

ASHLAND CITY COUNCIL  
REGULAR BUSINESS MEETING DRAFT MINUTES  
Tuesday, March 16, 2021

Held Electronically; View on Channel 9 or Channels 180 and 181 (Charter Communications) or live stream via [rvtv.sou.edu](http://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](mailto:public-testimony@ashland.or.us) using the subject line: March 16 Business Meeting Testimony. For oral testimony, fill out a Speaker Request Form at [ashland.or.us/speakerrequest](http://ashland.or.us/speakerrequest) and return it to the City Recorder. The deadline for submitting written testimony or speaker request forms will be on Monday, March 15 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**

**CALL TO ORDER**

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

**I. PLEDGE OF ALLEGIANCE**

Jensen lead the Council to the Pledge of Allegiance.

**II. ROLL CALL**

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

**MAYOR'S ANNOUNCEMENTS**

Seffinger made a statement regarding her conversation that was broadcasted online (*see attached*).

**III. APPROVAL OF MINUTES**

1. Study Session of March 1, 2021
2. Business Meeting of March 2, 2021

Moran noted that he was at the meeting in the Study Session.

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

**IV. SPECIAL PRESENTATIONS & AWARDS**

1. Proclamation for Arbor Week

Mayor Akins read the proclamation into the record (*see attached*).

2. Annual Presentation by the Tree Commission  
Assistant Planner Aaron Anderson introduced Tree Commission Chair Asa Cates.

Cates presented Council with the annual presentation.

3. Declaration of COVID-19 Emergency Extension through May 18, 2021

City Manager Pro Tem Adam Hanks gave a Staff report (*see attached*).

**Jensen/Graham moved Council approval of the proposed Declaration of Emergency Extension through May 18, 2021. Discussion:** Graham spoke in support of this motion. **All Ayes. Motion passed unanimously.**

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

[Airport](#)

[Budget](#)

[Conservation](#)

[Historic](#)

[Housing and Human Svcs.](#)

[Parks & Recreation](#)

[Forest Lands](#)

[Climate Policy](#)

[Cost Review](#)

[Planning](#)

[Public Arts](#)

[Transportation](#)

[Tree](#)

[Wildfire Mitigation](#)

**VI. 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 note above for how to submit testimony for Public Forum.*

Emily Simon – Ashland- Spoke regarding Racial Equity and Social Justice. She spoke in support of the Commission. She spoke regarding Black Lives Matters signs to be on City Property.

**VII. CITY MANAGER REPORT**

City Manager Pro-Tem Adam Hanks gave a Staff report.

**VIII. CONSENT AGENDA**

**Hyatt/Seffinger moved to approve Items 3 & 5 on the Consent Agenda. Discussion:** None. **Voice Vote: All Ayes. Motion passed unanimously.**

1. Award of Contract for Design Services East Main Park Development.

DuQuenne pulled this item.

DuQuenne spoke regarding the cost and if there is a need for another need for a dog park. She spoke that she would to see the total sum of this design.

Hanks explained the process and introduced Parks and Recreation Director Michael Black.

Black gave a Staff Report.

**Hyatt/DuQuenne moved to approve the contract award \$107,000 for design services for the East Main Park Development project with Terrain Landscape Architecture. Discussion:** None. **All Ayes Motion passed unanimously.**

2. Climate Policy Commission Requests Support for HB 3055

Moran pulled this item.

Moran spoke regarding comments made from Engineer, James Phillips. He spoke regarding the

CIP. He spoke that he would like clarity on this issue.

Hanks spoke that this is Item is not an Ordinance for the City it is just looking for Council endorsement on a House Bill.

Hyatt spoke to clarification on what the Bill entails.

Graham spoke to clarify that the City is not reducing speed limits yet.

**Graham/Jensen moved City Council request the Southern Oregon legislative delegation support the passage of HB 3055 in support of the Twenty is Plenty planning effort.**

**Discussion:** Graham reminded that this would give the ability regarding moving forward in the future. **Voice Vote: All Ayes. Motion passed unanimously.**

3. Ashland Gun Club Lease Extension
4. Council Approval of Vacation Cap Exception for City Manager Pro Tem

DuQuenne pulled this item.

Human Resources Director Tina Gray gave a Staff report.

