

City of Sandy

Agenda

City Council Meeting

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

Meeting Date: Monday, July 2, 2018

Meeting Time: 7:00 PM



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Frequently Asked Questions about Tobacco Retail Licensing

What is Tobacco Retail Licensing (TRL)?

Tobacco retail licensing requires businesses located in the county to obtain an annual license to sell tobacco and other nicotine products, including electronic cigarettes. It is part of Clackamas County's comprehensive strategy to prevent youth from using nicotine products and end the burden of tobacco-related disease and death.

What does TRL propose to do?

TRL is a tool that can be used to improve enforcement of existing federal, state, and local tobacco laws. TRL enables local jurisdictions to identify retailers, monitor their compliance with these laws, and enforce penalties if tobacco is sold to persons under the age of 21. TRL provides a platform for retailer education and consequences if tobacco is sold illegally. Penalties, such as fines or suspending retailers' ability to sell tobacco, deter retailers from selling tobacco to youth.

Why focus on tobacco regulation in the retail environment?

Convenience stores are top sellers of cigarettes nationwide. In Clackamas County, more than half of tobacco retailers are located within 1,000 feet of a school or park, and two thirds of all known retailers advertise tobacco outside.ⁱ Youth who have more opportunities to obtain tobacco and see more tobacco advertising are more likely to use tobacco and nicotine products due to their susceptibility to marketing and imaging.

How does TRL prevent youth access to tobacco?

TRL reduces illegal sales to minors through retailer education and enforcement of laws.

Why is a tobacco retail license separate from other business license requirements?

Tobacco is a hazardous product that causes disease and death, there are no safe levels of tobacco use. Tobacco retail licensing is the mechanism to identify stores that sell tobacco so they can be informed when laws change and monitored for compliance. A license to sell tobacco and nicotine products is similar to licenses required to sell alcohol and marijuana. .

What is the economic impact of TRL?

Portland State University's Northwest Economic Research Center determined that a license fee of \$500 – \$600 will not have a significant effect on the Clackamas County economy. A \$500 - \$600 fee amounts to \$1.37 - \$1.64 per day to sell tobacco and nicotine products. The impact of TRL on store revenue would be minimal as retailers are able to raise tobacco prices to offset the cost of the license.

Why are electronic cigarettes and other vaping products included in this licensing?

Many youth today are being introduced to nicotine through e-cigarettes rather than conventional cigarettes and tobacco products.ⁱⁱ A 2015 survey found that among e-cigarette users aged 19-24, 40% had never been regular cigarette smokers.ⁱⁱⁱ Vaping is outpacing conventional cigarettes among youth.

How would tobacco retailers be monitored for compliance with the minimum legal sales age?

Clackamas County Public Health Division (CCPHD) proposes two inspections per year, one unannounced minor decoy and one with public health staff to ensure compliance with local, state and federal laws. Inspections would include education and penalties for violations.

How effective is TRL in reducing youth access to tobacco?

Communities across the country, including four counties and a number of cities within Oregon, are implementing TRL to prevent youth from illegally purchasing nicotine products. While it is too soon to see the results in Oregon, a recent assessment of 33 communities in California that implemented a tobacco retail license, showed dramatically decreased rates of illegal youth sales since passing TRL.^{iv}

What does TRL mean for cities?

TRL will reduce youth access to and initiation of tobacco and nicotine products protecting them from a lifetime of addiction and tobacco-related disease, ultimately improving quality of life, increased productivity, and health care savings. Allocating responsibility to the Board of Health to pass TRL shifts the administration and implementation to CCPHD resulting in consistent education and enforcement county-wide.

ⁱ Oregon Health Authority, Tobacco Fact Sheet, 2014

ⁱⁱ E-Cigarette Fact Sheet, Oregon Health Authority, 2016.

http://www.co.lincoln.or.us/sites/default/files/fileattachments/health_amp_human_services/page/585/e-cigfactsheet.pdf

ⁱⁱⁱ MMWR via Centers for Disease Control and Prevention, https://www.cdc.gov/tobacco/basic_information/e-cigarettes/index.htm

^{iv} See “Table of youth sales rates before and after the adoption of a strong tobacco retailer licensing ordinance”. The American Lung Association in California, 2013. <http://center4tobaccopolicy.org/wp-content/uploads/2016/10/Tobacco-Retailer-Licensing-is-Effective-September-2013.pdf>

Implementing a Tobacco Retail License in Clackamas County

Tobacco Remains a Major Source of Harm

Tobacco use remains the most preventable cause of illness and death in America and Clackamas County. In the United States, cigarette smoking is responsible for more than 480,000 deaths per year, including more than 41,000 deaths resulting from secondhand smoke exposure. This is more deaths than from fire arms, HIV, motor vehicle injuries, and illegal drug use combinedⁱ.

