



# City of Sandy

## Agenda

### City Council Meeting

Meeting Date: Tuesday, February 21, 2023

Meeting Time: 6:00 PM

Page

#### **1. MEETING FORMAT NOTICE**

This meeting will be conducted in a hybrid in-person / online format. The Council will be present in-person in the Council Chambers and members of the public are welcome to attend in-person as well. Members of the public also have the choice to view and participate in the meeting online via Zoom.

##### To attend the meeting in-person

Come to Sandy City Hall (lower parking lot entrance).  
39250 Pioneer Blvd., Sandy, OR 97055

##### To attend the meeting online via Zoom

Please use this link: <https://us02web.zoom.us/j/88691755612>

Or by phone: (253) 215-8782; Meeting ID: 88691755612

Please also note the public comment signup process below.

#### **2. CITY COUNCIL WORK SESSION - 6:00 PM**

##### **2.1. Community Campus Park Development Plan Update**

[Community Campus Park Development Plan Update - Pdf](#)  
[Presentation Slides](#)

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#### **3. CITY COUNCIL REGULAR MEETING - 7:00 PM**

#### **4. PLEDGE OF ALLEGIANCE**

#### **5. ROLL CALL**

#### **6. CHANGES TO THE AGENDA**

#### **7. PUBLIC COMMENT**

Note: the opportunity to testify on the SMC Chapter 10 amendments will occur later in the agenda.

The Council welcomes your comments on other matters at this time.

If you are attending the meeting in-person

Please submit your comment signup form to the City Recorder before the regular meeting begins at 7:00 p.m. Forms are available on the table next to the Council Chambers door.

If you are attending the meeting via Zoom

Please complete the [online comment signup webform](#) by 3:00 p.m. on the day of the meeting.

The Mayor will call on each person when it is their turn to speak for up to three minutes.

## **8. RESPONSE TO PREVIOUS PUBLIC COMMENTS**

- 8.1. **Mt. Hood Birth Center** 29  
[Sandy City Council Letter on Birth Center Closure](#)
- 8.2. **Bill Leslie**

## **9. CONSENT AGENDA**

- 9.1. **City Council Minutes** 30 - 43  
[City Council - 06 Feb 2023 - Minutes - Pdf](#)
- 9.2. **Planning Commission Appointments** 44 - 54  
[Planning Commission Appointments - Pdf](#)

## **10. ORDINANCES**

- 10.1. **PUBLIC HEARING: Sandy Municipal Code Chapter 10 Amendments** 55 - 59  
[Sandy Municipal Code Chapter 10 Amendments - Pdf](#)

## **11. NEW BUSINESS**

- 11.1. **Cedar Ridge Vacant Building Demolition and Site Preparation** 60 - 63  
[Cedar Ridge Vacant Building Demolition and Site Preparation - Pdf](#)

## **12. REPORT FROM THE CITY MANAGER**

## **13. COMMITTEE /COUNCIL REPORTS**

**14. STAFF UPDATES**

14.1. [Monthly Reports](#)

**15. ADJOURN**



## Staff Report

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**Meeting Date:** February 21, 2023

**From** Rochelle Anderholm-Parsch, Parks and Recreation Director

**SUBJECT:** Community Campus Park Development Plan Update

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**DECISION TO BE MADE:**

None. This is a scheduled update for the Council on the progress of the [Community Campus Park Development project](#).

**PURPOSE / OBJECTIVE:**

Lango Hansen Landscape Architects and American Ramp Company (ARC) will provide an update on the Community Campus Park Development Plan.

Lango Hansen and American Ramp Company will present on the following:

- General overview of the site guiding principles
- Data from the results from the site survey and open house
- Provide brief overview of the site analysis with constraints and opportunities
- Update on the schedule and what is next
- Site integration of the action sports elements and collaborative work between Lango Hansen and American Ramp Company
- Present the three park concepts for review and comments. This includes ARC presenting on draft design concepts for the skate park and pump track

**BACKGROUND / CONTEXT:**

It was the desire of the Council that the Parks and Recreation Department proceed with the development of a community park at the Community Campus. There were two consultants hired to complete the work to develop the new community park located at the Old Cedar Ridge Middle School.

Lango Hansen Architect and Engineering will provide project management and administration, schematic design, and public engagement. Public engagement includes; PAC meetings, Parks and Trails Advisory Board meetings, council meetings, 3 public open houses, online surveys, and city staff meetings. Lango Hansen is also assisting the City with submitting for the Oregon Parks and Recreation Department Local Government Grant, which has a deadline of April 1, 2023.

Lango Hansen's work includes design development, including land use submittal documentation. Their contract scope includes cost estimates, construction documents and construction permits, bidding assistance and construction observation.

Lango Hansen's contract includes managing the following sub-consultants:

- Public Engagement with JLA. (JLA was the firm that did public engagement for the Parks and Trails Master Plan.)
- Electrical, Civil, Geotechnical, and Traffic Engineers

American Ramp Company (ARC) is contracted to design the pump track and skate Park. ARC's organizational chart is uniquely qualified to work with the City for the design of the action sports park elements. Under ARC is Progressive Bike Ramps (PBR). PBR has wood jumps, prefab concrete jumps and ramps, bike park, and bike playground elements. Velosolutions is the pump track division under ARC. Velosolutions has completed over 498 pump tracks in 32 countries. ARC designs and builds skateparks along with Pivot Custom who is a division of ARC. To receive necessary technical design results, focused public engagement, and to save on design costs and eventually construction costs, the City has directly contracted with American Ramp Company.

ARC's scope includes community engagement and presentations, element design coordination with Lango Hansen, site review, conceptual design and revisions, and a final design.

The council met on [Jan. 17, 2023](#) where Lango Hansen and ARC provided an introduction to the park project background, a review of the overall schedule, general site context, and a look at existing conditions. Project guiding principles (goals and vision) was discussed, and the public engagement process was reviewed.

**KEY CONSIDERATIONS / ANALYSIS:**

Since the January 17, 2023 Council meeting, two surveys went live, and an open house event was conducted. Staff also attended numerous tabling events, presented at the North West Trail Alliance annual board meeting, and attended focus group meetings. Two mailers were sent directly to the surrounding park neighbors, there were several social media posts, and the City purchased Pamplin Media advertisement and mailers to engage and inform the community about the new community park.

The City along with the consultants are preparing for the next open house event scheduled for February 23, 2023 from 5:30p-7:30p at the Senior/Community Center.

**RECOMMENDATION:**

Receive the update on the progress of the Community Campus Park Development project.

**LIST OF ATTACHMENTS/EXHIBITS:**

Staff will attempt to make presentation slides available ahead of the meeting, but this may not be possible due to the rapid schedule for this project.

# COMMUNITY CAMPUS PARK DEVELOPMENT PLAN

SANDY CITY COUNCIL - UPDATE #2

2.21.2023





## OPEN HOUSE #1

### COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023



lango hansen LANDSCAPE ARCHITECTS

jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK

# Engagement Summary

## Key Takeaways

- Participants want to use the park to play/recreate
- They are most interested in nature play (or combo with standard)
- Most people plan to use a car to get there
- Many were interested in skate park + pump track
- Several asked for an all-abilities, inclusive park

