



CITY COUNCIL MEETING

Monday, February 05, 2024 at 6:00 PM

Sandy City Hall and via Zoom

MINUTES

WORK SESSION - 6:00 pm

1. Sandy Museum & Chamber of Commerce Funding Discussion

The Economic Development Manager summarized the staff report, which was included in the agenda packet. Ann Marie Amstad and Khrys Jones provided an overview of the funding requests from the Sandy Historical Society and Museum (Museum) and the Sandy Area Chamber of Commerce (SACC), respectively.

Discussion Pertaining to the Museum:

- The number of Museum staff
- The amount of annual expenditures on the Visitor Center specifically
- History of City grants to the Museum
- Possibilities for County funding through tourism grants, particularly for the Visitor Center
- The cost of hiring a director

Discussion Pertaining to SACC:

- History of SACC funding sources and recent funding difficulties
- Overview and history of the Business Resource Center (BRC) program, which started as a COVID-19 recovery initiative and has since transitioned to providing more general business support, facilitation, and information. Marketing, legal assistance, and job fairs were mentioned as examples of services provided.
- Organization of the BRC under the greater umbrella of SACC. It was noted that the BRC provides services to all businesses, not just SACC members
- Impending loss of BRC funding, despite continuing needs of local businesses
- Discussion concerning the BRC's value proposition
- History of previous City grants to SACC
- Concern about potential duplication of services between the BRC and area small businesses development centers
- Emphasis on the importance of leveraging tourism; suggestion that providing City funding directly for tourism initiatives would be more prudent
- Revenue projections for City transient room taxes
- Discussion of regional destination marketing organizations, and the need for Travel Oregon to dedicate more resources to the Sandy area

- Emphasis on the need for a SACC grant to be supported by clear benefits within Sandy city limits

At the end of the discussion, it was agreed that three Council Members should work with the City Manager to develop desirable funding solutions for these organizations moving forward. It was also requested that actions to authorize funding for SACC and the Museum for this current year should be placed on an agenda separately.

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)

Amy Hardesty: Expressed appreciation for everyone's public service. Loves Sandy; lives outside city limits but wants what's best for the town. Believes Chief Jensen is not the right choice for police chief. Stated that racially insensitive and sexist remarks from Chief Jensen at the community reception were not followed up on. Noted that Chief Jensen did not list references from his recent employers. Is disappointed that the City did not release comment cards from the receptions; stated they would show support for Interim Chief Lundry; has filed an appeal to reverse this decision. Is concerned that Chief Jensen is already retired. Provided an overview of Interim Chief Lundry's accomplishments and community relationships. Asked the City Manager to change the hiring decision given new information.

Faith Stewart: Provided written comments (attached to these minutes). Referred to her recent meeting with the City Manager, and Chief Jensen's vision for the department. Expressed concern about a video in which Chief Jensen's nunchucks were used to cause injury to an individual. Received feedback from individuals in Logan, Utah who either do not support Chief Jensen, or are unwilling to go on record about him.

Toby Hardesty: Stated that he is sad that Interim Chief Lundry was not selected for the police chief position. Stated that Lundry gave him a challenge coin, and has always been nice to him and his friends.

Shawna Lundry: Provided written comments (attached to these minutes). Is a law enforcement veteran, and these comments are her own. Stated that Council Members wanted a clear and transparent recruitment process, but that has not taken place. Stated that racist and misogynistic comments from Chief Jensen at the community reception were not acted upon by City staff. Stated that Chief Jensen injured her hand and spoke to her condescendingly at the reception. Provided an overview of concerns about Chief Jensen expressed on social media. Provided an overview of the City's decision to withhold certain records that were asked for in a public records request; stated that she had wanted records to be provided with redactions; stated that she does not agree that releasing the records would harm the public interest. Stated that the City Manager's hiring decision was influenced by his ego; stated that he needs to listen to public feedback.

Lori Pyles: Stated that she has watched an erosion of community trust in the City; cited pool demolition and this hiring decision as examples, saying the public does not understand or support these actions. Expressed concern that Chief Jensen is interested in retirement; stated this does not make sense. Stated everyone she has spoken with wanted Interim Chief Lundry to be hired.

