



*Home of the Tualatin River National Wildlife Refuge*

**SHERWOOD CITY COUNCIL MEETING MINUTES  
22560 SW Pine St., Sherwood, Or  
November 18, 2014**

**6:00 PM EXECUTIVE SESSION**

1. **CALL TO ORDER:** Mayor Bill Middleton called the Executive Session to order at 6:04 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Bill Butterfield, Krisanna Clark and Matt Langer.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Finance Director Julie Blums, Public Works Director Craig Sheldon, and City Recorder Sylvia Murphy. City Attorney Pam Beery.
4. **TOPICS**
  - A. Real Property Transactions & Exempt Public Records ORS 192.660 (2)(e) & (f).

**5. ADJOURN**

Mayor Middleton adjourned the Executive Session at 7:05 pm.

**REGULAR SESSION**

1. **CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 7:10 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Bill Butterfield, Krisanna Clark and Matt Langer.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Development Director Julie Hajduk, Public Works Director Craig Sheldon, Police Chief Jeff Groth, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Pam Beery.
4. **APPROVAL OF AGENDA:**

**MOTION TO AMEND: FROM COUNCILOR GRANT TO AMEND THE AGENDA TO ADD AN AGENDA ITEM TO ITEM 7 NEW BUSINESS, APPOINTMENT OF A NEW COUNCILOR TO FILL THE POSITION VACATED BY COUNCILOR FOLSOM, MOTION SECONDED BY COUNCILOR LANGER. MOTION**

**PASSED 5:1. (MAYOR MIDDLETON, COUNCILORS HENDERSON, GRANT, BUTTERFIELD, AND LANGER VOTED IN FAVOR, COUNCILOR CLARK VOTED AGAINST).**

**MOTION TO AMEND: FROM COUNCIL PRESIDENT HENDERSON TO AMEND THE AGENDA TO MOVE YSAT OFF CONSENT, ITEM C UNDER CONSENT AND MOVE TO NEW BUSINESS, MOTION SECONDED BY COUNCILOR GRANT. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.**

Mayor Middleton addressed the next item on the agenda.

## **5. CONSENT AGENDA:**

- A. Approval of October 21, 2014 City Council Meeting Minutes**
- B. Resolution 2014-048 Authorizing the City Manager to execute an amendment to the Construction Excise Tax Intergovernmental Agreement between Metro and the City of Sherwood**
- C. Resolution 2014-070 Appointing Colin K. Woodbury to the Library Advisory Board**
- D. Resolution 2014-071 Authorizing the City Manager to take actions necessary for accepting the State of Oregon Department of Transportation's request for transfer of State road right-of-way (approx. 300-foot segment of SW Langer Drive) into City jurisdiction and maintenance control**
- E. Resolution 2014-072, Accepting tax lot 2S132CA01151 as part of the Schamburg Right of Way**
- F. Resolution 2014-074 of the City of Sherwood authorizing the City Manager to execute an amendment to the intergovernmental agreement between the City of Sherwood and the City of Wilsonville regarding cost, construction, ownership and operation of segment 3b the water transmission line between Sherwood and Wilsonville**

**MOTION: FROM COUNCIL PRESIDENT HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR GRANT. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.**

Mayor Middleton addressed the next item on the agenda.

## **6. CITIZEN COMMENTS**

Naomi Belov, Sherwood resident came forward and congratulated Mayor Elect Krisanna Clark and thanked Mayor Middleton for the Veteran's Day event. She noted Rose's provided the refreshments. She thanked all of the volunteers that supported Mayor Elect Clark's campaign and stated there are now 747 new registered voters in Sherwood. She said she is one of three candidates waiting to be interviewed by the City Council. She said she did receive notice of two other interview dates to fill Robyn Folsom's position on Council and said she notified the City Recorder and City Manager regarding her availability for next Saturday. She said she hoped that Nancy Taylor and Dean Boswell would also be interviewed. She said she does not see the rush and the election is not even certified officially by Washington County until November 24. She said the Council should allow all of the interested residents to interview. She asked if Council Henderson's accounting is up to date on her ORESTAR account and said as a citizen she is interested in knowing who her donors are and what her expenses are.

Mayor Middleton asked if a Saturday meeting was on the Council agenda or the notice.

City Recorder Sylvia Murphy responded that the Council has not determined a Saturday November 22 meeting and it has not been noticed.

Mayor Middleton asked if it was too late to notice.