## Online Survey

Open January 19 – February 2

**429** participants

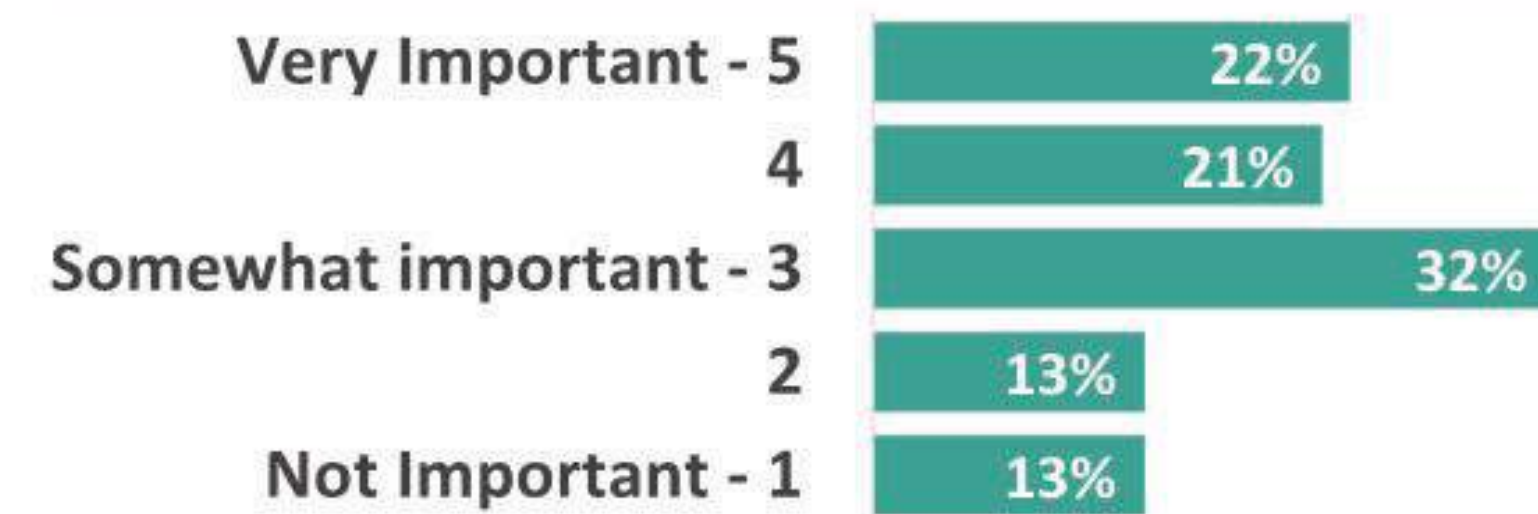
## Open House

Hosted on January 26

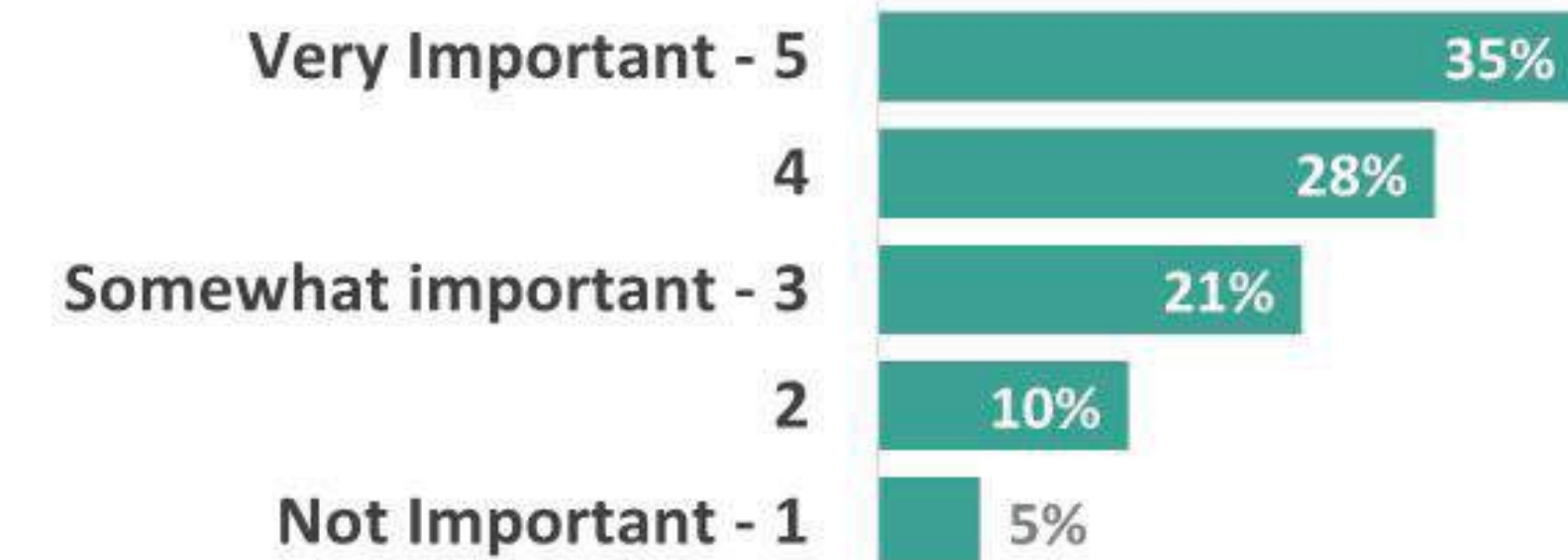
**34** participants

## As we think about how to design the Community Campus Park, what features are most important to you?

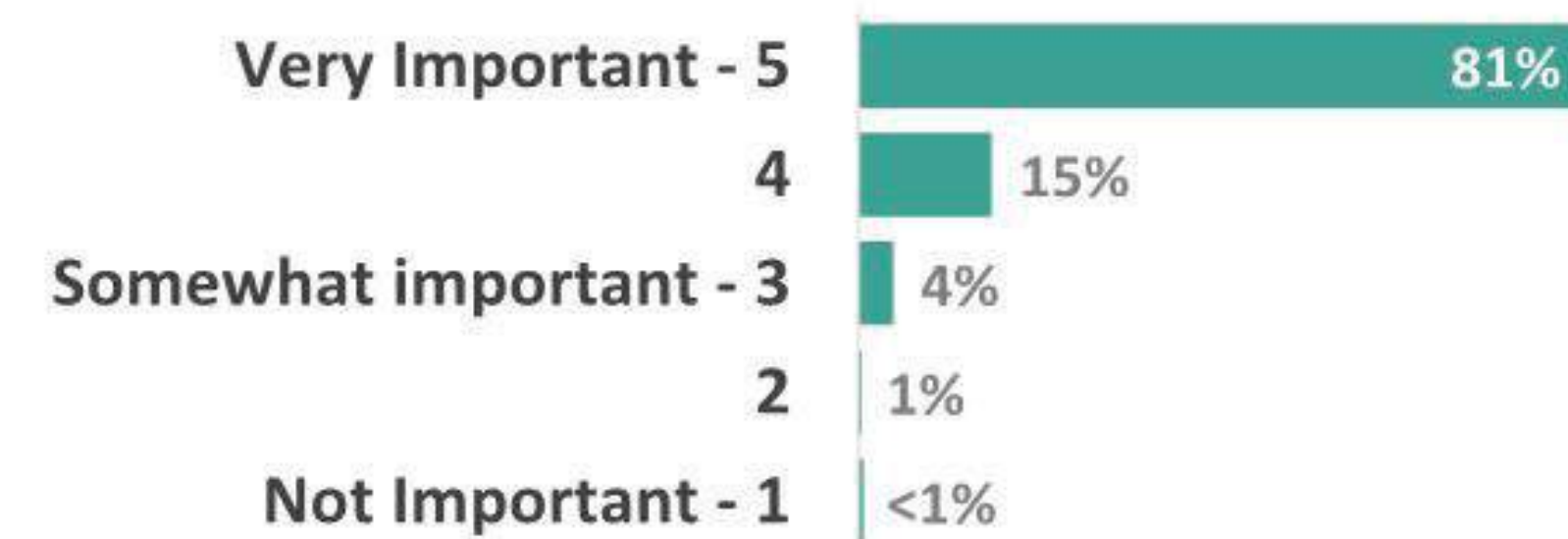
### Relax



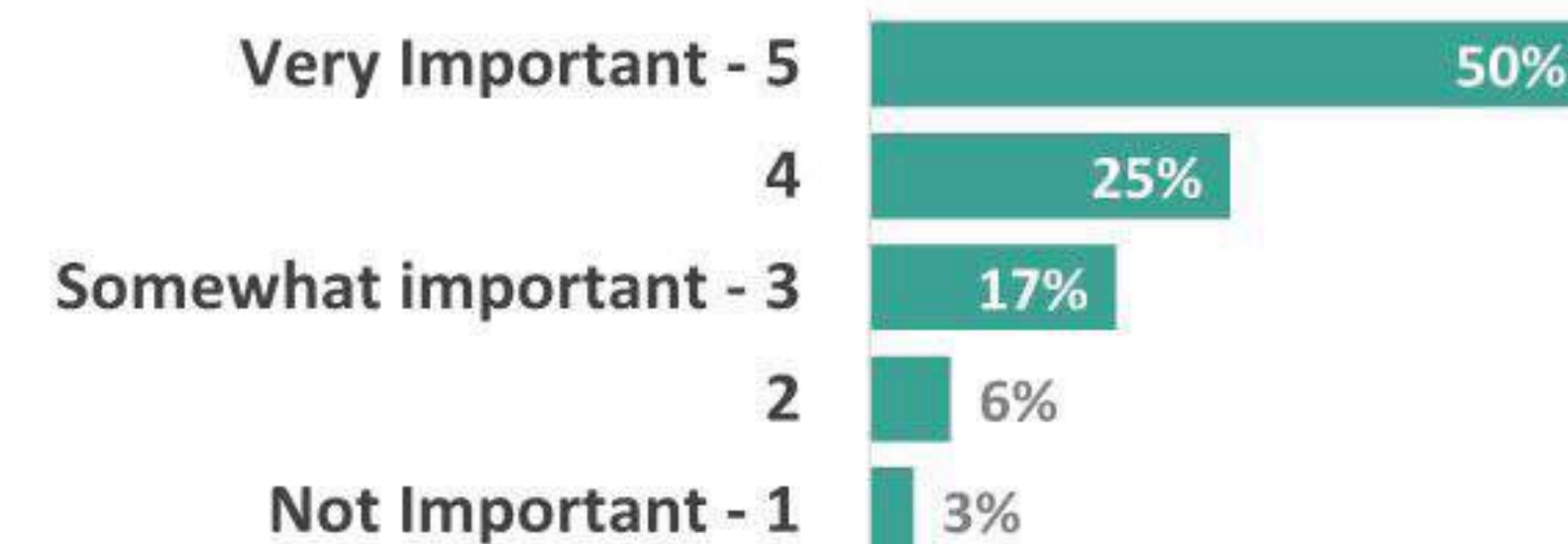
### Gather



### Play

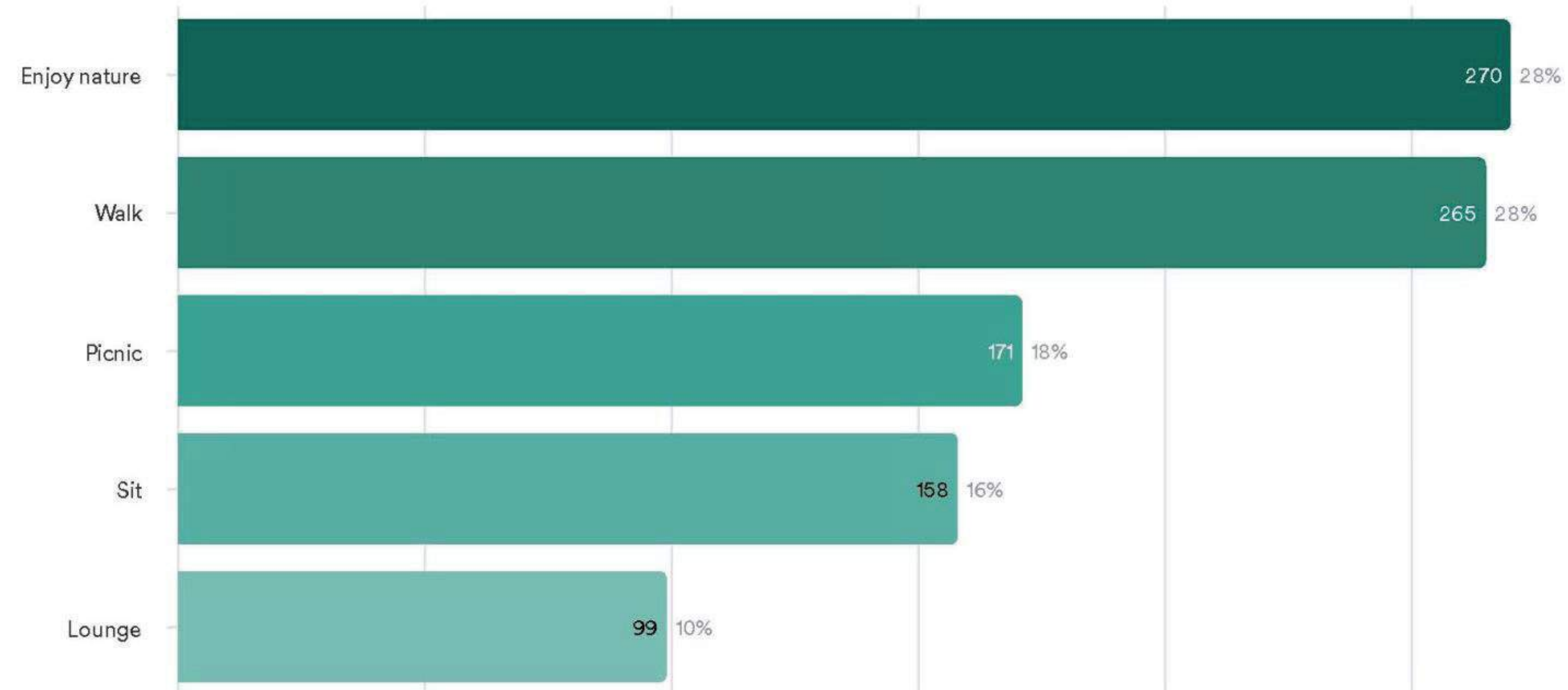


### Enjoy nature

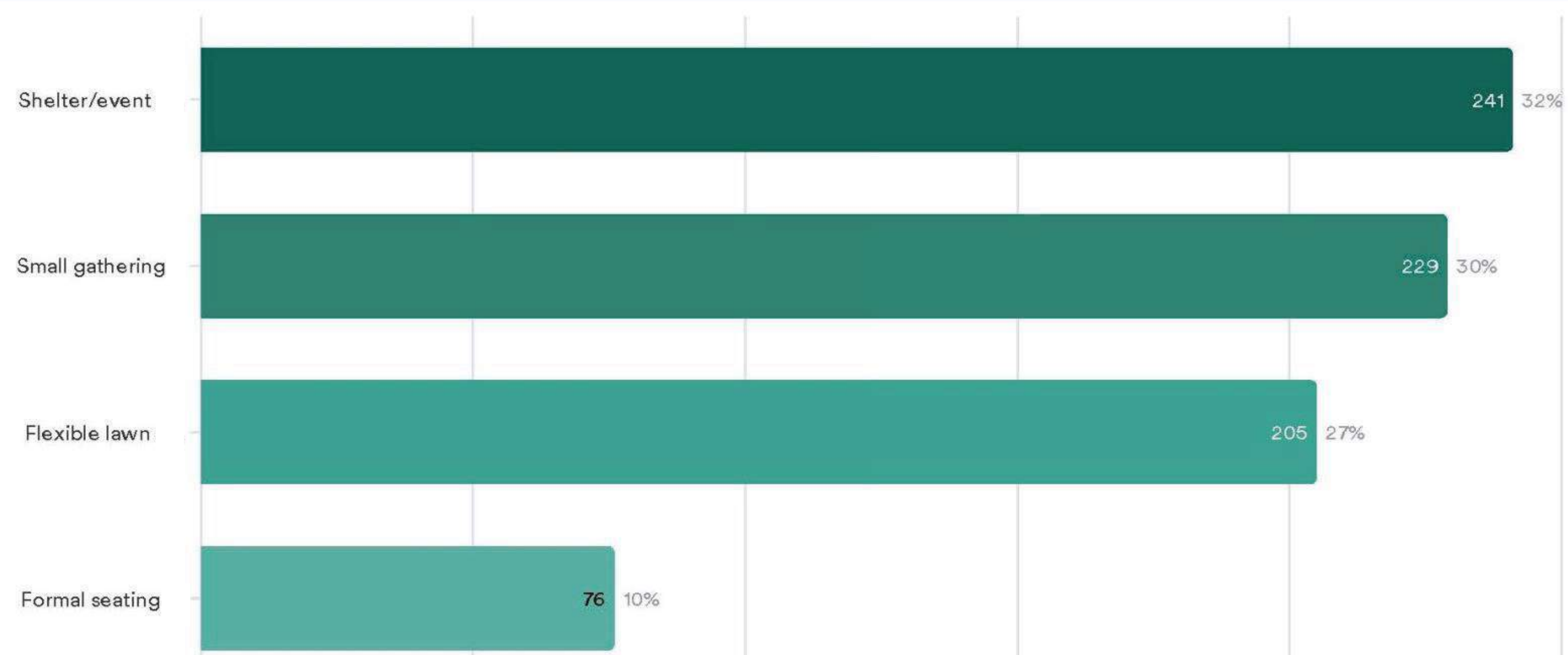




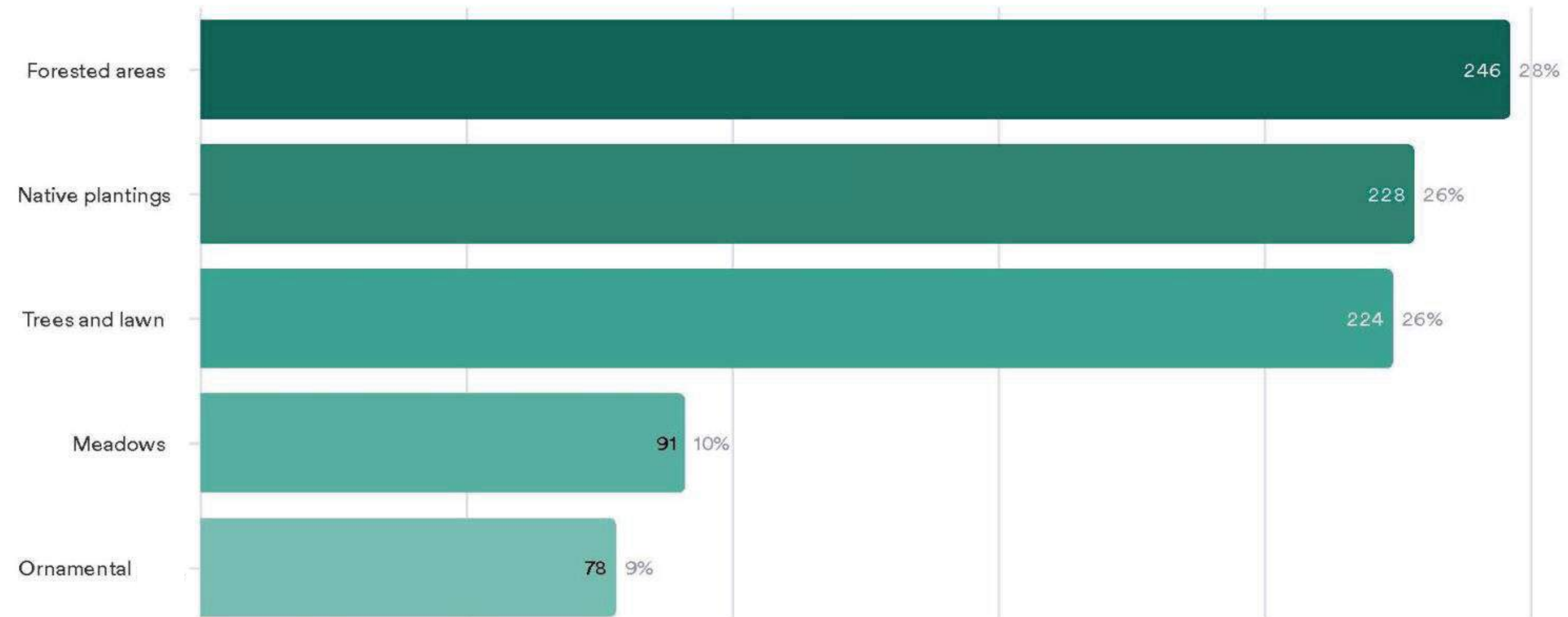
## How do you want to relax in the park?



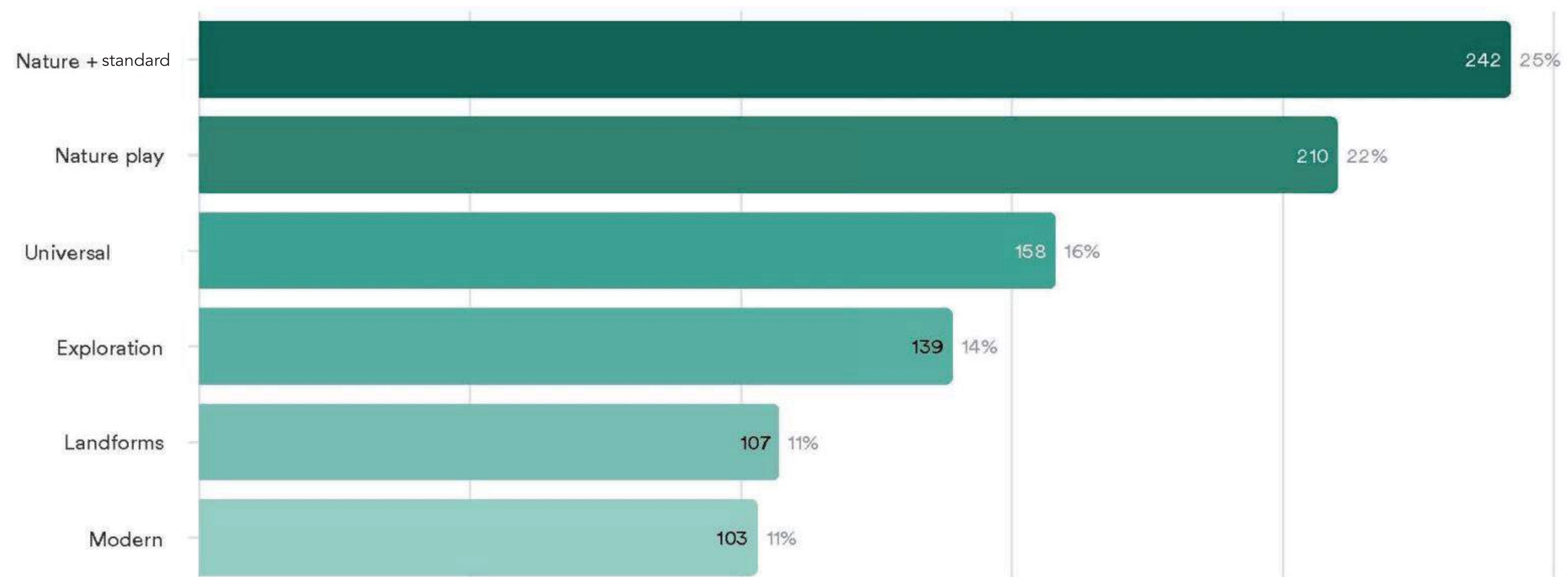
## How do you want to gather in the park?



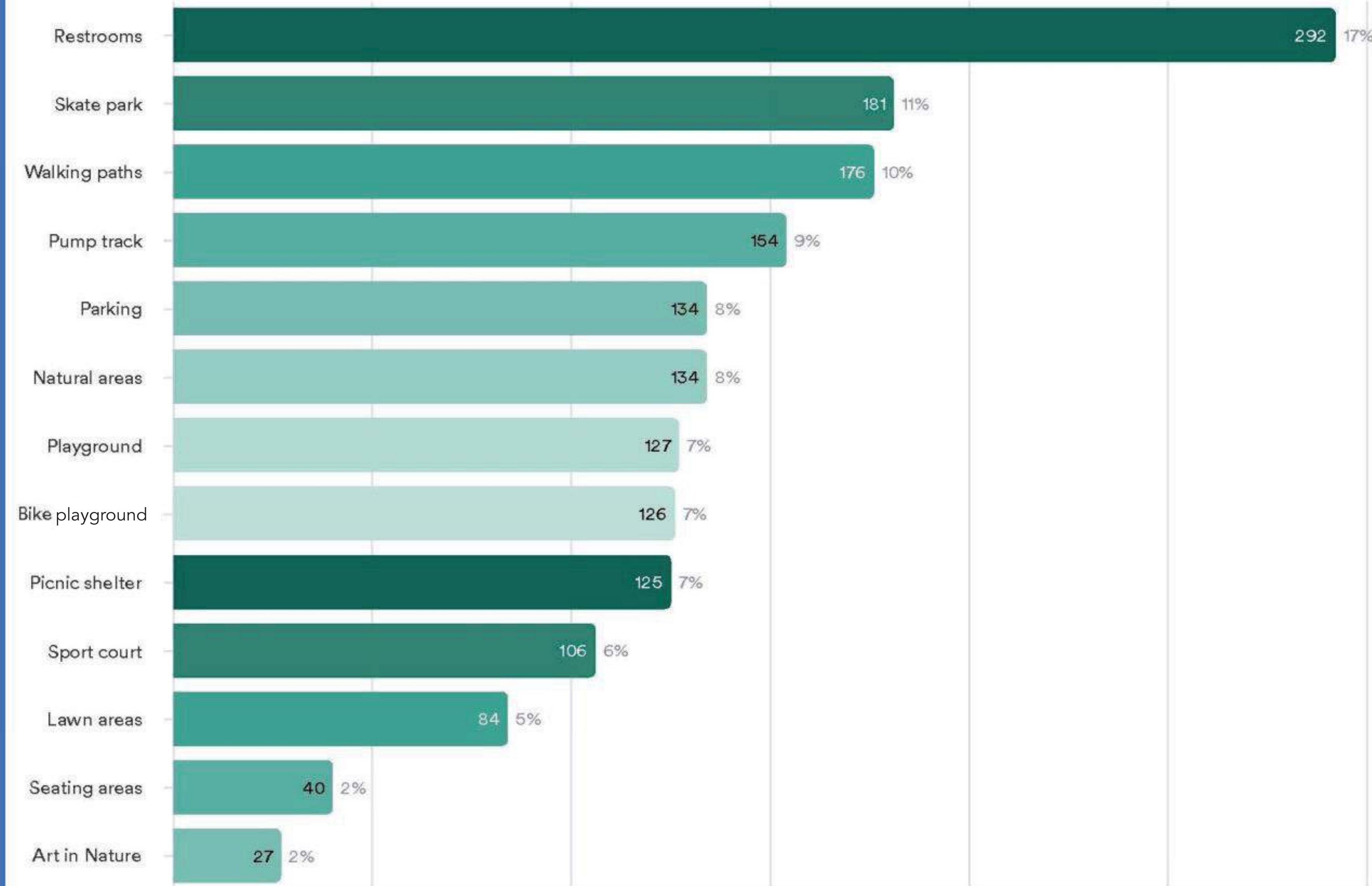
## Which natural element is most important to you?



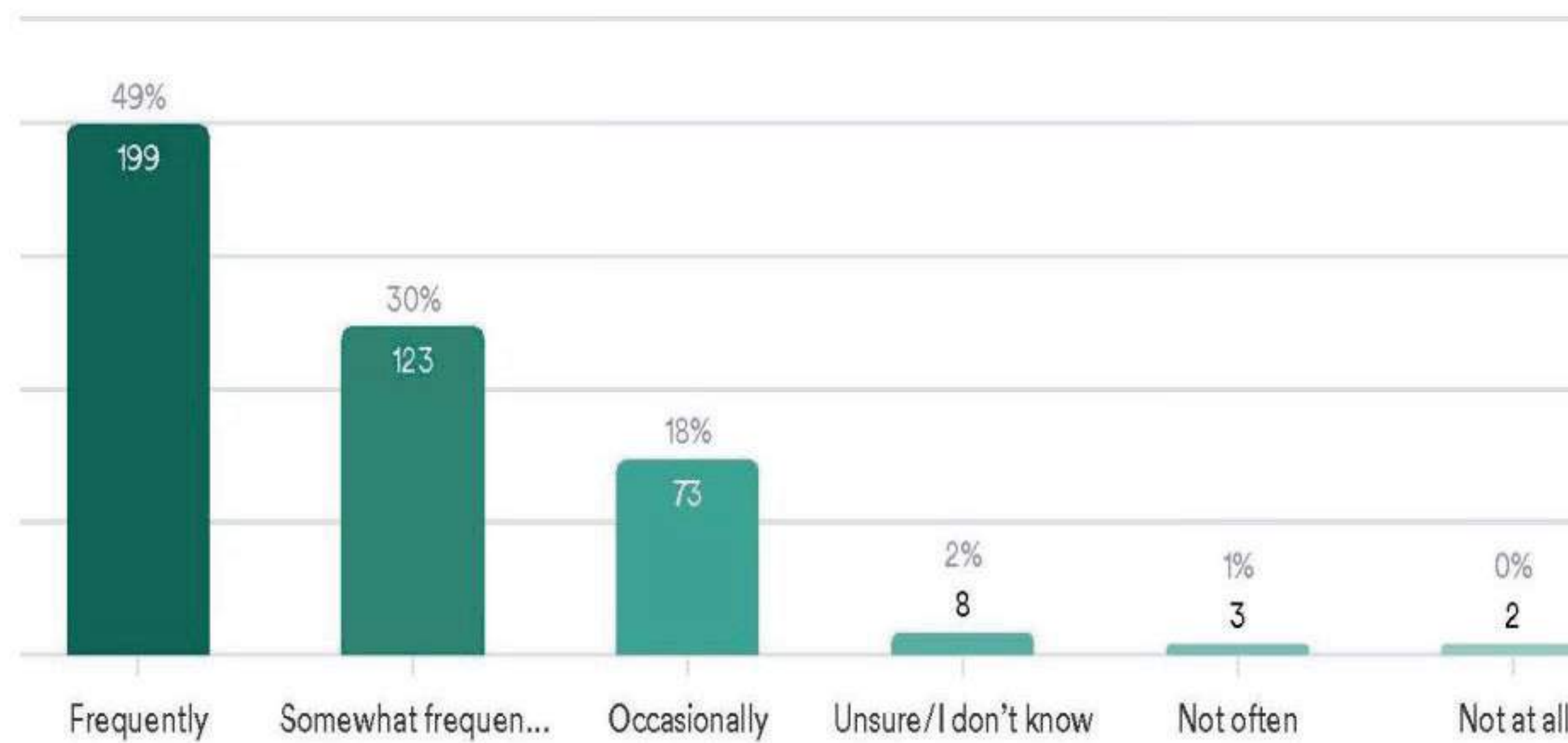
## Which type of play areas would you like to see most?



