

City of Sandy

Agenda

City Council Meeting

Meeting Location: City Hall- Council Chambers,
39250 Pioneer Blvd., Sandy, Oregon 97055

Meeting Date: Monday, December 3, 2018

Meeting Time: 7:00 PM



Page

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. CHANGES TO THE AGENDA

4. PUBLIC COMMENT

5. URBAN RENEWAL BOARD

5.1. Shade sail concepts for Centennial Plaza

4 - 9

If approved, Development Services staff recommends going with either Option #2 or Option #3 (in attachment), as these concepts provide the maximum amount of shade with the fewest amount of physical/visual barriers.

[Shade sail concepts for Centennial Plaza - Pdf](#)

6. RESOLUTIONS

6.1. Sandy Campus Parkland Annexation Final Resolution Approval

10 - 18

It is hereby recommended that City Council approve resolution 2018-35 proclaiming the annexation (ballot measure 3-540) effective following the majority vote by voters on the November 6, 2018 General Election. Upon approval of the resolution, staff will file the necessary annexation reports with the State of Oregon and Clackamas County and to send notice to the purveyors of local franchise utilities. Thereafter, staff shall amend the city limits boundary and amend the Comprehensive Plan and Zoning Map designations for the property to Parks and Open Space.

“I make a motion to approve Resolution 2018-35 proclaiming the annexation (ballot measure 3-540) effective.”

[Sandy Campus Parkland Annexation Final Resolution Approval - Pdf](#)

- 6.2. Amending Section E of the Master Fee Schedule, Staff Report Resolution 2018-36 19 - 21

Make A Motion to Approve resolution 2018-36 , Amending Section E of the Master Fee Schedule.

[Staff Report - Resolution 2018-36 - Pdf](#)

7. OLD BUSINESS

- 7.1. Appointment of Tree Code Update Committee 22

Staff recommends the City Council **make a Motion to appoint the following members to the ad hoc tree code update committee.**

Name	Affiliation
Carl Exner	City Council
Dave Kliewer	Retired Environmental Engineer/Sandy Community Member
Hollis MacLean-Wenzel	Planning Commission
Jim Raze	Contractor/Builder
Kathleen Walker	Parks Board/Sandy Community Member
Mac Even	Developer
Ray Moore	Engineer/Surveyor
Stephanie Taylor	Audubon Society/Sandy Community Member
Suzi Cloutier	Clackamas River Basin Council/Sandy Community Member
TBD	Arborist

[Tree Code Update Committee - Chapter 17.102, Urban Forestry - Pdf](#)

8. NEW BUSINESS

- 8.1. Parks and Trail Master Planning Update 23 - 57
[Parks and Trail Master Planning Update - Pdf](#)
- 8.2. Amendments to Title 13 of the Sandy Municipal Code 58 - 70

Review the proposed changes to Title 13 and provide feedback to staff as necessary. Direct staff to return with the proposed changes in ordinance form for first reading at an upcoming Council meeting.

[Amendments Title 13 of the Sandy Municipal Code - Pdf](#)

9. CONSENT AGENDA

- 9.1. City Council Minutes 71 - 94
[City Council Special Meeting - 10 Nov 2018 - Minutes - Pdf](#)
[City Council - 19 Nov 2018 - Minutes - Pdf](#)
[City Council Workshop and Regular Meeting - 05 Nov 2018 - Minutes - Pdf](#)

10. REPORT FROM THE CITY MANAGER

11. COMMITTEE REPORTS

12. COUNCIL REPORTS

13. STAFF UPDATES

- 13.1. [Monthly Reports](#)

14. ADJOURN

15. EXECUTIVE SESSION

- 15.1. To consider the employment of a public officer, employee, staff member, or individual agent, pursuant to ORS 192.662(a) 95 - 100
[Executive Session ORS 192.660.\(2\)\(a\) - Pdf](#)



Staff Report

Meeting Date: December 3, 2018
From David Snider, Economic Development Manager
SUBJECT: Shade sail concepts for Centennial Plaza

Background:

Centennial Plaza has served as the City of Sandy's official public gathering space for outdoor events since its creation in 2011. There are currently two annual events held in the plaza every year: The Sandy Area Chamber of Commerce's Music Fair and Feast in July, and the Christmas Tree Lighting Ceremony on the first Friday in December. However, the community has not added any events to this space in a number of years, leaving this fantastic public space underutilized. In fact, now that *Fiesta en la Plaza* has ended and the Mount Hood Farmer's Market has moved down to the Leathers lot, we use Centennial Plaza significantly less than we have in years past.

When we have inquired with the Chamber about why they think this might be, the response we have gotten is that the Plaza can get uncomfortably hot in the summer, and that Music Fair & Feast patrons have complained about this quite often. They have also seen people leave Music Fair & Feast during the hottest part of the day because there is no shade. Development Services feels that if we could find a design concept for a structure that could provide temporary shade at the site, perhaps we could correct this problem. This would certainly help the Chamber of Commerce with their annual fundraiser. It could also potentially generate some new community demand for the Plaza, which could in turn create new downtown economic activity.

Recently, we have started to see shade sail constructs at public events and at some private businesses with outdoor seating. These structures provide enough shade from the sun during peak hours to provide significant relief and comfort to patrons. We contacted a company that makes these shade sail structures (Wyckam) and asked them if they would put together some design concepts for Centennial Plaza along with estimated construction pricing for each concept. Attached are three concepts for the space. Each of these designs can be assembled and disassembled by Wyckam for a price annually. The most likely scenario would be that the sails would be put up in May and taken down in early September every year. (They are not designed to provide shelter from precipitation or withstand winter storms.)

Development Services would like to request some direction from the Urban Renewal Board to see if this is a concept that you would like us to pursue. We would also be required to put these designs out to bid, so there is a small chance that we could get

another company to construct one of these designs for cheaper than Wyckam can, although we feel that this is unlikely.

Recommendation:

If approved, Development Services staff recommends going with either Option #2 or Option #3 (in attachment), as these concepts provide the maximum amount of shade with the fewest amount of physical/visual barriers.

Budgetary Impact:

The budgetary impact for shade sail construction would be as follows:

- \$36,000 to \$47,000 in engineering and initial construction costs, depending on the design
- \$1,000 for assembly & disassembly annually IF we choose to have Wyckam do this
- \$600 for the initial design work (this has already been paid)

**City of Sandy
Centennial Plaza
Shade Sail Design Options**



November 7, 2018

We are pleased to prepare the following shade sail designs for Centennial Plaza. Design considerations were the following:

- 1) Provide mid-summer shade for Sandy Music Fair and Feast
- 2) Sails to be installed in May and removed in September annually
- 3) Rough budget of \$35,000 to \$40,000.

Materials:

Fabric and thread: Monotec 370 shade cloth with lifetime PTFE thread

Hardware: Stainless Steel connection hardware (turnbuckles, shackles, rings)

Posts: Schedule 40 steel posts, powder-coated black

Rough budget numbers determined using Wyckam's standard guidelines which do not factor in any other requirements such as (but not limited to) permitting fees, mandated additional insurance or licenses, changes in material pricing, prevailing wages laws or mandated wages, upgraded footings or posts which could be required by engineering, or difficult site/soil conditions.

Regards,

Amy Poe
Wyckam

Prepared by:

Amy Poe
Wyckam

amy@wyckam.com
503-729-6051

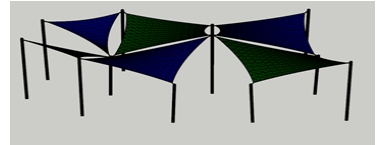
OR CCB # 209673

Option #1

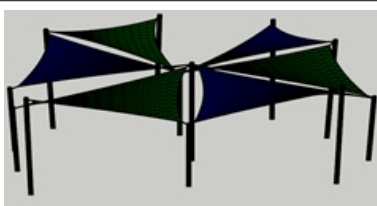


Top View

Shadows at noon on July 14



Perspective View – Facing East



Perspective View – Facing North



Option #1a – add one triangular sail

Design Details:

Shade Sails: 4 hypars, 2 triangles. Coverage: Approx 1,500 square feet

Posts: Twelve 6" posts. 5 @ 8'6" high, 7 @ 13' high (subject to engineering)

Foundations: 12" concrete piers, post embedded in concrete. 4.25' and 6.5' deep (subject to engineering)

Rough budget: \$38,000 to \$42,000

Option 1a: Add one more triangular sail, joined to adjacent sails at the edges, for a total of approximately 1,685 square feet. Rough budget: +\$2,000

In this design, there are 10 posts in the main plaza, inside the boundaries defined by the steps. There are also two posts north of the steps on the north side.

Prepared by:

Amy Poe
Wyckam

amy@wyckam.com
503-729-6051

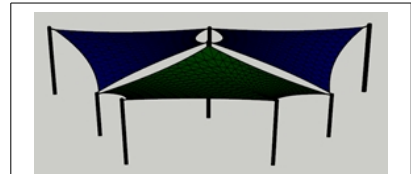
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Option #2

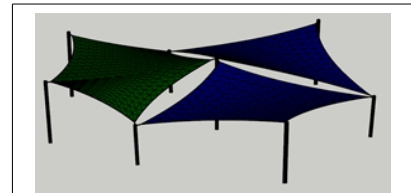


Top View

Shadows at noon on July 14



Perspective View – Facing East



Perspective View – Facing North

Design Details:

Shade Sails: 2 hypars, 1 five-sided sail. Coverage: Approx 1,875 square feet

Posts: Eight 8” posts. 3 @ 8’6” high, 5 @ 13’ high (subject to engineering)

Foundations: 24” concrete piers, post embedded in concrete. 4.25’ and 6.5’ deep (subject to engineering)

Rough budget: \$36,000 to \$40,000

In this design, there are 3 posts in the main plaza, inside the boundaries defined by the steps. Two posts are placed adjacent to the steps on the inside perimeter, and three posts are placed on the outside perimeter of the steps. This reduces the number of posts in the main plaza, while providing more shade.

Prepared by:

Amy Poe
Wyckam

amy@wyckam.com
503-729-6051

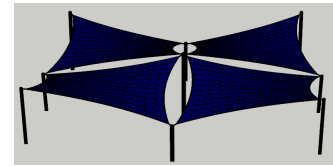
OR CCB # 209673

Option #3

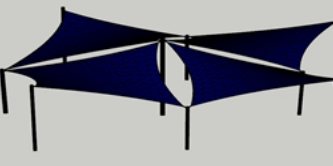


Top View

Shadows at noon on July 14



Perspective View – Facing East



Perspective View – Facing North

Design Details:

Shade Sails: 4 hypars. Coverage: Approx 2,375 square feet

Posts: Nine 8" posts. 3 @ 8'6" high, 6 @ 13' high (subject to engineering)

Foundations: 24" concrete piers, post embedded in concrete. 4.25' and 6.5' deep (subject to engineering)

Rough budget: \$43,000 to \$47,000

In this design, only 2 are posts in the main plaza. The remaining posts are placed adjacent to the steps – one on the inside perimeter, and 5 on the outside perimeter of the steps. This reduces the number of posts in the main plaza, while providing more shade.

Prepared by:

Amy Poe
Wyckam

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503-729-6051

OR CCB # 209673



Staff Report

Meeting Date: December 3, 2018

From James Cramer, Associate Planner

SUBJECT: Sandy Campus Parkland Annexation Final Resolution Approval

Background:

As a result of the November 6, 2018 General Elections, a majority of voters approved the annexation (ballot measure 3-540) and the City Council now must proclaim the annexation effective through a resolution or ordinance.

Recommendation:

It is hereby recommended that City Council approve resolution 2018-35 proclaiming the annexation (ballot measure 3-540) effective following the majority vote by voters on the November 6, 2018 General Election. Upon approval of the resolution, staff will file the necessary annexation reports with the State of Oregon and Clackamas County and to send notice to the purveyors of local franchise utilities. Thereafter, staff shall amend the city limits boundary and amend the Comprehensive Plan and Zoning Map designations for the property to Parks and Open Space.

"I make a motion to approve Resolution 2018-35 proclaiming the annexation (ballot measure 3-540) effective."

Code Analysis:

See attached code analysis for additional details.

Budgetary Impact:

None.

SUBJECT: 18-003 ANN – Sandy Campus Parkland Annexation Final Approval

AGENDA DATE: December 3, 2018

DEPARTMENT: Planning Division

STAFF CONTACT: James A. Cramer, Associate Planner

EXHIBITS:

City Submittal Items

A. Resolution 2018-35

I. BACKGROUND AND PROCEDURAL INFORMATION:

The City of Sandy, Oregon, initiated a Type C Annexation of two, City owned, parcels totaling approximately 35.08 acres into the City of Sandy on February 21, 2018 (Case No 18-003 ANN hereby referred to as “proposed annexation”).

The proposed annexation was presented to the City of Sandy’s Planning Commission on Monday April 23, 2018. At this meeting Planning Commission voted to forward the proposed annexation to City Council with a recommendation for approval.

On May 21, 2018, City Council approved Resolution 2018-08 affirming their decision and directed staff to submit a ballot title to voters to approve or reject the annexation of land outside of Sandy’s urban growth boundary.

A ballot title was filed with the City Elections Officer on August 6, 2018.

The City Elections Officer then completed a Notice of Receipt of Ballot Title which included: a statement that a ballot title has been received and that any voter may file a petition for review of the ballot title, the deadline for filing a petition for review of the ballot title with the Clackamas County Circuit Court (7 business days from City), and the ballot title information along with information on how to obtain a copy.

The ballot notice was posted on the City’s webpage and published in the Wednesday August 8, 2018 newspaper. Additionally, the submitted ballot title was made available to the public on the City of Sandy webpage. No challenges were filed with the circuit court City Council certified the challenge process was complete at the August 20, 2018 City Council Hearing.

The City Elections Officer filled a Notice of Measure Election (SEL 802) with the County elections officials on August 28, 2018. The submitted ballot measure was assigned the reference number 3-540.

As a result of the November 6, 2018 General Elections, a majority of voters approved the annexation (ballot measure 3-540) and the City Council now must proclaim the annexation effective through a resolution or ordinance.

II. RECOMMENDATION

It is hereby recommended that City Council approve resolution 2018-35 proclaiming the annexation (ballot measure 3-540) effective following the majority vote by voters on the November 6, 2018 General Election. Upon approval of the resolution, staff will file the necessary annexation reports with the State of Oregon and Clackamas County and to send notice to the purveyors of local franchise utilities. Thereafter, staff shall amend the city limits boundary and amend the Comprehensive Plan and Zoning Map designations for the property to Parks and Open Space.

“I make a motion to approve Resolution 2018-35 proclaiming the annexation (ballot measure 3-540) effective.”



NO. 2018-35

**A RESOLUTION PROCLAIMING THE ANNEXATION INTO THE CITY OF SANDY OF TWO PARCELS
TOTALING 38.05 ACRES**

Whereas, the City of Sandy submitted an application (File No. 18-003 ANN) to annex two city-owned parcels totaling approximately 38.05 acres to be included into the Sandy River Park;

Whereas, the annexation proposal was noticed in accordance with state and local law and was approved in concept by the Department of Land Conservation and Development;

Whereas, the aforesaid application was reviewed at a public hearing on May 21, 2018 by the Sandy City Council as required by the Sandy Municipal Code (SMC) Chapter 17.78;

Whereas, the City Council approved the application and adopted Resolution 2018-08, which directed staff to file the annexation request for consideration by the voters of the City of Sandy on November 6, 2018; and

Whereas, a majority of voters approved the annexation and the City Council now proclaims the annexation effective.

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

Section 1. The Sandy City Council proclaims the annexation of the two parcels identified above and legally described as Parcels II and III in Exhibit A, which is attached to this resolution and incorporated by reference.

Section 2. The certified results of the November 6, 2018 general election are attached in Exhibit B, which is attached to this resolution and incorporated by reference.

Section 3. By proclaiming the annexation effective, the City Council directs staff to file the necessary annexation reports with the State of Oregon and Clackamas County and to send notice to the purveyors of local franchise utilities. Thereafter, staff shall amend the city limits boundary and amend the Comprehensive Plan and Zoning Map designations for the property to Parks and Open Space.

Section 4. This resolution is effective immediately upon its adoption.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 03 day of December 2018

#2018-35

William King

William King, Mayor

ATTEST:

Karey Milne

Karey Milne, City Recorder

#2018-35

Exhibit A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

Parcel I:

All of Blocks 14 and 15, and Lot 1 of Block 10, Lots 1 and 10 of Block 16, and Lots 1, 2 and 3 of Block 20, The Sandy Land Company's 2nd Addition to Sandy, according to the duly recorded plat thereof, in the City of Sandy, County of Clackamas and State of Oregon;

TOGETHER WITH that portion of vacated Hood Street lying in between Lot 1, Block 10 and Lot 10 of Block 16, which inured thereto by vacation thereof;

ALSO

A tract of land in the Southwest quarter of the Northeast quarter of Section 13, Township 2 South, Range 4 East of the Willamette Meridian, in the City of Sandy, County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe at the Northwest corner of the said Southwest quarter of the Northeast quarter of Section 13; thence South along the quarter section line running North and South through the center of said section, 598.2 feet, more or less, to the Northwest corner of Otto Meinigs First Addition to Sandy; thence North along said quarter section line, 108 feet to the Northeast corner of Lot 4, Block 20, The Sandy Land Company's 2nd Addition to Sandy, and the true point of beginning of the tract herein described; thence East along an extension of the North line of said Lot 4, a distance of 104 feet to the East line of the Tupper tract described in Book 404, Page 212, Deed Records; thence North along the East line of the Tupper tract, 490.3 feet, more or less, to an intersection with the North line of the Southwest quarter of the Northeast quarter of said Section 13; thence West 104 feet to the Northwest corner of the said Southwest quarter of the Northeast quarter of Section 13; thence South along the North and South quarter section line to the true point of beginning;

EXCEPTING THEREFROM that portion taken for the widening of Meinig (First) Avenue;

ALSO

A tract of land in the Southeast quarter of the Northwest quarter of Section 13, Township 2 South, Range 4 East of the Willamette Meridian, in the City of Sandy, County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 13, thence West 484 feet; thence South to the North line of Park Avenue; thence East 484 feet along the North line of Park Avenue; thence North to the point of beginning.

Parcel II:

Certain land located in the Northeast one-quarter of the Northwest one-quarter of Section 13, Township 2 South, Range 4 East, Willamette Meridian, City of Sandy, Clackamas County, Oregon, being more particularly described as follows:

Commencing at the Southeast corner of the Northeast one-quarter of the Northwest one-quarter of said Section 13; thence North $88^{\circ}12'37''$ West 165.01 feet along the South line of the North one-half of the Northeast one-quarter of the Northwest one-quarter of said Section 13 to a point which is the True point of Beginning; thence continuing North $88^{\circ}12'37''$ West 330.01 feet along said South line to a point; thence North $01^{\circ}17'53''$ East 1320 feet (more or less) to the North line of said section 13; thence Easterly along said North line 330 feet {more or less} to a point which is at a point of intersection of said North line and a line bearing North $01^{\circ}17'53''$ East from said True point of beginning; thence South $01^{\circ}17'53''$ West 1320 feet (more or less) to the True point of beginning.

Parcel III:

Certain land located in the Northeast one-quarter of the Northwest one-quarter of Section 13, Township 2 South, Range 4 East, Willamette Meridian, City of Sandy, Clackamas County, Oregon, being more particularly described as follows:

Commencing at the Southeast corner of the Northeast one-quarter of the Northwest one-quarter of said Section 13; thence North $88^{\circ}12'37''$ West 495.02 feet along the South line of the North one-half of the Northeast one-quarter of the Northwest one-quarter of said Section 13 to a point which is the True point of Beginning; thence continuing North $88^{\circ}12'37''$ West 825.03 feet along said South line to a point; thence North $01^{\circ}17'53''$ East 1320 feet (more or less) to the North line of said section 13; thence Easterly along said North line 825 feet {more or less} to a point which is at a point of intersection of said North line and a line bearing North $01^{\circ}17'53''$ East from said True point of beginning; thence South $01^{\circ}17'53''$ West 1320 feet (more or less) to the True point of beginning.

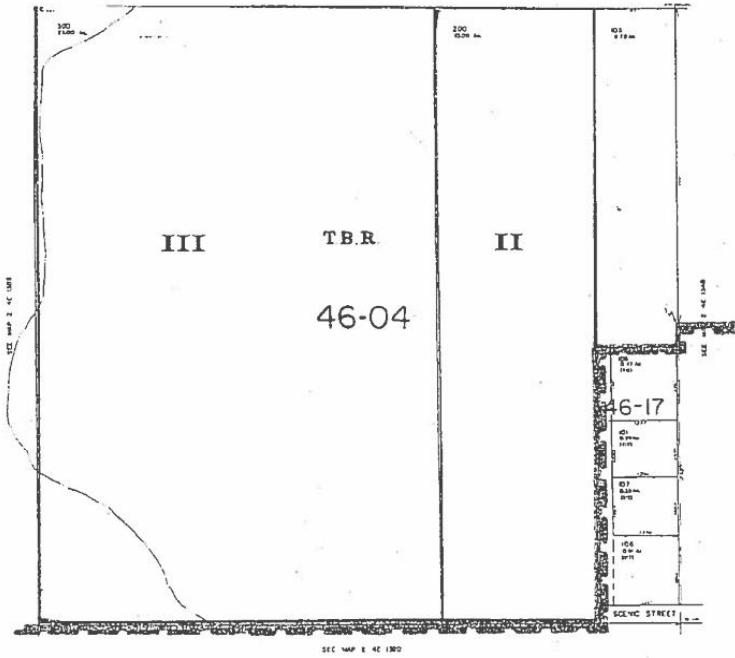


EXHIBIT B

Cumulative Results	
Official Tally	
Run Time	9:18 AM
Run Date	11/21/2018

Clackamas County, Oregon

November 6, 2018 General Election

11/6/2018

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Official results	
Registered Voters	
203764 of 288244 = 70.69 %	
Precincts Reporting	
120 of 120 = 100.00 %	

3-540 City of Sandy

Choice	Party	Vote By Mail		Total	
Yes		3341	76.59%	3341	76.59%
No		1021	23.41%	1021	23.41%
Cast Votes:		4362	100.00%	4362	100.00%
Undervotes:		256		256	
Overvotes:		0		0	
Write-ins:		0		0	

3-543 City of West Linn

Choice	Party	Vote By Mail		Total	
Yes		11941	83.31%	11941	83.31%
No		2393	16.69%	2393	16.69%
Cast Votes:		14334	100.00%	14334	100.00%
Undervotes:		823		823	
Overvotes:		3		3	
Write-ins:		0		0	

3-544 City of West Linn

Choice	Party	Vote By Mail		Total	
Yes		11680	81.66%	11680	81.66%
No		2623	18.34%	2623	18.34%
Cast Votes:		14303	100.00%	14303	100.00%
Undervotes:		855		855	
Overvotes:		2		2	
Write-ins:		0		0	



Staff Report

Meeting Date: December 3, 2018
From Mike Walker, Public Works Director
SUBJECT: Staff Report - Resolution 2018-36

Background:

Resolution 2018-36 would amend Section E of the Master Fee Schedule to include fees to cover the cost of public sewer and storm drain lateral connections by Public Works staff. Currently these inspections are performed by the Building Department. The private sewer and storm drain lines between the property line and the building are subject to the requirements of the Oregon Plumbing Specialty Code and inspections for these pipes would still be performed by the Building Department. The proposed fee is \$71.00. This would cover staff time for plan review, travel, inspections and record keeping.

