



City of Sandy

Agenda

City Council Meeting

Meeting Date: Monday, March 20, 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/85150706455>

Or by phone: (253) 215-8782; Meeting ID: 85150706455

Please also note the public comment signup process below.

2. CITY COUNCIL WORK SESSION - 6:00 PM

- | | | |
|------|--|---------|
| 2.1. | <u>Community Campus Park Development Plan Update</u>
Community Campus Park Development Plan Update - Pdf
Presentation Slides | 4 - 10 |
| 2.2. | <u>Review of Parks System Development Charges (SDC) and Fee-in-Lieu (FIL) updated methodology and rate increases</u>
Review of Parks System Development Charges (SDC) and Fee-in-Lieu (FIL) updated methodology and rate increases - Pdf | 11 - 54 |

3. CITY COUNCIL REGULAR MEETING - 7:30 PM

4. PLEDGE OF ALLEGIANCE

5. ROLL CALL

6. CHANGES TO THE AGENDA

7. PUBLIC COMMENT

Please note: the opportunity to comment on the proposed moratorium extension will occur during the public hearing 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

9. CONSENT AGENDA

- | | | |
|------|--|---------|
| 9.1. | <u>City Council Minutes</u> | 55 - 59 |
| | City Council - 06 Mar 2023 - Minutes - Pdf | |
| 9.2. | <u>Resolution Authorizing Application for Grant for the Community Campus Park</u> | 60 - 64 |
| | Resolution 2023-08 | |
| | Resolution Authorizing Application for Grant Community Campus Park Project - Pdf | |
| 9.3. | <u>Adoption of 2023-25 City Council Goals</u> | 65 - 68 |
| | Adoption of 2023-25 City Council Goals - Pdf | |
| 9.4. | <u>Contract Amendment: 362nd and Bell Improvements Project</u> | 69 - 73 |
| | HHPR Bell and 362nd Avenue Improvements Project Amendment No. 3 - Pdf | |

10. RESOLUTIONS

- | | | |
|-------|---|---------|
| 10.1. | <u>PUBLIC HEARING: Extending a Moratorium on Development</u> | 74 - 81 |
| | Resolution 2023-07 | |
| | PUBLIC HEARING: Extending a Moratorium on Development - Pdf | |

11. NEW BUSINESS

- | | | |
|-------|---|---------|
| 11.1. | <u>Policy for Naming or Changing Names of Parks, Trails, and Recreation Facilities</u> | 82 - 90 |
| | Resolution 2023-09 | |

12. REPORT FROM THE CITY MANAGER

13. COMMITTEE /COUNCIL REPORTS

14. STAFF UPDATES

14.1. [Monthly Reports](#)

15. ADJOURN



Staff Report

Meeting Date: March 20, 2023

From Rochelle Anderholm-Parsch, Parks and Recreation Director

SUBJECT: Community Campus Park Development Plan Update

DECISION TO BE MADE:

This is the final Council update before the project enters the design development phase.

PURPOSE / OBJECTIVE:

The City Council will receive an update about the Community Campus Park Improvement. The Council will receive an update from Lango Hansen Landscape Architects and American Ramp Company (ARC). Lango Hansen and ARC will provide a debrief of the second open house, feedback gleaned from the focus groups, and input regarding the three concepts, and results of the second online survey.

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.

The Council met on [Jan. 17, 2023](#) and [February 21, 2023](#) to receive an update on the park project as well feedback regarding the three concepts presented. Since that date both Lango Hansen and ARC conducted several meetings and the second open house.

OVERVIEW OF ENGAGEMENT/MEETINGS

Meetings and engagement held to date include:

- Jan. 9, 2023: Project Advisory Committee Meeting
- Jan. 11, 2023: Parks Board Meeting
- Jan. 17, 2023: City Council Meeting
- Jan. 26, 2023: Open House #1
 - Attendance was around 34 registered with an estimated 60 present
 - Feedback was positive and there is a general excitement around the new community park

- Conversations around expectations and funding constraints were considered and will continue to be a theme to be discussed with focus groups
- Online Surveys
 - Park Survey
 - Survey 1: Jan. 19 - Feb. 2
 - As of 1.30.23 there were 399 responses
 - Pump Track / Skate Park Survey
 - Survey 1: Jan. 19 - Feb. 2. There were 500 responses
 - Concept and park site online survey
 - Feb. 28 - March 8, 2023 (to date there have been 100 responses)
- Feb. 8, 2023: Parks Board Meeting
- Feb. 15, 2023: Project Advisory Committee Meeting
- Feb. 21, 2023: City Council Meeting
- Feb. 27, 2023: Open House #2
 - The three schematic designs will be presented to the public at the second open house. Additional materials will include precedent images, sections and other illustrations that convey the intent of the designs. As with the first open house, JLA will provide material for an online survey and meet with appropriate smaller groups to gain additional feedback.
- Feb. 27, 2023: In-Person Bike and Skater Focus Group Design Input
- March 1, 2023: Focus group held at Sandy Vista
- March 2, 2023: Focus group with Seniors held at the Senior Center
- March 2, 2023: Project Advisory Committee Meeting
- March 8, 2023: Parks Board Meeting
- March 15, 2023: Project Advisory Committee Meeting

FUTURE MEETINGS

Meetings scheduled:

- March 20, 2023: City Council Meeting (present preferred concept and resolution to apply for grant)
- March 23, 2023: Open House #3
- March 29, 2023: Project Advisory Committee
- April 1, 2023: Grant Submission Deadline

MARKETING MATERIALS

- A project website was created and is frequently updated. Click [HERE](#) for the website.

KEY CONSIDERATIONS / ANALYSIS:

This park project will accomplish the development of a community park which is listed as a park priority in the [2022 Parks and Trails Master Plan](#). It also meets the intentions of Council Goal #8(c), "Develop a plan for the Community Campus". This meets council goals / next steps for the community campus.

Sources of funding and funding constraints are a key consideration. This project is eligible for Park SDC's and there is \$3.0M cash in SURA from the original purchase of Cedar Ridge Middle School. Combining SDC's and SURA cash equates to roughly \$4.0M-\$5.0M in available funding for this project. Available funds could increase or decrease based on revenue generated through collected Parks SDC's, and whether or not the City receives grant funding.

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.

THE MEANDER

FIRST PHASE

The master plan design for the Sandy Community Campus park recalls the fluid forms of the Sandy River and surrounding hillsides. The curving paths with woodland plantings bring visitors from to a central gathering space perched above the park that then descends 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.

PARK AMENITIES

- 1 PEDESTRIAN ENTRY
- 2 VEHICLE ENTRY SCENIC AND MEINIG
- 3 ENTRY PLAZA WITH OVERLOOK 12,000 SF
- 4 PICNIC SHELTER WITH RESTROOM
- 5 BENCH, TYP
- 6 PICNIC TABLE, TYP
- 7 PLAY AREA WITH HILLSIDE SLIDE 8,900 SF
- 8 SLOPED LAWN
- 9 SKATE PARK 13,000 SF
- 10 PUMP TRACK 20,000 SF
- 11 PEDESTRIAN PATH, TYP ONE-QUARTER MILE LOOP
- 12 OPEN LAWN 1.5 ACRES
- 13 SANDY RIVER PARK TRAIL CONNECTION





COMMUNITY CAMPUS PARK DEVELOPMENT PLAN

lango hansen LANDSCAPE ARCHITECTS | jla PUBLIC INVOLVEMENT | american ramp company SKATE + PUMP TRACK

THE MEANDER

MASTER PLAN

The master plan design for the Sandy Community Campus park recalls the fluid forms of the Sandy River and surrounding hillsides. The curving paths with woodland plantings bring visitors from to a central gathering space perched above the park that then descends 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.

As part of the development of the Community Campus Park, future phases may include expansion of the skate park, a jump-line bike course, an additional shelter, and pathways.

PARK AMENITIES

- 1 SKATE PARK EXPANSION 7,000 SF
- 2 JUMP LINE
- 3 BIKE TRAIL
- 4 PICNIC SHELTER
- 5 CITY OF SANDY PROPERTY PARK CONNECTION



**SANDY COMMUNITY CAMPUS PARK
PHASE 1**

Preliminary Design Estimate
Lango Hansen Landscape Architects
March 20 2023

This estimate is based on the current concept plan and estimated improvements at a Schematic Design level. As the park elements have not been fully designed and detailed, this estimate is based on probable cost with assumptions based on similar projects and current trends. The actual cost for each of these items will vary as the project is developed and refined during the course of construction documents. The listed contingency is to cover unknown conditions at an early stage and will be reduced as the design is further detailed.

ITEM	COST
Mobilization Includes contractor overhead, permits, management fees, equipment rental	\$330,000
Demolition Includes demolition of the existing skatepark, track and other incidentals	\$70,000
Earthwork Includes stripping of lawn, site earthwork cut, stockpiling, rough grading, fine grading, erosion control	\$556,787
Tree Protection Includes construction fence and tree protection	\$34,750
Hard Surfaces Includes concrete pathways, curbs, parking lot asphalt, shelter concrete, footings	\$596,939
Site Furnishings Includes the picnic shelter, restroom, benches, picnic tables, drinking fountain , bike racks, entry sign	\$412,250
Planting Includes trees, shrubs, groundcover, seeding and lawn	\$132,686
Irrigation Includes irrigation for all plantings and lawn	\$255,000
Play Area Includes concrete curb, play equipment, drainage and play surfacing	\$308,039
Utilities Includes electrical, lighting, water supply, stormwater and sanitary sewer connections	\$243,000
Scenic Street ROW (three-quarter street improvements) Includes new curbs, sidewalks, utilities, storm drainage, lighting, asphalt paving and demolition	\$313,550
Meinig Avenue ROW (one-quarter street improvements) Includes demolition, curbing, asphalt and sidewalk	\$127,525
Estimating Contingency (20%) Costs to cover refinements to the design, unknown conditions and escalations	\$674,304
Skatepark Includes grading, concrete surfaces, steelwork and seeding	\$780,000
Pumptrack Includes grading, asphalt and seeding	\$600,000
TOTAL	\$5,434,830

SANDY COMMUNITY CAMPUS PARK FUTURE PHASE

Preliminary Design Estimate
Lango Hansen Landscape Architects
March 20 2023

This estimate is based on the current concept plan and estimated improvements at a Schematic Design level. As the park elements have not been fully designed and detailed, this estimate is based on probable cost with assumptions based on similar projects and current trends. The actual cost for each of these items will vary as the project is developed and refined during the course of construction documents. The listed contingency is to cover unknown conditions at an early stage and will be reduced as the design is further detailed. For future construction, inflation and additional contingencies should be added as necessary.

ITEM	COST
Skate Park (7,000 sf) Includes grading, concrete skate park and reseeding	\$420,000
Jump Line Includes grading, asphalt trail, jumps and reseeding	\$400,000
Pedestrian/Bike Trail Includes grading, tree protection and compacted dirt trail	\$125,000
Pathways from Upper Campus Includes construction fence and tree protection	\$175,000
Picnic Shelter Includes Picnic Shelter and concrete pad	\$140,000
Estimating Contingency (20%) Costs to cover refinements to the design, unknown conditions and escalations	\$252,000
TOTAL	\$1,512,000



Staff Report

Meeting Date: March 20, 2023

From Rochelle Anderholm-Parsch, Parks and Recreation Director
Review of Parks System Development Charges (SDC) and Fee-in-Lieu (FIL) updated methodology and rate increases

PURPOSE / OBJECTIVE:

Review the recent Parks System Development Charges (SDC) and Fee in Lieu (FIL) updates and discuss implementation options moving forward.

BACKGROUND / CONTEXT:

In 2022, following the adoption of the Parks and Trails Master Plan, staff updated the SDC methodology and Parks Fee in Lieu calculation and presented raising the fees to meet **Council Goal 5. “Maintain financial strength and sustainability, a). Diversify revenue sources, analyze new revenue streams, look at cost recovery where possible.”**

Staff, along with rate consultant FCS Group, commenced work in September of 2021. The work and options were presented numerous times to the Parks & Trails Advisory Board and Council City. Along the way, staff and the consultants incorporated feedback into the various implementation options; including the addition of a reimbursement SDC.

Council discussed the importance of implementing the Parks and Trails Master Plan and how these funds support the goals of both developing and purchasing land. It was recognized that if these rates were not increased the Parks & Recreation Department would not be able to meet the goals listed in the master plan. On Sept. 6, 2022, the Council decided to implement the new methodology, increase SDCs, and increase the FIL with a pledge to review the fee each year or following an implementation schedule for future increases.

Following the increases to Fee-in-Lieu and Parks SDCs staff and Council have heard concerns about the scale of the increases, recognizing that some of the concerns are regarding the doubling of fees when a builder proposes a duplex on a lot rather than a single family home.

In response to the concerns, the City Council requested to revisit the fee increases.

For more information please refer to Appendix A attached to this agenda packet that includes the following data/tables:

- Table 1: Parks SDC's Previous and Current Rates (including Duplex Fees)

- Table 2: FIL Previous and Current Rates (including Duplex Fees)
- Table 3: SDC Revenue / Expenses over 7.5 Years
- Table 4: SDC Projected Revenue July 1, 2023-2025
- Table 5: FIL Revenue / Expenses over 7.5 Years
- Table 6: FIL Projected Revenue July 1, 2023-2025

TIMELINE OF THE DECISION PATH

- **September 2021**, contracted with ESA and FCS to commence the work to update the Parks SDC and FIL rates.
- **April 2022**, FCS completed the SDC and FIL analysis.
- **May 5, 2022**, Parks and Trails Advisory Board meeting where the FCS Group provided the final results of the Parks SDC and Fee in Lieu methodology update.
- **June 6, 2022**, City Council meeting. FCS presented the final results of the Parks SDC and Fee in Lieu methodology update.
- **June 8, 2022**, Notification. Pursuant to ORS 223.304, the city mailed letters to those who requested notification prior to adoption of the updated Parks SDC methodology.
- **July 6, 2022**, methodology published. The final draft methodology was published on the City's website for public review 60 days prior to the first hearing.
- **July 13, 2022**, Parks and Trails Advisory Board reviewed 4 implementation plans and recommended their preferred approach to incrementally raise Parks SDC's, and the fee for fee-in-lieu of parkland dedication.
- **August 1, 2022**, City Council work session where the Council reviewed the Parks Board recommendations and provided additional feedback and recommendations for staff to present during the Sept. 6, 2022 meeting.
- **Sept. 6, 2022**, Council Public Hearing to adopt the updated SDC and FIL methodology, and whether to adopt rate increases to the FIL and SDC.
- **Sept. 6, 2022**, Council adopted
 - **RESOLUTION 2022-22: ADOPTING AN INCREASE TO THE FEES-IN-LIEU OF PARKLAND DEDICATION**, and
 - **RESOLUTION 2022-21: ADOPTING THE UPDATED METHODOLOGY FOR PARKS SYSTEMS DEVELOPMENT CHARGES AND FEES-IN-LIEU OF PARKLAND DEDICATION**, and
 - **RESOLUTION 2022-23: ADOPTING AN INCREASE TO PARKS SYSTEM DEVELOPMENT CHARGES** incorporating SDC Implementation Option D.
 - The first vote to adopt Resolution 2022-23, incorporating SDC Implementation Option D was defeated 3-4.
 - ***A revised motion was made and carried 4-3 to: "adopt Resolution 2022-23, incorporating Implementation Option D. The implementation plan will be revisited and evaluated annually (including within one year of the adoption of the resolution), providing Council an opportunity to deviate from the implementation plan if it chooses. If the Council fails to revisit and evaluate the***

implementation plan in any given year, the scheduled increase for that year will take effect automatically.”