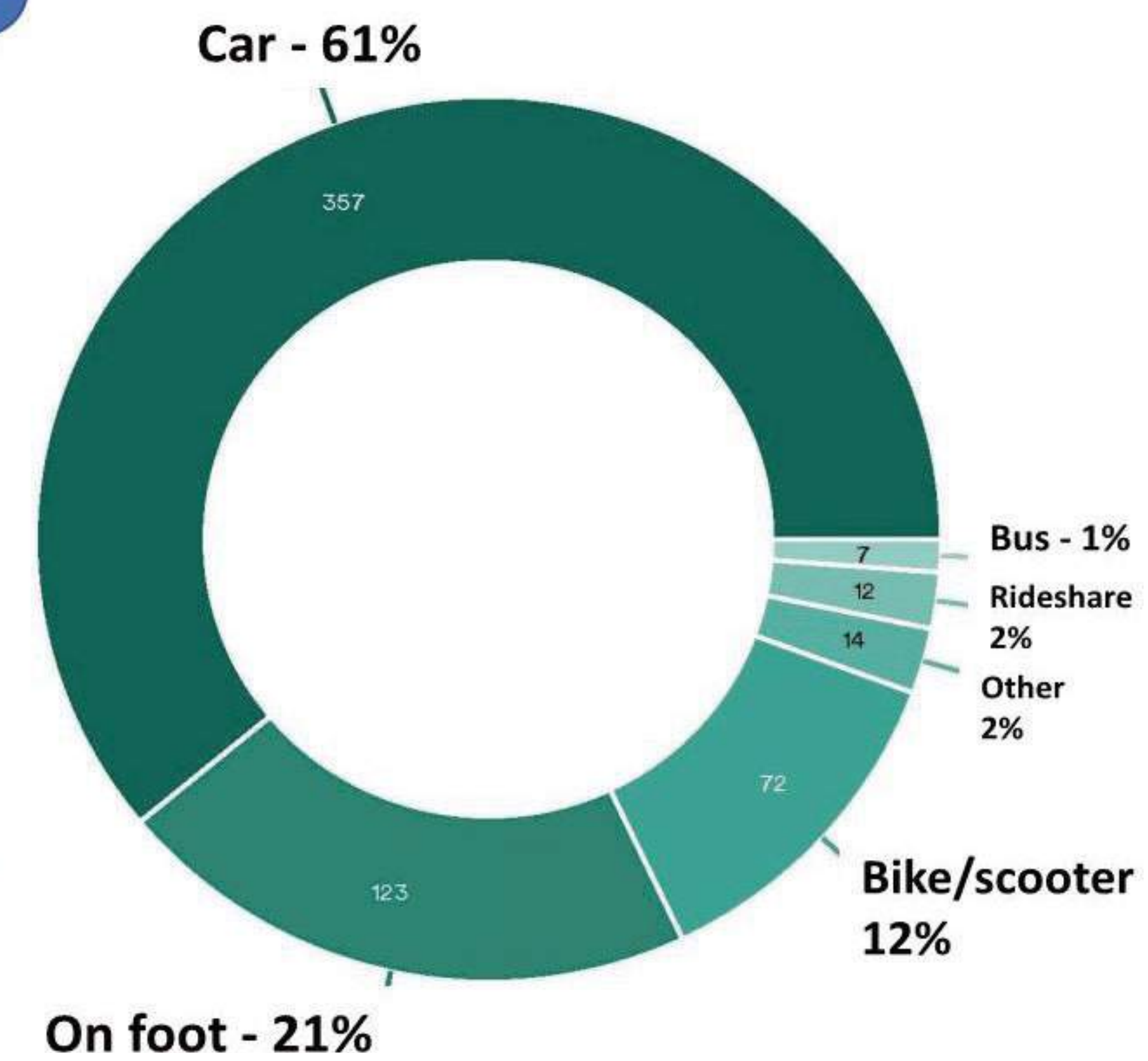
## Which park feature is most important?



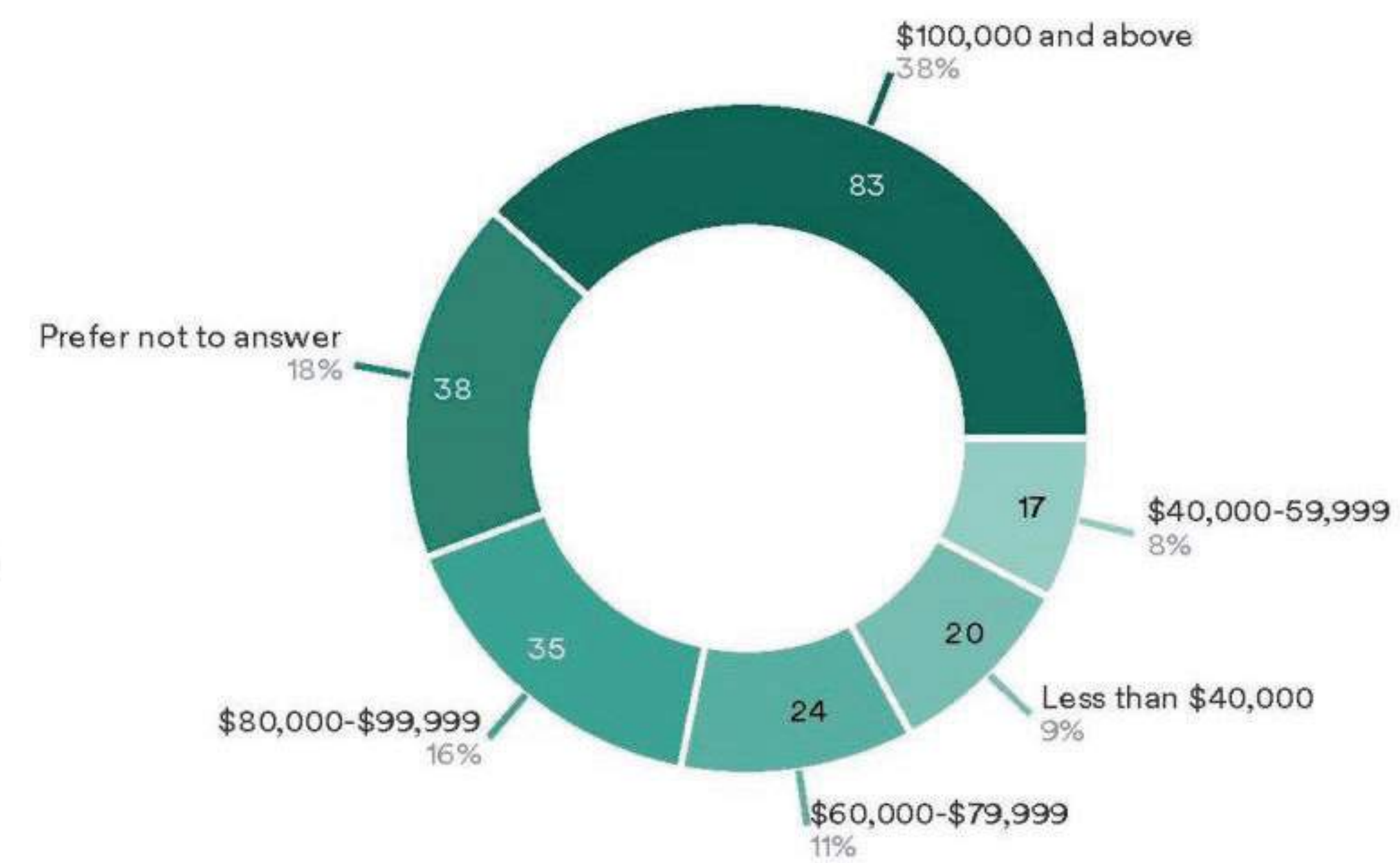
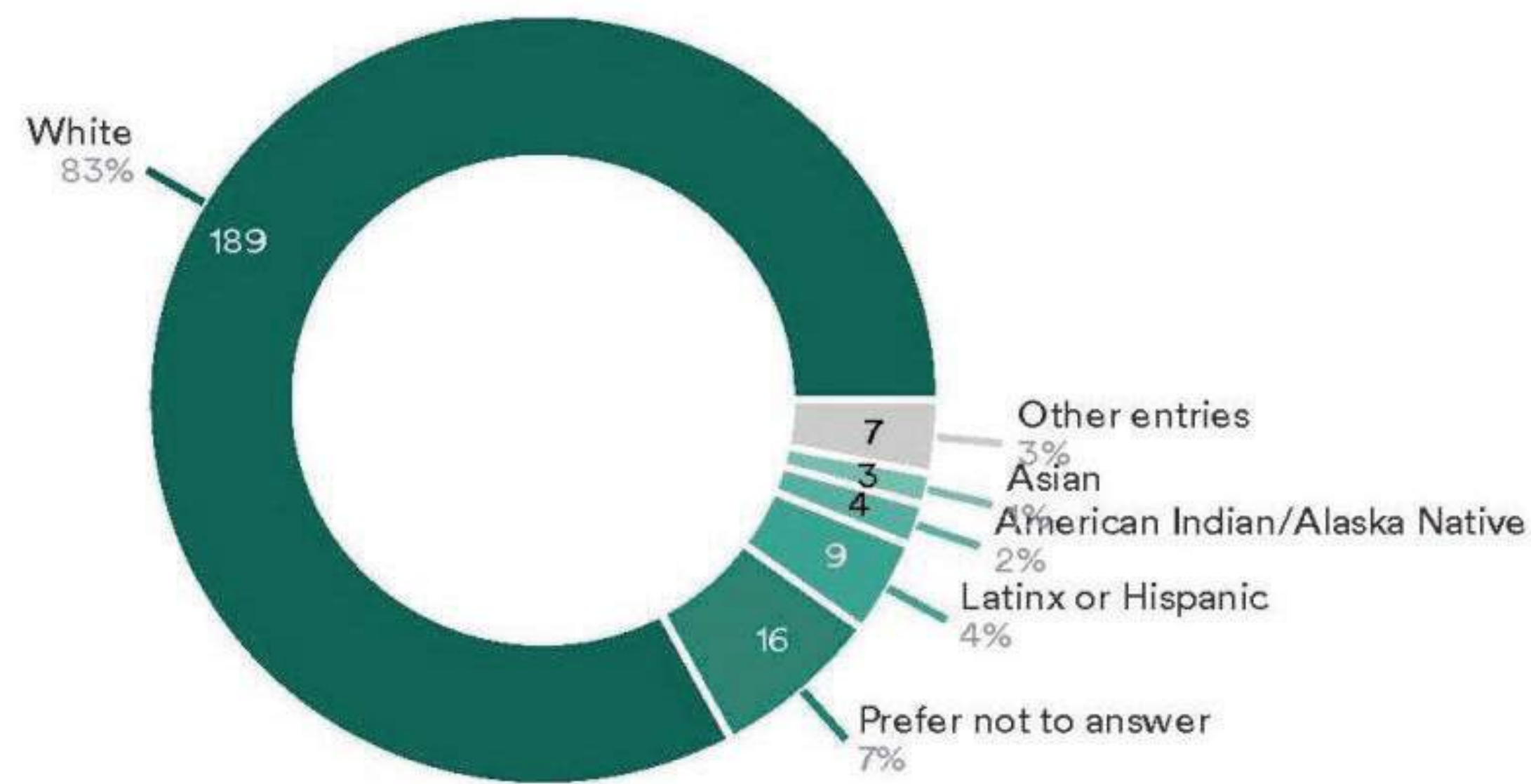
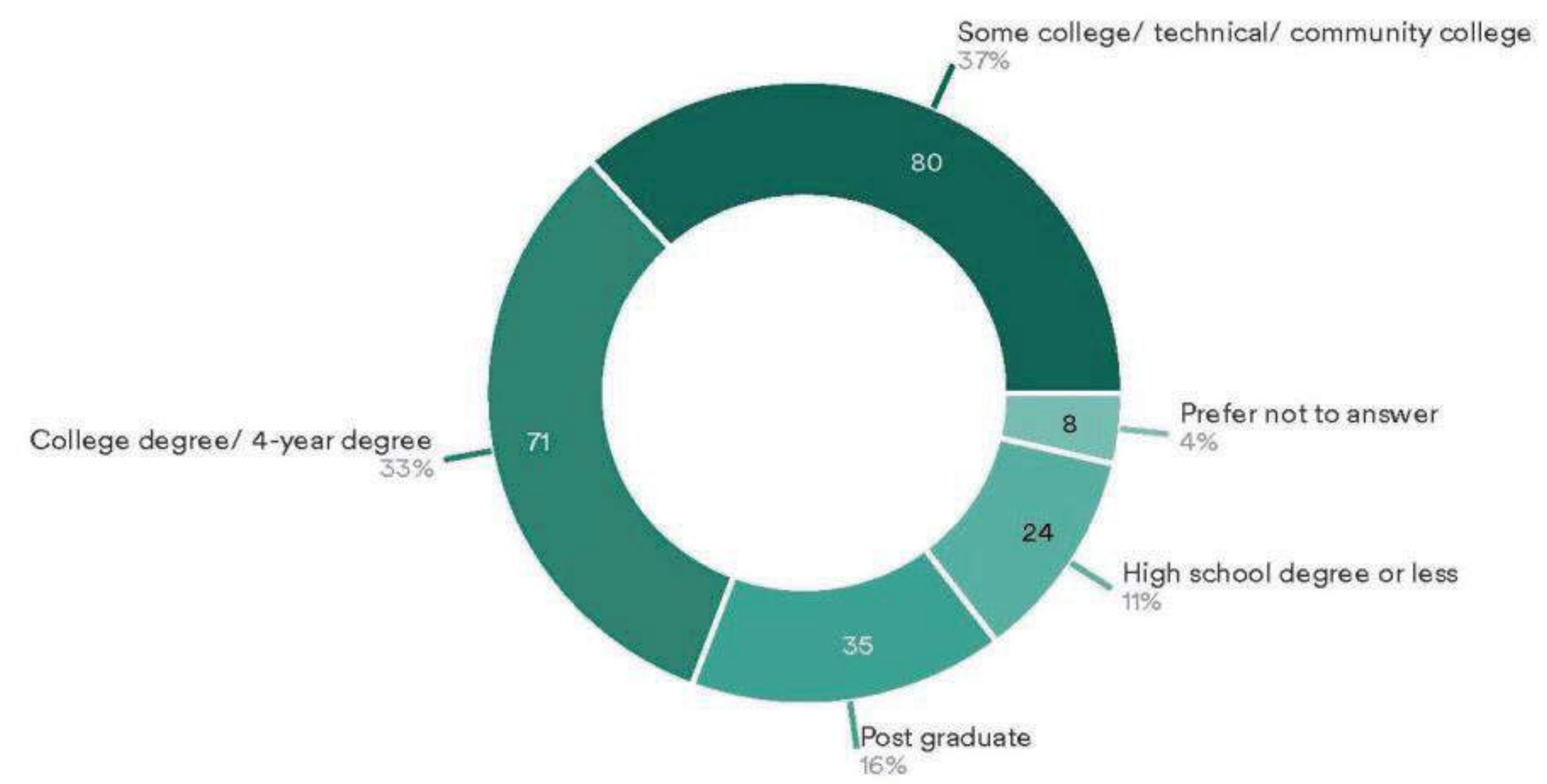
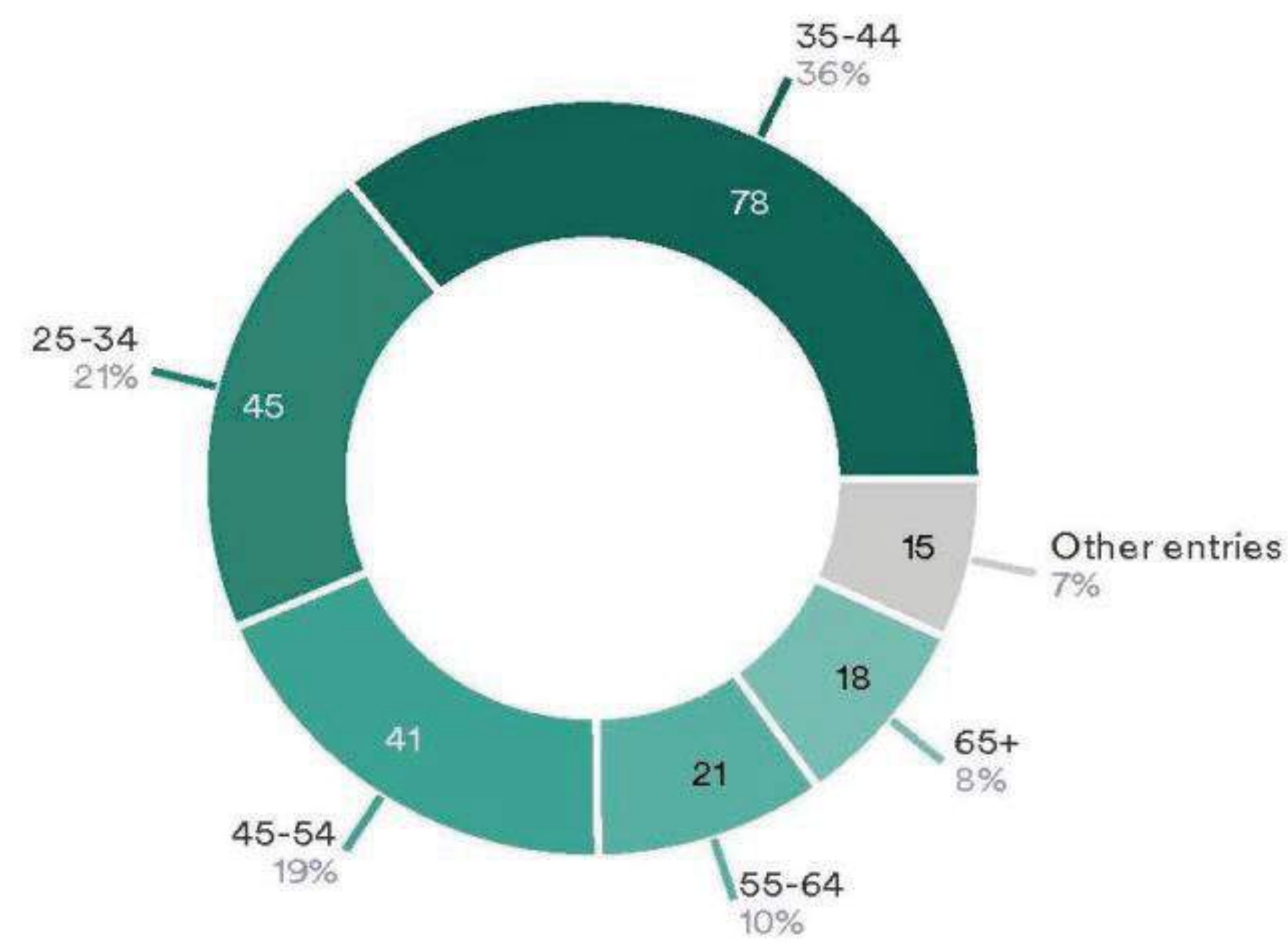
## How often would you visit the park?



