



CITY COUNCIL MEETING

Monday, July 17, 2023 at 6:00 PM
Sandy City Hall and via Zoom

MINUTES

WORK SESSION: 6:00 PM

1. Review of Renegotiated Portland Water Bureau Wholesale Water Agreement

The Public Works Director summarized the staff report, which was included in the agenda packet along with presentation slides. Dick Talley with Stantec and Jeff Fuchs with Consor delivered the main presentation to the Council on the proposed new wholesale water agreement. Particular emphasis was made on the lack of a guaranteed minimum purchase amount, the establishment of cost pools, and the agreement priorities of simplicity and fairness to wholesale customers.

Council discussion ensued on the following issues:

- Logistics of the cost pools, in contrast to the existing agreement
- Acknowledgement that rates will increase under the new agreement
- Explanation of how new Portland facilities will provide a more stable connection and more benefits for Sandy, including connections to well fields in case of emergencies and filtration to reduce turbidity impacts
- Clarification that new rates account for the cost of servicing debt for the new Portland facilities
- Note that the cost of a new Sandy filtration plant would be higher over the long run, and that this arrangement would be simpler for the City to manage
- Explanation on the logistics of accessing well field water, and effects of lower demand on the Bull Run source
- Pending land use and legal issues concerning the new Portland filtration facility; discussion of contingency plans in the event construction of the Portland facility is delayed or stopped
- Creation of a third cost pool for purchase of raw water; contingency possibilities for temporary treatment
- Plans to reinforce the Alder Creek facilities to improve the City's resiliency; benefits regarding reductions of spiking and more predictable wholesale purchasing
- Discussion on impacts of turbidity in fire events
- Long term importance of the Salmon River source for Sandy
- Discussion on 30 year versus 20 year agreement term options
- Discussion on processes for cities to buy their way out of the agreement
- Relative interests of Portland and Sandy concerning when the new agreement should take effect
- Possible consequences should Portland not meet the 2027 treatment deadline

- Timing considerations regarding commencement of pipeline construction, with respect to Portland's land use approval status
- Timing of land use approval for Sandy's new pump station, after the Portland approval process is complete
- Concerns regarding whether the language of the agreement impedes the City's ability to sell water to its wholesale customers
- Suggestions for solidifying voting parameters for the Wholesale Water Managers group, and ensuring that non-voting members can attend

REGULAR MEETING: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Stan Pulliam
Council President Laurie Smallwood
Councilor Chris Mayton
Councilor Rich Sheldon
Councilor Kathleen Walker
Councilor Carl Exner
Councilor Don Hokanson

CHANGES TO THE AGENDA

(none)

PUBLIC COMMENT (3-minute limit)

Upekala Wijayratne: is a member of the Parks and Trails Advisory board; knows a number of skaters; there are many local reputable companies that can build skateparks and it would be a shame if one of them does not build Sandy's.

Adam Nilsson: supports the comments of Mr. Jenkins; was a leader in the skating community in Baker City; spouse of Upekala; was very involved in skatepark design and planning earlier on but now feels left out of the planning process despite his best efforts; is disappointed that the ITB process seemed predestined for American Ramp Company (ARC) to win; Dreamline wanted to bid but was not qualified. In response to a Council question, stated that contracting with ARC would mean the City would lose the prestige of using a local builder, that the resulting skatepark would be substandard, and that Dreamline's expertise building with concrete in this environment would yield a better product. Mr. Nilsson also provided written comments that are attached to these minutes.

Scott Minton: wants the Skaters of Sandy (SOS) organization to collaborate with the City on the final construction plans; wants involvement from local skatepark builders; wants continued collaboration, review, and involvement of SOS through the rest of the process. In response to a Council question,

stated that local builders have specialized concrete technology developed to withstand the local climate, and some of the subcontractors ARC plans to use do not have this local expertise. Mr. Minton also provided written comments that are attached to these minutes.

Michael Jenkins: recounted his experience building skateparks in Portland; suggests engaging local youth and local contractors; stated his van has been shot since he last addressed the Council; his dog has incurred large veterinary bills; is working to establish a veterans services program and would like it to be located in the Smith Building; wants City support for his veterans efforts; was accosted earlier in the week.

