



# SANDYNET ADVISORY BOARD MEETING

Thursday, July 20, 2023 at 7:00 PM  
17175 Meinig Ave and via Zoom

## AGENDA

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### TO ATTEND THE MEETING IN-PERSON:

Come to 17175 Meinig Ave., Sandy, OR 97055

### TO ATTEND THE MEETING ONLINE VIA ZOOM:

Please use this link: <https://us02web.zoom.us/j/85883288440>

Or by phone: (253) 215-8782; Meeting ID: 85883288440

### ROLL CALL

### CHANGES TO THE AGENDA

### PUBLIC COMMENT

### APPROVAL OF MINUTES

- [1.](#) Approval of Minutes

### OLD BUSINESS

### NEW BUSINESS

- [2.](#) RFP Draft Review
- [3.](#) Knollwood Estates ARPA Discussion

### STAFF UPDATES

### ADJOURN

Americans with Disabilities Act Notice: Please contact Sandy City Hall, 39250 Pioneer Blvd. Sandy, OR 97055 (Phone: 503-668-5533) at least 48 hours prior to the scheduled meeting time if you need an accommodation to observe and/or participate in this meeting.



**MINUTES**  
**SandyNet Advisory Board Meeting**  
**Thursday, November 17, 2022 17175**  
**Meinig Ave, Sandy OR 97055 7:00 PM**

**BOARD MEMBERS PRESENT:** Gregory Freetage, Board Member, Joe Smith, Board Member, and Joel Brache, Board Member

**BOARD MEMBERS ABSENT:** Don Williams, Board Member

**STAFF PRESENT:** Jeremy Pietzold, Council President

**MEDIA PRESENT:**

**1. Roll Call**

**2. Changes to the Agenda**

**3. APPROVAL OF MINUTES**

- 3.1. Motion by Board Member Freetage to approve the minutes. Second by Board Chair Brache. Unanimously passed.

**4. Old Business**

4.1. SandyNet ACP Update

Update on recent Sandy City Council passing of approval to join ACP. Enrollment numbers of the seven individuals currently enrolled. Detailed process creation, and enrollment is completed and staff moves to claims process to begin receiving funds from USAC.

4.2. SandyNet ARPA and WWTP Update

Staff proved board with updates on tentative start dates for the two projects. WWTP to tentatively begin in early December and the ARPA to begin potentially in January of 2023.

**5. New Business**

5.1. SandyNet CBX IGA Amendment

Staff prevented revisions to IGA as outlined in packet attachments. Council President Pietzold ask for clarification and modification of section 3.3, asking for staff to consider revision as to make sure that all regulatory requirements as well as SandyNet defined policies and acceptable use policy (AUP) be allowed to override currently proposed changes to IGA. Staff discussed the option to modify the section and potentially point to the SLFRF Final Rule for exact language. Council President Pietzold also brought up discuss to modify changes to fiber-to-the-home modification in the recitals section of the IGA, to not limit it to just the home, but use the more general term of fiber-to-the-x. No objections of further modification desired from board.

## 6. STAFF UPDATES

### 6.1. CBX Business Project Update

Staff provided updates on exploration of using the CBX-SandyNet Business Project IGA to provide service to businesses outside of city limits.

## 7. Adjourn

Adjourned at 7:24 PM.

Draft



**MINUTES**  
**SandyNet Advisory Board Meeting**  
**Thursday, January 19, 2023 17175 Meinig**  
**Ave, Sandy OR 97055 7:00 PM**

**BOARD MEMBERS PRESENT:** Don Williams, Board Member, Gregory Freetage, Board Member, Joe Smith, Board Member, and Joel Brache, Board Member

**BOARD MEMBERS ABSENT:**

**STAFF PRESENT:**

**MEDIA PRESENT:**

**1. Roll Call**

7:07PM All members in attendance. Staff Present: Gregory Brewster, IT Director;

**2. Changes to the Agenda**

**3. APPROVAL OF MINUTES**

**3.1.**

Staff provided the wrong minutes for approval. Will need to prevent next meeting.