The proposed Resolution also authorizes a fee to cover staff costs associated with review and commenting on video inspections of private sewer laterals associated with real estate transactions. This is an increasingly common practice with sales of existing homes. If there is an issue (real or otherwise) with a private sewer lateral the City is typically asked to review the video and provide a third-party review in the form of a letter commenting on the serviceability of the private sewer lateral. This often involves separate calls, emails etc. between City staff the listing agent, the buyer's agent, the buyer, seller, etc. and consumes a great deal of staff time. The proposed \$50 fee would cover most of our costs.

Recommendation:

Make A Motion to Approve resolution 2018-36 , Amending Section E of the Master Fee Schedule.

Budgetary Impact:

Revenue-neutral. The fee would cover staff costs associated with inspections and lateral reviews.



NO. 2018-36

A RESOLUTION MODIFYING THE MASTER FEE SCHEDULE TO INCLUDE FEES FOR REVIEW AND INSPECTION OF CONNECTIONS TO THE PUBLIC SANITARY SEWER SYSTEM AND FOR REVIEW OF PRIVATE SEWER LATERAL VIDEO INSPECTIONS

Whereas, In order to ensure elimination of sources of Infiltration and Inflow into the City's Sanitary Sewer System it has become necessary to have all connections to the public Sanitary Sewer System inspected by the Public Works Department and;

Whereas, the prevalence of video inspection of private sewer laterals associated with real estate transactions has placed demands on staff to review and comment on these inspections and;

Whereas, No fee has been established to recover the costs associated with Public Works staff performing these tasks.

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

Section 1. Section E of the City's Master Fee Schedule is amended to include a fee of Seventy-one Dollars (\$71.00) to cover the City's cost of review, inspection and recording of connections to the public Sanitary Sewer System.

Section 2. Section E of the City's Master Fee Schedule is amended to include a fee of Fifty Dollars (\$50.00) to cover the City's cost of reviewing and commenting on video inspections of private sanitary sewer laterals associated with real estate transactions.

Section 3. This Resolution shall be effective immediately upon its approval.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 03 day of December 2018

A handwritten signature in black ink that reads "William King". The signature is written in a cursive style.

#2018-36

William King, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'K. Milne', written in a cursive style.

Karey Milne, City Recorder

#2018-36



Staff Report

Meeting Date: December 3, 2018

From Kelly O'Neill, Planning Director

SUBJECT: Tree Code Update Committee - Chapter 17.102, Urban Forestry

Background:

Staff brought amendments for five (5) Development Code chapters, including Chapter 17.102 (Urban Forestry), to the October 15, 2018 City Council meeting as part of land use File No. 18-039 DCA. The primary intention of the proposed updates was to remove inconsistencies and clarify requirements in the Development Code. At the October 15, 2018 meeting, City Council decided not to move forward with proposed code changes to Chapter 17.102 but rather to form an ad hoc committee to work on updates to Chapter 17.102 with the goal of finding a balance between a free-for-all and over-regulation for tree retention/mitigation. Council expressed a desire to keep the committee a manageable size and to include members from the development/builder/engineer community, as well as technical tree experts, tree advocates, and members of the community.

Recommendation:

Staff recommends the City Council **make a Motion to appoint the following members to the ad hoc tree code update committee.**

Name	Affiliation
Carl Exner	City Council
Dave Kliewer	Retired Environmental Engineer/Sandy Community Member
Hollis MacLean-Wenzel	Planning Commission
Jim Raze	Contractor/Builder
Kathleen Walker	Parks Board/Sandy Community Member
Mac Even	Developer
Ray Moore	Engineer/Surveyor
Stephanie Taylor	Audubon Society/Sandy Community Member
Suzi Cloutier	Clackamas River Basin Council/Sandy Community Member
TBD	Arborist

Budgetary Impact:

None



Staff Report

Meeting Date: December 3, 2018

From James Cramer, Associate Planner

SUBJECT: Parks and Trail Master Planning Update

Background:

Staff has been asked to provide an update to City Council on the Parks and Trails Master Planning. The attached document provides background information, details existing, ongoing and next steps with regards to the planning efforts had on the city's parks and trails. Additionally, staff has included the attached documents referenced within staff's updated summary.

Budgetary Impact:

None

SUBJECT: Parks and Trails Master Planning - Staff Update

AGENDA DATE: December 3, 2018

DEPARTMENT: Planning Division

STAFF CONTACT: James A. Cramer, Associate Planner

EXHIBITS:

City Submittal Items

- A. Parks Programing Plan
- B. ADMIN 100 Advisory Boards, Commissions and Committee Policy
- C. 2013 Parks Survey and Associated Results
- D. 2018 Longest Day Parkway Festival Survey, Activity Boards and Results

I. BACKGROUND AND SUMMARY OF CURRENT PROGRESS:

The Planning Division has taken on the responsibility of developing a new parks and trails master plan to update the existing plan, Sandy Parks Master Plan adopted in 1997. Prior to Council approving this shift in responsibility and the City hiring an additional staff member, various department heads and the City Manager completed a Parks Programing Plan to delineate responsibilities associated with City facilities (Exhibit A). In December of 2018, Associate Planner James Cramer was hired to facilitate development and planning efforts within the City as well as manage the planning responsibilities identified within the Park Programing Plan. These responsibilities include managing the City's Parks and Trails Advisory Board (PTAB) established through ADMIN 100 - Advisory Boards, Commissions and Committee Policy (Exhibit B).

With City Council goals, efforts and advisements from the PTAB, staff has made great strides in moving forward with the parks master planning while managing development review. Specifically, the following efforts have been made:

Research –

- Staff has sought, and will continue to seek, the assistance and guidance from City attorneys and additional contracted attorneys specialized in System Development Charge (SDC) law and methodology in an effort of achieving a clear understanding of the existing system to help determine the best practice(s) moving forward.
- Review of the applicable codes, such as the existing Parks Master Plan, Sandy Development Code, Comprehensive Plan and Transportation Systems Plan (TSP), are continuously being analyzed to assist in minimizing any future conflicts when determining facility and policy needs. Staff has recommended to the PTAB that they too review existing codes, specifically the Parks Master Plan, and become familiarized with existing policy and plans to help guide their recommendations with regards to facility and policy needs.
- Staff has reviewed, and will continue to, a variety of local jurisdiction's parks master plans to familiarize trends occurring in local municipal park planning documents and to gain inspiration for design and content in the revised Sandy parks master plan.

- Staff has reviewed, and will continue to review, the PTAB historic findings and recommendations provided by the existing PTAB Chair.

Public Outreach –

- Staff and the PTAB have analyzed the 2013 Parks Survey (Exhibit C) results previously created and distributed by the PTAB. This survey consisted of 10 questions and was completed by 583 participants. The results help identify the demographics, priorities and wants of participants to provide guidance to the city on planning efforts. This survey also presents a potential benefit to future analysis as it identifies general geographic locations of participants (those participants who chose to share such information).
- Staff participated in the City's 2018 Longest Day Parkway Festival where they created and hosted an active participation event, as well as distributed a scaled down survey to adults using the 2013 Parks Survey questions. The activity was designed to capture and distinguish facility preferences between adults and children. The survey yielded 44 adult participants and we received input from 107 children. This survey presented a unique opportunity for staff to capture input from active users of park facilities as staff was set up at the northeast corner of Bornstedt Park. Input from active park users is most beneficial to capture as those respondents are the ultimate users and beneficiaries of master planning efforts.

Needs Assessment –

- Staff has independently conducted site visits to each City park to become acquainted with the facilities and sense of place each park currently offers. During these visits staff took notes on initial impressions, general conditions of facilities and identified positive impressions as well as potential room for improvement.
- Within previous PTAB meetings it has been discussed and advised that Board members complete site visits to familiarize themselves with existing facilities to better assist them in making recommendations to staff and ultimately City Council.
- Staff, with the support of the City Manager, solicited PTAB members to complete a facility condition inventory (on a voluntary basis) to familiarize themselves with the parks/trails facilities while providing the opportunity to identify immediate needs/concerns.
- Staff has also conducted internal meetings to discuss findings and determine logical next steps in the process.

II. ONGOING EFFORTS:

As staff and the PTAB progress with their master planning efforts, staff considers the following to be continuous efforts to aid in the success of an updated parks and trail master plan:

Research –

- Staff will continue to, and encourage the PTAB to, review applicable codes, such as the existing Parks Master Plan, Sandy Development Code, Comprehensive Plan and Transportation Systems Plan (TSP), to minimize potential conflicts when determining recommendations, facility and policy needs.
- Staff will continue to, and encourage the PTAB to, review local jurisdiction's parks master plans to familiarize trends of local jurisdictions and gain inspiration.
- Complete an analysis of state legislation regarding parks and open space to ensure the City's planning efforts are consistent with state goals.

Public Outreach –

- Determine appropriate timing and methods for soliciting public input.

Needs Assessment –

- Continue conducting internal meetings with staff to discuss findings and determine next steps in the process.

III. NEXT STEPS:

Based on the efforts identified in Section I of this Council Update, staff has tentatively identified the following with regards to the most appropriate next steps in the parks planning process:

Research –

- Analyze the “Park Land Definitions” identified within the existing Sandy Parks Master Plan and compare to state, national and local standards for park classification to determine if revisions are needed.

Public Outreach –

- Staff would like to complete additional public outreach to support the 2013 Parks Survey and the 2018 Longest Day Parkway Festival results. Staff is considering alternative opportunities for public outreach while considering the PTAB suggestions of an online survey as it is easy to advertise and can reach many citizens. Another suggestion is to use the existing survey results to host a charrette with the public.

Needs Assessment –

- Staff will continue to consolidate an independent needs assessment with the goal of creating a comprehensive list of capital projects and policy improvements.
- Staff has notified the PTAB that the December 2018 Board meeting agenda will include the initial discussion regarding needs assessment (IE use the existing conditions, knowledge and observations of City facilities, previously discussed findings, etc.) to identify needs. This will help the PTAB organize and identify its formal recommendations regarding capital improvements and master plan goals.
- Once the above two processes have been completed both staff and the PTAB should use the needs analysis to create tentative goal recommendations. Staff would like to host a public participation event. The preliminary idea is to host an open house or charrette style event, to gain public input.
- Staff would like to meet with Council to present both staff and PTAB findings/recommendations as well as the input received from the public. The goal of this Council meeting will be to solicit additional direction from Council for staff and the PTAB to use when completing the final parks master plan document. Note: Any additional requested presentations to Council for direction are welcomed and will be accommodated.

The goal of the above master planning efforts is to create the following three final documents all to be reviewed and approved by Council; a Parks Master Plan, Capital Improvement List and an updated the parks system development charge (SDC) methodology. Modifications to the existing park’s SDC methodology will be completed with the assistance of a consultant.

Proposed Workload/Responsibilities and Coordination Plan for City of Sandy Parks Program

Public Works (Mike)	Planning (Kelly)	Community Services (Tanya)
<p>Maintenance</p> <ul style="list-style-type: none"> ● Painting and refinishing of playground equipment, amenities, fencing, etc. ● Weed removal ● Mowing grass ● Tree pruning ● Bark chip installation ● Lighting maintenance ● Stage lighting and sound maintenance ● Trash/recycle removal ● Storm related cleanup ● Irrigation system repairs ● Handle complaints on damage to parks and needed repairs 	<p>Master Planning/CIP's</p> <ul style="list-style-type: none"> ● Long range Planning by staff. Conduct a long range master plan for review and approval by City Council. ● Communicate with Community Services and Parks Maint. staff regarding needs of future parks with regards to program type, size of facilities, location and other logistics. ● Coordinate and oversee Parks Advisory Committee. ● Write RFP's, send out RFP's and take bids from contractors. Manage builds and CIP improvements as developed in the Master Plan. ● Write RFP's and send out RFP's, take bids and hire contractors to install, replace or add amenities identified by Community 	<p>Operations/Programming</p> <ul style="list-style-type: none"> ● Identify future needs with both land and equipment needs (chairs, benches, trees, and other small improvements). Coordinate those needs with Planning staff. ● Develop, advertise and run programs associated with parks, including but not limited to: <ul style="list-style-type: none"> ○ Facility Rentals ○ Sporting Events ○ Community Events ○ Volunteer Events ○ Other programming ○ Events Permitting

	<p>Services and Parks Maint. Staff (chairs, benches, trees, and other small improvements) in the parks.</p> <ul style="list-style-type: none"> • Collect and monitor SDC's and parks fee in-lieu. 	
Budget line item for parks maintenance already exists. Continues to Operate Account 110.035	Create Budget for 1/3 FTE in Community Center Department. Move Parks CIP to Kelly	Create Budget Line Item for Parks Operations/ Programming. And Snr. Mngr to 110-034
Police Department (Roberts)		
Responsible for all complaints, investigations and follow up regarding graffiti, malicious damage reports and other criminal matters.		
No budgetary changes.		

Advisory Boards, Commissions and Committee Policy

Number: ADMIN 100

Effective Date: May 22, 2018

Approval: City Manager

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Purpose

To be used as a guide for the operations and management of Advisory Boards, Commissions and Committees as developed and appointed by the Sandy City Council.

Scope

This policy applies city wide to all Advisory Boards, Commissions and Committees, in addition to any other regulationary authority such as Oregon Revised Statutes, Sandy Municipal Code and the City Charter.

Policy

The City Council and staff welcome citizen involvement and support Advisory Boards, Commissions and Committees as they provide a much needed perspective on specific topics. All meetings are open to the public and the City of Sandy encourages you, whether a member or not to attend any meeting of interest.

It is the policy that all Advisory Boards, Commissions and Committees shall be established by a majority vote of the City Council, and by Resolution unless they are established by other governance such as State Law. No other entities will be established without following this process.

Definitions:

Advisory Boards - Citizens appointed by Council in an advisory role. Will advise council on a variety of issues and recommend policy.

Commissions - Planning Commission, Art's Commission and other assigned by ordinance or ORS that have decision making and/or quasi-judicial responsibility.

Committee - Budget Committee as required and defined by ORS.

Council Liaison - See "Liaison Councilors Assigned" below.

Entity - Advisory Boards, Commissions and Committees

Member - Anyone appointed to serve on an Advisory Board, Commission or Committee.

Staff Member In Charge- The Department Head or his/her staff member designee is responsible for setting up agendas, meeting minutes, meeting space and other items needed for the holding of and assistance to the Advisory Boards, Commissions and Committees.

Filling Vacancies on Advisory Boards, Committees and Commissions

When a vacancy occurs on any Advisory Boards, Commissions and Committees, the City Manager shall cause applications to be filed by all interested candidates. All applications will be collected by the City Recorder.

- A. Applications for Budget Committee, Planning Commission and the Arts Commission will be forwarded to the City Council, and a date set for interviews and appointment of the positions by a majority vote of the council. All deliberations and votes are to be held in a noticed public meeting in accordance with Chapter 192 of the Oregon Revised Statute.
- B. Applications for Advisory Boards, including the Youth Advisory Council, will go to the Staff Member in Charge. Time will be set aside on a meeting agenda for discussion and recommendation of applicants by the other members of the applicable Advisory Board. All deliberations and votes are to be held in a noticed public meeting in accordance with Chapter 192 of the Oregon Revised Statute. The Staff Member in Charge will bring the recommendations to the City Council for approval.
- C. All Advisory Boards, Committees or Commissions, shall have between five and seven members, unless otherwise directed by ORS, SMC or other governance.

Advisory Boards

Advisory Boards, are established by the City Council via resolution. These Advisory Boards may also be governed by certain Oregon Revised Statutes (ORS), the City Charter, City Ordinance (SMC) or Resolution.

Qualifications for Appointment to Advisory Boards

In order to apply for an Advisory Boards you must either live inside the City Limits, or service district (Library District or Transit Service Area as examples). This include residents residing in the Urban Growth Boundary or Urban Reserve areas. Applications are also accepted from those that own a business in Sandy, yet live elsewhere. Employees of local businesses may also serve on Advisory Boards.

In the event of more applicants than open positions, priority will be given to residents of the City of Sandy unless the opening is in a District or Service area as stated above.

You must be 18 years old or older (except for the Youth Advisory Council).

Advisory Board Terms of Service

All members are appointed to a four year term, with half of the members terms expiring on the even years and the other half on the odd years to avoid replacement of the entire board at any one time. Members may serve only two consecutive terms unless no other candidates apply. Terms of service shall commence on the first day of January in the year of their appointment.

Appointments to fill an unexpected vacancy shall be for the remainder of the unexpired term. If necessary to establish continuity of membership, appointments may be made for less than a four-year term.

Advisory Board Powers and Duties

Unless otherwise directed by ORS, SMC or other governance, all Advisory Boards shall practice the following:

- Advise the Staff Member in Charge regarding policies for the development of services and facilities to best meet the current and long-standing needs of the community.
- Recruit and encourage other qualified citizens to be involved and apply for openings.
- Represent the needs, interests and desires of the entire service area for that entity.
- Assist the entity in achieving Council Goals.
- Each member shall have one vote for each topic requiring a vote.

- Help prepare and provide a presentation to City Council annually. The annual meetings regarding the advisory boards will be scheduled prior to Council goal setting. This will assist council with their vision and goal setting for the following year and beyond.

Liaison Councilors Assigned

To facilitate the exchange of information between the Council and its advisory bodies and standing committees, the Mayor will, at least biennially, make liaison and membership appointments to City boards, commissions and committees (except to Planning Commission to avoid ex parte issues).

In order to respect the separation between policy making and advisory boards, commissions and committees, councilors assigned as a liaison to advisory boards and committees shall adhere to the following guidelines:

- A. Not attempting to lobby or influence boards, commissions and committees on any item under their consideration. It is important for the advisory boards to make objective recommendations to the Council on items before them.
- B. Attending meetings of assigned liaison bodies, but should avoid becoming involved in the body's discussions without first explaining his or her role as a Council liaison.
- C. Not voting at the body's meeting on any item.

The agenda for the board, commission or committee will have an item for the Councilor to share information from the City Council and vice versa with the advisory body.

Councilors assigned as members of a board, commission, task force, or committee shall participate in the discussion and framing of recommendations to forward on to the full City Council. Councilors will represent the position of the advisory board, commission, task force, or committee when presenting recommendations to the City Council.

Advisory Board Officers

Unless otherwise governed by ORS, SMC or other statutory requirements all Advisory Boards, shall have a Chair and Vice Chair.

Planning Commission

The Planning Commission was established by the City Council in 1973 with the passing of Ordinance 1473. More information on the Planning Commission can be found in Chapter 2.16 of the Sandy Municipal Code.

The Sandy Planning Commission is a seven-member volunteer body of Sandy residents and/or business owners, there are also other opportunities for those living outside the city limits if they meet certain criteria referenced in Chapter 2.16 of the Sandy Municipal Code. that advises the City Council on long-range, comprehensive planning and land use issues within city limits and urban growth boundary. The Planning Commission also approves all amendments and updates to the Comprehensive Plan, recommends policy direction with regard to land use rules and regulations, and helps city staff ensure that Sandy is working within the framework of the State of Oregon's stated land use goals.

Budget Committee

ORS 294.414 requires that the governing body of each municipal corporation establish a budget committee in accordance with the provisions of that section.

The City of Sandy adopts a budget to guide its decision making and execution of the operating and capital plans. The budget is prepared at the direction of the City Manager to address the goals and objectives of the City Council and fulfill the service level expectations of its citizens and customers.

The budget is presented to the Budget Committee for consideration, deliberation and approval. The committee consists of seven (7) citizens members appointed by the City Council. The full committee also consists of the Mayor and City Council for a total of 14 members.

The City of Sandy operates on a biennial budget, so this committee meets every two years. The process usually takes about three days and includes opportunities for training.

At the first meeting of the Budget Committee, the body shall elect a presiding officer from amongst its members.

Arts Commission

Arts Commission was established to help enhance the quality of life in Sandy through art. By promoting the educational, cultural, economic and general welfare of Sandy by actively pursuing the placement of public art in public spaces within the Sandy City Limits, supporting literary arts, promoting musical and visual art performances and serving generally to develop, facilitate, and preserve access to the arts.

The Sandy Arts Commission was established by Ordinance 2017-07. Additional information on the Arts Commission can be found in Sandy Municipal Code, Chapter 18.01.

Meetings

All Advisory Boards, Committees, and Commission shall establish a regular time and place for meetings. Meetings need not occur if there are insufficient agenda items. Meetings shall be open to the public. Notice of each meeting shall be publicly posted at least twenty-four hours prior to a meeting in accordance with ORS 192. A meeting date may be changed or canceled by the Staff Member Facilitator, with prior notice to the membership.

If a need for an Ad Hoc or sub-committee should arise, the Staff Member Facilitator or Council Liaison will bring a request to City Council for consideration.

All meetings will have an agenda established and posted in accordance with ORS Chapter 192. The agenda shall contain an item label "Council Liaison Report".

Meeting Minutes will be taken at all Advisory Boards, Commissions and Committees meetings and a copy forwarded to the City Recorder within 30 days of the meeting.

Meeting Minute format will be prescribed by the City Recorder.

Government Standards and Practices Commission Requirements and Reporting

All Members of Advisory Boards, Commissions and Committees shall review and observe the requirements of the State Ethics Law (ORS 244.010 to 244.390) dealing with use of public office for private financial gain.

A. Members shall give public notice of any conflict of interest or potential conflicts of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims, and transactions coming before the Planning Commission or Council. This general obligation includes the duty to refrain from:

1. Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
2. Making decisions involving business associates, customers, clients, and competitors.
3. Repeated violations of Council Rules.
4. Promoting relatives, clients or employees for boards and commissions.
5. Requesting preferential treatment for themselves, relatives, associates, clients, coworkers or friends.
6. Seeking employment of relatives with the City.
7. Actions benefiting special interest groups at the expense of the City as a whole.
8. Expressing an opinion which is contrary to the official position of the Council without so stating.

B. In general, Members shall conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before them and abiding by all decisions of the Council.

C. **PLANNING COMMISSION ONLY** - In accordance with ORS 244.050, it is the Commissioner's responsibility to file annual statements of economic interest with the Government Standards and Practices Commission. Each year, on or around the 1st of April,



WHERE INNOVATION MEETS ELEVATION

39250 Pioneer Blvd
Sandy, OR 97055
503-668-5533

Commissioner's will be sent a Statement of Economic Interest form from the Government Standards and Practices Commission. Commissioners should complete the form and return it directly to the Commission. It is important to complete the form in a timely manner; failure to do so may result in the imposition of a civil penalty and/or removal from office. Commissioners are also responsible for filing a Supplemental Statement of Economic Interest with the Government Standards and Practices Commission within 30 days of leaving office.





Please excuse us if you're getting this a second time. Some addresses were left out of the first mailing, and we do not want to miss anyone. Please take a few minutes to fill out this survey concerning ***Sandy Parks***. Your responses to these 10 questions will assist the Park Board in updating the ***Sandy Parks Master Plan***. Please return surveys no later than **March 29, 2013** to Sandy City Hall ~ 39250 Pioneer Blvd. ~ Sandy, OR 97055 (envelope provided).