All Clackamas County residents deserve opportunities for good health. Clackamas County is committed to preventing youth from using tobacco and nicotine products, and supporting our communities that bear the highest health burden from tobacco-related illnesses and deaths. Recent examples of Clackamas County's efforts include our support of the statewide Tobacco 21 initiative and tobacco retailer licensing.

Inequities Persist Among Tobacco Users

Tobacco disproportionately affects lower-income populations, communities of color, people living with mental illness, and the LGBTQI community. Tobacco retailer location is a factor in tobacco and other nicotine product use by adults, particularly for minority communities. Neighborhoods that have higher numbers or densities of tobacco retail outlets are more likely to be where more people of color and people experiencing economic hardship live. High densities of tobacco retailers have been linked to increased smoking rates among adults living in the surrounding neighborhoodsⁱⁱ.

Youth are More Vulnerable to Nicotine

Preventing nicotine dependence before it starts can help us reduce the inequitable burden of tobacco use. More than three quarters of smokers begin smoking before their 20th birthday. Adolescents who start smoking before their 19th birthday have on average a 20% higher risk of dying from a smoking-related illnessⁱⁱⁱ. Tobacco and other nicotine products remain too accessible for youth to use and purchase in Clackamas County. The percent of teens who smoke cigarettes has increased from 2013-2015. In that same time period, the fraction of 11th graders who have used electronic cigarettes has almost doubled. 8th grade use has more than tripled in two years. Overall smoking rates in Clackamas County are higher than the Oregon average for both age groups.

Clackamas Strategy to Reduce Tobacco Burden

Beginning in January 2018, Oregon increased the state's tobacco and nicotine product possession age to 21 (Tobacco 21). Increasing the age to purchase these products, in combination with stronger local enforcement laws, are part of Clackamas County's comprehensive strategy to prevent youth from using nicotine products and end the burden of tobacco-related diseases and deaths. Because of this, the Clackamas County Board of County Commissioners, in their role as the County Board of Health, is considering a tobacco retail license where businesses located in the County must obtain a license to sell tobacco and other nicotine products, including electronic cigarettes. TRL is a mechanism to reduce youth access to tobacco and nicotine products by enforcing age restrictions on the purchase of tobacco

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www.clackamas.us/publichealth

and nicotine products. TRL enables the Local Public Health Authority (LPHA) to monitor compliance with laws and enforce penalties if tobacco is sold to persons under the age of 21.

Effectiveness of Tobacco Retail Licensing

Communities across the country, including four counties and a number of cities in Oregon, are using a tobacco retail license to prevent youth from illegally purchasing nicotine products. A number of these communities are demonstrating positive implementation results. For example, a recent assessment of 33 communities in California that implemented a tobacco retail license showed decreased rates of illegal youth sales^{iv}.

A tobacco retail license is also useful as a surveillance and evaluation tool, and allows for greater local control of retailer education and enforcement activities. A tobacco retail license, in conjunction with Tobacco 21, would enable the County to educate businesses about tobacco laws, ensure accountability with tobacco laws, and evaluate where these business are located relative to schools and other youth-populated areas.

ⁱ [Mokdad](#) AH, Marks JS, Stroup DF, Gerberding JL. Actual Causes of Death in the United States. *JAMA: Journal of the American Medical Association* 2004; 291(10):1238-45 [cited 2017 Apr 20].

ⁱⁱ Public Health Law Center. (2014). Location, location, location: Regulating tobacco retailer locations for public health. Accessed at <http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-guide-regulating-retailer-locations-2014.pdf>

ⁱⁱⁱ Choi, S.H., & Stommel, M. (2017). Impact of age at smoking initiation on smoking-related morbidity and all-cause mortality. *American Journal of Preventive Medicine*, 53, 33-41.

^{iv} American Lung Association. (2013). Tobacco retailer licensing is effective. Accessed at <http://center4tobaccopolicy.org/wp-content/uploads/2016/10/Tobacco-Retailer-Licensing-is-Effective-September-2013.pdf>



Staff Report

Meeting Date: July 2, 2018

From Tyler Deems, Finance Director

SUBJECT: Annual Resolutions

Background:

Each year, Oregon's Department of Administrative Services requires that the City pass resolutions to certify that various municipal services are provided, as well as the City's eligibility to receive state-shared revenues, which includes cigarette, liquor, gas, and state taxes.

Resolution 2018-17: Four or More Municipal Services

In order to receive state-shared revenues, the City must certify that four or more municipal services are provided. The City can gain certification by adopting a resolution (attached).

Resolution 2018-18: Election to Receive State-Shared Revenues

To receive state-shared revenues, the City must elect to receive said revenues by adopting a resolution (attached). A public hearing is required, which was already held in April and June 2017 during the adoption process of our 2017-2019 biennium budget.

Recommendation:

"Approve Resolution No. 2018-17, a resolution authorizing four or more municipal services are provided" and

"Approve Resolution No. 2018-18, a resolution electing to receive state-shared revenues."