**4. Old Business**

**5. New Business**

**5.1. Master Plan Discussion**

Opened discussion for general master plan ideas. Board Member Williams expressed desire for larger accounts such as grocery stores, government entities. Requested that the SandyNet master plan be compiled by a consultant. Chair Brache discussed debt service, early payoff and price over time adjustments for early payoff. Board Member Smith inquired about debt and efficiency of investing profits rather than focusing solely on debt management. Board Member Freetage mentioned community presence with official high school internship programs or community college relationships for

January 19, 2023

new staff. WiFi mesh model and public WiFi locations in parks and event areas. Discussion over safety and security that broadband provides to community and law enforcement through public cameras, parental and network controls, etc.

## 6. STAFF UPDATES

- 6.1. Wastewater Treatment Plant
- Rural Fiber Rate Code

Timeline and wrap up in the upcoming month. Discussed passing of rural fiber rate code. No comments.

- 6.2. ARPA Update
- Product Lead Times

Plans to be completed in the upcoming week. No discussion.

- 6.3. Clackamas County IGA Amendment
- Project Serving Areas

Awaiting Clackamas County to sign their side of the IGA. No discussion.

- 6.4. ACP Update

Staff provided update on currently enrolled customers.

## 7. Adjourn

Adjourned at 8:23 PM



**REQUEST FOR PROPOSAL**

July 15<sup>th</sup>, 2023

CITY OF SANDY, OREGON  
NOTICE AND REQUEST FOR PROPOSALS FOR:  
CITY OF SANDY TELECOMMUNICATIONS MASTER PLAN  
Proposals due at 5:00pm on <DATE HERE>, 2023

The City of Sandy is soliciting proposals from qualified consulting firms to assist in creating the City of Sandy's Telecommunications Master Plan as outlined in this RFP. The Telecommunications Master Plan is a key document in guiding the City of Sandy's municipal Internet Service Provider (ISP) in its growth and strategy.

Sealed RFP submissions must be received by Gregory Brewster, IT Director at 39250 Pioneer Blvd, Sandy OR, 97055, on or before 5pm <DATE HERE>, 2023. Envelopes should be clearly marked "City of Sandy Telecommunications Master Plan RFP." Please provide three hard copies of the proposal and one electronic copy to the email below using the subject line: **CITY OF SANDY TELECOM MASTER PLAN PROPOSAL**.

Late submissions will not be accepted. Please send all proposals to Gregory Brewster, IT Director at:

[gbrewster@ci.sandy.or.us](mailto:gbrewster@ci.sandy.or.us)

All requests for clarification must be submitted in writing no later than <DATE HERE>, 2023, to Gregory Brewster, IT Director, at:

[gbrewster@ci.sandy.or.us](mailto:gbrewster@ci.sandy.or.us)

## BACKGROUND

Sandy is a growing suburban community located on the outskirts of the Portland Metropolitan area and within Clackamas County. In 2023, the city's population was about 13,000. In 2000, Sandy's population was only 5,300 and too small to be provided with adequate telecommunications infrastructure. On November 19<sup>th</sup>, 2001, Sandy City Council adopted an ordinance, establishing a municipal telecommunications utility, SandyNet. Since that time, SandyNet has provided community members and businesses both inside and outside of city limits with broadband service using various mediums such as wireless, Digital Subscriber Lines (DSL) and most recently, fiber optic. The current Telecommunications Master Plan was adopted in 2009, when DSL was being phased out in favor of higher capacity wireless point-to-multipoint connections within Sandy city limits.

In 2011, SandyNet expanded its wireless service to various sections of unincorporated Sandy as well as sections of Boring. In 2014, Sandy City Council approved the buildout of a city-wide fiber-to-the-home network to be able to offer gigabit broadband service to every house within Sandy city limits.

To date, 100% of homes and new developments have the capability to sign up for SandyNet service. Upwards of 90+% of businesses can obtain broadband service. Multiple Dwelling Units (MDUs) and apartments are still relatively underserved and are actively being addressed by using American Rescue Plan Act (ARPA) funds provided by the federal government through the State of Oregon for COVID-19 relief.

Growth of both Sandy and its surrounding community have created higher demands for rural broadband service, outside of SandyNet serving area. This digital divide has reached the desks of Clackamas County, who have created goals to begin to address the inequity of broadband access. The Clackamas Broadband eXchange (CBX), a department of Clackamas County has been put in charge of addressing those needs. The City of Sandy and CBX have entered into an IGA to provide broadband services to underserved areas around the City of Sandy.

