



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, January 16, 2024

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

5:30 pm City Council Work Session

7:00 pm City Council Regular Meeting

City Council Executive Session
(ORS 192.660(2)(e), Real property Transactions
(Following the regular City Council Meeting))

This meeting will be live streamed at
<https://www.youtube.com/user/CityofSherwood>



Home of the Tualatin River National Wildlife Refuge

5:30 PM WORK SESSION

1. **Discuss Interfund Loan**
(David Bodway, Finance Director)
2. **Cedar Creek Undercrossing Update**
(Eric Rutledge, Community Development Director)
3. **Traffic Study Update for Sunset Blvd.**
(Craig Sheldon, City Manager Pro Tem)
4. **City Manager Recruitment, Next Steps**
(Ryan Adams, City Attorney)
5. **Interim City Attorney Recruitment**
(Ryan Adams, City Attorney)

7:00 PM REGULAR SESSION

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **CONSENT AGENDA**
 - A. **Approval of January 2, 2024 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. **Resolution 2024-002, Appointing the Budget Officer for Fiscal Year 2024-25**
(Craig Sheldon, City Manager Pro Tem)
 - C. **Resolution 2024-003, Awarding a contract for the Sherwood Senior Center siding and window replacement** (Craig Sheldon, City Manager Pro Tem)
6. **CITIZEN COMMENTS**
7. **CITY MANAGER REPORT**
8. **COUNCIL ANNOUNCEMENTS**
9. **ADJOURN to EXECUTIVE SESSION**
10. **EXECUTIVE SESSION**
 - A. **ORS 192.660(2)(e), Real Property Transactions** (Ryan Adams, City Attorney)
11. **ADJOURN**

AGENDA

SHERWOOD CITY COUNCIL January 16, 2024

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(ORS 192.660(2)(e), Real Property
Transactions
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Sherwood, OR 97140**

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How to Provide Citizen Comments and Public Hearing Testimony: Citizen comments and public hearing testimony may be provided in person, in writing, or by telephone. Written comments must be submitted at least 24 hours in advance of the scheduled meeting start time by e-mail to Cityrecorder@Sherwoodoregon.gov and must clearly state either (1) that it is intended as a general Citizen Comment for this meeting or (2) if it is intended as testimony for a public hearing, the specific public hearing topic for which it is intended. To provide comment by phone during the live meeting, please e-mail or call the City Recorder at Cityrecorder@Sherwoodoregon.gov or 503-625-4246 at least 24 hours in advance of the meeting start time in order to receive the phone dial-in instructions. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their names and by their city of residence." Anonymous comments will not be accepted into the meeting record.

How to Find out What's on the Council Schedule: City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, generally by the Thursday prior to a Council meeting. When possible, Council agendas are also posted at the Sherwood Library/City Hall and the Sherwood Post Office.

To Schedule a Presentation to the Council: If you would like to schedule a presentation to the City Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder, 503-625-4246 or Cityrecorder@Sherwoodoregon.gov

ADA Accommodations: If you require an ADA accommodation for this public meeting, please contact the City Recorder's Office at (503) 625-4246 or Cityrecorder@Sherwoodoregon.gov at least 48 hours in advance of the scheduled meeting time. Assisted Listening Devices available on site.



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
January 2, 2024

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:00 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Keith Mays, Councilors Kim Young, Doug Scott, Dan Standke, Taylor Giles, and Renee Brouse.
3. **STAFF PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, IT Manager Richard McCord, Finance Director David Bodway, City Engineer Jason Waters, Economic Development Manager Bruce Coleman, City Attorney Ryan Adams, Community Development Director Eric Rutledge, Senior Planner Joy Chang, Planning Manager Erika Palmer, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.

4. TOPICS:

Community Development Director Eric Rutledge asked that the Annual Housing Report work session topic be addressed first, and Council agreed to the change.