Ms. Murphy stated the noticing requirement for a Council Work Session is 24 hours.

Mayor Middleton said in all fairness we should extend it so they can interview the last three candidates. He noted there is no hurry and said they could hold a special meeting during the Boards and Commissions meeting on December 2 to make the appointment and that would only hold up the process by 2 weeks and the election is not certified and he does not see the rush. He said this would be the last opportunity for the candidates and said it is important to do it the right way and interview all of the candidates. Mayor Middleton stated the following motion.

**MOTION: FROM MAYOR MIDDLETON TO HOLD A SPECIAL COUNCIL MEETING ON DECEMBER 2 AND A WORK SESSION ON NOVEMBER 22 AT 10 AM TO CONDUCT INTERVIEWS FOR THE REMAINDER OF THE APPLICANTS, MOTION SECONDED BY COUNCILOR CLARK. MOTION FAILED 2:4. (MAYOR MIDDLETON AND COUNCILOR CLARK VOTED IN FAVOR, COUNCILORS HENDERSON, GRANT, LANGER AND BUTTERFIELD VOTED AGAINST).**

Councilor Langer asked for a discussion on the motion for the public to understand their vote. He said the Council has been going through this process for the past 6 weeks and the candidates had plenty of notice and they were unresponsive. He stated the candidates that wanted to be interviewed were interviewed. He said the other candidates were trying to delay and manipulate the system. He noted there were opportunities to be interviewed and extra meetings were arranged. He commented on candidates being unresponsive and some were seen in town before and after the interviews and chose not to participate in the interviews and now they are asking for a chance to be interviewed. He said he wanted the public to know that this is clear manipulation of the system.

Councilor Grant agreed and said it is disrespectful to the citizens and it is time to put an end to the poor behavior.

Councilor Butterfield said that he would not be available on November 22.

Naomi Belov approached the Council and explained that the first interview that was scheduled for Wednesday November 12 was cancelled and the next one she was given three days' notice and she asked for more time to arrange for childcare and she was at the Tree for All tree planting event at that time.

Anthony Bevel, Sherwood resident came forward and referred to the process for appointing a new Councilor and said it was his understanding that everyone would be given a chance to interview and he thanked the Council for his interview. He said he received notice from the City Recorder days as opposed to a week to make himself available for the interview. He said the process started long ago but the notification for interviews was a short period of time. He stated he was able to accommodate but there are others that it didn't fit in their schedule. He said the notice for interviews was less than a week.

Sue Hekker, Sherwood resident approached the Council and commented on the partnership between the City and the School District and thanked the Council for their support on agreements such as YSAT and

providing a Council liaison to the School Board. She said because of the relationship between the City and the School Board, Sherwood is a better place and it has benefitted the community and the taxpayers' dollars. She thanked the Council for all of their work and recognized that it is not always a thankful position.

Lori Randall, Sherwood resident came forward and commented that the outgoing Councilors have an agenda about who they want to fill the vacant position and said they pushed through the process and it is unfair that they do not allow everyone to interview, especially when they were set up and their appointments were cancelled. She said that is a despicable way to go out.

Mayor Middleton addressed the next item on the agenda.

## **7. NEW BUSINESS**

### **A. Resolution 2014-069 Authorizing the City Manager to sign an Intergovernmental Agreement (IGA) with Washington County and the Sherwood School District to formally establish the Sherwood Youth Substance Abuse Team**

Council President Henderson asked Chief Groth to explain YSAT.

Chief Groth said over the last two years they have been working on a Sherwood Youth Substance Abuse (YSAT) Team that would be a referral point and a first stop place for young people in Sherwood that find themselves involved with substance abuse. He said the program that has been developed will address the problem of youth substance abuse. He noted Councilor Langer has served as the liaison along with School Board Chair Sue Hekker. He stated the IGA will formalize the partnership between the City of Sherwood, the Sherwood Police Department, the Sherwood School District and Washington County Juvenile Department in addressing youth substance abuse in Sherwood. He said it will establish YSAT as an authorized diversion program and that is a very important designation as these programs have to be authorized by a county juvenile department. He stated this will establish that under state law. He said the IGA will provide financial assistance from the City of Sherwood to the Sherwood School District for administrative coordination. He said the School District has agreed to provide administrative staff to help coordinate the functions of receiving referrals and processing paperwork. He said the financial impact is \$20,000 annually to the School District for reimbursement of administrative assistance to support YSAT. He noted this is not currently budgeted and if adopted it will be included as a request in the mid-fiscal year supplemental budget in December 2014.