PARK SDC'S AND WHY ARE THEY IMPORTANT

System Development fees provide the means to implement the Parks and Trail System Master Plan and maintain our existing infrastructure and trails system.

A System Development Charge is a “one-time charge on new development and certain types of redevelopment to help pay for existing and planned infrastructure to serve that development.” These fees are governed by Oregon Revised Statutes (ORS) 223.297 to 223.314. Parks SDCs in Sandy are governed by Sandy Municipal Code (SMC) Chapter 15.28. SMC 15.28(A) provides that SDCs “shall be established and may be revised by resolution of the council.”

The City’s current parks SDCs are a combination of a reimbursement and improvement SDC. The new methodology also provided a percentage eligible for the development of new trails.

1. Reimbursement SDCs are less restrictive and can be used to reinvest back into the park system. For example; a reimbursement SDC can be used to rebuild Fantasy Forest at Meinig, or provide the funds to maintain the splash pad at Bornstedt.

A reimbursement fee is designed to recover “costs associated with capital improvements already constructed, or under construction when the fee is established, for which the local government determines that capacity exists.”

The maximum allowable reimbursement SDC fee based on the adopted updated SDC methodology is \$8,897. This factor was weighted heavily regarding the Council’s decision to raise SDC fees to at least the maximum allowed reimbursement fee.

2. Improvement SDCs are more restrictive and can only be used for capacity building. Development of future trails falls under this category.

An improvement fee is designed to recover “costs associated with capital improvements to be constructed.”

FEE IN LIEU (FIL) OF PARKLAND DEDICATION AND WHY ARE THEY IMPORTANT

Fee-in-Lieu is the funding mechanism that supports the purchase of future parkland and/or natural spaces.

Fee in Lieu are governed by SMC 17.86.40. New residential subdivisions, multi-family or manufactured home park developments shall be required to provide parkland to

serve existing and future residents of those developments. At the city's discretion only, the city may accept payment of fee in lieu of land dedication. A payment in lieu of land dedication is separate from Park SDCs.

Land Acquisition Costs. The City previously used \$241,000 as its estimate for the cost of an acre of land. However, FCS Group used assessor data to determine a more recent cost per acre based on the cost of undeveloped, platted land. That data revealed the average price per acre to be \$869,242.

The previous cost per acre of \$241,000 was extremely low and provided limited incentives for developers to dedicate parkland, instead they were more inclined to pay FIL. This wide gap in the previous cost per acre, as compared to the assessed cost, resulted in a discrepancy in the funds the department has available to purchase future parkland.

PARKS SDC HISTORY OF OLD AND NEW RATES

The City of Sandy had not raised its Parks SDC since 2016. In 2016 the Parks SDC was \$2,311 for a SFR. Resolution 2016-08 imposed a SDC for trails and increased the amount by \$1,406, resulting in a SDC rate of \$3,717.

If the Parks SDC's had realized a very conservative estimated annual increase of 4% based on the ENR Construction Cost Index, today's Parks SDC would be approximately \$4,703. Further consideration was based on how Sandy's Parks SDC rates were low compared to surrounding areas that assess SDC fees. For instance, Lake Oswego's SDC for a single-family dwelling is \$15,672. On the other hand, the lowest pulled comparable is the City of Molalla at \$2,643, putting Sandy second to lowest SDC out of 10 comparisons. The Council's decision to raise SDC's was partly in an effort to land somewhere in the mid-point of comparables. Please see Table 1: Parks SDC's Previous and Current Rates (including Duplex Fees) in Appendix A.

Previous parks SDC per single-family dwelling was \$3,717, it is now \$8,897.09. Table 1 includes the rate in 2022 for a Duplex of \$7,434, and the new rate for a Duplex in 2023 is \$17,794.18.

FEE-IN-LIEU HISTORY OF OLD AND NEW RATES

The Fee in Lieu is governed by SMC 17.86.40 and was established Dec. 6, 2004 with a rate per acre of \$241,000. September 2022 was the first time in 19 years this fee was evaluated and raised.

Updated FIL data was determined as follows. The FCS Group used assessor data to determine a more recent cost per acre based on the cost of undeveloped, platted land. The data revealed the average price per acre to be \$869,242. Previous cost per acre for Fee-in-Lieu of parkland dedication was low at \$241,000.

Previous Fee-in-Lieu of Parkland dedication per single-family dwelling unit was \$4,916 it is now \$16,135. Or, if calculated as a fee per resident, the old rate was \$1,639, and the updated fee-in-lieu per resident is \$5,911.

Here is an example calculating Fee-In-Lieu.

- Fee per Person: $1 \times 1 \times 0.0068 \times \$869,242$ cost per acre = \$5,911 per person
- Fee per SFR: $1 \times 3 \times 0.0068 \times \$869,242$ cost per acre = \$17,732.54 per single family dwelling
- Fee per Duplex: $1 \times 3 \times 2$ dwelling units $\times 0.0068 \times \$869,242$ cost per acre = \$35,465

Please refer to Table 2: FIL Previous and Current Rates (including Duplex Fees) in Appendix A.

KEY CONSIDERATIONS / ANALYSIS:

The primary feedback from the building community has been focused on the increase to the Fee-in-Lieu of parkland dedication and the extent of the fee increase in a short amount of time.

IMPLICATIONS IF SDC FEES ARE REDUCED

The SDC's projected year end total revenue amount is \$2,136,973. The Parks Department is projecting to spend \$335,378 on design and engineering for the community campus park project through June 30, 2023 leaving approximately \$1,739,000 for a remaining balance dedicated towards the community campus park project.

Available funding sources for the community campus park project are \$3M from urban renewal cash remaining from the purchase of the property, and \$2M from SDC's. As stated above the department has already spent approximately \$335,000 from SDC's. Depending on how the final cost estimates come in, the Parks Department along with Council, might have to choose adding new revenue sources such as additional SDC's or a reduction in design and improvements.

Please refer to Table 3: SDC Revenue / Expenses over 7.5 Years and Table 6: FIL Projected Revenue July 1, 2023-2025 in Appendix A.

Table 3 illustrates revenues received in SDC's from 2016 to projected year end 2023 and demonstrates what a reduction in SDC fees looks like. There have been a few projects and expenses drawn from SDC's over the past 7.5 years. Expenses, like the update of the Parks and Trails Master Plan (PTMP), and Bornstedt improvements.

Table 4 illustrates the revenue impact if fees are reduced. With projected revenues reduced, future park projects such as Deer Point, Ponder Lane, and Champion Way would be further delayed.

Lastly, without adequate funds, the Council goals for Parks and Recreation to invest in our park system and future residents of Sandy and continue expansion of recreational opportunities for the community will be more difficult to achieve. Funding to achieve Goal 1 (a) to complete the design and construct park improvements at Deer Point Park will not be available until FY 2025-2027.

IMPLICATIONS IF FIL FEES ARE REDUCED

The current balance in Fee in Lieu is \$1,193,693. Year end projections are \$1,248,693.

Data pulled from 2016 - 2023 illustrates that it has taken many years to amass \$1.26M.

2023-2025 Council Goals for Parks and recreation include research and act on the purchase of park land for future park facilities and/or natural area and open space preservation. If the FIL is reduced this will reduce the amount of funds available for land acquisition.

Please refer to Table 5: FIL Revenue / Expenses over 7.5 Years and Table 6: FIL Projected Revenue July 1, 2023-2025 in Appendix A.

RECOMMENDATION:

Staff recommends the Council discuss the rates and provide direction on any changes to bring back for adoption. A few options for each fee are offered below.

System Development Charges Options

- Maintain the current SDC fee of \$8,897.09 which maintains the maximum allowable reimbursement fee.
- Postpone planned increase for July 1, 2023 and review for continuing increases by July 1, 2024.

Fee-In-Lieu of Parkland Dedication Options

- **Option 1:** maintain the current cost per acre of \$869,242
- **Option 2:** consider a 1/4 reduction in the cost per acre for 2023 with an increase back to the full amount July 1, 2024. A quarter reduction equates to \$651,932.
- **Option 3:** consider a 1/2 reduction for 2023 with an increase back to the full amount July 1, 2024. A half reduction equates to \$434,621.

LIST OF ATTACHMENTS/EXHIBITS:

- Appendix A: Data / Tables
- Resolution 2022-22: Adopting an Increase to The Fees-In-Lieu of Parkland Dedication
- Resolution 2022-21: Adopting the Updated Methodology for Parks Systems Development Charges and Fees-In-Lieu of Parkland Dedication
- Resolution 2022-23: Adopting an Increase to Parks System Development Charges Incorporating SDC Implementation Option D
- Presentation Slide Deck

APPENDIX A: TABLES 1-6

Table 1 Parks SDC's Previous and Current Rates (Including Duplex Fees)						
PARKS SDC / SINGLE FAMILY DWELLING & DUPLEX						
2016-2022 Rate / SFR	Jan. 1, 2023 Rate / SFR	Duplex 2022 Rate	Duplex 2023 Rate	Fee Assessed		
\$3,717.00	\$8,897.09	\$7,434.00	\$17,794.18	issuance of building permit		
Table 2: FIL Previous and Current Rates (including Duplex Fees)						
Fee-In-Lieu / PER ACRE			Fee-In-Lieu / Per Resident			
2004-2022 Rate per Acre	Applications Submitted beginning Sept. 7, 2022		2004-July 2022 Rate Per Resident	Applications Submitted beginning Sept. 7, 2022		
\$241,000.00	\$869,242.00		\$1,638.80	\$5,911.00		
Development code modifications in July 2022						
Fee-In-Lieu / Single Family Dwelling & Duplex						
2004-2022 SFR	Applications Submitted beginning Sept. 7, 2022	Duplex 2022 Rate	Duplex 2023 Rate	Fee Assessed		
\$4,916.40	\$17,732.54	\$9,832.80	\$35,465.07	shall be paid prior to approval of the final plat		
Table 3: SDC Revenue / Expenses over 7.5 Years						
Fiscal Year Ended June 30	Beginning Balance	SDCs	Interest	Expenses	Ending Balance	Exp. NOTES
2016	41,436	146,857	0	-21,728	166,565	Sandy River Park
2017	166,565	207,121	0	-135,384	238,302	Bornstedt Improvements, Meinig Bid Set
2018	238,302	333,882	0	-51	572,133	??
2019	572,133	381,667	43,161	-41	996,920	PTMP
2020	996,920	312,487	24,923	-129,372	1,204,958	PTMP, Bornstedt Shelter
2021	1,204,958	227,465	10,348	-77,505	1,365,265	PTMP
2022	1,365,265	427,546	9,542	-37,132	1,765,223	PTMP
2023	1,765,223	291,175	25,000	-342,159	1,739,238	Projected Year End PTMP & SCC
Table 4: SDC Projected Revenue July 1, 2023-2025						
Projected Revenue using SFR / fee	FULL RATE	REDUCED RATE 1/4	REDUCED RATE 1/2			
July 1 2023-2025	\$8,897.09	\$6,672.82	\$4,448.55	\$2,572,702	\$1,929,527	\$1,286,351
Table 5: FIL Revenue / Expenses over 7.5 Years						
Fiscal Year Ended June 30	Beginning Balance	Fee-in-Lieu	Interest	Expenses	Ending Balance	NOTES
2016	0	45,192	466	-52,000	-6,342	purchased tickle creek property
2017	-6,342	158,204	2,810	0	154,672	
2018	154,672	199,129	10,981	0	364,782	
2019	364,782	471,717	-7,413	0	829,086	
2020	829,086	208,073	18,801	0	1,055,960	
2021	1,055,960	87,220	8,240	-10,000	1,141,420	downpayment on sandy heights property
2022	1,141,420	79,223	6,101	-26,736	1,200,008	purchased sandy heights property
2023	1,200,008	36,604	25,000	0	1,261,612	Projected Year End
Table 6: FIL Projected Revenue July 1, 2023-2025						
Projections cost per acre	FULL RATE	REDUCED RATE 1/4	REDUCED RATE 1/2			
July 1 2023-2025	\$869,242	\$651,932	\$434,621	\$975,171	\$731,378	\$487,585



NO. 2022-22

A RESOLUTION ADOPTING AN INCREASE TO THE FEES-IN-LIEU OF PARKLAND DEDICATION

Whereas, Section 17.86.40 of the Sandy Municipal Code provides that a payment in lieu of parkland dedication is separate from Parks Systems Development Charges (SDCs); and

Whereas, that section also provides that the amount of the fees-in-lieu of land dedication (in dollars per acre) shall be set by City Council Resolution based on relevant economic indices and the typical market value of developed property (finished lots) in Sandy net of related development costs; and

Whereas, the City Council engaged FCS Group, Inc. to review the 2022 assessor data to determine a more recent cost per acre based on the cost of undeveloped, platted land; and

Whereas, the City currently uses \$241,000 as its estimate for the cost of an acre of land in its fees-in-lieu calculation, and the FCS Group methodology revealed the average price per acre to be \$869,242; and

Whereas, the methodology developed by FCS Group provides the detailed calculations of updated fees-in-lieu of parkland dedication; and

Whereas, said methodology was adopted by the Council by Resolution 2022-21; and

Whereas, the Sandy City Council desires to revise existing fees-in-lieu of parkland dedication accordingly.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

Section 1. This Resolution amends the Master Fee Schedule, dated July 1, 2022, section D. Payment in Lieu of Park Land Dedication, as shown in Exhibit A, attached hereto and incorporated herein by reference.