A. Annual Housing Report

Community Development Director Eric Rutledge outlined that the Annual Housing Report was related to Deliverable 3.5.A under City Council Deliverable “Livability and Workability.” He explained that the information presented at this meeting was an overview of the 2022 Annual Housing Report and stated that the report would be revised based on the feedback received from Council. He presented the “Annual Housing Report” PowerPoint presentation (see record, Exhibit A) and reported that in 2022, the city had permitted 83 residential units, 72 residential units were constructed, and 63 residential units were approved through land use. He continued that the city had adopted legislation to comply with HB 2001 and stated that there was no significant housing legislation passed by the state legislature during the 2022 short session. He explained that typically, it took over a year to go from procuring a permit to issuing a certificate of occupancy. He provided an overview of the 2022 land use approvals on page 4 of the presentation. Councilor Brouse asked if the Sherwood Blvd. Multifamily development would be affordable housing and Mr. Rutledge replied that the units would be market-rate. Council discussed the definition of “affordable housing” and the need to pursue local and federal funding to construct affordable housing for seniors. Mr. Rutledge reported that 90% of the building permits issued in 2022 were for single-family detached homes, mainly in the Brookman area. He reported that 4% of the 83 permitted residential units and the 72 residential units constructed were for ADUs and explained that most of the ADUs were for new construction within new homes. He reported that of the 83 permitted residential units, 6% were for multifamily units and 96% of the construction was for single-family. Mr. Rutledge provided an overview of the five-year history of residential units permitted and residential units constructed and spoke on the impacts of the COVID-19 pandemic and interest rate changes from 2018-

2022. He asked for Council feedback on what additional information would be helpful to include in the Annual Housing Report. Council asked that the Annual Housing Report be published on the city's website along with a glossary of terms. Staff commented that a map of the estimated land supply could be included in the report and Mayor Rosener asked that the map be included. Mayor Rosener spoke on the usefulness of the Annual Housing Report when lobbying for funding and asked that a brief narrative be added explaining the major obstacles impeding the city's growth and development. Discussion on the usefulness of the Annual Housing Report in helping to illustrate the need for the special zoning districts and master planning of certain areas within Sherwood West occurred. Mr. Rutledge recapped that staff would update the report with the figures from 2023 and would bring the report back to Council in February or March. He explained that going forward, staff would present the Annual Housing Report to Council each year. Mayor Rosener asked that the 2023 Annual Housing Report be ready for the upcoming legislative session.

Record note: Prior to the meeting, Community Development Director Eric Rutledge provided Council with a memo regarding the 2022 Annual Housing Report (see record, Exhibit B).

B. Sherwood West Area Discussion

Community Development Director Rutledge outlined that this work session would address infrastructure funding tools for Sherwood West and the North District Refinement Study. He stated that staff needed confirmation from Council regarding master planning for Sherwood West and whether or not to submit a UGB Expansion application to Metro. He addressed infrastructure funding strategy and explained that the Sherwood West Concept Plan included an Infrastructure Funding Gap Analysis that analyzed non-local infrastructure costs; SDCs and other revenue; and also identified anticipated gaps in revenue. He reported that the Infrastructure Funding Gap Analysis had identified funding gaps for both water and storm infrastructure. Mr. Rutledge explained that supplemental SDCs had been identified as the primary mechanism for addressing the water and storm infrastructure deficits. He noted that recently there had been an increase in available state and federal funding for infrastructure, but it remained unclear on if those funds would remain available in the future. He explained that if those funding sources were not available in the future, then local SDCs were the main tool for cities to finance infrastructure construction. Council President Mays referred to increasing construction costs and asked if there was time to update the cost assumptions. He asked if there was an anticipated funding gap for transportation infrastructure and Mr. Rutledge replied that the analysis showed that there was adequate funding available for transportation infrastructure. Council President Mays commented he was also concerned about the transportation infrastructure cost estimates and Community Development Director Rutledge replied that staff would review the figures again. Planning Manager Erika Palmer added that the cost estimates would be further refined in the master plans for Sherwood West. Councilor Giles expressed concern over increasing SDC rates and the impact to development. Mayor Rosener explained that SDCs were one of the few tools that cities had left to generate funding for constructing infrastructure. He spoke on previously available Washington County funding that other cities had utilized to help finance large projects and speed up development and stated that Sherwood should also be able to utilize that funding strategy. Mayor Rosener stated that the UGB Expansion application should not state that county funding was unnecessary. Council President Mays asked that the application state that the grid was conceptual and would be updated via master planning and that staff anticipated a funding shortfall. Mayor Rosener remarked that staff should also explicitly list the funding sources the city would pursue and include the Washington County program that other cities had previously utilized. Community Development Director Rutledge stated he would update the application to cite all available funding sources and add language that illustrated the likelihood of a transportation infrastructure funding shortfall. He commented that he recommended also including the estimated construction costs for the pedestrian bridge in order to utilize SDCs to help cover some of those costs. Council signaled their agreement. Discussion regarding what TLT revenue could be used for occurred. Mr. Rutledge addressed concerns regarding raising SDC rates and commented that he believed that developers may be willing to

