

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 25, 2019 Council Chambers, 1175 E. Main Street

7:00 p.m.

- I. CALL TO ORDER
- II. APPROVAL OR ACKNOWLEDGEMENT OF MINUTES
 - a) Pool Ad-Hoc Subcommittee – January 16, 2019
 - b) Golf Course Subcommittee – February 6, 2019
- III. PUBLIC PARTICIPATION
 - a) Open Forum
- IV. ADDITIONS OR DELETIONS TO THE AGENDA
- V. UNFINISHED BUSINESS
- VI. NEW BUSINESS
 - a) Calle Guanajuato Space Agreement (Action)
 - b) Calle Guanajuato Commercial Use Policy (Action)
 - c) Harassment and Non-Discrimination Policy Adoption (Action)
 - d) Cost & Revenue Analysis (Informational)
- VII. ITEMS FROM COMMISSIONERS
- VIII. UPCOMING MEETING DATES
 - a) Senior Services Advisory Committee – March 11, 2019
 - Ashland Senior Center, 1699 Homes Ave —3:30 p.m.
 - b) Study Session—March 18, 2019
 - The Grove, Otte-Peterson Room, 1195 E. Main Street—5:30 p.m.
 - c) Pool Ad-Hoc Subcommittee Meeting – March 6, 2019
 - Ashland Senior Center, 1699 Homes Ave —3:30 p.m.
 - d) Regular Meeting—March 25, 2019
 - 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
Pool ad-Hoc Committee Meeting Minutes
January 16, 2019

ATTENDEES

Present: Community Committee Members Rebecca Kay, Risa Buck, Marc Heller, Mike Hitsky, Jocelyn Sanford, Gary Simms; Commissioners Gardiner, Landt and Miller; School District Liaison Todd Lantry; Senior Services Superintendent Glatt; Senior Services Liaison Bachman; Parks Superintendent Oxendine; Recreation Manager Flora; Recreation Superintendent Dials;

Absent: Director Black; City of Ashland Finance Director Mark Welch

I. CALL TO ORDER

Rebecca Kay called the meeting to order at 2:30 p.m. at the Ashland Senior Center, 1699 Homes Avenue.

II. APPROVAL OF MINUTES – It was asked if there were any corrections to the December 5, 2018 minutes and there were none.

Motion: A motion was made for approval of the minutes.

Gardiner moved / Buck seconded approval of the minutes.

Vote: All Yes

III. PUBLIC PARTICIPATION AND GUEST SPEAKERS

Citizen Pat Turner introduced herself. Pat submitted a question and asked that it be added to the Pool survey. The proposed question asked if respondents, as property owners or renters, what bond amount would they vote for to finance the project. Amounts of \$3.5 mil, \$5 mil, \$7 mil, \$10 mil, or none were proposed options for an answer.

Discussion

Kay said if the question was accepted that it would take the place of question #8 on the survey. Landt said that it was a good question and it should be discussed later in the meeting during the survey discussion. Gardiner said that under Additions/Deletions it could be inserted.

IV. ADDITIONS OR DELETIONS TO THE AGENDA

- a. The committee introduced themselves.
- b. It was decided that the question submitted by Pat Turner be discussed under “needs assessment survey.”

V. UNFINISHED BUSINESS

- a. **Needs Assessment / Outreach Subcommittee Report**
 - i. **Needs Assessment Survey (Flora)**

Kay said that before Flora spoke on the survey under Needs Assessment and with regards to the Listening Session strategies that she wanted it officially stated in the minutes that the citizens of

Ashland are our number one stakeholders and that the Needs Assessment survey and the Listening Session strategies are directed to the citizens of Ashland. Kay noted that under item #4 on the agenda "Update on Stakeholder Outreach" is where the committee would be discussing ways of reaching out to the stakeholders that are more organized groups.

Flora said the goal is to approve a final draft so that the Needs Assessment can move forward and be published. Flora said they will work with a local printer to do the design, format of the hard copy and randomly mail it out within the City of Ashland. Flora said there would be an electronic option that can be submitted online and a paper and pen version that can be returned to any City and APCR staffed buildings. (The Grove, Senior Center, Nature Center, City of Ashland Utility Billing).

It was asked what the timeline would be, and Flora said that he was hoping that the first phase of the Needs Assessment would be done by the end of February around the same time as the Listening session. Dials said that in previous minutes that Director Black stated that he wanted to get the entire process completed by March. Dials said that the recommendations could hopefully be going to the Commission in June.

Flora said that an idea that came from the subcommittee was to include a terminology legend. After much discussion it was decided to keep it simple and not include a legend.

Flora spoke on the Intro page and survey questions. Landt questioned the use of the word *exponentially* and it was decided to change the word to *substantially* on the Intro page. On the Needs Assessment page there were a few suggested changes to the wording in #1 and on question #2. After a long discussion Flora said that the input received today should be used and given to the Subcommittee to rework the questions. The discussion surrounded Question #8 regarding a bond with the submitted question by Pat Turner. There was a lot of back and forth discussion between the committee members regarding the wording of this question. Miller said that what he was hearing was that no numbers be attached to the bond and reword Question #8 to read: "Would eligible voters in your household be supportive of a General Obligations Bond to support an Aquatic Facility."

Motion: Heller made a motion to allow the Subcommittee to take the information given and do a final version of the survey. Bachman seconded the motion.

Vote: All Yes

ii. Listening session strategy and timeline (Heller and Buck)

Buck said that she and Heller are not comfortable taking the lead to run the Listening sessions. Lantry had a question on how the workshops would be facilitated. Landt suggested smaller groups for the Listening sessions as it is easier to facilitate. Gardiner also encouraged the small group concept for the Listening sessions. Landt said that he felt that everyone who is on the Subcommittee should be involved in the Listening sessions and Bachman agreed.

iv. Update on Stakeholder Outreach (Lantry and Flora)

Lantry said that he had reached out to Ashland School District to Jordan Eli, Business Manager and Karl Kemper, Athletic Director and had not heard back. Flora stated that he has reached out to a few different groups at Southern Oregon University and other schools and groups. Kay said that the neighbors around Hunter Park should be considered as Stakeholders. Dials said that they can generate a mailing list for the neighborhood and send out a flyer on the listening session. Dials said that she

would act on this. Kay said that her action item was to enlist the help of Tom Dobry with Lithia Motors and she has had no success in getting a hold of him yet. Miller asked if anyone had any further questions regarding the Stakeholder Outreach. Flora asked if they could revisit the process of how everyone is working together to reach the Stakeholders and organizations. Flora asked that this be added to the next agenda.

ii. Listening session strategy and timeline (Heller and Buck)

Miller asked Kay to go back to the Listening Session strategy. Sanford said that now that they have the session dates she wanted to know how the word is being spread. Flora said that Dorinda Cottle, Promotions Coordinator has a detailed press plan. Heller suggested putting the information in the City Source. Buck said that she will write a letter to the editor for the Tidings and Sneak Preview. Landt asked if they wanted it to read Daniel Meyer pool renovation workshop or Aquatic facility. Gardiner said in Parks they changed the ad-hoc Committee to just the Pool ad-hoc Committee and dropped the Daniel Meyer. It was decided to be consistent and just say Pool Ad-Hoc Committee.

iii. Publicity and social media facilitation (Kay and Sanford)

Kay talked about naming an individual that would monitor Ashland Peeps Facebook page and all the other Facebook pages, engaging with people that make comments that are misinformed or misstated. Dials said APRC has the information being discussed on their Facebook page. After some discussion it was decided that the current Facebook pages cover all social media.

b. Site Analysis and Planning Subcommittee Report (Sanford)

Sanford said that the subcommittee discussed what to include in the matrix in assessing the aquatic situation in Ashland. Topics within the matrix will be 1) Do nothing 2) Bare minimum fix with keeping Daniel Myer pool as is with the same dimensions 3) Daniel Meyer location with a new pool layout with a tent 4) Daniel Meyer location with a new pool layout indoor facility 5) Some other location within Ashland 6) Updated pool and updated bathhouse. Sanford said that requests have been sought for additional information on estimated costs for the various options

VI. NEW BUSINESS

a) Interface with City Council (Kay)

Kay said it's important that their voices are heard at the Council meetings. She thought they could have volunteers attend the meetings to speak. Dials asked if it is beneficial to the City Council to have someone from the committee attend a Council meeting to let them know what the ad-hoc committee is working on. Gardiner agreed that it would be beneficial. Kay said that she would attend the meeting on February 5, 2019.

VII. UPCOMING MEETING DATE

The next meeting date was set for February 13, 2019, 2:30 p.m., Community Center, 59 Winburn Way

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:28 p.m.

Respectfully submitted,

Anna Wysocki, Temp Office Assistant

City of Ashland
PARKS AND RECREATION COMMISSION
Oak Knoll Golf Course Subcommittee Meeting Minutes
February 6, 2019

ATTENDEES

Present: Commissioners Gardiner, Bell and Lewis; Parks Director Michael Black; Parks Superintendent Mike Oxendine; Golf Course Superintendent Laura Harvey; Oak Knoll Golf Course Manager Patrick Oropallo; Oak Knoll Men's League President Bret DeForest; Oak Knoll Women's League President Amy Lepon, Shaun Moran
Absent: Recreation Superintendent Rachel Dials, Recreation Manager Lonny Flora

CALL TO ORDER

Oak Knoll Golf Course Manager Patrick Oropallo called the meeting to order 2:02 p.m.

APPROVAL OF MINUTES

No changes.

