



*Home of the Tualatin River National Wildlife Refuge*

**SHERWOOD CITY COUNCIL MEETING MINUTES  
22560 SW Pine St., Sherwood, Or  
May 6, 2014**

**EXECUTIVE SESSION**

1. **CALL TO ORDER:** Mayor Middleton called the meeting to order at 6:02 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Krisanna Clark, Bill Butterfield, Matt Langer, Robyn Folsom. Councilor Dave Grant was absent.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Finance Director Julie Blums and City Recorder Sylvia Murphy. Labor Consultant Howard Ruben.
4. **TOPICS:**
  - A. Labor Negotiator Consultations, pursuant to ORS 192.660(2)(d).

**5. ADJOURN:**

Mayor Middleton adjourned the Executive Session at 6:35 pm and convened to a work session.

**WORK SESSION**

1. **CALL TO ORDER:** Mayor Middleton called the meeting to order at 6:35 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Krisanna Clark, Bill Butterfield, Matt Langer and Robyn Folsom. Councilor Dave Grant was absent.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Finance Director Julie Blums, IT Director Brad Crawford and City Recorder Sylvia Murphy.
4. **TOPICS:**
  - A. **YSAT Update, (Youth Substance Abuse Team)**

Chief Groth presented information to the City Council (see record, Exhibit A) and explained. He noted that the last Council discussion was in February 2013 and since then many hours of work have been put in by the committee with a lot going on since that concept presentation. He said other components have been added under the umbrella of YSAT. He said today YSAT has four components and the intervention

component is responsible for acceptance and processing of all referrals. He said there is a team in place and the processes are nearly completed but some funding is needed for classified support from the School District. He commented on the enforcement component which they have been doing which targets high risk drinking & tobacco use and includes under-age decoy stings to target sellers & underage party response and general enforcement. He noted they have an existing IGA governing that and grant funding.

He referred to the legislative component which is the piece they are working on now. He stated the education and prevention component uses community collaboration and includes forming a community based 501(c) that supports prevention programs and addresses community norms. He said there is an Officer mentorship program already underway with Selma Broadhurst. He said the governing body is made of the key partners who include the City, School District and the Juvenile Department. He said the representatives from the City are the City Manager, Councilor Langer and the Police Chief, the School District representatives are Superintendent Cordie and School Board Member Sue Hekker and the Juvenile Department is represented by Director Lynn Schroeder.

He addressed the intervention component and said a lot of work has been done by High School administrators and Officer Asla to get specific details in place about how a youth would be referred and come into the program and what the process would look like. He said they have identified the best source of assistance, and support would come from the School District because a majority of the referrals are going to come from the School District with a lot of the staff involved. He said they already have people in place that do similar type of work and they could just add some funding for a position already there. He said for clarity they need to have the operational IGA in place so the intervention team can come together and share information that they otherwise could not legally share. He noted that information regarding juveniles and the types of things they are dealing with is protected information by State law. He said the IGA would allow for them to function together and that needs to be finalized. He said the IGA would also take care of some of the funding issues.

He discussed the enforcement component and said there is a separate IGA and reminded the Council that in September 2013 the Council approved Resolution 2013-051 which was an IGA with Washington County which was specific to and limited to the Sherwood Police Department participating with Washington County through Health and Human Services for high risk drinking efforts. He said tomorrow there is a luncheon that Council can attend with that group. He stated when Washington County heard that Sherwood was engaging in this work and doing undercover stings they approached the Police and suggested the IGA which provides for reimbursement funding up to \$4,000 for equipment and some programming and falls under the umbrella of YSAT. He commented that the IGA is already done but it doesn't accomplish the multi-disciplinary intervention team component that we need. He said they currently conduct underage decoy missions to lower alcohol and tobacco availability to our youth and said Officer Hirsch has done a great job leading those efforts. He stated the point is to attack the sources of availability. He said when they get information of underage parties they respond to those and that is extremely challenging.

He commented on the legislation component and said they need an IGA so the intervention team can operate and said they are going to do some work on the municipal code in terms of stronger language to address smoke free community. He said that Sherwood is actually a model for a lot of Washington County communities on their tobacco language and smoke free ordinances. He stated there are some gaps that need to be closed specifically dealing with the e-cigarettes and said they are becoming a big problem and they will address that and get some language to limit the public smoke houses. He stated

they have been working with Carla Bennett from Washington County HHS Tobacco Prevention & Education.

