



MINUTES
City Council Meeting
Monday, April 5, 2021 6:00 PM

COUNCIL PRESENT: Stan Pulliam, Mayor, Jeremy Pietzold, Council President, Laurie Smallwood, Councilor, Richard Sheldon, Councilor, Kathleen Walker, Councilor, Carl Exner, Councilor, and Don Hokanson, Councilor

COUNCIL ABSENT:

STAFF PRESENT: Jordan Wheeler, City Manager, Jeff Aprati, City Recorder, Mike Walker, Public Works Director, David Doughman, City Attorney, Greg Brewster, IT/SandyNet Director, Tyler Deems, Deputy City Manager / Finance Director, Shelley Denison, Associate Planner, Andi Howell, Transit Director, and Ernie Roberts, Police Chief

MEDIA PRESENT: Sandy Post

1. MEETING FORMAT NOTE

The City Council conducted this meeting electronically using the Zoom video conference platform. A recording of the meeting is available on the City's YouTube channel: https://www.youtube.com/channel/UCbYEclgC6VW_mV2UJGyyYfg

2. CITY COUNCIL WORK SESSION - 6:00 PM

2.1. Homelessness Taskforce

Staff Report - 0401

The **City Manager** introduced the topic, and the **Police Chief** provided background and context on the challenge of homelessness in Sandy, including camping on public property, the need for innovative solutions, pending bills in the Legislature that could affect operations, and evolving case law.

Bill Stewart with the Clackamas County District Attorney's Office explained the successes of the Law Enforcement Assisted Diversion (LEAD) program and partnerships with local non-profits to provide services and perform a case management role. Other programs that have shown success include community courts, mobile shower carts with service connections, and Metro's Supportive Housing Services. Emily Matasar with Beery, Elsner, and Hammond

provided detail on case law developments regarding the right to sleep and keep warm on public property if no other resources are available, and the effort in the Legislature to codify these rights. Maggie Holm of the Social Services Task Force spoke about the group's efforts to coordinate resources in the community and the need for collaboration.

The Council discussed various aspects of the homelessness issue, including:

- Perceived inability of the City's code to address the issue
- Pending state legislation regarding camping on public property
- Developments in federal case law regarding the right to camp
- Challenges presented by Sandy's geography and the physical distance from social services
- Lack of desire to receive assistance among certain individuals
- Possibilities for preemptively addressing issues through proactive social services
- Need to partner with local services providers to leverage the full range of community resources
- Options regarding ODOT and other property owners regarding chronic nuisances
- Using transit to connect individuals with centralized resources rather than trying to provide all resources locally
- The need for a hybrid approach including fixing shortcomings in the city code now and providing long-term solutions through service connections

3. CITY COUNCIL REGULAR MEETING - 7:00 PM

4. Pledge of Allegiance

5. Roll Call

6. Changes to the Agenda

7. Public Comment

Nina Alter: raised concerns with how the discussion on homelessness was framed, as more of an 'us' versus 'them' dynamic. She emphasized the importance of empathizing with the lived experiences of people who are homeless and of exercising patience and understanding given the enormous challenges many such individuals face.

8. RESPONSE TO PREVIOUS PUBLIC COMMENTS

(No comments at 3/15/21 meeting)

9. Presentation

9.1. **Wastewater Improvements: Detailed Discharge Alternatives Evaluation**

Staff Report - 0405

Representatives from Murraysmith provided a presentation on the detailed discharge alternatives evaluation; part of the City's Wastewater System Improvements Project. Presentation slides and a draft executive summary of their report were included in the agenda packet.