PUBLIC PARTICIPATION

None

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

- a. Golf Course Manager Oropallo gave a brief introduction of himself and his background in golf course management.
- b. Oropallo discussed opportunities with the chamber, community businesses and linking the Golf course with others. Hotel stay and play packages, restaurant involvement with the clubhouse and also drive tournaments, rounds of golf and driving more business for Oak Knoll. Oropallo presented all the events he has booked for Oak Knoll so far for 2019 and will continue to book more.
- c. Oropallo discussed programming and player development. With his background and PGA certification he will take each student and drive them to be on the golf course. Oropallo explained his course plan and dates for when this will begin. He reviewed the PGA Junior League, what will take place in lessons and tournaments. They will not only play at Oak Knoll but other local golf courses. Oak Knoll has partnered with SOU youth programs and this will include golf and footgolf.
- d. Oropallo discussed tournament and revenue sales and that his main focus is getting Oak Knoll event space ready for any and every event that can be booked. He has put together event packages that include menu items. Box lunches for golf tournament, pre-set menu for small events etc. Black asked if all staff can get food handlers card and that is in the plan. Moving forward all tournaments will be working with Oak Knoll with prepared food by the club or recommended catering business that will be provided.
- e. Oropallo discussed new policies and procedures. A golf cart sign out sheet is now required for every customer to sign out with rental agreement. For every item now sold with book money it will be tracked for inventory and also be able to track properly the exact amount of greens fee being used. Staff is also tracking every golfer and non-golfer to see the entire use of the course.

f. Oropallo discussed tee boxes for the golf course. Harvey and Oropallo have been mapping where to add an extra set of tees for course as well as junior tees for the new program. Instead of using colors or senior/gender names for the tee boxes he has proposed adding specific names for tees. This could bring a unique touch to the course and set Oak Knoll apart from others. He is asking for input from committee and public for ideas of names.

g. Oropallo discussed the point of sales opportunities for the clubhouse. He has made changes already to the current point of sales being used in the clubhouse, but it is not the best system for the golf course. Oropallo proposes a new system for the clubhouse “ezlinks”. This program is specific for golf courses.

h. Oropallo talked about goals for the next biennium budget. The golf course is nearing it's 100th year. Oropallo and staff are working on getting historic information on the golf course. He will continue to research the history of Oak Knoll and find all information possible. Oropallo discussed starting an Audubon Cooperative Sanctuary for the golf course. This will increase responsible use of water, use of chemicals and restoring natural wet lands. The process takes 1-2 years to get the certification, but bringing this to Oak Knoll will be a great improvement.

f. Oropallo presented a revenue chart from the last two months with projected budget and forecasted revenue for the coming year. He also discussed the current revenue and expenditures and what he thinks will happen in the coming season.

Additional Discussion

SET NEXT MEETING DATE

No Date set. Email will be sent out

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:10p.m.

Respectfully submitted,

Haley Fasnacht, Recreation Assistant, Oak Knoll Golf Course Interim Coordinator
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 & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Julian Bell



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, 2019
SUBJECT : 2019 Calle Guanajuato Lease Agreements (Information / Action)

Background

The following applicants have submitted requests for Commercial Space on the Calle Guanajuato for the 2019 season:

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

- Sesame 588 sf
- O'Sheas Irish Pub 210.5 sf (5 days)
- Little Tokyo 330 sf (7 days) and 143 sf (5 days)
- Louie's Bar and Grill 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 2019 season.

Actions Requested and Recommendations:

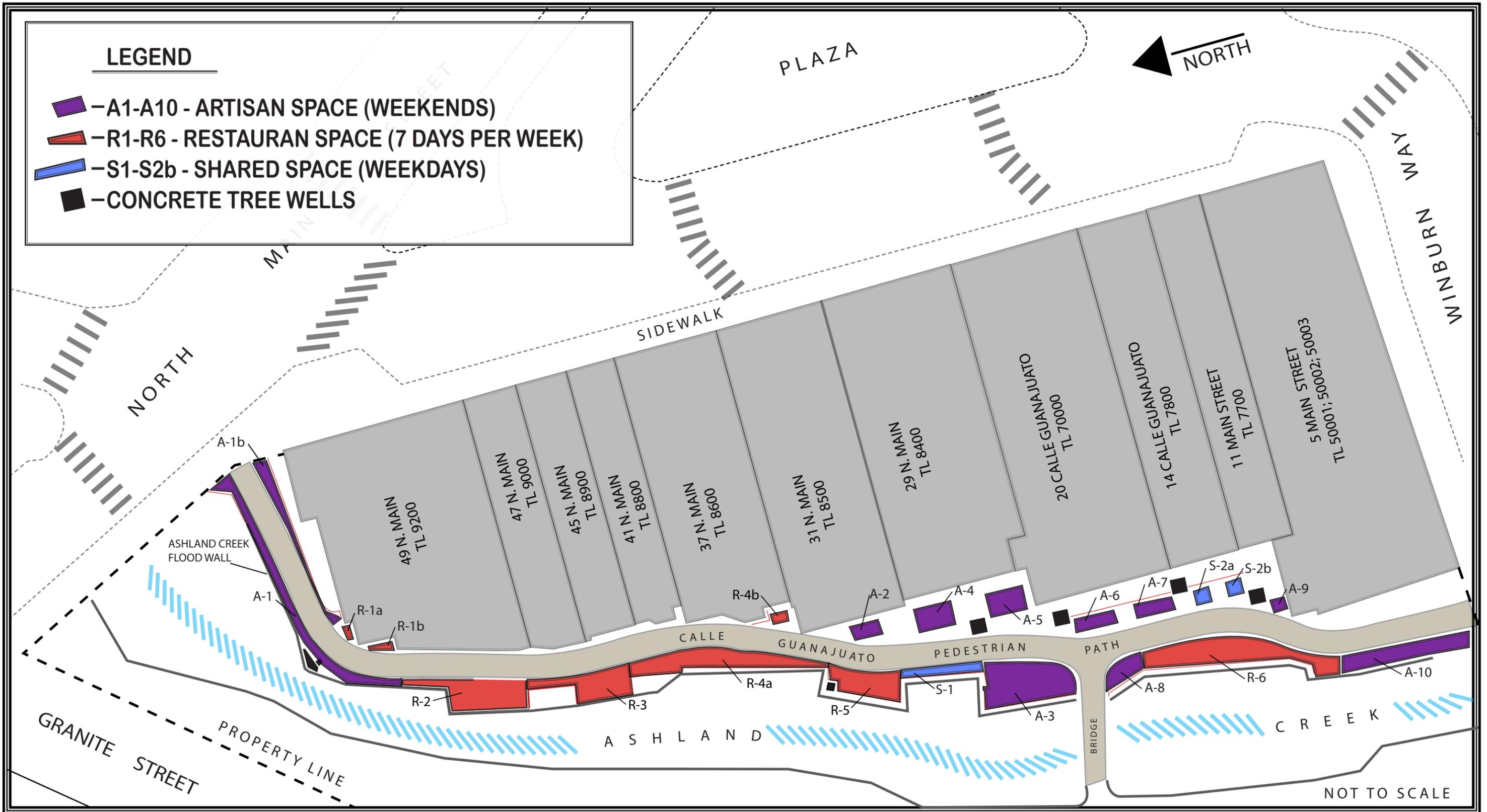
- 1. Determine the “season of operation” for the contracts. Staff recommends March 11-November 10, 2019.** In 2018 the commission approved a season spanning March 12 through November 11 and staff recommends a similar arrangement for the 2019 season.
- 2. Approve or deny the nine seating agreements for the Calle Guanajuato.** Staff recommends approval of all nine seating agreements as proposed.
- 3. Approve the Boundary Map for the 2019 Calle Guanajuato season.** Staff recommends approval of the boundary map. The requests for 2019 are similar to the 2018 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.

Potential Motion:

I move to approve the nine Calle Guanajuato seating agreements, the season of March 11-November 10, 2019 and the 2019 Boundary Map as presented by staff.

Attachments

- 2019 Request for Commercial Space and Site plans for all nine applicants
- Draft Boundary Map
- Draft Contract for Lithia Artisans Market
- Draft Contract for Restaurants



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 Sesame Asian Kitchen WK PHONE # [REDACTED]
MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]
NAME OF AUTHORIZED REPRESENTATIVE Lisa Beam

WHAT IS THE BEST WAY TO CONTACT YOU? *(Circle one) email phone
MAILING ADDRESS 21 winburn way CITY Ashlan STATE OR
ZIP CODE: 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? _____

R-6 (7daup) 588sf

This section to be filled out by APRC Staff

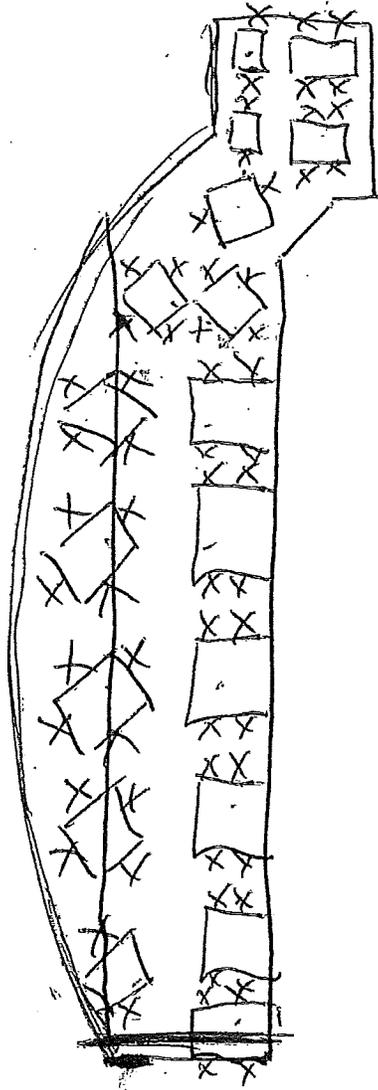
Total Square Footage x \$ _____ = _____ Date Paid _____