He referred to the next step and said they identified early on the need to have a community collaboration piece in Sherwood that has never existed. He provided the example of Tigard Turns the Tide which has been in place a long time and is very strong. He said it would be a 501(c) group that addresses the non-intervention enforcement piece. He referred to solving the problem and said we don't look at solving the problem by 2015 we look at establishing something that has things about legacy and 15 years from now they can look at data and numbers and realize the investments are paying off. He said there are a lot of components and he gave examples. He said this group would address the community norms and promote positive messaging. He discussed activities in other communities and the funding that is available. He said this group would develop and support programs like what Selma Broadhurst has done on her own and she got support for an Officer mentorship program and she partnered with Polar Bear Yogurt.

He stated that they put a group together early on to start working on that but the attention has been on the intervention piece and they need to put something in place because the intervention piece is about getting kids help and measure and assess what they need to be healthy and get them the resources and give them opportunities locally so they can make better decisions.

He said they are working on drafting the IGA and will present it to Council for support. He stated that they will work on code language and discuss the problems that e-cigarettes are creating and said he will have Carla Bennett with Washington County come speak to Council about the issues. He said they will also need funding for a classified position that will be part of the IGA.

Councilor Langer added that there has been a tremendous amount of technical and legal work involved and said they hoped to kick it off last fall. He said the best component of the plan is that rather than expelling a student, with this program they stay in school under a monitor program.

Councilor Henderson asked how smoke houses are currently regulated by our code. Discussion followed that they are regulated by the State and Chief Groth said that it is becoming a big problem in communities.

## **5. ADJOURN:**

Mayor Middleton adjourned the work session at 6:58 pm and convened to a regular Council meeting.

## **REGULAR SESSION**

- 1. CALL TO ORDER:** Mayor Middleton called the meeting to order at 7:08 pm.
- 2. PLEDGE OF ALLEGIANCE:**
- 3. COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Krisanna Clark, Bill Butterfield, Matt Langer and Robyn Folsom. Councilor Dave Grant was absent.
- 4. STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Community Development Director Julia Hajduk, Finance Director

Julie Blums, Senior Planner Brad Kilby, City Engineer Bob Galati, Community Services Director Kristen Switzer and City Recorder Sylvia Murphy. City Attorney Chris Crean.

Mayor Middleton addressed the Consent Agenda.

## **5. CONSENT AGENDA:**

- A. Approval of April 15, 2014 City Council Meeting Minutes**
- B. Resolution 2014-026 Reappointing Russell Griffin to the Sherwood Planning Commission**
- C. Resolution 2014-027 Appointing Sally Robinson to the Sherwood Planning Commission**
- D. Resolution 2014-028 Authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Washington County regarding a Joint Industrial Site Readiness and Planning Grant benefiting Sherwood's Tonquin Employment Area**
- E. Resolution 2014-029 Authorizing the City Manager to sign the Memorandum of Agreement between the City of Sherwood and the American Federation of State, County and Municipal Employees (AFSCME)**

**MOTION: FROM COUNCILOR FOLSOM TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR HENDERSON, MOTION PASSED 6:0, ALL MEMBERS VOTED IN FAVOR (COUNCILOR GRANT WAS ABSENT).**

Mayor Middleton addressed the next agenda item.

## **6. PRESENTATIONS**

### **A. Boy Scout Recognition**

No scouts came forward.

### **B. Recognition of Sherwood Mr. Bowmen Contest Winners**

Mayor Middleton commented on the Sherwood High School Mr. Bowmen contest and noted that four of the Councilors attended the event and for the first time two winners were chosen. He stated it was the 9<sup>th</sup> annual contest and was very well attended and they raised over \$56,000 for Doernbechers Children's Hospital. He noted that 12 senior males competed and each competitor has a manager and he asked the winners to come forward and received a certificate. He announced the winners were Olson Cottle and his sister McKenzie Cottle and Kes Rooney and his sister Cambria, who was unable to attend. He asked the Cottle team to briefly describe the experience and they commented on the importance of charity and said they rose over \$9,000 and they added that they were born at Doernbechers as premature triples and said that Doernbechers is important to their family and they owe them a lot. Mayor Middleton recognized the winners and asked them to come forward to receive a certificate. Councilor Folsom also recognized Kes for his leading role in Sherwood High School's Fiddler on the Roof. Mayor Middleton thanked the winners and said this is what makes our community great.