**Jensen/Seffinger moved to approve an exception allowing the City Manager Pro Tem six months after the City Manager executive search is complete to take vacation and fall below his 480-hour cap, preventing him from losing vacation hours while serving as City Manager Pro Tem. Discussion: None. Voice Vote: All Ayes. Motion passed unanimously.**

5. Initiation of an Ordinance Amendment Relating to Housing in the Commercial (C-1) and Employment (E-1) Zones
6. Intergovernmental Agreement with Medford Water Commission for Water Efficiency Services

Moran pulled this item.

Moran spoke regarding Consent Agenda protocols.

Hanks and City Attorney David Lohman explained the protocols.

Council discussed regionalization.

DuQuenne suggested to have items that have big dollar items to be on a Study Session to be discussed instead of listed on a Consent Agenda Item.

**Hyatt/Graham moved to approve an Intergovernmental Agreement with the Medford Water Commission to provide water efficiency services. Discussion: None. Voice Vote: All Ayes. Motion passed unanimously.**

## **IX. PUBLIC HEARINGS**

Persons wishing to speak are to submit a “speaker request form” prior to the commencement of the public hearing. Public hearings 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.

**X. UNFINISHED BUSINESS**

**1. Annual Appointment to the Citizens' Budget Committee**

Mayor Akins gave a brief Staff report. She explained that at the last meeting there were 2 applicants who received 4 votes and due to time restraints we ended up with one seat remaining. Council discussed the process and to work on the process for the future.

At the March 2, 2021 Business meeting there were 4 rounds of votes for 11 applicants: Ellen Alphonso, Saladin Amery, Andy Card, Jim Falkenstein, Stephen Gagne, Donald Holm, Jessica Kensinger, Kristin Roy, David Runkel, Dennis Slattery and James Whitaker.

Saladin Amery and David Runkel recieved the most votes to be appointed to the Citizens' Budget Committee (*see attached*).

The two applicants to be voted for the 3<sup>rd</sup> vacancy are Ellen Alphonso and Dennis Slattery.

**Moran/Hyatt moved to appoint the two applicants that received 5 votes at the last meeting (Amery and Runkel.) Roll Call Vote: Hyatt, Graham, Moran, Seffinger, DuQuenne and Jensen: YES. Discussion: None. Motion passed unanimously.**

The two remaining applicants with the most votes were Ellen Alphonso and Dennis Slattery. Votes were sent in via Zoom Chat. Results below:

**Alfonso**

Hyatt  
Moran  
Jensen  
Akins  
DuQuenne

**Slattery**

Graham  
Seffinger

**Moran/Graham moved to appoint Alfonso to the Citizens' Budget Committee. Roll Call Vote: Jensen, DuQuenne, Hyatt, Graham, Seffinger and Moran: YES. Discussion: None. Motion passed unanimously.**

**Hyatt/Jensen moved to continue the process as outlined in the packet/Jensen. Discussion: None. Voice Vote. All Ayes. Motion passed unanimously.**

City Recorder Melissa Huhtala discussed that the length of the terms varies. 2 Terms will end in 2023 and one would end 2024. It was decided to pull a name out of a hat for the longer term.

Huhtala pulled a name and it was Saladin Amery.

**Hyatt/Seffinger moved Saladin Amery Citizens' Budget Committee term to end June 30, 2024. Roll Call Vote: Hyatt, Graham, Moran, Seffinger, DuQuenne and Jensen: YES. Discussion: None. Motion passed unanimously.**

2. Approval of 2021-2040 Capital Improvements Program

Hanks gave a brief Staff report.

Public Works Director Scott Fleury presented Council with a PowerPoint (*see attached*).

Items discussed were:

- 2019-2021 Highlights.
- Capital Planning.
- Project Priorities.
- Master Plans.
- Budget.
- Grants.
- CIP.
- 2022-2027 spreadsheet.
- Street Fund.
- Water Fund.
- Wastewater Fund.
- Storm Drain CIP Master Plan.
- Airport Master Plan.
- Parks CIP.
- Electric Department CIP.
- Debt Services.
- Next steps.

Council discussed the CIP funds and projected projects.

Council discussed prioritizing projects.

Council discussed financial discipline and risk tolerance.

Moran suggested creating a CIP Ad-Hoc Committee.

Council suggested to bring this item back to Council.