Financial Impact:

Receiving approximately \$900,000 in total to the General Fund and Street Fund, which has already been budgeted for in the 2017-2019 biennium.



NO. 2018-17

A Resolution Certifying that the City of Sandy Provides Four or More Municipal Services

Whereas,

ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants, according to the most recent decennial census, must provide four or more of the following municipal services to be eligible to receive the revenues:

1. Police protection
2. Fire protection
3. Street construction, maintenance, and lighting
4. Sanitary sewers
5. Storm sewers
6. Planning, zoning, and subdivision control
7. One or more utility services

and

Whereas, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760,

NOW, THEREFORE, BE IT RESOLVED

that the City of Sandy hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

1. Police protection
2. Street construction, maintenance and lighting
3. Sanitary sewers
4. Storm sewers
5. Planning, zoning and subdivision control
6. One or more utility services (Water and telecommunication utility services)

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 02 day of July 2018

#2018-17

William King, Mayor

ATTEST:

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

Karey Milne, City Recorder

#2018-17



NO. 2018-18

A Resolution declaring the City of Sandy's Election to Receive State Revenues

Whereas, The City of Sandy Ordains as Follows:

Section 1. Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 2018-2019

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 02 day of July 2018

A handwritten signature in cursive script that reads "William King".

William King, Mayor

ATTEST:

A handwritten signature in cursive script that reads "Karey Milne".

Karey Milne, City Recorder

I certify that a public hearing before the Budget Committee was held on April 25 & 26, 2017 and a public hearing before the City Council was held on June 5, 2017 for the 2017 - 2019 biennium, giving citizens an opportunity to comment on the use of State Revenue Sharing.

#2018-18

#2018-18



Staff Report

Meeting Date: July 2, 2018

From Mike Walker, Director
A Resolution to Amend the Master Fee Schedule to Update System

SUBJECT: Development Charges for Water and Transportation

Background:

Attached please find Resolution No. 2018-19 amending the Master Fee Schedule to update System Development Charges (SDCs) for Water and Transportation. The City adopted new methodologies for transportation and water systems development charges in 2016 and 2017 respectively. Both methodologies include a provision allowing the SDCs to be adjusted based on the Engineering News record Construction Cost Index, (ENR-CC) for Seattle, WA. This index is used almost universally, it is updated monthly and reflects regional cost trends for construction materials and labor.

The index for the current month and year and the index in the month and year the Transportation and Water SDCs were adopted are shown in the tables below with the percentage change for each index.

Transportation

Month and Year	ENR-CCI	SDC (per trip)
July, 2016	10585.93	\$214
June, 2018	11476.78	\$230.70
% Difference	• 7.8%	

Water

Month and Year	ENR-CCI	SDC (per EDU)
September, 2017	10726.90	\$3,056
June, 2018	11476.78	\$3,257.70
% Difference	• 6.6%	

If approved the transportation SDC for a single-family dwelling would increase by \$265.20 (from \$3,396 to \$3,661.20) and the water SDC would increase by \$201.70 (from \$3,056 to \$3,257.70)

Our Transportation and Water capital plans are based on a 20 year horizon. Estimated project costs in 2016 will be considerably different in 2036.

Systems Development Charges are collected at the time building permits are issued. The charges would become effective with building permit applications submitted on or after July 3rd, 2018.

Recommendation:

Approve Resolution No. 2018-19 amending the master fee schedule to update Transportation and Water systems development charges.

Financial Impact:

Based on projected SDC revenues a 7.8% increase would translate to an additional \$19,500 in revenue to the Street fund and 6.6% increase would result in an additional \$10,900 for the Water fund for FY 2018-19

NO. 2018-19

A Resolution of the City of Sandy Amending the Master Fee Schedule to Update System Development Charges for Transportation and Water Services

Whereas, the City Council imposes municipal fees and charges by Council resolution and;

Whereas, Council policy encourages regular, incremental updates to fees and charges over larger, less-frequent changes to fees and charges and;

Whereas, In order to equitably distribute the cost of enlarging and upgrading transportation and water facilities between ratepayers and new development it is important to reflect rising construction costs in the City's System Development Charges (SDCs).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy that the City's Master Fee Schedule is amended to reflect revised Transportation and Water System SDCs as specified below.