### **C. Proclamation, Emergency Medical Services (EMS) Week**

Mayor Middleton states the week of May 18-24, 2014 is Emergency Medical Services Week. He read the proclamation and noted that emergency medical services is a vital public service and access to

quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury. He stated the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others. He said it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week. He stated that we have the best in our community and he asked Kieran Henthorn to come forward.

Kieran Henthorn from Metro West said they have been providing ambulance service in Oregon since 1953 and a great deal of that time in Sherwood. He said it has been an honor to be allowed to serve in Sherwood and the rest of Washington County. He stated EMS Week is May 18-24 and the proclamation is important to the members of the EMS teams. He noted they work in tandem with TVF&R paramedics to provide emergency health care and said Washington County has one of the best health care systems in Oregon. He said the partners include fire personnel, police, emergency room staff and the support personnel surrounding them. He thanked the Council for the proclamation and continued support of the emergency medical workers. He invited everyone to the EMS celebration on Friday May 23, at 3:00 pm at the Dawson Creek Office in Hillsboro.

Rob Watson came forward and said he is a lieutenant paramedic at Sherwood Station 33 and said their new Captain Brian Smith started May 1, 2014 and said Captain Smith will be coming before the Council at the next meeting.

Mayor Middleton thanked them and presented them with the Proclamation.

#### **D. Metro Presentation, Southwest Corridor Update**

Craig Dirksen came forward and said he is the Metro Councilor for District 3 which includes Sherwood and said he would be giving an update on the SW Corridor Plan and thanked Mayor Middleton for his participation in the SW Corridor Plan Steering Committee. He stated the plan is a collaboration between 8 cities, 2 counties, TriMet, ODOT and Metro focusing on targeting public investments to support community visions of how downtowns, main streets and employment areas should grow over time. He said the plan is looking at options for high capacity transit and said that is not enough to address the challenges and opportunities of this region. He said last July the Steering Committee approved the SW Corridor Plan and the shared investment strategy which includes about \$1.5 billion dollars of corridor improvement projects including walking, biking and roadway improvement projects aimed at providing more choices for people to get around today and in the future and also parks, trails and habitat projects that would enhance the green character of the communities. He said it also includes continuing to study both bus rapid transit and light rail high capacity transit modes and studying a facility that would connect downtown Portland with Tualatin via Tigard. He noted that Sherwood is not included in the plan as a destination for the high capacity transit because it was identified that it is not part of your local land use vision, however the plan does call for improved transit in the form of frequent bus service that would link Sherwood with the terminal station of the high capacity line. He thanked the Council for their commitment in participating in the SW Corridor Plan and having a voice. He said a vote at the Steering Committee helps shape the plans direction and it ensures that Sherwood will benefit from the long term investment, especially through the SW Corridor Service Enhancement Plan which is already going into the implementation process at TriMet. He introduced Malu Wilkinson as the Metro SW Corridor Project Manager.

Ms. Wilkinson provided a short update and noted that last fall each of the project partners endorsed the SW Corridor Shared Investment Strategy and said they have been refining the plan and said they have identified 60 design options and they are trying to narrow those down and find the complimentary roadway and bicycle and pedestrian facility that would go along with that. She said they are aiming to develop a package that the Steering Committee can recommend to the Metro Council to further study a process that is a federal planning process under the National Environmental Policy Act. She said they would draft environmental impact statements and they want to be careful with their resources going into a federal process because once you are in the process you need to study everything very carefully. She said they have a draft recommendation from the staff level that is out for public discussion and the Steering Committee will hear about that next Monday and said Mayor Middleton is on the Steering Committee and they are looking for the committee to narrow down the design options to a smaller set in June. She noted that while that doesn't include a destination to Sherwood they are considering the needs of all the communities in the SW Corridor. She said that is the next step and referred to a number of public involvement opportunities such as a community planning forum that will be held next Tuesday in Tigard in the Public Works Auditorium at 6:00 pm. She said this has been a collaborative process and it has been very useful and beneficial to all the partners.

Councilor Dirksen offered to answer questions. Mayor Middleton stated he is happy to stay involved in the process and thanked them for the update.

Mayor Middleton addressed the next agenda item.

## **7. CITIZEN COMMENTS**

Tess Kies, Sherwood resident, approach the Council and thanked the City for supporting the dedication for "Stan the Man" Stanislawski who served as Police Chief in Sherwood from 1965-1981. She said the turnout was fantastic. She thanked Councilor Butterfield, Councilor Henderson and City Manager Joe Gall for their support in getting this approved. She thanked everyone and said it was a tribute to Stan but also to the whole police force. She thanked everyone that helped make this happen.