## Mode(s) of transportation



# DEMOGRAPHICS



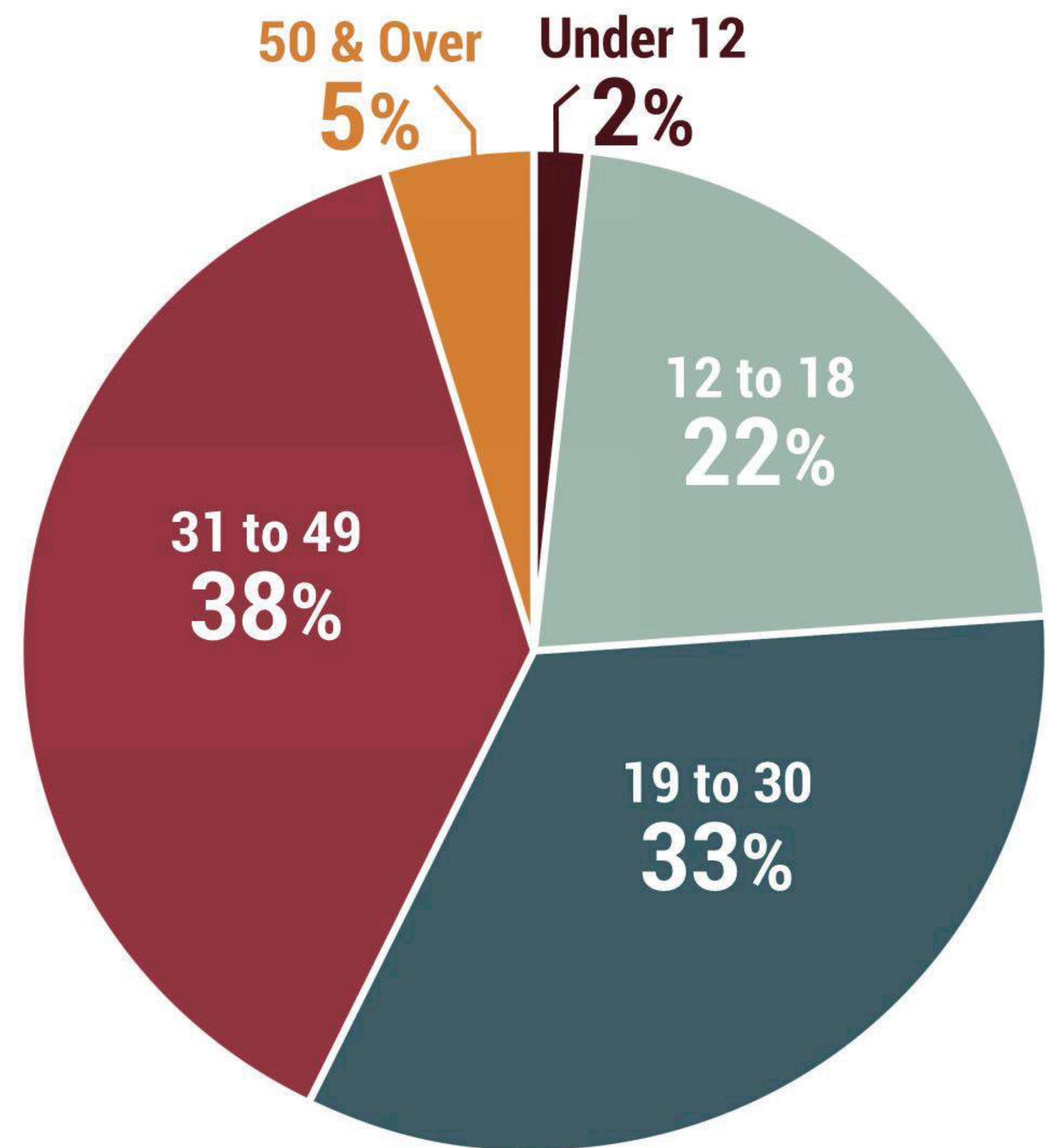


**SANDY SKATEPARK & PUMP TRACK**

**SANDY, OR**

**221** PARTICIPANTS

**PARTICIPANT AGES**



# TRANSPORTATION

# PARK USE

# PARK USE TIME



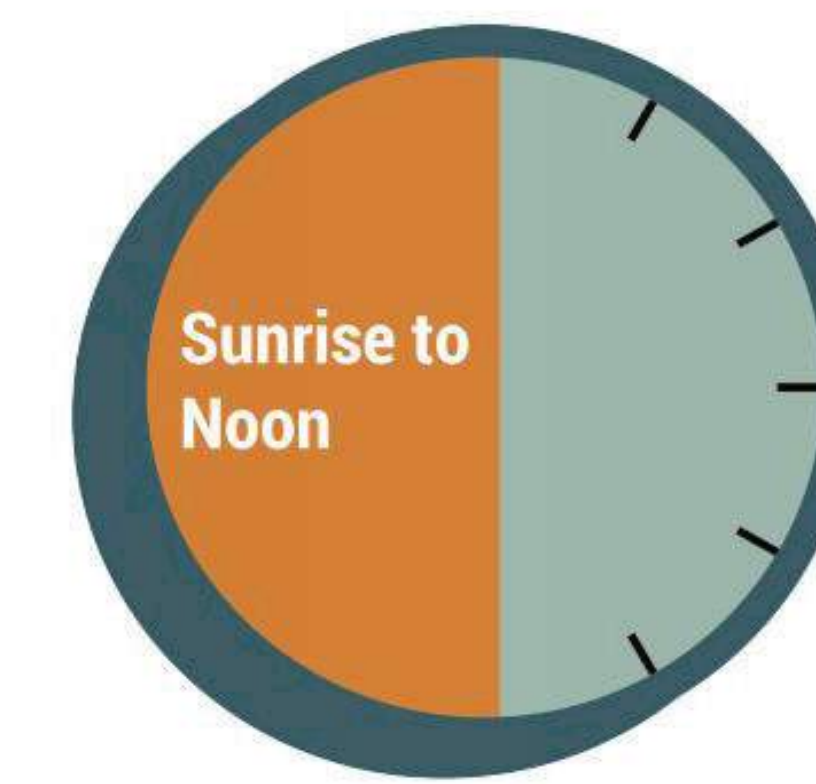
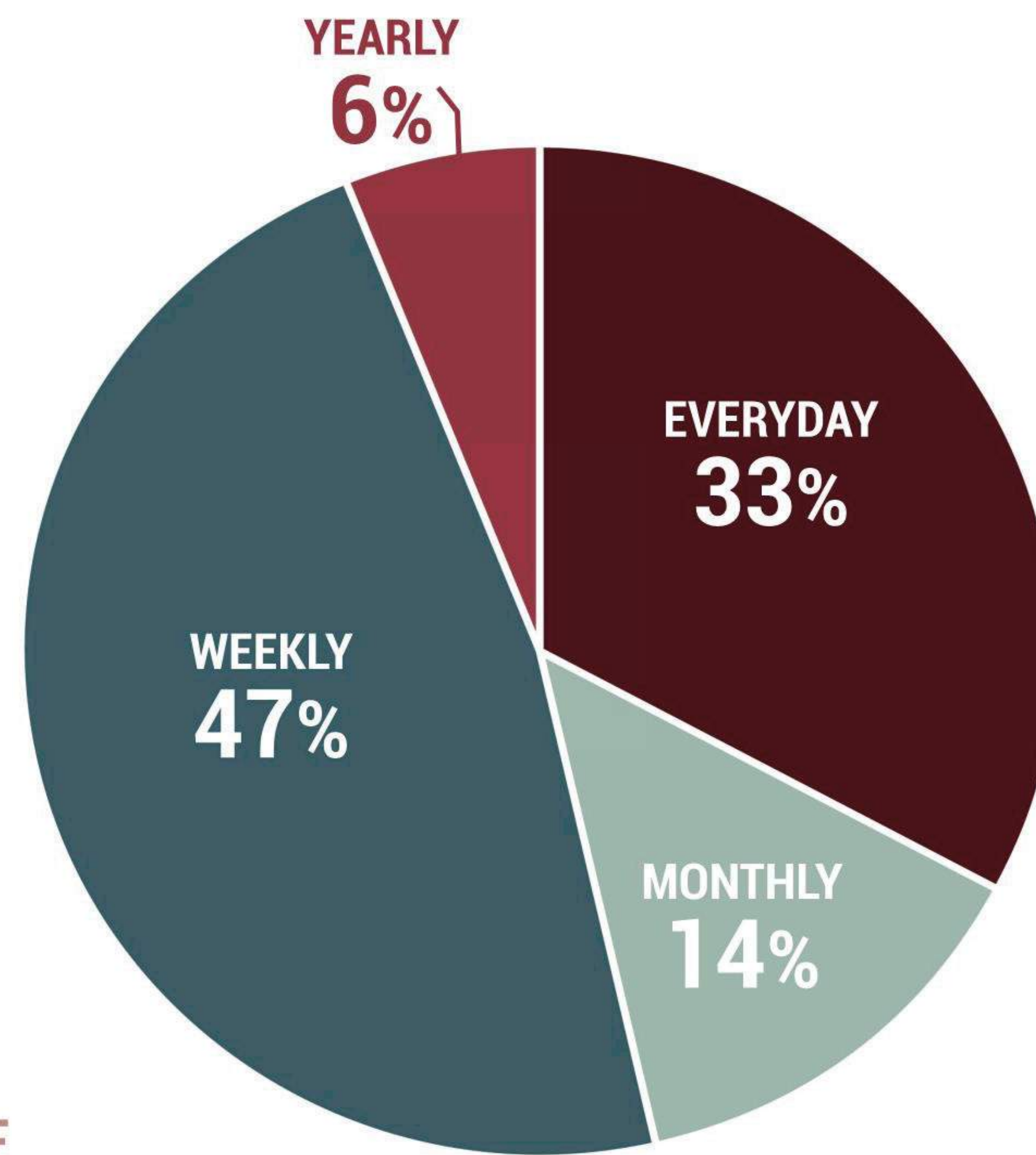
**61%**  
DRIVE