F. System Development Charges

1. Water

Water Service Size	SDC
Equivalent Dwelling Unit (EDU)	\$ 3,257.70
5/8" X 3/4" Waster Service	\$ 3,257.70
3/4" Water Service	\$ 4,886.54
1" Water Service	\$ 8,144.24
1-1/2" Waster Service	\$ 16,288.48
2" Water Service	\$ 26,060.50
3" Water Service	\$ 48,384.67
4" Water Service	\$ 81,440.27
6" Water Service	\$162,880.54

4. Streets

Residential: Single Family Dwelling	\$3,661.20
Other: Per Adjusted Average Daily Person Trip (ITE Manual)	\$ 230.70

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 02 day of July 2018

#2018-19

William King, Mayor

ATTEST:

Karey Milne, City Recorder

#2018-19



Staff Report

Meeting Date: July 2, 2018

From Kim Yamashita, City Manager

SUBJECT: Joint Reciprocal Parking Space Easement

Background:

At the time that the Sandy Police Station was built, then City Manager, Scott Lazenby, entered into a verbal agreement with the owner of the adjacent property, formally known as Oregon's Wild Harvest. The boundary between the two properties did not leave enough space for Oregon's Wild Harvest to have room for additional parking in the middle of the lot. We agreed to put the parking in, and allow them to use the parking as needed on days where staff attendance was higher, usually just a few days a month for packaging. The property is for sale, the owner, Randy Buresh, would like something in writing that can go with the property. Since approx 1/3 of each of the parking spaces is owned by Mr. Buresh, we came to an agreement to give him an easement for two full spaces, and the remaining four will go to the Sandy Police Department. They will likely be signed accordingly to avoid future confusion. I asked our attorney for an agreement, which has been forwarded to Mr. Buresh and he has agreed with its terms. We feel this is a fair solution meeting both the needs of Mr. Buresh and the City.

Recommendation:

Authorize the City Manager to sign the Joint Reciprocal Parking Space Easement.

Code Analysis:

Not Applicable

Financial Impact:

None

AFTER RECORDING RETURN TO:

The City of Sandy
39250 Pioneer Blvd.
Sandy, Oregon 97055

JOINT RECIPROCAL PARKING SPACE EASEMENT

This Joint Reciprocal Parking Space Easement is made effective this _____ day of _____, 2018, by and between Randy Buresh (“Buresh”), and the City of Sandy, an Oregon municipal corporation (“the City”).

In consideration of the premises and other valuable consideration, the receipt and sufficiency of which are acknowledged, Buresh and the City agree as follows:

1. **Grant of Joint Reciprocal Easement.** Buresh and the City hereby grant to one another a mutual and perpetual joint reciprocal easement and right-of-way access (the “Easement”) for the use, maintenance, and repair of six (6) parking spaces on, over, across and through the real properties owned by Buresh and the City, situated in the County of Clackamas, State of Oregon, as described in “Exhibit A,” attached hereto and incorporated herein by this reference as if fully set forth, and as depicted in “Exhibit B,” also attached hereto and incorporated herein by this reference as if fully set forth (the “Easement Area”). No above-ground structures, barriers, fences, buildings, or other improvements of any kind will be installed in the Easement Area.
2. **Nature of Easement.** Due to the position of the existing lot line, the six spaces are shared as follows: approximately one-third of each space is located on the Buresh property, and the approximately other two-thirds of each space are located on the City property. For practical purposes, Buresh is granted exclusive access and use to the northernmost two parking spaces, and the City is granted exclusive access and use to the four remaining parking places.
3. **Maintenance.** The cost of future reciprocal access repairs shall be apportioned equally among the affected owners, regardless of location or improvements. In the event either owner damages the spaces, it shall be the obligation of said owner to repair the same, within 90 days of the damage. Both parties shall not alter, nor cause to be altered, nor materially interfere with the spaces in existence without mutual consent.
4. **Access.** Both Buresh and the City shall have the right of reasonable access throughout the Easement Area for the purpose of use, maintenance, and repair of the parking spaces in or on the Easement Area, and the right to remove any structure or vegetation necessary or convenient to accomplish the same.

5. **Indemnity.** To the extent permitted by the Constitution and statutes of the State of Oregon, and subject to the monetary limits of the Oregon Tort Claims Act (ORS 30.260 to 30.300), Buresh and the City, including their employees, agents and contractors, hereby indemnify and holds one another harmless from and against any injury, expense, damage, liability or claim imposed by any person whomsoever, whether due to damage to the Easement Area or claims for injuries to the person or property of any person in, on, or about the Easement Area for such injury, expense, damage, liability or claim that results either directly or indirectly from the acts, omissions, negligence, misconduct, or breach in the use of the Easement Area or the terms of this Easement by either Buresh or the City or any other person entering upon the Easement Area under express or implied invitation or consent.

6. **Successors.** This Easement runs with the land and shall bind and inure to the benefit of the respective successors and assigns of the parties hereto. In the event of a sale of Buresh's premises by Buresh, its successor shall be bound to the terms of this Easement.

7. **Recording.** Buresh and the City acknowledge that this instrument will be recorded with the deed records of Clackamas County, Oregon.

[Signature Pages Follow]

Dated this _____ day of _____, 2018.

RANDY BURESH does hereby approve and accept the above easement.

Signature

By: _____

STATE OF OREGON)
)ss
County of _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2018, by ____, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

The City does hereby approve and accept the above Easement (ORS 93.808).