Chief Groth said this started as a vision two years ago and the point is to create a system to help kids. He stated the three entities involved have seen increases in their data. He said the Sherwood Police Department continues to arrest more kids on an annual basis and the School District continues to send more kids home because of substance abuse and the Washington County Juvenile Department is receiving more referrals annually. He stated this program will be different and will make an impact as it will be based on help and not sanctions.

Council President Henderson asked how YSAT is unique.

Chief Groth said they borrowed components from several successful programs. He said YSAT is a unique partnership and is based solely on substance abuse. He stated it is a Sherwood based solution to a Sherwood based set of issues.

Council President Henderson asked how it will be communicated that this resource is available.

Chief Groth said that will involve marketing and stated that YSAT is a referral based program and the referral can come from anywhere. He said it is designed for first time offenses. He stated the most important thing is that YSAT encourages self-reporting and it minimized the sanctions. He said the next step is marketing and getting the community involved.

Councilor Clark commented on the goal of creating a single point of access and referral.

Chief Groth said there will be a series of access points. He said youth will have several places to go to get connected with YSAT and then a coordinator will engage with the family and discuss the program. He said this is a voluntary program and they would need to agree to enter the program. He said there would be a contract involved with the young person. He said there is not a plan at this time for an 800 number. He provided examples of access points.

Council President Henderson thanked the Police Department and the School District and Washington County for having the vision to create this program. She said this will provide a level of intervention and prevention that doesn't currently exist. She stated the community, businesses and neighborhoods will benefit and she is looking forward to seeing the outcomes.

Mayor Middleton thanked Councilor Henderson for her involvement and Councilor Butterfield for his work as the School District liaison. With no further discussion, the following motion was received.

**MOTION: FROM COUNCIL PRESIDENT HENDERSON TO ADOPT RESOLUTION 2014-074, SECONDED BY COUNCILOR CLARK. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.**

#### **B. Appointment of New Council Member**

Councilor Grant suggested that Council provide the candidates that have expressed the desire to be interviewed to come forward and be interviewed before they make the appointment. He said the interviews that have been conducted took approximately 20 minutes each.

Mayor Middleton asked candidates Naomi Belov and Nancy Taylor to come forward.

Nancy Taylor did not come forward.

Naomi Belov approached the Council and said she was not interested in interviewing at this time and needs time to prepare. She said the lack of notice is the problem.

Council President Henderson asked the City Recorder whether the application the candidates completed six weeks ago had possible interview dates and a space for the applicants to show if they were available on those dates.

Ms. Murphy said that is correct and stated there were three potential dates noted on the application.

Councilor Langer noted that the applicants had a least a couple of weeks to be aware of the potential dates.

Council President Henderson commented that the application were due on October 27.

Ms. Murphy provided the Council with a copy of the applications of the candidates that had been interviewed and the candidates that had not been interviewed, minus the applications of those candidates that appeared to have received a majority of the votes on the November ballot (see Record, Exhibit A).

Councilor Grant said the Council is familiar with all of the applicants and he said he is able to make a decision.

Mayor Middleton said this is the first time he saw all of the applications.

Councilor Langer stated the applications were emailed to the Council a few weeks ago.

Mayor Middleton said he watched the video of the interviews he was unable to attend and that was helpful.

Council President Henderson referred to the Mayor's proposal to have another session on Saturday and noted that she was also not available on that date. She commented on his suggestion to have a regular Council meeting on December 2 to appoint someone.

Mayor Middleton said that was a suggestion and is now willing to do it tonight.

Council Grant stated they came here to vote.

Councilor Henderson said it is short notice and there are two applicants in the audience that have not been interviewed and asked Nancy Taylor if she is not interested in an interview or not interested in an interview now.

Nancy Taylor responded that she is not interest in an interview tonight and noted that the citizens present are interested in the Area 59 topic.

Councilor Henderson suggested arranging the agenda and addressing the Area 59 issue first. She said her concern is this process will drag out and said last night five Councilors attended the work session and interviewed Beth Cooke who made special arrangements to be available. She noted that not all of the candidates were able to come. She referred to Mr. Bevel's question of does all the Council have to vote on the appointment. She said the Council does the business of the City with a quorum.

Councilor Clark said she hears the concerns of the applicants and it was a condensed amount of time and said she was unable to attend the Saturday meeting. She said the candidates feel that it is marshalled through and the process does not need to be marshalled through. She suggested taking our time and interviewing the applicants when they are available and not just a three day notice. She said it does not need to be that type of process. She commented that if that is the process the quorum wants to push through then that is the process.