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

R-6

18-20 Tables
60 - Seats
3-5 umbrellas



CALLE GUANAJUATO OFFICIAL BOUNDARY MAP

ADOPTED FEBRUARY 27, 2017

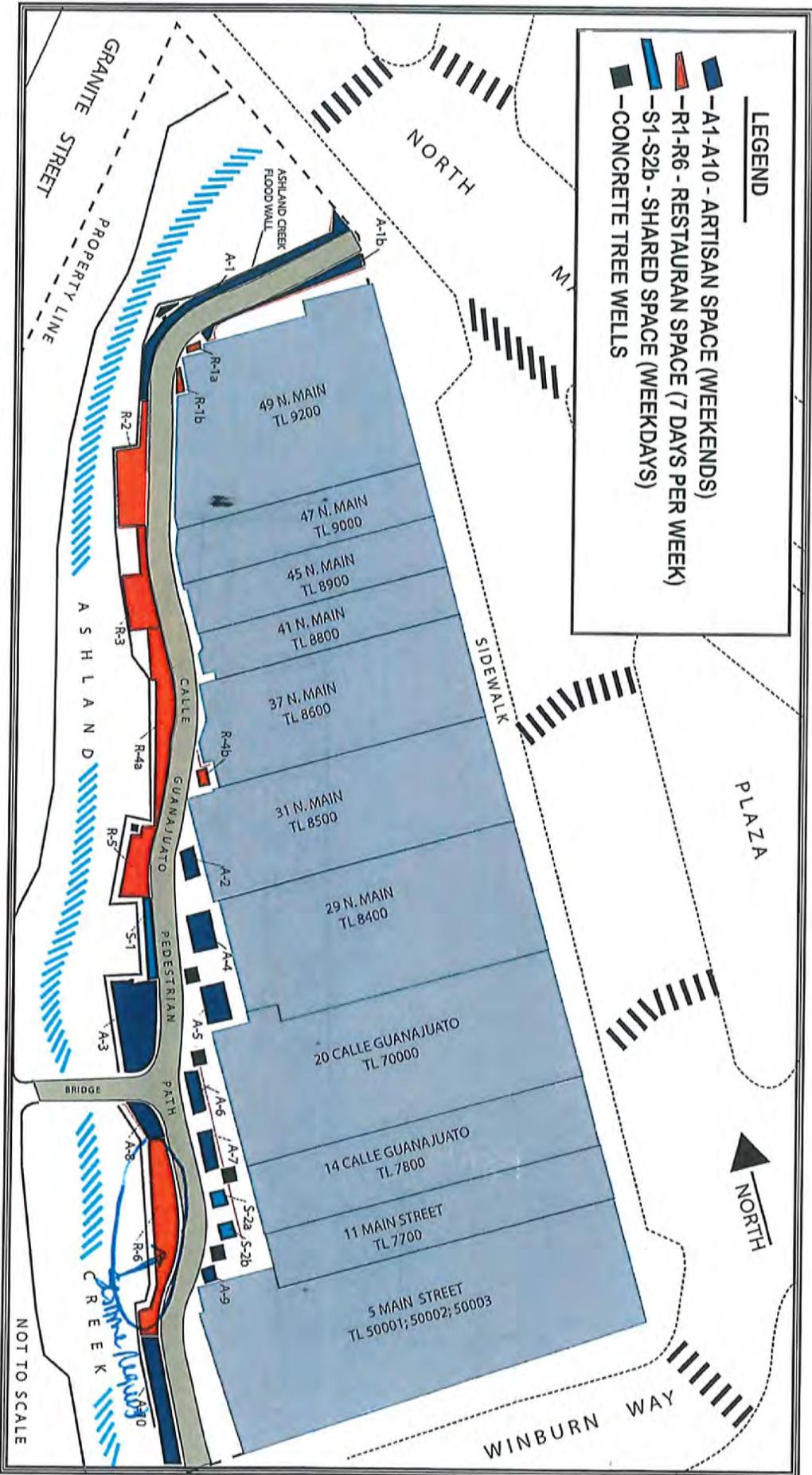


Exhibit B
Proposal Documents

O'sheas

Ashland Parks & Recreation Commission

REQUEST FOR COMMERCIAL USE
SPACE
ON CALLE GUANAJUATO

NAME OF APPLICANT Huzley's Last Chance LLC WK PHONE [REDACTED]
MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]
NAME OF AUTHORIZED REPRESENTATIVE Victoria McBerly

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

MAILING ADDRESS 1409 George Tweed Blvd CITY Grants Pass STATE OR
ZIP CODE: 97527

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

S-2a (5 days) 210.5sf
S-2b

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

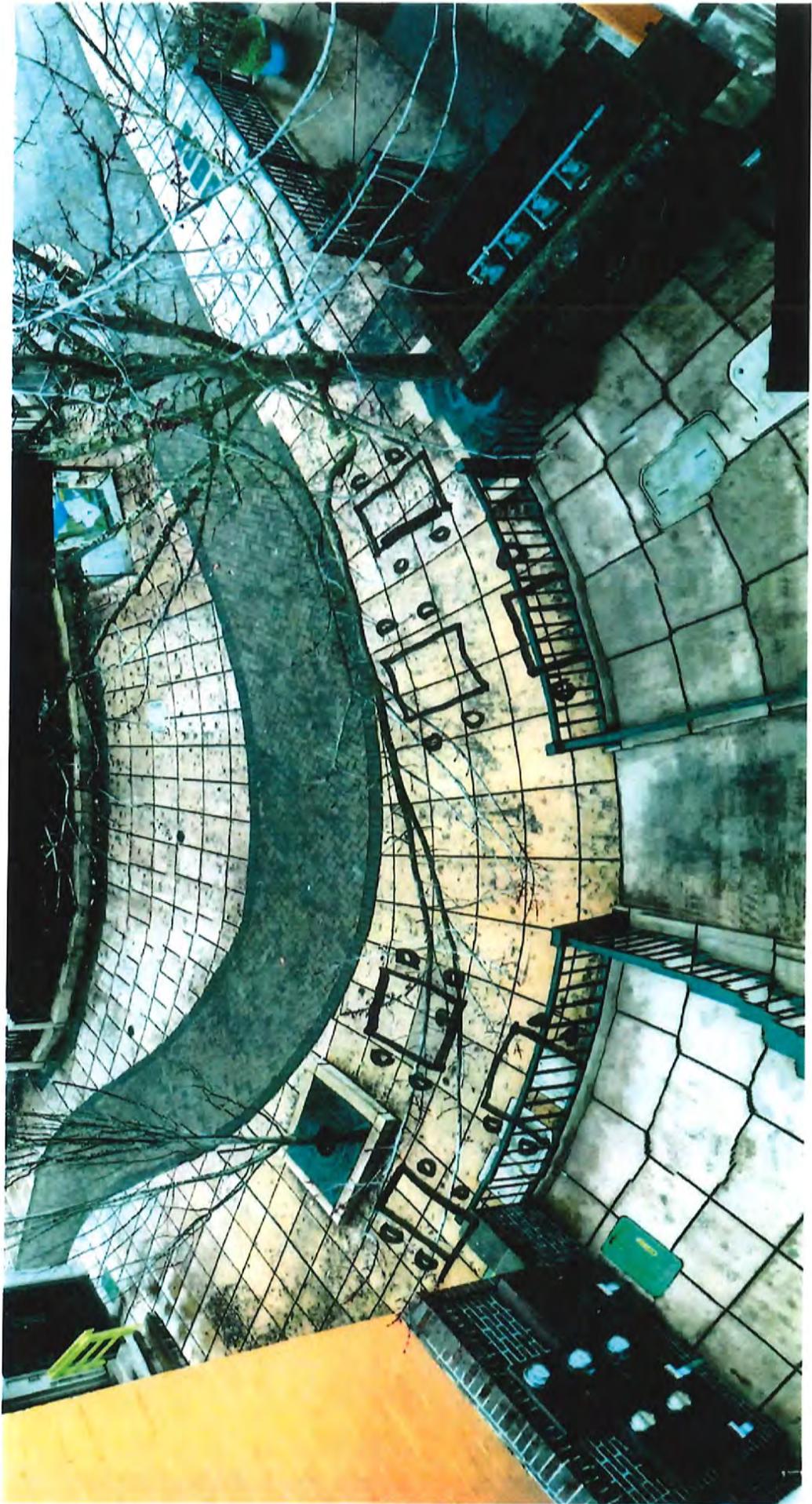


Exhibit B
Proposal Documents

LITTLE Tokyo

Ashland Parks & Recreation Commission

REQUEST FOR COMMERCIAL USE
SPACE
ON CALLE GUANAJUATO

NAME OF APPLICANT Kenny Sun Lee (Annie) WK PHONE [REDACTED]

MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]