Jolie Phanton: Expressed appreciation for everyone's public service. Attended the community reception and was disappointed with the hiring decision. Stated that the decision reflects a failure to grasp small town values, and that community concerns fell on deaf ears. Stated she hopes her comments are considered by the City. Stated that Interim Chief Lundry has proven his worth, as well as his dedication and support in the community. Stated that Chief Jensen is not invested in the community; and that she is not confident in Chief Jensen's leadership, character, and values. Hopes the City Manager will reconsider the decision.

Kendal Pelton: Recounted how Interim Chief Lundry helped her son navigate a legally challenging situation; her son is now clean, sober, and starting a new business due to the help and support provided by Lundry. Does not understand how Chief Jensen fits the ethics of the town. Stated that Interim Chief Lundry should have been hired. Expressed longevity concerns about Chief Jensen. Expressed concern that the input of Nunpa with AntFarm and Clackamas County may not have been considered. Also stressed that the needs of Senior Center patrons need to be respected with regard to scheduling and space programming in the facility.

Tristan Hardesty: Stated that he does not know Chief Jensen, but can speak to the character of Interim Chief Lundry. Recounted that he participated in a recent simulation exercise with police personnel. Has always found Interim Chief Lundry to be kind and a strong supporter of the community; recounted his volunteer efforts and involvement, including with his church, the D31 Foundation, and AntFarm. Stated that Interim Chief Lundry is deeply engrained in the community, and that the community needs a hands-on leader rather than a distant leader.

Once the public comments had concluded, multiple Council Members offered remarks in response. Mayor Pulliam summarized the thorough process that was undertaken to conduct the police chief recruitment, and the multiple inputs into the City Manager's decision. He also made observations about the City Charter, and the fact that other hiring models exist in other cities. He expressed support for the City Manager and for Chief Jensen. He noted that the recruitment is a human resources matter, and that as such certain information is not

disclosable. He encouraged attendees to continue to participate in the public process and stay at the table.

Councilor Hokanson thanked attendees for coming to the meeting and participating in the public comment process. He reflected on his participation on the Leadership Panel during the recruitment process and praised all three finalists. He noted that the process followed is common in many cities. He noted the advantages to ensuring candidates undergo a rigorous process and earn the position on their own merits. He noted the importance of avoiding age discrimination. He observed that during his panel's interview of Chief Jensen, Jensen seemed to have the most experience and emotional intelligence, and expressed a commitment to diversity in policing. He stated that the other police chiefs on the panel expressed no concern with an out of state hire.

Councilor Mayton agreed that all the finalists were strong, and that he supports the City Manager's decision. He did suggest that it would have been preferable to have any concerning news items provided as part of the interview panel materials, though he noted that the process is not yet over and that a robust background check is now underway.

Councilor Walker expressed that a six figure salaried position warrants a thorough recruitment process. She expressed praise for the Sandy Police Department. She stated that while disappointment is understandable, not all human resources matters are disclosable. She expressed concern about the lack of a vocal welcome for Chief Jensen, which is not helpful for the transition, but she is hopeful for the future.

RESPONSE TO PREVIOUS COMMENTS

(none)

CONSENT AGENDA

2. City Council Minutes: January 16, 2024
3. Resolution 2024-04 Business Oregon Funding For Alder Creek Water Treatment Plant Membrane Filtration Improvements

Prior to the motion to adopt, staff provided an overview of the Business Oregon loan and the overall funding strategy for the drinking water system reinvestment program.

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

MOTION CARRIED: 7-0

PRESENTATIONS

4. Audit Presentation - Fiscal Year Ended June 30, 2023

Tim Gillette with Talbot, Korvola & Warwick LLP presented the audit for the fiscal year ending on June 30, 2023, which was clean and without material weaknesses. In response to a Council question about the City's debt, he stated that the City's total net position is positive.

NEW BUSINESS

5. Creation of an Advanced Financing Reimbursement District for 362nd and Bell Street Improvements

The Public Works Director summarized the staff report, which was included in the agenda packet along with presentation slides.