Nancy Bruton came forward as the CEO for the Sherwood Chamber of Commerce and said the Chamber is happy that the City has decided to review System Development Charges (SDCs) within Sherwood. She said the Chamber recognizes that SDC fees spread the cost of essential capital improvements to new developments. She said they however believe that business owners, especially new ones are able to support economic development in other necessary ways such as creating jobs to support the local tax base when they have more access to capital. She said now is a great time to reduce those fees to support the momentum of the City being open to business. She recognized the importance of good transportation systems for the business development and said the City should also use this opportunity to adjust transportation SDCs down for business development noting that the City secured outstanding funding, State and County dollars, in 2012 for local and region road projects. She said additionally it is worth considering addition options for ways to promote small businesses by having a certain percentage of square footage of commercial property at a lower rate than subsequent space beyond the initial square foot amount. She stated the Chamber thanks the Council for considering a reduction in fees to encourage economic activity and they support this as an ongoing discussion over time. She thanked the Council for their public service and all the volunteers throughout the community.

Terrie Emmons came forward and said she has been a Sherwood resident for 17 years. She responded to comments made by the Mayor in a recent Gazette article regarding the review of the operating

agreement between the YMCA and City of Sherwood. She said in the article the Mayor stated that "the YMCA couldn't, or wouldn't provide financial information for us to audit. Instead our auditor had to rely on piecemeal financial documents after 2001 that were provided and the testimony of the YMCA director Renee Brouse and other members of the council. She said even so, the report clearly states that this contract is vague, poorly written and had been mismanaged through the years". She said she believes Mayor Middleton's statements are inaccurate and reflect his ongoing prejudice against the YMCA and its staff. She noted for 14 years the YMCA and the City fostered a great working relationship built on mutual trust, honesty and integrity. She said in 2013 that changed with new elected officials and in March of 2013, there was an attempt by Mayor Middleton to have Renee Brouse terminated from her employment with the YMCA. She said emails clearly state that the Mayor made it clear that if she was not replaced the contract was at risk. She said she reviewed the letter of engagement between the City and Talbot, Korvola & Warwick and said at first TKW was not engaged to perform a financial audit of the YMCA as implied in the Mayors statement. She said the letter specifically states "The Firm will not conduct an audit of the YMCA's financial statements and the overall goal of the agreement is for the Firm to provide information to the City such that the City can make informed choices and take appropriate actions with respect to the agreement in place with the YMCA". She noted second, regarding the financial document the YMCA couldn't or wouldn't provide to TKW and said this seems to imply there is some wrong doing on the YMCA's part for not providing financial documents for the past 16 years. She said there is no legal or contractual requirement which states an entity must retain financial records for more than 4 years. She said however, the YMCA did provide financial documentation. She commented that throughout the life of the contract the YMCA has provided financial statement to prior City officials. She said it is interesting that City officials from prior years were not contacted during the review of the contract. She stated TKW's recommendation #5 states the City, not the YMCA needs to establish and implement policies for retention of minutes, financial information, and correspondence related to the agreements defined performance requirements. She said the issue of maintaining adequate records rests on the City not the YMCA. She stated nowhere in the report does it say that the contract was not abided to or that the contract was mismanaged. She said Mayor Middleton should apologize to the YMCA and Renee Brouse for his blatant misrepresentation of the facts. She stated transparency is a two way street.

Nancy Taylor, Sherwood resident approached the Council and stated that Trashpalooza was a huge success and thanked everyone that came and volunteered. She commented on the amount of cigarette butts found during the event. She encouraged everyone to pick up trash on their own. She noted that children learn to do what they see and picking up trash is a good example. She reminded everyone on social media of two terms: slander and liable. She noted they can both get you into big trouble and said to be sure that what you are saying about people is true because you can not only hurting their feelings but you can get sued.