**Hyatt/Jensen moved to accept the for CIP 2021-2040 for the purpose of maintaining access of our finance tools and grants necessary in the course of business and; request formal prioritization, risk assessment and funding discussion on each project as brought forward to Council. Discussion:** Hyatt spoke to the importance of addressing financial issues with each project. Jensen spoke in agreement with Hyatt. Graham spoke in support of the motion. She spoke that it is important to discuss risk tolerance. Seffinger spoke in support of the motion.  
**Roll Call Vote: Jensen, Seffinger, Graham, and Hyatt: YES. DuQuenne and Moran: NO. Motion passed 4-2.**

**XI. NEW AND MISCELLANEOUS BUSINESS**

1. Approval of a Contract for Professional Recruitment Services for an Executive Search for City Manager

Due to time constraints this item was moved to the next Council Business Meeting.

1) **ORDINANCES, RESOLUTIONS AND CONTRACTS**

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

**XIII. ADJOURNMENT OF BUSINESS MEETING**

The Business Meeting was adjourned at 9:30 PM

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Respectfully submitted by:

City Recorder Melissa Huhtala

Attest:

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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).*



During last Friday's council work session I received a call during a break in the session as I believed the session was muted I answered the call. Part of the conversation discussed the membership of the budget committee. I wish to apologize to anyone that might have been hurt by this call. My votes were for Dennis Slattery, Elen Alfonso and David Runkle . I did not change my voting during the different rounds of voting and would be honored to work with any of the potential budget members.

Since this time I have reached out to members of the council and staff to find a way to regain trust in our ability to work together. I know we all want to do our best to serve the citizens of Ashland though we may not agree on the best way to accomplish this.



## PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, therefore, I, Julie Akins, Mayor of the City of Ashland, Oregon do hereby proclaim April 7, 2021 as

### Arbor Day

In the City of Ashland, and I urge all citizens to celebrate Arbor Day to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 16<sup>th</sup> day of March 2021.

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Julie Akins, Mayor

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Melissa Huhtala, City Recorder

**CITY OF ASHLAND**  
**DECLARATION OF STATE OF EMERGENCY EXTENSION**  
**MARCH 17 THROUGH MAY 18, 2021**

**TO: Danny Jordan, County Administrator and the Jackson County Office of Emergency Management**

**FROM: Adam Hanks, Interim City Administrator, City of Ashland, Oregon**

**The City Administrator of the City of Ashland finds that:**

- A. Pursuant to the authority granted by Oregon Revised Statutes Chapter 401, the City of Ashland has enacted a local ordinance codified in Ashland Municipal Code Chapter 2.62, Emergency Powers, that provides direction for the City, its officials, and others in the event that an emergency or disaster exists within the City and assigns executive responsibility in times of emergency. City Council has approved a detailed Emergency Management Plan in Ashland Municipal Code Chapter 2.62, which specifically delegates authority to declare a state of emergency to the City Administrator, subject to subsequent ratification by City Council.
- B. The following conditions have resulted in the need for a City of Ashland Declaration of a State of Emergency:
- a. On March 8, 2020, the Governor of Oregon issued Executive Order 20-03 declaring a statewide state of emergency due to the COVID-19 outbreak in Oregon.
  - b. On March 11, 2020, COVID-19 was declared a pandemic by the World Health Organization, in recognition that this fast-spreading contagion is part of a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions.
  - c. On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.
  - d. On March 17, 2020, pursuant to Ashland Municipal Code Chapter 2.62, Ashland City Council ratified the City Administrator's March 15, 2020 Declaration of State of Emergency vesting in the City Administrator authority to take such actions and issue such orders as the City Administrator deems necessary to protect the public in property and minimize or mitigate the effect of the emergency. By its terms, this initial Declaration was to be in effect through April 7, 2020 and could be extended thereafter in increments.
  - e. Through Executive Orders 20-24, 20-30, 20-38, 20-59, 20-67, and 21-05, the Governor of Oregon has extended through May 2, 2021 the initial COVID-19 Declaration of Emergency (Executive Order No. 20-03), as well as Executive Orders 20-06 and 20-15 (declaring abnormal disruption of the market for essential consumer goods and state investigatory powers).
  - f. In its June 2020 Special Session, the Oregon Legislature passed and the Governor signed House Bill 4212 authorizing governing bodies of public bodies, other than the State of Oregon, until termination of any extensions of Governor's Executive Order 20-03 to (1) conduct all public meetings and hearings using telephone or video conferencing technology or through other electronic or virtual means; (2) make available a method by which the public can listen to or virtually attend such public meetings or hearings at the time they occur, without necessarily

providing a space for public attendance; and (3) provide an opportunity for submission of testimony either by timely submission of written testimony or by electronic or virtual means – notwithstanding any requirements by law or policy that testimony during a public meeting or hearing be taken in person..