**9%**  
CARPOOL

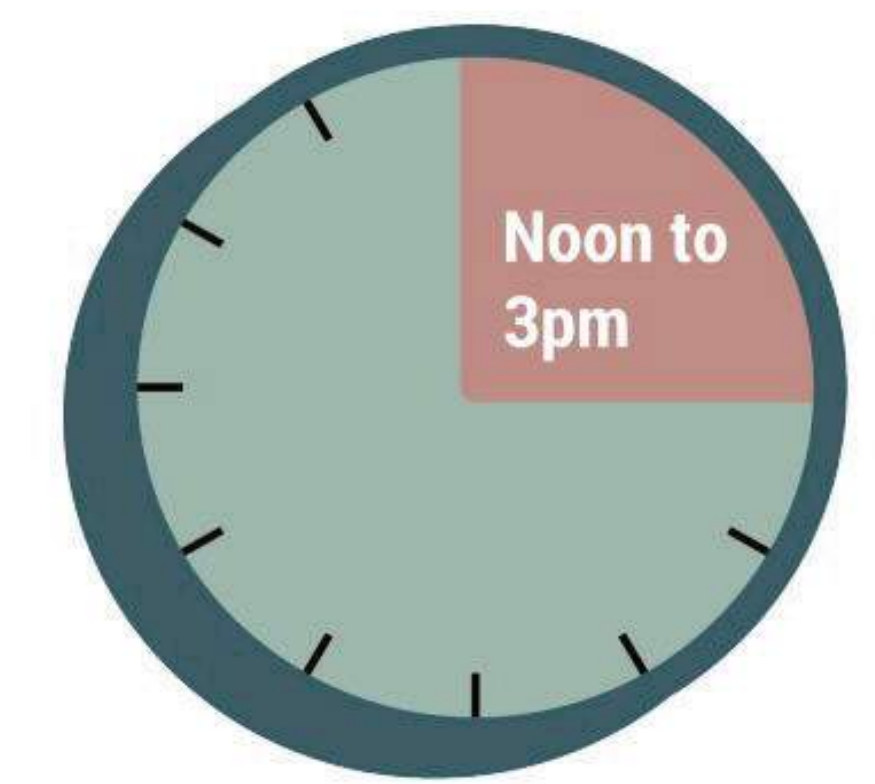
**5%**  
PARENT

**2%**  
PUBLIC

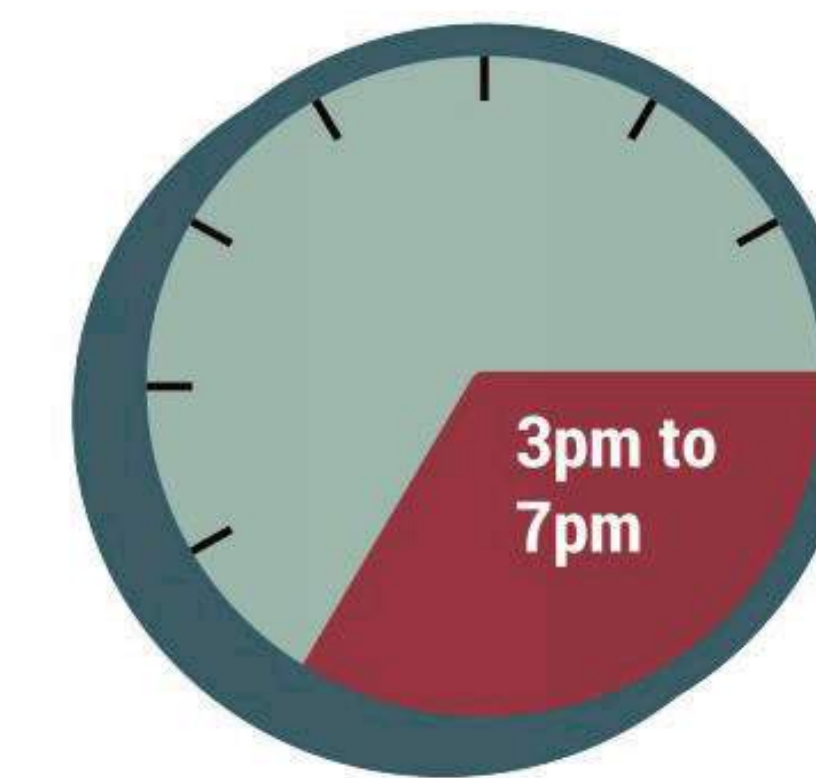
**23%**  
SKATE / RIDE



**13%**



**13%**



**55%**



**19%**



# WHEELS OF CHOICE



# DESIGN OPTIONS



20%



14%

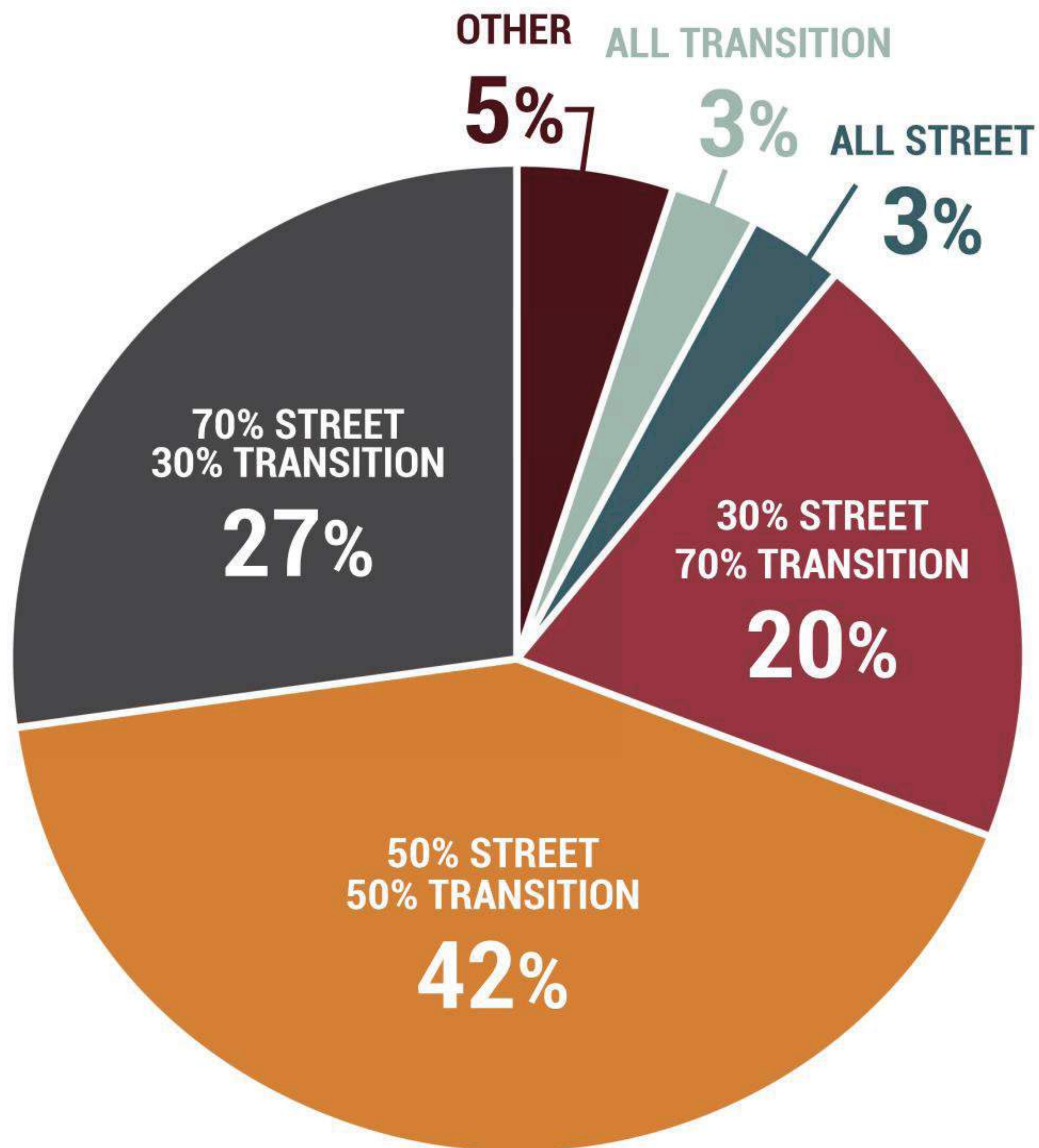


61%

OTHER

5%

# TERRAIN RATIO



# PUMP TRACK RIDE

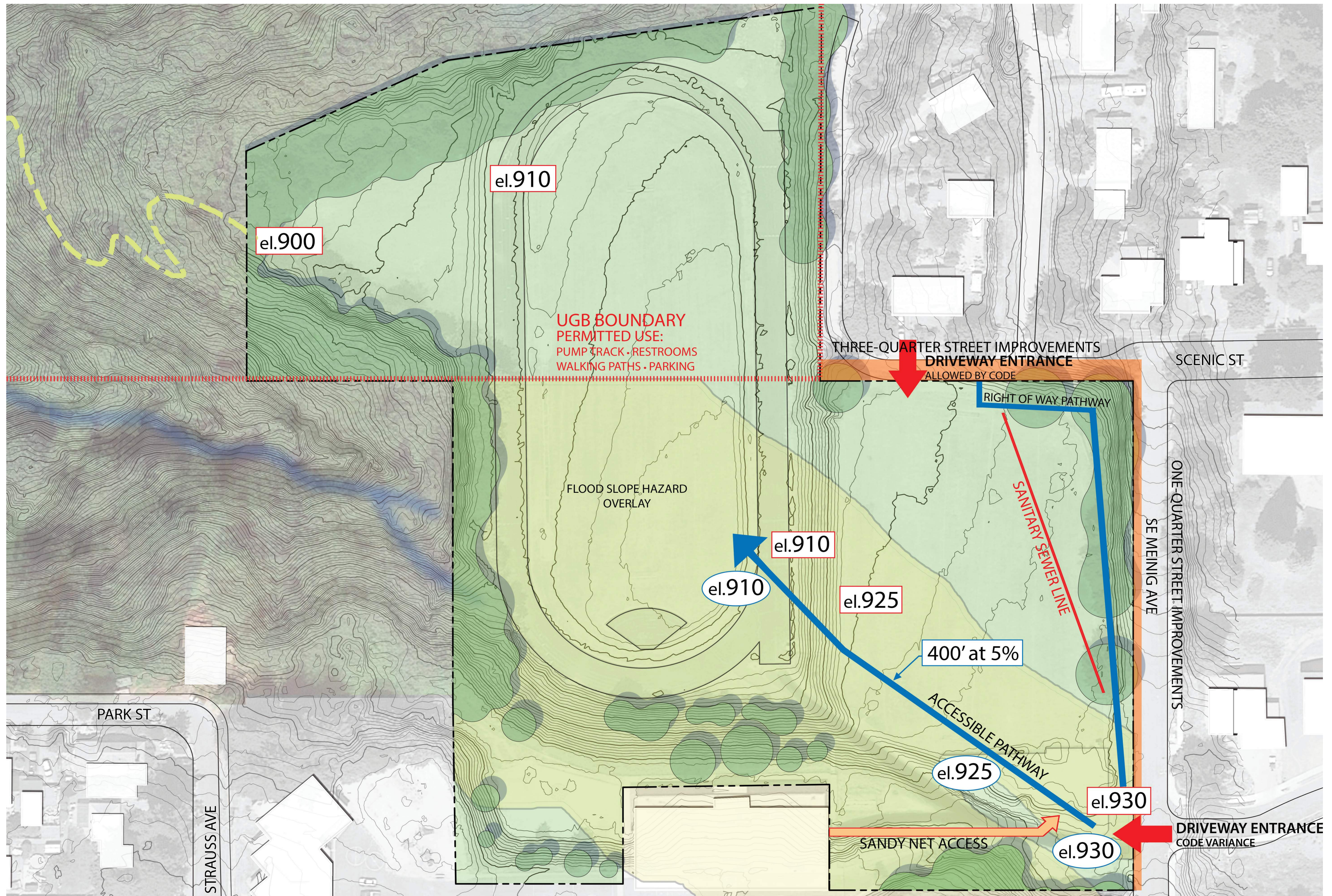
HOW WOULD YOU RIDE THE PUMP TRACK?





**These guiding principles will help provide a set of core values and framework for the design of Sandy's Community Campus Park Development Plan.**

- **Create a unique park that reflects Sandy's values, unique identity, and heritage.**
- **Provide connectivity to the Sandy River Park trails and adjoining neighborhoods.**
- **Ensure there is safe vehicular access and ample parking for all park users.**
- **Provide opportunities for people to interact with nature and environment.**
- **Promote community through spaces that encourage social gatherings and activities.**
- **Provide places for progressive active recreation for all skill levels, ages, and physical abilities.**
- **Create year-round recreational opportunities for visitors that can enhance the city's economic vitality and tourism.**
- **Develop a sustainable park by incorporating flexible site features that are able to adapt to changing trends over time.**



**INVENTORY & ANALYSIS**

**COMMUNITY CAMPUS PARK DEVELOPMENT PLAN** 2.21.2023

lango hansen LANDSCAPE ARCHITECTS

jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK



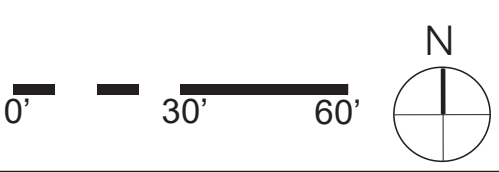
# THE MEANDER

## PLAN NARRATIVE

The park design for The Meander recalls the fluid forms of the Sandy River and surrounding hillsides. The curving paths with woodland plantings bring visitors from the main entry on Meinig Avenue to a central plaza and then descends down into an open grass area. Vehicular access to the parking lot is from both Meinig Avenue and Scenic Street with a vehicular drop-off adjacent to the central plaza. The plaza hosts a shelter, a restroom facility, picnic tables and benches, all with views to the forest beyond. From the plaza, there is a connection to a sinuous walk that connects to other park elements including a play area nestled in the wooded hillside, a skate park at the bottom of a sloped grass seating area and a pump track. Fronting the walkways is a large open grass area along with an additional shelter, benches and planting.

## PARK AMENITIES

- 1 PEDESTRIAN ENTRY
- 2 VEHICLE ENTRY
- 3 ENTRY PLAZA WITH SHELTER AND RESTROOM
- 4 SHELTER
- 5 BENCH, TYP
- 6 PICNIC TABLE, TYP
- 7 WOODLAND WALK
- 8 PLAY AREA WITH HILLSIDE SLIDE
- 9 SLOPED LAWN
- 10 SKATE PARK
- 11 PUMP TRACK
- 12 BIKE TRAIL
- 13 PEDESTRIAN PATH, TYP
- 14 OPEN LAWN
- 15 CITY OF SANDY PROPERTY ACCESS/ FUTURE PARK CONNECTION
- 16 SANDY RIVER PARK TRAIL CONNECTION
- 17 FUTURE PARK CONNECTION





PLAY AREA WITH HILLSIDE SLIDE



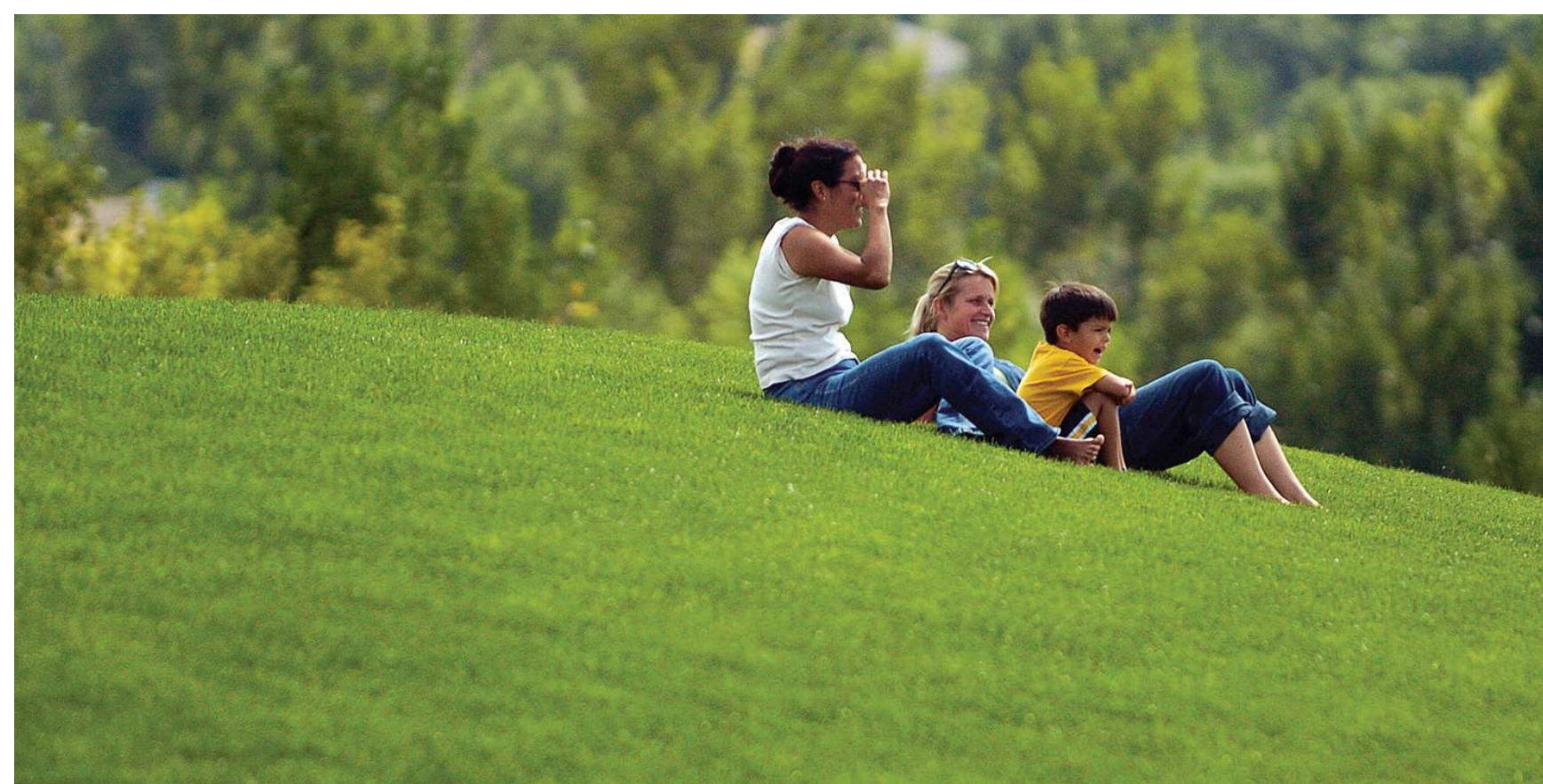
NATURE PLAY AREA



NATURAL STONE SEATING



RESTROOM



SLOPED LAWN



WOODLAND WALK



LARGE SHELTER

# THE MEANDER IMAGERY

## COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023



lango hansen LANDSCAPE ARCHITECTS

jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK



## THE MEANDER SKATE PARK + PUMP TRACK

COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023



lango hansen LANDSCAPE ARCHITECTS

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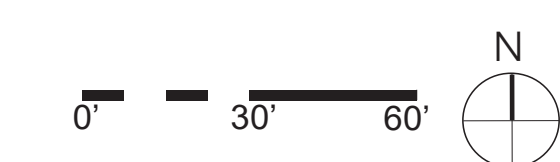
# THE PLATEAU

## PLAN NARRATIVE

The park design for The Plateau includes a central plaza located on a small bluff overlooking the park below. The plaza space includes a combination shelter/restroom, an overlook, seating, a small pioneer garden and a play area. The main vehicular and pedestrian entry to the park is from Meinig Avenue with pedestrian access from both Meinig Avenue and Scenic Street. The park pathways lead down to the lower open space with the skate park and pump track tucked into the base of the existing wooded hillside. A bike trail winds through the upper forest, connecting to the skate park and the pump track. Benches and picnic tables are located along the pedestrian paths and the walkway connects to Sandy River Park.

## PARK AMENITIES

- 1 PEDESTRIAN ENTRY
- 2 VEHICLE ENTRY
- 3 ENTRY PLAZA W/ PICNIC SHELTER, RESTROOM AND OVERLOOK
- 4 PIONEER GARDEN
- 5 BENCH, TYP
- 6 PICNIC TABLE, TYP
- 7 SLOPED SKATE PARK CONNECTION
- 8 PLAY AREA
- 9 SLOPED LAWN
- 10 SKATE PARK
- 11 PUMP TRACK
- 12 BIKE TRAIL
- 13 PEDESTRIAN PATH, TYP
- 14 OPEN LAWN
- 15 CITY OF SANDY PROPERTY ACCESS/ FUTURE PARK CONNECTION
- 16 SANDY RIVER PARK TRAIL CONNECTION
- 17 FUTURE PARK CONNECTION





OPEN LAWN



NATURE PLAY LOGS



NATURE PLAY STONES



SLEDDING HILL



PIONEER GARDEN



SHELTER WITH RESTROOM



OVERLOOK

## THE PLATEAU IMAGERY

### COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023

lango hansen LANDSCAPE ARCHITECTS

jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK





## THE PLATEAU SKATE PARK + PUMP TRACK

COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023



lango hansen LANDSCAPE ARCHITECTS

jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK



# THE MEADOW

## PLAN NARRATIVE

The park design for the Meadow includes a large central open space that is flanked by a play area, a shelter, a forest garden and the pump track. With this design, the primary vehicular access is from Scenic Street with pedestrian access from both Scenic Street and Meinig Avenue. The plaza spaces in the Meadow are disbursed through the site and include a smaller entry plaza at the parking lot, a skate board plaza near Meinig Avenue and a lower plaza at the play area. The pathway system provides easy access to all of the park's amenities including the upper skate park, the pump track that is nestled into the lower hillside, the play area and the future trail that will connect to Sandy River Park. From the upper plaza, stairs and a fully accessible walkway through a forest garden bring visitors down to the large central open space.

## PARK AMENITIES

- 1 PEDESTRIAN ENTRY
- 2 VEHICLE ENTRY
- 3 SMALL ENTRY PLAZA W/ RESTROOM
- 4 SHELTER
- 5 BENCH, TYP
- 6 PICNIC TABLE, TYP
- 7 MINI-PLAZA
- 8 PLAY AREA
- 9 FOREST GARDEN
- 10 SKATE PARK
- 11 PUMP TRACK
- 12 BIKE TRAIL
- 13 PEDESTRIAN PATH, TYP
- 14 OPEN LAWN
- 15 CITY OF SANDY PROPERTY ACCESS/ FUTURE PARK CONNECTION
- 16 SANDY RIVER PARK TRAIL CONNECTION
- 17 FUTURE PARK CONNECTION





FOREST WALK



NATURE PLAY WITH VERTICAL CLIMBER



OPEN LAWN WITH PEDESTRIAN PATH



RESTROOM



SHELTER WITH SMALL SEATING AREA



FOREST WALK STAIRS

## MEADOW IMAGERY

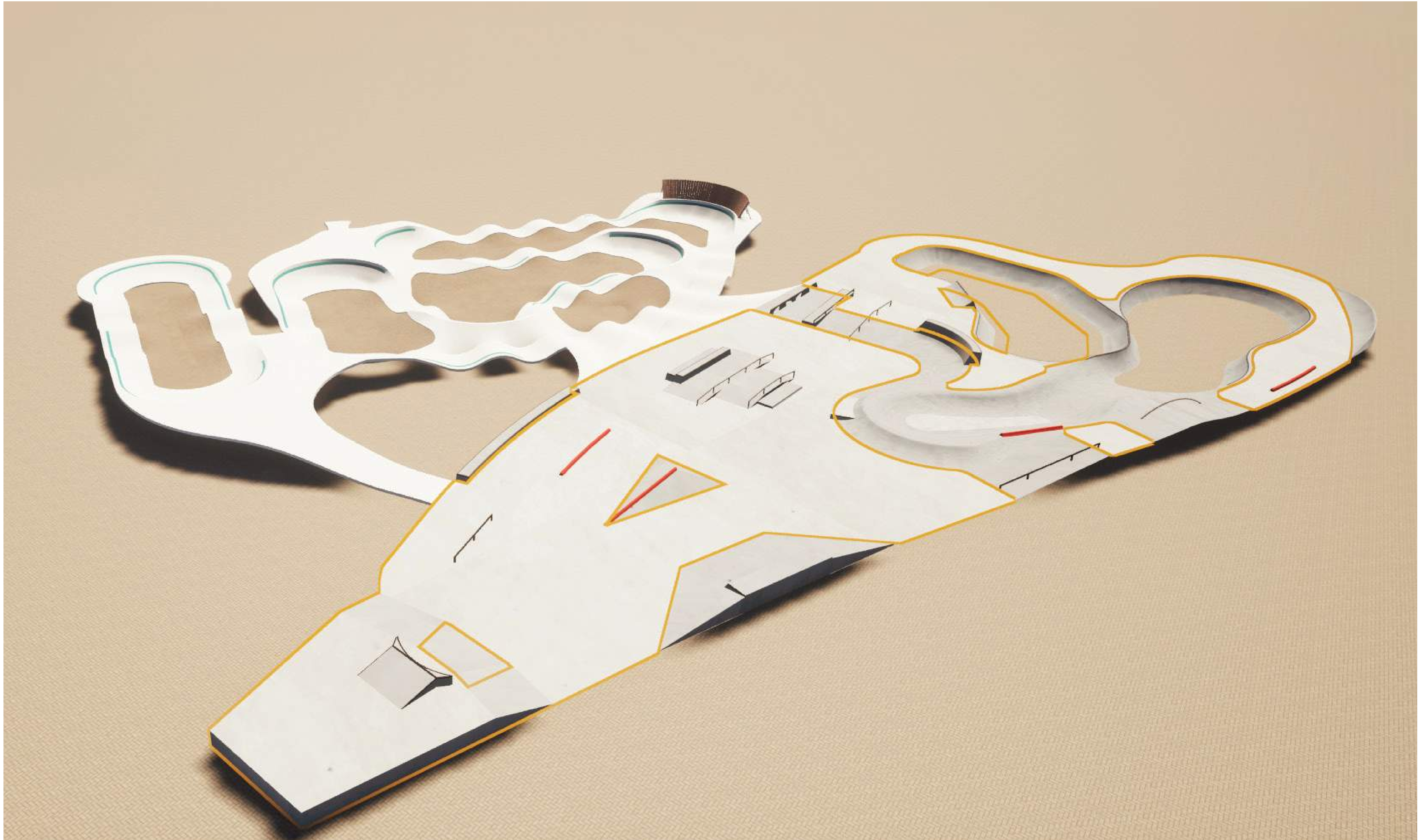
### COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023