pay a higher SDC rate if there was more certainty around infrastructure and their ability to create a successful project. Discussion occurred and Mr. Rutledge explained that Council set the SDC rates and if Council wished to, they could set lower SDC rates for smaller businesses. He provided an overview of the list of available funding strategies on page 4 of the presentation and stated they included: supplemental SDCs specific to Sherwood West, Washington County Major Streets Transportation Improvement Program, Washington County Major Streets Improvement Program, Metropolitan Transportation Improvement Program, Regional Flexible Funding, Regionally Significant Industrial Sites Program, and other emerging sources. He explained that by having multiple types of land uses within Sherwood West, the city would be able to pursue different funding sources. He continued that other possible funding sources included Local Improvement District, utility fees, and General Obligation Bonds. Community Development Director Rutledge addressed the North District Refinement Study and explained that the purpose of the refinement study was to help define the employment uses of the area and to identify opportunities to protect large parcels. He stated that staff were reviewing Washington County employment clusters and identifying feasible industries that would be attracted to the area. He explained that one of the main purposes of completing the refinement study was to help illustrate the readiness of the area for development to Metro and help attract developers. He outlined that staff reviewed the cost and design of infrastructure and included a list of key public infrastructure projects that would be required to serve the North District. Other deliverables included parks and trails cost estimates and an update of storm revenue projections. Economic Development Manager Bruce Coleman voiced that it was important to protect the large parcels on the east side in order to provide the most flexibility for types of uses and development. He continued that to the west of Elwert could be where smaller 5-6-acre parcels could be located and commented that these types of smaller parcels were something he received calls about frequently. Mr. Rutledge reported that these updates would be added to the Sherwood West Concept Plan that would be presented to Council in March. He addressed the North District, Far West District, West District, and South District maps on pages 6-7 of the presentation and stated that staff recommended master planning for any areas that had a mix of residential and commercial and asked for Council feedback regarding master planning. Discussion regarding master planning and Development Code occurred and Council determined that they wished to master plan any area that permitted housing and retain the right to master plan any area that had the potential of permitting housing in the future. Community Development Director Rutledge commented that the City Attorney or the city's land use counsel would need to be consulted to ensure that the requirement of clear and objective standards were adhered to. He spoke on annexation and master planning and explained that he believed it was possible for some areas to be master planned and also identify areas that were to be subject to a master plan prior to annexation. Mayor Rosener asked if Council concurred with the decision to master plan all areas that included residential with the exception of mixed employment areas and Council signaled their approval. Mr. Rutledge asked for Council feedback regarding the decision to submit a full ask, partial ask, or no ask UGB Expansion application. Councilor Young stated that she supported submitting a full ask to Metro and the remaining Councilors signaled their agreement.

5. ADJOURN:

Mayor Rosener adjourned the work session at 6:58 pm and convened a regular session.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:04 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Keith Mays, Councilors Kim Young, Doug Scott, Dan Standke, Taylor Giles, and Renee Brouse.