Council discussion centered around the following issues:

- The timing of when payments would be required
- Rationale for having a termination point of the district
- Balance between the need for reimbursement and the need to avoid limiting development potential
- Comparisons to AFRDs in other cities
- Suggestion that development should be the highest priority
- Overview of the budget impact of constructing the road
- Options for pursuing a reimbursement SDC mechanism in the new transportation system development charge (TSDC) methodology
- Discussion on potential interest rates and term lengths, and the need to see projected collection amounts using different variables
- Discussion on possible apportionment models – developable area versus street frontage
- Suggestion that not knowing the purchase price of properties makes it difficult to decide how to set the terms of an AFRD
- Question as to whether the Urban Renewal Fund could potentially pay for a portion of AFRD payments as a development incentive
- Suggestion that the district value should be lowered to avoid discouraging development
- Recognition that not pursuing an AFRD will limit the City's ability to complete other projects in the Transportation System Plan
- Concern about Sandy's ability to recruit large businesses in the past

The Council asked staff to develop more information for discussion at a future meeting. Information sought included: data from successful AFRDs in other cities, options for reimbursement component in the new TSDC methodology, options for leveraging urban renewal funding, and projected collection figures for a district with valuation options of 30%, 20% and 10% of the project cost.

REPORT FROM THE CITY MANAGER

- Overview of the Tickle Creek Trail cleanup and restoration effort; discussion about the sensitivity of working in the riparian area; overview of the subject matter experts being

consulted; discussion of the Clackamas River Watershed Council Supplemental Environmental Project; discussion of the extent of the damage and risks of further degradation

- Discussion of Fire District representation on the Urban Renewal Board; suggestion for staff to determine how other boards are structured; discussion of the history and context surrounding the representation on Sandy's urban renewal board
- Update from the City's government relations consultant: overview of the disparate infrastructure efforts underway in the Legislature, including bills focused on programs versus direct project funding; distinctions between this process and the traditional capital construction funding process. The City is pursuing multiple options to ensure the highest chances of securing funding.

COMMITTEE / COUNCIL REPORTS

Councilor Hokanson

- Praise for the individuals who delivered public comments
- The Council needs to better understand the Chamber of Commerce's value proposition
- Praise for the work performed on the drinking water reinvestment project
- A Winterfest committee is needed

Councilor Exner

- The Council should tour the City's drinking water facilities
- Parking on Vista Loop Drive needs to be improved

Councilor Walker

- Water / Wastewater Subcommittee meetings have been productive
- County funding for the Hoodland Library needs to be revisited

Councilor Sheldon

- CCA dinners are very beneficial
- More proactive communication should occur with the community about development and new housing policy coming from the State
- A meeting with the School Board is needed

Council President Smallwood

- The high school needs to change their pickup location
- A city charter review process is needed, as the document is over 50 years old. The decision to hire a Police Chief is bigger than one person. Some other cities have different processes for making such hires.
- Does not agree with the choice for Police Chief

Councilor Mayton

- Block 3 of Comprehensive Plan goals and policies is being reviewed
- The interview panel process for the Police Chief could have been improved by providing candidate internet search results to panelists

Mayor Pulliam

- Praise for the individuals who delivered public comments; reminder on the importance of the background check process
- The legislative session may put the City in the position of receiving infrastructure funding while also accepting new housing policy
- County vouchers are being used to shelter individuals in the Best Western
- Branding consistency is important for the City, including on City vehicles

STAFF UPDATES

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

ADJOURN



Stan Pulliam, Mayor



Jeffrey Aprati, City Recorder

ATTACHED TO 02/05/2024 CITY COUNCIL MINUTES

Hi, my name is Faith Stewart. I live here, run a couple of local businesses, and volunteer with D31, co-chairing National Night Out, which funds Shop With A Cop and the Community Kindness Program.

I am here tonight with my concerns as a member of the community.

Last week in a meeting with the city manager and assistant city manager, I asked what Mr. Jensen's new vision for the police department is, because the things on his resume have already been done in Sandy. The answer was that he will take a wait and see approach, learn, and view things through a different lens. We all view things through a different lens, so **I'd still like to hear what his new vision for the police department is, because it must have played a big part in the decision, and it must be good for the community of Sandy.**

The Law Enforcement Code of Ethics holds police officers to a higher standard of professional performance both on and off the job. **Have you all seen the nun chucks video?** If you haven't, it was recorded after a concert, and in the video Mr. Jensen and some other officers are standing around inside the venue. Mr. Jensen hands his weapon to another officer, who uses it to whip another man who shows the camera the mark it made. Mr. Jensen then shakes the man's hand and gives him a challenge coin. Yes, this was a number of years ago, but it was still the Chief of Police in his uniform, leading by example.