The Council discussed the following issues related to the presentation:

- Pipe alignment challenges related to the terrain regarding land stability, water, and ecological factors
- Land acquisition costs
- Engagement with the Parks and Trails Advisory Board regarding the portion of the alignment passing through Sandy River Park
- Groundwater infiltration considerations
- The City's partnership with Tracker's Earth and their particular needs/interests
- Potential irrigation opportunities with neighboring property owners (golf course)
- The need for contingency budgeting
- Water flow limitations and river temperature considerations
- Importance of constructing a robust system with adequate capacity for future decades
- Inflow and infiltration challenges during winter months and the need for innovative solutions

10. Consent Agenda

10.1. **City Council Minutes**

10.2. **Policy for Pesticide Use in City Parks**

Staff Report - 0403

Moved by Richard Sheldon, seconded by Laurie Smallwood

Approve the Consent Agenda.

CARRIED. 7-0

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,
Richard Sheldon, Kathleen Walker, Carl Exner, and Don
Hokanson

11. Old Business

11.1. Wastewater Rate Model Update

Staff Report - 0402

Representatives from FCS Group provided an overview of the rate model update. Kevin Hanway also provided information regarding the City's WIFIA financing application. Presentation slides were included in the agenda packet.

The Council asked about the anticipated total cost of the wastewater system improvements. The **City Manager** indicated that cost figures are not yet final due to the ongoing planning and study necessary regarding temperature mitigation and discharge alternatives.

Further Council discussion ensued regarding the following topics:

- Merits of making investments now for future needs, versus possible delaying the expenditures
- Importance of rate discipline for underwriters
- WIFIA credit worthiness considerations and technical parameters

11.2. Full Faith & Credit Obligations, Series 2021

Staff Report - 0404

The **Deputy City Manager** summarized the staff report. Presentation slides were included in the agenda packet. Lauren MacMillan with Piper Sandler provided a presentation regarding the full faith and credit bond process.

The Council inquired about the following issues:

- The precise cost of the 362nd and Bell extension project vis a vis SDC funding and the Transportation System Plan
- Possible bond repayment funding sources
- Use of Vehicle Registration Fee funds for capital projects versus ongoing maintenance
- Possibility of reimbursement mechanism to allow future developers to pay for previous improvements

11.3. Resolution 2021-05

Authorizing Loan From the Clean Water State Revolving Loan Fund

Staff Report - 0399

The **Public Works Director** summarized the staff report.

Moved by Jeremy Pietzold, seconded by Carl Exner

Adopt Resolution 2021-05.

CARRIED. 7-0

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,
Richard Sheldon, Kathleen Walker, Carl Exner, and Don
Hokanson

12. New Business

12.1. Advisory Bodies Governance and Structure

8 - 17

Staff Report - 0400

The **City Recorder** summarized the staff report. Presentation slides are attached to these minutes.

Councilors offered the following feedback regarding the proposed board framework and governance resolution:

- Specify the need to adhere to public meetings law in the governance resolution
- Retain flexibility regarding appointing council and staff liaisons
- Specify that the Mayor may appoint members of project advisory committees
- Specify interest rather than expertise in the Arts Advisory Board bylaws
- Change the word 'fiber' to 'telecommunications' in the SandyNet Advisory Board bylaws

The Council discussed specifying that Arts Advisory Board may not receive City funds, but ultimately did not adopt this provision

[Boards slides](#)

12.2. Bee City USA Discussion

Councilor Exner and the **Associate Planner** provided an overview of the Bee City USA proposal. They stated the benefits of adopting City policies to support pollinators and noted that World Bee Day is upcoming on May 20th.

Councilor Walker stated her preference that the matter be handled by the existing Parks and Trails Advisory Board, which includes subject matter experts, rather than creating a new committee. **Council President Pietzold** praised the staff effort dedicated to the matter thus far.

Moved by Laurie Smallwood, seconded by Don Hokanson

Endorse the effort to become a Bee City USA affiliate.

CARRIED.

13. Report from the City Manager

- Upcoming resignation of the Community Services Director
- New signage to be installed regarding left turns from Hwy 211 to Hwy 26
- Thanks to all who assisted with the ARPA funding requests
- Covered Structure grants proceeding: Le Happy, Sandlandia, Red Shed

14. Committee /Council Reports

Councilor Walker:

- Recreational Trails Program grant letters of intent will be due at the end of April
- SOLVE cleanup event is upcoming
- The Development Code needs to be updated as soon as possible

Councilor Exner:

- The lack of inventory is driving the high cost of housing in the community.