This Resolution shall be effective on Sept. 6, 2022 and the revised fee in lieu charges shall be imposed on applications submitted beginning on Sept. 7, 2022.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 06 day of September 2022

#2022-22



Stan Pulliam, Mayor

ATTEST:



Jeff Aprati, City Recorder

#2022-22

Exhibit A

D. Payment in Lieu of Park Land Dedication

- a. Payment in Lieu of Park Land Dedication, Not Deferred ~~\$241,000.00 per acre~~
 \$869,242.00 per acre,
- b. Payment in Lieu of Park Land Dedication, Deferred* ~~\$265,000.00 per acre~~
 \$869,242.00 per acre + 10% *administration fee on the amount of the remaining portion owed*



NO. 2022-21

A RESOLUTION ADOPTING THE UPDATED METHODOLOGY FOR PARKS SYSTEMS DEVELOPMENT CHARGES AND FEES-IN-LIEU OF PARKLAND DEDICATION

Whereas, Section 15.28.050 of the Sandy Municipal Code requires that methodologies used to establish systems development charges be approved by a Resolution adopted by the Council; and

Whereas, the City Council engaged FCS Group, Inc. to review the 2022 City of Sandy Parks and Trails Master Plan and develop a methodology to calculate and collect Systems Development Charges to fund the improvements it describes, as well as a methodology for calculating fees-in-lieu of parkland dedication; and

Whereas, the methodology developed by FCS Group, attached as Exhibit A, equitably apportions the cost of the projects attributable to new residential development; and

Whereas, the Sandy City Council desires to adopt the methodology to revise existing Parks systems development charges and fees-in-lieu of parkland dedication.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

Section 1. The methodology for establishment of parks systems development charges and fees-in-lieu of parkland dedication as set forth in Exhibit A attached hereto and incorporated herein by this reference is adopted. The amounts of the systems development charges and fees-in-lieu of parkland dedication will be established by separate resolutions of the City Council.

Section 2. The methodology adopted by this Resolution replaces the methodology previously established through Resolution 2016-07.

This Resolution shall be effective on Sept. 6, 2022 and the revised system development charges and fees-in-lieu of parkland dedication shall be imposed as determined by separate resolutions.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 06 day of September 2022

#2022-21



Stan Pulliam, Mayor

ATTEST:



Jeff Aprati, City Recorder

#2022-21

City of Sandy

PARKS SYSTEM DEVELOPMENT CHARGE AND FEE- IN-LIEU UPDATE

Final Report
August 24, 2022

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FCS GROUP
Solutions-Oriented Consulting

TABLE OF CONTENTS

Table of Contents	ii
Section I. Introduction	1
I.A. Project	1
I.B. Policy	1
Section II. SDC Analysis	3
II.A. Growth	3
II.B. Improvement Fee	4
II.C. Reimbursement Fee	10
II.D. Calculated SDC.....	11
Section III. Fee-in-Lieu Analysis.....	14
III.A. Land Dedication Requirement.....	14
III.B. Land Acquisition Costs.....	14
III.C. Calculated Fee-in-Lieu.....	14
Section IV. Implementation.....	15
IV.A. Fee-in-Lieu Changes	15
IV.B. Indexing	15
Exhibits	
Table 1 – Eligibility under the Current Level of Service	5
Table 2 - Eligibility under the Future Level of Service	6
Table 3 – Expansion List (Acres of Parkland)	7
Table 4 – Expansion List (Miles of Trail)	8
Table 5 – Infill List	9
Table 6 – Improvement Fee Cost Basis	10
Table 7 – Reimbursement Fee Cost Basis	11
Table 8 – Adjustments to Improvement Fee Cost Bases	12
Table 9 – Calculated SDC	12
Table 10 – Parks SDC per SFR Comparison	13
Table 11 – Fee-in-Lieu Calculation	14
Table 12 – Fee-in-Lieu Calculation with City’s Current Occupancy Estimates	15

Section I. INTRODUCTION

This section describes the project scope and policy context upon which the body of this report is based.

I.A. PROJECT

The City of Sandy (City) imposes a system development charge (SDC) to provide partial funding for the capital needs of its parks system. The current SDC is charged only to residential developments based on the number of dwelling units (DUs). The rate is currently \$3,717 for a single-family residence.

In addition, at the City's discretion, the City may charge developers a fee in lieu of land dedication for parkland (fee-in-lieu). The fee-in-lieu is calculated by multiplying the average cost of land in the City by the number of acres required for land dedication. The City currently expects developers to dedicate 0.0068 acres per resident expected in the development, and the City's codified cost per acre is \$241,000.

In 2022, the City engaged FCS GROUP to update the City's parks SDC based on their 2022 parks master plan, and to update the fee-in-lieu based on more recent land acquisition cost estimates and level-of-service calculations.

I.B. POLICY

SDCs are enabled by state statutes, authorized by local ordinance, and constrained by the United States Constitution.

I.B.1. State Statutes

Oregon Revised Statutes (ORS) 223.297 to 223.314 enable local governments to establish SDCs, which are one-time fees on development that are paid at the time of development or redevelopment that creates additional demand for park facilities. SDCs are intended to recover a fair share of the cost of existing and planned facilities that provide capacity to serve future users -- growth.

ORS 223.299 defines two types of SDC:

- A reimbursement fee that is designed to recover "costs associated with capital improvements already constructed, or under construction when the fee is established, for which the local government determines that capacity exists"

- An improvement fee that is designed to recover “costs associated with capital improvements to be constructed”

ORS 223.304(1) states, in part, that a reimbursement fee must be based on “the value of unused capacity available to future system users or the cost of existing facilities” and must account for prior contributions by existing users and any gifted or grant-funded facilities. The calculation must “promote the objective of future system users contributing no more than an equitable share to the cost of existing facilities.” A reimbursement fee may be spent on any capital improvement related to the system for which it is being charged (whether cash-financed or debt-financed).

ORS 223.304(2) states, in part, that an improvement fee must be calculated to include only the cost of projected capital improvements needed to increase system capacity for future users. In other words, the cost of planned projects that correct existing deficiencies or that do not otherwise increase capacity for future users may not be included in the improvement fee calculation. An improvement fee may be spent only on capital improvements (or portions thereof) that increase the capacity of the system for which it is being charged (whether cash-financed or debt-financed).

In addition to the reimbursement and improvement fees, ORS 223.307(5) states, in part, that “system development charge revenues may be expended on the costs of complying” with state statutes concerning SDCs, including “the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures.”

I.B.2. Local Ordinance

Chapter 15.28 of the Sandy Municipal Code authorizes and governs the imposition and expenditure of parks SDCs in Sandy. Chapter 17.86 authorizes and governs the imposition of the fee-in-lieu. The City will need to modify its code to allow for the proposed changes to the fee-in-lieu, as discussed in Section IV.A of this report.

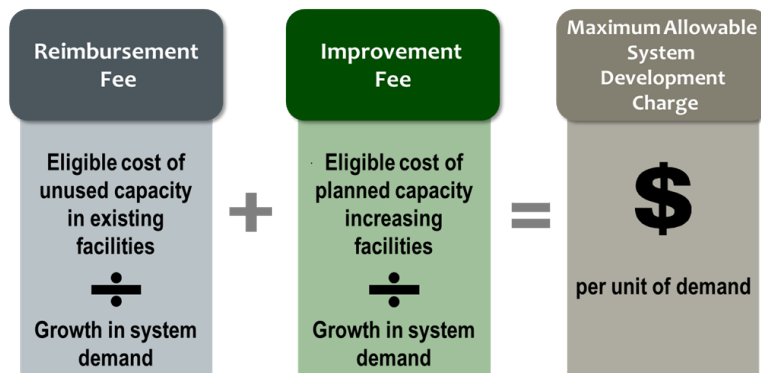
I.B.3. United States Constitution

The United States Supreme Court has determined that SDCs, impact fees, or other exactions that comply with state and/or local law may still violate the United States Constitution if they are not proportionate to the impact of the development. The SDCs calculated in this report are designed to meet all constitutional and statutory requirements.

Section II. SDC ANALYSIS

This section provides the detailed calculations of the maximum allowable parks SDC.

In general, SDCs are calculated by adding a reimbursement fee component (if applicable) and an improvement fee component—both with potential adjustments. Each component is calculated by dividing the eligible cost by growth in units of demand. The unit of demand becomes the basis of the charge. Below is an illustration of this calculation:



II.A. GROWTH

The calculation of projected growth begins with defining the units by which current and future demand will be measured. Then, using the best available data, we quantify the current level of demand and estimate a future level of demand. The difference between the current level and the future level is the growth in demand that will serve as the denominator in the SDC calculations.

II.A.1. Unit of Measurement

A good unit of measurement allows an agency to quantify the incremental demand of development or redevelopment that creates additional demand for park facilities. A great unit of measurement allows an agency to distinguish different levels of demand added by different kinds of development or redevelopment.

For parks SDCs, demand that can be attributed to individual developments is usually measured in the number of people who will occupy a development. We use data from the U. S. Census Bureau to estimate the number of residents for different kinds of dwelling units.

II.A.2. Growth in Demand

The current (2020) population, representing demand for parks facilities, is 12,612 residents. During the forecast period from 2020 to 2035, the population is expected to grow by 6,488 residents to a total of 19,100 residents (based on the 2022 Parks and Trails Master Plan). Therefore, 6,488 residents will be the denominator for the SDC calculations later in this report.

II.B. IMPROVEMENT FEE

An improvement fee is the eligible cost of planned projects per unit of growth that such projects will serve. Since we have already calculated growth (denominator) above, we will focus here on the improvement fee cost basis (numerator).

II.B.1. Eligibility

A project's eligible cost is the product of its total cost and its eligibility percentage. The eligibility percentage represents the portion of the project that creates capacity for future users.

For parks SDCs, eligibility is often determined by a level-of-service analysis that quantifies the park facilities that are needed for growth (and are therefore eligible to be included in an improvement fee cost basis). Park facilities can be measured by sorting them into categories such as neighborhood, community, or mini parks, or by considering their respective units of measurement. Further, in either approach, the current or future level of service may be targeted. These two separate choices create four distinct and equally defensible ways of calculating the eligibility percentage of each project.

Each method will be examined in the sections below.

II.B.1.a Current Level of Service (By Category and Unit of Measurement)

Determining SDC eligibility for parks projects using the current level of service requires determining the quantity of parks facilities needed to maintain the current level of service. Any projects that add facilities in excess of that quantity are ineligible.

The City has seven relevant parks categories for determining its level of service by category. These are shown in the upper panel of the first column in Table 1. Each category receives its own level of service. Using mini parks as an example, the City currently has 3.87 acres of mini parks. Using the 2020 population discussed above, this implies that there is 0.31 acres of mini parks per 1,000 residents. The parks project list, when completed, will add 1.00 acres of mini parks. Based on the 2035 population and the current level of service, 1.99 additional acres of mini parks are needed. So, all the City's mini park projects are eligible for inclusion in the improvement fee cost basis.

The same line of reasoning is used to develop the eligibility percentages for other parks categories. Calculating eligibility using level of service by unit of measurement also follows the same approach. The eligibility percentage for each parks category or unit of measurement is shown in the last column of Table 1.

Table 1 – Eligibility under the Current Level of Service

	Units	2020 Quantity	2020 Units per 1,000 Residents	Change in Quantity	Additional Needed to Maintain LoS	Eligibility
By category:						
Mini Park	Acres	3.87	0.31	1.00	1.99	100.00%
Neighborhood Park	Acres	16.89	1.34	22.40	8.69	38.79%
Community Park	Acres	11.07	0.88	46.25	5.69	12.31%
Natural & Open Space	Acres	224.64	17.81	0.00	115.56	0.00%
Undeveloped Park	Acres	22.26	1.76	-18.15	11.45	0.00%
Special Use Area	Number	4.00	0.32	0.00	2.06	0.00%
Trail	Miles	9.96	0.79	24.01	5.12	21.34%
By Unit of Measurement:						
Acres of Parks and Natural Areas	Acres	278.73	22.10	51.50	143.39	100.00%
Number of Special Use Sites	Number	4.00	0.32	0.00	2.06	0.00%
Miles of Trails	Miles	9.96	0.79	24.01	5.12	21.34%

Source: 2021 Parks and Trails Master Plan, Section 4 (2020 quantity); previous tables

II.B.1.b Future Level of Service (By Category and Unit of Measurement)

To determine SDC eligibility using the future level of service, the proposed additional quantity of parks facilities is added to the current quantity of parks facilities. Using the future population, a future level of service is then calculated. Then, that level of service is compared to the current parks system to determine if any deficiencies exist. Only the portions of parks projects that do not cure existing deficiencies are considered eligible for the improvement fee cost basis under this method.

As in the previous section, calculating SDC eligibility based on future level of service can be done both when measuring parks facilities by category and when measuring by unit of measurement. Table 2 below outlines both methods using the future level of service. Using neighborhood parks as an example, the City currently has 16.89 acres of neighborhood parks. The parks project list, when completed, will add 22.40 acres of neighborhood parks. This results in a future level of service of 2.06 acres of neighborhood parks per 1,000 residents in 2035. If that level of service was applied to the 2020 population, a minimum of 25.94 acres would be needed. However, there are currently 16.89 acres of neighborhood parks. Thus, 9.05 acres must be added to the parks system to cure the deficiency in the parks system. So, only the remaining 13.35 acres added by the project list, or 59.58 percent of neighborhood parks projects, are eligible for inclusion in the improvement fee cost basis under this method.

The same approach is used to develop the eligibility percentages for other parks categories. Further, calculating eligibility using level of service by unit of measurement follows the same logic. The eligibility percentage for each parks category or unit of measurement is shown in the “Eligibility” column of Table 2 below.

When calculating an SDC based on the future level of service, it is possible that there may be park facilities eligible for inclusion in a reimbursement fee. This occurs when the future level of service for a parks category or unit of measurement is lower than the current level of service. If this is this case, then it follows that the parks system has available capacity in its parks facilities. The final

column of Table 2, “Reimbursable Quantity,” shows the reimbursable quantity of parks facilities by category and unit of measurement.