1. Have you or members of your household visited any of the following Sandy parks within the past year? (Note: Park maps available at City Hall, Community/Senior Center or by calling 503.668.5569. Park information available online at www.cityofsandy.com)

<input type="checkbox"/> Meinig Memorial	<input type="checkbox"/> Timberline
<input type="checkbox"/> Sandy River	<input type="checkbox"/> Cascadia
<input type="checkbox"/> Sandy Bluff	<input type="checkbox"/> Tupper
<input type="checkbox"/> Salmon Creek Estates	<input type="checkbox"/> Tickle Creek Trail
<input type="checkbox"/> Knollwood	<input type="checkbox"/> Sandy Skatepark
<input type="checkbox"/> Barlow Ridge	<input type="checkbox"/> Jonsrud Viewpoint
<input type="checkbox"/> Hamilton Ridge	

2. How often do you visit a park in Sandy?
 - Daily
 - Weekly
 - Twice a month
 - Monthly
 - Less than 12 times/year

3. Overall, how would you rate the physical condition of Sandy parks?
 - Excellent
 - Good
 - Fair
 - Poor

4. What parks/park features do you feel are needed in the city of Sandy? (please check all that apply)

<input type="checkbox"/> Natural/gravel surface trails for hiking & biking	<input type="checkbox"/> Playgrounds for 9 years old & up
<input type="checkbox"/> Paved trails for bike & pedestrian	<input type="checkbox"/> Outdoor basketball courts
<input type="checkbox"/> Hiking only trails	<input type="checkbox"/> Outdoor amphitheaters
<input type="checkbox"/> Off-leash dog parks	<input type="checkbox"/> Frisbee golf
<input type="checkbox"/> Soccer/football/multipurpose fields	<input type="checkbox"/> Skatepark
<input type="checkbox"/> Baseball & softball fields	<input type="checkbox"/> BMX/bicycle park
<input type="checkbox"/> Fishing areas	<input type="checkbox"/> Neighborhood parks (under 10 acres)
<input type="checkbox"/> Picnicking areas & shelters	<input type="checkbox"/> Community parks (10+ acres)
<input type="checkbox"/> Park benches	<input type="checkbox"/> Natural areas
<input type="checkbox"/> Community gardens	<input type="checkbox"/> Public restrooms
<input type="checkbox"/> Outdoor tennis courts	<input type="checkbox"/> Other (please explain)
<input type="checkbox"/> Playgrounds for 8 years old & younger	_____

5. Are there parks within walking distance of your residence (approximately ¼ mile)?
- Yes
 - No

6. How do you access Sandy parks? (please check all that apply)
- Car
 - Bike
 - Walk
 - Public transportation
 - Other (please describe) _____

7. Please help identify how park funds should be spent by assigning a percentage to each item. You can assign 0% to items, but the total should equal 100%.
- ___% Maintain existing facilities
 - ___% Purchase property for off-road trails
 - ___% Construct new facilities on current park land
 - ___% Purchase additional open space/natural areas
 - ___% Purchase additional park land
 - ___% Other (please specify) _____

8. How long have you lived in Sandy?
- Less than 1 year
 - 1 to 10 years
 - 10 + years

9. How many people are in your household?
- ___# Age 12 or under
 - ___# Age 13-18
 - ___# Over 18

10. Please tell us your neighborhood and/or nearest cross streets.

Additional Comments: _____

*Survey results will be posted at www.cityofsandy.com.
For more information, please contact
Nancy Ream Enabnit at 503-489-2157 or nenabnit@cityofsandy.com.*

Please return surveys no later than **March 29, 2013** to:
Sandy City Hall ~ 39250 Pioneer Blvd. ~ Sandy, OR 97055

Thank you for your participation!



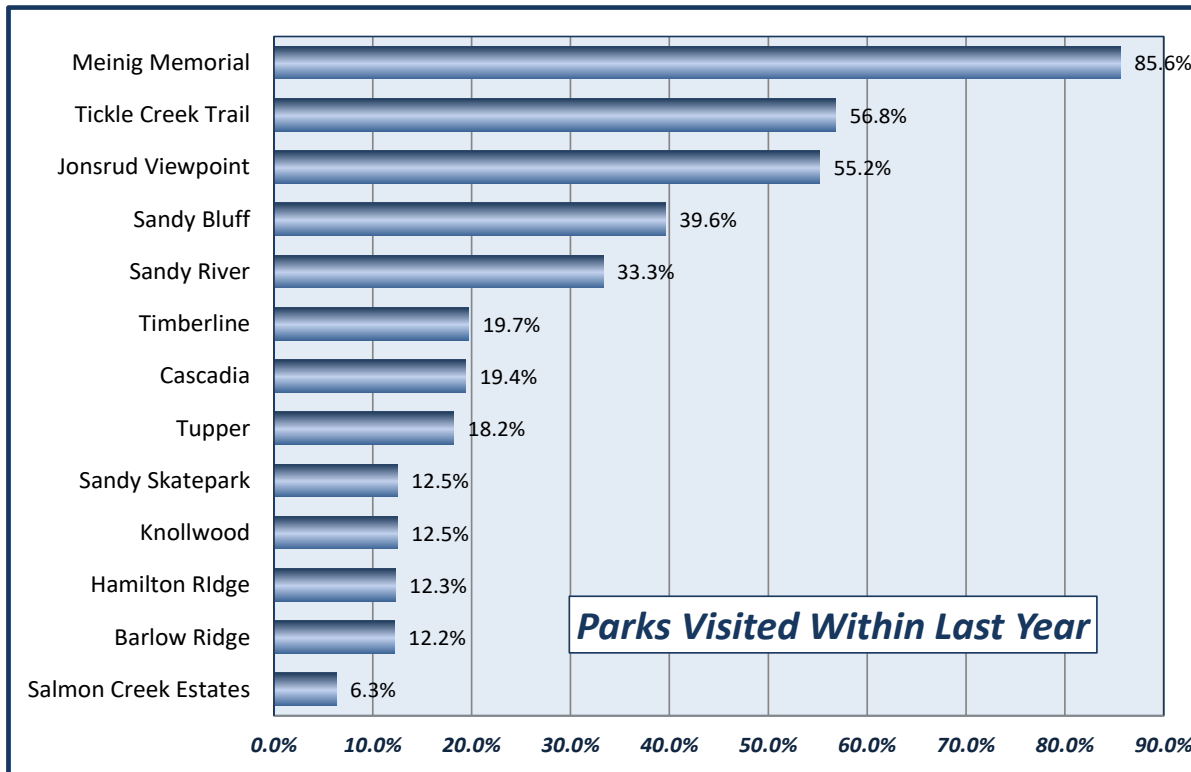
City of Sandy
Parks Board Survey
Citizen Needs & Perceptions

May, 2013

Parks Visited Within Past Year

Visited Sandy Parks Within Last Year

	#	%
Yes, visited Sandy parks	564	96.7%
No, did not visit Sandy parks	19	3.3%



Visit Frequency & Parks Condition Rating

How Often Visited A Sandy Park

Daily	34.5%
Weekly	12.7%
Twice a month	14.2%
Monthly	28.0%
Less than 12 times a year	8.7%
Did not visit parks	1.9%

Rate Physical Condition of Parks

Excellent (4)	27.9%
Good (3)	62.0%
Fair (2)	9.4%
Poor (1)	0.7%
Average rating overall	3.17

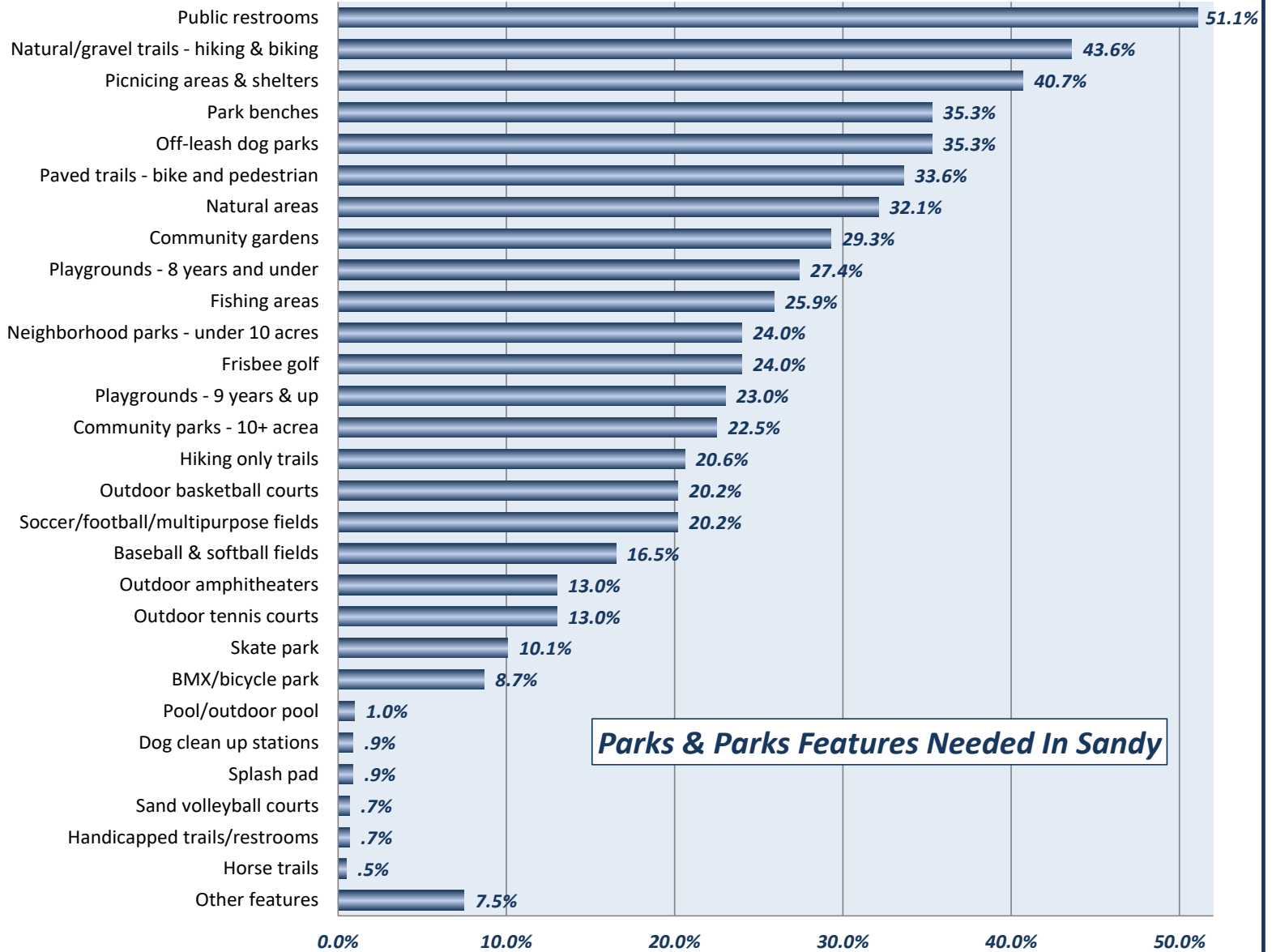
89.9%



Parks/Parks Features Felt Needed

<i>Park Features Needed in City of Sandy</i>		
	<i>#</i>	<i>%</i>
Listed features needed	543	93.1%
Did not list any features	40	6.9%





Park Access

Walking Distance

No	9.4%
Yes	90.6%

Percent Accessing Parks Via. . .

(multiple responses)

Car/Motor bike	75.8%
Bicycles	21.3%
Walking	85.6%
Public Transportation	1.0%



Park Funding Perceptions

How Park Funds Should Be Spent

	#	%
Responded to question	488	83.7%
Did not answer	95	16.3%

How Park Funds Should Be Spent By Area

	<i>Percent Indicating Spend Area</i>	<i>Average Percent Allocated</i>
Maintain existing facilities	96.9%	49.7%
Construct new facilities on current park land	70.9%	26.0%
Purchase additional open space/natural areas	53.1%	20.1%
Purchase additional park land	46.5%	19.4%
Purchase property for off-road trails	43.4%	22.9%
Other	13.5%	27.7%



Respondent Information / Comments

How Long Lived In Sandy

Less than one year	4.3%
1 to 10 years	43.2%
10 + years	52.5%

Open Ended Comments

	#	%
Responded to question	211	36.2%
Did not answer	372	63.8%





Please take a few minutes to fill out this survey concerning **Sandy Parks**. These questions may look familiar as a more robust survey Your responses to these 4 questions will assist the Park Board in updating the **Sandy Parks Master Plan**.

Sandy City Hall ~ 39250 Pioneer Blvd. ~ Sandy, OR 97055

1. Have you or members of your household visited any of the following Sandy parks within the past year?

- | | |
|---|---|
| <input type="checkbox"/> Meinig Memorial | <input type="checkbox"/> Timberline |
| <input type="checkbox"/> Sandy River | <input type="checkbox"/> Cascadia |
| <input type="checkbox"/> Sandy Bluff | <input type="checkbox"/> Tupper |
| <input type="checkbox"/> Salmon Creek Estates | <input type="checkbox"/> Tickle Creek Trail |
| <input type="checkbox"/> Knollwood | <input type="checkbox"/> Sandy Skatepark |
| <input type="checkbox"/> Barlow Ridge | <input type="checkbox"/> Jonsrud Viewpoint |
| <input type="checkbox"/> Hamilton Ridge | |

2. How often do you visit a park in Sandy?

- Daily
- Weekly
- Twice a month
- Monthly
- Less than 12 times/year

3. What parks/park features do you feel are needed in the city of Sandy? (please check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Natural/gravel surface trails for hiking & biking | <input type="checkbox"/> Playgrounds for 9 years old & up |
| <input type="checkbox"/> Paved trails for bike & pedestrian | <input type="checkbox"/> Outdoor basketball courts |
| <input type="checkbox"/> Hiking only trails | <input type="checkbox"/> Outdoor amphitheaters |
| <input type="checkbox"/> Off-leash dog parks | <input type="checkbox"/> Frisbee golf |
| <input type="checkbox"/> Soccer/football/multipurpose fields | <input type="checkbox"/> Skatepark |
| <input type="checkbox"/> Baseball & softball fields | <input type="checkbox"/> BMX/bicycle park |
| <input type="checkbox"/> Fishing areas | <input type="checkbox"/> Neighborhood parks (under 10 acres) |
| <input type="checkbox"/> Picnicking areas & shelters | <input type="checkbox"/> Community parks (10+ acres) |
| <input type="checkbox"/> Park benches | <input type="checkbox"/> Natural areas |
| <input type="checkbox"/> Community gardens | <input type="checkbox"/> Public restrooms |
| <input type="checkbox"/> Outdoor tennis courts | <input type="checkbox"/> Other (please explain) |
| <input type="checkbox"/> Playgrounds for 8 years old & younger | _____ |
| | _____ |

4. How many people are in your household?

- ___ # Age 12 or under
- ___ # Age 13-18
- ___ # Over 18

Additional Comments: _____

Thank you for your participation!

- 
1. City Council
2. Admin/Finance
3. Fire
4. IT - SandyNet
5. Police
6. Building/Planning
7. Transit
8. Parks Planning
9. Library
10. Community Services
11. Public Works

Longest Day Parkway Park's Survey Results

When: Monday, June 18, 2018 from 6:30 to 8:00 p.m.

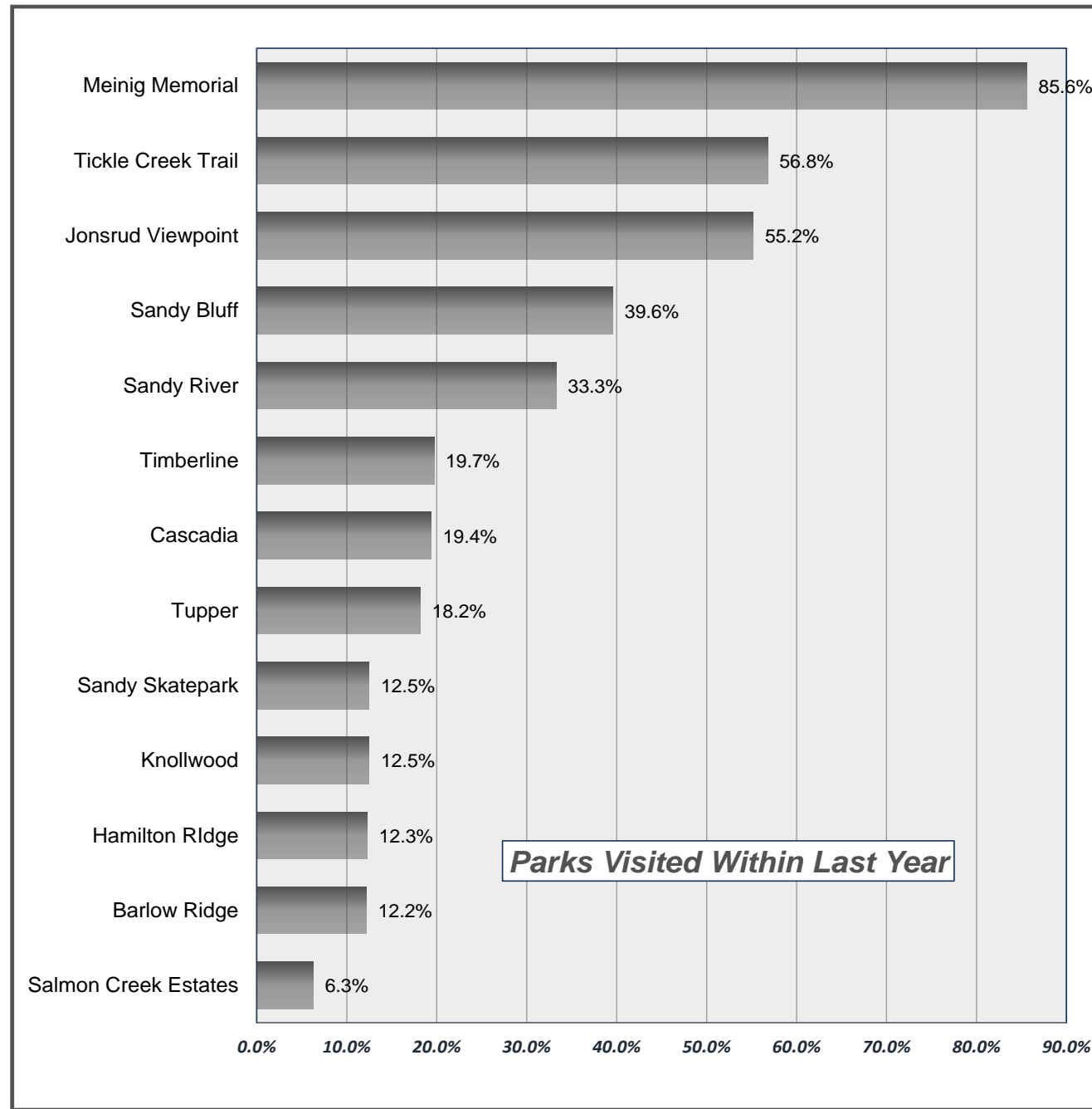
Where: Longest Day Parkway, Parks and Downtown Planning table

Surveyed: 44 surveyors/households

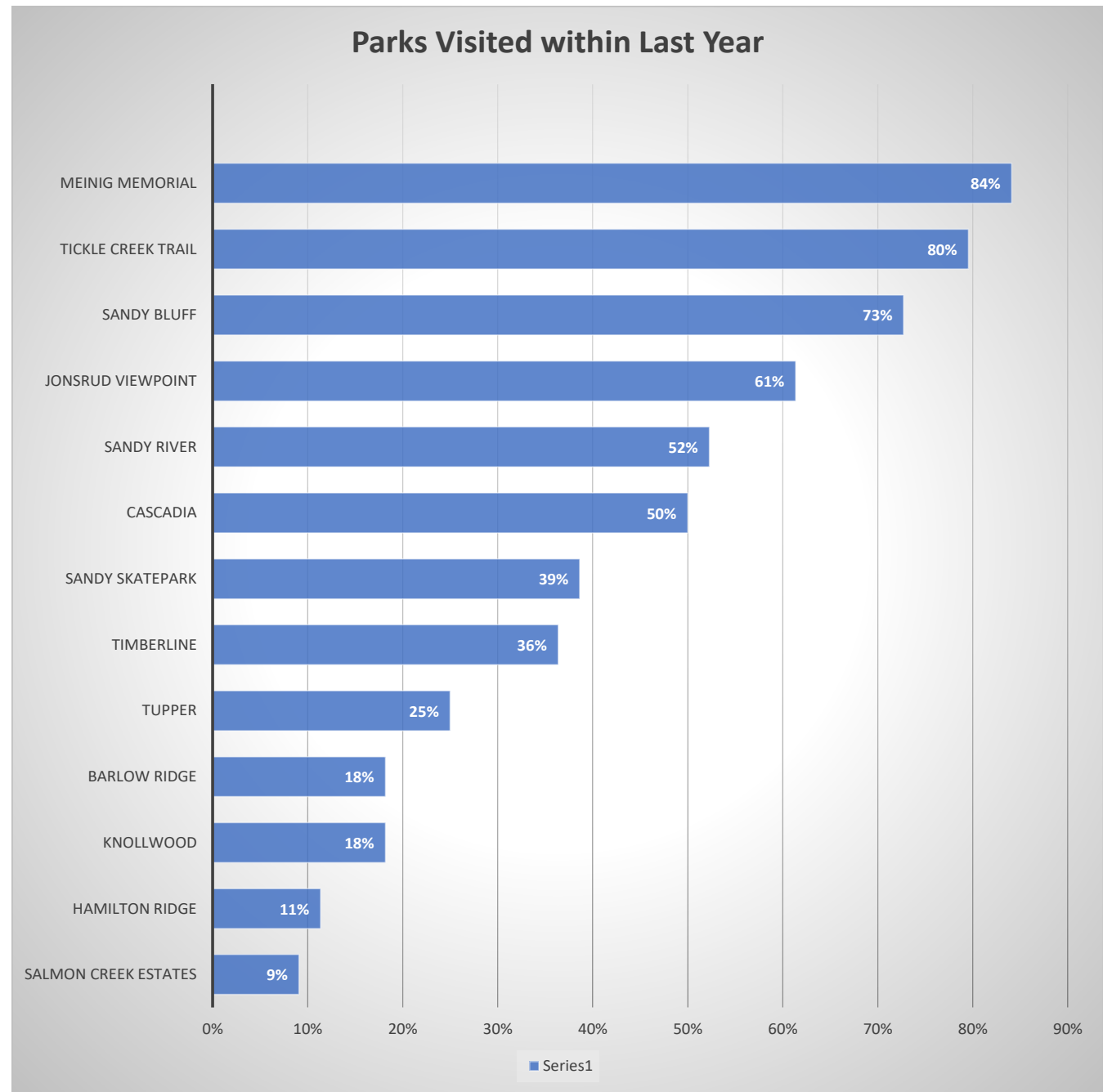
Child Participant: 107

Have you or members of your household visited any of the following Sandy parks within the past year?