How is this good for the community of Sandy? What if former Chief Roberts or Interim Chief Lundry had handed over their baton to someone to strike another person with while being recorded and standing there on duty?

Lastly, I understand that it can be a liability for an employer to give an employee a bad review. What I have learned through talking with people in Logan City, Utah is that those who have worked with or under Mr. Jensen dislike him, and those who worked above him (for example the mayor, HR) automatically give him positive reviews. Why do you think so many people I've spoken with in Utah are afraid to go on record with statements about their personal experience? **How is this going to be good for us, the community of Sandy?**

Thank you and I yield the remainder of my time.



International
Association of
Chiefs of Police

The IACP adopted the Law Enforcement Code of Ethics at the 64th Annual IACP Conference and Exposition in October 1957. The Code of Ethics stands as a preface to the mission and commitment law enforcement agencies make to the public they serve.

Law Enforcement Code of Ethics

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

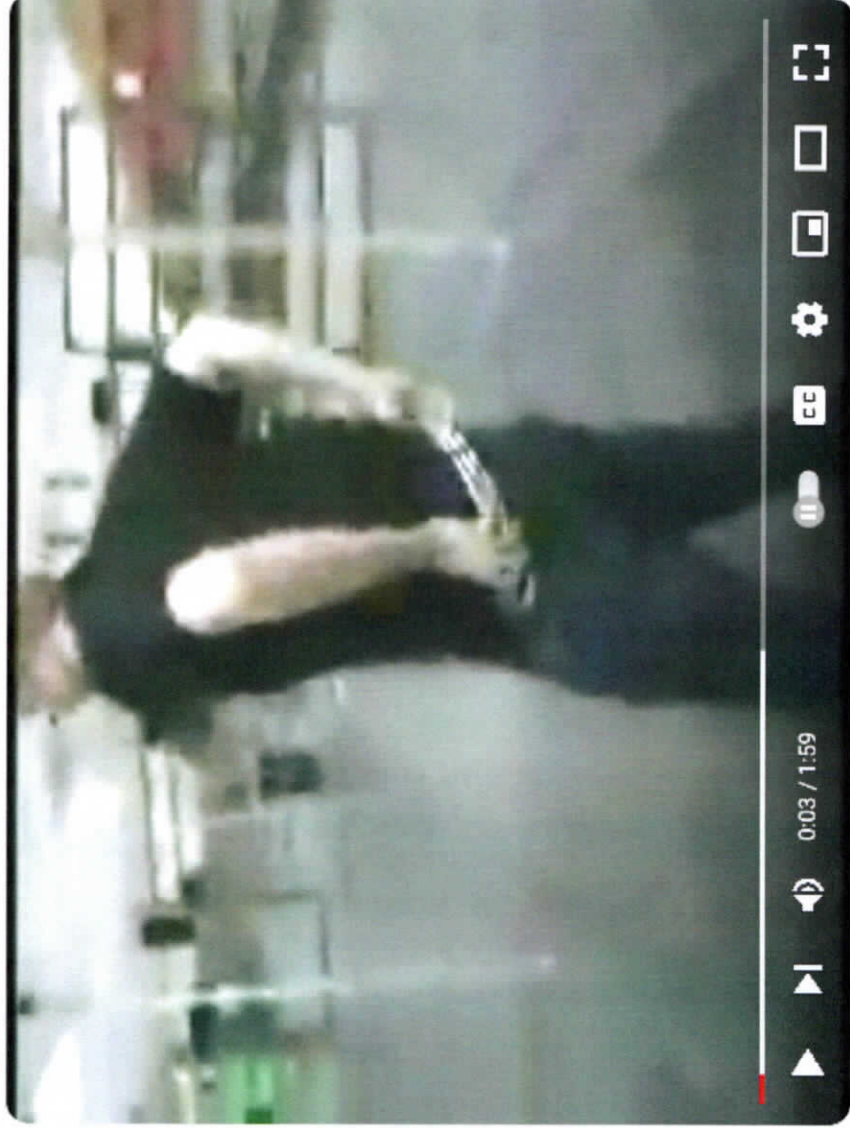
I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement.