RESPONSE TO PREVIOUS PUBLIC COMMENTS

(none)

CONSENT AGENDA

- 2. City Council Minutes: June 20, 2023**
- 3. Contract Amendment: Wastewater Treatment Plant Improvements - Slayden Constructors, Inc.**

MOTION: Adopt the Consent Agenda

Motion made by Councilor Walker, Seconded by Councilor Exner.

Voting Yea: Mayor Pulliam, Council President Smallwood, Councilor Mayton, Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

NEW BUSINESS

4. Planning Commission Appointment

The Interim Deputy City Manager summarized the staff report, which was included in the agenda packet. Mayor Pulliam and Councilor Mayton expressed their thanks and appreciation for the applicants.

MOTION: Appoint Candace Vincent to Planning Commission Seat 5

Motion made by Councilor Sheldon, Seconded by Councilor Mayton.

Voting Yea: Mayor Pulliam, Council President Smallwood, Councilor Mayton, Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

5. Contract Award: Construction of Community Campus Pump Track, Jump Line, and Skatepark

The Parks and Recreation Director summarized the staff report, which was included in the agenda packet. Emphasis was placed on the reasons for creating the invitation to bid the way it was, logistics of coordinating the action sports contractor with the site's general contractor, Sequencing of contracting with the action sports contractor relative to the land use approval process, staff's research on typical costs per square foot of similar facilities, and the benefits

of creating a seamless combined skatepark and pump track at a quality level that can host regional sport events.

Council discussion ensued on the following issues:

- Complications that would have arisen from separating pump track and skatepark construction, including additional time and expense, and coordination of multiple contractors
- Importance of continued engagement and collaboration between the City and SOS as design refinement proceeds
- Clarification that the subcontractor group identified by ARC includes some local providers
- Opportunities for site visits and review by SOS
- Concerns with respect to receiving only one bid
- Importance of ongoing cost consciousness
- Acknowledgement of engagement with the local boke community as well
- Further explanation of the design refinement process
- Summary of the robust public involvement process that has occurred
- Commitment by the City to continue meaningful collaboration with SOS

MOTION: Approve the award of the Public Improvement Contract to American Ramp Company for the construction of the action sports elements of the Community Campus Park Project

Motion made by Council President Smallwood, Seconded by Councilor Hokanson.
Voting Yea: Mayor Pulliam, Council President Smallwood, Councilor Mayton, Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

6. City Council Rules Revision

Resolution 2023-29

The Interim Deputy City Manager summarized the staff report, which was included in the agenda packet.

Council discussion ensued on the following issues:

- Whether to strike the word 'necessarily' on page 25 (the consensus of the Council was to not make this revision)
- Discussion on the Decorum section on page 25
- The uniqueness of the Economic Development Advisory Board with respect to the Council Liaison process
- Discussion on the appropriateness of including a personal statement disclosure when comments are made before a board or commission
- Discussion on the expectations regarding emailing staff about an upcoming Council agenda item

- Discussion on the rationale for providing three minutes for general public comments, and five minutes for public hearing testimony; rationale for not allowing yielding of remaining time to others
- Discretion of the Presiding Officer to grant additional time in certain cases
- Explanation of the rationale for the confidentiality language on page 26

MOTION: Adopt Resolution 2023-29

Motion made by Councilor Sheldon, Seconded by Council President Smallwood.
 Voting Yea: Mayor Pulliam, Council President Smallwood, Councilor Mayton, Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

REPORT FROM THE CITY MANAGER

- Overview of concerts in the park program
- Discussion of the upcoming League of Oregon Cities annual conference
- Discussion of the need for an Urban Renewal Board work session on planning and board membership; will wait until after the permanent city manager is hired
- Need for the Council to connect with the new Fire Chief
- Update on the city manager recruitment process
- Recognition of the progress being made at the Community Campus

COMMITTEE / COUNCIL REPORTS

Councilor Hokanson

- Thanks and appreciation for the work being done on the drinking water system
- Encouragement to continue engagement with the SOS
- Suggestion to cross-promote Winterfest and Mountain Festival
- Concerns regarding decorum and security during council meetings
- Suggestion to hold a traffic enforcement event focused on red light running

Councilor Exner

- Concerns regarding the Hwy 26 and Ten Eyck intersection
- Overview of the most recent Fire Board meeting
- Discussion of the recent fire at Sandy Family Restaurant and the new food cart
- Praise for the new sidewalk along Hwy 26 near Vista Loop
- Need for clarity on responsibilities for weed maintenance; possibilities for hardscaping medians