The City of Sandy has grown SandyNet to meet the needs of the community by offering high speed, reliable and affordable broadband. It has long fulfilled its 2009 master plan and is in need of a new growth and management plan, staffing analysis, facilities need analysis and rate study for the next 10 years.

## PROJECT OVERVIEW

The City of Sandy is seeking a consultant from a professional firm to review the existing department and deliver recommendations on identifying its business direction and growth options. The analysis will help provide a roadmap of possibilities that reflect the community's vision for SandyNet. The analysis should also consider the department structure and provide a staffing analysis for supporting the department, a space needs analysis for its new office and construction yard, and a rate study to fulfill the Sandy City Council goal of growing SandyNet to become a self-sustaining department.



The City expects the firm and its consultant to have experience in preparing a 10 year plan that meets the four previously described needs. As provided by ORS 279B.060, the firm or consultant is required to meet the highest standard prevalent in the industry in providing the appropriate services.

## SCOPE OF SERVICES

The consultant shall provide professional services to support the following described tasks. The City will work with the awarded consultant to develop a final and comprehensive report that can be brought before Sandy City Council for adoption.

### **Review and Analyze Existing Assets and Levels of Services**

The City of Sandy has operated its SandyNet department for over 20 years, and during that time has invested significant capital, time, and other resources into building its ISP. Since its creation, SandyNet has operated to meet the needs of the community and help drive improvement and adapt to changes as they occur. SandyNet impacts the community on several fronts, such as: economically, affordability, reliability, and local support. Identifying these impacts and values are important to compare against other ISP models.

### **Identify Long Term Department Goals/Initiatives**

After the analysis of current assets and standing, long term goals should be established for the department to consider when seeking actions such as expansion, rate adjustment, funding opportunities, etc. These long-term goals will help guide SandyNet in meeting the community's needs and attempt to forecast at least 10 years into the future.

### **Staffing Analysis**

A staffing analysis should be performed against the current and desired levels of service to determine the number of required staff and positions. Identifying an appropriate number of staff and their responsibilities impacts the sustainability of the department and should include all current and expected services/divisions of the department.

### **Space Needs Analysis**

A space analysis should be performed against the current and desired levels of service to determine how SandyNet should build or acquire land/space for new facilities to house the department, its operations and construction division. This analysis will be key in identifying a viable location for SandyNet facilities in the upcoming years.

### **Rate Study**

A rate study should be conducted to determine what tiers, prices, and packages SandyNet should offer. The analysis should reflect levels that help make SandyNet sustainable based on its future goals, liabilities, and debts. The rate study should also address the affordability aspects of tiers and future trends or expected demands.

**Regulatory Analysis**

An analysis of the regulatory environment should be performed to ensure compliance with all local, state, and federal requirements for telecommunication providers. The report will include recommendations to be taken to meet or exceed legal and regulatory requirements.

**Presentation**

A presentation to the Sandy City Council is expected by the consultant to inform as well as answer any questions that may arise before the final report is brought forward for adoption. The presentation should cover all six sections of the analysis and provide recommendations, including an implementation timeline.

**Recommendation and Analysis Package for Approval**

The consultant will be providing a final document of the analysis and recommendations to be brought before Sandy City Council for review and proposed adoption.

**BUDGET INFORMATION**

The budget for this project shall not exceed \$55,000.

**EVALUATION CRITERIA**

The City reserves the right to reject any and all proposals that meet the criteria under **ORS 279B.100 Cancellation, rejection, delay of invitations for bids or requests for proposals**. The City will not be liable for, nor pay any cost incurred by responding firms related to the preparation of proposals or the making of presentations. Each proposal will be evaluated and ranked using the following criteria.

<b>1.</b>		
<b>2.</b>		
<b>3.</b>		
<b>4.</b>		
<b>5.</b>		
	<b>Total</b>	<b>100 points</b>

The City will perform technical evaluations, rank submittals, and make selection recommendations. Staff will evaluate proposals and may ask a short list of consultants to participate in an interview process. All consultants submitting a proposal will be notified of the City’s final decision.

**PROTEST**

Any protest must be in writing, addressed to Gregory Brewster at the address above, and must be submitted on or before the application protest deadline.