Table 2 - Eligibility under the Future Level of Service

	Units	2020 Quantity	2020 Units per 1,000 Residents	Change in Quantity	2035 Units per 1,000 Residents	2020 Minimum Quantity	2020 Eligibility	Reimbursable Quantity
By category:								
Mini Park	Acres	3.87	0.31	1.00	0.25	3.22	100.00%	0.65
Neighborhood Park	Acres	16.89	1.34	22.40	2.06	25.94	59.58%	-
Community Park	Acres	11.07	0.88	46.25	3.00	37.85	42.10%	-
Natural & Open Space	Acres	224.64	17.81	0.00	11.76	148.33	0.00%	76.31
Undeveloped Park	Acres	22.26	1.76	-18.15	0.22	2.71	0.00%	19.55
Special Use Area	Number	4.00	0.32	0.00	0.21	2.64	0.00%	1.36
Trail	Miles	9.96	0.79	24.01	1.78	22.43	48.06%	-
By Unit of Measurement:								
Acres of Parks and Natural Areas	Acres	278.73	22.10	51.50	17.29	218.06	100.00%	60.67
Number of Special Use Sites	Number	4.00	0.32	0.00	0.21	2.64	0.00%	1.36
Miles of Trails	Miles	9.96	0.79	24.01	1.78	22.43	48.06%	-

Source: 2021 Parks and Trails Master Plan, Section 4 (2020 quantity); previous tables

II.B.2. Expansion Projects

The first of the City’s two project lists includes projects that will expand the inventory of the parks system and are therefore subject to the eligibility calculations described above. These projects are listed in Tables 3 and 4 below.

Table 3 lists all expansion projects that add acres of parkland to the parks system, and includes the acres added by each project. The last column of this table also shows the acres absorbed from other park categories (in this case, for the “Undeveloped Park” category).

Table 4 lists all expansion projects that add miles of trails to the parks system. Note that some trails projects are also considered to be part of the City’s transportation system, but that the costs listed in Table 4 are only those costs allocated to the parks system.

Table 3 – Expansion List (Acres of Parkland)

Park Name	Park Type	Tier	Timing	Total Cost	Acres Added	Acres
						Absorbed
Deer Point Park	Neighborhood Park	Tier 1	0-5 years	\$ 1,442,800	1.41	1.41
Champion Way Park	Neighborhood Park	Tier 1	0-5 years	998,700	0.99	0.99
Ponder Lane Park	Neighborhood Park	Tier 1	0-5 years	1,848,000	2.00	2.00
Deer Point Expansion	Neighborhood Park	Tier 1	0-5 years	1,700,000	2.00	-
Sunset	Neighborhood Park	Tier 1	0-5 years	1,700,000	2.00	-
Community North	Community Park	Tier 1	0-5 years	5,900,000	10.00	-
Tickle Creek Expansion - West	Natural & Open Space	Tier 1	0-5 years	-	-	-
Jarl Road	Neighborhood Park	Tier 2	5-10 years	1,700,000	2.00	-
Jewelberry NE	Neighborhood Park	Tier 2	5-10 years	1,700,000	2.00	-
Vista Loop	Neighborhood Park	Tier 2	5-10 years	1,700,000	2.00	-
Community East	Community Park	Tier 2	5-10 years	6,900,000	12.50	-
Tickle Creek Expansion - Central	Natural & Open Space	Tier 2	5-10 years	-	-	-
Tickle Creek Expansion - East	Natural & Open Space	Tier 2	5-10 years	-	-	-
Orient	Mini Park	Tier 3	10-15 years	490,000	0.50	-
Colorado East	Mini Park	Tier 3	10-15 years	490,000	0.50	-
Kelso 362nd	Neighborhood Park	Tier 3	10-15 years	1,700,000	2.00	-
Gunderson Road West	Neighborhood Park	Tier 3	10-15 years	1,700,000	2.00	-
Barlow Trail	Neighborhood Park	Tier 3	10-15 years	1,700,000	2.00	-
Trubel	Neighborhood Park	Tier 3	10-15 years	1,700,000	2.00	-
Vista Loop SW	Neighborhood Park	Tier 3	10-15 years	-	-	-
Community South	Community Park	Tier 3	10-15 years	5,900,000	10.00	-
Ruben	Natural & Open Space	Tier 3	10-15 years	-	-	-
Sandy Community Campus - Phases 1-4	Community Park		0-15 years	9,950,200	13.75	13.75
Total				\$ 49,219,700	69.65	18.15

Source: Environmental Science Associates, City staff.

Table 4 – Expansion List (Miles of Trail)

Trail Name	Tier	Timing	Total Cost	
			Allocated to Parks System	Miles Added
Kelso to Powerline	Tier 1	0-5 years	\$ 185,800	0.80
Sunflower to Powerline	Tier 1	0-5 years	32,500	0.06
Olson to Powerline	Tier 1	0-5 years	81,300	0.15
Sandy Bluff Park to 362nd	Tier 1	0-5 years	198,100	0.29
Sandy Bluff Park Pond Loop Trail	Tier 1	0-5 years	143,500	0.21
Bell Street to Sandy Bluff Park	Tier 1	0-5 years	191,300	0.28
Kate Schmidt to Bell Street	Tier 1	0-5 years	82,000	0.12
SHS Trail Easement 1	Tier 1	0-5 years	259,600	0.38
Meeker to Safeway	Tier 1	0-5 years	32,500	0.06
Community Campus to Sandy River Trail	Tier 1	0-5 years	23,700	0.59
Park Street to Community Campus	Tier 1	0-5 years	2,000	0.05
Tickle Creek Reroutes	Tier 1	0-5 years	93,750	0.26
Sunset Street to Tickle Creek	Tier 1	0-5 years	12,800	0.32
Sunset Street to Nettie Connett Drive	Tier 1	0-5 years	103,000	0.19
Bluff Road to Sandy Heights	Tier 1	0-5 years	11,600	0.29
Tupper Park to Gerilyn Court	Tier 1	0-5 years	32,500	0.06
Tickle Creek Extension East to Dubarko Underpass	Tier 1	0-5 years	125,000	0.26
Tickle Creek to Deer Point Park	Tier 1	0-5 years	432,000	0.80
Tickle Creek Extension Dubarko East to Jacoby	Tier 1	0-5 years	400,000	0.42
Alleyway to Tickle Creek Trail Connector	Tier 1	0-5 years	37,500	0.07
Bornstedt Park	Tier 1	0-5 years	78,000	0.14
Highway 211 Parkway	Tier 1	0-5 years	406,250	0.57
Cascadia to Tickle Creek	Tier 1	0-5 years	30,200	0.13
Slagle Loop to Jonsrud Viewpoint	Tier 2	5-10 years	38,500	0.96
Sandy River Lower Loop	Tier 2	5-10 years	13,300	0.33
Sandy River North Loop	Tier 2	5-10 years	10,400	0.26
Park Street to Sandy River Trail	Tier 2	5-10 years	6,400	0.16
Fir Drive to Community Campus	Tier 2	5-10 years	20,100	0.50
Tickle Creek Extension within UGR 2	Tier 2	5-10 years	380,900	1.64
Champion Way to Tickle Creek	Tier 2	5-10 years	4,400	0.11
Barnum to Tickle Creek	Tier 2	5-10 years	6,800	0.17
Salmon Creek Park to Barnum Road	Tier 2	5-10 years	92,200	0.17
Tickle Creek to Highway 211	Tier 2	5-10 years	69,700	0.30
Sandy Heights to Meinig Connection	Tier 2	5-10 years	11,500	0.29
Tickle Creek Jacoby Rd to Meadows Ave extension	Tier 2	5-10 years	172,600	0.74
Orient to Bluff Road 4,5	Tier 3	10-15 years	-	1.70
Kelso to 362nd	Tier 3	10-15 years	255,500	1.10
Orient to 362nd 2 (Bell Street Extension)	Tier 3	10-15 years	675,000	0.59
Vista Loop to Longstreet Lane	Tier 3	10-15 years	303,600	0.56
Orient to Tickle Creek	Tier 3	10-15 years	88,300	0.38
Tickle Creek to Colorado & Rachel	Tier 3	10-15 years	227,600	0.98
Bornstedt Road to Trubel Road	Tier 3	10-15 years	495,400	0.73
Village South to Trubel Road	Tier 3	10-15 years	623,600	0.91
Jacoby West to Village South	Tier 3	10-15 years	373,100	0.55
Cascadia to Jacoby West	Tier 3	10-15 years	102,300	
Old Barlow Trail	Tier 3	10-15 years	151,700	0.28
Barlow Trail to Tickle Creek	Tier 3	10-15 years	13,900	0.06
Barlow Trail to Market	Tier 3	10-15 years	25,600	0.11
Tickle Creek Connector Sewer Easement 4	Tier 3	10-15 years	914,000	3.94
Tickle Creek Bridge at Market	Tier 3	10-15 years	500,000	-
Total			\$ 8,571,300	24.01

Source: Email from Tracy Johnson, 2/2/2022

II.B.3. Infill Projects

The second of the City’s two project lists includes projects that will not expand the inventory of the parks system by adding acres but that will nevertheless add capacity for future users by adding amenities. As shown in Table 5 below, this project list has a total cost of \$4.0 million. Each project is assigned one of two eligibility percentages: zero percent if the project is for repair or replacement of existing assets, and 33.97 percent if the project adds new amenities. That 33.97 percent represents the share of total users made up of new users in 2035, and assigning a project that percent recognizes that existing and future users are expected to share new amenities in existing parks proportionately. The total eligible cost of the infill list is \$1.1 million.

Table 5 – Infill List

	Tier	Timing	Total Cost	Eligibility	Eligible Cost
Sandy Bluff Park	Tier 1	0-5 years	\$ 250,000	33.97%	\$ 84,921
Meinig Memorial Park	Tier 1	0-5 years	100,000	0.00%	-
Sandy River Park - Phase 1	Tier 1	0-5 years	800,000	33.97%	271,749
Bornstedt Park - Phase 2	Tier 2	5-10 years	652,000	33.97%	221,475
Tupper Park	Tier 2	5-10 years	750,000	33.97%	254,764
Meinig Memorial Park	Tier 2	5-10 years	273,200	33.97%	92,802
Sandy River Park - Phase 2	Tier 2	5-10 years	650,000	33.97%	220,796
Meinig Memorial Park	Tier 3	10-15 years	500,000	0.00%	-
Sandy River Park Addition	Tier 3	10-15 years	-	33.97%	-
Total			\$ 3,975,200		\$ 1,146,508

Source: Environmental Science Associates, City staff.

II.B.4. Calculated Improvement Fee Cost Basis

After determining the costs dedicated to expanding capacity on each of the two lists (expansion and infill), the improvement fee cost basis is calculated by multiplying those costs by their respective eligibility percentages. As discussed above, eligibility for capacity-expanding costs on the expansion list were determined through level-of-service calculations. Projects on the infill list were assigned the growth share percentage if they added amenities to existing parks and assigned zero percent if they were for repair or replacement.

As shown in Table 6 below, the total improvement fee cost basis ranges from \$15.1 million under the current level of service by category, up to \$54.5 million under the future level of service by unit of measurement.

Table 6 – Improvement Fee Cost Basis

	Current LoS			Future LoS	
	Cost	Eligibility	Eligible Cost	Eligibility	Eligible Cost
By Category					
Mini Park	\$ 980,000	100%	\$ 980,000	100%	\$ 980,000
Neighborhood Park	19,589,500	39%	7,598,570	60%	11,671,719
Community Park	28,650,200	12%	3,527,690	42%	12,061,452
Natural & Open Space	-	0%	-	0%	-
Undeveloped Park	-	0%	-	0%	-
Special Use Area	-	0%	-	0%	-
Trail	8,571,300	21%	1,829,024	48%	4,119,280
Expansion Projects Total	\$ 57,791,000		\$ 13,935,284		\$ 28,832,451
Infill Projects	3,975,200		1,146,508		1,146,508
Total	\$ 61,766,200		\$ 15,081,792		\$ 29,978,959
By Unit of Measurement					
Acres of Parks and Natural Areas	\$ 49,219,700	100%	\$ 49,219,700	100%	\$ 49,219,700
Number of Special Use Sites	-	0%	-	0%	-
Miles of Trails	8,571,300	21%	1,829,024	48%	4,119,280
Expansion Projects Total	\$ 57,791,000		\$ 51,048,724		\$ 53,338,980
Infill Projects	3,975,200		1,146,508		1,146,508
Total	\$ 61,766,200		\$ 52,195,232		\$ 54,485,488

Source: Previous tables.

II.C. REIMBURSEMENT FEE

A reimbursement fee is the eligible cost of the park facilities available for future users per unit of growth that such facilities will serve. Since growth was calculated in Section II.A, we will focus on the eligible cost of the park facilities available for future users. That is, we will focus on the cost of reimbursable park facilities.

II.C.1. Reimbursable Park Facilities

Reimbursable park facilities are those existing facilities which are not required to meet the City’s level of service and thus are available to future users. As discussed in Section II.B.1, an excess of park facilities only exists when the future level of service is currently being exceeded. When calculating the number of reimbursable facilities by category, there are 0.65 reimbursable acres of mini parks, 76.31 reimbursable acres of natural and open space, 19.55 reimbursable acres of undeveloped parks, and 1.36 reimbursable special use areas. When calculating the number of reimbursable facilities by unit of measurement, there are 60.67 reimbursable acres of parks and natural areas, and 1.36 reimbursable special use areas. There is no amount of reimbursable trails in either calculation.

II.C.2. Calculated Reimbursement Fee Cost Basis

The reimbursement fee cost basis is the product of the reimbursable quantity of park facilities and the eligible cost of those facilities. To calculate the eligible cost of reimbursable park facilities, several

approaches may be taken as long as they reflect the actual costs borne by the parks system for those parks facilities.

For this analysis, a unit cost of development per park category and generalized park acre is used for calculating the reimbursable costs for the City’s parks and natural areas. For special use sites, the unit cost is simply the average cost per site. These unit costs are adjusted downwards to account for inflation using a relevant index and the acre-weighted age of each park category. These discounted unit costs are then multiplied by the reimbursable quantity of park facilities in each category to get the reimbursable costs of each category.

The unit cost of development for each unit of measurement were based on the 2022 Parks and Trails Master Plan and is shown in the third column of Table 7 below. The unit costs adjusted for inflation are shown in the sixth column. Column 7 shows the reimbursable quantity by unit per category. The outside funding percentage is shown in Column 8. The final reimbursable cost must be reduced by that percentage. Finally, the total reimbursable cost is shown in the last column. As shown, the total reimbursable cost of parks facilities is \$578,569 when calculating by category, and \$21.1 million when calculating by unit of measurement.