The City of Sandy

By: _____

Name: _____

Title: _____

STATE OF OREGON)
)ss
County of _____)

This instrument was acknowledged before me on _____, 2016,
by _____ (name) as _____ (title) of
Tualatin Hills Park & Recreation District, an Oregon park and recreation district.

NOTARY PUBLIC FOR OREGON

**Sandy City Council
Regular Meeting
Monday, June 4, 2018**

A. Pledge of Allegiance

B. Roll Call

Councilor Pietzold - Present
Councilor Horsfall - Present
Councilor Hamblin - Present
Mayor King - Present
Councilor Lee - Present
Councilor Exner - Present
Councilor Cubic - Present

C. Oath of Office

1. Jan Lee

2. Jean Cubic

D. Public Comment

Jerry Carlson, PO BOX 280 Brightwood 97011, provided council with a hand out he felt he has concerns about with the food carts located at the Ant Farm. He feels that the city is asking more of him than the AntFarm and he would just like all businesses to be on a level playing field and all have the same requirements.

Jennifer Taylor 39730 Wall Street Sandy, OR, She has been a nurse for 24 years, resident 3 years In Sandy. She currently works as an in home recovery nurse and she noticed driving around a lot of speeding and reckless driving in the area. She is curious if there is something the City could do. She would like to get involved and help try to tackle some of the issues in the City.

E. Changes to the Agenda

F. Resolution

I. Resolution No. 2018-16 ~ Appropriation Transfer

City Manager, Kim Yamashita, the biennial budget for the City was adopted in 2017. Since that time, the City has moved forward with opening the aquatic facility at Sandy Community Campus. As such, personnel related expenses have begun to increase, as staff time has been needed to maintain the building, set-up programs, and train for the various aquatic positions. Fortunately, some expenses (for example, insurance) have come in lower than budgeted.

To get us through the remainder of the current fiscal year (FY 2018), it is necessary to transfer funds from the materials and services category to the personnel category. This will ensure that we do not exceed our budgeted figures in these appropriation categories. The recommended amount to transfer between the two categories is \$30,000.

Council had a couple of questions.

City Manager, Kim Yamashita, stated that this is just an internal movement of funds, no change to the bottom line.

Motion: To approve Resolution No. 2018-16 ~ Appropriation Transfer

Moved By: Councilor Pietzold

Seconded By: Councilor Hamblin

Yes votes: Councilor Pietzold , Councilor Horsfall, Councilor Hamblin, Mayor King , and Councilor Lee

No votes: None

Abstentions: None

The motion passed.

G. New Business

I. Derelict Buildings in Downtown Sandy

David Snider, Econ Dev Manager, Staff has recently identified six structures in the downtown commercial core of Sandy that easily meet this description. These buildings have been ignored for decades, but they are becoming more noticeable by the day. Part of this is due to our success in improving many of our old buildings with the Facade Improvement Program, making these derelict buildings stand out even more than in the past. Another contributing factor is the fact that we removed a number of derelict houses on the south side of Pioneer Blvd. between the Sandy Action Center and Red Boot Branding a couple of years ago, making some of these derelict buildings more directly visible from Pioneer than they were before. He asked council if they were going to invest in land around these buildings, would you want the buildings around your business area? They can cause hazards, loitering happens etc.

Planning Director Kelly O'Neill Jr., spoke of prior properties we have working with the property owner on and how that process went and how we can make some changes to better the process.

David Snider, continued explaining the process that happens , how we notify the property owners, the steps that he goes through before any abatement happens.

He reviewed the images provided on the buildings in questions and discussed all the issues with council.

Council had some concerns about tearing these down when we have other vacant lots that

owners that do not do anything with them.

Council had some discussion.

Council had some questions about whether the city could buy the property and flip it, or some other alternative solution.

Planning Director Kelly O'Niell Jr., does not think that any of these lots with structures on them are worth the expense of having an environmental studies done.

Council asked if the historically registered building qualifies for the derelict building process?

Staff said they would check in to that and how they would have to proceed on that building.

Mary Dickenson, 38838 Park Street, David answered all her questions.

Council would like a communication piece out about these derelict buildings to get out ahead of the game.

Staff mentioned that the City has notified these owners' several times over a long period of time, we may only get a few fixes out of the 7 that are listed.

2. Plaza Policy on Renting to Vendors

City Manager, Kim Yamashita, We are just coming back to do a recap and answer previous questions from the Council. Staff has been working on a more formal policy, to make sure all City agreements and contracts are up to date and that the City is listed on as an additional insured on the businesses insurance. Beery Elsner and Hammond and CityCounty Insurance Services have both informed us this is a good idea and to proceed with the updates. There were discrepancies in the current agreements with tent sizes etc. Staff is working to update and make the space sizes fair. There is only truly room for 3-4 spaces for market vendors. The city could make space for vendors in the plaza area its self but they would not have access to electricity or water if they needed.