NAME OF AUTHORIZED REPRESENTATIVE Little Tokyo

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

MAILING ADDRESS 60 Alida st CITY Ashland STATE OR

ZIP CODE: 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? _____

(7days) R-5 330sf
(5days) S-1 143sf

This section to be filled out by APRC Staff

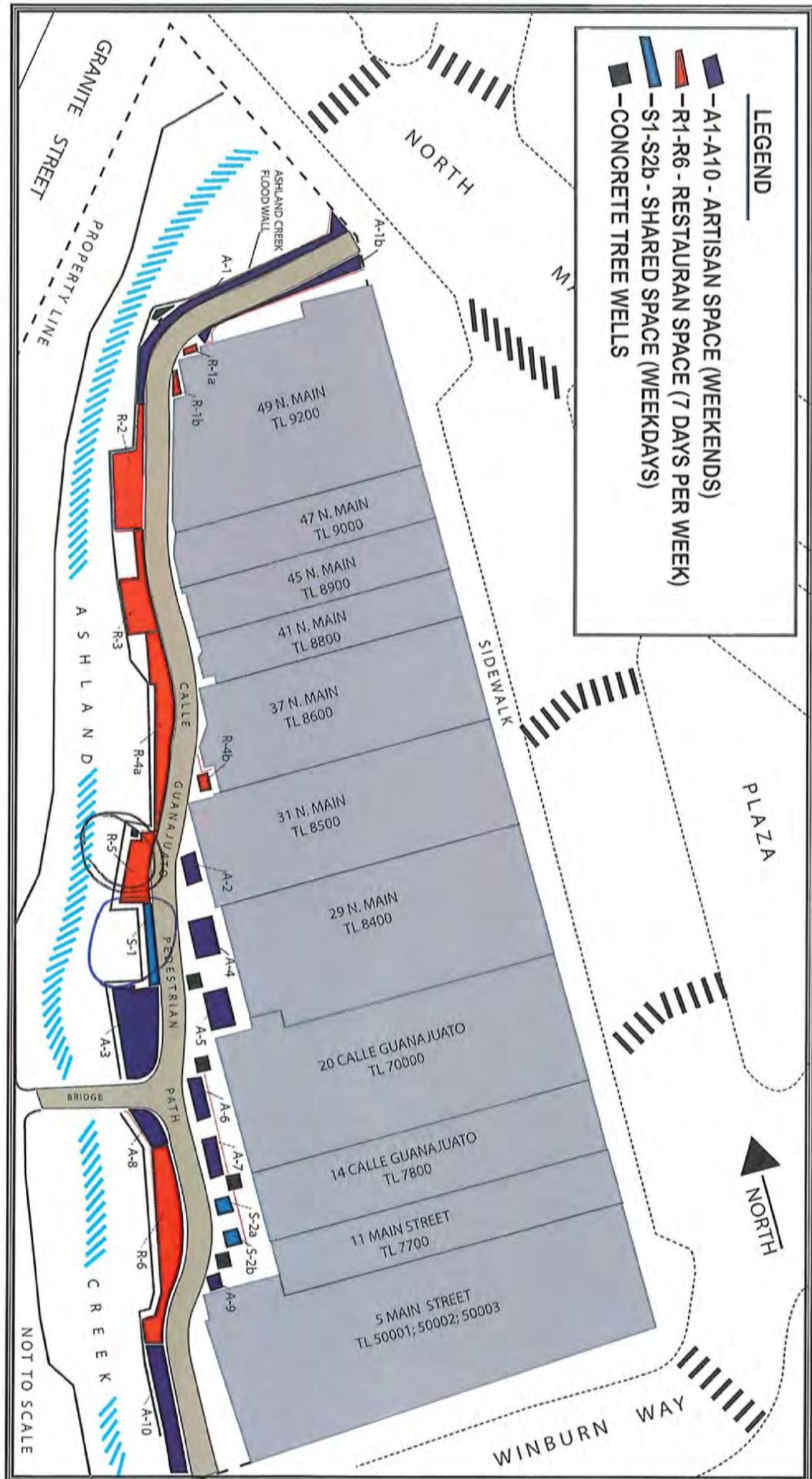
Total Square Footage x \$ _____ = _____ Date Paid _____

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

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 Louies Bar & Grill WK PHONE [REDACTED]

MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]

NAME OF AUTHORIZED REPRESENTATIVE Melissa Jensen [REDACTED]

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

MAILING ADDRESS 41 N Main St CITY Ashland STATE OR
ZIP CODE: 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? _____

** If little Tokyo does not want a leave, we would like to rent it.
Thanks,
Tom & Melissa*

*R4-A (7 deep)
R4-B 577.5 sf*

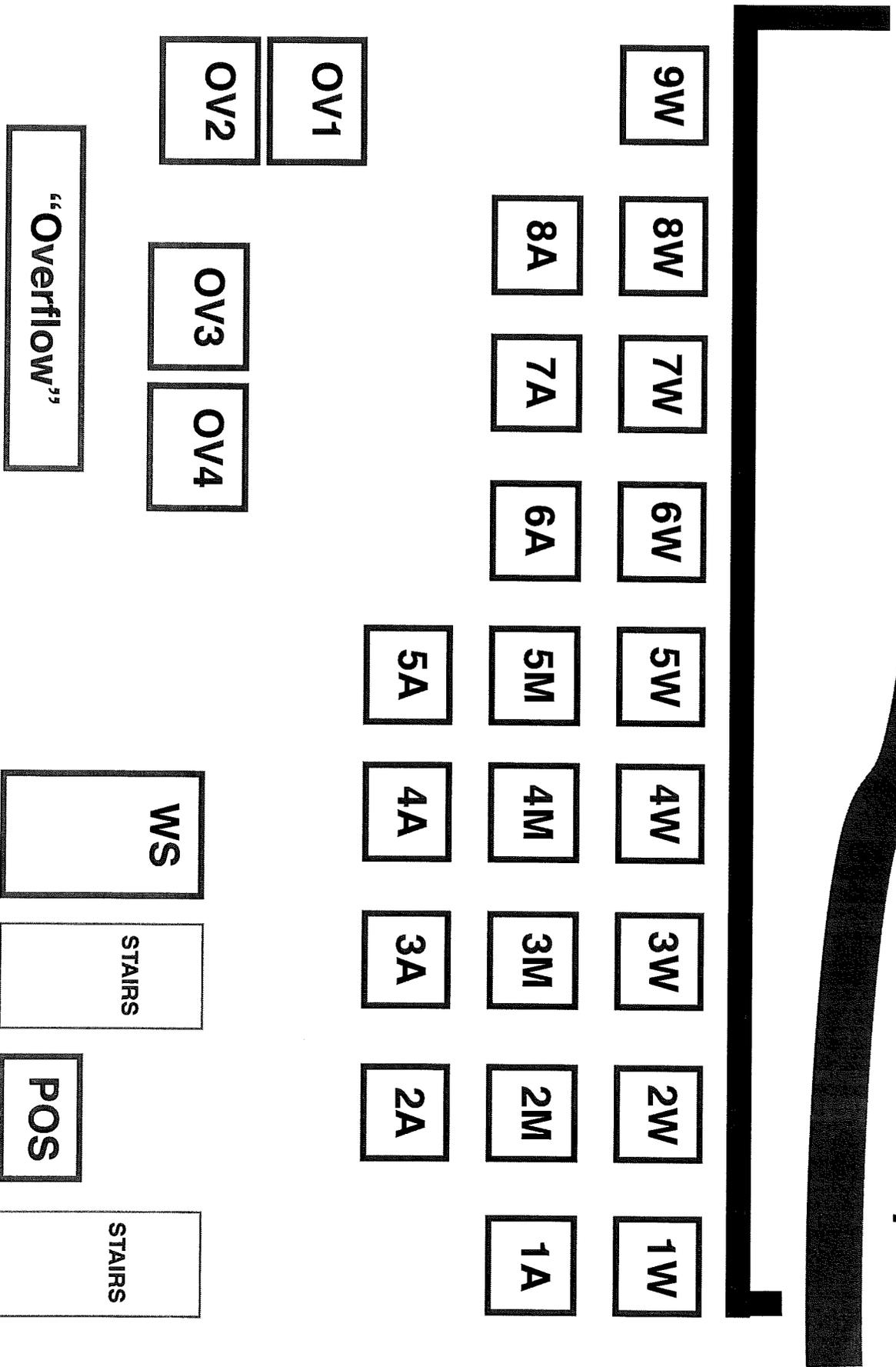
This section to be filled out by APRC Staff

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

Louie's Outdoor Seating Tables Map



**Exhibit B
Proposal Documents**

Ashland Parks & Recreation Commission

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

NAME OF APPLICANT OSTRAS! WK PHONE [REDACTED]
MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]
NAME OF AUTHORIZED REPRESENTATIVE OUVER FIX

WHAT IS THE BEST WAY TO CONTACT YOU? *(Circle one) email phone
MAILING ADDRESS 47 N MAIN CITY ASHLAND STATE OR
ZIP CODE: 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? _____

*(7days)
1/2 R-3 (1415ft)*

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 A- License Area

A simple site plan must be submitted with the application.