Table 7 – Reimbursement Fee Cost Basis

	Units	2020 Development Cost per Unit	Weighted Average Age	Inflation Adjustment Factor	Estimated Original Cost per Unit	Reimbursable Quantity	Outside Funding Percentage	Total Reimbursable Cost
By Category:								
Mini Park	Acres	\$ 980,000	14.57	64.94%	\$ 636,417	0.65	100.00%	\$ -
Natural & Open Space	Acres	-	19.36	55.31%	-	76.31	0.00%	-
Undeveloped Park	Acres	-	4.64	87.51%	-	19.55	No data	-
Special Use Area	Number	824,665	21.75	51.63%	425,812	1.36	0.00%	578,569
	Total							\$ 578,569
By Unit of Measurement:								
Acres of Parks and Natural Areas	Acres	\$ 706,672	19.83	54.26%	\$ 383,423	60.67	11.59%	\$ 20,567,588
Number of Special Use Sites	Number	824,665	21.75	51.63%	425,812	1.36	0.00%	578,569
	Total							\$ 21,146,157

Source: Environmental Science Associates (2020 cost per unit); Engineering News-Record (inflation adjustment factor); previous tables (reimbursable quantity)

II.D. CALCULATED SDC

This section combines the eligible costs from the two project lists and applies adjustments for fund balance and compliance costs. The result is a total SDC per resident. We then use data from the Census Bureau to estimate the number of residents per dwelling unit and calculate SDCs for residential dwelling units.

II.D.1. Adjustments

The City estimates that it has \$1,223,401 in its improvement fee fund balance as of June 30, 2020. Unspent improvement fee revenue represents projects that remain unbuilt. Because these projects remain on the project list and are part of the improvement fee cost basis, it is reasonable to reduce this cost basis by the amount of revenue already received for those projects that remain on the list.

Table 8 – Adjustments to Improvement Fee Cost Bases

	Current by Category	Future by Category	Current by Unit	Future by Unit
Unadjusted Improvement Fee Cost Basis	\$ 15,081,792	\$ 29,978,959	\$ 52,195,232	\$ 54,485,488
Estimated Improvement Fee Fund Balance	(1,223,401)	(1,223,401)	(1,223,401)	(1,223,401)
Improvement Fee Cost Basis	\$ 13,858,391	\$ 28,755,558	\$ 50,971,831	\$ 53,262,087

ORS 223.307(5) authorizes the expenditure of SDCs on “the costs of complying with the provisions of ORS 223.297 to 223.314, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures.” To avoid spending monies for compliance that might otherwise have been spent on growth-related projects, this report also includes compliance costs as a separate cost basis. This cost basis is calculated based on the cost of the SDC methodology, once every five years for the full 15 years of the planning horizon.

II.D.2. Calculated SDC

Table 9 below is a complete schedule of parks SDCs showing the improvement fee, reimbursement fee, and compliance fee per resident and by land use for all methods of calculating the eligible cost of the expansion list.

Table 9 – Calculated SDC

	Current by Category	Future by Category	Current by Unit	Future by Unit
Cost Basis:				
Improvement Fee	\$ 13,858,391	\$ 28,755,558	\$ 50,971,831	\$ 53,262,087
Reimbursement Fee	-	578,569	-	21,146,157
Compliance Costs	62,430	62,430	62,430	62,430
Total Cost Basis	\$ 13,920,821	\$ 29,396,557	\$ 51,034,261	\$ 74,470,674
Growth in Residents	6,488	6,488	6,488	6,488
Improvement Fee per Resident	\$ 2,136	\$ 4,432	\$ 7,856	\$ 8,209
Reimbursement Fee per Resident	-	89	-	3,259
Compliance Fee per Resident	10	10	10	10
Total SDC per Resident	\$ 2,146	\$ 4,531	\$ 7,866	\$ 11,478
Fee Schedule:				
Single-family dwelling unit	\$ 5,857	\$ 12,368	\$ 21,472	\$ 31,333
Multi-family dwelling unit	4,343	9,170	15,920	23,231
Mobile home dwelling unit	4,718	9,962	17,295	25,237

Source: 2015-2019 American Community Survey 5-Year Estimates, Tables B25024 and B25033
(residents per dwelling unit)

As shown above, the maximum allowable charge is \$11,478 per resident under the future level of service by unit of measurement. The resulting SDC is \$31,333 for a single-family dwelling unit based on an estimated 2.73 residents per dwelling unit, \$23,231 for a multi-family dwelling unit based on an estimated 2.02 residents per dwelling unit, and \$25,237 for a mobile home dwelling unit based on an estimated 2.20 residents per dwelling unit.

II.D.3. Comparison

This section provides comparisons for the City’s current and proposed SDCs against those of comparable jurisdictions. As shown in Table 10, if SDCs are implemented as proposed, the City will have a higher parks SDC than all comparable cities in this survey.

Table 10 – Parks SDC per SFR Comparison

	Parks SDC per SFR	
Sandy (Maximum)	\$	31,333
Lake Oswego		15,672
Tigard		10,345
Sherwood		8,998
Happy Valley		8,515
Canby		6,025
Hubbard		4,558
Eugene		4,246
Milwaukie		3,985
Sandy (Current)		3,717
Molalla		2,643

Source: Survey by FCS GROUP, as of 4/26/2022

Section III. FEE-IN-LIEU ANALYSIS

This section provides the detailed calculations of an updated fee in lieu of parkland dedication. The City will need to update its municipal code to accommodate the calculation.

III.A. LAND DEDICATION REQUIREMENT

The City currently requires developers to dedicate 0.0068 acres per resident added by a new development to give the City enough parkland to reach its goals for the park system. This is based on its existing inventory and on data from the 2022 Parks and Trails Master Plan.

III.B. LAND ACQUISITION COSTS

The City currently uses \$241,000 as its estimate for the cost of an acre of land in its fee-in-lieu calculation. However, FCS GROUP used assessor data to determine a more recent cost per acre based on the cost of undeveloped, platted land. That data revealed the average price per acre to be \$869,242.

III.C. CALCULATED FEE-IN-LIEU

Based on the previous sections, the fee-in-lieu calculation is summarized in Table 11 below. As shown, the calculated fee-in-lieu per resident is \$5,911, and the fee-in-lieu per dwelling unit ranges from \$11,963 up to \$16,135.

Table 11 – Fee-in-Lieu Calculation

Current cost per acre		\$869,242
Targeted acres per resident		0.0068
Calculated Fee-in-Lieu per resident		\$5,911
Fee Schedule:	<u>Residents per Dwelling Unit</u>	
Single-family dwelling unit	2.73	\$16,135
Multi-family dwelling unit	2.02	\$11,963
Mobile home dwelling unit	2.20	\$12,996

The table above uses data from the Census Bureau to calculate the number of residents per dwelling unit. Those calculations were also used to calculate the SDC per dwelling unit.

The City may choose instead to use its current occupancy assumptions, as described in Sandy Municipal Code Sec. 17.86.10. Under those assumptions, the fee-in-lieu ranges from \$8,866 for a congregate multi-family dwelling unit, up to \$17,733 for a single-family dwelling unit.

Table 12 – Fee-in-Lieu Calculation with City’s Current Occupancy Estimates

Current cost per acre		\$869,242
Targeted acres per resident		0.0068
Calculated Fee-in-Lieu per resident		\$5,911
Fee Schedule:	Residents per Dwelling Unit	
Single-family dwelling unit	3.00	\$17,733
Multi-family dwelling unit	2.00	\$11,822
Mobile home dwelling unit	2.00	\$11,822
Congregate multi-family dwelling unit	1.50	\$8,866

Section IV. IMPLEMENTATION

This section addresses practical aspects of implementing SDCs and an updated fee-in-lieu.

IV.A. FEE-IN-LIEU CHANGES

The City determined to keep its existing occupancy estimates when calculating the fee-in-lieu for a new development, so no adjustment is needed to match the occupancy estimates shown in Tables 9 and 11.

IV.B. INDEXING

ORS 223.304 allows for the periodic indexing of SDCs for inflation, as long as the index used is:

- (A) A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property or a combination of the three;
- (B) Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and
- (C) Incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution or order.

In accordance with Oregon statutes, we recommend that the City use the *Engineering News-Record* (ENR) Construction Cost Index (CCI) 20-City Average as the basis for adjusting SDCs annually.



NO. 2022-23

A RESOLUTION ADOPTING AN INCREASE TO PARKS SYSTEM DEVELOPMENT CHARGES

Whereas, Section 15.28.050 of the Sandy Municipal Code requires that methodologies used to establish systems development charges be approved by a Resolution adopted by the Council; and

Whereas, the City Council engaged FCS Group, Inc. to review the 2022 City of Sandy Parks and Trails Master Plan and develop a methodology to calculate and collect Systems Development Charges to fund the improvements it describes; and

Whereas, said methodology was adopted by the Council by Resolution 2022-21; and

Whereas, the Sandy City Council desires to implement the adopted methodology to revise existing Parks systems development charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

Section 1. The amounts of the Parks system development charges are hereby revised as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. This Resolution amends the Master Fee Schedule, dated July 1, 2022, effective January 1, 2023, on pg. 8, section (C.) Park as follows:

1. To remove the subcategories (ii, iii, iv) in (a.) Single Family, (b.) Multi-Family, and (b.) Congregate Multi-Family;
2. To remove (b.) Congregate Multi-Family; and
3. To add (c.) Mobile Home
4. To change the amount of each fee to be as reflected for January 1, 2023 in Exhibit A, attached hereto and incorporated herein by this reference.

This Resolution shall be effective on Sept. 6, 2022 and the revised system development charges shall be imposed on building permit applications submitted beginning on January 1, 2023.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 06 day of September 2022

#2022-23



Stan Pulliam, Mayor

ATTEST:



Jeff Aprati, City Recorder

#2022-23



EXHIBIT A

City of Sandy
39250 Pioneer Blvd.,
Sandy, OR 97055

OPTION D

11-Year Phase-In
Start at \$8,897.09 increase to \$25,000
Proportionately for Multi-Family (MF) and Mobile Multi-Family
Effective Date: Jan. 1, 2023

Fiscal Year	Implementation Date	Single-Family	Multi-Family	Mobile Home
2022	Existing	\$3,717.00	\$2,495.00	\$2,495.00
2023	1/1/2023	\$8,897.09	\$6,596.64	\$7,166.22
2024	7/1/2023	\$10,507.38	\$7,790.57	\$8,463.24
2025	7/1/2024	\$12,117.67	\$8,984.50	\$9,760.26
2026	7/1/2025	\$13,727.96	\$10,178.43	\$11,057.28
2027	7/1/2026	\$15,338.25	\$11,372.37	\$12,354.30
2028	7/1/2027	\$16,948.55	\$12,566.30	\$13,651.32
2029	7/1/2028	\$18,558.84	\$13,760.23	\$14,948.34
2030	7/1/2029	\$20,169.13	\$14,954.16	\$16,245.36
2031	7/1/2030	\$21,779.42	\$16,148.09	\$17,542.38
2032	7/1/2031	\$23,389.71	\$17,342.02	\$18,839.40
2033	7/1/2032	\$25,000.00	\$18,535.95	\$20,136.41



Review
Parks System Development Charges
&
Fee-in-Lieu of Parkland Dedication Rates

City Council Meeting
March 20, 2023

Review Parks System Development Charges & Fee-in-Lieu

Objectives:

Review of Timeline of the Decision Path

Parks SDC's

Fee-in-Lieu of Parkland Dedication

Staff Recommendation

Discussion and Staff Direction



Timeline



Overview Parks System Development Charges

- Means to Implement the newly adopted Parks and Trails Master Plan
- One time charge on new development
- The updated methodology has 2 types of SDC's
 - Reimbursement
 - Improvement

Old & New Rates Parks System Development Charges

- Parks has not raised SDC's since 2016
- Rates from 2016-2022
- New Rates went into effect Jan. 1, 2023

PARKS SDC / SINGLE FAMILY DWELLING & DUPLEX				
2016-2022 Rate / SFR	Jan. 1, 2023 Rate / SFR	Duplex 2022 Rate	Duplex 2023 Rate	Fee Assessed
\$3,717.00	\$8,897.09	\$7,434.00	\$17,794.18	issuance of building permit



Implications if Parks System Development Charges are Reduced

Fiscal Year Ended June 30	Beginning Balance	SDCs	Interest	Expenses	Ending Balance	Exp. NOTES
2016	41,436	146,857	0	-21,728	166,565	Sandy River Park
2017	166,565	207,121	0	-135,384	238,302	Bornstedt Improvements, Meinig Bid Set
2018	238,302	333,882	0	-51	572,133	??
2019	572,133	381,667	43,161	-41	996,920	PTMP
2020	996,920	312,487	24,923	-129,372	1,204,958	PTMP, Bornstedt Shelter
2021	1,204,958	227,465	10,348	-77,505	1,365,265	PTMP
2022	1,365,265	427,546	9,542	-37,132	1,765,223	PTMP
2023	1,765,223	291,175	25,000	-342,159	1,739,238	Projected Year End PTMP & SCC

Projected Revenue	FULL RATE	REDUCED RATE 1/4	REDUCED RATE 1/2
<i>using SFR</i>	\$8,897.09	\$6,672.82	\$4,448.55
July 1 2023-2025	\$2,572,702	\$1,929,527	\$1,286,351



Overview Fee-In-Lieu Fees

- Funding mechanism that supports the purchase of future parkland and/or natural spaces.
- New residential subdivisions, multi-family or manufactured home park developments are required to provide parkland to serve existing and future residents of those developments
- FIL has not been raised since 2004 it was \$241,000 per acre
- New rate of \$869,242 was determined by more recent cost per acre based on the cost of undeveloped, platted land.



Old & New Rates / FIL

Fee-In-Lieu / PER ACRE	
2004-2022 Rate per Acre	Applications Submitted beginning Sept. 7, 2022
\$241,000.00	\$869,242.00
Fee-In-Lieu / Per Resident	
2004-July 2022 Rate Per Resident	Applications Submitted beginning Sept. 7, 2022
\$1,638.80	\$5,911.00
Development code modifications in July 2022	

Fee-In-Lieu / Single Family Dwelling & Duplex				
2004-2022 SFR	Applications Submitted beginning Sept. 7, 2022	Duplex 2022 Rate	Duplex 2023 Rate	Fee Assessed
\$4,916.40	\$17,732.54	\$9,832.80	\$35,465.07	shall be paid prior to approval of the final plat

Implications if Parks System Development Charges are Reduced

Fiscal Year Ended June 30	Beginning Balance	Fee-in-Lieu	Interest	Expenses	Ending Balance	NOTES
2016	0	45,192	466	-52,000	-6,342	purchased tickle creek property
2017	-6,342	158,204	2,810	0	154,672	
2018	154,672	199,129	10,981	0	364,782	
2019	364,782	471,717	-7,413	0	829,086	
2020	829,086	208,073	18,801	0	1,055,960	
2021	1,055,960	87,220	8,240	-10,000	1,141,420	downpayment on sandy heights property
2022	1,141,420	79,223	6,101	-26,736	1,200,008	purchased sandy heights property
2023	1,200,008	36,604	25,000	0	1,261,612	Projected Year End

Projections	FULL RATE	REDUCED RATE 1/4	REDUCED RATE 1/2
<i>cost per acre</i>	\$869,242	\$651,932	\$434,621
July 1 2023-2025	\$975,171	\$731,378	\$487,585



Discussion and Staff Direction





MINUTES
City Council Meeting
Monday, March 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: (none)

STAFF PRESENT: Jordan Wheeler, City Manager; Jeff Aprati, City Recorder; Tyler Deems, Deputy City Manager; Josh Soper, City Attorney; and Jenny Coker, Public Works Director

MEDIA PRESENT: (none)

1. CITY COUNCIL EXECUTIVE SESSION - 6:00 PM

The City Council met in executive session pursuant to ORS 192.660(2)(h)

2. CITY COUNCIL REGULAR MEETING - 7:00 PM

3. Pledge of Allegiance

4. Roll Call

5. Changes to the Agenda
(none)

6. Public Comment

Katie Hieb: attended the meeting on behalf of Representative James Hieb; they look forward to continuing to work with the City.