Councilor Langer said they have taken a lot of time and everyone that wanted to get interviewed came to the interviews. He said there were plenty of opportunities available and someone is trying to manipulate the system and he suggested doing the business of the City and moving forward.

Councilor Grant provided an example of the Council accommodating a candidate's schedule. He said there was not communication or cooperation with the applicants who did not get interviewed in the time before this meeting. He stated this has been gamed and they know the candidates and came here to vote and said they should award the people that made the interviews a priority. He said he is prepared to vote.

Councilor Langer agreed.

Councilor Butterfield noted that this is a two to three month appointment and there will be an election for the remainder of the term. He encouraged those interested to run for the position in March.

Mayor Middleton stated that he spoke with Beth Cooke and she clarified that she would run for the position in March if she is selected to fill the vacancy.

Council President Henderson referred to the comment that the election is not certified and she stated that the election and the appointment are mutually exclusive. She said statistically the election results are not going to change and commented on the 50 to 60 ballots that are either not signed or unaccounted for.

The City Recorder said about a week ago Washington County indicated that there were 60 to 70 ballots that were not yet verified for Sherwood. She said there were about 2000 in Washington County and approximately 13,000 statewide. She stated she spoke with the County today and the deadline was 5 pm today to remedy all of those ballots. She said she is not sure of the county's process to verify but understands that they notify the individual signers to verify the information. She stated the county has to meet state statute and the deadline is today.

Councilor Langer asked how many days did those voters have to respond.

Ms. Murphy said she does not know the timeline and does not know the county's process to notify the individuals.

Council President Henderson clarified that it required those voters to physically go to the county office.

Ms. Murphy said she does not know the County's process.

Mayor Middleton asked Ms. Murphy to explain the process to appoint.

Ms. Murphy said if the Council chooses to move forward in the appointment process it is a balloting process per the Municipal Code. She said she would provide the Council a ballot with the applicants names. She stated it is not an anonymous ballot and must be signed by the Council members. She said she would tally the votes and the votes will be read aloud. She stated the Council will continue to vote until they reach a majority on an applicant. She said if the Council decides to move in that direction she is not prepared with ballots and will need a 15 minute recess to prepare the documents.

Mayor Middleton suggested that the Council move to the next agenda item in order to allow time to prepare the documents.

Council President Henderson suggested taking a 5 minute break to allow the City Recorder to start preparing the documents.

Councilor Grant said it would benefit staff if the Council made the nomination for who goes on the ballot before the recess.

Council President Henderson said she would assume that everyone that applied would be on the ballot.

Councilor Grant recommended nominating all candidates because some feel that they did not have a chance to be interviewed and we don't want to rule them out at this late stage. He said they have all submitted applications and the Council knows them all and they are prepared to make a decision based on good information.

With no questions from Council the following motion was received.

**MOTION: COUNCILOR GRANT NOMINATED EVERY APPLICANT EXCEPT THOSE WHO HAVE WITHDRAWN, SECONDED BY COUNCILOR BUTTERFIELD. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.**

Mayor Middleton called for a recess at 7:50 pm.

Mayor Middleton reconvened the meeting at 8:02 pm and read a proclamation for Human Rights Week not listed on the agenda. He proclaimed the week of December 7-13 to be Human Rights Week and December 10 to be Human Rights Day. He asked the representative to come forward.

Lauri Stewart approached the Council as the Vice Chair of the Washington County Human Rights Council with her colleague Lee Blevins and thanked the Council for the proclamation and noted it has been a tough year for human rights around the world. She said their members include law enforcement, education, state government, service providers, and communities of faith. She said they track and try to stay aware of what is going on in the community and said there are issues that are worth fighting for. She said she appreciates the support and announced that there will be a survey to identify key human rights issues so they can start to concentrate their efforts in a collaborative way. She said they normally have a student poster contest in December and will send the City a poster.

Mayor Middleton addressed the next item on the agenda and asked the City Recorder to read the Public Hearing statement.

