilors:

Before you consider adopting Vision Zero as the policy of the City, please review the following material:

- "What Happens When a City Tries to End Traffic Deaths"
<https://www.bloomberg.com/news/articles/2019-11-21/vision-zero-are-cities-reducing-traffic-deaths>
- "Rebuilding From the Failures of Vision Zero"
<https://www.planetizen.com/news/2021/05/113209-rebuilding-failures-vision-zero>
- Vision Zero is failing, as 2019 sees 30% jump in traffic deaths compared to 2018
<https://www.amny.com/news/vision-zero-de-blasio-1-30707464/>
- Vision Zero Isn't Working
<https://www.swglobetimes.com/vision-zero-its-not-what-it-seems>
- "In a New Report, Metro Acknowledges That a Multi-Million Dollar Vision Zero Plan Isn't Working"
<https://www.wweek.com/news/2020/03/07/in-a-new-report-metro-acknowledges-that-its-multi-million-dollar-vision-zero-plan-isnt-working/>
- "Portland dissolves Vision Zero Task Force, introduces new outreach plans"
<https://bikeportland.org/2021/02/08/portland-dissolves-vision-zero-task-force-introduces-new-outreach-plans-325803>
- Vision Zero Sputters As NYC Traffic Deaths Reach Highest Level Of De Blasio Era
<https://gothamist.com/news/vision-zero-sputters-nyc-traffic-deaths-reach-highest-level-de-blasio-era>
- "Despite Vision Zero, Portland's traffic fatalities continue to rise: Beat Check podcast"
<https://www.oregonlive.com/commuting/2021/07/despite-vision-zero-portlands-traffic-fatalities-continue-to-rise-beat-check-podcast.html>
- "Portland dissolving Vision Zero Task Force, but program will evolve, officials say"
<https://katu.com/news/local/portland-ends-vision-zero-plan-after-five-years-officials-say>

Also consider this:

Ashland Motor Vehicle Fatalities 1998-2021

None involved pedestrians or cyclists.

Only one on residential streets since 1998, a single vehicle DUII. Fixed Object (FO) 5:42am and it was Tolman Creek Rd, so not a typical residential street.

Five total since 1998:

- 1999-single vehicle DUII FO [noted above] 1999-single vehicle DUII unknown Siskiyou at Palm 2:27pm
- 2004-single vehicle DUII unknown N Main at Lithia 10:35am
- 2005-multi vehicle head on DUII on N. Main n of Sheridan 10:11pm
- 2014- single vehicle DUII on Siskiyou at Ashland
- 2020-single vehicle FO on Siskiyou at Mountain 11:06pm

source: <https://gis.ashland.or.us/accident/>

Please do not rush into a decision without thoroughly considering the evidence. The evidence is clear that, although the goals of Vision Zero are laudable, the program itself is a failure. It would be another waste of staff time and tax money.

Thank you for your consideration.

Dean Silver

Public Testimony #3

Your support of the Vision Zero resolution is the first step toward making our transportation safe for everyone. Most collisions in the city are between two autos and result only in property damage. But last year, 20 percent of the accidents were between autos and either a person walking or person riding a bicycle. In these cases, the person who was struck was injured, sometimes seriously.

A study prepared by the Transportation Commission, Climate Policy Commission and Conservation and Climate Outreach Commission found that by lowering vehicle operating speeds by 5 MPH throughout the city, the cost associated with traffic injuries and death would fall by approximately \$750,000 per year. Those savings and more could be realized through the Vision Zero effort. We shouldn't tolerate another unnecessary traffic injury to an Ashland resident or a visitor.

Passing the Vision Zero resolution will begin an effort to tame the transportation system so that people can safely walk or bicycle without fear of being struck by an automobile.

Thank you,

Gary Shaff

Public Testimony #4

To the Councillors and Mayor:

I am writing to urge you to not approve the transportation plan funding of over 243,000 at this time. It is premature given our need to look at every aspect of the way the city functions. We can save that 300,000 in the budget...or 243,000+ at this time. We have emergency level priorities that will take months to work on.