2013



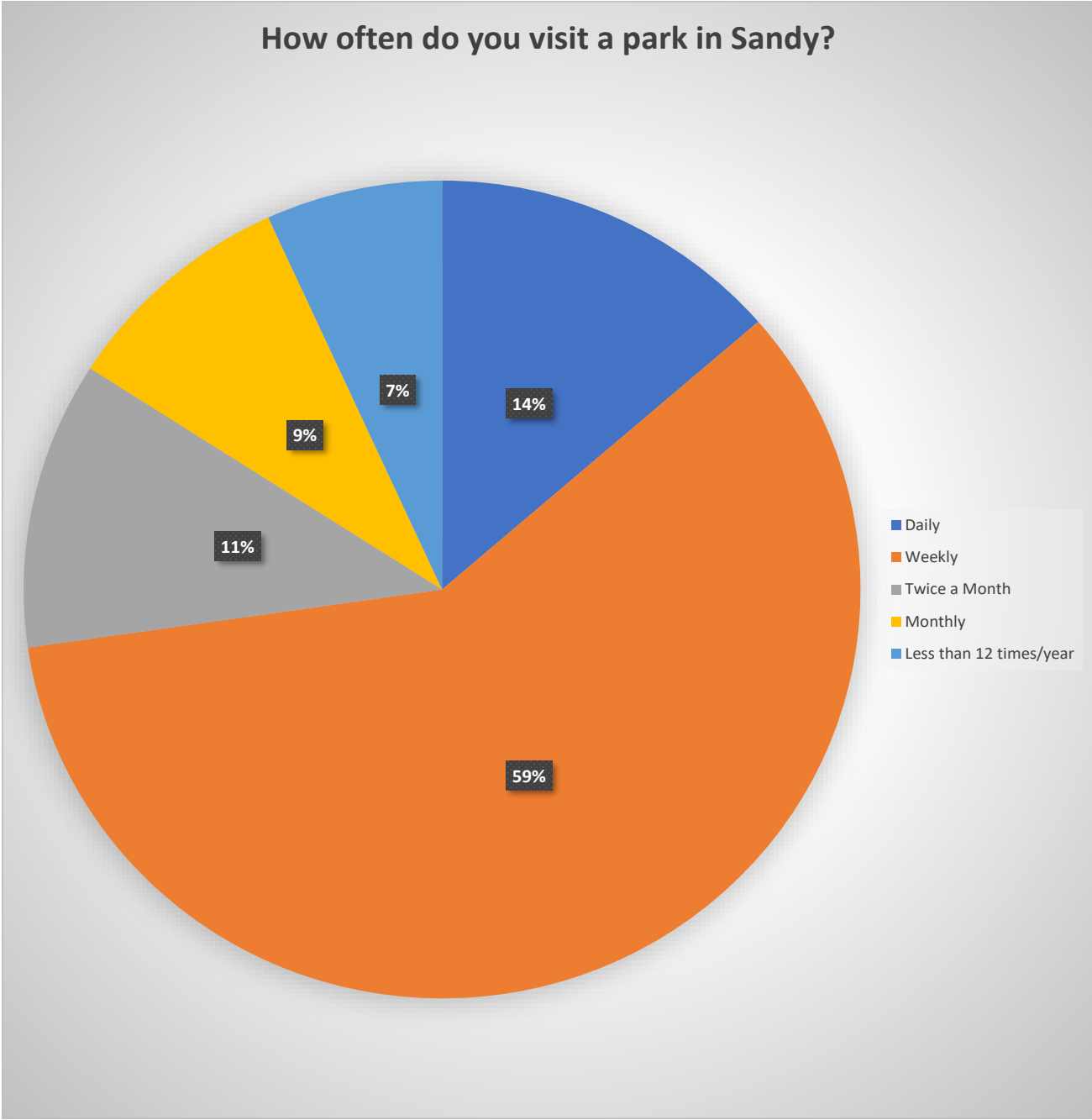
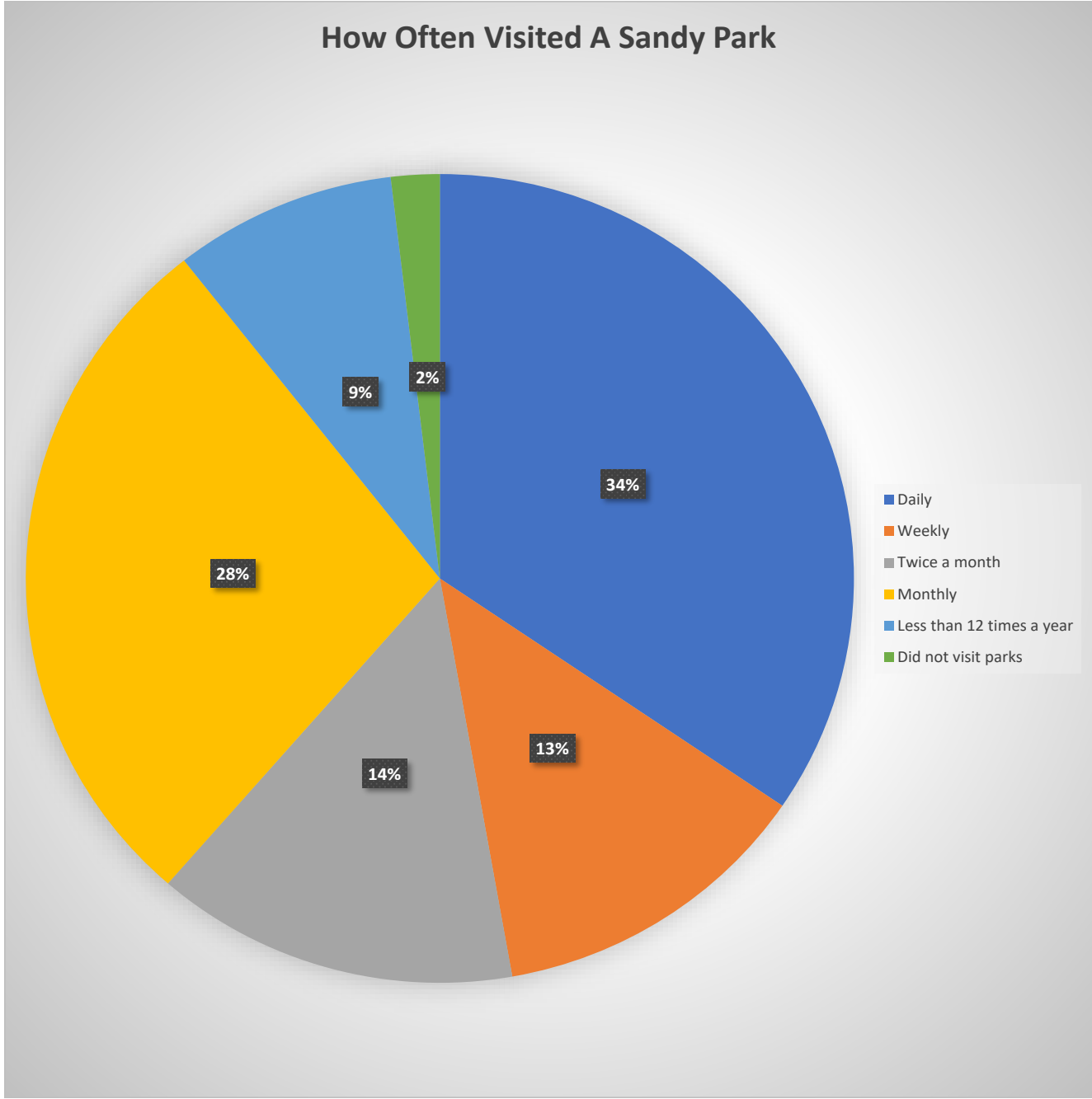
2018



How often do you visit a park in Sandy?

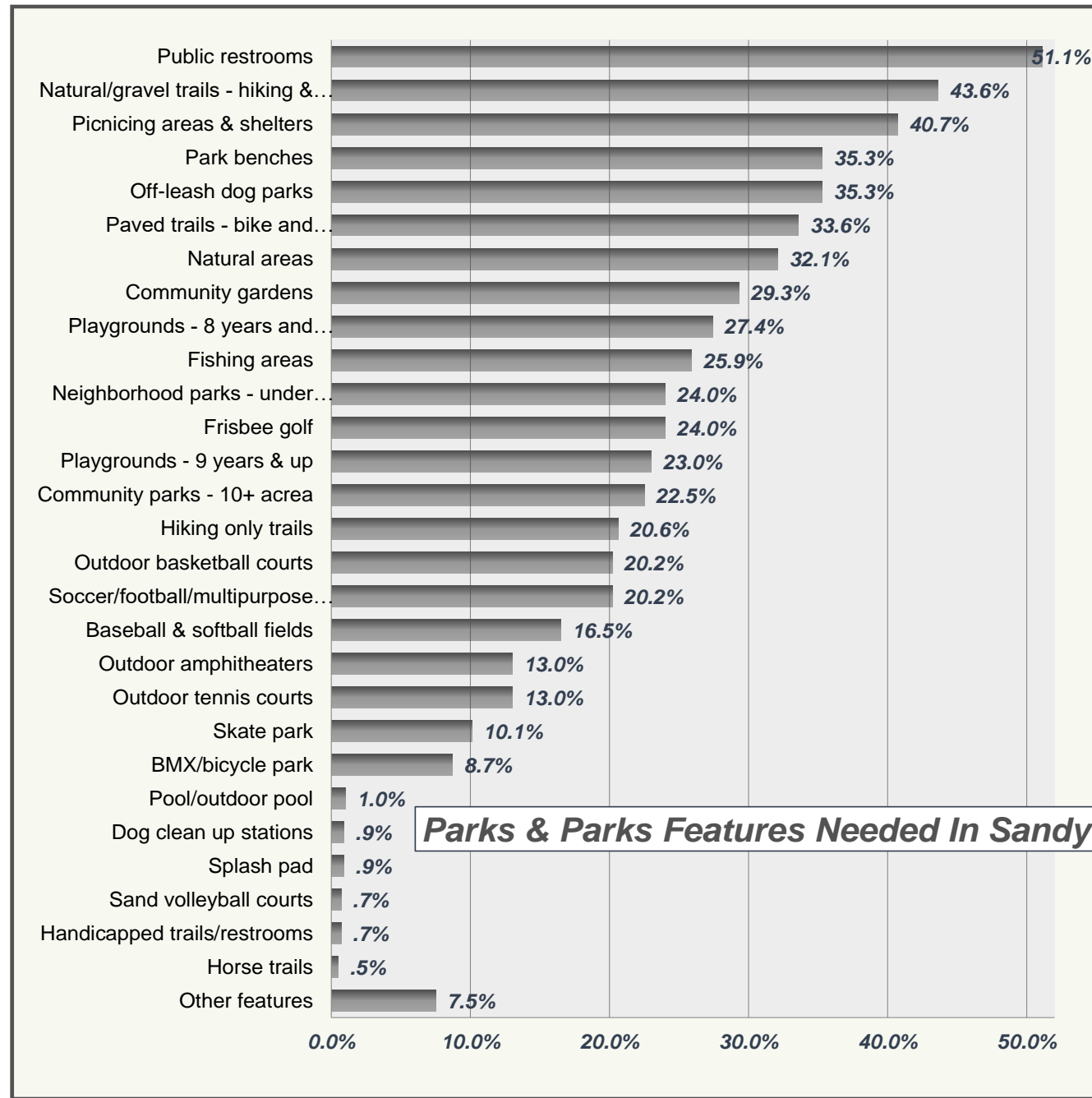
2013

2018

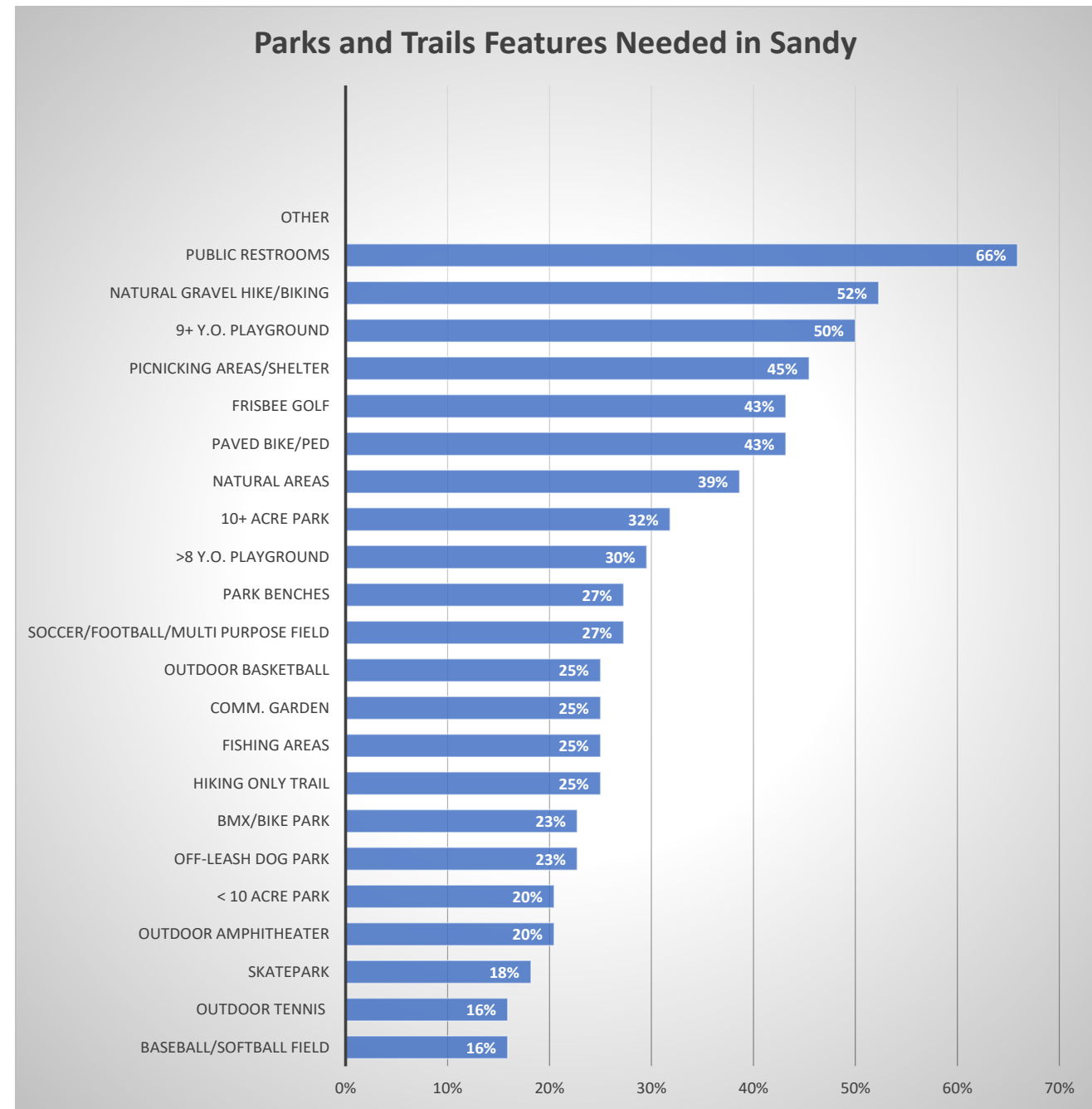


What parks/park features do you feel are needed in the City of Sandy? (please check all that apply)

2013

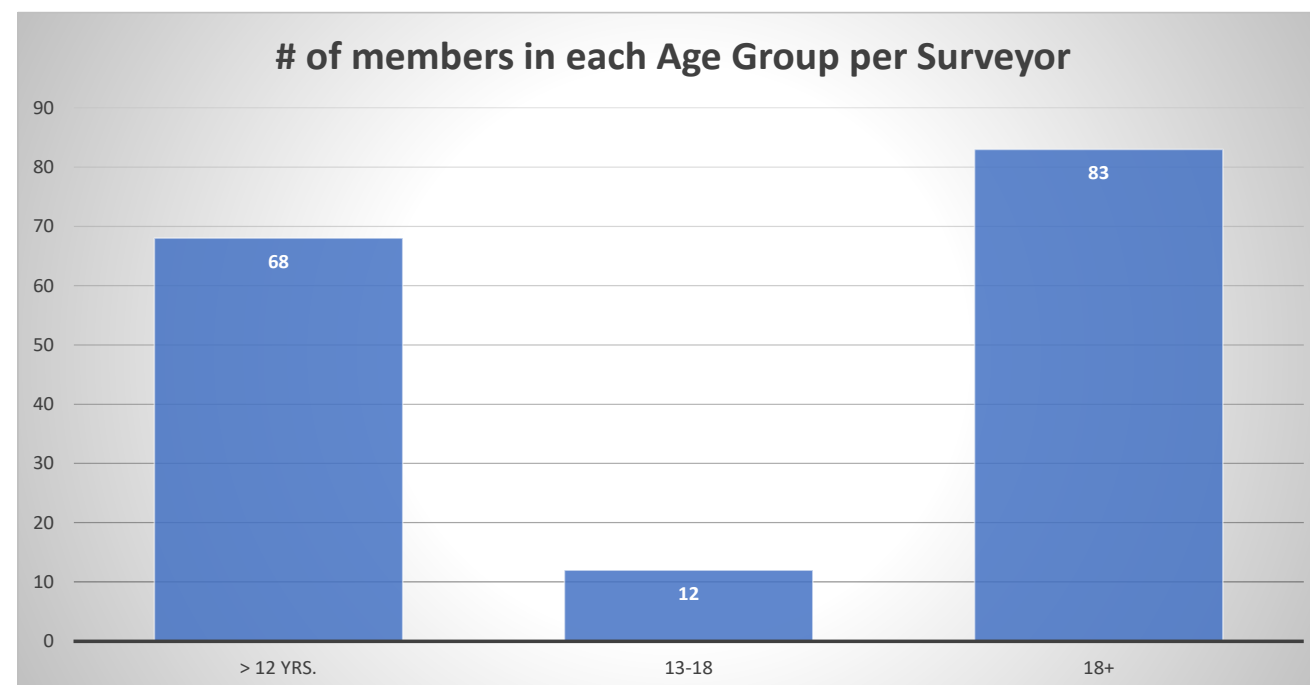
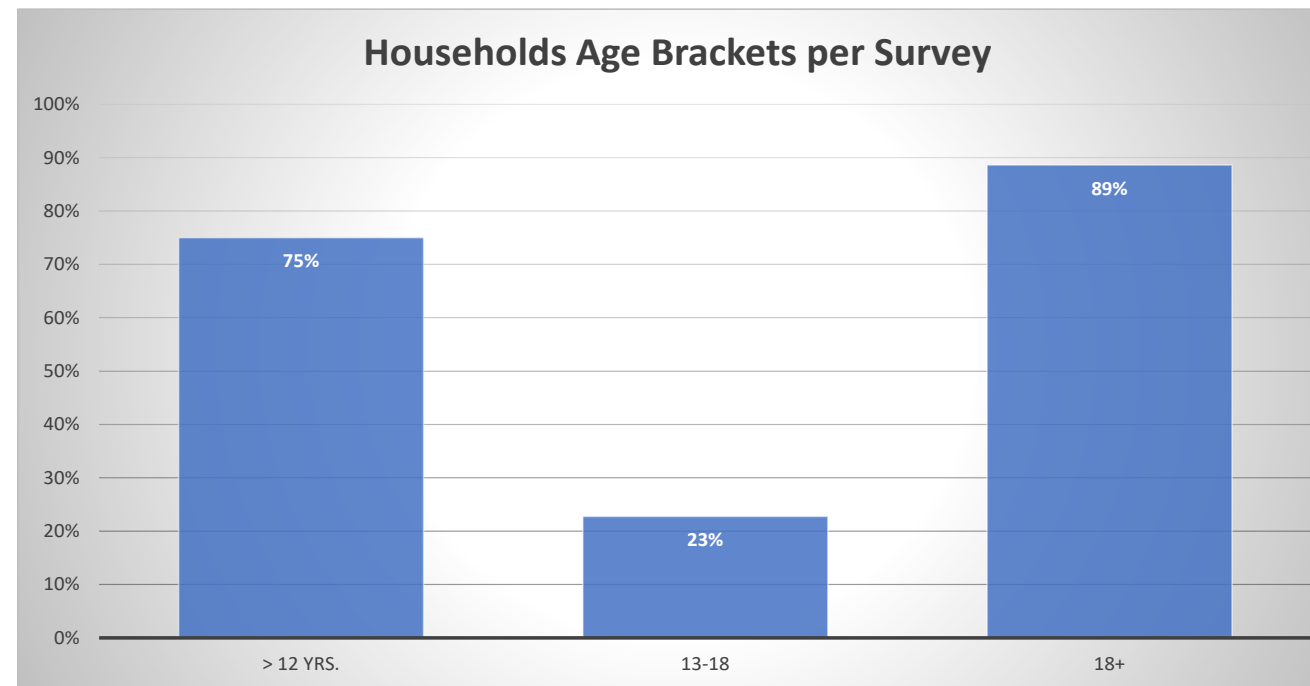






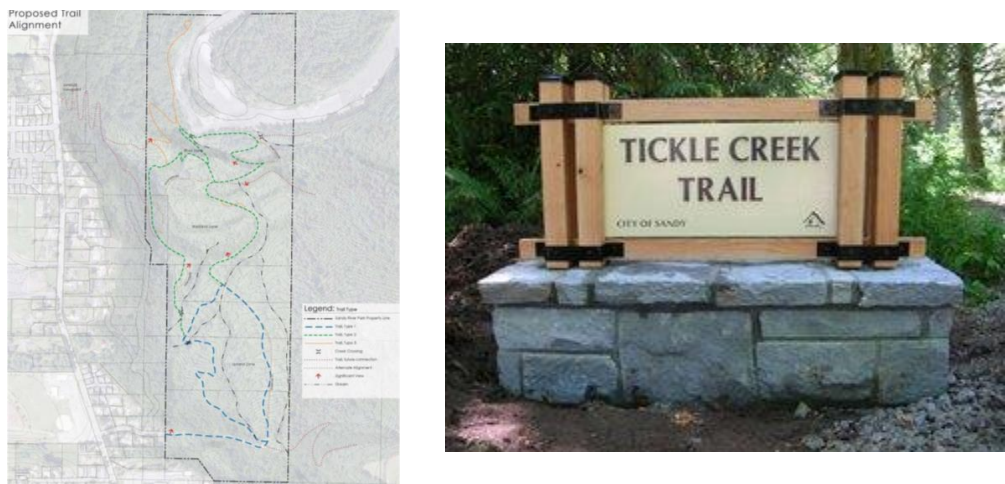
2018



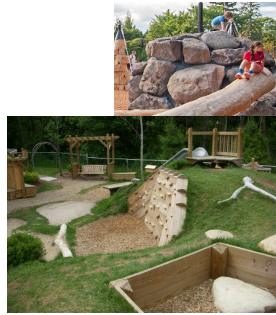
How many people are in your household?

2018



Community Park	<p>Examples: Meinig and Bornstedt Park</p>  <p>Photo: Bornstedt Park</p>	<ul style="list-style-type: none"> • Provides active and structured recreation • Designed for organized events • Serves 1-2 mile radius • May include ball fields, sports courts, play equipment, amphitheater, etc. 	
Neighborhood Park	<p>Examples: Tupper and Timberline Park</p>  <p>Photo: Tupper Park</p>	<ul style="list-style-type: none"> • Non-sanctioned/sponsored recreation facilities • 2-7 acres • Serves .5 mile radius • May include play equipment, picnic benches, open grass for passive use, basketball court, etc. 	
Pocket/Mini/Tot Lot	<p>Example: Knollwood Park</p>  <p>Photo: Knollwood Park</p>	<ul style="list-style-type: none"> • Limited to child play equipment, small lawn and benched. • Intended to provide open space for dense neighborhood. 	
Art, Monuments and Civic Space	<p>Examples: Jonsrud View Point and Veterans Memorial Square</p>  <p>Photo: Jonsrud (credit http://mapio.net/pic/p-86183954/)</p>	<ul style="list-style-type: none"> • Special and/or multi-use recreation opportunities not necessarily associated with a park. • View point, performing arts center, swimming pool, memorial and/or historic elements, etc. 	
Trails & Nature Amenities	<p>Examples: Tickle Creek Trail Sandy River Park</p> 	<ul style="list-style-type: none"> • Aims to provide recreational opportunity and connection to City amenities. • Natural preserved areas with passive use but predominantly kept in natural state. 	
Comments & Suggestions			

Natural Play Equipment



Updated Skate Park



Play Ground Equipment



Trails and Natural Spaces



What Do We Want in Sandy?