Dave Carter: complimented the City on the recent storm response. Expressed concerns about sidewalk planter strips; would prefer 5 foot sidewalks immediately adjacent to the curb; street trees damage sidewalks. Inquired about sidewalks being constructed at the Vista Loop development site near a retention pond; suggested bark dust would be more appropriate.

7. Response to Previous Public Comments

8. Consent Agenda

8.1. **City Council Minutes**

February 18, 2023
February 21, 2023

8.2. **Budget Committee Appointments**

Staff Report - 0671

8.3. **Amendment No. 5 – Collection System Rehabilitation: Basin 2 and 8**

Staff Report - 0672

8.4. **Contract for Sandercock Reservoir Repairs**

Staff Report - 0673

The Council expressed its appreciation of the staff work that went into the large items on the consent agenda, and thanked the Council subcommittees whose oversight work facilitated usage of the consent agenda.

Moved by Don Hokanson, seconded by Carl Exner

Adopt the consent agenda.

CARRIED. 6-0

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

Absent: Richard Sheldon

9. **New Business**

9.1. **Draft 2023-25 City Council Goals**

Staff Report - 0674

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

The Council made the following edits to the draft Council Goals:

Public Safety and Community Livability

- Clarify the elements included in the traffic officer program beyond staffing
- Explore funding opportunities offered by other levels of government

- Add specific language regarding traffic speed
- Refer to it as a 'traffic safety program'
- (The Council discussed adding language on the Homelessness Task Force, but it was noted that it has now facilitated two important code changes, and should stand by to address future issues as needed)

Public Works

- Refer to 'sustainable infrastructure,' and add the importance of pursuing state and federal funding
- Plan for safety improvements at Dubarko/Hwy 211, rather than 'construct'
- Add language on stormwater needs, referring to the importance of building the fund balance in anticipation of a future master plan
- Note the need to replenish the Street Fund

Community Planning and Economic Development

- Note 'events and projects,' rather than just events
- Add the need to adopt and implement the Economic Development Strategic Plan, which will include business recruitment
- (The Council discussed adding language on Pleasant Street and the 362nd/Bell area, but noted this would be more appropriately addressed by SURA)

Parks & Recreation

- Add language specifically about swim lessons and water safety
- Add language on expanding volunteer opportunities
- (The Council discussed adding language about arts, but a majority felt this was addressed under the 'volunteer opportunities' language.)

SandyNet

- (The Council discussed the importance of ensuring that compensation is structured to adequately retain needed talent)

Library

- (The Council discussed the amount of general revenue that will be needed by the Library going forward)

Transit

- Add language regarding increasing ridership of the shopper shuttle specifically, increasing the usage of transit within the city's boundaries, and noting the safety and convenience of routes within the city

City Operations

- Add language about increasing Council effectiveness through updating the Council Rules and reviewing Council Policies

The Council also stressed the importance of cost recovery across the organization

10. Report from the City Manager

- The second Community Campus Park survey is in process
- Sandy's CCA dinner will occur on March 23rd
- Staff is tracking the legislative session, including a number of bills related to housing production that are being fast-tracked; the City has concerns about preemption of local control, and about unfunded requirements to produce more housing

11. Committee /Council Reports

Councilor Hokanson

- Collaboration with Multnomah County is occurring regarding opposition to the closure of the Legacy Mt. Hood birth center

Councilor Exner

- The Sandy Fire District has signed the intergovernmental agreement with Clackamas Fire; he is seeking information on who the City will need to liaise with in the future. The Council discussed code changes that may need to occur with operations now being conducted by Clackamas Fire.
- Safety concerns at the intersection of Hwy 26 and Ten Eyck; collaborations with stakeholder agencies will be necessary to make any changes

Councilor Walker

- Concerns regarding possible County funding cuts to the library network systems; budget impacts of the County's new courthouse project
- Recognition of the work being done on water and wastewater projects
- The recent open house for the Community Campus Park went well; individuals attended who had expensive pump track experience

Councilor Sheldon

- Recognition of Public Works storm response
- Agreement on the urgency of addressing safety concerns at the intersection of Hwy 26 and Ten Eyck; possibilities for staggering lights

Council President Smallwood

- The recent open house for the Community Campus Park went well
- The Economic Development Strategic Plan is nearing completion; the Economic Development Advisory Board will finalize its recommendation next month
- The Parks and Trails Advisory Board will meet this week

Councilor Mayton

- The Planning Commission reviewed the Water Master Plan, and began a hearing on a mixed use development
- Recognition that the Economic Development Strategic Plan will be the first of its kind for Sandy
- Recommendation that the City adopt a policy that elected and appointed officials keep cameras on whenever possible while in virtual meetings

Mayor Pulliam

- Has been meeting frequently with members of the Capital Construction Committee; they have been generally receptive of the City's funding request
- Had a productive meeting with the Executive Director of the League of Oregon Cities on the importance of local control and of LOC's role in advocating for cities
- The Community Campus Park offers exciting possibilities for Sandy
- Chronic vacant buildings in the city need to be addressed, particularly if owners have no intention of filling spaces and/or improving the building. Though individual situations can be complicated, a work session on policy options is needed.

12. Staff updates

12.1. [Monthly Reports](#)

13. Adjourn

Mayor, Stan Pulliam

City Recorder, Jeff Aprati



Staff Report

Meeting Date: March 20, 2023

From Rochelle Anderholm-Parsch, Parks and Recreation Director
Resolution Authorizing Application for Grant Community Campus

SUBJECT: Park Project

DECISION TO BE MADE:

Whether to authorize the City of Sandy Parks and Recreation Department to apply for a Local Government Grant from the Oregon Parks and Recreation Department as part of the funding to develop the Community Campus Park.

PURPOSE / OBJECTIVE:

The Parks Department asks that the Council support the Department's efforts to apply for a grant for the development of a new community park located at the old Cedar Ridge Middle School via a "Resolution Authorizing Application for Grant," which is part of the grant application requirement.

BACKGROUND / CONTEXT:

The Parks and Recreation Department plans to pursue a grant through the Oregon Parks and Recreation Department (OPRD) called the Local Government Grant Program (LGGP). During the monthly Parks and Trails Advisory Board meeting on March. 8, 2023, the Parks Board provided a letter of support for the project and also submitted a letter to Council expressing their support regarding the "Resolution Authorizing Application for Grant" for the Community Campus Park project.

KEY CONSIDERATIONS / ANALYSIS:

This park project will accomplish the development of amenities at the Community Campus, which has been a long standing goal of the City Council. The park was also listed as a priority in the 2022 Parks and Trails Master Plan. Sources of funding and funding constraints are a key consideration.

RECOMMENDATION:

Staff recommends that the Council authorize the Parks and Recreation Department to apply for the Local Government Grant Program through the Oregon Parks and Recreation Department via a "Resolution Authorizing Application for Grant."

BUDGETARY IMPACT:

The Grant application is due April 1, 2022. Presentations will be conducted in June, 2023. Award status will be announced sometime end of summer 2023.

This project is eligible for Park SDCs and there is \$3.0M cash in SURA from the original purchase of Cedar Ridge Middle School. Combining SDC's and SURA cash equates to roughly \$4.0M-\$5.0M in available funding for this project. Available funds could increase or decrease based on revenue generated through collected Parks SDCs, and whether or not the City receives grant funding.

This grant and SDCs will be a vital source of project funding supporting phase 1 development.

The Parks and Recreation Department would like to submit an application for the Local Government Grant Program not to exceed \$485,000.

SUGGESTED MOTION LANGUAGE:

"I move to adopt Resolution 2023-08."

LIST OF ATTACHMENTS/EXHIBITS:

- Resolution 2023-08
- Parks and Trails Advisory Board Letter to Council Supporting "Resolution Authorizing Application for Grant"



NO. 2023-08

A RESOLUTION TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR THE COMMUNITY CAMPUS PARK DEVELOPMENT PROJECT

Whereas, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

Whereas, the City of Sandy Parks and Recreation Department desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements, and enhancements; and

Whereas, the Sandy City Council, the Parks and Trails Advisory Board and staff have identified park improvements at the old Cedar Ridge Middle now referred to as the Community Camps as a high priority need in the City of Sandy; and

Whereas, the project will include multiple components; the construction of shelters, walking path, restrooms, parking lot, barrier free access, and a skate park and bike pump track; and

Whereas, the City of Sandy Parks and Recreation Department has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

Whereas, the City of Sandy Parks and Recreation Department will provide adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

1. The City Council demonstrates its support for the submittal of a grant application to the Oregon Parks and Recreation Department for development of the Community Campus Park.
2. The City Manager or designee is authorized to execute any and all documents related to the grant application and to effectuate its award.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 20 day of March 2023

#2023-08

Stan Pulliam, Mayor

ATTEST:

Jeff Aprati, City Recorder

#2023-08

March 8, 2023

Mayor Pulliam and the Sandy City Council
39250 Pioneer Blvd. Sandy, OR 97055

Re: Parks and Trails Advisory Boards Supporting the Resolution to Apply for the LGGP

Dear Mayor Pulliam and Councilors,

The Parks and Trails Advisory Board would like to express our desires that the Sandy City Council approves the Resolution to apply for the Local Government Grant Program as presented by the City of Sandy Parks and Recreation Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Robertson", with a long horizontal flourish extending to the right.

Don Robertson
Parks and Trails Advisory Board Chair



Staff Report

Meeting Date: March 20, 2023
From Jordan Wheeler, City Manager
SUBJECT: Adoption of 2023-25 City Council Goals

DECISION TO BE MADE:

Adoption of 2023-25 City Council goals developed from the February 18th, 2023 City Council Goal Setting session.

PURPOSE / OBJECTIVE:

The City Council adopts goals every two years to set priorities and strategic direction for the City. The goals identify the major initiatives, projects, and policies that the Council and staff will be dedicating time and resources over the next two years to achieve the Council's vision for the community. Once adopted, staff develops a work plan for advancing and executing on the goals and aligns resources towards the goals in the Proposed Budget for the upcoming biennium.

BACKGROUND / CONTEXT:

The City Council met for an all day goal setting session on [February 18, 2023](#). For background, city departments provided updates on current projects and initiatives and challenges and opportunities. The Council then discussed desired goals and actions by Department.

The Council reviewed a draft set of goals during their meeting on [March 6, 2023](#). Staff received the feedback offered by the Council during that meeting and developed a final draft of goals for the Council's consideration and official adoption at this meeting.

RECOMMENDATION:

Staff recommends Council adoption of the goals attached to this report.

BUDGETARY IMPACT:

Resource and budget needs will be developed with the work plans for incorporation into the Proposed Budget.

SUGGESTED MOTION LANGUAGE:

"I move to adopt the 2023-25 City Council Goals as written in the staff report."

LIST OF ATTACHMENTS/EXHIBITS:

- 2023-25 City Council Goals



2023-25 Sandy City Council Goals

Public Safety and Community Livability

1. Enhance public safety and community livability through enforcement of the municipal code.
 - a. Develop a budget proposal for adding a code enforcement position.
 - b. Develop a traffic safety and speed enforcement program that includes a filled traffic officer position and deployment of speed enforcement technology such as radar speed signs and speed trailers.
 - c. Seek grant funding to support traffic safety and speed enforcement, and other programs within the Police Department.
2. Continue addressing homelessness through partnerships with local and regional partners.
 - a. Explore partnerships and shared costs for staffing related to behavioral health needs.

Public Works

1. Continue to invest in sustainable infrastructure for the City's critical public utilities, in pursuit of system resilience, expanded capacity, and environmental protection.
2. Maintain the financial strength of the City's utility funds.
 - a. Increase the balance in the Stormwater Fund to prepare for a future Stormwater Master Plan.
 - b. Replenish the Street Fund to support future maintenance activities.
 - c. Continue to seek grants and alternative funding sources for the city's major capital infrastructure projects.
3. Increase pedestrian safety, trail and local road connectivity, and traffic efficiency through high priority projects in the City's Transportation System Plan.
 - a. Adopt the updated Transportation System Plan.
 - b. Complete speed limit studies for Bluff Road and Highway 211.
 - c. Study intersection and pedestrian safety improvements to the Dubarko Road/Highway 211 intersection.

Community Planning and Economic Development

1. Foster community and economic development and tourism opportunities through events and projects that promote and leverage the City's storied history and natural beauty.
 - a. Expand on the Holidays Lights at Meinig Park to create a Winterfest event throughout the holiday season.
2. Adopt and implement the Economic Development Master Plan; recruit businesses to Sandy in alignment with the goals and strategies identified in the plan.

DRAFT: March 20, 2023

3. Manage responsible growth through engaging the public in community visioning and long range planning, and implementing code updates.
 - a. Complete Envision Sandy 2050 and adopt the Comprehensive Plan update.
 - b. Implement policy changes and new and emerging state regulations through code amendments that are responsible and reflect the community values.
 - c. Pursue code options to retain local control of decision making over shelters and transitional housing.
 - d. Continue to update the planning and building development fees to increase cost recovery.

Parks & Recreation

1. Invest in our park system for current and future residents of Sandy and continue expansion of recreational opportunities for the community.
 - a. Design and construct the Community Campus Park improvements.
 - b. Complete design and construct park improvements at Deer Point Park.
 - c. Research and act on the purchase of park land for future park facilities and/or natural area and open space preservation.
 - d. Work with the Oregon Trail School District for developing a new facility use agreement.
 - e. Explore ways to connect Sandy residents with aquatic opportunities, including swim lessons and water safety programs.
 - f. Reestablish a volunteer program and expand volunteer opportunities.

SandyNet

1. Complete a long term sustainable utility plan for SandyNet that includes a rate study, staffing needs analysis, and permanent facility plan.