- 3. STAFF PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, IT Manager Richard McCord, Finance Director David Bodway, City Engineer Jason Waters, Economic Development Manager Bruce Coleman, City Attorney Ryan Adams, Community Development Director Eric Rutledge, Police Chief Ty Hanlon, Senior Center Manager Maiya Burbank, Planning Manager Erika Palmer, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCILOR YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of December 5, 2023 City Council Meeting Minutes**
- B. Approval of December 12, 2023 City Council Meeting Minutes**
- C. Resolution 2024-001, Authorizing City Manager to Amend and Restate Intergovernmental Agreement between the City and the Regional Water Providers Consortium**

MOTION: FROM COUNCILOR BROUSE TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCILOR YOUNG. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

6. CITIZEN COMMENT:

Sherwood resident Nancy Taylor came forward and spoke on the funding of the pedestrian bridge project and expressed concerns on the repayment of the \$12 million to the city's Water Fund. Mayor Rosener reminded that the Council does not engage in conversation during citizen comments and this topic would be discussed at upcoming Budget Committee meetings.

Sherwood resident Jim Claus came forward and commented regarding an agreement he received from the city. He commented regarding communications with the City Attorney Ryan Adams about the agreement. He commented regarding potential litigation and depositions and filing a BAR complaint.

Mayor Rosener addressed the next agenda item.

7. PRESENTATIONS:

A. Recognition of Eagle Scout Award Recipient

Mayor Rosener recognized Lucas Stoddard for his achievement of attaining the rank of Eagle Scout.

Mayor Rosener addressed the next agenda item.

B. Age Friendly City Presentation

Senior Center Manager Maiya Burbank and the AARP State Director for Oregon Bandana Shrestha

presented information on the significance of the Age-Friendly City designation (see record, Exhibit D). They explained that the process to achieve the Age-Friendly designation encompassed a five-year continuous improvement cycle. The City of Sherwood was presented with its certification as an Age-Friendly Community.

Mayor Rosener addressed the next agenda item.

8. NEW BUSINESS:

A. Appointment of City Council President

Mayor Rosener explained that it was time to elect a Council President for the new year and asked for nominations. Councilor Young was nominated. Councilor Scott seconded the nomination. Councilor Young accepted the nomination. Councilor Brouse was nominated. Councilor Standke seconded the nomination. Councilor Brouse accepted the nomination. With no other nominations received, a roll call vote was taken, and with a 4:2 vote, Councilor Young was elected Council President.

Mayor Rosener addressed the next agenda item.

9. CITY MANAGER REPORT:

City Manager Pro Tem Craig Sheldon reported on downtown streetlights and holiday decorations. He recognized Economic Development Manager Bruce Coleman who received Washington County Economic Developer of the Year award. He reported that this was Planning Manager Erika Palmer's last Council meeting before starting her new role as Community Development Director for the City of Troutdale.

Mayor Rosener addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Council President Young reported on Sherwood Chamber of Commerce events, the City of Sherwood staff luncheon, the swearing in of a new Police Officer, recent Sherwood School District meetings, and CDBG meetings.

Councilor Giles reported that the Library Advisory Board did not meet.

Councilor Standke reported that he and his family had participated in recent volunteer events.

Councilor Scott reported on the Parks and Recreation Advisory Board. He asked that drivers be aware of pedestrians and cyclists now that the holiday break was over, and students were back in school.

Councilor Mays reported on LOC meetings and the death of previous Planning Commissioner Adrian Emery.

Mayor Rosener reported on LOC trainings, the Metro Solid Waste Review Committee, and National League of Cities.

11. ADJOURN:

Mayor Rosener adjourned at the regular session at 8:02 pm and convened an executive session.

Record note: Due to a failure of the audio system, the audio for the January 2, 2024 City Council regular session meeting recording was not produced.

EXECUTIVE SESSION

1. **CALL TO ORDER:** The meeting was called to order at 8:07 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Doug Scott, Dan Standke, Taylor Giles, and Renee Brouse.
3. **STAFF PRESENT:** City Attorney Ryan Adams, City Manager Pro Tem Craig Sheldon, and Assistant City Manager Kristen Switzer.
4. **TOPICS:**
 - A. **ORS 192.660(2)(i), Performance Evaluation**

5. **ADJOURN:**

The executive session was adjourned at 8:21 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

City Council Meeting Date: January 16, 2024

Agenda Item: Consent Agenda

TO: Sherwood City Council

FROM: David, Bodway, Finance Director
Through: Craig Sheldon, City Manager Pro Tem

SUBJECT: Resolution 2024-002, Appointing the Budget Officer for Fiscal Year 2024-25

Issue:

Shall the City Council appoint a Budget Officer for Fiscal Year 2024-25?