Councilor Walker

- Suggestion to pursue Travel Oregon grant opportunities; letters of intent are due in August
- Thanks and appreciation for new Jonsrud sign
- Appreciation for the involvement and contributions of local skatepark advocates
- Reminder on upcoming Kiwanis car show

Councilor Sheldon

- Thanks and appreciation for Mt. Festival
- Thanks for staff's efforts on the Community Campus park, and for being mindful of taxpayer dollars

Council President Smallwood

- Note on upcoming concert in the park
- Appreciation for local skateboard groups, and acknowledgement of the importance of letting staff and professional contractors lead the effort

Councilor Mayton

- Thanks and appreciation for Mt. Festival
- Overview of the Planning Commission's recent recommendation that the Council set aside a majority of the SDC revenue from the Cascade Creek development for improvement of Bornstedt Park; Mayor Pulliam suggested the Parks and Trails Advisory Board should weigh in with their input; Councilor Walker stressed the importance of adhering to the Parks Master Plan

Mayor Pulliam

- Mt. Festival committee is pleased with the electrification progress in Meinig Park
- Encouragement of the effort to install permanent people counter technology in Meinig Park
- Thanks and appreciation for the Kids Parade
- Praise for the new sidewalk along Hey 26 near Vista Loop
- Appreciation for staff's response and efforts related to the recent fire at Sandy Family Restaurant and the new food cart

STAFF UPDATES

Monthly Reports: <https://reports.cityofsandy.com/>

ADJOURN



Stan Pulliam, Mayor



Jeffrey Aprati, City Recorder



Jeff Aprati <japrati@ci.sandy.or.us>

Fwd: Following up on RFP

Skaters of Sandy <skatersofsandy@gmail.com>

Mon, Jul 17, 2023 at 4:39 PM

To: Rochelle AnderholmParsch <randerholmparsch@ci.sandy.or.us>

Cc: japrati@ci.sandy.or.us, tdeems@ci.sandy.or.us, walkertrails@gmail.com, adnilsson@gmail.com, Mike Kays <bdkboard@gmail.com>, Mike Shearer <sk8mike2@comcast.net>

Hello Members of Sandy City council and Parks & Recreation,

I am writing tonight in regards to the Sandy Community Campus Skatepark plans and future skatepark project progress. SOS has so far enjoyed a robust involvement in the design phase of the new skatepark, as well as advocating for more skater involvement and oversight regarding the skatepark design and fabrication.

We were caught a bit off guard when we heard (on the day-of) that bidding was closing on the RFP. We were not even aware that the RFP had been issued, as it was originally slated for release in Late August or early September. After frantically reaching out to everyone involved, we were assured that our questions would be addressed and the project was in good hands and was continuing to move forward, regardless of this hiccup in timing. After speaking to Jeff and Tyler, and finally Rochelle, she agreed to set up a meeting so we could address our concerns.

On Wed Jul 5, 2023, SOS representatives Scott Minton and Adam Nillson met with Rochelle from Parks & Rec and Nathan from ARC via zoom to discuss the following bullet points regarding the ongoing involvement with the skatepark design and build process. All parties were in agreement with the general consensus of our requests, but Rochelle stressed that she could not include these items in the contract for unstated reasons. It is out of a desire for accountability and continued involvement should things move forward in the current projected fashion, that I am taking this opportunity to ask for a public acknowledgement of these items in regards to SOS and our continued role as representatives of our community group and as the initial Skatepark Advisory board members.

- SOS asks to collaborate and redline the plans in a continued review of the final (as yet to be completed) skatepark design and CAD build plans. We want to do this before the final plans are created, as this will save untold amounts of money and time, should we find issues if this proceeds without our oversight.
- SOS asks on the record for consideration of local PNW concrete skatepark artisans, craftspeople and laborers. It should be noted that some of the team structure that ARC attached to the contract does include a few of these tradespeople.
- SOS asks to observe and provide site review feedback to Parks & Recreation project lead (Rochelle Anderholm Parsch) during the construction process. This would begin as soon as the skatepark area is staked out for grading and would finalize when ARC begins their final punch list for turnover. SOS will designate Scott Minton as the liaison, with site visit dates to be coordinated with Rochelle's office.
- SOS is interested in robust involvement with future skatepark phase fundraising, event programming, and coordination with Parks & Recreation and the city of Sandy to ensure that the skatepark is properly maintained and repaired as necessary.