Water Activities



Obstacle Course / Exercise Facility



More Community Gardens

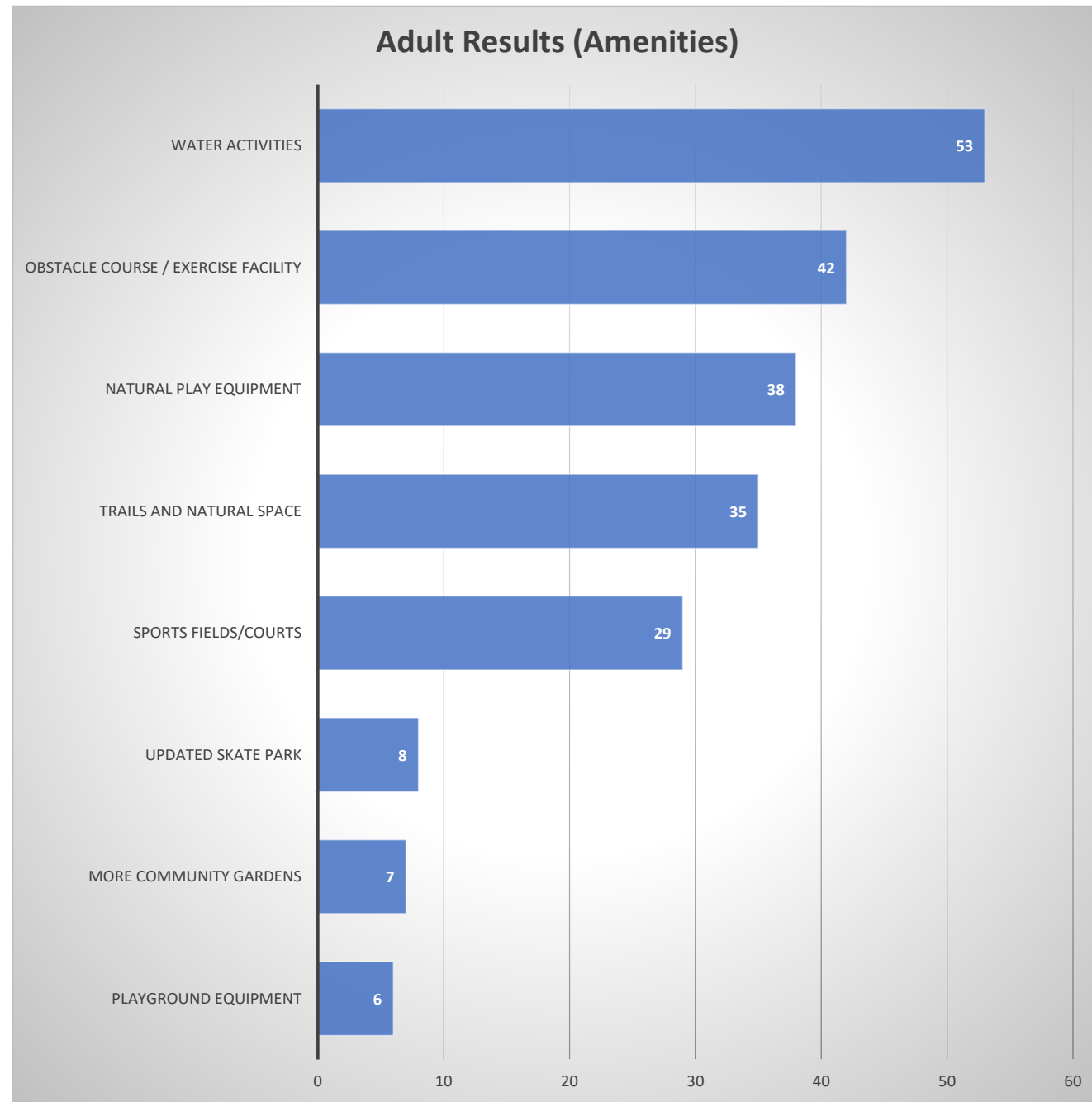


Sports Fields/Courts

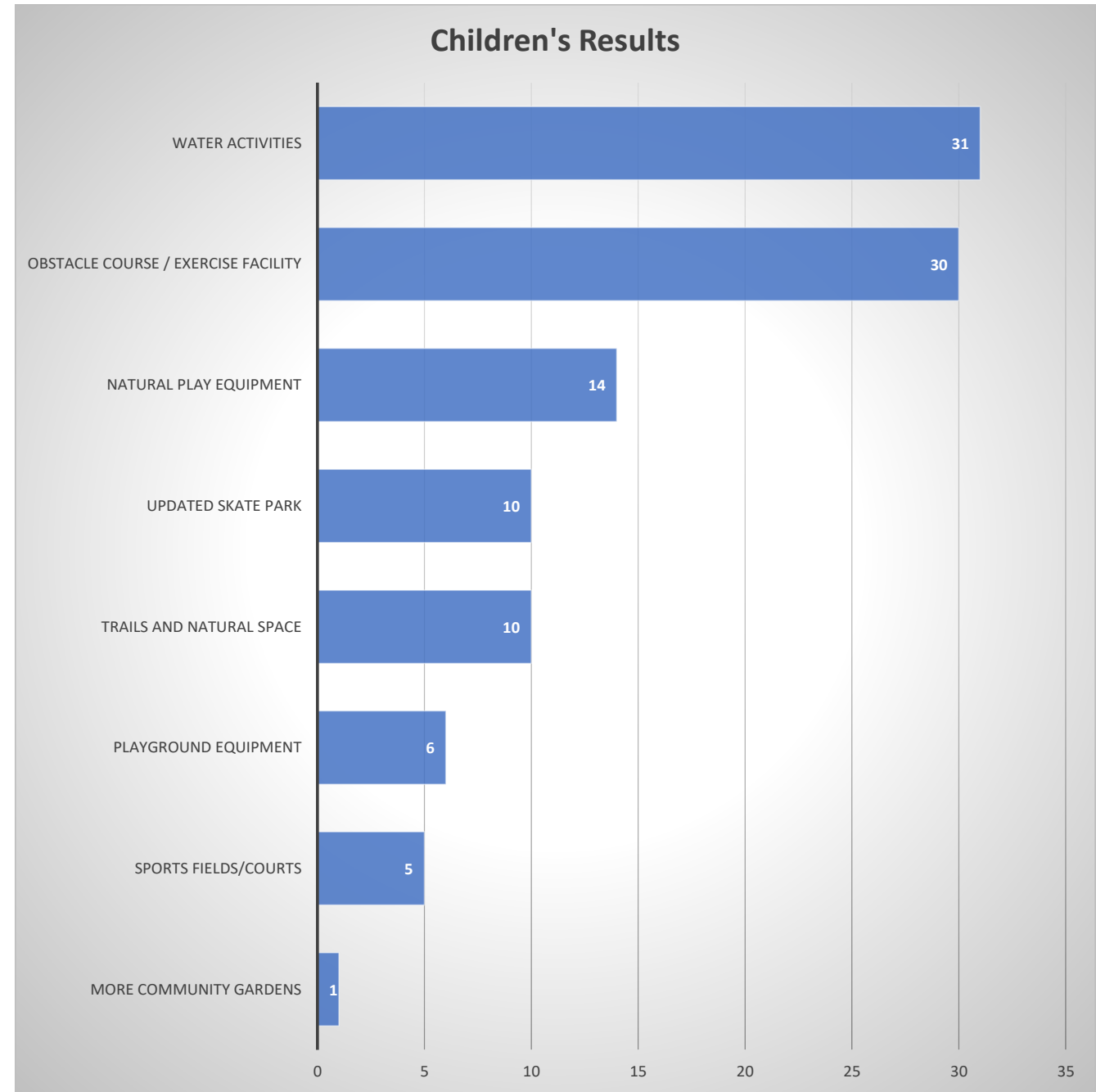


Dot Activity Amenities Only

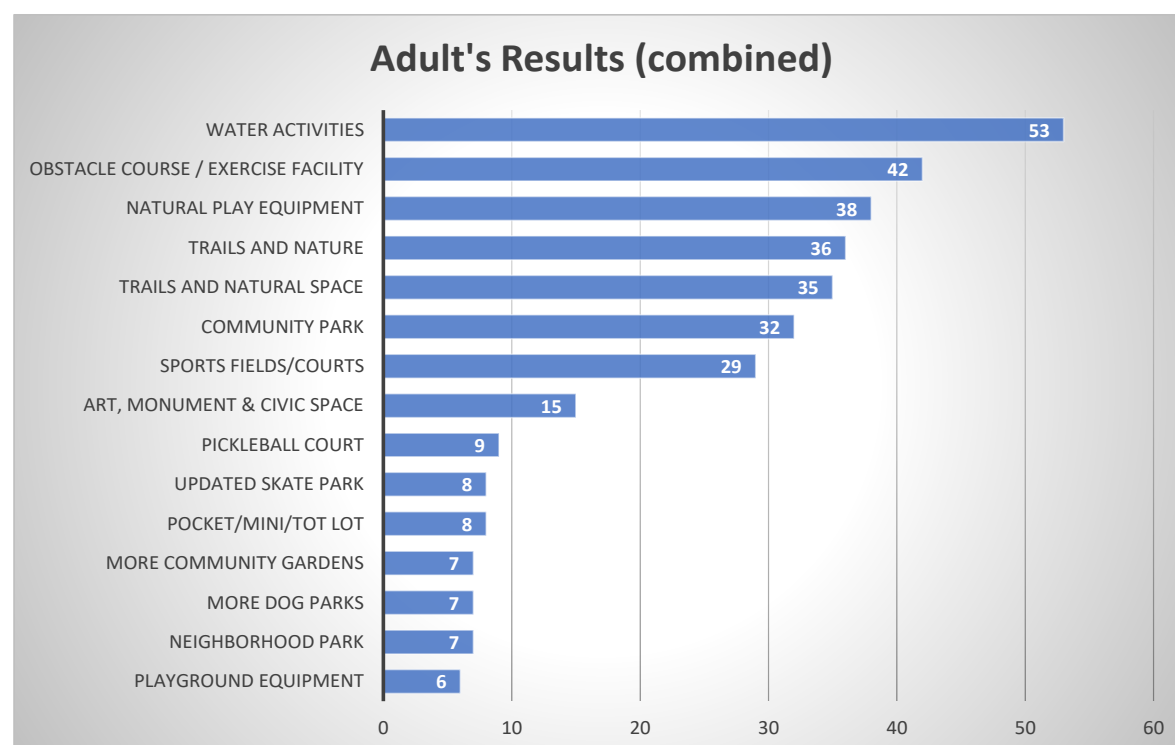
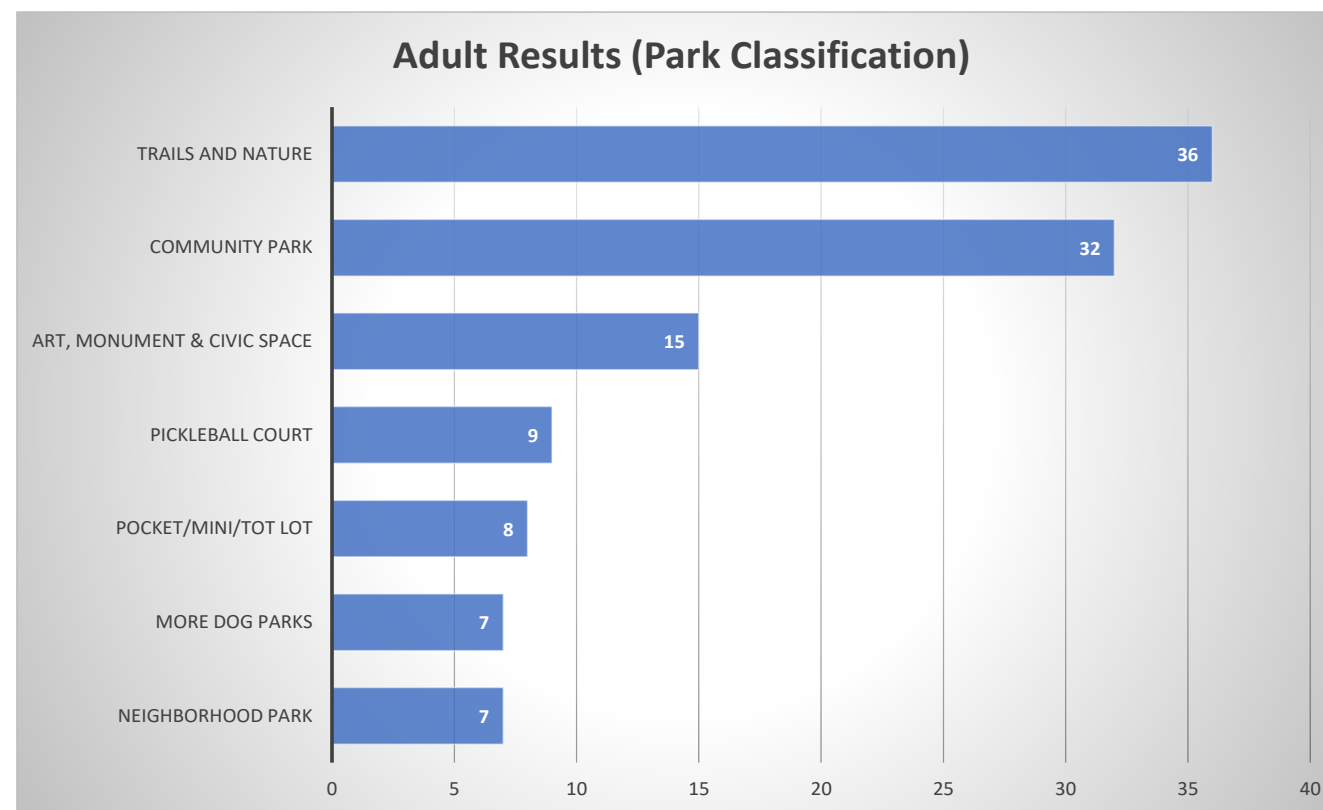
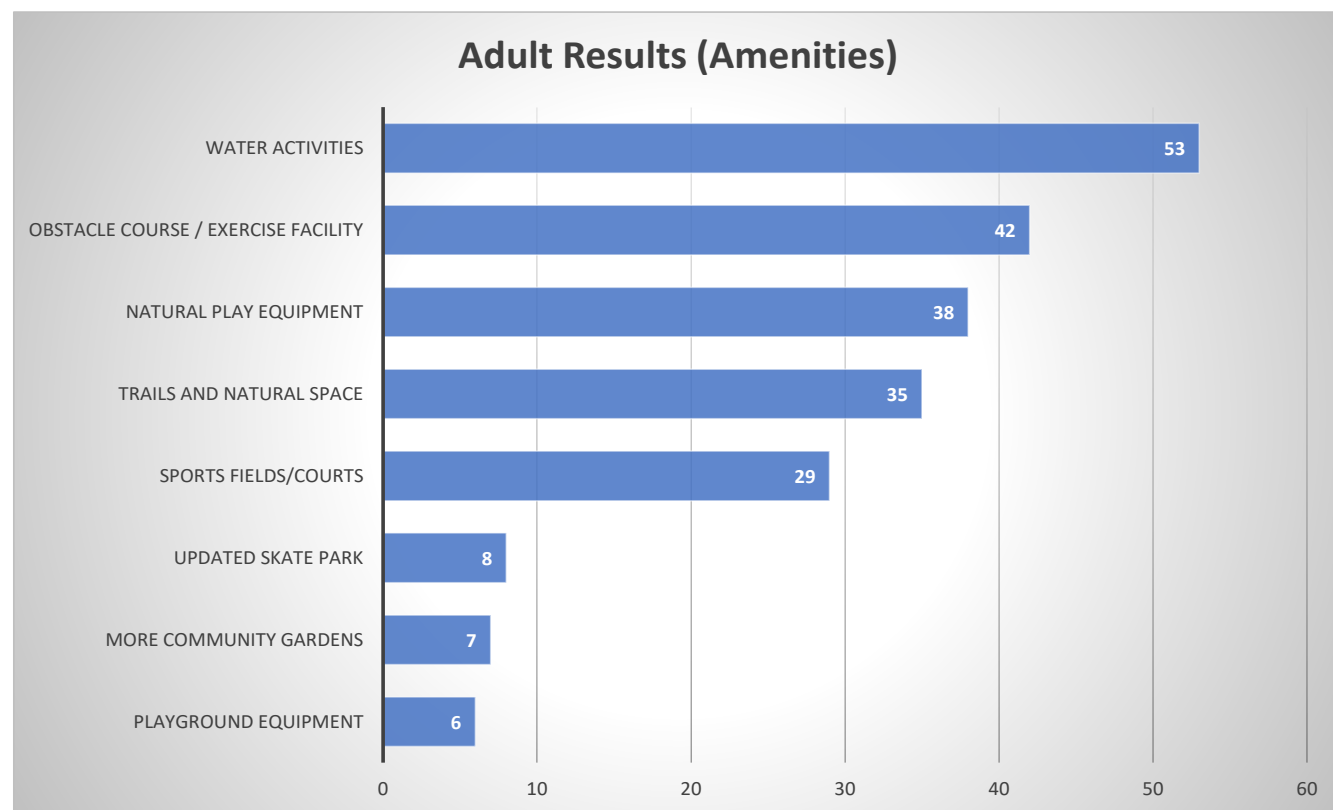
Adults



Kids



Dot Activity Adult's Results Broken Down





Staff Report

Meeting Date: December 3, 2018
From Mike Walker, Public Works Director
SUBJECT: Amendments Title 13 of the Sandy Municipal Code

Background:

As part of the Wastewater Facilities Planning process it is necessary to revise and update several of the City's ordinances regarding the sanitary sewer system. The proposed changes to Chapter 13.12 include updating and clarifying the types of permitted discharges to the sewer system and allowing public works staff to inspect and approve connections to public sewer laterals to prevent Inflow and Infiltration and cross-connections with the storm drain system. Archaic and redundant references are updated or eliminated and changes are proposed to make the ordinance reflect current practices and procedures. In addition, a new section regarding Inflow and Infiltration is added as Chapter 13.14.

In addition to amending the chapters involving the sanitary sewer system staff recommends taking advantage of the opportunity to make changes to sections involving the water system as well. The proposed changes to Chapters 13.04 and 13.08 also streamline procedures, eliminate or modernize outdated references (i.e. water furnished for 'motor power... steam whistles and boilers') and align the language in the ordinance with current practices.

Proposed deletions, and changes are in red. All other portions of Title 13 would remain unchanged.

Recommendation:

Review the proposed changes to Title 13 and make any edits, comments or modifications as necessary. Direct staff to return with the proposed changes in ordinance form for first reading at a future Council meeting.

Budgetary Impact:

Revenue-neutral. An administrative fee to cover costs of investigation, notification and follow up is proposed in Section 13.14.030.

Title 13 WATER AND SEWER¹

Chapter 13.04 WATER SYSTEM-RULES AND REGULATIONS

13.04.010 Application for water use.

Application for the use of water shall be made on forms furnished by the city. Said application shall be made at the time a building or plumbing permit is applied for, and the ~~water and building~~ permits shall carry the same expiration date. The water permit, along with the building or plumbing permit, shall expire by limitation and become null and void if work authorized by ~~these such~~ permits is not commenced within one hundred twenty days from the date of ~~such permits issuance~~, or if the work authorized by such permits is suspended or abandoned at any time after work is commenced for a period of one hundred twenty days. The applicant or applicants shall agree to conform to the rules and regulations of the city, now or hereafter in effect, as a condition for the use of water. (Ord. 38-75 § 1, 1975; Ord. 10-73 § 2, 1973.)

~~13.04.020 Application-Inspection of premises.~~

~~No application for the use of water shall be granted until the premises where the water is to be supplied has been examined in person by the public works superintendent. (Ord. 10-73 § 3, 1973.)~~

13.04.030 Restriction on water use.

No person supplied with water from the city mains will be entitled to use it for any purpose other than that stated in his or her application. No user of water will be entitled to supply water in any way to other persons or families, except upon special written permit from the city council. (Ord. 10-73 § 4, 1973.)

13.04.040 Connection.

The materials for the connection ~~from the main to and including the curb cock will be supplied by the city, and said materials~~ the public water supply system, including the meter, shall be and remain the property of the city. All ~~tapping of connection to public~~ water mains ~~and pipes~~ shall be done ~~by under the direction of~~ the public works ~~superintendent~~ director, or ~~under his supervision~~ their designee. The meter shall be placed ~~at the curb line, or at the property line, at the option of the public works superintendent~~ in the public right-of-way or in a dedicated utility easement, ~~and shall be in a substantial concrete box with a cover, the cost of which box and cover shall be included in the cost of connection. The city may use such meter as the council may, by resolution or motion, from time to time provide.~~ Water Service service pipes laterals and connections are those pipes and connections which ~~bring convey~~ the water from the public water main to the property line water meter. ~~All service pipes and connections shall be laid two feet below the street grade, with the exception of installation of meters.~~ All public water mains, service ~~pipes laterals and connections~~ and appurtenances shall be under the exclusive control and ownership of the ~~city council~~ city, and no person, other than the public works ~~superintendent director or an assistant~~ their designee, will be permitted to install any service ~~pipes laterals or connections~~ or make any repairs or alterations or changes in any public water lines, service ~~pipes laterals~~, connections and meters. (Ord. 10-73 § 5, 1973.)

13.04.045 Changes in service.

When new buildings are to be erected on the site of old ones ~~and or~~ it is desired to increase the size or change the location of ~~the old an existing~~ service connection, or where a service connection to any premises is abandoned or no longer in use, a new service shall be required, as needed, upon application of the occupant and upon payment for a new connection including all applicable Systems Development Charges in the regular manner. Water service shall be considered abandoned if utility bills, including any unpaid balance remain unpaid for twelve consecutive billing cycles. (Ord. 38-75 § 2, 1975; Ord. 10-73 § 5A, 1973.)

13.04.050 Placement of stop and waste cocks.

All private service pipes from the property line shall be property installed and at all times maintained in good

order by the owner with no leakage or wasting of water. ~~Outside pipes shall be placed at least two feet underground, and inside pipes shall be placed or protected so as to prevent freezing. Just inside the basement a stopcock and waste cock, of approved pattern, protected from the frost, must in all cases be placed in a convenient location, by means of which the pipes in the building may be drained when necessary during freezing weather. If the building is not provided with a basement, a stop and waste cock must be placed near the outside wall thereof. Additional stop and waste cocks must be placed at sags and bends in pipes when they cannot otherwise be drained.~~ (Ord. 10-73 § 6, 1973.)