Currently the only agreement being used for the plaza is a day use agreement. This agreement does not really fit longer term vendor agreements, it has no enforcement of providing insurance coverage, clean up, repairs, etc. The purpose of coming to council about these at the last meeting was to make this more equitable and fair for all vendors.

Planning Director, Kelly O'Neill Jr., No vendor has been forced to follow the current agreement policy, it is very outdated. He recommends that each year a new agreement be re-signed and a copy insurance given.

City Attorney, this is a pretty big risk for the City, it is very common to put a policy in place. The City needs to make sure that there are adequate protections in place.

Council had a question about the policy

City Attorney, It should not impact the vendors so much that they cannot be successful.

Council asked that staff to at least get the ball rolling for the tenant who currently applied for the vendor space.

City Manager, Kim Yamashita, recommended that we have him sign the current new policy agreement that has more rules in place, we will have him resign when all final edits are made, and to provide copy of his insurance with the City listed.

Council, would like to see no food carts in plaza, would like to see local farmers, local flowers, handcrafted items etc.

Larry Thompson, 24747 Bohna Park Rd, His sales have been \$30,000 over the past 21 years of being located here in Sandy. He really appreciates the support. Several of his customers that visit his sandy location need the ADA accessibility at the plaza. His other locations with gravel lots makes it a little more difficult for them. He will provide the Insurance Certificate Tuesday morning, with the City to be listed as additional insured.

He also suggested indoor outdoor carpet to protect the bricks for future vendors. He has done that over the years and it really helps protect the bricks.

Jerry Carlson, PO BOX 280 Brightwood, OR, he would like to know who makes the City responsible for being up to building and planning code. He would like to know who is going

to police the area, making sure it is clean, ADA parking, proper fencing, vegetation etc.
Does the City have a business license?

City Attorney, stated that the City is not subject to business license. The plaza also when created when through the building and planning process.

3. Transit Intent to Award Operations Contract

Transit Director, Andi Howell, The RFP for Transit Operations was released on April 13, 2018. Sandy and Clackamas County worked together to create the RFP. The City of Sandy released the RFP with the Clackamas County Scope of Work included. We held a pre-proposal meeting with the City and County present on April 18 at the Sandy Operations Center. RoJoy Services was the only contractor present. Additional questions in writing were permissible until April 23, 2018.

RoJoy Services LLC was the only contractor present at the meeting and all questions and answers that were discussed were posted as addendums on our webpage with the RFP. Bids were accepted until May 2, 2018. RoJoy was the only contractor to submit a bid. The bid was responsive and an intent to award letter was sent to RoJoy Services on May 18, 2018. The Sandy Transit Department and Clackamas County Social Services have been very pleased with RoJoy Services LLC as our contractor for the past 5 years and look forward to working with them in the future. Staff would like to ask your approval to award the contract to Rojoy. Rojoy has been asked but other transit departments but they have not expanded. It works out to be about \$1 more an hour increase than what we are currently paying now. They provide benefits to their employees.

Motion: To approve Transit Intent to Award Operations Contract

Moved By: Councilor Hamblin

Seconded By: Councilor Lee

Yes votes: Councilor Pietzold , Councilor Horsfall, Councilor Hamblin, Mayor King , and Councilor Lee

No votes: None

Abstentions: None

The motion passed.

4. Vista Loop Dr. to Ten Eyck Rd Pedestrian Connection Project Charter

Director Walker, The Project Charter is a document that describes the project, the schedule, the estimated cost and the proposed funding source(s). The Charter also lays out any concerns identified with the project so that all parties are aware of any potential issues early in the process. As discussed at the September 18, 2017 meeting the primary issues are related to right-of-way and driveway approaches on the north side of the highway and maintaining an ADA-compliant sidewalk cross-slope while still providing driveway access for dwellings located close to the right-of-way line and below the elevation of the highway. At this early stage in the process ODOT believes that an additional \$500K will be required from the City in order to complete the project. The City receives an annual allocation of Federal gas tax dollars based on population that accumulates in an account in Salem until we have identified an eligible project. The current balance is about \$451,000. Staff recommends using these funds for this project plus a portion of the \$100,000 in the Street Fund budget identified for pedestrian improvements to close this gap. He would like to keep things realistic and wanted to run this by the council before it is signed.

Council asked about Page 5, the City of Sandy is held responsible. Director Walker, yes, but that has to do with the original IGA.

Council asked about doing another type of pedestrian access on the North Side or overpass, or under pass.

Director Walker, stated that the North side is challenging because of the terrain, and the take of property on that side. ODOT does not do not like overpasses on State Highways and the ADA issues that go along with an overpass. A underpass there is drainage issues, then lighting issues, people being afraid of that type of crossing. Staff did ask ODOT to look at those options. Council asked how much does an intersection light cost. Director Walker, stated that ODOT will not let you put in a traffic signal on 55MPH section of the highway. The existing Transit System Plan for Dubarko and Vista Loop would not meet the signal warrants in the next 20 years.