Library

1. Advocate for the financial sustainability for the Sandy and Hoodland Libraries and expand access to materials and enrichment programs.
 - a. Seek funding for a community outreach and engagement vehicle.
 - b. Work with the County on the long term plans for the Hoodland Library.

Transit

1. Promote SAM as a safe, and efficient transportation option and increase system ridership.
 - a. Increase community awareness and utilization of convenient routes within city limits, particularly the Shopper Shuttle.
 - b. Ensure the proposed Clackamas County Town Center route is appropriately planned, safe, and efficient.
 - c. Continue modernization of the fleet and operations.

Good Governance and City Operations

1. Enhance Council effectiveness through updating the City Council Rules.
2. Maintain financial sustainability of city programs, events, and services through adequate cost recovery policies and practices.

DRAFT: March 20, 2023

3. Develop a Sustainable Staffing Plan for the City of Sandy.
 - a. Continue investing in the city's workforce to retain talented and community oriented employees through competitive compensation and recognition.
 - b. Forecast current and future staffing needs to maintain service levels, mitigate operational risks, and adequately manage key projects and priorities.
 - c. Develop an achievable plan for accommodating current and future space needs for city staff and operations.

Draft

DRAFT: March 20, 2023



Staff Report

Meeting Date: March 20, 2023

From Jenny Coker, Public Works Director
HHPR Bell and 362nd Avenue Improvements Project Amendment

SUBJECT: No. 3

DECISION TO BE MADE:

Whether to approve an amendment to the Bell and 362nd Extension Project agreement with Harper Houf Peterson Righellis (HHPR), for additional funding due to changes in the scope of work.

BACKGROUND / CONTEXT:

Harper Houf Peterson Righellis (HHPR), the contractor for the Bell and 362nd Ave Improvements project, has requested Amendment No. 3 for additional funding to their contract with the City.

The City originally signed the contract with HHRP on March 25th, 2020. We are still seeing staffing shortages causing longer than expected review times with government and permitting agencies. HHPR has not asked for any rate increases to this scope in the last 3 years, despite the continued high inflation rates. They have also been an excellent partner continuing to work as to not disrupt the project schedule. Finally, as part of the ODOT permit process, HHPR helped reach a compromise along with the local Sandy ODOT maintenance crew that saved the City over \$200,000 in requested improvements to Highway 26.

KEY CONSIDERATIONS / ANALYSIS:

Amendment No. 3 consists of changes made to the scope of services that changed through the life of the contract. "Exhibit A" (attached) lays out the additional scope for the project. Some of the additional scope was asked for by the City but most were due to the overrun to permitting and plan review/approval tasks that could not be reasonably anticipated. For instance, before the pandemic, it was standard to budget for two rounds of comments to get an ODOT permit. This project required six rounds of comments and responses. Amendment No. 3 is also required to provide services during construction to build the project, augmenting PW's limited staff.

- The original contract with HHPR was \$1,209,846.73
- Total contract after amendment No. 2 - \$1,557,666.64
 - Amendment No. 3 - \$184,640.00
- The adjusted total after the proposed amendment to \$1,742,306.64

With Amendment 3, the total consulting fees as a percentage of the construction cost are 18.7%. Given industry standard is 20%, the City has still received excellent value for services rendered.

Only 36% of Amendment No. 2 approved May 16, 2022 has been spent so far. However, the overrun to permitting and plan review/approval tasks has drained budget intended for construction.

This amendment includes approximately \$41,000 of new tasks (\$6,700 Traffic Study & \$34,200 for Historic Mitigation services). A key new task is conducting a speed study where Bell meets the High School before 362nd and Bell is completed. The remainder (\$143,740) goes toward extra costs for permitting and design development tasks that had been invoiced (or held) beyond the original estimates.

RECOMMENDATION:

Authorize the City Manager to sign an agreement with Harper Houf Peterson Righellis (HHPR) for Amendment No.3.

BUDGETARY IMPACT:

The proposed Amendment totals \$184,640.00 and will be paid for from a combination of Street Utility funds for the current biennium budget and the FY24-25 biennium budget (the project will extend summer/fall of 2023).

SUGGESTED MOTION LANGUAGE:

"I move to authorize the City Manager sign Amendment No. 3 to the contract with Harper Houf Peterson Righellis (HHPR) in the amount of \$184,640.00."

LIST OF ATTACHMENTS/EXHIBITS:

- HHPR's Amendment No. 3 Proposal
- HHPR's Amendment No. 3 Fee

Bell Street and SE 362 Avenue Extension – City of Sandy, Oregon

Amendment No. 3

Harper Houf Peterson Righellis Inc.

January 27, 2023

Description of Amendment

Amendment No. 3 is an amendment to the Professional Services Agreement that Harper Houf Peterson Righellis, Inc. (Contractor) entered into agreement with the City of Sandy on March 25th, 2020.

Amendment No. 3 consists of additional effort for existing tasks such as Environmental Permitting, ODOT and City permitting, and also includes new tasks for traffic engineering and SHPO mitigations.

Task 2: Design Survey and Field Investigations Subtotal

Additional Task 2.C.2. Additional services for AINW to complete stipulated mitigation activities, including:

- Preparation of MOA and Coordination
- Consultation to Mitigate Adverse Effect
- Oregon State Level Documentation
- Onsite Interpretive Displays

Task 3 Traffic Engineering:

Task F (Revised). This task was created in Amendment 2, however continued efforts have been required beyond the scope anticipated at that time. Continued additional DKS efforts related to ODOT traffic analysis/methodologies/approvals, including but not limited to:

- Design Exception for V/C Ratio
- Design of Full Signal Reconstruction at Highway 26
- Additional Traffic Analysis to Support the Permitting and Grant of Access Approvals

Additional Task G. Additional services to complete Speed Study on Bell Street near Sandy High School.

Task 4 Environmental Permitting:

Additional Task 4.F Additional Permitting Services and Coordination to facilitate completion of DEQ, Corp & DSL permits

Task 6: Design Development

Additional Task 6E: City/ODOT Review of Construction Documents: This task was added in Addendum 2, but the efforts required to resolve ODOT comments were greater and took more resubmittals, emails, coordination and meetings than anticipated. The City of Sandy Conditions of Approval letter also was received after Addendum 2 had been processed and required extensive review/coordination and plan revisions to address City comments including landscape plan sheet revisions during construction.

Task 7: Construction Phase Services:

Task 7G Geotechnical Construction Management and Observation (Revised) – Part of the final ODOT permit approval included a requirement for the Geotechnical Engineer to be present during shaft excavation to confirm materials suitable for foundation depth design.

See Exhibit B for Contract Changes Related to Amendment No. 3

Amendment 2 Total (including Authorized Contingencies): \$1,557,664.64
Amendment 3 Total: \$184,640.00
Adjusted Total of Contract after Amendment No. 3: \$1,742,306.64

Duration of Contract:

The Contract currently expires December 31st, 2023. An extension is not required at this time.

Contactor:

Harper Houf Peterson Righellis, Inc.

By: Daniel S. Houf, P.E.

Title: President

Date: January 27, 2023

Business Address: 205 SE Spoke Street, Suite 200, Portland, OR 97202

Employer ID: 93-1045332

Corporation

City of Sandy:

By: _____ (Signature)

Name: Jordan Wheeler – City Manager

City of Sandy

39250 Pioneer Blvd, Sandy, OR 97055

Date: _____, 2023

EXHIBIT B: Harper Houf Peterson Righellis Inc. Bell Street and SE 362nd Avenue Extension Contract Amendment No. 3	Harper Houf Peterson Righellis Inc.														
	Project Manager	Project Engineer	Civil Engineer/Senior Civil Designer	Civil Designer	Cad Technician	Landscape Architect	Senior Scientist	Scientist	Expenses	HHPR Subtotal	DKS Associates	GeoDesign	AINW	Sub-Total	
Task 2: Design Survey and Field Investigations															
2.C.2 Additional Services to Mitigate Adverse Effect Determination									\$0.00				\$34,200.00	\$34,200.00	
Task 3: Traffic Engineering															
3.F. Additional Traffic Analysis and Design (REVISED)									\$0.00	\$ 15,000.00				\$15,000.00	
3.G. Additional Traffic Analysis and Design - School Speed Study									\$0.00	\$ 6,700.00				\$6,700.00	
Task 4: Environmental Permitting															
4.F Additional Coordination/Revisions/Support for Environmental Permits	24	60	80		40		24	40	\$42,160.00				\$15,300.00	\$57,460.00	
Task 6: Design Development															
6.E. City / ODOT Review of Construction Documents (Additional Scope)	40	120	80	24	100	24	32	16	\$68,780.00					\$68,780.00	
Task 7: Construction Phase Services															
7.G. Geotechnical Construction Management and Observation - Add. Services (ODOT)									\$0.00		\$ 2,500.00			\$2,500.00	
	64	180	160	24	140	24	56	56	\$0.00						
Hourly Rate	\$ 195	\$ 190	\$ 160	\$ 135	\$ 115	\$ 140	\$ 170	\$ 115							

Total Amendment No. 3 \$ 184,640.00

Original Base Contract Amount \$ 1,036,745.13

Total Contract after Amendment No. 2 \$ 1,557,666.64

Adjusted Total after Amendment No. 3 \$ 1,742,306.64

Total Requested Contract Increase \$ 184,640.00



Staff Report

Meeting Date: March 20, 2023

From Jordan Wheeler, City Manager

SUBJECT: PUBLIC HEARING: Extending a Moratorium on Development

DECISION TO BE MADE:

Whether to adopt Resolution 2023-07, extending the existing moratorium on new development.

PURPOSE / OBJECTIVE:

To limit new connections to the sanitary sewer system and prevent the approval and vesting of additional development projects that lead to new sewer connections until capacity is known and becomes available in the city's sewer system.

BACKGROUND / CONTEXT:

On October 3, 2022, the City Council adopted [Resolution 2022-24](#), a temporary Moratorium on new development that would lead to new sewer connections. At the time, we anticipated that the Moratorium would need to be extended due to the timing of the Wastewater Treatment Plant stress test and the establishment of the Plant's capacity.

The stress testing began on Tuesday, March 14. The stress test process is time consuming and costly and involves significant sampling and collection of plant performance data, temporary construction to create stress testing conditions, hiring of temporary additional operations staff, flow modeling, compiling many reports and integrating into a comprehensive report, and EPA and DEQ's review and approval at each step. Based on the requirements of the stress test and process for evaluating and determining the capacity, we anticipate that it will take more time until we have a determination of the Plant's capacity, and assuming the demonstrated capacity is sufficient, can lift the portions of the moratorium limiting the issuance of building permits for developments that submitted applications prior to the initial moratorium's effective date on October 3, 2022.

KEY CONSIDERATIONS / ANALYSIS:

During the moratorium period, the City will continue to limit any new connections to the sanitary sewer system to 120 equivalent residential units (ERUs). The Development Services Department will not issue building permits or other permits that in total would allow more than 120 new connections to the City sanitary sewer system. A connection is the equivalent of a single family dwelling. Through February 2023, the Department has issued 27.7 ERUs leaving a remaining 92.3 ERUs that can be issued during the moratorium period.

As additional capacity becomes quantified, which is anticipated to occur in the next several months with the completion of the stress testing and comprehensive capacity evaluation, and as we work through enforcement proceedings with the US Environmental Protection Agency and Oregon Department of Environmental Quality, we anticipate that additional development projects will be allowed to connect to the sanitary sewer system beyond the 120 ERUs currently allowed. However, because sufficient capacity to eliminate the moratorium entirely may not become available within the next six months, we anticipate that we may need to propose a further extension of the moratorium or enact a replacement moratorium with different terms when additional information and/or capacity become available.

All terms of the moratorium adopted on October 3, 2022 will remain in effect except for the expiration date which will be extended to October 3, 2023. However we anticipate that the moratorium will be reviewed before then. During the moratorium period, the following types of applications **will not** be accepted or processed:

- Annexations
- Comprehensive plan or zoning map amendments
- Subdivisions
- Partitions
- Specific area plans
- Replat that results in a new lot.
- Design review that will require a new connection if approved, including conversion of a single-family dwelling into a duplex.
- Accessory dwelling units
- Food cart permit outside of an existing pod.
- Conditional use permit that requires a new connection.
- Hardship permit that requires a new connection.

The following types of applications will continue to be accepted and processed by Development Services:

- Property line adjustments.
- Conditional use permit without a new connection.
- Food cart permit inside an existing pod.
- Adjustment, variance or design deviation.
- Tree permit.
- Flood slope hazard permit.
- Hillside development permit.
- Replat that does not create a new lot.
- Street vacation.
- Request for code interpretation.
- Development that relies on on-site septic treatment or other alternative to connection to the City sanitary sewer.

- Middle housing land division per Section 17.100.50 of the Sandy Municipal Code when a duplex is existing and no additional ERUs are created.

RECOMMENDATION:

Staff recommends City Council adopt Resolution 2023-07.

SUGGESTED MOTION LANGUAGE:

"I move to adopt Resolution 2023-07."

LIST OF ATTACHMENTS/EXHIBITS:

1. Resolution 2023-07



NO. 2023-07

A RESOLUTION EXTENDING A MORATORIUM ON DEVELOPMENT PURSUANT TO ORS 197.505 TO 197.540 BASED ON LIMITED SANITARY SEWER CAPACITY.