~~13.04.060 Leaks-Excavation by public works superintendent.~~

~~Where there is a leak under the street and it is doubtful whether the water comes from a break in the city mains or from the private meter, the public works superintendent will make the excavation to determine which it is from. If the leak is found in the main, the city will make all repairs free of charge. If the leak is from the meter to the property served, the owner, lessee or agent will be notified either in person or by letter; it will be his obligation to have the condition corrected immediately by a qualified contractor, and he shall be liable for all damage.~~ (Ord. 10-73 § 7, 1973.)

13.04.070 Separate service for each house-Exception.

A separate service ~~direct to the tap on the main and meter~~ will be required for each house property that is to be supplied with water; ~~provided, that when there are two houses on an inside lot of ground or less, the service may be divided at the curb and a separate stopcock and a meter provided for each place to be supplied.~~ (Ord. 10-73 § 8, 1973.)

13.04.080 Conditions under which water will not be furnished.

Water will not be furnished where there are ~~defective or leaking faucets, closets or other fixtures, or where there are water closets or urinals without self closing valves, or tanks without self acting float valves, and when such may be discovered the supply may be shut off~~ inactive or potential, unprotected cross-connections as defined in Section 13.06. (Ord. 10-73 § 9, 1973.)

13.04.090 Plumber-Prohibited actions.

No plumber or other person will be allowed to make any alteration in any conduit, pipe or other fixture connecting with the city mains, ~~or to connect pipes when they have been disconnected,~~ or to turn water off or on the premises at the meter without permission from the ~~public works superintendent~~city. (Ord. 10-73 § 10, 1973.)

~~13.04.100 Plumber-Report of work done.~~

~~Plumbers or persons doing any work by which additional water may be drawn from the city mains, or by which there is a change in the kind or classification of service used, must make in writing a true and accurate report of the work done and deliver it at the water office as soon as completed, or within twenty four hours thereafter.~~ (Ord. 10-73 § 11, 1973.)

13.04.110 Interrupted service.

The water may at any time be shut off from the mains, without notice, for repairs or other necessary purposes, and the city will not be responsible for any consequent damages. Water for steam boilers will not be furnished by direct pressure from the mains. Tanks for holding an ample reserve supply of water shall always be provided by the owner of the boiler. While water is temporarily shut off from the mains, the hot-water faucets should be kept open by the occupant of the premises to allow the steam to escape from the water heaters, and should damage result to the meter by reason of reverse flow of steam or hot water, the owner shall be charged for repairs or replacement. (Ord. 10-73 § 12, 1973.)

~~13.04.120 Access.~~

~~Employees of the city shall have free access at proper hours of the day to all parts of the buildings and premises in which water may be delivered from the mains, for the purpose of inspecting the conditions of the pipes and fixtures and the manner in which the water is used.~~ (Ord. 10-73 § 13, 1973.)

13.04.130 Monthly reports by administrative office.

The administrative office shall prepare a monthly report indicating: ~~Number of consumers, amount collected for rentals, amount collected for applications, amount for penalties and fines, number of consumers delinquent~~the amount of water produced, together with such other data as the council may require, ~~and shall at the close of the calendar year make a summary of these reports.~~ (Ord. 10-73 § 14, 1973.)

13.04.140 Records of public works superintendent.

~~The public works superintendent~~Utility staff shall, as a part of ~~his~~their duties, ~~number record the address, parcel number, meter number of~~ all premises where water is furnished by the city, and shall furnish a record of such to ~~the administrative office~~utility billing staff for purposes of accurate billing. ~~He~~Utility staff shall also keep ~~an and maintain~~ accurate hard copies or digital records ~~of all mains and pipes laid by him or under his direction and belonging to the city, and shall, not oftener than once a month, if the council so requests, make a written report of the condition of the water system, or any part thereof, together with such recommendations as the said superintendent sees fit to include pipes, valves, fittings, hydrants, services and other appurtenances within the water system.~~ (Ord. 10-73 § 15, 1973.)

13.04.150 Use of fire hydrants.

It is unlawful for any person to operate, alter, change, remove, disconnect, connect with, or interfere in any manner with any fire hydrant owned ~~or used~~ by the city or connected to the public water system without first obtaining written permission from the city. The provisions of this section shall not apply to emergency or other uses by the Sandy Rural Fire Protection District No. 72. The city may require that accurate records or estimates of water used for fire suppression, training or other uses by the Sandy Rural Fire Protection District No. 72 be submitted on a regular basis but not more frequently than monthly. (Ord. 10-73 § 16, 1973.)

13.04.160 Fire protection service.

Fire protection pipes to be used in case of fire will be allowed within and without buildings on the following conditions:

A. When the owner of a building desires, or when the building code calls for a certain size pipe to supply water to a wet or dry sprinkler system without hose connections, such pipe or pipes may be covered by an approved proportional meter or a detector check. The owner or agent of such building shall agree in writing that water supplied through this service will not be used for any purpose except for extinguishing a fire. If at any time it is found that ~~hose-unapproved~~ connections have been added to the system or that registration ~~is has been~~ recorded on the meter or detector check, the immediate installation of a compound meter ~~will may~~ be required by the city water department at the sole expense of the owner or agent.

B. No charge shall be made for water used in the extinguishing of fires if the owner or agent reports such use to the city water department in writing within ten days of such usage. A minimum service charge for fire protection purposes shall established by Council resolution may be billed each month to the owner or agent of the property supplied.

(Ord. 10-73 § 17, 1973.)

13.04.170 Use of private water and city water.

Owners of buildings desiring to use both a city water supply and a supply of water other than that furnished by the city water system may obtain city water at meter rates upon the following conditions and not otherwise. Under no circumstances shall a physical connection, direct or indirect, exist or be made in any manner, even temporarily between the city water supply and that of a private water supply. Where such connection is found to exist, or where provision is made to connect the two systems by means of a spacer or otherwise, the city water supply shall be shut off from the premises without notice. In case of such discontinuance, service shall not be reestablished until satisfactory proof is furnished that the cross-connection has been completely and permanently severed. (Ord. 10-73 § 18, 1973.)

13.04.180 Water for building purposes on meter basis.

If the owner or agent of any premises applies for a ~~permanent water~~ service and the meter has been installed, water shall be furnished for building purposes at meter rates, to be charged against the premises. ~~A charge for water shall be billed to said owner or occupant when the meter registers at least five hundred cubic feet, or as soon as the building is occupied.~~ (Ord. 10-73 § 19, 1973.)

13.04.190 Ownership, damage and registration of meters.

All meters of the city water system are the property of the city, and any repairs to said meters shall be made by the city. If a meter is burned out by hot water or damaged by the carelessness or negligence of the owner or occupant of the premises, the city ~~water department~~ will repair ~~or replace~~ the meter, and the cost of such repairs ~~or replacement~~ shall be charged against the owner of the property and if not paid within thirty days, shall then become a lien against said property. When a meter fails to register accurately, the charge shall be either based on the average quantity of water used, as shown by the meter when in order, or if there is no such average consumption, then the ~~minimum rate of the city~~ quantity of water used during the same billing cycle in the prior year shall ~~apply~~ be used. If freezing or snowing weather shall make reading of the meters impracticable, an estimated reading shall be made by the city ~~water department~~ during the time such conditions exist. Estimated readings for other just conditions affecting reading of a meter shall be made only on approval of the water department. (Ord. 10-73 § 20, 1973.)

13.04.200 Services outside the city.

A. Excess water of the city, as determined by the council, may be served to individual users, companies or water districts outside the city boundaries, under such rates, charges and rules as the council may from time to time prescribe, or as outlined under special contracts. All regulations now or hereafter that affect the users inside the city shall apply to users outside the city, except as provided by the council. Service to users outside the city shall at all times be subject to the prior superior right of the people of the city to said water. The city shall have the right to refuse to sell water to consumers who do not comply with the requirement of this section.

B. The city may require annexation prior to service extension if such annexation is practical and in the best interest of the city. If annexation is not required, the owner must enter into an agreement for future annexation to the city, upon the city's request in an agreement form, satisfactory to the city attorney. The water service extension will be installed to city standards. A person or persons requesting service extension will bear all costs of the extension of the service, including, but not limited to, the cost of public lines and any oversizing as specified by the public works director. A water service connection will be provided only for a permitted use as identified in the Clackamas County Development Code and the City Comprehensive Plan. The extension of water service facilities shall follow an approved shadow plat design for future extension of infrastructure for the site, which meets the satisfaction of the city. No service extension shall conflict with existent natural hazards and/or goals criteria.

(Ord. 5-93 § 1, 1993; Ord. 10-73 § 21, 1973.)

~~13.04.210 Report from other distributing agencies.~~

~~All water districts, water companies, agencies and other agreeing parties, supplying water furnished to the city from the waterworks of the city of Portland water bureau to customers outside the limits of the city must furnish, not later than June 30th of each year, to the city, a written description of the area supplied or to be supplied by such distributing agency, together with a report and maps showing all mains which now exist or which may be hereafter laid. Such description, report and maps shall be filed with the public works superintendent of the city. No increase in services or extensions of mains shall be made by any water district, company or any parties under agreement by the city unless approval of the city council shall first be obtained. (Ord. 10-73 § 22, 1973.)~~

13.04.220 Regulations pertaining to inadequate supply or shortages of water.

A. Upon determination that water consumption exceeds availability and/or water storage within the system is approaching the minimum required to meet fire protection and other essential requirements, as determined by

the city manager, the city manager shall have authority to request voluntary reduction of water use by customers, including but not limited to the following specific actions:

1. Requesting patrons to limit landscape watering between the hours of 10:00 a.m. and 6:00 p.m.;
2. Requesting voluntary compliance with alternate day system for landscaping watering (i.e. even numbered addresses water on even numbered days, and odd numbered addresses on odd numbered days);
3. Requesting other voluntary measures on the part of city customers.

B. Upon determination of serious water shortages by the city council, the city council may declare an emergency restricting certain uses. Pursuant to such action the city council may impose the following measures:

1. Prohibiting landscape watering between the hours of 10:00 a.m. and 6:00 p.m.;
2. Requiring compliance with alternate day system for landscaping watering (i.e. even numbered addresses water on even numbered dates, and odd numbered addresses on odd numbered days.);
3. Restricting other outdoor uses as determined by the city council.

C. Upon determination of critical water shortages by the city council, the city council may declare an emergency prohibiting certain uses. Pursuant to such action by the city council it shall be expressly prohibited to:

1. Water, sprinkle or irrigate lawns, grass or turf unless:
 - a. It is new lawn, grass or turf that has been seeded or sodded after March 1st of the calendar year in which any restrictions are imposed, and in such cases it may be watered as necessary until established,
 - b. Lawn, grass or turf that is part of a commercial sod farm,
 - c. High use athletic fields that are used for organized play,
 - d. Golf tees and greens, and
 - e. Park and recreation areas deemed by the city council to be of a particular significance and value to the community that would allow exception to the prohibition;
2. Washing, wetting down, or sweeping with water, sidewalks, walkways, driveways, parking lots, open ground or other hard surfaced areas unless:
 - a. In the opinion of the city council there is a demonstrable need in order to meet public health, safety requirements including but not limited to alleviation of immediate fire or sanitation hazards, or dust control to meet air quality requirements mandated by the Oregon Department of Environmental Quality,
 - b. Power washing of buildings, roofs and homes prior to painting, repair, remodeling or reconstruction and not solely for aesthetic purposes;
3. Washing cars, trucks, trailers, tractors, or other land vehicles or boats or other water borne vehicles except by commercial establishments or fleet washing facilities which recycle or reuse the water in their washing processes or by bucket and hose with a shut-off mechanism unless the city council finds that the public health,

safety and welfare is contingent upon frequent vehicle cleaning such as cleaning of solid waste transfer vehicles, vehicles that transport food and other perishables or otherwise required by law.

D. Upon determination that the restrictions and/or prohibitions permitted pursuant to this section have not reduced water consumption to the level necessary to eliminate emergency water conditions, the city council may as an additional conservation measure adopt a temporary conservation water rate schedule. The city council may do so by the passage of a resolution.

E. Any violation of the restrictions or prohibitions permitted by this section shall be enforced by the city as follows:

1. The city shall personally deliver a notice of violation to the occupant of the premises. If the occupant is not present, the city may post the same on the premises advising the user of the violation and warning the user of what specific sanctions may be imposed if the violations continue. The city shall also mail the notice of violation by regular mail to the occupant at the address of the subject premises where the violation has occurred.

2. The following penalties may be imposed if violations continue:

Second violation \$100.00 Fine

Third violation \$300.00 Fine

Fourth and subsequent violations \$500.00 Fine

In the case of continuing violations, the city also has the authority to discontinue water service. (Ord. 12-92 §1, 1992; Ord. 10-73 § 23, 1973.)

~~13.04.230 Water for motor power.~~

~~Water for motor power shall not be used until the consumer has made special application to the council and has been granted a special rate. Any failure to comply with the provisions of this section shall be sufficient cause for shutting off the water. (Ord. 10-73 § 24, 1973.)~~

13.04.240 Private pipe or main-Council permission required.

No person shall be permitted to lay any private pipes or mains in or upon any public right-of-way, street or road in the city without permission of the council. (Ord. 10-73 § 26, 1973.)

13.04.250 Violation-Penalty.

Any person who shall in any way interfere with, change, alter or damage any water main, pipe, conduit, shutoff or any other part of the water system belonging to the city, or who shall turn on the water to any premises without due authority, shall upon conviction in municipal court of said city be fined in the sum of not more than one hundred dollars for each offense, or by imprisonment for a period of not more than ten days, or by both fine and imprisonment. (Ord. 10-73 § 25, 1973.)

Chapter 13.08

WATER SYSTEM-CONNECTION CHARGES AND RATES

13.08.010 Connection charges.

When an application for ~~the use of~~ water service has been ~~accepted~~made, as provided for in Chapter 13.04, a connection charge for each living unit as established by the city council by resolution, plus the cost of meter and connections, system development charges and applicable installation charges at the actual cost of same or at city's ~~prevailing~~ established fee schedule, shall be paid for connections inside the city limits. The connection fee for connections outside the city limits shall be set by the city council by resolution for each living unit, plus the cost meter and connections, system development charges and ~~those~~ applicable charges for ~~the~~ installation of at

the actual cost of same or at the city's prevailing-established fee schedule. (Ord. 18-93 § 8, 1993: Ord. 387 § 1(A), 1987; Ord. 1480 § 1, 1980: Ord. 279 § 1, 1979: Ord. 3875 § 3, 1975: Ord. 973 § 2, 1973.)

13.08.020 Water Charges to Premises: Payment/Delinquent Charges.

All charges for furnishing water through the City's utility system with the exception of rental premises, shall be chargeable to the premises where the water is supplied. Charges for rental premises shall be charged to the owner of the premises who must consent to responsibility for charges where water is supplied. Whenever any charge for furnishing to any premises should not be paid within fifteen (15) days after the same becomes due and payable, the water department may terminate water service to such premises, and water shall not be furnished again thereto until all outstanding obligations for water supplied to such premises have been paid in full. Written notice of termination of water service for non-payment of water charges shall be given to the owner or occupant by regular mail, or by posting on the premises at least ten (10) days in advance of such termination of service. In the case of rental premises, the aforesaid notice shall be given both to the tenant and to the owner of the premises. For the purposes of this chapter, the terms "owner" and "tenant" shall have the meaning as defined in ORS 91.705. (Ord. 18-93 § 9, 1993: Ord. 11-91 § 2, 1991: Ord. 3-87 § 1(B), 1987: Ord. 9-73 § 3, 1973; Ord. 2001-02 § 1.)

13.08.050 Water rates.

A. Water rates, as permitted by this section are based upon actual costs of service, as reflected in the methodologies contained in the city of Sandy Water Rates Study, dated May, 1991.

B. The water rates permitted by this section include a number of components. These components include the following:

1. A monthly service charge for each individual customer class;

2. A monthly service charge by meter size, with different rates for inside and outside city ~~patrons~~customers;

3. A volume charge for each one hundred cubic foot unit of consumption, with different rates for inside and outside city customers based upon individual customer classes;

~~4. An additional outside city patron payment, representing payments in lieu of real property taxes. This payment is added to the volume charge of individual customer classes for out of city patrons;~~

~~5.~~ 4. An inside/outside rate differential setting total outside city rates at the sum of fifty percent over total inside city rates.

C. The monthly charges for individual water rate components shall be set by the city council by resolution. (Ord. 18-93 § 10, 1993; Ord. 13-92 § 1, 1992; Ord. 6-91 § 1, 1991: Ord. 9-90 § 1, 1990: Ord. 3-87 § 1(D), 1987: Ord. 19-81 § 1, 1981: Ord. 14-80 § 2, 1980: Ord. 2-79 § 2, 1979: Ord. 973 § 1, 1973.)

13.08.060 Testing meters.

When any water ~~consumer~~customer makes a complaint that the bill-consumption amount for any particular period-billing cycle is excessive, the ~~public works superintendent~~city will, upon request, have such meter reread and the service inspected for leaks. Should such consumer then desire that the meter be ~~changed or~~ tested, he will be required to make a deposit in an amount established by the city council by resolution to cover the cost of making such ~~change or~~ test. The meter will then be ~~changed or~~ tested by an independent third-party. Should the meter upon testing show a registration in excess of three percent in favor of the city of actual usage, the amount deposited will be refunded and the bill for the period in question adjusted accordingly. The excess registration not to exceed the two previous readings-billing cycles shall be credited to the account. Where no error is found, the amount deposited will be retained to cover the expense of ~~such change or~~ testing. (Ord. 18-93 § 11, 1993: Ord. 973 § 8, 1973.)

13.08.070 Use of funds.

Water service charges as and when collected shall be paid into a fund designated as the water fund. Payment of the operational costs of the city's water system costs associated with improvements of the city's water system shall be made from said funds. Moneys received in this fund are to be invested by the city manager in such manner as the council may from time to time direct. (Ord. 3-87 § 1(E), 1987; Ord. 1-80 § 1, 1980; Ord. 2-76 § 1, 1976; Ord. 9-73 § 10, 1973.)

13.08.080 Water shut-off on failure to comply.

On failure to comply with the rules and regulations established herein, or any of them as conditions to the use of water, or failure to pay water rates or other charges in the time and manner provided, the water may be shut off until payment is made in the amount due. Additionally, a reconnection fee will be charged for expenses of turning the service off and on.

These reconnection fees shall be established by resolution by the city council. (Ord. 18-93 § 12, 1993; Ord. 3-87 § 1(F), 1987; Ord. 8-82, 1982; Ord. 9-73 § 5, 1973.)

13.08.090 Violation-Penalty.

Any person or persons violating any of the provisions of this chapter shall upon conviction thereof be punished by a fine not to exceed one hundred dollars or imprisonment of not to exceed ten days, or both. (Ord. 9-73 § 9, 1973.)

**Chapter 13.12
SANITARY SEWER SYSTEM-RULES AND REGULATIONS²**

13.12.010 Application for sewer connection or repair.

A. No private sanitary sewer or sewer ~~connection-lateral~~ shall be built, repaired, extended or connected ~~with-to~~ any public sanitary sewer ~~or drain~~ unless and until an application has been made and plans for same submitted to and approved by the ~~building official and city council if necessary~~ city.

B. Any application for a sewer connection serving a nonresidential use that generates more than ten equivalent residential units (as defined in Section 13.16.020 of this chapter) of wastewater flow shall also require the approval of the city council. All applications for sewer connection permits shall be made by the property owner or by the person, firm, or company employeed to perform the work. The plan shall show the whole course of the private sewer from its connection with the house or building to the public sewer and show the location of all branches.

C. In reviewing sewer connection applications the city council shall consider the following:

1. The impact of the use of the capacity (both present and future) of the sewage treatment plant;
2. The impact of the use on the sewer system and remaining capacity to serve other undeveloped (but serviced) or redevelopable property within the city;
3. The impact of the use on other municipal services;
4. Pending annexation applications;
5. The economic benefit to the community from the proposed use;
6. Assessed value of the proposed use;

7. Number and type of jobs generated.
(Ord. 5-88 § 1, 1988.)

13.12.020 Permit.

The ~~building official~~city shall issue a permit therefor upon payment ~~of the application and inspection, based on~~ of the city's sewer connection fee ~~and applicable system development charges~~, which sum shall be paid and collected ~~for the city~~ before the permit shall be issued or any construction or work performed. (Ord. 3-73 § 2, 1973.)

13.12.030 Connection.

Wherever there is now or may hereafter be constructed in any right-of-way, street or easement, a public sewer for the purpose of ~~carrying off~~conveying sewage ~~within the city sewage system~~, the owner(s) of improved property abutting on, adjacent to or along the side of such sewer line and/or within two hundred feet of the terminal end of same, must connect and maintain a sewer connection with such sewer if the property poses a public health risk due to a failing or improperly maintained septic system as determined by county or state public health officials. Whenever ~~the building official~~Clackamas County Water Environment Services, the Oregon Department of Environmental Quality or the city shall notify in writing the owner or owners of improved property as stated, it shall be the duty of the owner or owners to make a sewer connection application and file plans therefor in the manner provided and complete such connection within sixty days from the date of such notice, unless good and sufficient reasons prevail, whereby the city council may approve an extension of time. (Ord. 99-4, 1999: Ord. 3-73 § 3, 1973.)

13.12.040 Pipe specifications.

All ~~sewer~~connections to public laterals shall be made with sewer pipe not less than four inches in diameter, of materials listed as approved ~~by the building official in the Oregon Plumbing Specialty Code~~. All sewer lateral connections shall be laid to straight line of grade not less than one fourth inch per one foot of length. changes in line or grade shall not be made between the building and "Y" or "T" in the main sewer except when necessary to avoid obstructions, and then it shall be made only with suitable bends, but not the cutting or chipping of the pipe surface or groundwater. (Ord. 3-73 § 4, 1973.)

13.12.050 Joints.

All joints shall be gas and watertight, in accordance with ~~specification prescribed and approved by the building official~~the testing and acceptance procedures in the Oregon Plumbing Specialty Code. (Ord. 3-73 § 5, 1973.)

13.12.060 Connections to the main sewer.

Where no ~~branch is available within a reasonable distance~~ public lateral is extended to a property, the main sewer shall be tapped ~~and a hub and a lateral extended to the property. shall be attached by a saddle to a hole cut in the pipe, which hub shall not protrude past the inside wall of the pipe.~~ All ~~taps service laterals~~ shall be made under the supervision of the city engineer, public works ~~superintendent~~director, ~~building official~~ or someone under their direction. If the city makes the connection, it shall be done in accordance with the city's prevailing established fee schedule or at the actual cost of the lateral extension. (Ord. 33-75 § 1, 1975: Ord. 3-73 § 6, 1973.)

13.12.070 Excavations.

All excavations in public rights-of-way, streets ~~and or~~ easements for sewer lateral connections shall be performed under the supervision and monitoring of the city engineer, public works ~~superintendent~~director, ~~building official~~ or someone else under their direction. All trenches ~~not on streets and easements~~ shall be carefully backfilled ~~by tamping or puddling with water as directed by the city engineer to prevent sags or changes in grade of the lateral~~. The entire sewer connection shall meet the approval of the ~~building official~~city before any sewage is allowed to pass through to the public sewer. Reasonable notice shall be given to the city to inspect all sewer connections before their completion and while said connections are still uncovered. ~~If the~~

~~excavation work is done by the city, it shall be done in accordance with the city's prevailing fee schedule.~~ (Ord. 33-75 § 2, 1975; Ord. 3-73 § 7, 1973.)