Motion: To approve Vista Loop Dr. to Ten Eyck Rd Pedestrian Connection Project Charter
Moved By: Councilor Hamblin
Seconded By: 0

Yes votes: Councilor Pietzold , Councilor Horsfall, Councilor Hamblin, Mayor King , and Councilor Lee

No votes: None

Abstentions: None

The motion passed.

5. Committee Reports

5. Committee Reports

Mayor King, The Fire Stations Grand Re-opening will be June 23rd.

H. Consent Agenda

1. Meeting Minutes May 21, 2018

Motion: To approve Meeting Minutes May 21, 2018

Moved By: Councilor Pietzold

Seconded By: Councilor Hamblin

Yes votes: Councilor Pietzold , Councilor Horsfall, Councilor Hamblin, and Mayor King

No votes: None

Abstentions: Councilor Lee

The motion passed.

1. Report from the City Manager

City Manager, Kim Yamashita, The City of Sandy has been voted as the #2 safest city by Simply Safe, we recently received an award from the National Council that we were the 5th safest city. We have received no bids on the surplus property, would like to request that we re-post at a lower price to see if we can get some interest?

Council would like to keep it at the same but open it back up for a longer period of time.

City Manager Kim Yamashita, asked that the council please sign the prepared letter to the Tony Hawk foundation for a grant to help with the new skate park.

1. Staff Reports

J. Council Reports

Councilor Exner, asked why there was no water in any of our fountains. Staff let him know there was a leak in the west side fountain and that they are look for alternative solutions because the repair cost is quite costly. The fountain on the west end of town should be working fine. Councilor Exner mentioned he and Jan Lee would like to attend the C4 Conference. He also asked about the realtor sign on Pioneer. Staff said they had a temporary sign permit for it, once it expires they will remove the sign.

Councilor Hamblin, noticed there were 14 signs for Farmers Market, he feels that is way too many signs and feels there should be an area and a certain number. The City Manager, Kim Yamashita said will talk to the Ant Farm about the signage.

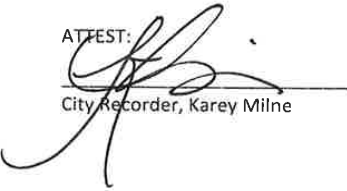
Councilor Pietzold, mentioned on 362nd there is a section of sidewalk torn up. Director, Mike Walker stated he will talk to the company doing construction there about getting the sidewalk fixed sooner rather than later.

Mayor King, wanted to remind everyone that traffic will be increased due to summer, so please be cautious and watch for children.

K. Adjourn


Mayor, William King

ATTEST:


City Recorder, Karey Milne

Sandy City Council Workshop Tuesday June 12, 2018

A. Roll Call

Councilor Pietzold - Present
Councilor Hamblin - Present
Mayor King - Present
Councilor Horsfall - Present
Councilor Exner - Present
Councilor Lee - Present
Councilor Cubic - Present

B. Public Comment

C. Workshop Topic

1. Pleasant Street Master Plan Presentation

Emma Porricolo, Downtown Planner, provided an overview of the Pleasant Street Master Plan. Planner Porricolo provided detail on her work and educational experience. The Master Plan is a council goal for the current biennium (2017-2019). This goal is to extend the downtown area of the City of Sandy. As the third fastest growing community in the State of Oregon, it is important to be thoughtful in the way our growth occurs. We want to encourage private redevelopment in the downtown area.

Planner Porricolo went into great detail explaining the Master Plan, and how the City has arrived at this plan. Stakeholder interviews have been conducted, survey executed, and an open house was held. Additionally, there was an advisory committee that assisted in this process.

Extending downtown will greatly benefit the community. Many people would like to see a more walkable community. Some concerns included safety issues, and the downtown area so close to residential neighborhoods.

Planning Director, Kelly O'Neill Jr., provided some additional information related to the four phase approach to complete the

Master Plan.

Public Comment was opened at 7:04

Cathy Stuchlik, 48318 SE Baty Rd, Sandy OR, Owner of Clackamas County Bank. She went into detail about the banks history in the town.

Steve Summer, Estacada OR, is with Berkshire and Hathaway office in Sandy, he feels this is a great plan but in the wrong location.

Janice Edberg, 19275 SE Tickle Creek Rd, Boring, OR she had questions related to other towns.

Bob Rockwell, PO BOX 724 Sandy, OR, would like to see a cost benefit analysis.

Cathy Stuchlik, 48318 SE Baty Rd, Sandy OR, Owner of Clackamas County Bank, went in to the history of discussion with staff and the ownership of the property.

Lila Leather, Fairview OR, Cleared up a misconception regarding an old leak and the cleanup up cost in the plan.

Justin Stuchlik, 52323 E Cherryville Dr. Sandy, OR, why does the bank and the Leather's gas station have information council does not yet have?