lango hansen LANDSCAPE ARCHITECTS

jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK



## MEADOW SKATE PARK + PUMP TRACK

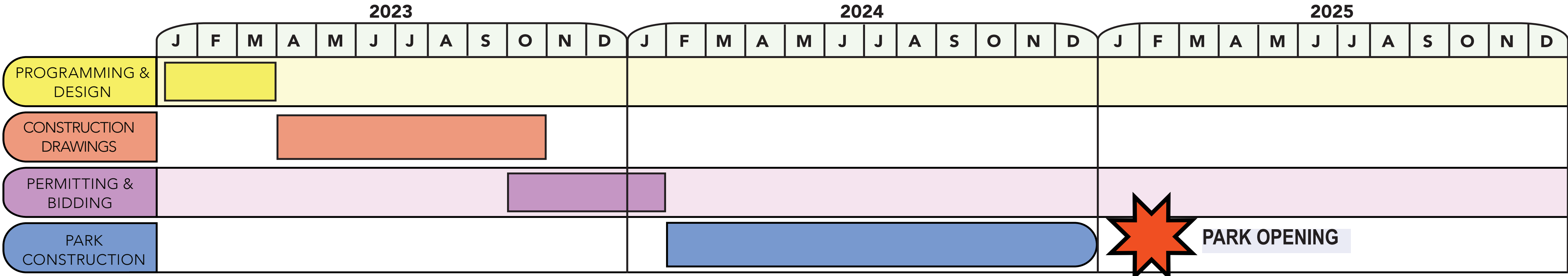
COMMUNITY CAMPUS PARK DEVELOPMENT PLAN 2.21.2023



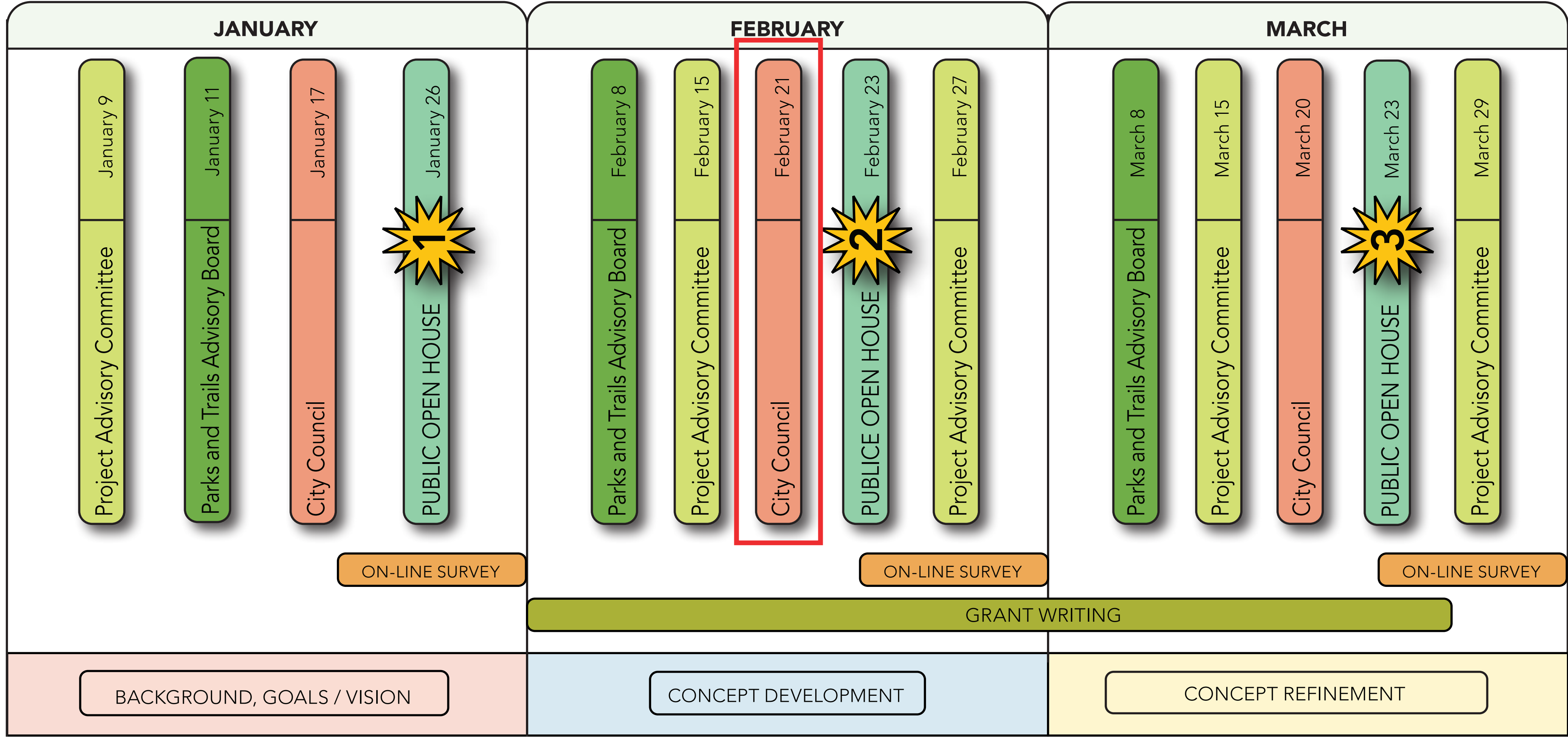
lango hansen LANDSCAPE ARCHITECTS jla PUBLIC INVOLVEMENT

american ramp company SKATE + PUMP TRACK

## OVERALL SCHEDULE



## PROGRAMMING AND DESIGN DETAIL SCHEDULE



February 9, 2023

Kathryn Correia; CEO, Legacy Health  
Jonathan Avery; COO, Legacy Health  
Kecia Kelly; CNO, Legacy Health  
Bahaa Wanly; President, Legacy Mount Hood  
James M. Schroeder; Director, Oregon Health Authority

Re: Closure of Mt. Hood Family Birth Center

Our City Council was troubled to learn of Legacy Health's recently announced decision to close the Family Birth Center at Legacy Mount Hood Medical Center. Closure of this center will cause direct and immediate harm to Sandy and the greater Mount Hood community. Without the Family Birth Center, our neighbors will have to travel to Randall Children's Hospital in central Portland to receive medical care. Asking a mother in labor to drive for 75 minutes or more to reach a hospital is simply unacceptable.

The outcry in our community at Legacy's decision is considerable. Our most recent City Council meeting was filled with citizens, many of whom were health care professionals themselves, urging us to exert any influence possible to stop the closure. Their concerns are understandable; residents of east Clackamas County already face serious challenges in accessing healthcare. Our local urgent care facilities offer only limited hours, and response times for ambulances in our area have become worryingly long. Compounding this situation by closing our local birth center would create nothing short of a public health crisis.

In addition, Legacy's plan to rely on emergency room staff to deliver babies in cases where further travel to Portland is impossible would place unsustainable strain on overburdened emergency providers, most of whom are not specialists in obstetrics or gynecology. Contingency plans to transport patients by Life Flight or other means to alternative facilities, all of which face similar capacity challenges, would create impossible financial burdens on families and would impact the quality of patient care across the region.

On behalf of the Sandy City Council, I strongly urge you to reverse the decision to close the Family Birth Center at Legacy Mount Hood Medical Center. We must work to find a better solution. The health and wellbeing of our neighbors must remain paramount.

Sincerely,



Stan Pulliam  
Mayor, City of Sandy  
(971) 280-0956  
spulliam@ci.sandy.or.us



**MINUTES**  
**City Council Meeting**  
**Monday, February 6, 2023 7:00 PM**

**COUNCIL PRESENT:** Chris Mayton, Councilor; Laurie Smallwood, Council President; Richard Sheldon, Councilor; Kathleen Walker, Councilor; Carl Exner, Councilor; Don Hokanson, Councilor; and Stan Pulliam, Mayor

**COUNCIL ABSENT:**

**STAFF PRESENT:** Jordan Wheeler, City Manager; Jeff Aprati, City Recorder; Tyler Deems, Deputy City Manager; Rochelle Anderholm-Parsch, Parks and Recreation Director; Jenny Coker, Public Works Director; Andi Howell, Transit Director; and Kelly O'Neill Jr., Development Services Director

**MEDIA PRESENT:** Sandy Post

**1. Pledge of Allegiance**

**2. Roll Call**

**3. Changes to the Agenda**

At the beginning of the meeting, **Mayor Pulliam** agreed to a request to place New Business before Old Business on the agenda.

**4. Public Comment**

4.1.

Tatyana Hancik: is concerned about the planned closure of the Mt. Hood Birth Center; has four children and another on the way; Legacy Emanuel is very far away; people travel from far away to reach the Mt. Hood Birth Center and would have to travel even further to reach Emanuel.

Alicia Manwiller: Legacy says there is a staffing issue, but in fact people do not want to work under an unsafe model of care; the office manager did not sufficiently seek out temporary care providers.

Teddy Glemser: is concerned about the planned closure of the Mt. Hood Birth Center; is a charge nurse in the emergency department; wants to have a child

9 - 14

at that facility; statistics cited by Legacy about the low demand at the facility do not account for outpatient visits; Randall Children's Hospital has the lowest number of outpatient visits; the burden of a closure will fall on emergency staff who lack sufficient training.

Jennifer Suarez: is a charge nurse in the emergency department; staff faced huge challenges during COVID including seeing patients in closets and hallways; stress led to staff turnover and training problems; closing the Mt. Hood Birth Center will place the burden on the emergency department.

Christina Weathers: has provided care for many decades; the planned closure will eliminate many jobs; women will suffer, including long trips to receive care; OB-GYN professionals provide a variety of very important care; long trips to receive care could result in tragic consequences; asked the City to support their cause and call on Legacy not to close the facility.

Ricky and Jezrai Hower: concerned about the planned closure of the Mt. Hood Birth Center; Legacy needs to find another solution; the plan would place a significant burden on the emergency department, especially as there are many recreational injuries on Mt. Hood; their child would not be alive without the Mt. Hood Birth Center.

Brooke Jennings: is currently beginning her own birth journey; many people she has spoken to have high regard for the Mt. Hood Birth Center; her auto immune issue will mean she will need specialized medical attention during birth; everyone goes to the Mt. Hood Birth Center and many are concerned about closure; this is one more blow to women.

Bill Leslie: is concerned about property taking regarding stormwater; the City is directing a large volume and rate of stormwater across 5 properties, including his own; the properties are not natural wetlands; his property is unusable for months at a time; septic installation is not possible; walked the property with City staff; the County said it was not their problem; the City's actions are not consistent with official policies; this situation creates liability for the City. (Mr. Leslie provided written documents which are attached to these minutes)

[Bill Leslie Written Documents](#)

5. **Response to Previous Public Comments**  
(none)
6. **Consent Agenda**
  - 6.1. **City Council Minutes**

January 17, 2023

6.2. **Transit Advisory Board Appointments**

Staff Report - 0660

6.3. **Intergovernmental Agreement Between City of Sandy and Clackamas County**

Staff Report - 0658

6.4. **2023 Manhole Grouting Project Contract Award**

Staff Report - 0657

**Moved by Richard Sheldon, seconded by Kathleen Walker**

***Adopt the consent agenda***

**CARRIED. 7-0**

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

**7. New Business**

7.1. **Discussion Regarding Closure of Legacy Mt. Hood Birth Center**

The **Mayor** provided introductory remarks and thanked the members of the public for providing their comments on this important issue. He stated this topic is being taken seriously by leaders throughout the region. He summarized Legacy's reasoning for the planned closure; he also indicated that a rally was being planned by organizers in the near future.

Council discussion ensued on the following topics:

- The serious lack of adequate ambulance services exacerbates the risks and effects of this closure
- This closure presents a risk to public health
- The City should exert its influence to address the situation, including the **Mayor** and government relations personnel
- Closing the Mt. Hood Birth Center would stress overburdened emergency room facilities
- Life Flight is not a realistic option to mitigate the situation
- The Oregon Health Authority should not approve the closure
- Sandy needs more medical facilities in the area, not fewer; this would be moving backward



- The City of Gresham is developing a letter to state its opposition
- Action on this issue is needed without delay, especially with the risk of losing staff

The consensus of the Council was that the City should send a letter as soon as possible to Legacy executives and the Oregon Health Authority stating its opposition to the planned closure of the Mt. Hood Birth Center.

7.2. **Drinking Water and Wastewater Program Management Contract Award**

Staff Report - 0656

The **Public Works Director** summarized the staff report, which was included in the agenda packet. She also provided clarification on what program management entails, and that the \$7 million in Business Oregon financing does not cover construction costs.

Dick Talley with Stantec introduced himself to the Council. His initial remarks covered the following topics:

- The unavailability of grant funding for public infrastructure compared to the past
- The importance of trust between the Council and the program manager
- Large increases in construction costs in recent years

Mr. Talley also presented slides, which were also included in the agenda packet. Council discussion ensued on the following issues:

- Challenges related to mixing water from Bull Run and Alder Creek within reservoirs once Portland's new treatment plant is in service
- Water treatment methods affect water taste
- Note that the project could be paused if Business Oregon funding is not received
- Differences between Stantec's proposed services and what Leeway Engineering has provided thus far as an Owner's Representative; note that Leeway would transition to a subconsultant role under the proposed arrangement
- Discussion regarding the past role of Murraysmith
- The importance of having a dedicated program manager for these massive projects, given existing staff's lack of capacity
- Note that contracted program management also helps the City manage risk

**Moved by Laurie Smallwood, seconded by Carl Exner**

***Authorize the City Manager to enter into an agreement with Stantec for Program Management professional services in the amount of \$2,320,007.45***

**CARRIED. 7-0**

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

**7.3. Economic Development Advisory Board Appointments & Bylaws Amendment**

Staff Report - 0631

The **City Recorder** summarized the staff report, which was included in the agenda packet.

**Moved by Richard Sheldon, seconded by Chris Mayton**

***Reappoint board members Khrys Jones, Hans Wipper, Bill Schwartz and Jeremy Pietzold to the Economic Development Advisory Board for new four year terms, and amend the bylaws for this board as recommended in the staff report***

**CARRIED. 7-0**

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

**8. Old Business**

**8.1. Industrial Design Standards Modifications**

Second Reading: Ordinance 2023-01

Note: the public hearing for this ordinance was closed at the previous meeting.

Staff Report - 0633

The **Development Services Director** stated that these modifications are intended to assist in the creation of living wage employment opportunities in the community.

**Moved by Carl Exner, seconded by Laurie Smallwood**

***Approve the second reading of Ordinance 2023-01***

**CARRIED. 6-1**

Ayes: Chris Mayton, Laurie Smallwood, Richard Sheldon, Carl Exner, Don Hokanson, and Stan Pulliam

Nays: Kathleen Walker

**9. Staff updates**

**9.1. Department Updates for Council Goal Setting**

The **City Manger** provided introductory remarks, noting that these department updates are intended to provide the Council with background information as new Council Goals are developed.

**Parks and Recreation**

The **Parks and Recreation Director** presented slides, which were included in the agenda packet. Council discussion ensued on the following topics:

- Clarification that Parks provides facility maintenance services across the City organization
- Note that staff are tracking volunteer hours and are now developing a formal volunteer program
- The possibility of tracking the number of unique users of senior services
- Possibilities for establishing non-resident program rates in the interest of cost recovery
- Possibilities for Travel Oregon grant funding
- Need for better public access to school district facilities
- Concerns regarding deferred maintenance of City facilities

**Transit**

The **Transit Director** presented slides, which were included in the agenda packet. Council discussion ensued on the following topics:

- Clarification on the purpose of transit vans
- Discussion on the causes of reduced ridership; possibilities for a future convenience and safety marketing campaign
- Details on the parameters of grant funding for the upcoming Clackamas Town Center route
- Possibilities for future park and ride funding

(Note: Councilor Exner left the meeting at this point)

**Public Works**

The **Public Works Director** presented slides, which were included in the agenda packet. Council discussion ensued on the following topics:

- Details on the role of Veolia for water and wastewater services
- Need for progress on speed limit modifications
- Need to make progress on improvements to the Hwy 211 and Dubarko intersection
- Importance of recouping the City's investment into the 362nd / Bell road extension
- Clarification on the City's role in managing streetlights after the LED conversion
- Concern regarding the County's role in managing stormwater
- Discussion regarding smaller water providers who might also participate in project cost sharing
- Need for Federal monetary assistance for lead and copper regulation compliance
- Discussion on the importance of attracting and retaining employees
  - Staffing needs identified in the Public Works Department
  - Council recognition of the importance of adequate compensation to attract needed talent
  - Concerns regarding existing staff capacity and the need to defer some items that are lesser priorities
  - Discussion of whether staffing increases could be considered as part of the upcoming budget process
- Discussion of whether utility rates have accounted for future staffing needs

9.2. [Monthly Reports](#)

**10. Report from the City Manager**

- Staff has been working with Mr. Leslie on the stormwater concerns he raised
- A quote has been received on a new speed trailer
- Council goal setting will be held on February 18th
- Government relations staff submitted the City's capital funding request for the water system project

**11. Committee /Council Reports**

**Councilor Hokanson**

- Thanks to the Council for their support on the Mt. Hood Birth Center issue

**Councilor Walker**

- The Library Advisory Board received a report on the work accomplished in 2022

- The County will consider whether to provide rent assistance for the Hoodland library location
- Praise for the recent open house event for the Community Campus Park

**Councilor Sheldon**

- Thanks to staff for their department update presentations

**Council President Smallwood**

- Thanks to staff for their department update presentations

**Councilor Mayton**

- The Planning Commission will hear a proposal regarding a new maintenance facility at Johnson RV
- Thoughts on the recent City Day at the Capitol event
- Thanks to staff for their department update presentations

**Mayor Pulliam**

- Thanks to staff for their City Day at the Capitol efforts
- The Quality Inn homelessness initiative appears to be moving forward
- Mountain Festival plans are beginning to ramp up
- Lake Oswego is experiencing some community complaints regarding pickleball facilities