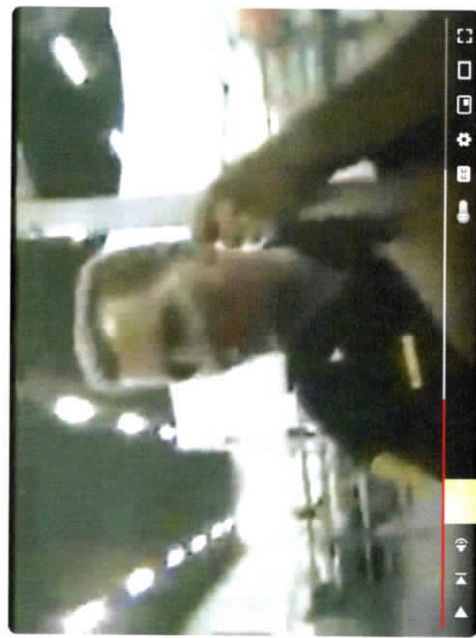


Vernal ass whip

Josh Clark **Subscribe**

6 Share ...

10,433 views Jun 12, 2007
This is my boss hitting one of the crew guys joe with this cops knunchucks in vernal utah after a concert were innocense lost opened for Skillet.



Vernal ass whip Josh Clark **Subscribe**

ATTACHED TO 02/05/2024 CITY COUNCIL MINUTES

My name is Shawna Lundry. I live at 37788 Coralburst Street here in Sandy. I know that I am given three minutes to speak and if I exceed this, I have others in attendance who are willing to give me their time if I go over. I have a lot to say and I wanted all of you to be aware of this should I exceed my initial time allotment.

I want to make it clear that this is my statement as a City of Sandy business owner, city resident, taxpayer, and community volunteer. As a 16-year veteran in law enforcement I am a strong supporter of our police and feel compelled to speak publicly to advocate for those who cannot safely do so for fear of reprisal by their employer.

When awarding the city manager contract to Jensen Strategies, Councilor Walker made certain that the language "**Clear and transparent process**" was included as a condition of employment for the next city manager referencing that an outside police chief search be conducted. All of you were in favor of this language.

At the completion of the police reception city manager Deems and HR Manager Welty received a complaint from the Sandy Police Association related to Mr. Jensen's perceived misogynistic and culturally insensitive comments directed towards a sergeant of Hispanic descent and a female officer. I am told there is no record of this highly concerning complaint being acted on by either Deems or Welty. I believe the release of the police reception comment cards will contain information supporting this complaint as voiced by our Sandy officers.

I attended the community reception on January 3rd made up of many representative stakeholders to include Oregon Trail School District, Sandy Helping Hands, D31 Foundation, Mt Hood Hospice, Sandy Chamber, Ant Farm, Sandy Police Association, Clackamas County Peace Officers Association, and Councilors Exner, Walker, and Sheldon were also in attendance,

As a community member at the reception, I prepared a question that I asked each candidate. No candidate was aware of what I was going to ask as I wanted to make an informed decision. As I approached Mr. Jensen, he looked me in the eyes sternly, grabbed my right hand and squeezed it, and said in a condescending tone, "**I've been looking forward to meeting you, Shawna. I really appreciate the way you've been working the room for Sean.**" As Mr. Jensen said this, he squeezed my right hand so hard that it hurt and remained hurting as I documented the negative interaction on my comment card approximately 45 minutes later. My hand continued to hurt for the next two days.

Mr. Jensen provided no knowledge about the Sandy community or gave any other reason for wanting to be the chief of police except he was tired of shoveling snow at his current residence in Utah and wanted a more "**temperate climate**". Are those who attended really supposed to believe the City of Sandy's official statement that Jensen is the leader our community needs "**to continue its commitment to excellence in public safety?**" My direct knowledge gained from attending this reception is that the community does not feel this way.