Naomi Belov, Sherwood resident came forward and thanked those who initiated the audit and said it is important as a resident. She thanked Councilor Clark for being the judge and participating in Trashpalooza. She said they had about 100 volunteers and thanked Mayor Middleton for initiating the event. She commented on the proposed Charter changes on the ballot and referred to an article in the Gazette and said there are a lot of problems with the changes. She noted that some of them are benign but probably just thrown in to confuse the public at large. She said in general it is not right to just suddenly make these changes. She noted in particular the adoption of the Council Rules where under this rule making strategy a Councilor can shut out the public and manipulate the process every four years which seem like a reasonable approach but the voter might like to have a history of guarantees of how committees are conducted. She referred to the last year where there have been times where the

public has not been giving a voice in the process and shut out and said this does not help the matter or help to build the public trust. She referred to the proposed Charter change calling for public comment at each regular meeting and said isn't that a given. She asked why you would need to implement a change when that is already a rule. She said you should have resident comments at every meeting and noted sometimes they are not allowed or moved to the end of the meeting and asked why we need a Charter change for that. She said term limits is one of the benign ones and there to confuse people. She said she hopes the citizens will come together and vote no and our voices will be heard. She commented that June Reynolds who runs the history museum in Sherwood will be having a new history camp and Sustainable Sherwood is going to have a field team and interested people can contact the history museum.

Mayor Middleton asked Council President Henderson to address the public comment issue.

Council President Henderson referred to the five changes that the citizen led Charter Review Committee recommended to Council, and said the one change regarding citizen comments is an addition to. She said in the Charter there is no mandate for citizen comment and that is why the committee wanted to put that into the Charter and said it is listed under Council Rules. She said state law does not mandate for citizen comments either so the committee thought that was important to communicate to the elected officials through the Charter by mandating that public comment be afforded at every meeting.

Naomi Belov said isn't that what a city hall meeting is all about and said it is a given and is already implied when you are having a city hall meeting. She added that the Chamber of Commerce is preparing to give out awards and hoped that they take into consideration the small businesses owners and those that work within the confines of our ecosystem and small businesses that don't clog the roads with additional traffic and that they look to a citizen that spends a lot of time volunteering and adding to the quality of life in Sherwood.

Mayor Middleton said he was also surprised that the Charter does not mandate public comments.

Councilor Folsom noted that previous Mayors have disallowed it at their whim.

Lori Stevens, Sherwood resident approached the Council and addressed the previous comments regarding the YMCA and said as the former Vice President of the Sherwood Swim Association they tried on several occasions to get a copy of the YMCA's financial records and for whatever reason were not given full disclosure or full reports. She said it is not a unique circumstance that this occurred and said she misconstrued the article and said she agreed that the company that was hired to not do an audit but to look at the contract to see if it was written clearly and they determined it was not. She said it is a known fact that the Y does not fully disclose financial records when they are requested to do so and to put the onus on the City of Sherwood to keep track of those records is silly.

Tony Bevel, Sherwood resident came forward and said he has lived in Sherwood for 16 years and is concerned about traffic and lives on SW Lynnly Way which is between Roy Rogers and Edy Road and said it is like Portland International raceway. He appreciates that the police have a patrol there trying to monitor the speed. He commented that drivers are doing California stops in his neighborhood. He said he has been told they can't have speed bumps in Sherwood and he does not understand. He has been told that we can have traffic calming devices and said he received a letter that said that action would be taken. He noted that at the end of SW Lynnly another traffic stop sign has been installed and they appreciate it.



Mayor Middleton addressed the next agenda item.

## 8. NEW BUSINESS

### A. Resolution 2014-030 Reducing Transportation System Development Charges

Councilor Langer recused himself.

Mayor Middleton said the Resolution has been changed and asked Community Development Director Julia Hajduk to distribute the proposed amendment (see record, Exhibit B). Julia said the staff report was clear as to the intent of the resolution but she realized the resolution was not as clear as she thought. She said she is proposing an amendment to Section 1 that makes it clear and she read the following language, *The City Council declares its intent that the City Transportation System Development Charge shall be charged at a rate of 50% of the adopted Fiscal Year 2013-2014 Rate Schedule effective July 1, 2014 until July 1, 2017.* She said this makes it clear that it is the Council intent and if Council adopts this resolution those changes will be folded into the fee schedule update and Council will consider that and adopt it at that time. She asked if the Council had any questions about that change and said if they are supportive they need to make a motion to amend the resolution.