**12. Adjourn**

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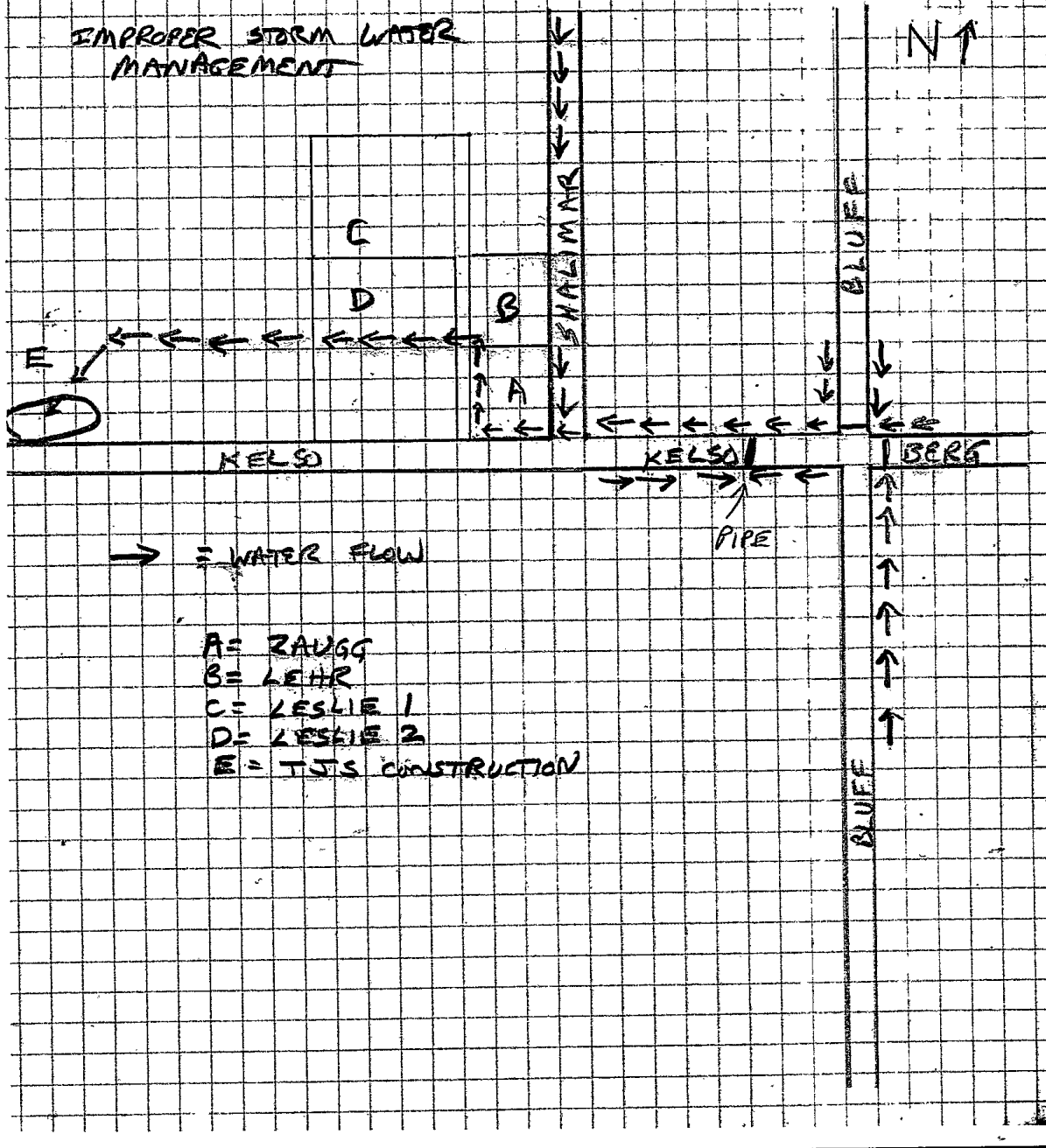
Mayor, Stan Pulliam

---

City Recorder, Jeff Aprati

BILL LESLIE  
37625 SE KELSO RD  
SANDY, OR 97055

IMPROPER STORM WATER  
MANAGEMENT



William Leslie  
37625 SE Kelso Rd.  
Sandy, OR 97055  
(503) 515-8854  
[bilboleslie@gmail.com](mailto:bilboleslie@gmail.com)

February 6, 2023

City of Sandy  
Attn: City Council  
39250 Pioneer Blvd  
Sandy, OR 97055

Dear Sirs:

Re: Storm Water Runoff Problems from City of Sandy and Clackamas County Roads

The City of Sandy and Clackamas County are directing stormwater runoff from approximately half a mile of City and County roads across 5 private properties, including two owned by me. Three streets are involved – Kelso Rd., Shalimar Drive, and Berg Lane. More than 500 c.f. of water per minute is being so directed – and the flow may exceed 1,000 c.f. per minute.

This flow is not proper stormwater management, and does not meet acceptable standards under either common law or the Portland Stormwater manual, which has been adopted by the City of Sandy. The huge amounts of water make the affected properties unusable for other use by the property owners. To put this in perspective, I have lost the use of a swatch of my land approximately 40 feet wide X 200 feet long, some 8,000 square feet.

All five of the property owners want their property back.

I have spoken with City and County staff multiple times over the past 10 years regarding these issues. I spoke with Mike Walker before his retirement, and my property was visited by Jordan Wheeler in September, by Jonathan Hangartner in December, and by A.J. Thorne of Clackamas County in December. Clackamas County advised that they won't be involved in any resolution – they defer to the City to address this issue.

For reasons outlined below, the excessive stormwater runoff constitutes a nuisance and trespass which the City and County are required to abate. The City and County's failure to follow recognized standards for stormwater disposal constitutes ongoing negligence in the construction and continuing operation of these roads. The City and County are under a duty to construct facilities to provide for disposal of the excessive stormwater, or respond in damages to the property owners injured by the runoff.

I have conferred with the owners of all five affected properties, and that this matter requires your attention.

- Jay Lehr, of 14401 SE Shalimar Avenue
- Rollin Zaugg, of 14485 SE Shalimar Avenue
- William Leslie 37625 SE Kelso Rd.
- William Leslie, 37611 SE Kelso Rd.
- TJS Construction, which owns undeveloped property, Ttx Lot C201833, State ID 24E02 05300, to the West on Kelso, which property may not have been assigned an address.

#### **The Source of the Problem**

Storm water runoff from public roads is being directed across the five privately owned properties noted above. The roads generating such runoff may aggregate to as much as half a mile of paved and gravel roads, including roads for which both the City and County are responsible. Runoff from approximately 1,700 linear feet of Clackamas County roads, including Kelso Rd. and Bluff Rd. Stormwater runoff from City of Sandy Roads, including approximately 750 linear feet of Shalimar Avenue, and from an unknown portion of Berg Lane, is also involved.

The “linear feet” of road understates the problem and the stormwater generated by impervious surfaces. In addition to street runoff, the City and or County has also permitted development of least 19 distinct residential properties adjacent to those roads that are also generating stormwater runoff. Each roof top, paved driveway and sidewalk generates runoff which increases the stormwater runoff across all five properties.

This is illustrated in the sketch attached Exhibit A. The arrows mark the direction of water flow, which no longer follows any natural course of seeping into the ground or gradually percolating west, but collects in catch basins at the base of Shalimar Road that are not sufficient to prevent excessive and unreasonable amounts of water from invading the properties to the west. Kelso has no proper facilities for gathering and diverting stormwater, rather, culverts under Kelso move the water from its natural course off the south side of the road and to the north, and thence west over the affected properties.

It is well established in Oregon law that a landowner, including a city or county, cannot redirect water in a way that changes the quantity of water flowing over a neighbor’s property, or where that water flows. *E.g., Gibson v. Morris*, 270 Or. App. 608, 610 n.1, 348 P.3d 1180, 1181 (2015); *see also* Oregon Dept. of Transportation Hydraulics Manual, Section 2.3 (revised April 2014).

None of the water involved is in natural amounts or flowing naturally. Prior to the paving of Shalimar, Kelso, Bluff, etc., there was no surface flow. All of the ditches and pipes that are delivering water to and across the five properties are man-made. There are no natural watercourses involved in this matter, nor are any of the affected properties wetlands.



In October, 2012. Mr. Walker of the acknowledged that the Shalimar drainage improvements greatly increased both the amount of stormwater runoff, and the speed of delivery of the water. In fact, Mr. Walker was proud when he told me that the addition of two catch basins had eliminated the flooding that had existed on Shalimar. He even sent photos showing the "before and after." His photos prove that water flow had been accelerated, and I believe, that it had been augmented, by the reduced water absorption into the ground along Shalimar.

The negligence of the City and the County here is established by the failure to follow well-established design standards. Indeed, negligence per se is established by violation of the City of Sandy's ordinances. Chapter 13 of the City of Sandy ordinances, Sec. 13.20.010 - Intent and scope states: "...the city... shall have sufficient stormwater management system..." Current City guidelines are that stormwater systems will provide adequate stormwater management from 2 year, 5 year, 10 year, and 25-year frequency storms. Current standards are not being met.

The City has violated its own code. This water is not part of any stormwater management system. Instead, the City and County have looked away from the problem, forcing private property owners to receive and manage a public burden. The City's action is also in contravention of the City of Portland Water Manual, which Sandy has adopted. (City of Sandy Development Code 13.18.90.) The Portland water manual requires that stormwater runoff from public roads should be properly managed. Properly managed does not mean directing the stormwater onto private property owners.

Indeed, standard road design manuals themselves confirm that the courts look with disfavor upon infliction of damage that could be avoided by a prudent designer. (*See Oregon Dept. of Transportation Hydraulics Manual section 2.1, as revised April, 2014.*)

The City and County have made no effort to properly accommodate this stormwater, or even to consider its handling. Although the City paid McLeod-Curran to do engineering, that firm did not address stormwater runoff in any way in their planning and engineering, nor did the City do so at any point. The drawings and design approval are silent on this issue, and City staff was unable to locate any minutes or memos that address the issue of stormwater. In short, the City failed to take any note whatsoever of stormwater runoff issues. This falls far short of "prudent" design

#### **Specific Harms to Property Owners**

There have been a wide range of continuing injuries arising from the ongoing water flow. These include the costs of attempting to address the situation. Mr. Zaugg installed, at his own expense, grates and ditches and 97 feet of 10 inch pipe to manage the water on his property. I added an 8 inch pipe under our driveway, in addition to the already present 6 inch pipe. This served to increase the capacity of the pipes by 150%, but the storm water runoff strains the combined capacity of the two pipes, which results in periodic overflows across the driveway.

There is substantial loss of use and personal property. Due to the periodic flow, portions of my property cannot be landscaped or used for growing trees or for farming of any kind, and cannot be used for development until this matter is resolved. I cannot drive across my property

multiple months out of the year. I can no longer farm there, although my property supported ornamental pine trees on that section for many years. The property is too wet for much of the year to even be used for recreation. We recently lost more than a dozen mature trees on our property because they were in standing water. We have done nothing to change slopes or to alter the flow of the water, or to change the drainage in any way.

Most significantly, the City and County's conduct materially and adversely affects the value of development of the land by limiting development options. This property is currently zoned R1. This taking could deprive me of five to eight or more building sites when the property is eventually developed. Even if the property isn't developed soon, as a result of the inverse condemnation, the older farmhouse extant on the property could not be removed, and a replacement dwelling could not be built on as much as 1/3 of the land due to this taking. Mr. Zaugg wanted to install a septic on his property, but was unable to do so because of the excessive water on his property. He was forced to purchase an additional lot across Shalimar, and install a sand filter, at substantial personal expense.

#### **Taking Liability for the City and County**

It is well established in Oregon law that the City and County's actions so far are not only causing trespass and nuisance, but also constitute a "taking" of the properties involved. *Vokoun v. City of Lake Oswego*, 335 Or. 19, 28, 56 P.3d 396, 401 (2002). Indeed, the Oregon Constitution explicitly provides that using private lands for drainage is a taking of private land for public use. (Oregon Dept. of Transportation Hydraulics Manual section 2.1 (revised April, 2014).

No particular finding of negligence is required to support takings liability, so long as the water flow was the "ordinary and natural consequence" of the actions of the City and County with regard to these roads. Case law confirms that it is not necessary that the owner of property be actually dispossessed or that the property be completely destroyed in order to constitute a taking within the meaning of the constitutional provisions. Materially decreasing its value is sufficient, and that is easily demonstrated here. *Morrison v. Clackamas Cty.*, 141 Or. 564, 569, 18 P.2d 814, 816 (1933).

#### **Next Steps**

We urge you to take this matter seriously and schedule a meeting of all concerned as soon as possible to devise an agreeable plan for resolving these claims. The property owners require that City and County devise a plan for proper stormwater management, so that runoff no longer injures the owners in question. Jewelberry was properly constructed with a storm drainage system running to the south. A pipe running from the Shalimar catch basin(s) along Kelso to connect with that system may well eliminate the problem, and bring the roads into compliance with City and County standards. Alternately, if the Hewitt property to the south is allowed to develop soon, the stormwater could be directed through that development.

Comments from the City suggest that they see a "slowing" of the delivery of water to the affected properties as a solution. Such a change will not help in any way, and will have no value



to the property owners. We still won't be able to use our affected properties. Nor would a partial reduction in the amount of water directed across our properties help – the properties still won't be usable by the property owners.

Sincerely,

William Leslie



## Staff Report

---

**Meeting Date:** February 21, 2023  
**From** Jeff Aprati, City Recorder  
**SUBJECT:** Planning Commission Appointments

---

**DECISION TO BE MADE:**

Whether to accept the interview panel's recommendation for appointments to the Planning Commission

**BACKGROUND / CONTEXT:**

The Planning Commission currently has two vacant seats (Seats 6 and 7).

The application opportunity was advertised via multiple media over several weeks. Eight applications were received from applicants who met the eligibility requirements. The interview panel (consisting of Mayor Pulliam, Councilor Walker, Councilor Sheldon, and Planning Commission Chair Crosby) reviewed the applications and identified the top five to interview on February 2, 2023.

The panel's appointment recommendations are included below. Applications from all five interviewees are attached to this staff report for the Council's information.

**RECOMMENDATION:**

The interview panel recommends that the Council appoint:

- Noah Myhrum to Seat #6 (term expires 12/31/2024)
- Kristina Ramseyer to Seat #7 (term expires 12/31/2023)

**SUGGESTED MOTION LANGUAGE:**

"I move to appoint Noah Myhrum and Kristina Ramseyer to the Planning Commission as recommended in the staff report"

**LIST OF ATTACHMENTS/EXHIBITS:**

- Five applications (two recommended for appointment)

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Submission information

Form: [Planning Commission Application](#) [1]  
Submitted by Visitor (not verified)  
Tue, 12/06/2022 - 10:42am

**First Name**

Noah

**Last Name**

Myhrum

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Address**

15471 PENNY AVE

**City**

SANDY

**State**

Oregon

**Zip Code**

97055 6579

**Mailing Address (if different)**

15471 PENNY AVE

**Please explain your interest in serving on the Planning Commission**

I have worked in the Urban Design and Planning Dept for the City of Gresham and have not only experience to bring to the table but also a desire to keep Sandy special

**What knowledge, education, or skills would you bring to the Commission?**

I worked for the Urban Design and Planning Dept for the City of Gresham

**Upload Current Resume**

**By checking this box, I agree to the following:**

I certify that the information contained in this application is correct to the best of my knowledge I understand that to falsify information is grounds for refusing to appoint me, or for removal should I be appointed I also affirm that I have read and understand the Sandy Code of Conduct for members of Boards and Commissions (available as a Supporting Document on this webpage), and I understand its application to my role and responsibilities while serving on a City Board I pledge to conduct myself by the Sandy Boards and Commissions Code of Conduct, and I understand that the City Council may remove me from my position if my conduct falls below these standards

**Source URL:**<https://www.ci.sandy.or.us/node/13221/submission/19293>

**Links**

[1] <https://www.ci.sandy.or.us/bc-pc/webform/planning-commission-application>

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Submission information

Form: [Planning Commission Application](#) [1]  
Submitted by Visitor (not verified)  
Wed, 12/28/2022 - 3:34pm

**First Name**

Kristina

**Last Name**

Ramseyer

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Address**

37620 Sandy Heights st

**City**

Sandy

**State**

OR

**Zip Code**

97055

**Mailing Address (if different)**

**Please explain your interest in serving on the Planning Commission**

I have lived in Sandy for over 25 years and feel as a long-time resident, I would be a great choice for the planning commission as Sandy continues to grow. I feel it's important to have members of the planning commission know the city, the community and have ideas to responsibly move forward as we grow.

**What knowledge, education, or skills would you bring to the Commission?**

I am very organized and able to stay on task. I also have excellent communication skills. I'm not afraid to ask questions and/or speak my mind. I respect other people's opinion and views but will not shy away from asking questions for clarification to better understand an issue. My extended education is in journalism, so my reading, writing and comprehensive skills are excellent for interpreting all materials. I would be willing to view or participate and training videos or tutorials for planning commission member expectations.

**Upload Current Resume**

[kristina\\_ramseyer.docx](#) [2]

**By checking this box, I agree to the following:**

I certify that the information contained in this application is correct to the best of my knowledge. I understand that to falsify information is grounds for refusing to appoint me, or for removal should I be appointed. I also affirm that I have read and understand the Sandy Code of Conduct for members of Boards and Commissions (available as a Supporting Document on this webpage), and I understand its application to my role and responsibilities while serving on a City Board. I pledge to conduct myself by the Sandy Boards and Commissions Code of Conduct, and I understand that the City Council may remove me from my position if my conduct falls below these standards.

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**Links**

[1] <https://www.ci.sandy.or.us/bc-pc/webform/planning-commission-application> [2]

[https://www.ci.sandy.or.us/system/files/webform/kristina\\_ramseyer.docx](https://www.ci.sandy.or.us/system/files/webform/kristina_ramseyer.docx)



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Submission information

Form: [Planning Commission Application](#) [1]  
Submitted by Visitor (not verified)  
Sat, 12/10/2022 - 1:39pm

**First Name**

Shannon

**Last Name**

Ulizio

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Address**

16992 university ave

**City**

Sandy

**State**

OR

**Zip Code**

97055

**Mailing Address (if different)**

**Please explain your interest in serving on the Planning Commission**

I've enjoyed participating on the Citizens Advisory Committee and would probably enjoy this too. I've attended every meeting and contributed to the best of my ability

**What knowledge, education, or skills would you bring to the Commission?**

None really I'm an accountant by trade

**Upload Current Resume**

[shannon\\_resume.docx](#) [2]

**By checking this box, I agree to the following:**

I certify that the information contained in this application is correct to the best of my knowledge I understand that to falsify information is grounds for refusing to appoint me, or for removal should I be appointed I also affirm that I have read and understand the Sandy Code of Conduct for members of Boards and Commissions (available as a Supporting Document on this webpage), and I understand its application to my role and responsibilities while serving on a City Board I pledge to conduct myself by the Sandy Boards and Commissions Code of Conduct, and I understand that the City Council may remove me from my position if my conduct falls below these standards

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**Links**

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[https://www.ci.sandy.or.us/system/files/webform/shannon\\_resume.docx](https://www.ci.sandy.or.us/system/files/webform/shannon_resume.docx)

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#### Submission information

Form: [Planning Commission Application](#) [1]  
Submitted by Visitor (not verified)  
Tue, 12/27/2022 - 10:36am

**First Name**

Shan

**Last Name**

Hill

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Address**

18748 SE Jacoby

**City**

Sandy

**State**

Oregon

**Zip Code**

97055

**Mailing Address (if different)**

38954 Proctor Blvd 218  
Sandy, OR 97055

**Please explain your interest in serving on the Planning Commission**

I have been asked by two separate individuals to consider it. The one of most significant influence is Carl Exner, whom I consider a personal friend and work with at Windermere. By nature I am very problem solving oriented and believe i may have input in that direction.