Roy Wesselin, 16940 Fir Drive, Sandy, OR has concerns about parking with the plan.

Public comment closed at 7:32

Council thanked Planner Porricolo for her work on this project. Council provided some feedback for staff, which specifically included the need to make Clackamas County Bank whole, should we make any changes to their parking.

See the attached staff report for detailed information on specific aspects of the Master Plan.

2. Sandy Community Campus Master Plan Review with OPSIS

OPSIS Presentation on Sandy Community Campus

Jim Kalvage - Opsis

Mark Stoller -Opsis

Chelsea McAnn - Walker Macy

Discussion related to the buildings, their potential uses, and parking was discussed. Detailed information related to the current state of the building, as well as the total available space was also delivered to Council.

Council asked questions related to the landscape design of the proposed facility space. OPSIS provided detailed information related to the multiple phases for the complete project. The recommendation from OPSIS is a four phase approach, which includes remodeling the pool and bathhouse, adding additional facility space, developing the land for playground and picnic area, as well as creating a large open space for soccer, biking,

and trails. The total cost of the project is projected to be in excess of 60 million dollars.

Questions from the public were allowed by Council. Included were questions related to emergency access, accessibility, and alternative uses.

Council thanked all involved for the hard work that was put into this Master Plan.

3. City Managers Report

None.

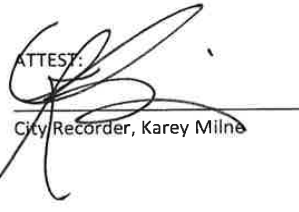
3. City Managers Report

D. Adjourn



Mayor, William King

ATTEST:



City Recorder, Karey Milne

Sandy City Council Workshop Tuesday June 19, 2018

A. Roll Call

Councilor Pietzold - Present
Councilor Horsfall - Present
Councilor Hamblin - Present
Mayor King - Present
Councilor Lee - Present
Councilor Exner - Present
Councilor Cubic - Present

B. Public Comment

C. Workshop Topic

1. Branding Presentation

City Manager, Kim Yamashita, gave some background on what the branding process entailed and what branding means. The branding team included Andi Howell, David Snider, Sarah Richardson, Sarah McIntyre, Joe Knapp and Kim Yamashita. There was a selection of a company. That company did extensive internal and external research.

They interviewed several folks Tigard, Portland, and other surrounding areas. They learned that we do not have very good marketing, nor are we reaching our target area.

Northstar took all findings and worked out a strategy. They went through the creative process to create this strategy and gave us a very extensive report on how to market and utilize the ideas.

The City Manager provided and reviewed a PowerPoint presentation on the branding. It included the story, tag line or strap line, the logo, style guide and how to cohesively use all the information for marketing and let council now have an entire action plan and how to implement the plan, to get the brand out and to encourage business, vibrancy, etc. in the community.

Council had some questions about the tag line.

City Manager answered questions about the tag line.

Council and staff had a discussion about the new logo and tag line. Overall well accepted ready to see it out there and market the City.

Council would like to educate the public on the reason why we created the new brand and new tag line, there are community members that hold on to, The Gateway to Mt. Hood. Council would like to let people know the value of branding. They feel it is important to hear the good and the bad and taking the research that the branding company did to help with new upcoming council goals.

City Manager, Kim Yamashita, mentioned that the logo has been run through the trademark filter process, they found there is nothing out there like it and are working with an attorney to get it trademarked. She encouraged everyone to share and communicate what we are doing and why we are doing it. Outreach will start next week, with the Chamber Luncheon. Council had an idea to work with the school district youth to create a commercial with our new branding.

2. LOC Policy Recommendations

City Manager, received a letter, ballot and topic description from the League of Oregon Cities. Council is being asked to review, and pick four priorities. They do not need to be ranked in order of importance, we only need to identify the four that are your priority.

Council Picked top 4 for the City Manager to submit to the League of Oregon Cities.

3. City Managers Report

City Manager, Kim Yamashita, the pool will open July 5th Noon-5pm the ribbon cutting ceremony will be at noon. There will be open recreational swim, free day.

We will hold a soft opening on July 2nd 6pm for council to tour for 1/2 hour then dinner at 6:30 and council meeting at 7pm. She will send out a calendar invite. Staff will do an earlier walk through with Friends of the Pool.

She has added to the Monday APP, she added a new item it has all the council goals and where staff is at with the goals.

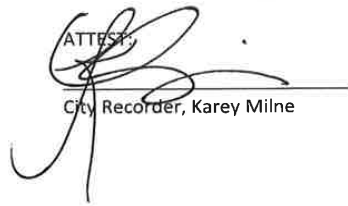
Mayor King, thanked Transit for arranging the trolley for the longest day parkway, he thanked staff for being there it was a great event and the new BBQ works great. He also thanked staff on their hard work on the new branding strategy.

D. Adjourn



Mayor, William King

ATTEST:



City Recorder, Karey Milne