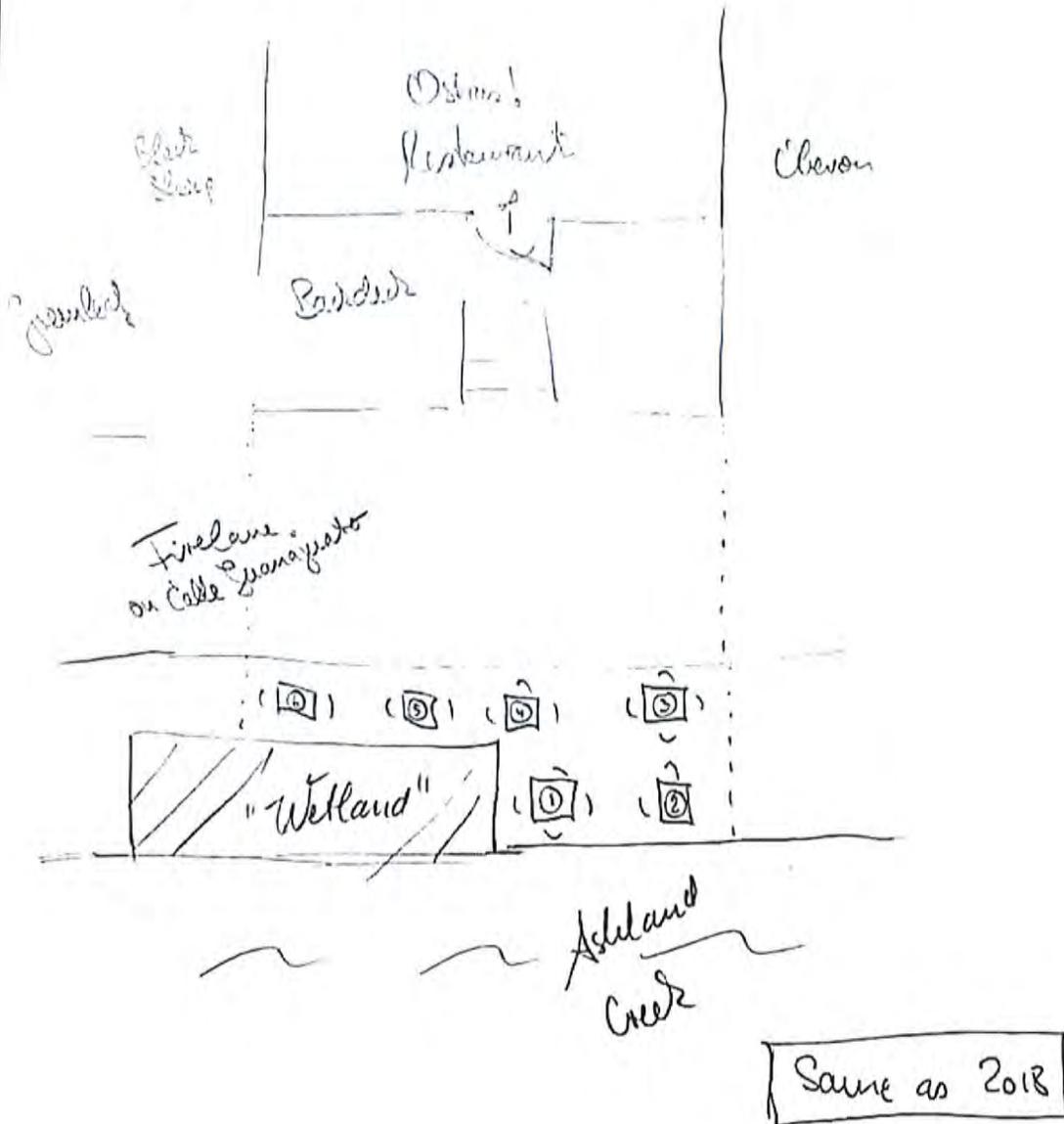


Exhibit B
Proposal Documents

Ashland Parks & Recreation Commission

REQUEST FOR COMMERCIAL USE
SPACE
ON CALLE GUANAJUATO

NAME OF APPLICANT Oberon's Restaurant & Bar WK PHONE [REDACTED]

MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]

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 CODE: 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? _____

1/2 ramp
1/2 2-3 (120sf)

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
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- Two copies of the signed Commercial Use Contract

Exhibit A- License Area

A simple site plan must be submitted with the application.

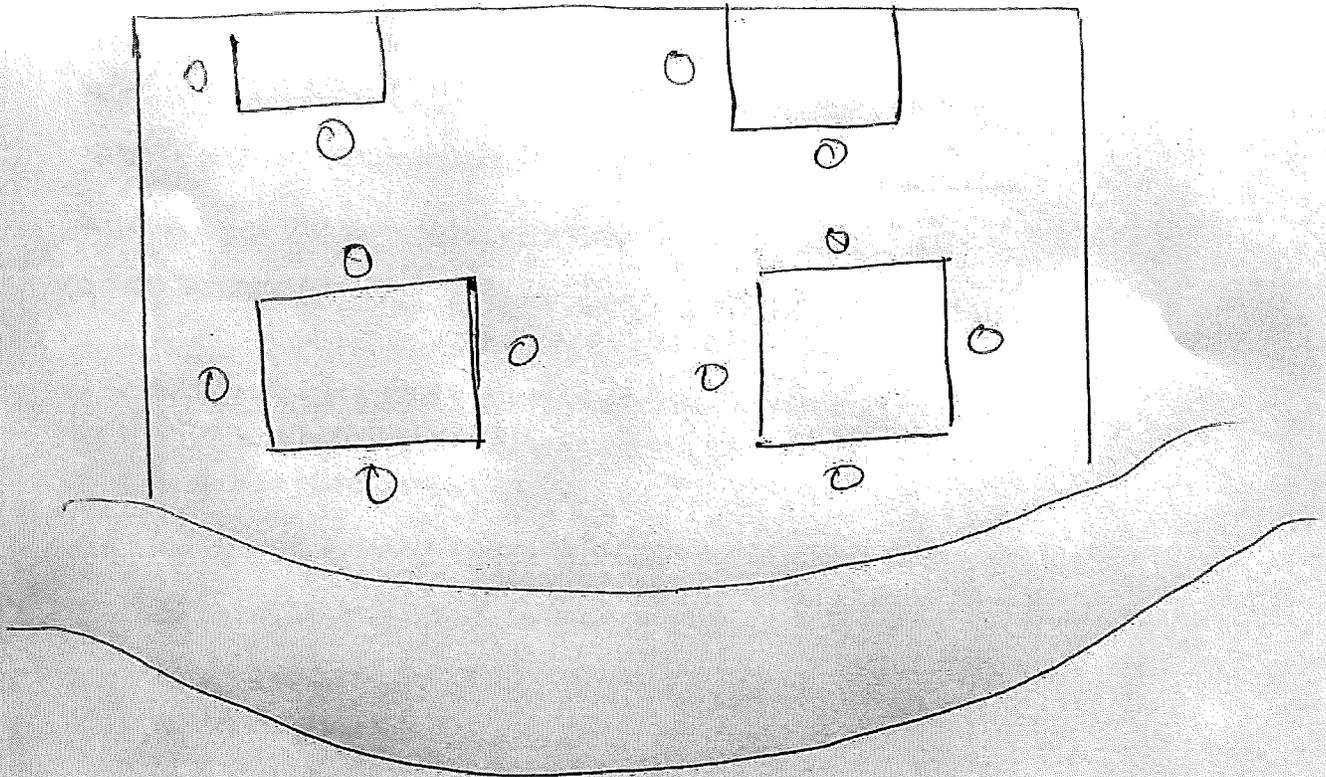


Exhibit B
Proposal Documents

Ashland Parks & Recreation Commission

REQUEST FOR COMMERCIAL USE
SPACE
ON CALLE GUANAJUATO

Greenleaf

Daniel's cell

NAME OF APPLICANT Daniel Greenblatt WK PHONE [REDACTED]

MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]