- g. On April 7, April 21, May 5, May 19, June 2, June 16, July 21, August 18, September 15, 2020, October 20, and November 17 of 2020, Ashland City Council approved extensions of the City of Ashland’s State of Emergency and on January 19, 2021 extended the initial Emergency Declaration through March 16, 2021. The latter three Extensions of the City’s Emergency Declaration included the aftermath of the Almeda Fire as part of the State of Emergency.
- h. A State of Emergency continues to exist in the City of Ashland, and the City has expended and will continue expending resources for responding to the COVID-19 emergency. The COVID-19 contagion is having ongoing impacts to Ashland residents, workers, visitors, and businesses; will continue to require significant City resources to keep the community informed and as safe as possible; and will continue to have significant negative consequences for Ashland’s economy and workforce at least through May 18, 2021.

C. The foregoing circumstances affect all of the territory within the corporate limits of the City of Ashland.

D. This extension of the initial March 15, 2020 City of Ashland Declaration of a State of Emergency is intended to continue authorization to take special measures to protect citizens’ health and safety, to assure that critical public services are maintained, and to reduce stress and fear. The City urges citizens to show even greater-than-normal neighborliness, tolerance, and patience in the face of inconveniences and uncertainty during this period.

**NOW, THEREFORE, based upon the circumstances set forth above, the following emergency orders have been issued by the City Administrator and ratified by the City Council:**

1. A State of Emergency is declared to continue to exist in the City of Ashland, Oregon.
2. The City of Ashland respectfully requests that Jackson County continue to provide assistance, consider the City an “emergency area” as provided for in ORS Chapter 401, and request support from state agencies and/or the federal government.
3. The City shall take all necessary steps authorized by law to coordinate response to and recovery from the COVID-19 emergency, including, but not limited to, requesting assistance and potential reimbursements from the State of Oregon and the appropriate federal agencies for the City, business owners, social service agencies, and citizens in general.
4. In conformance with AMC Chapter 2.62 and the adopted City Emergency Management Plan (“EMP”), during the time the March 15, 2020 Declaration or any extension of it is in effect, the City Manager is the Emergency Manager and has responsibility for command-and-control of City departments and resources and for providing public information; the City Manager is exclusively responsible for approving City agreements and deploying City resources; and City officials are authorized to continue to take such actions and issue such orders as are determined by the City Manager to be necessary to protect the

public and property and to continue to efficiently conduct activities that minimize or mitigate the effect of the emergency situation. AMC 2.62.040; AMC 2.62.050B, EMP 5.1; and EMP 5.4.1.

5. Under direction from the City Manager (EMP 3.2.1.2), the duties of the Emergency Operations Public Information Officer, include developing and coordinating release of information to incident personnel, media, and the general public; implementing information clearance processes with the Emergency Manager; and conducting and/or managing media briefings and implementing media-monitoring activities. EMP 5.5.2.2. With respect to public information, the responsibilities of the Mayor and City Council during these emergencies include acting as liaison to the community and attending Public Information Officer briefings. EMP 3.2.1.1. Accordingly, during the time the initial March 15, 2020 Emergency Declaration or any extension of it is in effect, the role of the Mayor and City Councilors is to convey the questions and concerns of community members through the Public Information Officer to the Emergency Manager and to convey communications from the Public Information Officer to community members.

6. During the time the initial March 15, 2020 Emergency Declaration or any extension of it is in effect, meetings of the City Council and any City commissions, committees or taskforces shall occur in conformance with enacted House Bill 4212 and any subsequent Governor's Executive Orders concerning such meetings.

7. Due to the economic impact COVID-19 emergency will have on its residents and businesses, the City recommends that residential and commercial eviction proceedings based on failure to pay rent be suspended during this State of Emergency or any extension thereof.

8. This extension of the Declaration of State of Emergency has been ratified by the City Council, is effective immediately, shall remain in effect until and including May 18, 2021, unless terminated earlier by the Emergency Manager, and may be extended thereafter as the City Council deems appropriate.

Dated and effective at 5:00 p.m. this 16<sup>th</sup> day of March 2021.

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Adam Hanks, City Manager Pro Tem

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Julie Akins, Mayor

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REVIEWED, David Lohman, City Attorney