13.12.080 Obstructions.

The ~~building official shall advise the city council immediately and the~~ city shall have the right to refuse to issue a sewer connection permit, or the city shall have the right to disconnect and plug any existing sewer connection in case it is found that any of the following will be or have been discharged into the public sewer:

A. Ashes, cinders, sand, earth, coal, sawdust, wood chips, garbage, rubbish, rags, metal or any other material, liquid or chemical that would form a deposit or obstruction in the sewer or damage its flow capacity;

B. Grease, gasoline, oil, oil sludge, or other similar materials from wash racks, garages, machine shops and other establishments. An adequate grease trap or ~~catch basin/interceptor~~ ~~which shall be~~ constructed to meet the approval of the ~~building official and city engineer~~ shall be required in the sewer connection from all wash racks, garages, machine shops, ~~laundry/laundries~~, creamery, hotel, restaurant and other establishments that may waste grease, gasoline, cleaning fluids, inflammable liquids and similar material;

C. Paints, asphalt, bitumen, coal tar and other similar substances;

D. Wheat, flour, grain, fruit pits, fruit skins, vegetable parings and other similar material, except the waste liquid from same property screened and settled;

E. Garbage, tin cans, bottles, rubbish and other similar materials. ~~These and all other materials shall not be dumped into manholes or pump pits;~~

F. Any waste material or liquid which in the judgement of the city may obstruct or injure the sewers or which does not yield readily to treatment by the process used in the sewage treatment plant. No acid, corrosive liquid, germicide or antiseptic of such strength and quantity as to interfere with bacterial action in the sewage treatment plant shall be discharged into public sewers.
(Ord. 3-73 § 8, 1973.)

13.12.090 Separate connections.

Separate sewer connections shall be provided for each ~~city lot parcel and more than one in case the building official determines that better service will be afforded or that the system or treatment plant can be better operated.~~ Party sewers serving more than one dwelling or parcel are prohibited. Existing party sewers may be allowed if all parties served by a common lateral sign and record an agreement outlining responsibilities for repairs, replacement and maintenance. (Ord. 3-73 § 9, 1973.)

13.12.100 Septic tanks.

Where there are existing ~~septic tank/on-site sewage disposal systems~~ ~~in use or cesspools before~~ prior to the provision of public sewer service sewer connection is required, the a sewer connection shall not drain the same ~~but it~~ shall run direct from the ~~house/home~~ or building ~~soil pipe~~ to the public sewer lateral. Immediately after connection, the ~~septic tank or cesspool shall be completely filled with earth~~ on-site disposal system shall be abandoned or decommissioned in accordance with Oregon Department of Environmental Quality and/or Clackamas County Water Environment Services guidelines. All ~~septic tank/on-site systems~~ shall be replaced with public sewer connections ~~within sixty days from the time the sewer is available for hookup unless for good and sufficient reason the city council grants an extension of time~~ per the requirements of Section 13.12.030.
(Ord. 3-73 § 10, 1973.)

13.12.110 Outdoor toilets.

No outdoor toilet or privy shall be permitted in the city except in an emergency situation during a construction

project or other unusual circumstances. Authorization for such must be granted by the ~~building official~~city. (Ord. 3-73 § 11, 1973.)

13.12.120 Illegal hookups.

No spring, creek, surface water drainage, downspout, refrigerator, ~~cooler, or other receptacle in which provisions are kept,~~ open fixtures, steam exhaust boiler, blow-off, or drip pipes shall be connected ~~with to~~ the city sewer system without permission and the approval of the ~~building official~~city. (Ord. 3-73 § 12, 1973.)

13.12.130 Unauthorized personnel.

No unauthorized person or persons shall enter ~~into, or~~ obstruct or damage any manhole, sewer, pump station or anything pertaining to ~~said the city's~~ sewer system. No unauthorized person or persons shall enter the sewer treatment plant enclosure or structures or tamper or interfere or damage same in any manner. No person or persons shall interfere with or obstruct any city official or city employee when installing, operating, repairing, maintaining or inspecting any sewer, manhole, pump station, or the sewage treatment plant or when inspecting any private sewer connection. (Ord. 3-73 § 13, 1973.)

13.12.140 Replacements on private property.

The building official, the city engineer, public works ~~superintendent-director~~ or any other authorized employee or person shall have the right to enter upon the premises and enter any house or building ~~within connected to the city sewage-sewage collection and conveyance~~ system during normal working hours, eight a.m. to five p.m., and except upon emergencies, the giving of twenty-four hour notice, for the purpose of inspection of sewers, drains, traps and plumbing fixtures connected therewith. If it is found from such inspection or otherwise that any provision of ~~law or this~~ ordinance is not being complied with in any respect, or that any part of the drainage system is in need of cleaning out or repair, the ~~building official or other~~ city ~~representative~~ shall immediately serve notice upon the owner and upon the tenant or occupant, specifying the work to be done to make the installation, system or condition comply with state law, ~~Board of Health code~~ and city ordinances and standards. (Ord. 3-73 § 14, 1973.)

13.12.150 Appeal from official decision.

Appeal may be taken to the city council from any ruling or decision by the ~~building official~~public works ~~director~~ -either granting or refusing a sewer connection permit. (Ord. 3-73 § 15, 1973.)

13.12.160 Location map.

It shall be the duty of the city ~~engineer to keep maintain in his office complete sewer maps on which shall be drawn, when laid, the location of each sewer connection with any measurements necessary to show the location, depth and any other detail concerning same. The sewer connection number shall be placed alongside each of the maps for reference~~accurate hard copy or digital records of all sanitary sewer mains, manholes, cleanouts, laterals, pump stations and appurtenances. (Ord. 33-75 § 3, 1975: Ord. 3-73 § 16, 1973.)

13.12.170 Violation-Penalty.

Any person, persons, firm, company or corporation violating the terms and conditions of this chapter shall upon conviction thereof be punished by a fine not to exceed three hundred dollars, or by imprisonment for not more than one hundred days, or both. (Ord. 3-73 § 17, 1973.)

13.12.180 Recovery of damages.

Any person or persons who, as a result of violating any of the provisions of this chapter, cause any expenses, loss or damages to the city shall immediately become liable to the city for the full sum of such expenses, loss or damages. The city council may, at its discretion, instruct the city attorney to proceed against any such person or persons, in any court of competent jurisdiction, in a civil action to be brought in the name of the city, for the recovery of the full sum of any such expense, loss or damage sustained by the city. (Ord. 3-73 § 18, 1973.)

Chapter 13.14
INFILTRATION AND INFLOW

13.14.010 Notification, Sources of Infiltration and Inflow.

All property owners identified by the city as contributors to excessive or improper infiltration or inflow to the collection system and treatment works shall be advised in writing of infiltration and inflow issues. This chapter does not apply to discharges to the public storm drainage system authorized under chapters 13.18 and 13.20 of this title.

A. Drainage or inflow from roofs, foundation drains, low-point drains, gutters, uncontaminated cooling water or surface or ground water drains shall not be permitted to enter the city's Sanitary Sewer System. Leaks or infiltration due to cracked or damaged pipe, non-watertight joints or fittings and connections in or on private sewer laterals, including but not limited to building and side sewers, into the city's Sanitary Sewer System shall not be permitted. Neither temporary nor permanent drainage or pumped discharges from excavations into the city's Sanitary Sewer System shall be allowed. Overflows or drains from private or public swimming pools, fountains or water features into the city's Sanitary Sewer System shall not be permitted without prior written approval of the city.

13.14.020 Abatement Plans, Corrections and Actions Taken.

Any such properties causing inflow from stormwater runoff, or infiltration from groundwater including but not limited to sources described in section 13.14.010 A shall be provided an opportunity in which to correct and eliminate the infiltration and inflow sources in a timely manner as identified by the city.

A. Upon notification by the city of a source of infiltration or inflow originating on their property a property owner or an agent authorized to act on their behalf shall submit a written plan within ten days of the date of the notification letter from the city which shall include steps and actions to be undertaken to correct and eliminate sources of infiltration and inflow.

B. Upon correction and elimination of identified infiltration and inflow sources, each property owner shall promptly notify the city of corrective actions that have been taken, or are in progress, which action shall be specified in the reply to the city.

13.14.030 Failure to Correct or Eliminate Infiltration and Inflow Sources, Abatement by City.

In the event of infiltration or inflow into the Sanitary Sewer System of the city continuing beyond the time identified for correction by the city, it is declared that the continuing infiltration or inflow is a public nuisance, that the city shall have the right to abate such public nuisance, and to enter upon any private property within the city for such purpose and shall assess the cost of the abatement as a lien against the property upon which the continuing infiltration and inflow occurs. The assessment shall be levied by the filing of statement of the costs together with the description of the name of the owner(s) thereof with the City Recorder, whereupon the City Recorder shall enter such assessment as a lien against the property in the lien docket of the city. An administrative fee of \$50 shall be charged and collected by the city in addition to the other direct and incidental costs of abatement to cover the cost of notification, administration and abatement.

13.14.040 Additional Administrative Standards, Procedures and Criteria.

The City Council may by motion direct city staff to establish additional administrative standards, procedures and criteria for infiltration and inflow correction, elimination and abatement for the purpose of preventing and removing infiltration and inflow from the city's Sanitary Sewer System.



MINUTES
City Council Work Session Meeting
Saturday, November 10, 2018 City Hall- Council Chambers, 39250
Pioneer Blvd., Sandy, Oregon 97055 7:30 AM

COUNCIL PRESENT: Jeremy Pietzold, Council President, John Hamblin, Councilor, Jan Lee, Councilor, Carl Exner, Councilor, Bill King, Mayor, Karey Milne, Recorder Clerk, Kim Yamashita, City Manager, and Angie Welty, HR Manager

COUNCIL ABSENT:

MAYOR - ELECT: Stan Pulliam

STAFF PRESENT:

CITY ATTORNEY: David Doughman

MEDIA PRESENT: Brittany Allen

1. Executive Session

2. Roll Call

3. New Business

3.1. City Manager Candidate Interviews

Staff Report - 0070

City Manager, Kim Yamashita, At the September 4th Council Meeting, it was determined that Staff would move forward with the recruitment process for our next City Manager. A hiring committee was established to review the applications and ensure a transparent process. The posting was advertised on multiple recruitment websites, as well as the City's website and Facebook. The Hiring Committee was comprised of multiple individuals from the community, including: • John Hamblin, City Councilor • Jan Lee, City Councilor • Ken Bucchi, HR Director, Oregon Trail School District • Phil Schneider, Fire Chief, Sandy Fire District • DJ Anderson, Sales Manager, Suburban Auto Group • Angie Welty, HR Manager, City of Sandy We received 32 complete applications from 20 states. Of the 32 applicants, 19 met the minimum qualifications. The Hiring Committee reviewed the application materials and narrowed the candidate pool down to six candidates. Panel interviews will be conducted with the top candidates on Friday, November 9th. There will be three panels responsible for interviews: Department Heads, Line Staff, and Community/Business Leaders. The scores from these panels will determine which candidates move forward in the interview process to interview with City

Council on November 10th. City Manager candidate interviews are open to the public. Once the interviews have been completed, Council will move to an Executive Session to consider the employment of a public officer, employee, staff member, or individual agent, pursuant to ORS 192.662(a).

Council held interviews with.
Jordan Wheeler
Blair Larson
Heidi Bell

4. **Adjourn**
5. **Executive Session**

Mayor, William King

City Recorder, Karey Milne



MINUTES
City Council Meeting
Monday, November 19, 2018 City Hall- Council Chambers,
39250 Pioneer Blvd., Sandy, Oregon 97055 7:00 PM

COUNCIL PRESENT: Bill King, Mayor, Jeremy Pietzold, Council President, Scott Horsfall, Councilor, John Hamblin, Councilor, Jan Lee, Councilor, Carl Exner, Councilor, Sarah McInyre, Library Director, Ernie Roberts, Police Chief, and Angie Welty, HR Manager

COUNCIL ABSENT: Jean Cubic, Councilor

STAFF PRESENT: Karey Milne, Recorder Clerk and Kim Yamashita, City Manager

MAYOR ELECT: Stan Pulliam

MEDIA PRESENT: Brittany Allen

1. Pledge of Allegiance

2. Roll Call

3. Changes to the Agenda

4. Public Comment

4.1.

Merla Lewis - 17970 Loundree Drive, Sandy OR, she would like to inform the Council and the Citizens of Sandy of maleficence. She reviewed e-mails and correspondence with city staff regarding a tree removal at her property located at 17970 Loundree Drive.

She handed out documents for council review (you will find attached).

[3402 001](#)

5 - 17

5. Ordinances

5.1. Amending Sandy Municipal Code 8.35.010

Staff Report - 0065

City Manager, Kim Yamashita, On September 4, 2018 the United States of Appeals for the Ninth Circuit Court rendered an opinion on a case called Martin et al v. City of Boise. This was a Civil Rights case regarding an City of

Boise Ordinance regarding camping in public right of way. The plaintiff asserted that the ordinance violated the Eighth Amendment's prohibition on cruel and unusual punishment. The courts findings in this mater was evaluated by staff and our legal counsel. Recommendations for amending our "Camping Prohibited" code (8.35.010) were made and the code revisions are brought before council for review and approval. Recommendation is for council to approve

the changes amending section 8.35.010 by "Make a motion to approve ordinance 2018-30, an ordinance amending section 8.35.010 of the Sandy Municipal Code as shown in exhibit A.

Council had some questions and discussion for staff.

Moved by Jan Lee, seconded by Scott Horsfall

Motion to approve the 1st reading of Ordinance No. 2018-30 Amending the SMC 8.35.010

CARRIED.

Moved by Scott Horsfall, seconded by Carl Exner

Motion for a Second Reading of Ordinance 2018-30 Amending SMC 8.35.010

CARRIED.

6. New Business

6.1. Council Rules - Updates

Staff Report - 0071

City Manager, Kim Yamashita, Council met several months ago in workshop to discuss and update the Council Rules. As you may recall there were some areas where the rules contradicted themselves and or did not clarify expectations. In another area staff needed clarification on roles and responsibilities. After that workshop, staff went back and made the edits and corrections as discussed. The updates need to be ratified by council.

Council had some discussion and questions for staff, they have decided to leave as is and hold a workshop in the new year with the new council.

Moved by Carl Exner, seconded by Jeremy Pietzold

Motion to table and review at the beginning at the new year

CARRIED.

7. Report from the City Manager

7.1.

City Manager, Kim Yamashita, stated that the youth council has now been created as a club through the Oregon Trail School District, this should help resolve the public meeting issue.

The natural hazards mitigation plan has to be updated every five years, it is done and we have a deadline so this will need to be approved. She will e-mail that to council in advanced for review.

8. Committee Reports

None

9. Council Reports

Councilor, Pietzold, while he was out running, he did notice several areas of sidewalks are broken up along Hwy26. He believes Zao is doing the work, he wants to be sure they make the repairs and get them back to a normal state when they are finished with their work.

He also asked why we are unable to use the Sandy Community Campus gym for basketball. City Manager, Kim Yamashita stated it is due to the city has taken ownership, things are not grandfathered in and there are things and items that would need to be done before occupancy of that building, there is a lot of expense to that which is a bigger conversation.

Councilor Horsfall, has had community members ask about the color of the water in Meinig Park. Councilor Exner stated it is due to the iron in the water coming down through the culverts.

Councilor Lee, had community members ask her about the Welcome to Sandy signs and why there are not the new logo.

City Manager, Kim Yamashita stated that staff is currently working on those signs.

Councilor Exner, appreciates staffs work on the lights on the street trees and loves this time of year, he is also looking forward to the tree lighting.

Mayor King, Holiday Tree lighting will be held December 7th, the VFW will be holding a Thanksgiving dinner.

10. Staff updates

10.1. [Monthly Reports](#)

11. Adjourn

12. Executive Session

13. Re-open Public Meeting

Re-open at 8:04PM

13.1.

Council made the decision to extend an offer of City Manager to Jordan Wheeler.

Moved by Carl Exner, seconded by Jeremy Pietzold

Motion to extend and offer to Jordan Wheeler for the position of the City Manager

CARRIED.

Mayor, William King

City Recorder, Karey Milne



Merla Lewis <merlajo58@gmail.com>

17970 Loundree Drive - Tree removal

1 message

Emily Meharg <emeharg@ci.sandy.or.us>
To: merlajo58@gmail.com
Cc: Kelly O'Neill <koneill@ci.sandy.or.us>

Wed, Jun 13, 2018 at 10:25 AM

Dear Merla,

On June 12, 2018, the City of Sandy was informed of potential tree removal on your property at 17970 Loundree Drive. As this property is adjacent to Meinig Park and contains hillsides that are 25 percent slope or greater, we need to ensure that park trees are protected and that the hillside is not disturbed. Please respond with additional information regarding the potential removal of trees and your proposed plan to protect the park trees and hillside. If you are proposing significant tree removal on a 25 percent or greater slope, you will need to submit for a Type II Design Review detailing a mitigation plan prepared by a design professional specializing in hillside stabilization and restoration per Chapter 17.56 of the Sandy Development Code. If you are not planning to remove any trees, please respond to let us know.

Thank you,
Emily

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Merla Lewis <merlajo58@gmail.com>

Fwd: Illegal tree falling on Loundree Drive

1 message

Alder Creek Tree Service <aldercreektreeservice@gmail.com>
To: merlajo58@gmail.com

Mon, Oct 1, 2018 at 12:

Copy of letter from this weekend.

DeaVena Fleming
Office Manager/Secretary
Alder Creek Tree Service, LLC.
21977 SE HWY 224
Damascus, OR 97089
Office: 503-558-1127
Phil's cell: 503-348-9053

www.aldercreektreeservice.com

----- Forwarded message -----

From: **Kelly O'Neill Jr.** <koneill@ci.sandy.or.us>
Date: Sat, Sep 29, 2018 at 11:14 AM
Subject: Illegal tree falling on Loundree Drive
To: <aldercreektreeservice@gmail.com>
Cc: Ernie Roberts <eroberts@ci.sandy.or.us>, Kim Yamashita <kyamashita@ci.sandy.or.us>, Ryan Wood <rwood@ci.sandy.or.us>, Kevin Anderson <kanderson@ci.sandy.or.us>, Mike Walker <mwalker@ci.sandy.or.us>, Dal Willcox <dwillcox@ci.sandy.or.us>

Phil,

I just observed the aftermath of an illegal tree falling on Loundree Drive in Sandy OR (see pictures). The tree was of substantial size and if fallen incorrectly could not have only done damage to infrastructure in the right-of-way, but to private property as well. One of your workers told me that is why Alder Creek Tree Service, LLC has insurance. I am happy to hear you are insured, but that does not change the fact that an incorrect tree falling on a tree of that size in an urbanized area like Loundree Drive could have lead to serious injuries or death. This tree should have been removed using a crane or other method to lower pieces of the tree.

I do not take this illegal action lightly and will be recommending a citation is issued for your negligence on this tree removal, for not obtaining the necessary permits from the City of Sandy to use the right-of-way, and for requiring valuable resources such as police and on-call public works employees having to react to a situation that should have been avoided.

I have CC'd the Police Chief, Public Works Director, and City Manager.

Talk soon. -Kelly

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of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.



2 attachments



20180929_103938.jpg
6780K



20180929_103943.jpg
7073K

Merla Lewis <tremulous@comcast.net>

10/1/2018 2:53 PM

Fwd: 17970 Loundree Drive - Tree removal

To koneill@gmail.com

Dear Kelly O'Neill,

On June 13, 2018, I received the attached letter from the City of Sandy. It was wonderfully informative and I read it carefully. Since I had no plans for "significant tree removal on a 25 percent or greater slope" I did not submit a proposed plan to the city. I removed one dead, beetle infested tree, on a less than 2% slope (see attached photos). Earlier this past summer I informed Mrs. King (wife of Bill King) of my plan to remove this tree. Mrs. King told me she was amazed at how quickly the tree had died.

On October 29, 2018, Alder Creek Tree Services arrived at my residence to remove the tree. After the tree was felled, Mr. King said to my husband, Ray Lewis, and to the whole crew, "I am going to shut this down, I am calling the police." In addition, Mrs. King said to Loa, a crew member, "If that tree would've hit our property I would have killed you." Since the tree was already safely down, calling the police and making life threatening remarks was blatantly inappropriate. Making intimidating threats and requiring the police to waste their time should not be allowed. Especially from the city's own Mayor and his wife.

Sincerely,

Merla Lewis

From: **Emily Meharg** <emeharg@ci.sandy.or.us>
Date: Wed, Jun 13, 2018 at 10:25 AM
To: <merlajo58@gmail.com>
Cc: Kelly O'Neill <koneill@ci.sandy.or.us>

Dear Merla,

On June 12, 2018, the City of Sandy was informed of potential tree removal on your property at 17970 Loundree Drive. As this property is adjacent to Meinig Park and contains hillsides that are 25 percent slope or greater, we need to ensure that park trees are protected and that the hillside is not disturbed. Please respond with additional information regarding the potential removal of trees and your proposed plan to protect the park trees and hillside. If you are proposing significant tree removal on a 25 percent or greater slope, you will need to submit for a Type II Design Review detailing a mitigation plan prepared by a design professional specializing in hillside stabilization and restoration per Chapter 17.56 of the Sandy Development Code. If you are not planning to remove any trees, please respond to let us know.

Thank you,
Emily

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- beetle infested tree.JPG (9 MB)
- slope.JPG (8 MB)







WHERE INNOVATION MEETS ELEVATION

39250 Pioneer Blvd
Sandy, OR 97055
503-668-5533

October 31, 2018

Alder Creek Tree Services, LLC
Phil Henneman
21977 SE OR-224
Damascus, Oregon 97089

Mr. Henneman,

On Saturday, September 29th, 2018, several of your employees were working on a job site on Loundree Street in Sandy. A tree was dropped on to the City street causing not only a life safety issue, but alarm of neighbors and damage to city infrastructure. Police Case #18-1350.

Police, Public Works and the Planning Department all responded to this illegal activity. A subsequent investigation revealed that Alder Creek Tree Services, LLC is not have a valid Sandy Business License. Additionally, Alder Creek Tree Services , LLC is not paying the required Transit tax.

Attached you will find an invoice for the cost associated with personnel and equipment response to the scene on Saturday the 29th, the date of the illegal tree felling. Remittance is due in 30 days from receipt.