NAME OF AUTHORIZED REPRESENTATIVE Daniel Greenblatt com

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

MAILING ADDRESS 49 N. Main st CITY Ash STATE OR

ZIP CODE: 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? _____

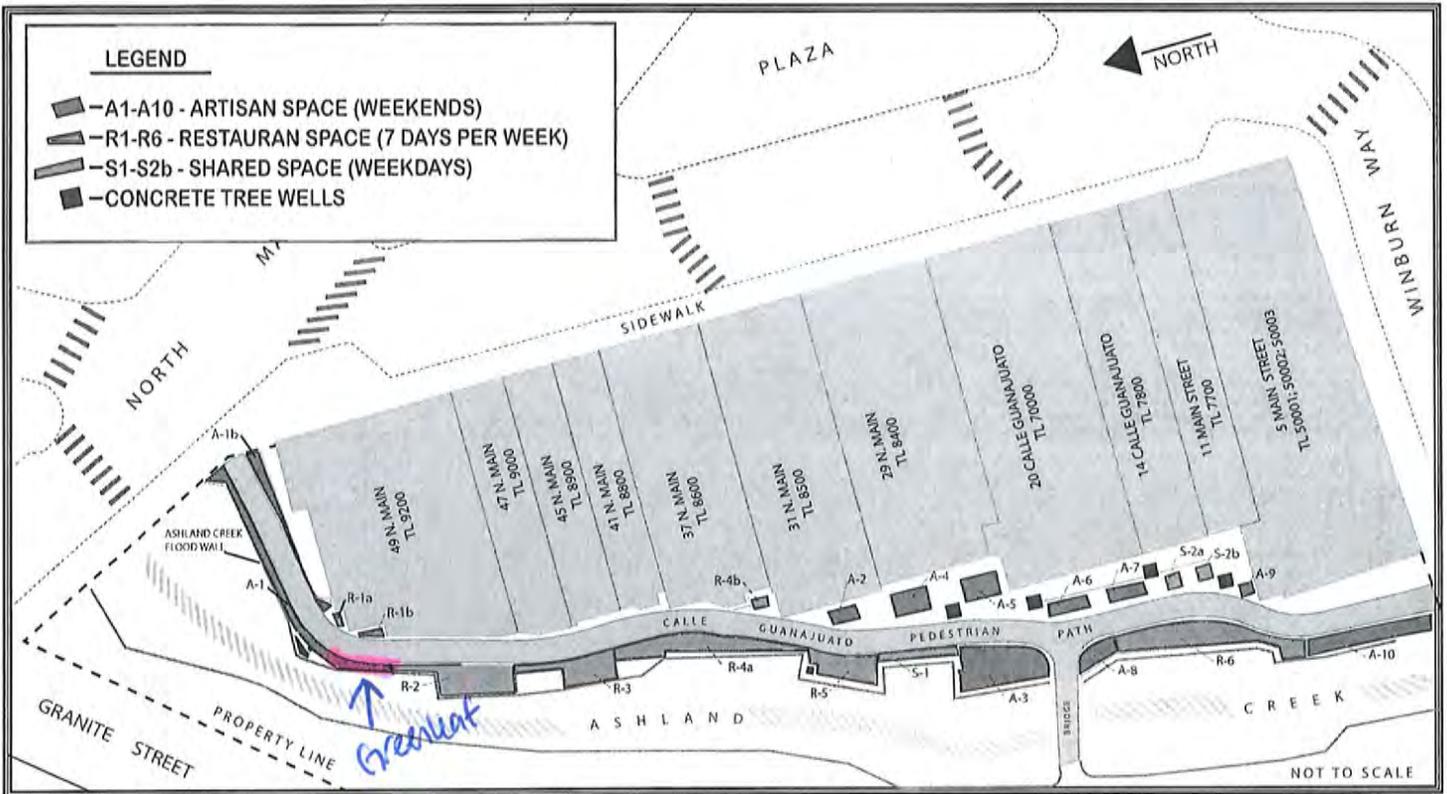
R-2 (7day) 345.75sf

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



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 Mix Bakeshop WK PHONE [REDACTED]

MESSAGE PHONE [REDACTED] EMAIL ADDRESS [REDACTED]

NAME OF AUTHORIZED REPRESENTATIVE Jamie North

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

MAILING ADDRESS 57 N. Main Street CITY Ashland STATE OR

ZIP CODE: 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? _____

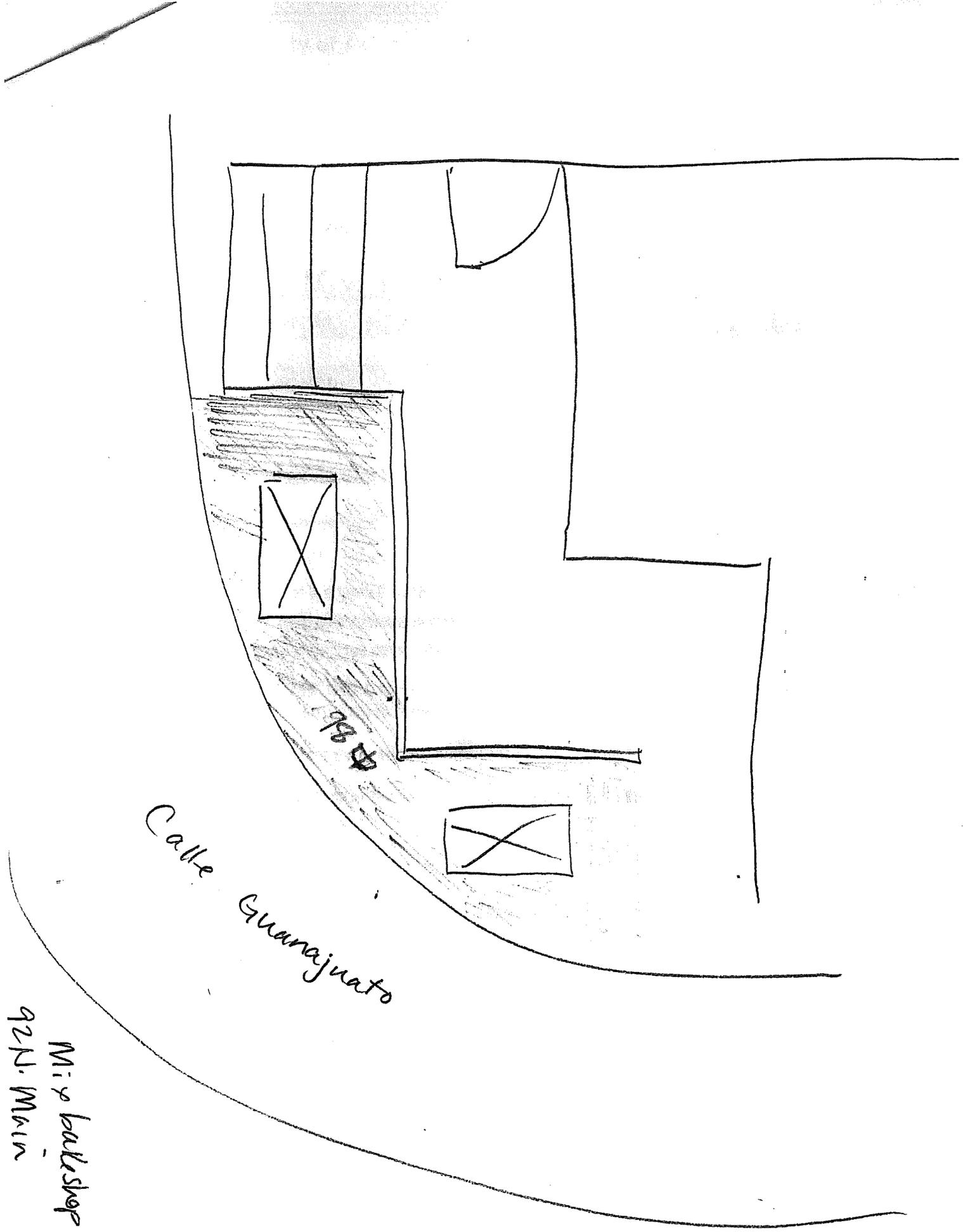
This section to be filled out by APRC Staff

*R-2a (7 days) 98 sf
R-2b*

Total Square Footage x \$ 98 = _____ 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



Calle Guanajuato

M: y bakeshop
92N. Main

**Exhibit B -
Proposal Documents**

Ashland Parks & Recreation Commission

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

NAME OF APPLICANT Lithia Artisans WK PHONE [REDACTED]

MESSAGE PHONE [REDACTED] Market of Ashland (LAMA) EMAIL ADDRESS [REDACTED]

NAME OF AUTHORIZED REPRESENTATIVE Marcus Scott [REDACTED]

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

MAILING ADDRESS PO Box 3585 CITY Ash. STATE OR
ZIP CODE: 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? _____

(2 days) 23005 feet

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

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Julian Bell



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: Michael Black, APRC Director

DATE: February 20, 2019

SUBJECT: Adoption of the City of Ashland *Harassment and Non-Discrimination Policy*

APRC values diversity in the workplace. It is important to ensure that APRC has a diverse and safe work environment for all employees. Whereas the City of Ashland currently has a Harassment and Non-Discrimination Policy in place covering the topic of diversity; therefore, staff is requesting that the Commission review the City of Ashland's Harassment and Non-Discrimination Policy.

Staff recommends the Commission accept the City's Harassment and Non-Discrimination Policy and adopt the policy by reference.

Policy No. 2005.03.08

ORIGINATING DEPARTMENT: Administration

SUBJECT: Harassment and Non-Discrimination Policy

PURPOSE: This sets forth the City's policy as it relates to harassment, discrimination and related retaliation in the workplace.

STATEMENT OF POLICY:

The City of Ashland is proud of its tradition of providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. At the City of Ashland harassment or discrimination, whether verbal, physical or environmental, is unacceptable and will not be tolerated.

Definition of Sexual and Gender-Based Harassment

For purposes of this policy, sexual harassment is defined as unwelcome or unwanted advances, requests for sexual favors and any other verbal, visual, or physical conduct of a sexual nature when:

- (1) Submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, retention, promotion or other aspects of employment; or
- (2) This conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Please note that even unwelcome conduct of such a nature that occurs off-duty can violate our policy, if that conduct has the purpose or effect of creating a hostile or offensive work environment or unreasonably interfering with another employee's work performance. Also, unwelcome conduct by someone who is not a City employee, such as a volunteer, supplier, independent contractor's employees, etc., violates our policy against harassment, if that conduct creates an offensive work environment for you or unreasonably interferes with your work. Consequently, even this type of conduct should be reported as described below.

Examples of sexual and gender-based harassment may include, but are not limited to:

- Unwanted sexual advances;
- Demands for sexual favors in exchange for favorable treatment or continued employment;
- Threats and demands to submit to sexual requests in order to obtain or retain any employment benefit;

- Verbal conduct such as epithets, derogatory or obscene comments, slurs or sexual invitations, sexual jokes, propositions, suggestive, insulting, obscene comments or gestures or other verbal abuse of a sexual nature;
- Graphic, verbal commentary about an individual's body, sexual prowess or sexual deficiencies;
- Flirtations, advances, leering, whistling, touching, pinching, assault, coerced sexual acts, blocking normal movements;
- Visual conduct such as derogatory or sexual posters, photographs, cartoons, drawings or gestures or other displays in the work place of sexually suggestive objects or pictures;
- Conduct or comments consistently targeted at only one gender, even if the content is not sexual;
- Use of City computers, fax machines or other resources to access, send or receive sexually explicit jokes or other communications with a sexual content
- Retaliation for having reported or threatened to report sexual harassment.