Julia stated the resolution would reduce the transportation System Develop Charge (SDC) by 50% of what is currently being collected and assessed in the fee schedule. She said the Council has had several work session on this topic. She provided background and said when the City adopted the Transportation System Plan (TSP) in 2005 there was already a county wide impact fee that was assessed but did not cover even closely to the impacts of development. She said when they adopted the TSP they identified a number of projects that were necessary to support the transportation system over the 20 year planning period but they recognized there wasn't funds to do that. She stated they developed a SDC report and methodology that was adopted and intended to make of the difference of the full impact of any given use. She said the TIF was the Traffic Impact Fee assessed by the county and the SDC was making up the difference. She said since that time the TIF has been replaced by the Transportation Development Tax (TDT) and it was adopted and voted in 2008 and it increased the fees at the county level fairly significantly but still not enough to make up the difference. She said shortly after the City adopted the transportation SDC they adopted a 25% discount across the board. She noted with the TDT increasing and the SDC decreasing over time we need to readjust the numbers and the fees. She said the TDT caps uses and any given use has a certain number of trips associated with it. She stated at the county level it was capped and the SDC was intended to make up the difference and that still is the case. She stated they have looked at that and referred to page 37 of the Council packet and referred to the table that shows the comparison by categories and said the categories include residential, institutional, commercial, office and industrial. She stated that the table shows the percentage of actual costs that are covered by the TDT and the next column shows the actual percentage covered by the current City SDC with the 25% discount. She noted the third column shows the actual cost being paid for by the TDT plus the SDC and said you can see that some of the uses are paying more than their impact with the only exception being the commercial/retail uses which are still not quite paying 100% of the impact, but because of the way TDT trips are capped there is a greater proportion share being paid for by those uses and that is illustrated on page 37 also in a table that shows that for example hotel/motel impact is about \$9500 per room and the TDT rate anywhere but Sherwood in about \$1800 but in Sherwood because of the SDC methodology of making up the difference between assessed and what the impact was, users and developers would be required to by

about \$7700. She said there is a significant impact even though it is still not paying 100% of its share with the reductions and the trip caps it is still paying a higher portion of its share than others in Washington County. She said they discussed this with the Council at a prior work session and noted the Council and the staff have heard about the economic impact that developers face when they have to choose where they are going to locate and looking at the cost of things that is a disincentive for people locating in Sherwood and we want to try to level the playing field as well as making up for the categories where we are over collecting. She said the recommendation is reducing across the board the SDC by 50% and commented that there have also been simultaneous increases in the TDT and things have shifted so they looked at what the effect of a reduction would be and said they estimate that over a 3 year period you are looking at about \$1.5 million dollars that would be not assessed if you reduce the SDC by 50%. She said you are still collecting about \$1.35 million in SDC as well as \$2.6 million in TDT so there will still be funds coming in to contribute to projects. She said they recommend a limit to this reduction as they recognized that they are in the middle of updating the TSP and will hopefully have this to the Council by late June or early July. She said they will have a new list of projects to consider and they will need to reevaluate the SDC methodology and that is why they are proposing a three year period.

She recommended adoption of the resolution with the changes and said if adopted it would take effect July 1, 2014 so any building permits submitted prior to that would still be assessed at the current rate. She said there may be projects that have credits for the transportation SDC and they will be looking at a policy and a process if development wants to transfer those credits to TDT credits. She noted it is not a simple dollar to dollar so they have to clearly identify a process. She said the intent is to reduce transportation SDC by 50% effective July 1, 2014 and would be effective until July 1, 2017 unless Council took action sooner. She said staff will provide notice to potentially effected properties and will develop a policy and process to allow the transfer of SDC credits to TDT credits. She offered to answer questions.

Councilor Butterfield referred to page 38 and the third paragraph from the bottom and said it states that we could anticipate collecting \$2.6 million in SDC and \$1.9 million in TDT and asked if those figures were backwards. Julia said yes and said we anticipate collecting \$2.6 million in TDT and \$1.9 million in SDC.

Councilor Clark said a 50% reduction of 1.3 is half of 2.6. Julia responded that the TDT is not halved it is the SDC that is halved. Councilor Clark asked for clarification. Julia stated that the table is correct.

Assistant City Manager Tom Pessemier clarified that currently we anticipate without a reduction to collect \$2.7 million in SDC and \$2.6 million in TDT and with the proposed reduction it would be roughly half the revenue with \$1.35 million in SDC and still collecting the \$2.6 million in TDT.

Councilor Folsom asked if we needed to fix the language. Julia responded that it is just a staff report and it is just estimates.

Councilor Clark asked how they decided on the amount of 50%. Julia said it got us close to the residential which is how much we are over so the residential is about 54% over and to make it simple across the board they recommended doing that so it will make all of them fair. She said where they are hearing the most from is the development community and industrial uses and this helps level the playing field from an economic development standpoint. She said it ensures that it is fair for the residential uses who are contributing more than their share.

Councilor Henderson referred to the table on page 38 and noted that even though the county hasn't increased the TDT for a while it is slated to be increased. Julia said that is correct but to be conservative they kept the estimate at the current rate but do expect the TDT to go up and we will collect more over time.