I have read an email sent in by Mark DiRienzo that covers just about everything I might say and is the most intelligent comment I have seen. I second it loudly! His questions are absolutely on point. Where is the previous study and what happened with the projects etc. Let's examine that report!

He also comments about the closed nature of the commission appointments. Our City has operated as a system that is far too closed and in its own bubble....a bubble that is about to run us into millions into the red. We need to redesign the way the City operates. That will help correct our structural imbalances and address their creation. It is one institutional factor in why we are in the situation we are.

Mr. DiRienzo enumerates exactly what we need to ask about every project we do....not just this one. Where is that information in the packet? With absent information or not enough analysis, you cannot make decent decisions.

Deny this request for money now. Revisit this in a year or so when we have had a chance to redesign the process by which we approve spending requests. It would resolve much of the crisis in bloated, addictive overspending the City has.

I also want you to reject moving forward on the Vision Zero program and the 20 is Plenty. Both programs are problematic and could damage Ashland. It highlights the lack of transparency, public involvement, and the habit of the City to come up with predetermined ideas that they spring on the public that are flawed and likely to be opposed by many.

I have no idea why we need Vision Zero. Lower the speed limits, increase traffic enforcement, and perhaps have some cameras at some stop lights. What is behind this?

Changing the speed limit to 20 in more areas will offend and annoy everyone who lives in Ashland and drive away locals and tourists alike. I predict lots of people in our region will just go elsewhere rather than deal with what will be so annoying. Is this a scheme to raise money from speeding tickets? That will drive people away too!

It seems like social engineering to me...how many retired folks are going to ride bikes up and down our hills...in the winter, in the summer, in the pandemic? How many busy parents? Changing some zoning would give people little neighborhood shops to go to. There are so many other things we could do to increase livability, convenience for residents, and meet our goals.

We need a proper process of public discussion to plan to address any issues we truly have.....remember we have RVTV we could use for programs...or put out newsletters or whatever...and reach ALL Ashlanders not just those who are trying to be involved....and have a real community discussion.

I hope you will agree all of these items should be rejected at this time and delayed until a proper process happens.

~Gwen Davies

Dear Jackson County Commissioners,

Jackson County reported 542 new infections and 163 people hospitalized due to COVID-19 on August 16. Our hospitals are overwhelmed with COVID-19 patients, the majority of which are unvaccinated and would not likely need hospital care if they were vaccinated. The number of unvaccinated Jackson County residents needing hospital care due to COVID-19 is increasing daily in spite of the lack of hospital capacity.

According to a recent Medford Mail Tribune article, patients are being denied critical medical care because COVID-19 patients are taking up the capacity of the hospitals. The Tribune reports that "Hospitals have canceled surgeries unless a person will die within days without care." And "Asante has had to deny more than 350 surgeries."

Also of great concern, "Physically and emotionally exhausted health care workers are putting in 12-, 16- and 20-hour shifts as they struggle to care for surging numbers of patients."

Jackson County's Health Officer, Dr. Jim Shames, said it clearly, "Vaccination can stop this. It can stop people from getting really sick, it can stop the number of cases we're seeing and it can reduce the number of people who are sick in our hospitals."

This crisis calls for leadership by our elected leaders at Jackson County. Anything less than strong, vocal support for residents to follow the advice of the County's health department to get vaccinated and comply with the mask mandate encourages the widespread suspicion of the vaccine that is preventing us from getting this pandemic under control.

The rapid spread of the Delta variant among unvaccinated people is costing us dearly – in the unnecessary, bone deep exhaustion of medical workers; the lack of care of people with other medical needs; the disruption of our economy, school system, and daily lives; and most importantly, the deaths of Jackson County residents.

We call on you today to step forward and advocate strongly for the public health measures – vaccinations and masks – that are necessary to bring this crisis to an end.

Ashland City Council