Harassment is initially evaluated based on whether the behavior in question is **perceived by the receiver** as unwelcome or unacceptable conduct of a sexual, racial or other prohibited nature. Such behavior is unacceptable in the workplace itself and in other work-related settings such as business trips, court appearances and business-related social events. In evaluating behavior, the standard to be applied is that of a reasonable person of the same gender as the victim.

Definition of racial, ethnic, age, religious, disability-related and other types of harassment

Other types of harassment that are prohibited by this policy are defined to include unwelcome conduct of a racial, religious, ethnic, age, disability-related or other nature involving a person's status as a member of a legally protected group or use of legally protected employment rights. Again, such conduct violates the City's policy when:

- (1) Submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, retention promotion or other aspects of employment; or
- (2) This conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Again, please note that even unwelcome conduct of such a nature that occurs off-duty can violate our policy, if that conduct has the purpose or effect of creating a hostile or offensive work environment or unreasonably interfering with another employee's work performance. Also, unwelcome conduct of a racial, ethnic, etc. nature by someone who is not a City employee, such as a volunteer, supplier, independent contractor's employees, etc., violates our policy against harassment, if that conduct creates an offensive work environment for you or unreasonably interferes with your work. Consequently, even this type of conduct should be reported as described below.

Examples of these types of harassment include, but are not limited to:

- Making racial slurs
- Telling offensive racial or ethnic jokes
- Engaging in racial name calling
- Making derogatory comments about a person's physical or mental limitations
- Mimicking or belittling a person with physical or mental limitations



- Using profanity of a religious nature that is offensive
- Making negative stereotypical comments about a person's religious faith or absence of faith
- Using the City's computers, fax machines or other resources to transmit or receive messages or pictures which are racially or ethnically offensive
- Displaying pictures, posters or printed material that depicts members of particular religious faiths in a derogatory manner
- Imitating or making belittling comments about a person's weight or physical attributes
- Demeaning a person on the basis of age, veteran's status or use of legally protected employment rights
- Other verbal, graphic, or physical conduct of a racial, religious, ethnic, age or disability-related nature which creates an offensive work environment for another employee or unreasonably interferes with another employee's work

Harassment is initially evaluated based on whether the behavior in question is **perceived by the receiver** as unwelcome or unacceptable conduct of a sexual, racial or other prohibited nature. Such behavior is unacceptable in the workplace itself and in other work-related settings such as business trips, court appearances and business-related social events. In evaluating behavior, the standard to be applied is that of a reasonable person of the same gender as the victim.

Definition of Discrimination

For purposes of this policy, discrimination is defined as any derogatory conduct towards any individual in the workplace based on legally prohibited factors, such as race, color, religion, sex, sexual orientation, age, marital status, national origin, mental or physical disability or other protected status or activities, in accordance with applicable laws.

Dissemination of Policy

This policy will be disseminated to all employees, supervisors, and elected officials, and its existence will be displayed prominently at the place of employment. All employees are responsible for knowing of its existence and substance, and of their responsibility for compliance. Additionally, all supervisors and managers are responsible not only for knowing of its existence and substance, but for compliance and enforcement of the policy. The Personnel staff will be available to answer all questions about the policy, or its implementation.

Individuals Covered Under the Policy

The prohibitions outlined in this policy cover all individuals in the workplace (all employees, supervisors, elected officials and contractors working on-site and/or interacting with employees). City of Ashland will not tolerate, condone or allow harassment or discrimination, whether engaged in by fellow employees, supervisors, customers, or other non-employees who conduct business with the City. The City encourages reporting of all incidents of harassment which create an offensive work environment or unreasonably interfere with an employee's work performance, regardless of who the offender may be, or of the offender's relationship to the City.



Employee Responsibilities

Each employee is responsible for assisting in the prevention of prohibited harassment and discrimination through the following acts:

- (1) Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
- (2) Reporting acts of harassment; and
- (3) Assisting any employee who confides that they have been harassed by encouraging him or her to report it.
- (4) Cooperating with harassment, discrimination and retaliation investigations

Manager and Supervisor Responsibilities

Each manager and supervisor will be responsible for preventing acts of prohibited harassment and discrimination, these responsibilities includes:

- (1) Monitoring the work environment on a daily basis for signs that sexual harassment or discrimination may be occurring;
- (2) Counseling all employees on the types of prohibited behavior, and the procedures for reporting and resolving complaints of sexual harassment or discrimination;
- (3) Stopping any observed acts that may be considered harassment or discrimination and taking appropriate steps to intervene, whether or not the involved employees are within the line of supervision;
- (4) Taking immediate action to limit the work contact between the employees where there has been a complaint of harassment or discrimination pending investigation;
- (5) Enforcing non-retaliation prohibitions, including conducting follow-up contacts with employees who report harassment or discrimination to ensure that there has been no retaliation has occurred and transmitting documentation of such contacts to the Human Resources Manager;
- (6) Promptly reporting any incidents of potential discrimination, harassment or retaliation to Human Resources and complying with any directives or guidance issued by the Human Resources Manager or the City Administrator with regard to investigatory roles and other enforcement responsibilities; and
- (7) Cooperating with harassment, discrimination and retaliation investigations.

Each manager or supervisor shall assist any employee who comes to him or her with a complaint of harassment or discrimination by documenting and promptly filing a complaint with the Human Resources Director.



Reporting a Complaint

Employees who feel they have been subject to harassment or discrimination are encouraged to politely but firmly confront the offending employee and ask the person to stop the behavior. If the harassment or discrimination continues, or if the employee believes some employment consequence may result from the confrontation, or if the employee is not comfortable confronting the harasser, the employee should go to his or her supervisor, Personnel Department, Department Head, or the City Administrator. However, employees may file a complaint with staff as stated below. The employee may also have a representative present. The following steps have been established for filing and handling complaints of any employee based on alleged acts of harassment, discrimination or retaliation:

- (1) Any employee may file a complaint by communicating directly with his or her supervisor, Department Head, Personnel Department, or the City Administrator. The multiple options for presenting a complaint are made available with the intent of giving the employee the opportunity to select a person with whom he or she feels comfortable.

An employee may file a complaint orally by meeting in person with the City Administrator, or by submitting it in writing in an envelope marked “Confidential.” All complaints will be acknowledged in writing within 15 days of receipt of the complaint.

- (2) Once reported, the City Administrator’s office will proceed with an investigation. Investigations may be conducted by the City Administrator, the Human Resources Manager or another person, as designated by the City Administrator. Confidentiality will be maintained as far as the City determines it is practicable

If the employee who has been accused of violating harassment, discrimination or retaliation prohibitions wishes to have a representative present at any discussion between the employee and the City Administrator or person designated by the City Administrator to conduct the investigation, the employee’s request will be honored and a representative will be given the opportunity to be present. All such discussions will be held in private, away from the employee’s work area.

- (3) On the basis of the facts developed, the City Administrator or person designated by the City Administrator to conduct the investigation will render a decision in writing as soon as possible after completion of the investigation. The decision shall state whether or not there is a finding of either discrimination, harassment or retaliation, as appropriate based on the nature of the complaint. The results of the investigation will be shared with the person complaining and the person(s) accused, as determined appropriate by the City Administrator.

Investigating the Complaint

Confidentiality

Any allegations of harassment, discrimination or retaliation brought to the attention of the City will be promptly investigated. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.



Investigation Process

In pursuing the investigation, the investigator will try to take the wishes of the complainant under consideration, but will thoroughly investigate the matter, keeping the complainant informed as to the general progress of the investigation.

All employees can be assured that such complaints will be taken seriously and will be investigated and dealt with as discreetly as possible. All employees are required to fully cooperate with harassment, discrimination and retaliation investigations. All employees are further required to provide truthful information in such investigations and to comply with “no contact” and other directives issued by the investigator. Failure to do so will subject an employee to disciplinary action, up to and including termination.

If the investigation determines that any employee was involved in harassing, retaliatory or discriminatory behavior toward another individual in the workplace, (including employees, elected officials, contractors and managers) they will be subject to disciplinary action up to and including termination.

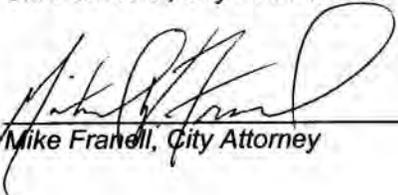
No retaliation

Retaliation is against the law and will not be permitted at the City of Ashland. This includes retaliation against employees who file a harassment or discrimination complaint, or assist in investigating harassment or discrimination charges, or who report harassing behavior directed at persons other than the employee. This policy also prohibits retaliation against employees who complain that they are victims of employment related discrimination. Any employee found to have engaged in retaliatory action or behavior will be subject to disciplinary action, up to and including termination.

Approved:

Gino Grimaldi, City Administrator

Date:

4/1/05**Legal Review:**

Mike Frahell, City Attorney

Date:

4-1-05

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Julian Bell



Michael A. Black, AICP
Director

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AshlandParksandRec.org
parksinfo@ashland.or.us

PARKS COMMISSIONER STAFF REPORT

TO: Ashland Parks and Recreation Commissioners

FROM: Rachel Dials, Recreation Superintendent

DATE: 2-6-19

SUBJECT: Calle Guanajuato Commercial Use Policy (Action)

The current Calle Guanajuato Commercial Use Policy was approved by the Commission in December of 2016. The current policy allows for restaurants along the Calle Guanajuato with adjacent (ground floor) access to the Calle to apply for a permit for restaurant seating. The Lithia Artisans Market also obtains a permit for concession spaces on Saturdays and Sundays during “the season”. The season has operated from mid-March through mid-November.