## **8. PUBLIC HEARING**

### **A. Resolution 2014-073 Extending the Area 59 reimbursement district by 5 years to March 4, 2023**

Community Development Director Julia Hajduk said the issue is whether or not to extend the Area 59 reimbursement district by an additional 5 years to the year 2023. She said the Area 59 reimbursement district was formed when the School District constructing Edy Ridge and Laurel Ridge schools and they oversized infrastructure to accommodate the development of the entire area and there are 12 properties involved. She said a 5 year extension is allowed by the Municipal Code 13.24.100.H subject to the Council finding that two standards have been met. She stated one is the demonstration of good cause for the extension and the other is the value of the improvement to the subject properties remains sufficient to warrant the reimbursement. She stated those are the criteria to consider. She noted there is a lot of discretion in how you determine but those are the criteria. She said the School District submitted a



request asserting that the criteria have been met. She stated that she, the City Engineer and the Public Works Director reviewed the request and information and concurs with the School District's assertion. She said this is documented in Exhibit A to the Resolution which is page 54-55 of the Council packet. She noted they have also received 3 written testimonies prior to the meeting and said she could respond to the comments if the Council needed and noted that they are not being asked to reconsider the original reimbursement district or the original methodology for assigning costs and said those decisions were made in 2008 when the reimbursement district was initially formed. She recommended opening the public hearing for testimony and said she can then respond to any questions the Council may have.

City Recorder Sylvia Murphy clarified that the documents the Council received were the written testimony that they received via email and they include three testimonies that will be included into the record, (see Record, Exhibit B from Marvin Mandel, Exhibit C from Nancy Mandel and Exhibit D from David Mandel).

Mayor Middleton opened the public hearing and stated that a group asked to be represented by their attorney instead of individually. He offered 15 minutes for testimony.

John Rankin approached the Council and stated that he would speak on behalf of the 20 citizens in the interest of keeping testimony to a minimum. He asked for 20 minutes. Mayor Middleton agreed and asked the School District representative to come forward.

Phil Johanson with the Sherwood School District approached the Council and stated that on March 4, 2008, the Sherwood City Council established the Area 59 Reimbursement District. He said it was established as a result of constructing the Edy Ridge and Laurel Ridge schools and the City determined that the School District expended \$1.73 million to build public improvements that were eligible for reimbursement. He said on March 25, 2014 the School District requested that the City consider modifying the Municipal Code to permit extending the duration of a reimbursement district. He noted in that request they said they anticipated asking for a 5 year extension. He said on June 3, 2014 the City Council approved an ordinance amending the Municipal Code to authorize an extension and set two criteria; demonstrating that additional time was warranted and that the value of the improvements are still in existence. He stated on October 13, 2014 they submitted a letter requesting this public hearing and said the letter documented the two criteria for granting an extension were met. He said they demonstrating good cause and particularly what is being described nationally as the Great Recession which curtailed development within the City. He stated residential construction permits for the 5 years subsequent to 2008 were 22% of residential permits and for the 5 years preceding 2008. He stated the School District has only recovered slightly less than \$200,000 of the initial \$1.7 million. He said the decline in the permits demonstrates the good cause. He referred to the value of the improvement sufficient to warrant reimbursement and said a firm concluded that the values of the improvements are sufficient and they will present that information. He asked the Council to approve the extension and stated that if the extension is granted the School District will not ask for another extension on this particular district.

Ben Austin with Harper Houf Peterson Righellis, 205 SE Spokane Street Suite 200, Portland, Oregon came forward as a representative of the engineering firm that performed the analysis to determine if there was still value in the improvements. He referred to the basis of developing a 10 year reimbursement district and said 10 years in the engineering community is a good timeframe and as property develops you see patterns change and evolve and beyond that you would not necessarily see the improvements meeting all of the patterns for the streets that are out there. He said in this case it has gotten stagnant

over the last five years and it makes sense to extend it another 5 years. He said the value of improvements extend beyond just the original costs and referred to less risk.