If these points are acknowledged and agreed to, on the record tonight, I personally don't have an objection to letting City Council consider and vote on Rochelle's proposal for ARC to be awarded the construction bid. However, if this is not possible for whatever reason, I would likely join another citizen's pending request to ask the City Council for a tabling of the skatepark award vote until such time as these items can be worked out to our satisfaction.

Thank you for your time and thank you for allowing our voice at the table for this monumental project.

Regards,

-Minty

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Jeff Aprati <japrati@ci.sandy.or.us>

Skatepark Construction

Adam Nilsson <adnilsson@gmail.com>

Mon, Jul 17, 2023 at 7:32 PM

To: japrati@ci.sandy.or.us

To Whom it may concern:

I served as president of the Baker City Skateboarding Association before moving to Sandy. I am part of the Skaters of Sandy organization in order to help advocate for a safe, well-constructed, long-lasting skatepark in Sandy. My wife, Pek, serves on the Sandy Parks and Trails Advisory Board.

With Pek's help, I have tried by best to be involved with the decision-making process as Sandy's new skatepark is designed, and contracts for it's construction are prepared and rewarded. I attended outreach events, Zoom meetings, and even went out after-hours to interact with American Ramp Company representatives and officials.

Despite my best efforts, I have felt left out of the actualities and specifics as the project progresses, and I know that despite their efforts others desirous to have input also feel alienated. It may be unrealistic for city officials to expect young skaters to fully participate in official and political processes so complicated, ethereal, and quite honestly, boring—but it should not be unrealistic for actual grown-up adult constituents, who contribute to the local community and economy, and are busy raising or influencing the next generation of skatepark users, to have their relevant voices clearly heard during this process.

The deepest disappointment is that the City of Sandy seems to be following a predetermined course bent on awarding the entirety of the skatepark contract to a corporation from thousands of miles away specifically because that company is not entirely focused on designing and building skateparks. The reason there is only one bid for the construction of the skatepark project is simple: The call for bids requires the contractor to build not only a skatepark, for skateboarding, but also a pump track and a jump line—features which are bicycle specific, requiring engineering and materials entirely unlike those requisite for a durable, safe skatepark.

Unless you are specifically trying to target ARC as the chosen contractor, this concept is absurd. When looking for a mechanic to fix your car, do you also require that entity to be able to fix your deck and repair your driveway?

Mr. Minton shared with me some of the interaction he had via text message with local companies well-known internationally for building long-lasting, safe, world-class skateparks.

Dreamland expressed that Sandy City's \$65/square foot estimate was "kinda high," clearly implying they could exceed Sandy's expectations, and Sandy could have a skatepark built by an Oregon company, the company that arguably invented skateparks, and has been in the business the longest.

Commenting about ARC, Red, owner of Dreamland Skatepark said, "That company has been doing better work than their past however it's too bad local companies are not more involved. Thanks for thinking of us."

This clearly shows ARC's lackluster reputation among their professional colleagues, but the more important message here is that a local company won't get the local work. Instead a conglomerate from the midwest will get it, because they also do pump tracks. Dreamland did not bid. Because they only do skateparks.

Minty also contacted Tony Johnson, of Milwaukee Construction. Tony said that he "didn't even know it was out to bid until after the 14th so had no chance to file grievance." He added that Sandy "still had it posted on the city website that it was going to bid in October even after it had already gone to bid."

When Minty contacted Mike Swim, at Grindline Skateparks, a local company with a reputation on par with Dreamland, Mike said, "we're all local skaters with tons of skatepark building experience. I'd hate to see some non-locals get the build; you always put more love and care into something you're gonna ride."

When contacted by Minty, Zach Wormhoudt, from CA Skateparks, said that even though they were indeed interested, his company "did not hear of it or bid it."

In the course of his diligence, Minty also learned that Evergreen Skateparks, another world-famous local company with a stellar reputation, did not bid on the project because they are skatepark specific, and the contract required other unrelated features.

It is my strong opinion, an opinion I share with others, that the safest, longest lasting new Sandy skatepark should be built by a local company that specifically builds skateparks. Please don't award the contract for the new skatepark without further discussion.

Thank You,

Adam Nilsson
[39064 Dubarko Rd.](#)
[Sandy OR 97055](#)
541-908-5385