Within the past year, discussions have ensued with the owner of 17 Calle Guanajuato Way, Allan Sandler, who’s building is identified for a restaurant permit on the Calle. Mr. Sandler has requested that the Calle policy include language to ensure that any restaurant with singular access be allowed first right of refusal for the same space each year.

Also added into the draft policy is language to allow the landlord/owner of the building where a restaurant has closed its doors the ability to pay for and reassign the permit a 3-month period during the season of operation.

The City Attorney has reviewed and approved the draft language for the policy.

At the study session on February 11, 2019 staff presented a draft of the policy for the Commission to discuss. No changes to the draft policy were suggested by the Commission.

Recommendation

Staff is recommending that the Commissioners take action on this item at the February 25, 2019 business meeting.

Possible Motion

I move to approve the changes to the Calle Guanajuato Commercial Use Policy.

Attachments

Calle Guanajuato Commercial Use Policy with draft changes



**Ashland Parks and
Recreation Commission**
COMMISSION POLICY

TITLE CALLE GUANAJUATO CONDITIONAL COMMERCIAL USE POLICY	PAGE 1 of 8	POLICY No. 101
EFFECTIVE DATE May 1990	REVISED DATE December <u>1, 7</u> , 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 or Landlord/Owner 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. A Landlord/Owner may take over the already issued license if another restaurant will be occupying the space within a 3-month period (during the season). The Landlord/Owner must also pay any outstanding fees for the designated site.
- ~~g-f.~~ 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.~~ A Calle restaurant and/or Landlord/Owner with singular access onto the Calle Guanajuato will have the first right of refusal for any restaurant seating as long as it does not interfere with the already established concessionaire areas.

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~~VII.~~

~~VIII.~~ **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/REVOCAION.

- 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.

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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 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.~~ **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.

~~XIII.~~

~~X.~~ **Employee:** all persons, including proprietors, working on the premises of a Calle business.

~~XI-XI.~~ **Landlord/Owner:** a person who rents a building to a tenant on the Calle Guanajuato.

~~XII-XII.~~ **Owner of Record:** the person, or entity, in which legal or equitable title rests for private properties directly adjacent to the Calle Guanajuato.

~~XI-XIII.~~ **Public Walkway:** the 8 foot meandering brick walkway through the Calle Guanajuato.

~~XII-XIV.~~ **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-XV.~~ **Restaurant:** a commercial establishment where food and beverages are prepared,

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served, and consumed primarily within a principal building which abuts the Calle Guanajuato.

~~XIV-XVI.~~ **Restaurateur:** a licensed restaurant operation on the Calle Guanajuato.

~~XV-XVII.~~ **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.

~~XVIII.~~ **Restaurant Seniority:** shall be established for application review when a restaurateur and/or Landlord/Owner 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 or Landlord/Owner for any reason for at least one complete season or any part thereof any period of more than 3 months. For a restaurant with singular access onto the Calle, first right of refusal for any restaurant seating will apply as long as it does not interfere with an already established concession area.

~~XIX.~~ **Singular Access:** Calle Restaurant has no access from the plaza side. Primary access is on the Calle Guanajuato side. Address may also reflect a Calle Guanajuato street address.

~~XVI.~~

~~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.~~

~~XVII.~~

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Approved: _____ Date: _____
Mike Gardiner, APRC Chair

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

**TITLE : CALLE GUANAJUATO COMMERCIAL
USE POLICY**

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POLICY No. 101

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Mike Gardiner
Joel Heller
Rick Landt
Jim Lewis
Julian Bell



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: 2-20-19

SUBJECT: Cost and Revenue Analysis

Background

In 2006 the Ashland Parks and Recreation Commission set an annual goal of reviewing cost recovery as a kick-off to the budget process. It has been 3 years since staff has presented cost recovery information. Staff presented FY 17/18 cost and revenue analysis at the Study Session on January 14, 2019 on the Daniel Meyer Pool, Calle Guanajuato, Ice Rink, Oak Knoll Golf Course, Nature Center and Community Gardens, The Grove, Pioneer Hall, Community Center and ballfields. This project gives a snapshot of the subsidies for these programs and services for the previous fiscal year and helps in budget and goal setting decisions moving into future years.

Staff used the following assumptions in the analysis of each program area:

- Expenses and revenues for FY 17/18.
- Unit measurement=visits to the park or facility, amount of square feet, number of garden plots, rounds of golf
- Direct and indirect costs for each program (for example: part-time staff, full-time staff assistance, materials and services, utilities, park maintenance and staff time, advertising)

It should also be noted that this analysis represents the amount of subsidization of the program. It does not represent the value that is placed on the program or service by the Commission and/or the community in general.

The table below represents the revenue, expenditures, unit measurements, and amount of subsidy for each program.

Facility or Program	Unit Measurement	Revenue	Expense	Units	Fund Subsidy	Cost Recovery %	Cost per unit	Revenue Per Unit	Subsidy per Unit
Daniel Meyer Pool	Visits	\$ 94,919.68	\$ 172,241.79	13504	\$ 77,322.11	55%	\$ 12.75	\$ 7.03	\$ 5.73
Calle Guanajuato	Square Feet	\$ 32,019.50	\$ 22,634.00	4733.75	\$ (9,385.50)	141%	\$ 4.78	\$ 6.76	\$ (1.98)
Ice Rink	Visits	\$ 118,869.37	\$ 174,000.87	21309	\$ 55,131.50	68%	\$ 8.17	\$ 5.58	\$ 2.59
Golf Course	Visits	\$ 223,383.87	\$ 502,116.84	11400	\$ 278,732.97	44%	\$ 44.05	\$ 19.60	\$ 24.45
Nature Center	Visits	\$ -	\$ 273,295.81	14707	\$ 273,295.81	0%	\$ 18.58	\$ -	\$ 18.58
Nature Center School P.	Participants	\$ 11,850.00	\$ 44,660.47	2352	\$ 32,810.47	27%	\$ 18.99	\$ 5.04	\$ 13.95
Nature Center Comm. P	Participants	\$ 17,692.69	\$ 44,017.66	879	\$ 26,324.97	40%	\$ 50.08	\$ 20.13	\$ 29.95
Community Gardens	Garden Plot	\$ 3,670.25	\$ 19,183.39	81	\$ 15,513.14	19%	\$ 236.83	\$ 45.31	\$ 191.52
Facilities - Grove	Visits	\$ 52,900.06	\$ 86,601.78	8000	\$ 33,701.72	61%	\$ 10.83	\$ 6.61	\$ 4.21
Facilities - Ball Fields	Visits	\$ 52,287.00	\$ 106,719.48	20200	\$ 54,432.48	49%	\$ 5.28	\$ 2.59	\$ 2.69
Facilities - Park Rentals	Rentals	\$ 9,675.00	\$ 17,147.00	103	\$ 7,472.00	56%	\$ 166.48	\$ 93.93	\$ 72.54
Facilities - Pioneer Hall	Rentals	\$ 7,129.00	\$ 26,170.73	401	\$ 19,041.73	27%	\$ 65.26	\$ 17.78	\$ 47.49
Facilities - Comm. Center	Rentals	\$ 37,942.00	\$ 32,600.14	558	\$ (5,341.86)	116%	\$ 58.42	\$ 68.00	\$ (9.57)

Additionally, at the study session last month the Commission asked for a breakdown on cost recovery for the Nature Center School Programs and the Nature Center Community Programs. Within this exercise, staff pulled out expenses related to the Nature Center building and park area which without the School Programs and Community programs has no associated revenue. The table below shows each of the programs.

Nature Center Facility & Park	Nature Center School Programs	Nature Center Community Programs
14707 Visits	2352 Visits	879 Visits
Revenue: 0	Revenue: \$11,850	Revenue: \$17,692.69
Expense: \$273,295.81	Expense: \$44,660.47	Expense: \$44,017.66
Cost Recovery: 0%	Cost Recovery: 27%	Cost Recovery: 40%

Recommendation

Recommendations on cost recovery goals for each of the facilities and programs are in the table below. The goals are based on:

- The current budget and future 19-21 biennium budget. With expenses into the next biennium projected to remain flat and with no increase in staffing numbers we are projecting little gains in revenue and in some cases, a decrease in revenue.
- Consideration of wildfire smoke. Smoke affected programs and revenue at the Daniel Meyer Pool and Oak Knoll Golf Course.
- A projected increase in cost recovery for the Oak Knoll Golf Course is expected as the new Oak Knoll Golf Course Manager has been implementing new programs and has identified added revenue streams as part of a business plan.
- A decrease in rentals at Pioneer Hall is projected because of the current building conditions and upgrades to the building are not planned.

Facility or Program	Recommended	
	GOAL 19/21 Biennium	17/18 Cost Recovery %
Daniel Meyer Pool	55%	55%
Calle Guanajuato	141%	141%
Ice Rink	68%	68%
Golf Course	70%	44%
Nature Center	0%	0%
Nature Center School P.	27%	27%
Nature Center Comm. P	40%	40%
Community Gardens	19%	19%
Facilities - Grove	61%	61%
Facilities - Ball Fields	49%	49%
Facilities - Park Rentals	56%	56%
Facilities - Pioneer Hall	24%	27%
Facilities - Comm. Center	116%	116%

This item is for information only tonight. Staff is recommending a review of costs and revenue on a bi-annual basis as a part of the budget process and approval of the cost recovery goals as presented at a future APRC meeting.

Enlarged Table Displayed Above

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