Kelly Hossaini with Miller Nash law firm approached the Council and said she represents the Sherwood School District. She said she was the attorney that represented the School District on the reimbursement district when it was formed in 2008. She stated she has read most of the testimony that has been submitted and said much of it pertains to issues that were thoroughly litigated over a period of two years in 2008 and 2009. She said when the reimbursement district was formed there were a couple of property owners that took the reimbursement district to circuit court and did not win, then they took it up to the court of appeals and did not win, then tried to get the Oregon Supreme Court to take the case but were denied. She said the issues that were litigated ran the breath from constitution issues to fairness issues to how much the reimburse district costs. She said none of these issues are before you tonight. She stated the School District is responding to two approval criteria that are contained in the Municipal Code and that is the only relevant criteria to this application. She stated the first criteria is whether there is a good reason for the requested extension and the second is whether the value of the improvements to the property remains sufficient to warrant reimbursement. She said the evidence in the record demonstrates that both criteria are met and they have submitted engineering information and the City Engineer, Public Works Director and planning staff have concurred. She addressed a few issues raised in the objection letters. She referred to a fundamental mischaracterization that this reimbursement district is requiring property owners to pay for something that would not have otherwise had to pay for and that their properties do not continue to benefit from. She said if the district had not extended the water, sewer, and storm water infrastructure and built Cooper Terrace the new development in that area would have had to do so and would have had to do so at a significant cost. She said without these improvements already having been build a potential developer would have offered a price for the property commensurate with having to pay for to build those improvements to serve the development. She said as it stands now the price of the infrastructure is still deducted from the value of the property it is just that the developer doesn't have to build the improvements because they have already been built. She referred to Mr. Austin's remarks and said one of the positives for the developer is there is a lot of risk when you come in and try to determine through a land use process or engineering review what is going to be required and how much it will cost. She said all that has been done and the district spent several years working with the City and going through the land use process, constructing these improvements and doing everything a developer would otherwise have to do. She stated repayment for that is not included in this but there is a definite upside to a developer looking to develop one of these properties because the infrastructure is now in place. She said back in 2007 when options for building the infrastructure were being considered one option was for establishing a local improvement district. She said a local improvement district is where to City builds some or all of the necessary public infrastructure improvements to serve an area and the cost of the improvement is lien to the benefitted properties and the lien is then paid off over a period of years by the properties. She said a reimbursement district is a similar concept but the reimbursement is a fee and not a lien and only comes due if and when a property is developed and not something that has to be paid back right away. She said in this case the School District decided it was fairer to the property owners not to collect unless development occurred. She said the concept remains the same and the same general principle it is just that the School District made the improvement versus the City and what came out of that was a fee and not a lien on the property. She said there are properties that are benefitting from the improvements and are continuing to benefit from these improvements and they should pay for the improvements. She stated the benefitted property owners for the reimbursement district are only being asked to pay their fair share of the infrastructure that was built and paid for by the Sherwood School District taxpayers. She stated the taxpayers built the infrastructure that any

redevelopment in the area will be relying on and to not require that development to reimburse the School District for that infrastructure is essentially giving those property owners a windfall at taxpayer's expense.

John Rankin said there are members of the Mandel family that he is not representing and asked if they could approach the Council first. Mayor Middleton called them forward and said they will have 4 minutes each.

PK Mandel, 4136 SE Stark Street came forward to testify against the extension. He stated the extension time period creates an additional burden on the landowners without an additional benefit and when the reimbursement district was created in 2008 the School District proved to the City that the burden placed on the landowners was commensurate with the benefit the owners were receiving. He said the landowners were third party beneficiaries in what was a contract between the developers and the City. He stated the new resolution is a new contract between the developer and the City in which the School District must prove that the landowners are once again third party beneficiaries but clearly they are not. He said under the original resolution the reimbursement fee on April 1, 2018 would be \$0 and under this resolution the fee for the Mandel family on that date will be \$1.3 million including interest. He said since no new additional infrastructure is being constructed the City would be imposing a substantial additional burden on the landowners without any additional benefit. He stated the City is imposing an additional burden on the Mandel family with no additional benefit to the City. He said our nation was founded on the principle that the government cannot make burdens on citizens unless there is a benefit to the government imposing the burden. He said the City benefitted from the original reimbursement district by the construction of City infrastructure. He noted there are not additional City benefits being made with the extension. He said this resolution places a large burden on the Mandel family with no benefit to the government imposing the burden. He stated the reimbursement fee is so large right now, \$1.2 million including interest for the Mandel family, that no one is interested in buying the property. He said according to the SSD land appraisal the Mandel family has 14 acres of developable land and that makes the current fee \$85,000 per acre. He stated the original intent of reimbursement district was to promote development. He said the present reimbursement district has already delayed development until 2018 and if there had been a smaller fee attached to the Mandel land it would be in development by now. He said it is the reimbursement fee, not the recession that is now delaying development. He said this extension will probably delay development until 2023. He noted they have planned their lives based on the City's promise that the reimbursement district will expire in 2018. He said the family wants to move forward and does not want to be trapped for another five years.