Councilor Henderson referred to the bottom of page 38 where it states "limited to 3 years" and asked if the amendment to the resolution is addressing this by stating the intent is to reduce the rate 50% through a period no later than July 1, 2017. Julia said that is correct.

Councilor Henderson asked how long it would take to develop a new methodology for the SDC. Julia said it will take less than three years but three years gave them a safety and they should be able to update within the next year so it could be sooner but three years was the motivation to make sure that we had it done by then. Councilor Henderson asked if that will be done in house. Julia said they will hire a consultant to help.

City Attorney Chris Crean stated the reason for the amendment is to clear up any confusion about what document actually establishes the new rate and is it this resolution or the subsequent fee schedule. He said this is the Council's resolve that it be done and directs the City Manager to reflect this intent in the subsequent fee schedule but it is the fee schedule that will actually change the rate not this resolution. Councilor Henderson noted that we will adopt that in June when we adopt the budget.

Julia said this helps lay that foundation so that you don't need to have as much discussion of the rationale and the reason this will serve as the documentation for why, when you adopt the fee schedule.

Mayor Middleton thanked Julia for her hard work. She said City Engineer Bob Galati was very helpful and she thanked him.

Mayor Middleton asked for a motion.

Mr. Crean offered to summarize the proposed amendment for the Council. He summarized that it has been suggested by staff that the resolution be amended as follows: in Section 1 at the beginning of the text insert the phrase "*The City Council declares its intent that*" and later in that same Section 1 after the word "schedule" and before the word "until" insert the phrase "*effective July 1, 2014*" such that this section in its entirety reads; "*The City Council declares its intent that the City Transportation System Development Charge shall be charged at a rate of 50% of the adopted Fiscal Year 2013-2014 Rate Schedule effective July 1, 2014 until July 1, 2017 unless such action is taken by Council to modify the SDC methodology and calculation sooner.*" He reminded the Council that the Charter says it has to be read out loud.

**MOTION TO AMEND: FROM COUNCIL PRESIDENT HENDERSON TO ADOPT RESOLUTION 2014-030 WITH THE AMENDMENTS MADE TO SECTION 1 AS STATED BY ATTORNEY MR. CREAN, SECONDED BY COUNCILOR BUTTERFIELD, MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR GRANT WAS ABSENT AND COUNCILOR LANGER RECUSED).**

**MOTION: FROM COUNCIL PRESIDENT HENDERSON TO ADOPT RESOLUTION 2014-030 AS AMENDED, SECONDED BY COUNCILOR FOLSOM, MOTION PASSED 5:0, ALL PRESENT**

**MEMBERS VOTED IN FAVOR (COUNCILOR GRANT WAS ABSENT AND COUNCILOR LANGER RECUSED).**

Councilor Folsom asked to be excused at 8:13 pm.

Councilor Langer returned to the Council dais.

Mayor Middleton addressed the next agenda item.

**9. COUNCIL ANNOUNCEMENT**

Councilor Butterfield indicated he had no announcements.

Councilor Langer announced that Sweet Story has a ribbon cutting ceremony Thursday May 8 at 6:00 pm and encouraged everyone to come. He announced that Cruisin' is Saturday June 14. He said the annual Chamber Award Dinner in Thursday June 19 at 6:00 pm and the theme is Smockville Bonanza with western attire. He stated the YMCA will be open on Memorial Day, May 26 from 7 am to 1 pm. He stated youth T-ball is in full swing with hundreds participating and there is a teen dance at the YMCA on May 16.

Councilor Clark had no announcement as Main Street and SURPAC will be meeting this week so she will announce at the next meeting.

Council President Henderson announced that the Charter Review Committee has reconvened and will meet on May 15 at 6:30 pm and said they are reviewing other sections of the Charter that may need updating or amending and said in late June or early July they will meet with Council in order to adopt any ballot titles in order to meet the election deadlines. She commented on the Stanislawski memorial and thanked Tess Kies and said it was a great event and she was privileged to be a part of it. She stated that she attended the Law Enforcement Memorial Ceremony and said Oregon City Officer Robert Libke' name was added to that memorial. She commented on the risk officer's face and said it is open to the public and encourage others to attend.

Mayor Middleton said the Planning Commission is having a work session on Tuesday May 13 on the Transportation System Plan.

Mayor Middleton addressed the next agenda item.