**What knowledge, education, or skills would you bring to the Commission?**

Let me start here by pointing out there is no resume' I have had no use for one for so long that I simply don't have one. However if we deem it a valuable step I have a business degree in Health Care Administration from Concordia University. I have either been in management or self employed almost all of my working career. My wife has owned Barlow Trail Veterinary Clinic since 2012 and I have managed that practice for her during that time. Prior, I worked in health care for over a decade. Most recently i have also been working in Real Estate since 2018. I have my real estate license and work part time at Windermere as a licensed agent. I also own Barlow Properties, a property management company that has commercial real estate application, with residential multifamily holdings in Texas. It is this company that has moved me to being a land owner in Sandy, both

commercial and high density residential. I hope this rather longer explanation answers this question adequately. If not, I am willing to elaborate on any portion of it.

### **Upload Current Resume**

#### **By checking this box, I agree to the following:**

I certify that the information contained in this application is correct to the best of my knowledge. I understand that to falsify information is grounds for refusing to appoint me, or for removal should I be appointed. I also affirm that I have read and understand the Sandy Code of Conduct for members of Boards and Commissions (available as a Supporting Document on this webpage), and I understand its application to my role and responsibilities while serving on a City Board. I pledge to conduct myself by the Sandy Boards and Commissions Code of Conduct, and I understand that the City Council may remove me from my position if my conduct falls below these standards.

**Source URL:**<https://www.ci.sandy.or.us/node/13221/submission/19352>

#### **Links**

[1] [http://www.ci.sandy.or.us/bc/pc/webform/planning\\_commission\\_application](http://www.ci.sandy.or.us/bc/pc/webform/planning_commission_application)

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Submission information

Form: [Planning Commission Application](#) [1]  
Submitted by Visitor (not verified)  
Wed, 01/04/2023 - 6:56pm

**First Name**

Shayan

**Last Name**

Joobbani

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Address**

40484 Buck St

**City**

Sandy

**State**

OR

**Zip Code**

97055

**Mailing Address (if different)**

**Please explain your interest in serving on the Planning Commission**

As a citizen of Sandy, I am interested in being involved with reviewing plans, variances, and steering long term planning and land use

**What knowledge, education, or skills would you bring to the Commission?**

I am a civil engineer with a diverse background involving infrastructure and utilities, as well as transportation and zoning. I also have academic experience with community planning. My professional experience has given me opportunities to review, revise, and amend existing regulations in other communities.

**Upload Current Resume**

[shayan\\_joobbani\\_resume\\_1.pdf](#) [2]

**By checking this box, I agree to the following:**

I certify that the information contained in this application is correct to the best of my knowledge. I understand that to falsify information is grounds for refusing to appoint me, or for removal should I be appointed. I also affirm that I have read and understand the Sandy Code of Conduct for members of Boards and Commissions (available as a Supporting Document on this webpage), and

I understand its application to my role and responsibilities while serving on a City Board. I pledge to conduct myself by the Sandy Boards and Commissions Code of Conduct, and I understand that the City Council may remove me from my position if my conduct falls below these standards.

**Source URL:**<https://www.ci.sandy.or.us/node/13221/submission/19384>

**Links**

[1] [http://www.ci.sandy.or.us/bc-pc/webform/planning\\_commission\\_application](http://www.ci.sandy.or.us/bc-pc/webform/planning_commission_application) [2]  
[https://www.ci.sandy.or.us/system/files/webform/shayan\\_joobbani\\_resume\\_1.pdf](https://www.ci.sandy.or.us/system/files/webform/shayan_joobbani_resume_1.pdf)



## Staff Report

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**Meeting Date:** February 21, 2023  
**From:** Jordan Wheeler, City Manager  
**SUBJECT:** Sandy Municipal Code Chapter 10 Amendments

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### **DECISION TO BE MADE:**

Whether to adopt Ordinance 2023-05, amending Sandy Municipal Code Chapters 10.08 and 10.24, adding a definition of recreational vehicle, and establishing a Recreational Vehicle Parking Permit program.

### **PURPOSE / OBJECTIVE:**

The amendments would create a no-cost permit program for city residents to park recreational vehicles on public streets for up to 72 hours and park for up to 12 hours for loading and unloading purposes. Current code allows recreational vehicles (RVs) to be parked on the street for up to 72 hours, which was intended to allow residents to have sufficient time to prepare their RVs prior to a trip, or to unload the RV upon returning home. Establishing a permit program will enable the city to better monitor and manage parking activity while still allowing residents to legally park RVs adjacent to their dwelling to conduct their activities.

Recreational Vehicles parked on the street for extended periods impact neighborhood livability, encroach on city rights-of-way, and impede the flow of bicycles, pedestrians, and vehicles on the roadway which can be a safety hazard.

### **BACKGROUND / CONTEXT:**

The City Council adopted the 2021-23 Goal to "Collaborate with regional and community partners to address homelessness". The Council formed a workgroup to update the camping code and other ordinances and policies to help tackle this issue. As part of their work in reviewing city codes and livability issues, the workgroup identified the recreational vehicle parking permit program as a solution to help address safety and livability issues involving RVs that chronically park on city streets or are not associated with a Sandy address.

The concept was originally presented to the City Council at a [work session](#) for discussion and feedback. On [July 18](#), a draft Ordinance and proposed code changes implementing an RV Parking permit program was presented to the Council. The Council provided feedback and directed staff to return with modifications to the proposed code. The Council workgroup reviewed and provided input on the proposed modifications.

The modifications included clarification of the vehicles that would be subject to the prohibited parking under Section 10.24.030 (E), allowing RVs to be parked on city streets for up to 12 hours for loading and unloading purposes, and allowing any resident to apply for permit regardless of their dwelling type.

**KEY CONSIDERATIONS / ANALYSIS:**

The proposed code amendments will help the City accurately track and enforce the duration and frequency of RV parking throughout the City, and will enable the City to be more responsive to citizen complaints of illegal parking. The permitting process will be free of charge, available online, and easy for residents to fill out and complete.

The proposed code amendments will add a definition of recreational vehicle in Chapter 10.08 and add a new section to Chapter 10.24. A resident can park on a city street for up to 12 hours for loading and unloading purposes and obtain a free 72 hour permit six times per year with a limit of 3 consecutive 72 hour permits.

The amendments also include changes to Section 10.24.030, adding the reference to the RV parking permit requirement and the prohibition of overnight sleeping in vehicles on public right of way unless a RV permit is obtained.

**RECOMMENDATION:**

Staff recommends the City Council holds a public hearing, approve the first and second readings, and adopt Ordinance 2023-05.

**BUDGETARY IMPACT:**

We anticipate that the amended code and RV parking permit program can be implemented with existing staff and resources. The amount of staff time is dependent on the amount of customer service calls that are generated and permits issued that require verification and/or monitoring by Code Enforcement. The permit is free and will only require filling out an online form.

**SUGGESTED MOTION LANGUAGE:**

"I move to approve the first reading of Ordinance 2023-05."

**LIST OF ATTACHMENTS/EXHIBITS:**

1. Ordinance 2023-05





NO. 2023-05

**AN ORDINANCE CONCERNING RECREATIONAL VEHICLE PARKING ON PUBLIC STREETS AND AMENDING CHAPTERS 10.08 AND 10.24 OF THE SANDY MUNICIPAL CODE**

**Whereas**, the City of Sandy desires to address the parking of recreational vehicles on public rights of way in the City; and

**Whereas**, unregulated and unauthorized overnight parking of recreational vehicles on public rights of way impacts the community's ability to access parking and impairs the public's use and enjoyment of the rights of way;

**NOW, THEREFORE, THE CITY OF SANDY ORDAINS AS FOLLOWS:**

**Section 1:** Sandy Municipal Code Sections 10.08.170 and 10.24.035 are added to Title 10 as detailed in Exhibit A, attached and incorporated by reference.

**Section 2:** Sandy Municipal Code Section 10.24.030 is amended as detailed in Exhibit B, attached and incorporated by reference.

**Section 3:** This ordinance shall take effect on the thirtieth day after its enactment.

This ordinance is adopted by the Common Council of the City of Sandy and approved by the Mayor this 21 day of February 2023

\_\_\_\_\_  
Stan Pulliam, Mayor

ATTEST:

\_\_\_\_\_  
Jeff Aprati, City Recorder

#2023-05

## EXHIBIT A

### Chapter 10 Additions - Recreational Vehicle Parking Permit Program

#### CHAPTER 10.08 - DEFINITIONS

##### Sec. 10.08.170. – Recreational Vehicle

*Recreational Vehicle* means a motor home, camper, travel trailer, motor coach, or portable vehicular structure capable of being towed on the highways by a motor vehicle, designed and intended for casual or short-term human occupancy for travel, recreational, or vacation uses. If identified in some manner as a recreation vehicle by the manufacturer or registered as such with the state, it is prima facie a recreational vehicle.

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#### CHAPTER 10.24 – PARKING

##### Sec. 10.24.035. – Recreational Vehicle Parking Permit.

- A. Except for loading and unloading and other related purposes that does not exceed 12 hours, a person may park a recreational vehicle for a period not to exceed 72 hours if a no-cost permit is issued pursuant to this section.
- B. A permit may be renewed two additional times for a total of 3 consecutive 72-hour periods. However, no more than six recreational vehicle parking permits will be issued per calendar year for a residential dwelling.
- C. Applications for a permit shall be made on forms or in a manner prescribed by the City Manager.
- D. A permit shall only allow parking of a recreational vehicle immediately adjacent to a property with an occupied residential dwelling. Only the owner or lawful tenant of the dwelling will be issued a permit.
- E. The permit may not be issued by the City Manager for a recreational vehicle meeting the definition of an abandoned vehicle in violation of Sandy Municipal Code 10.52.

## EXHIBIT B

### Chapter 10.24.030 Amendments

#### Sec. 10.24.030. - Prohibited parking.

No operator shall park and no owner shall allow a vehicle to be parked upon a street or public right of way for the principal purpose of:

- A. Displaying the vehicle for sale;
- B. Repairing or servicing the vehicle, except repairs necessitated by an emergency;
- C. Displaying advertising from the vehicle;
- D. Selling merchandise from the vehicle, except when authorized;
- E. Parking or storing a motor vehicle, ~~two-wheel trailer, utility trailer~~, boat, ~~trailer, mobile trailer~~, or any portable vehicular structure that is designed or capable of being towed by a motor vehicle for ~~camper trailer, camper or recreational vehicle~~ more than 72 consecutive hours;
- F. Parking or storing a recreational vehicle unless issued a permit pursuant to SMC 10.24.035;
- ~~F.G.~~ \_\_\_\_\_ Parking restrictions pursuant to ORS 483.364, prohibiting parking on sidewalks, parkways, near fire hydrants, private drives, within intersections, crosswalks, double-parking or parking in violation of posted regulatory signs;
- H. Parking in a manner which causes a traffic hazard to any normal flow of traffic;
- ~~G.I.~~ Overnight sleeping between the hours of 9 p.m. and 6:30 a.m. unless a permit is issued pursuant to SMC 10.24.035.



## Staff Report

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**Meeting Date:** February 21, 2023

**From** Jordan Wheeler, City Manager

**SUBJECT:** Cedar Ridge Building Demolition and Site Preparation

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**DECISION TO BE MADE:**

Whether to direct staff to proceed with planning for demolition of vacant buildings at the Community Campus

**BACKGROUND / CONTEXT:**

The City of Sandy purchased the former site of Cedar Ridge Middle School, now known as the Community Campus, from the Oregon Trail School District in 2016. The Campus includes three main components: a 1950s-era classroom building, a 1970s-era annex building ('bunker building' - not the subject of this report), and the Olin Y. Bignall Aquatic Center. Since purchasing the property, the City has engaged in several planning efforts for the site, most notably the project led by OPSIS in 2017 / 2018 and the [Pool Exploratory Task Force \(PETF\) study](#) in 2021.

Neither the OPSIS project nor the PETF study contemplated incorporating the 1950s-era classroom building into any future facility development plans, due to their deteriorated state. The Olin Y. Bignall Aquatic Center was envisioned under the OPSIS plan as being integrated into a new comprehensive multi-generational community and recreational facility, however this plan was shelved by the City Council in 2019 due to its unattainable cost. The 2021 PETF study, as detailed below, determined that developing a new aquatic center is a preferable approach for meeting the community's needs. Due to these reasons, in May 2022 the Council [made the decision to drain the remaining water](#) in the concrete pool shell.

**KEY CONSIDERATIONS / ANALYSIS:**

As stated above, the 1950s-era classroom building has never been envisioned as a viable part of future development at the Community Campus.

With respect to the Olin Bignall Aquatic Center, after many years of study and analysis it is now clear that the center is no longer a feasible option to meet Sandy's aquatic needs.

This is the case for two main reasons:

- 1. Because of its deteriorated condition, the existing pool would require extensive repairs to meet the community's future aquatic needs.** Per the Pool

Exploratory Task Force (PETF) final report (linked below), “the building requires a full mechanical, electrical and plumbing (MEP) replacement, major envelope repairs, abatement, and overall updating to interior finishes.” In addition, repair or replacement of the HVAC system would be necessary, and ADA improvements and seismic upgrades to the building would be required.

In September 2019, OPSIS estimated that it would require \$9.5 million to repair and restore the existing pool facility for 15-20 years of additional service. It is important to note that this estimate is multiple years old now, and does not account for the likelihood of further deterioration, including of the concrete pool shell which is structurally vulnerable. \$9.5 million is beyond the capacity of the City or Urban Renewal District to absorb through the normal budget process; long-term financing through municipal bonds would be necessary.

**2. Regardless of the repair cost, the existing pool cannot meet the long-term aquatic needs of the community due to its configuration.** If the City were to make a substantial investment in pool infrastructure, whether through repair of the existing pool or construction of a new natatorium, the resulting facility should meet the needs of a broad cross section of the Sandy community to justify the expense. As stated in the PETF report, “the existing natatorium and pool vessel [...] does not provide a separate recreation pool as desired by the PETF for more robust aquatics programming.” Seniors and families with children in the community prioritize a separate recreation pool because, as the report states, “the combination of shallow water and warm temperature in a recreation pool provides opportunities for a wide range of community programming including water fitness classes, swimming lessons, therapy, and interactive water play.” Such amenities could not be offered in the existing pool facility. This led the PETF to instead recommend construction of a new pool facility with separate recreation and competition pools that can appropriately serve the whole community.

Given that the Olin Bignall Aquatic Center is no longer an option to meet Sandy’s aquatic needs, the prudent course of action is for the City to move forward with demolition of the facility, along with the other deteriorated building on the campus.

The main reasons for proceeding with demolition at this time are:

- **Preparing the Community Campus site for future facility construction.** Any eventual improvements at the Campus will first require substantial site preparation. Demolition of the decades-old buildings is expected to involve hazardous material remediation; utilities at the site need to be reconfigured to retain service to the Annex Building (bunker building); and substantial grading efforts will be necessary to address the site’s varied terrain and stormwater needs. Taking these actions now will avoid future cost increases anticipated in this inflationary environment, and will remove an expensive and lengthy hurdle from future construction efforts at the Campus.

- **Working in concurrence with the Community Campus Park project.** Proceeding with demolition now allows the City to take advantage of potential economies of scale by performing site preparation alongside development of the adjacent Community Campus Park, particularly with respect to earth moving and utility work.
- **Removing risk of unauthorized entry, and the possibility that individuals may injure themselves in the facility.** The vacant aquatic center contains dangerous deteriorated equipment and an empty concrete shell with no barriers to prevent falls. An injury incident in the building could expose the City to legal action and possibly substantial settlement costs.
- **Reducing the City's insurance premiums.** Currently the City pays \$26,130 per biennium in insurance premiums for the aquatic center, and an additional \$40,870 in premiums for the vacant 1950's classroom building on the Campus. Demolition of these vacant buildings will eliminate these payments, saving \$67,000 each biennium.
- **Repairing water system infrastructure.** Utility system data indicates that the water line supplying the annex building is compromised and currently leaking. The rupture in this line, which also serves the aquatic center, is likely located under the pool building and cannot be accessed without disturbing the structure. A demolition project, however, would allow the City to repair the line, saving money and decreasing demand on the water system.

#### **NEXT STEPS**

Staff has had preliminary conversations with PBS, which initially responded to an RFP in 2020, to gauge the potential scope and cost of a site preparation project at the Community Campus to include demolition, grading and erosion control, utility connection/decommission, and hazardous material remediation. While precise costs and timelines are not yet available, previous consultations indicate that the project is likely to take over a year to complete and cost in excess of \$1.5 million.

#### Solving Funding Questions

The City will continue to pursue future options for expanding community and recreation facilities and amenities, including aquatics. Possible approaches for funding construction at the Community Campus include some combination of urban renewal funds and general obligation bond proceeds, or the creation of a new special district with its own taxing authority. The new pool proposal recommended by the PETF was estimated in 2021 to cost \$26.6 million to construct. That amount is large enough that a bond approved by the voters would be required to pay for it. For a property owner whose home has an assessed value of \$200,000, a \$26.6 million bond would increase their annual property tax payment by around \$340. High operating costs for pools are also a significant concern. When the existing pool was open and operating under City ownership in 2018/19, an annual subsidy of \$350,000 was required from the City's General Fund reserves to balance the budget, even with maximized pool programming.

The City currently does not have the capacity to provide such a subsidy without substantial cuts to other areas of the budget.

The Sandy Community Campus Visioning Committee, which includes the Mayor and Councilors Hokanson and Exner, will continue to provide leadership and explore possibilities for the site.

#### Communications

Staff has developed a variety of communication materials on this issue, with the understanding that this is a matter of high public interest. A webpage will be created to act as a central hub of information, and will offer ongoing updates and answers to frequently asked questions, as well as access to background and contextual materials, previous studies and documents, etc.

#### **SUGGESTED MOTION LANGUAGE:**

"I move to direct staff to proceed with planning for demolition of vacant buildings at the Community Campus."

#### **LIST OF ATTACHMENTS/EXHIBITS:**

- [Pool Exploratory Task Force Final Report](#) - January 2022 (link)
  - Exhibits and photos