Randy Kieling Sherwood resident approached the Council as a representative of the late Nancy Kieling who was his wife. He said she was the one who went through this process. He stated the school has cut up his property and developed it as they saw fit and now want them to pay for it and pay for it with interest. He gave an example. He said when they lost the battle they were willing to do the 10 years and then move on and now there are ordinances to allow another 5 years. He stated this is not fair and he would like to move on.

Nancy Mandel, 560 SE Alexander, Corvallis, Oregon came forward and said she objects to the extension. She said according to the letter signed by Mayor Middleton on June 3, 2014 the ordinance amendment allowing reimbursement district time periods to be extended was passed specifically to apply to the area 59 reimbursement district of 2008. She noted the affected landowners were never informed that the City was considering such an amendment, that a hearing was scheduled, or that the amendment had passed. She said the Mandel family owns 64% and this ordinance was written primarily for them but they had no knowledge of its existence. She said this may satisfy the legal requirement for notification but it would

strike most people as unfair. She stated the new ordinance should not be applicable to districts created before June 2014. She said normally when the City does a change to the building code it does not apply to existing buildings. She stated the Mandel reimbursement district was created in March 2008 which was a contract stating that the time period was fixed at 10 years. She said the ordinance as written could be applied even after the initial time period has expired and the School District could have waited until 2022 to apply for the extension and by that time the land could completely develop under the impression that the time period expired in 2018. She said the resolution creates an unlawful taking of land and when the school district condemned the land to build Copper Terrace Road it paid due compensation to the landowners, the Mandel family. She said included in the Mandel reimbursement fee is the School District's costs of purchasing the land from them and the City expects the Mandel family to reimburse the school district the cost of buying Mandel land plus 4% interest. She said the owners complained that this was contrary to amendment 5 of the US Constitution outlawing the taking without just compensation since they would essentially receive no compensation for that land. She said the City successfully argued that it was not a taking because the reimbursement fee was easily avoided by waiting to develop until after the 10 year fixed time period. She stated now the City is considering the time period so it is clearly not fixed. She said since the City can write another ordinance in another 5 years to extend another 5 years the period may be indefinite. She said improvements depreciate with time and in 2023 the road and other improvements will be 15 years old and stated there is nothing in the extension ordinance allowing for the decreased value of the improvements. She said the landowners have thus far received no benefit from the road or any improvements yet if they develop they are expected to pay for the improvements as if they were new. She stated making a change in the time period is in violation of a verbal guarantee made by the City to the owners in 2008. She said on March 11, 2008 the Mandel family met with City officials to complain about the reimbursement district and the size of the fee and to request modifications. She stated the City officials told the family that if they didn't like the fee just wait 10 years. She said the City said they would not make any changes to the reimbursement district and that the fee and time period are fixed and the landowners should plan accordingly. She said the owners have arranged their lives with this expectation. She referred to the School District's application where they state they want to extend for an opportunity to address capital needs within the district. She said that would be true for funding from any source and targeting the Mandel family is fundamentally unfair.

David Mandel, 560 SE Alexander, Corvallis, Oregon came forward and said he is from Sherwood and it is an honor to see a school on property he once owned. He said the School District is breaking promises they made. He referred to a 2008 City Council meeting and read comments made by Kelly Hossaini from the School District: *"I'd just like to touch on one point that Mr. Robinson made, which is after the 10 years have elapsed, that the district would be able to develop those ball fields with impunity, I guess, and not have to pay for charges to the reimbursement district. Well, that's true of every other property owner out there, too. Mr. Rasmussen could wait 10 years to develop his property and hook in. There are probably some property owners out there that are planning on doing just that."* He referred to the same meeting and read comments made by Mayor Mays: *"if I were the Mandel's, I would hold on to it for 10 years."* He said there have been many statements over the years along those lines. He stated his other argument is that the reason the School District has only received \$200,000 or 12% of what they expected to receive has nothing to do with the Great Recession and has to do with the Mandel's changing their minds on developing and decided to wait the 10 years. He stated that is not the School District's case and the ordinance says they need to have a good reason for their decision. He said contrary to the documents submitted by the School District, the Mandel's unwillingness to develop the land has nothing to do with the Great Recession and noted that they do make up a bulk of the money that is due. He said the Mandel family has accepted their losses and decided to exercise their legal right to not develop as long as they are liable for a reimbursement fee that they consider to be unjust. He said extending the duration of the

reimbursement district beyond the original 10 year duration would be unlikely to generate any addition revenue to the Sherwood School District and would be a way of punishing the Mandel family for exercising legal rights that the City or the School District does not want them to exercise.