**10. CITY MANAGER AND DEPARTMENT REPORTS**

City Manager Joe Gall reminded everyone that the election is May 20 and there are a number of issues on the ballot. He said the ballot box is in the parking lot and the deadline is 8 pm and he encouraged everyone to vote. He provided an update on the Dog Park and said the Parks Board recommended Snyder Park be considered as the site of the dog park. He said he signed a \$4000 contract with a design firm to do a preliminary design and a couple of neighborhood meetings to come up with a budget to put that project together. He said starting tomorrow there is a company called Pet Safe and they have a contest called Bark for your Park and you can win \$100,000 for your community to develop a dog park. He said it is an online competition that you can vote twice daily and it will go through the summer and there will be 4 runner up cities that will receive \$25,000. He encouraged people to vote and vote

often to bring some outside dollars to build a dog park. He stated that information will be on the website starting tomorrow.

Mr. Gall reminded the Council of a letter they received from the School District regarding an expiration of a reimbursement district around the Ridges school campus requesting that Council consider adding language to the code to allow for an additional extension. He said staff is prepared to bring that to Council on June 3<sup>rd</sup> but they are looking for direction from Council whether they would be open to that item publicly. He reminded them that the district will expire on March 3, 2018 and development that occurs after that date will not be required to reimburse the School District for the costs incurred constructing the infrastructure and because of the down turn in the economy there seeking some extra time for the investment they made.

Mr. Gall said the Cedar Creek Trail Local Advisory Committee will be having their first meeting next Thursday May 15 from 6:30 pm to 8:00 pm upstairs in the City Hall Lobby.

Mr. Gall announced that DEQ will be having a meeting to discuss the Ken Foster farms testing results on May 15 in the Community Room from 6:30 pm to 8:00 pm and the Charter Review Committee will meet at that same time in the small room.

Mr. Gall reminded citizens that Metro is conducting a housing preference survey which is intended to analyze peoples housing preference when factoring size, location and approximated services and approximated work and type of dwelling. He said there is a link on the website and he encouraged Sherwood residents to take the survey and said it will factor into future actions including growth management decision, UGB expansions and funding priorities. He said the survey is open until May 9 and it is important that Sherwood's voice is heard.

Mr. Gall said Councilor Clark has participated in a number of events that he would like to highlight briefly and said on April 24 Westside Economic Alliance had a County Commissioner Candidate Forum with a panel and an opportunity to ask questions and noted that we have a competitive County Commission race and Councilor Clark wanted him to encourage everyone to read the voters pamphlet and get out and vote. He commented on Trashpalooza and said Councilor Clark wanted to thank Naomi Belov and her daughter Nadia and the owner of Blue Plume Studio who started it last year and now the City has partnered with them. He reported that he attended the Sherwood High School Fiddler on the Roof production and was amazed by the talent in the community and noted that it was only the 2<sup>nd</sup> musical in 16 years and because of the success Principal Ken Bell said they would make it an annual event. He said they sold out 4 out of the 6 nights. He said Good Samaritan Faith in Action occurred last Saturday. He stated Bella Via hosted an event on May 2<sup>nd</sup> to promote and support small businesses in town and Sherwood Allstate hosted a women's business symposium to also promote and support small businesses in town.

Mr. Gall commented on upcoming events and said Sherwood FFA is having a plant sale for two more weekends, the Sherwood Charter School is having their annual dinner auction on May 10 and tickets can be purchased online. On May 17 Sherwood High School Booster Club will be having the Drive One For The School Event from 8:00 to 10:00 am at the High School. He said the first budget meeting is Wednesday May 14 and there will be a second budget meeting on Saturday May 17 from 9 am to noon and said hopefully we will get increased attendance. He said Councilor Folsom asked him to announce the VPA Spring Benefit Concert this weekend and Michael Allen Harris will be performing on Saturday at 7:30 pm and there are two other performances. He said there is information online at [vpafoundation.org](http://vpafoundation.org).

Council President Henderson reported that Sherwood is hosting the Policy Advisory Board for the Community Development Block Grant program on Thursday May 8 at 7 pm. She said CDBG is a Washington County federally funded program that has funded many projects at our Senior Center. She stated there will representatives from all over Washington County and they will be discussing projects that they fund and future funding. She said it is an interesting long standing meeting and she thanked Kristen Switzer for helping put that together.

## 11. ADJOURN

Mayor Middleton adjourned the meeting at 8:28 pm.

Submitted by:

  
Sylvia Murphy, MMC, City Recorder

  
Bill Middleton, Mayor