### **Solicitation Protest**

A consultant may protest the terms and conditions of the RFP if they believe that the solicitation procedures, or its terms and conditions of the RFP are unlawful or unduly restrict competition. In order to be considered, the City must receive a solicitation protest no later than 2pm on <ADD DATE HERE>, 2023. The protest shall include the legal and factual grounds for the protest, a description of the resulting prejudice to the consultant if the protest is not granted, and any proposed changes to the terms and conditions of the RFP.

### **Award Protest**

An adversely affected consultant may protest the City's intent to award a contract. In order to be considered, the City must receive an award protest no later than 2pm on the date that is seven (7) days after the date the City issues a notice of intent to award the contract. The City will issue the notice of intent to award by posting it to its website at the following address: <https://www.ci.sandy.or.us/rfps>. A protest of the City's intent to award must show that the selected consultant, and any consultants ranked higher than the protesting consultant failed to meet the requirements of the RFP, and that, as a result, the protesting consultant is entitled to be awarded the contract.

## **BACKGROUND**

In 2022, Sandy City Council allocated \$485,000 to SandyNet to build out six underserved areas. These areas included four apartment complexes, one industrial park and one mobile home park. SandyNet Staff reached out to each site and asked for permission to build fiber and received no objections. Staff informed each site that once an engineered plan had been introduced, the property owner/management company would need to approve the design before construction started. In January 2023, Staff reached out to each location, except the industrial park, and requested approval for the proposed design. No objections were filed, except for the Knollwood Estates mobile home park. The owner of the park expressed concerns about the road crossings and disruption of the ground. The plans were modified and sent back for review and approval. After an on-site meeting with the manager and owner, Staff had identified another amendment to the further reduce the impact on the road. Additionally, the topic of compensation to the site owner was also expressed by the owner. After a follow up email, the owner had expressed a desire for fair compensation, citing seven percent as being a potential acceptable amount.

During the time between the on-site visit and the follow up email regarding compensation levels, SandyNet had solicited several other locations to service as viable alternatives. Additionally, Staff worked with the construction company to split the jobs between two phases to allow construction to start sooner than later and not be held up by the Knollwood issue. The four apartment complexes were started in May of 2023, while the Mobile Home Park and Industrial Park were held for phase 2.

## **QUESTION TO BE ANSWERED**

Given the current alternatives for the Knollwood Estates site (other explored areas), and not considering the overall costs to complete all the projects, is it better for Staff to discard the Knollwood Estates project or continue negotiations on compensation?

## **ANALYSIS**

One of the major blocks to building fiber out to mobile homes and apartment complexes has been the negotiations between SandyNet and property owners. Private property and utilities are typically granted access rights during site construction, making brownfield deployments difficult. Other issues include the location of utilities, liabilities on both the owner and SandyNet during and after construction, and future revoked access if a contract or rights-to-access are removed. For these reasons, as well as the willingness and negotiations between SandyNet and property owners/managers, each site is unique in terms of agreement and levels of compensation, whether it be monetary or in terms of free services or amenities.

At all previous mobile home parks and apartments, SandyNet has been able to secure rights-to-access at no cost or by providing free services to on-site employees and or the office. This case is different since the property owner has not indicated that free service to staff or its office is a sufficient level of compensation.

Since this instance is new precedent for SandyNet, the shift towards monetary compensation will create new questions that must be answered or considered. Most notably if compensation were to differ in the future from location to location, should a standard rate or percentage be used across the board to remain equitable. Other considerations include customer preference, complexity of the SandyNet model and the value of the service over time.

One additional question is whether SandyNet should pay for rights-to-access when no other service provider is required to pay. Given that SandyNet infrastructure was not constructed at the time of these developments, it must be determined if new construction warrants compensation to the property owner.

Finally, one last consideration should be the level of effort that SandyNet contributes to service an area. Does the value to the community outweigh the extra costs required for rights-to-access? The community aspect should be considered as well. Does that answer change if the costs for implementation are covered by ARPA and the cost for operation is now lower because there are no outstanding capital expenses?

#### RECOMMENDATION

SandyNet Staff is seeking input from the SandyNet Advisory Board to help reach a determination. The responses will help Staff formulated a decision to either pull the project from the list, or continue negotiations and to what level.