According to a public statement made by Councilor Hokanson using a Facebook account that identified himself as a city councilor stated that he was involved with the selection process for police chief. Councilor Hokanson publicly supported Mr. Jensen as standing out from the rest of the candidates and that Deems made a solid decision for our community. Did Councilor Hokanson get to see the comment cards from the police and community receptions? He wasn't there in person so I am curious how he can make this definitive statement unless he has seen all the information available. Councilor Hokanson himself said he would need to "**consider all input**" and investigate any "**areas of concern.**" If Councilor Hokanson got to see everything, why can't we? If he didn't see everything and was speaking from his limited involvement in the process that is poor leadership from a publicly elected official and deceptive behavior.

Many community members, police officers, and staff members were highly surprised by Deem's decision as it was so inconsistent with their perceptions and provided feedback. So many in fact comments on social media led to the print media getting involved. A quick google or youtube search of Gary Jensen shows the same negative perceptions by Utah residents as were observed by police staff and myself in a short period of time. I agree that anyone can say anything online, however these same issues brought up by residents of Logan, Utah were the same things we confirmed independently and without fore knowledge. Does this not matter to Deems and this council?

Several members made public records requests for the city to release the comment cards with all identifying information being redacted to ensure privacy. The city's official response has been to deny each request under "**internal advisory communications**" and "**confidential.**" Deputy City Manager Jeff Aprati said, "**the public interest would suffer by the disclosure.**" How would the public interest suffer by the release? Is this how the city council who oversees all policy and oversight wants their city to respond to public requests of this magnitude with such substantial interest? The lack of transparency and accountability is atrocious.

Look at all of us here. We all have better things to do but we are all here because nothing about this decision makes sense. This decision demonstrates that City Manager Tyler Deems does not care about the well-being or desires of our police officers or community in who leads our police department. He made a choice not supported by the process but by his own ego. How do you expect our officers to work for Mr. Jensen when they don't support this decision? How do you expect the community to accept it when they were clear about who they wanted?

All of you speak often to wanting more engagement and public involvement from your constituents. We as taxpayers are frustrated with appointed city leaders who continually don't represent our best interests. We continue to pay higher fees and higher property/business taxes to pay salaries, PERS, and other fringe benefits without any consideration. These same leaders who don't live in our city whose decisions don't impact their families, their safety, or their overall quality of life. The utter lack of

accountability for this decision must be challenged when it is so inconsistent with what we as residents who took part in the process know to be the truth. Hiding behind exemptions may be lawful but delivers an awful message to our community and police officers who want this information public.

Councilor Hokanson added in his public statement that **"police chief is not an elected position"** and that most residents had not attended the town hall to **"offer an opinion"** nor was a vote taken. Using that same logic, does every single resident eligible to vote come out for a city council election? Does that make the election, or the voices represented in the votes any less valid?

The police chief was not elected nor did every community member attend the community reception. Those who did took the opportunity provided to have their voices heard believing that their opinions mattered. Police officers and other staff took time out of their lives to attend a staff reception because they knew how important it was for their voices to be represented in maintaining the stability they currently enjoy. This decision does not represent most of our voices as evidenced by the outpouring of emails, social media posts, in person meetings, and all of us here tonight.

You all were elected by the people, for the people to advocate for the will of your constituents, not your own agendas, biases (implicit or explicit), or subjective opinions formed by sitting on a single panel and proclaiming publicly who rose above the rest. The fact that we are all here should be a clear and convincing testament to this decision needing further scrutiny. You controlled the requirements of the process, and you all were involved in influencing that decision. You hired City Manager Deems and you are his direct supervisor. You gave him the authority to make this incredibly important decision. Hold him accountable to those he serves by making all the records public. In policing we had a saying, "Trust but Verify." I encourage you to do that very thing.

As Sandy residents yourselves, please stand with me in demanding full transparency so the community can be informed. Let us see for ourselves that Deems' decision and Councilor Hokanson's support are truly representative of a fair and transparent process. I urge you to order the full release of all records as there is substantial public interest in doing so.

For the proper functioning of government, the public must trust the process and that their best interests are being represented. Transparency requires a public that can access, understand, and use the information it receives from the local government. I am asking for information used in a public process, freely given in a public setting, for the hiring of one of the most important public official positions within our city to be shared with all of us. We who took part gave it freely, never believing it would be some big secret. Thank you for your time. I have copies of this for each of you and I will be providing one to the media, so my words are captured as stated.

Shawna M. Lundry