Background:

Oregon budget law requires that a Budget Officer be appointed by City Council or designated by the Charter for each budget cycle. The Budget Officer prepares or supervises preparation of the budget document.

City staff is recommending the City Manager Pro Tem, Craig Sheldon be appointed as the Budget Officer for the upcoming fiscal year.

Recommendation:

Staff respectfully recommends Council adoption of Resolution 2024-002, appointing the Budget Officer for Fiscal Year 2024-25.



RESOLUTION 2024-002

APPOINTING THE BUDGET OFFICER FOR FISCAL YEAR 2024-25

WHEREAS, Oregon budget law requires that a Budget Officer be appointed by the City Council or designated by Charter for each budget cycle; and

WHEREAS, the Budget Officer is responsible for preparing the proposed budget for presentation to the Budget Committee, publishing required notices, and compliance with budget law; and

WHEREAS, in the City Charter, the City Manager prepares and administers the annual city budget.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Craig Sheldon, City Manager Pro Tem is appointed as the Budget Officer.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 16th day of January 2024.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Craig Sheldon, City Manager Pro Tem
Through: Ryan Adams, City Attorney

SUBJECT: Resolution 2024-003, Awarding Contract for the Sherwood Senior Center Siding and Window Replacement

Issue:

Should the City award a contract for the Senior Center Siding and Replacement project?

Background:

This project was identified in our Facilities asset management plan for the 2023/2024 budget year.

In October 2022, the City applied for a Community Development Block Grant with Washington County. The County is an Urban County Applicant for the Community Development Block Grant (CDBG) funds under the Housing and Community Development Act of 1974 and the National Affordable Housing Grant of 1990 and received the CDBG funds for the purpose of carrying out eligible community development and housing activities under the Acts and, under regulations promulgated by the Department of Housing and Urban Development (HUD).

We applied for the CDBG through the County and were awarded the grant in the amount of \$208,635.00. We were notified in March 2023 that our grant proposal was approved for funding. Due to staffing workload, we hired Scott Edwards Architecture LLP in June 2023 to provide schematic design, construction documents, and administration services.

The City advertised in the Daily Journal of Commerce and the Portland Observer. Bids were due on December 20th with seven contractors submitting bids for the project. The lowest responsive bidder is Stotts Construction Company with a low bid of \$289,000.00.

Financial Impact:

The City budgeted \$383,635.00 for the total project costs. The funds received from Washington County for the CDBG total \$208,635.00. The contractor's total bid is \$289,000.00 and staff are requesting 15% contingency (\$43,350.00) as we expect to encounter dry rot due to the age of the building. The total contract amount, not to exceed is \$332,350.00.

Recommendation:

Staff respectfully recommends adoption of Resolution 2024-003, awarding a contract for the Sherwood Senior Center Siding and Window Replacement.



RESOLUTION 2024-003

AWARDING CONTRACT FOR THE SHERWOOD SENIOR CENTER SIDING AND WINDOW REPLACEMENT

WHEREAS, the City identified the need for repairs to the Senior Center through our Facilities Asset Management Plan; and

WHEREAS, in October 2022 the City of Sherwood submitted a grant proposal to Washington County for consideration in the Community Development Block Grant Program to replace the siding and windows at the Senior Center; and

WHEREAS, in March 2023 Washington County notified the City of Sherwood that the grant proposal had been approved for funding; and

WHEREAS, the City issued an Invitation to Bid in November 2023 and received seven (7) bids; and

WHEREAS, Stotts Construction Company was the lowest responsive bidder with a low bid of \$289,000.00.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Manager Pro Tem is authorized to award a Contract for Construction Services with Stotts Construction Company in the amount of \$289,000.00.

Section 2. The City Manager Pro Tem is also authorized to amend the Contract for Construction Services with Stotts Construction Company up to an additional \$43,350.00 (15% of initial contract amount).

Section 3. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 16th of January 2024.

Attest:

Tim Rosener, Mayor

Sylvia Murphy, MMC, City Recorder