Councilor Sheldon:

- A joint meeting with the Planning Commission would be helpful

Councilor Hokanson:

- The Aquatics work group will likely take the form of a Task Force
- Appreciation for the website improvements

Councilor Smallwood:

- Upcoming meeting with community groups and Commissioner Shull regarding Portland Water Bureau filtration project
- Recent C4 meeting did not involve east county issues

Council President Pietzold:

- Tourism grant opportunities - recent application regarding Jonsrud Viewpoint
- Economic Development Committee meeting on April 7th

Mayor Pulliam

- Tragic loss sustained by the Mayton family
- Council's role regarding policy vs. administration
- Need for continuing the conversation on homelessness
- Upcoming State of the City address
- Opportunities for federal funding related to infrastructure
- Importance of emergency preparedness
- Success of the covered structure program

15. Staff updates

15.1. [Monthly Reports](#)

16. Adjourn



Mayor, Stan Pulliam



City Recorder, Jeff Aprati



Advisory Bodies Governance and Structure

April 5, 2021

Advisory Bodies Governance and Structure

- Phase 1: Completed
 - Correct Planning Commission seat terms: 03/02/2020
 - Establish seat terms for Parks and Trails Advisory Board: 04/20/2020
 - Correct Arts Commission and Library Board seat terms: 06/01/2020
 - Establish seat terms for Transit Advisory Board: 12/21/2020

Advisory Bodies Governance and Structure

- Phase 2: Current
 - Replace ADMIN 100 (standards for board governance)
 - Clarify parameters for different types of bodies
 - Address existing boards that lack resolutions and bylaws
 - Create new bodies desired by Council

New Board Governance Resolution

- Authority through Council resolution, not administrative policy
- Applies to all bodies (unless specifically stated)
- Resolution elements
 - Seat terms: 4 years, staggered groups
 - Vacancy procedures: Interview panels, Council appointment
 - Bylaws requirements
 - Code of Conduct adherence
 - Liaisons

New Board Framework

- Statutory Bodies: Planning Commission and Budget Committee. These bodies have a degree of independent decision-making authority. Established by ordinance.
- Advisory Boards: Formal bodies that conduct public meetings, operate under bylaws, and have members appointed by the Council to specific seats with terms. Established by Council resolution.
- Task Forces: A flexible category operating on a limited timescale for a specific purpose. They generally do not have bylaws or conduct public meetings. Established by Council motion.

New Board Framework (cont.)

- City Council Subcommittees: Formed to allow a subset of Councilors to work on or study a specific issue and bring a recommendation back for consideration. Established by Council motion.
- Project Advisory Committees: Formed by the City Manager to provide input and feedback on City projects and initiatives. Membership is flexible and the timeline is temporary (likely the length of the specific project).

Public Meetings Requirements

- ORS 192.610 requires governing bodies, as well as bodies with authority to make recommendations to governing bodies, to conduct noticed public meetings, record minutes, etc.
- This requirement does not apply if the body makes recommendations to an individual official (such as the Mayor).
- Conducting public meetings increases transparency, but also involves significant staff work.

Existing Bodies Needing Action

	Creation Resolution Adopted?	Bylaws Adopted?	Members Recruited?
SandyNet Advisory Board	Yes	No	No
Arts Advisory Board	No	No	No
Economic Development Advisory Board	No	No	Yes
Community Campus / Aquatics	No	No	No

Bylaws Details

- Major Components of Bylaws:
 - Purpose statement
 - Member requirements (residency)
 - Officer elections
 - Meetings / absences

Actions for the Council: 4/5/21

- Review and provide feedback / edits:
 - Governance Resolution
 - Board Framework
 - Draft bylaws and draft resolutions

- Designate three Council Members to serve on interview panels for each of the following bodies:
 - Arts Advisory Board
 - SandyNet Advisory Board

- Receive update on Community Campus / Aquatics