You are hereby cited into Sandy Municipal Court by way of the attached criminal citations for not having a Business License and for violation of Payment of Transit Tax

Sincerely,

Kim E. Yamashita

Kim E. Yamashita, City Manager



39250 Pioneer Blvd
Sandy, OR 97055
Phone: 503.668.5533
Fax 503.668.8714

INVOICE

Billed To:
Alder Creek Tree Service
2197 SE Hwy 224
Damascus, OR 97089

DATE: 11/6/2018
INVOICE #: INV00338
DUE DATE: 11/26/2018
TOTAL DUE: 6,006.00

CUSTOMER ACCOUNT # : 064

ITEM DESCRIPTION	UNITS	PRICE	AMOUNT
City Manager Staff Time	1.00	66.00	66.00
Planning Director Staff Time	1.00	66.00	66.00
Street Repairs and Staff Time	1.00	419.50	419.50
Sewer Repairs and Staff Time	1.00	4,589.50	4,589.50
Video Inspection of Sewer line for damage	1.00	865.00	865.00
TOTAL THIS INVOICE			6,006.00

For questions, Please call 503.668.2922 or e-mail ar@ci.sandy.or.us

REMIT TO:

City of Sandy
39250 Pioneer Blvd.
Sandy, Oregon 97055

Name: Last: **HENNEMAN** First: **PHILLIP** MI: _____
 Address: **21977 SE OR 224**
 City: **DAMASCUS** State: **OR** Zip: **97089** Passenger:
 Sex: _____ Race: _____ DOB: _____ Hgt.: _____ Wgt.: _____ Hair: _____
 Eyes: _____ Lic. Exp.: _____ JUV.: Lic. Class: _____ Emp. to Drive:

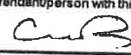
TIME/PLACE
 At the following time and place in the above-mentioned state and county:
 On or About Date/Time: **11/01/2018** **10:24 AM**
 At or Near _____ City _____
WOLF DR./KIMBERLY CT SANDY

NB: SB: EB: WB:
 Highway: Premise Open to Public: Other:

VEHICLE Involving the following:
 Year: _____ Make: _____ Model: _____
 Color: _____ Type: _____
 Regis/Vin/ID#: _____ State: _____
 Accident: Prop. Damage: Injury: Endanger Other:
 Com1 Veh: Haz Mat: Driver Not Reg. Owner:
 Other: _____ Com1 Pass:

OFFENSE(S) Did then and there commit the following offense(s):
 HWY Work Zone: School Zone: VBR: Safety Corridor:
 Radar: Pace: Laser: Other:
 Alleged Speed: _____ Designated Speed: _____ Posted Limit:
 Offense #: **5.05.160**
 Warning: **FAIL TO FILE TAX REPORT AND REMIT TAXES DUE**
 Presumptive Fine 1: **\$440.00**
 Intentional: Knowing: Reckless:
 Criminal Negligence: No Culpable Mental State:
 Offense #: **5.04.100**
 Warning: **(SANDY) BUSINESS LICENSE REQUIRED**
 Presumptive Fine 2: **\$100.00**
 Intentional: Knowing: Reckless:
 Criminal Negligence: No Culpable Mental State:
 Offense #: _____
 Warning:
 Presumptive Fine 3: _____
 Intentional: Knowing: Reckless:
 Criminal Negligence: No Culpable Mental State:

OTHER
ALDER CREEK TREE SERVICE LLC
 Expi.: **TRANSIT TAX/NO BUSINESS LIC**

SIGNATURE
 I certify under ORS 153.046 and 153.990 and under other applicable law and under penalties for false swearing, do swear/affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/person committed the above offense(s) and I have served the defendant/person with this complaint.
 Signature of Officer: 
 Officer name 1: **ROBERTS, E.** Officer ID: **33989**
 Officer name 2: _____ Officer ID: _____
 Agency Name: **SANDY PD**
 Issue Date: **11/01/2018**

YOUR COURT APPEARANCE DATE, TIME AND LOCATION ARE
12/10/2018 **01:00 PM**
 Location: **SANDY MUNICIPAL COURT**
39250 PIONEER BLVD
SANDY **OR 97055**
503-826-1939

A COMPLAINT WILL BE FILED AGAINST YOU IN THE COURT SHOWN ON THE FRONT OF THIS CITATION. READ CAREFULLY

If the front of this citation shows you are charged with a:
 A. CRIME, YOU MUST APPEAR at the court on the day and time written on the front of this citation.

Merla Lewis <tremulous@comcast.net>

11/8/2018 2:39 PM

October 19 phone conversation

To jwantowski@cityofsandy.com

Dear Jayme,

On October 19, 2018, at approximately 1PM I spoke with you about why the city had painted marks in front of my driveway. I asked if the city was planning to dig. You said you would call and get back to me. You did call back letting me know that Kevin had come out and did a tv line down the sewer to make sure everything was working properly. I asked you if everything was working properly, and you replied with a yes. I am sending you this to confirm per our conversation on October 19, 2018 your statement that everything was working properly.

Sincerely,
Merla Lewis
17970 Loundree Dr
Sandy, Or 97055

Merla Lewis <tremulous@comcast.net>

11/9/2018 11:47 AM

Fwd: 17970 Loundree sewer lateral

To tremulous@comcast.net

From: Mike Walker <mwalker@ci.sandy.or.us>

Date: November 8, 2018 at 4:24:51 PM PST

To: tremulous@comcast.net

Cc: Jayme Wantowski <jwantowski@ci.sandy.or.us>, Kevin Anderson <kanderson@ci.sandy.or.us>

Subject: 17970 Loundree sewer lateral

Ms. Lewis:

Jayme Wantowski forwarded your message to me. After the tree in your front yard was felled onto the street surface in late September we inspected all the sewer lines in the cul-de-sac with a video camera on October 19th.

It appears that about 15 feet of the line serving your property was damaged by the tree. There is a sag in the line starting near the driveway and extending northeast across the cul-de-sac.

While you may not have noticed any change in your sewer service we feel this section of line will need to be replaced. We estimate the cost to be between \$4,500 and \$6,000.

We have added this cost to the invoice we will be sending the tree service.

Please let me know if you have any questions.

--

Mike Walker

Director of Public Works

City of Sandy

39250 Pioneer Blvd.

Sandy, OR 97055

503-489-2162 V

503-668-8714 F

www.ci.sandy.or.us

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Matt n' Mel's Sewer Scoping

18006 Gimley Court
Lake Oswego, OR 97034
(503)324-0423

Video Sewer Line Report

Client Name: Merla Lewis
Property Address: 17970 Loundree Dr Sandy
Date: 11/12/2018
Access Point: Standard Clean Out
Main Waste Line Size: 4", 6"
Main Waste Line Type: abs to pvc
Line functioning at time of inspection: Yes

Party Line: No

If Party Line, location of wye or tee (perform locate and mark line if required):

Specific Areas of Concern (describe locations where possible):

Corrosion in line:
Deterioration of line:
Separation at line transition:
Settlement of line: Minor settlement at bottom of drop but does not look to be affecting the flow
Joint Separation in line:
Offset of misalignment of line:
Cracked or broken line:
Collapsed line:
Hole in line:
Leak in line:
Minor root intrusion:
Major root intrusion:
Obstruction or blockage:
Other:

Following repairs to line recommended: none

Recommended replacement of line: No

Party line possibly requiring replacement of neighbor's line as well: No

Site conditions, surface and subsurface features, and limitations of metal detector and/or other equipment present. By signing below I agree that the liability of Matt 'n Mel's Sewer Scoping Services, Inc. (MMSS) is specifically and unequivocally limited as follows:

* Refunds shall not exceed the amount charged for the sewer scoping service(s) provided.

* MMSS shall not be responsible in any way for damages other than that portion of the sewer line where access is obtained by MMSS to that portion of the sewer line which is owned and maintained by the applicable municipality, city or sewer district.

* MMSS shall not be responsible for any sewer line conditions caused by natural conditions including root intrusion, debris intrusion, freezing, thawing, heaving, or separating.

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MINUTES
City Council Meeting
Monday, November 5, 2018 City Hall- Council Chambers,
39250 Pioneer Blvd., Sandy, Oregon 97055 6:00 PM

COUNCIL PRESENT: Bill King, Mayor, Jeremy Pietzold, Council President, Scott Horsfall, Councilor, John Hamblin, Councilor, Jan Lee, Councilor, Carl Exner, Councilor, and Tyler Deems, Finance Director

COUNCIL ABSENT: Jean Cubic, Councilor

STAFF PRESENT: Karey Milne, Recorder Clerk and Kim Yamashita, City Manager

MEDIA PRESENT:

1. Council Workshop

1.1. Clackamas County Planning & Zoning Work Program

Staff Report - 0063

1.2. Transportation Funding Work Session

Staff Report - 0066

2. Pledge of Allegiance

3. Roll Call

4. Changes to the Agenda

5. Public Comment

5.1.

Dale Hult, 39660 Pleasant Street, Sandy, OR , Items on the workshop item regarding the Clackamas County Zoning and Work program , projects to consider for the county too look at, Sunrise Corridor, By-pass in the City of Sandy, extension of light-rail. Also talked about the article in the newspaper regarding the Spider that was asked to be taken down in October of 2017.

6. Ordinances

6.1. 18-039 DCA Code Amendments Staff Report - Continuance of Public Hearing
for Ordinance 2018-29

Staff Report - 0064

Associate Planner Emily Meharg, File No. 18-039 DCA proposes to amend Chapters 17.22, 17.28, 17.80, 17.82, and 17.102 containing procedures and conditions for notices, appeals, setbacks on arterial & collector streets, special setbacks on transit streets, and urban forestry regulations. These updates primarily remove inconsistencies in the development code. On September 24, 2018, the Planning Commission voted 6-0 to recommend the proposed code revisions with a few minor changes. On October 15, 2018 City Council did a first reading for 4 of the original 5 code sections: 17.22, 17.28, 17.80, and 17.82. City Council chose not to continue forward with proposed changes to 17.102. Staff recommends the City Council do a second reading for modifications to Chapters 17.22, 17.28, 17.80, and 17.82 and approve the proposed code revisions. Planning Director, Kelly O'Neill Jr., stated that Chapter 17.102 has been removed from this ordinance and discussion as they are forming a committee to review and come up with some solutions for the code.

Council had some questions and discussion on the code changes.

Public Comment

- Kathleen Walker, 15920 Bluff Rd, Sandy, OR, She sent an e-mail to council earlier today about the meeting tonight, she is unclear on input on the notification piece, she wants to be sure we add other ways than mail to notify residents. Orientation of the residential buildings on arterial and collector streets, concern trying to orient houses front doors to those streets when they are not allowed to have a driveway or street parking on those streets. This makes it difficult for your driveway access along with delivery access to your front door when you can not access the street your front door is on.

- Dale Hult, 39660 Pleasant Street, Sandy OR, 17.80, feels we should not be referencing the current Transit System Plan (TSP), could leave it alone until the TSP is updated. Some verbiage issues with the setback piece on the last sentence of the code.

17.82, has an issue with the pedestrian access through your property, and the facing of the front door to a transit street. Section A This code was intentionally to be used for commercial use, Residential wording was added to it, but there are residential buildings that are not the main house, such as a garage, shop, shed, mother in-law quarters etc. Also effects multi-family units, such as apartments, duplexes etc.

Council had some more discussion and questions for staff on the code changes.

Moved by Jeremy Pietzold, seconded by Carl Exner

Motion to Close the Public Hearing on Ordinance 2018-29

CARRIED.

Moved by Jeremy Pietzold, seconded by Carl Exner

I make a motion to approve the second reading of Ordinance 2018-29 with proposed code revisions to the City of Sandy Development Code Chapters 17.22, 17.28, 17.80, and 17.82. change building to dwelling in the effected text, striking the second sentence.

CARRIED.

7. Resolutions

7.1. Police Department Interfund Loan

Staff Report - 0068

Finance Director, Tyler Deems, reviewed that on September 4, 2018, Council approved a supplemental budget for the 2017-2019 biennium. In this supplemental budget, Council approved an interfund loan from the Transit Fund to the General Fund - Police Department for \$356,272. As detailed in the supplemental budget, the loan is for capital purposes, including the purchase of new radios and computers. As such, ORS allows the term of the loan to be 10 years. The recommended interest rate for the loan is 1.92%. Staff Recommends that Council approve Resolution 2018-33, a resolution authorizing an interfund loan from the Transit Fund to the General Fund - Police Department

Moved by Jeremy Pietzold, seconded by John Hamblin

Approve Resolution 2018-33, a resolution authorizing an interfund loan from the Transit Fund to the General Fund - Police Department.

CARRIED.

7.2. Telecommunications Interfund Loan

Staff Report - 0067

Finance Director, Tyler Deems, stated that on September 4, 2018, Council approved a supplemental budget for the 2017-2019 biennium. In this supplemental budget, Council approved an interfund loan from the Transit Fund to the Telecommunications Fund for \$500,000.00. As detailed in the supplemental budget, the loan is for capital purposes. As such, ORS allows the term of the loan to be 10 years. The recommended interest rate for the loan is 1.92%. Recommendation is for Council to approve Resolution 2018-32, a resolution authorizing an interfund loan from the Transit Fund to the Telecommunication Fund.

Moved by Jan Lee, seconded by Jeremy Pietzold

Approve Resolution 2018-32, a resolution authorizing an interfund loan from the Transit Fund to the Telecommunication Fund.

CARRIED.

8. Consent Agenda

8.1. City Council Minutes

9. Report from the City Manager

9.1.

City Manager, Kim Yamashita MurraySmith, Info and feed back on Waste Water Treatment Plant is coming soon, and we will hold a workshop on that. Clackamas County Health Department - is asking for a Resolution from each city to support by resolution the tobacco tax. - Council asked to just send a letter of support, they do not feel they need to do a Resolution in support.

10. Committee Reports

Councilor Exner, Reviewed information from the C4 meeting as wells as information from the Clackamas County Watershed Council.

Councilor Pietzold is now the vice chair of OBAC (Oregon Broadband Advisory Council).

11. Council Reports

Councilor Hamblin, Would like to see and maybe add a goal of having a 24 hour Urgent Care here in Sandy.

Councilor Exner, is holding a little get together with some people to help come up

with some ideas on how to help people use reusable bags, and what we can do to help educate people on plastic use and clean up.

12. Staff updates

12.1. [Monthly Reports](#)

13. Adjourn

Mayor, William King

City Recorder, Karey Milne

Draft



Staff Report

Meeting Date: December 3, 2018
From Kim Yamashita, City Manager
SUBJECT: Executive Session ORS 192.660.(2)(a)

Background:
Review employment contract for Jordan Wheeler

Recommendation:
Approve employment contract.

Make a motion to authorize the Mayor to sign the attached employment contract as presented.

Code Analysis:
None

Budgetary Impact:
None

CITY MANAGER EMPLOYMENT CONTRACT

A CONTRACT between THE CITY OF SANDY, OREGON ("City"), and JORDAN WHEELER ("Employee").

WHEREAS, City and Employee believe it is in their mutual interest to enter into a written contract setting out their understandings concerning the Employee's provision of executive city management service for the City as the City Manager.

1. Term

The Employee shall be hired as an employee of the City ~~from effective December XX January 2, 2018-2019. Employee shall remain in the exclusive employ of the City thereafter subject to termination of the employment by either party as provided in Section 8. through the expiration date of MONTH, Date, 2018 unless otherwise terminated as set forth in Section 5 below. In no event will this Contract renew or extend beyond XXXX, XX, 2018 without the City Council's express approval which approval is in the City Council's sole and absolute discretion. At the expiration of this Contract.....~~

2. Employee Duties

The scope of Employee's duties and time of performance are set forth in Exhibit A. All provisions and covenants contained in Exhibit A are hereby incorporated by reference and shall become a part of this Contract as if fully set forth.

3. Compensation

A. ~~Salary. City agrees to pay Employee a base annual salary of \$9,190 \$115,788 per month in wages payable on the same schedule as it pays the City's regular employees and subject to all withholdings required by law. The Employee shall be entitled to take and be compensated for any City-observed holiday occurring while she is employed during the term of this contract.~~

B. ~~City Employee Salary Study. Within the first year of the effective date of this agreement, City agrees to conduct a compensation study to review the competitiveness of the City's pay grades and ranges for all salaried-non represented employees. Upon completion of the study, City may adjust the pay ranges, including the City Manager's, to be competitive with comparable cities.~~

C. ~~Annual Cost of Living Adjustments. The Employee shall be considered for any annual cost of living adjustment that Department Directors receive.~~

A.

4. Benefits and Allowances

~~B.A. City shall provide Employee with medical, dental, and life insurance, accidental death and dismemberment benefits. City agrees to pay the premiums for Employee's health care benefits in the same manner as it does all regular unrepresented City employees.~~

~~C. City agrees that Employee shall accrue sick and vacation time at the same rate as other Department Directors and that Employee shall be eligible for all other~~

Commented [j1]: This wasn't explicitly captured anywhere else in the contract.

Commented [KY2R2]: Side note. I made if for all non-represented employees.

benefits that Department Directors receive pursuant to the Employee Handbook.

D.B. City agrees to provide workers' compensation insurance coverage for Employee consistent with the City's Employee Handbook Section 6.5.

E.C. Employee will receive Public Employee Retirement Benefits (PERS) consistent with state law and retirement benefits consistent with Employee Handbook Section 6.9.

D. City agrees to provide a car and mobile device allowance consistent with those provided to regular employees, which at the time of this Contract, the Employee will receive a monthly car allowance of \$450 and a cell phone allowance of \$60.

E. The Employee shall be entitled to take and be compensated for any City observed holiday occurring while he is employed during the term of this contract.

F. Employee shall be eligible for all other benefits that Department Directors receive pursuant to the Employee Handbook.

F.

5. Vacation and Sick Leave

4. City agrees that Employee shall accrue sick and sick, vacation, and administrative leave time at the same rate as other Department Directors, and that Employee shall be eligible for all other benefits that Department Directors receive pursuant to the Employee Handbook.

A.

B. Immediately upon commencement of employment, Employee shall be credited with a starting bank of 80 hours of vacation and 120 hours of sick leave.

5.6. Supervision and Control

Employee shall report to the City Council in the carrying out and implementation of his duties. Employee will have the authority granted the City Manager by Chapter 2.08 of the Sandy Municipal Code.

Performance Reviews and Feedback

7.

Employee will seek frequent informal feedback on performance from the mayor and city council members. The City Council shall meet to evaluate the performance of the Employee on an annual basis or any other time that the Council desires to conduct a performance review. Upon satisfactory review, Employee shall be considered for a merit step increase within the City Manager's salary range as set by the City Council.

6.8. Separation

A. Resignation. Employee may resign at any time with 30 days advance written notice to the Mayor.

B. Termination and Removal. Employee is an at-will employee serving at the pleasure of the City Council under Chapter 2.08.040 of the Sandy Municipal Code.

i. The City Council may terminate this Contract at any time before the expiration date, with or without cause, by a majority vote of its members. Notice of Contract termination shall be provided to the Employee with 10 days advance written

Commented [j3]: I don't know what is in Section 6.9 of the Employee Handbook but the other retirement benefits would be the ability to contribute to a 457 program. Assuming Sandy offers that.

Commented [KY4R4]: You can contribute through ICMA

Commented [j5]: Thought it might be worth clarifying the current amount.

Commented [j6]: Assuming this includes things such as the gym benefit, etc. How often is the employee handbook revised and what is the process for making changes?

Commented [KY7R7]: It does include the gym and other things. It is being revised now but largely just legal, state and federal issues updates. Any benefit change would go through the benefits committee

Commented [HM8]: I was not sure if there was a different accrual method so I included this - - please correct if not the right terminology.

Commented [HM9]: Same comment as before. If there is no difference you could also just indicate in both of these sentences - - the same benefits as other regular employees, etc. e

Commented [KY10R10]: Yes that is fine

Commented [j11]: I believe that this is the case in Sandy. It appears the City Manager has a range, although I don't know if there are specific steps.

Commented [KY12R12]: The amount you are asking for is the top step of the salary range right now. The salary survey should resolve this. You will also get a cola at 6 months as well

notice.

- ii. For the purposes of this Section ~~5-8~~ "cause" exists when:
 - a. ~~EMPLOYEE~~ Employee fails or refuses to comply with the written policies, standards and regulations of ~~CITY~~ City now in existence or that may be established hereafter by the City Council after receiving notice of the violation(s) and an opportunity to respond to said violation(s);
 - b. ~~CITY~~ City has reasonable cause to believe ~~EMPLOYEE~~ Employee has committed fraud, misappropriated ~~CITY~~ City funds, goods or services to either their own or some other private benefit;
 - c. ~~The City Council believes EMPLOYEE has committed (either by omission or commission) any misconduct which the Council reasonably believes is detrimental to the CITY or its interests; or~~
 - c. ~~EMPLOYEE~~ Employee fails to faithfully or diligently perform their duties as City Manager.

~~d.C. Severance Pay. In the event that the Employee's employment is terminated without cause while employee is still willing and able to perform his duties, Employee shall be entitled to a severance payment equal to 9 months of salary. Employee shall not be entitled to prior notice of termination, or a severance payment if Employee is terminated for reasons listed in section 8.B.ii. above, or if Employee resigns.~~

7.9. Law of Oregon

The contract shall be governed by the laws of the State of Oregon. Venue shall be in Clackamas County, Oregon.

8.10. Indemnification

Consistent with the Oregon Tort Claims Act, City shall defend, hold harmless, and indemnify the Employee against any claim or legal action arising out of the Employee's discharge of her duties under this Contract and within the scope of her employment.

9.11. Mediation/Trial

Should any dispute arise between the parties to this Agreement, it is agreed that such dispute will be submitted to a mediator prior to any litigation and the parties hereby expressly agree that no claim or dispute arising under the terms of this Agreement shall be resolved other than first through mediation and only in the event said mediation efforts fail, through litigation. Any litigation arising under or as a result of this contract shall be tried to the court. The parties shall exercise good faith efforts to select a mediator who shall be compensated equally by both parties. Mediation will be conducted in Oregon City, Oregon unless both parties agree in writing otherwise. Both parties agree to exercise good faith efforts to resolve disputes covered by this section through this mediation process. If a party requests mediation and the other party fails to respond within ten (10) days or if the parties fail to agree on a mediator within ten (10) days, a mediator shall be appointed by the presiding judge of the Clackamas County

Circuit Court upon the request of either party. The parties shall have any rights at law or in equity with respect to any dispute not covered by this ~~Section~~section.

10.12. Conflict of Interest

Employee shall not engage in any activity, business or transaction or have a financial or personal interest or association, direct or indirect which is in conflict with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of her duties under this Contract.

11.13. Background Check

Employee agrees to undergo a background check similar to those performed for regular City employees and also agrees to a credit check as it is substantially job-related for the position of ~~Interim~~City Manager. ~~In the event the background check is unsatisfactory, this Contract will terminate immediately upon notice by the City and neither party will have any further obligations.~~

12. Leave

~~All time off will be approved and scheduled with the Council's designee.~~ Time off will be with the approval of the Mayor or his/her designee

13.14. Assignment. The Employee may not assign any interest in this Contract and shall not transfer any interest in the same.

14.15. Modification

Any modification of the provisions of this contract shall be reduced to writing and signed by the parties.

15.16. No Waiver of Legal Rights

A waiver by a party of any breach by the other shall not be deemed to be a waiver of any subsequent breach.

16.17. Integration and Severability

This Contract contains the entire agreement between the parties and supersedes all prior written or oral discussions or agreements regarding the same subject. If any clause, sentence or section of this Contract is found to be illegal or unenforceable, such clause, sentence or section so found shall be regarded as though it were not part of this Contract and the remaining parts of this Contract shall be fully binding and enforceable by the parties hereto.

EMPLOYEE

CITY OF SANDY

Jordan Wheeler

Mayor William King

Exhibit A

Duties of the City Administrator shall include those duties set forth under Chapter 2.08 of the Sandy Municipal Code including but not limited to the following:

- supervise and direct the overall management, administration and direction of City operations;
- the negotiation, execution and administration of City contracts within budget appropriations pursuant to City policy and ordinance;
- providing policy advice to elected officials;
- maintaining open communications with the community to foster both responsive and courteous public services;
- work toward achieving goals set by the City Council; and
- such other duties as the City Council may, from time to time, assign.

The City Manager is ~~expected to be present during the City's normal business hours Monday-Friday and to~~ attend all City Council work sessions, regular meetings, and other meetings as requested by the Council.

Commented [j13]: I struck this because the nature of the job is that it is not just a normal business hours position. There will be time spent outside of normal business hours, meetings outside of the office, etc.