Whereas, pursuant to the federal Clean Water Act of 1972, the City of Sandy sanitary sewer collection and treatment system is subject to a National Pollutant Discharge Elimination System (NPDES) permit (the Permit) issued to the City by Oregon Department of Environmental Quality (DEQ) under authority granted by the U.S. Environmental Protection Agency (EPA); and

Whereas, the Permit limits the types and amounts of discharges from the City treatment plant into Tickle Creek; and

Whereas, population growth and development in the City has increased the demand on the available capacity at the treatment plant; and

Whereas, inflow and infiltration (I&I) into the City collection system (i.e. sewer pipes) from surface water has also increased the demand on available treatment plant capacity; and

Whereas, the combination of I&I and increased base flows has caused discharges from the treatment plant to violate permitted NPDES levels during certain weather events; and

Whereas, the permit violations have resulted in enforcement proceedings from DEQ and a referral to EPA from DEQ. Compliance will require that the City limit additional connections to the City sanitary sewer system until certain improvements have been made increasing existing capacity at the treatment plant; and

Whereas, the City is engaged in a significant program of investigation, remediation and repair of the collection system to reduce the amount of I&I and the corresponding demand on the treatment facilities; and

Whereas, the City is also updating the Facilities Master Plan to provide for the design, financing and construction of additional treatment facilities; and

Whereas, to reduce the potential for additional violations, the City enacted a development moratorium on October 3, 2022 to limit new connections to the sanitary sewer system until the I&I program and/or improvements to the treatment facility increase available capacity to accommodate additional development; and

#2023-07

Whereas, that moratorium was intended to prevent the approval of additional development that will require a connection or connections to the City sanitary sewer system; and

Whereas, that moratorium was necessary to prevent the approval and vesting of additional development projects until adequate capacity becomes available in the City's sanitary sewer system; and

Whereas, that moratorium is scheduled to expire on April 3, 2023; and

Whereas, the City has made significant progress in its efforts to alleviate the problems giving rise to the October 3, 2022 moratorium; nevertheless, because of the extent of the improvements needed to fully alleviate the problems giving rise to the need for the October 3, 2022 moratorium, and because the results of those efforts will not be known or quantified until the completion of the "stress test" process, which began on March 14, 2023 and is anticipated to take several months, those problems still exist; and

Whereas, the City Council therefore has determined it necessary to extend the expiration date of the October 3, 2022 moratorium and Resolution 2022-24 by six additional months, to October 3, 2023; and

Whereas, as additional capacity becomes available and quantified, which is anticipated to occur in the next several months with the completion of the stress testing and comprehensive capacity evaluation, the City Council anticipates that additional development projects will be allowed to connect to the sanitary sewer system beyond the 120 ERUs currently allowed; however, because sufficient capacity to eliminate the moratorium entirely may not become available within the next six months, the City Council anticipates it may need to further extend the moratorium or enact a replacement moratorium with different terms when additional information and/or capacity become available; and

Whereas, this Resolution is authorized by ORS 197.505 to 197.540;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy:

Section 1. The expiration date of the October 3, 2022 moratorium and Resolution 2022-24 are hereby extended to October 3, 2023.

Section 2. All terms of the October 3, 2022 moratorium and Resolution 2022-24, other than the expiration date, shall remain in full force and effect.

Section 5. The City Council shall review the moratorium and determine whether there is a need to extend, revise or repeal it no later than October 3, 2023.

#2023-07

Section 6. This Resolution is based on the recitals above and the findings of fact set forth in the attached Exhibit A.

Section 7. This Resolution is effective on the date it is adopted by the City Council.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 20 day of March 2023

Stan Pulliam, Mayor

ATTEST:

Jeff Aprati, City Recorder

#2023-07

EXHIBIT A

FINDINGS OF FACT

1. These findings are intended to supplement the findings stated in the recitals to Resolution 2023-07. They are also intended to supplement the findings and recitals in and attached to Resolution 2022-24, which are incorporated herein by reference.

2. ORS 197.530 provides:

- a. A moratorium adopted under ORS 197.520(2) may be extended provided the city adopting the moratorium holds a public hearing on the proposed extension and adopts written findings.

Finding: The City Council held a public hearing on March 20, 2023 on the proposed Resolution extending the moratorium and these Findings of Fact. These Findings of Fact and the recitals in Resolution 2023-07 are “written findings” that satisfy the requirement for findings.

- b. The findings must verify that the problem giving rise to the moratorium still exists.

Finding: The City remains under state and federal enforcement proceedings relating to lack of capacity in its wastewater systems. Although the City has made significant progress toward resolving those capacity issues, the results of those efforts will not be known or quantified until the completion of the “stress test” procedure that began on March 7, 2023 and is anticipated to take several months. A negotiated estimate of the additional capacity resulting from those efforts was already incorporated into the October 3, 2022 moratorium in the form of the allowance for new connections totaling 120 ERUs. For these reasons, this criterion is met.

- c. The findings must demonstrate that reasonable progress is being made to alleviate the problem giving rise to the moratorium.

Finding: Since October 3, 2022, the City has renewed and increased staffing required to execute the improvement program, stress testing, and construction contracts. On October 17, 2022, the City formalized a loan amendment to fund improvements and approved Owners Representative Services Contract Amendment #3 for Sandy Clean Waters Phase 1A. On November 7, 2022, the City awarded a contract for a Wastewater System Facilities Plan Amendment to determine the next phase of improvements for alternative discharge and wastewater treatment plant expansion. On February 6, 2023, the City awarded a manhole grouting construction contract to further reduce infiltration and inflow into the collection system, as well as a contract award for Program Management Services for the next phase of Wastewater System Expansion, which will address contracting, permitting, and funding.

In addition, the City has submitted plans for conducting stress testing to EPA for approval, started a sampling program, and is in startup and commissioning for the WWTP

Immediate Needs Improvement Project. The City is also working toward substantial completion for Collection Systems Basin 6 and 7 Upgrades.

Finally, on March 14, 2023, the City began the stress test process, which will evaluate and quantify the capacity in the wastewater treatment system resulting from the improvement efforts made to date. This process is anticipated to last several months.

Additional steps the City has planned to address these issues include:

- Completing construction of the Immediate Needs WWTP Improvements Project and Basin 6 and 7 upgrades.
- Completing the Facilities Plan Amendment.
- Closing on CWSRF and WIFIA loans.
- Completing design for recommended improvements that emerge from the Facilities Plan.

Although work remains to be done, the City has made great progress in the past six months. This criterion is met.

- d. The findings must set a specific duration for the renewal of the moratorium. No single extension may be for a period longer than six months, and no moratorium shall be extended more than three times.

Finding: The duration of the renewal is six months, ending October 3, 2023. This is the first extension of the October 3, 2022 moratorium.

- e. Any city considering an extension of a moratorium shall give the Department of Land Conservation and Development (DLCD) at least 14 days' notice of the time and date of the public hearing on the extension.

Finding: The City e-mailed notice to DLCD on March 6, 2023.

3. This Resolution is based on and directly implements state law. There are no applicable goals and policies in the Sandy Comprehensive Plan.



Staff Report

Meeting Date: March 20, 2023

From Rochelle Anderholm-Parsch, Parks and Recreation Director
Policy for Naming or Changing Names of Parks, Trails, and

SUBJECT: Recreation Facilities

DECISION TO BE MADE:

Review and approve Resolution 2023-9 “Policy for Naming or Changing Names of Parks, Trails, and Recreation Facilities.”

PURPOSE / OBJECTIVE:

To outline the criteria and procedures for official naming and/or renaming of City parks and trails, as well as recreation facilities.

BACKGROUND / CONTEXT:

Sandy Parks have traditionally been named for locations (Cascadia Park) or special features (Tickle Creek), or the acquired name from common usage (Community/Senior Center). Occasionally parks, or amenities within a park or trail are named in honor of a particular individual or group who has made a significant contribution to the facility (Jim Slagle Loop Trail or Jonsrud ViewPoint).

From time to time, individuals, and community organizations petition the City requesting a naming or renaming of a facility to honor a particular individual. The attached policy will formalize consideration of these requests and assure reasonable commemorative opportunities for the community along with minimal confusion and maximum access to the general public.

On [Feb. 8, 2023](#) the Parks and Trails Advisory Board (PTAB) reviewed and provided comments to the “Policy for Naming or Changing Names of Parks, Trails, and Recreation Facilities.” Feedback was incorporated into the policy attached to this staff report. Edits made based on PTAB feedback were: an option to rename a park if it is determined that a facility, or park named after an individual is no longer in the best interest or representation of the greater community, and edits to explicitly state the process of naming or renaming after an individual who is deceased or alive.

A motion was made and passed 5-0 supporting the Parks and Recreation Department presenting to Council the policy with PTAB's comments and edits reflected in the version introduced to Council.

The policy states that in all cases the City Council shall have the prerogative of accepting or rejecting the proposed name.

KEY CONSIDERATIONS / ANALYSIS:

As the City acquires property, develops parks, and builds trails it is important to have a policy that intentionally guides the process to name or rename public amenities.

RECOMMENDATION:

Staff recommends that the Council approve Resolution 2023-09 enacting the Policy for Naming or Changing of Parks, Trails, and Recreation Facilities.

SUGGESTED MOTION LANGUAGE:

"I move to adopt Resolution 2023-09 Policy for Naming or Changing of Parks, Trails and Recreation Facilities."

LIST OF ATTACHMENTS/EXHIBITS:

- Resolution 2023-09
 - Attachment A: Draft Policy for Naming or Changing Names of Parks, Trails, and Recreation Facilities



NO. 2023-09

A RESOLUTION ADOPTING A POLICY FOR NAMING OR CHANGING NAMES OF PARKS, TRAILS, AND RECREATION FACILITIES

Whereas, Sandy Parks have traditionally been named for locations (Cascadia Park) or special features (Tickle Creek), or the acquired name from common usage (Community/Senior Center); and

Whereas, occasionally parks, or amenities within a park or trail are named in honor of a particular individual or group who has made a significant contribution to the facility (Jim Slagle Loop Trail or Jonsrud View Point); and

Whereas, from time to time, individuals, and community organizations petition the City requesting a naming or renaming of a facility to honor a particular individual; and

Whereas, the Policy for Naming or Changing Names of Parks, Trails, and Recreation Facilities will formalize consideration of naming requests and assure reasonable commemorative opportunities for the community along with minimal confusion and maximum access to the general public;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy

1. Adoption. The City Council hereby adopts the Policy for Naming or Changing of Parks, Trails, and Recreation Facilities, attached to this resolution in Exhibit A. The policy shall be effective on March 20, 2023.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 20 day of March 2023

Stan Pulliam, Mayor

ATTEST:

#2023-09

Jeff Aprati, City Recorder

#2023-09

Policy for Naming or Changing Names of Parks, Trails, and Recreation Facilities

Number: _____

Effective Date: _____

Approval: Sandy City Council

Purpose	1
Background	1
Policy	1
Naming for Parks, Trails and Recreation Facilities	1
Process	2

PURPOSE

To outline the criteria and procedures for official naming and/or renaming of City parks and trails, as well as a recreation facility.

BACKGROUND

Sandy Parks have traditionally been named for locations (Cascadia Park) or special features (Tickle Creek), or the acquired name from common usage (Community/Senior Center). Occasionally parks, or amenities within a park or trails are named in honor of a particular individual or group who has made a significant contribution to the facility (Jim Slagle Loop Trail or Jonsrud ViewPoint).

From time to time, individuals, and community organizations petition the City requesting a naming or renaming of a facility to honor a particular individual. The following policy will formalize consideration of these requests and assure reasonable commemorative opportunities for the community along with minimal confusion and maximum access to the general public.

POLICY

Designation of names for parks, trails, and recreation facilities shall be in accordance with criteria and procedures set forth below.

NAMING FOR PARKS, TRAILS & RECREATION FACILITIES

The naming of parks, trails, and recreation areas and facilities should be approached with patience and deliberation.

General Naming Parameters:

- Confusion should be minimized by avoiding names that are similar to those of existing parks and playgrounds in the system, or geographic areas, which are so broad that they could encompass many sites.
- Conditions and stipulations of original property donation or deed shall be honored regarding the name of a park, trail or recreation/community center.
- Consideration in naming parks, trails, or recreation/community centers shall
 - First be given to the unique geographical location that gives identity to site which it is located (unless this would be so vague as to cause confusion),
 - Natural or geological features,
 - Historical relevance,

- The name(s) in common usage;

Naming After An Individual:

Naming of a park, trail, and park facilities, or community/recreation centers may be named for an individual under the following conditions:

- The person has made a significant contribution to the citizens of the City of Sandy or to Sandy Parks and Recreation;
- The individual is deceased and approval is granted by the next of kin;
- Or the individual is still living and grants permission for the use of their name.

When to Activate the Policy:

Parks meet open space and recreation needs within the entire community. They are intentionally named for significant features, which will identify them with a particular neighborhood or site because:

- The site name is familiar to most of the residents; and
- Throughout the city any resident can more easily locate any park if it is named by location or significant feature.

At times trails and parks are developed that have commonly known or referred to names. If there is a commonly known or referred to name, City Staff may have the discretion to continue using the common or referred to name for a park and/or trail.

If a park or trail of significance is being designed and constructed, staff will:

1. Ask the Parks and Trails Advisory Board if the Department should pursue a formal naming process;
2. If the Parks Board desires a formal naming process, staff will bring this request to the Council for official direction to activate the naming policy;
3. Under direction of the Council a formal naming process shall occur if a desire is expressed by the Parks Board and/or Council, and
4. Ultimately approved by the City Council.

PROCESS

If it is the desire of the Sandy City Council to formally name a park, trail, or facility the following process must be followed.

1. An ad-hoc naming task force shall be created.
 - a. The task force shall include the Parks and Recreation Director (or designee), two members of the Parks and Trails Advisory Board, the Council liaison to the Parks

- Board, and (3) three members of the community.
2. The task force may solicit community input for a name for a new facility or park.

Community Input / If Desired by Naming Committee:

- The process to solicit community input will be guided and determined by the naming task force;
- Review and oversight by the naming task force will manage the application of this policy for the remainder of the process;

Renaming / Memorializing Parks or Facilities After Individual(s):

- Parks renamed after individuals will retain the geographic location as part of the name;
- Existing park, trail or recreation/community center names, which are considered historically significant, will not usually be changed;

There are instances when it is the overwhelming desire of the community to memorialize an individual. Bestowing an individual's name on a park, trail, or recreation/community facility shall be considered permanent and can only be renamed under the discretion of the City Council.

Renaming a park, trail, or recreation/community center in memory of an individual is a significant permanent City honor and will be done carefully and deliberately. Each application must follow the process listed below.

- The proposal must be reviewed by the naming task force through a specific process which will include:
 - Verification of documentation showing that the individual has been a figure of historic significance to the City of Sandy and has not been appropriately honored locally in some other way;
 - Verification of documentation showing that the individual is deceased for at least two years and that the proposal meets the approval of the individual's surviving spouse, children or parents, if any, or documented approval of the individual, if living;
 - Review of documentation relating to appropriateness of specific site proposed for renaming, and;
 - Recommendation through the Parks and Trails Advisory Board to the City Council regarding the individual as a candidate for honor or memorialization;

Exceptions:

Exceptions to these criteria may be considered by the City Council if

- Renaming a park, trail, or park facility or recreation/community center has been made a

condition of accepting a donation of more than 51% of the total costs of land purchase, full development of any park, renovating or building onto a recreation center. (i.e.: addition of a pool to an existing center, covering an existing park amenities, adding a park restroom or making other significant building improvements);

- If extenuating circumstances or evidence is presented that indicates that the park, trail, or facility named after an individual is no longer in the best interest or representation of the greater community a renaming process can occur.
- A park, trail, or facility named after a person can only be renamed at the discretion of the City Council.

In all cases, the City Council shall have the prerogative of accepting or rejecting the proposed name.

END POLICY