John Rankin approached the Council and stated he is a land use attorney and is representing 20 individuals. He said this is not an indictment against the City or the School District. He said he speaks for the clients he represents which are Jane and Marvin Mandel who are 75% landowners of the Mandel family farm and Lowell Labahn who is the owner of Edy LLC. He said the Mandel family and the Labahn family have a lot of respect for the School District. He said this is about fairness, appropriateness, and substantial evidence in the record. He stated the Mandel family owned 28 acres and were placed inside the UGB and a concept planning process began. He said the School District planned on putting schools on these 90 acres. He said the School District decided they wanted their school site on Edy Road and took the entire Labahn property and that was the original proposal. He commented on the process and said in the final concept plan the School District agreed to be pushed back into the SE corner of the property which freed up land for the Labahn's and the Mandel's to develop in the future. He said there was a process of annexation and these properties were brought into the city limits which was a benefit to the properties. He said they then sold some property to the School District and the reimbursement district was formed. He said they challenged the reimbursement district on one issue which in contrary to what Ms. Hossaini said early. He stated they litigated against a \$440,000 reimbursement fee against a 440 foot long strip of the Mandel property which is \$1000 a foot. He said that is what they appealed and they lost because the City spread the street reimbursement across the road and spread it on the 22 acres which is the Copper Terrace improvement. He said characterizing their appeals as something that was litigious for no apparent reason is wrong. He provided the Council with a document (see Record, Exhibit E) and said the reimbursement district is 53 acres and the Labahn's and the Mandel's own 27 acres which is 51% of the land. He said the Reimbursement District was formed in 2008 and the fee applied to the Mandel and Labahn property was \$1,083,000 and that was 73.5% of the total reimbursement fees to be paid by all property owners in the reimbursement district. He noted they own 51% of the property and have 73.5% of the assessment. He said the 73.5% does not include the School District and said the School District included its property in the reimbursement district but a reimbursement district would not work if the School District paid into the City its reimbursement district SDCs and then received those SDCs back. He commented on manipulation of the figures. He said there is a 4% interest rate applied every year and if you take the \$1,083,000 that was the original assessment fee and multiply it by 4% you get \$43,000 each year. He said it has grown by about \$250,000 at this point. He referred to the infrastructure and said it is degrading. He said underground infrastructure has a design life of 50 years and street improvements have a design life dependent on maintenance and repair. He said by his calculation, 6½ years into a 50 year life for the underground puts us at 13%. He said 4% is being added every year to the cost to his clients if they chose to develop and get a permit and then you have system degrading at 13% and you have a School District that has paid for all of the infrastructure including the extra capacity that they have provided to his clients and said all of those costs are paid for by bonds. He said the School District is getting the bonds paid by the taxpayers and you have costs increasing to the Labahn and Mandel family and the system degrading overtime and not worth what is was and the property owners that develop will have to pay for it like it was new. He said these were set up to adjust for inflation so the 4% may have been accurate in the beginning.

He said the burden that the Mandel and Labahn families have is that they cannot pull a permit without triggering a reimbursement fee and that is why they chose to hold the property. He referred to previous comments by David Mandel regarding the comments by Kelly Hossaini and Mayor Mays and said he has a copy of the transcript from that meeting. He quoted Tom Pessemier who was the Community

Development Director at the time as saying, *“the resolution which we have prepared for your consideration requires -- in there we put an agreement – a clause in the agreement that requires the city and school district that fields will not connect to sewer water, so this is in the next 10 years.”* He said the School District used the 10 years in the reimbursement district itself by not including the ball fields for sewer and water purposes in the reimbursement so that they can connect in 10 years. He continued quoting Tom as say, *“So written into the Resolution is a requirement that would be to the agreement with the school district, that there is a limitation that would not allow them to hook into the sewer, the water systems, for 10 years. And I should mention – I didn’t at the beginning – that these Reimbursement Districts are usually in place for 10 year after the adoption date. So after 10 years, there wouldn’t be any restriction on any developers within the district to develop with proportionate costs”.*

He commented on the notice and stated that none of his clients received any notice of the ordinance to add a 5 year extension in June. He said he saw it on the website and informed the clients and called City Attorney Chris Crean and discussed it with him and decided to wait until an application was presented. He said there are three criteria, not two, in the Municipal Code 34.24.100(H) and the first criteria is the useful life of the improvements and said there are no facts in the School District’s report that support the useful life of the existing improvements. He said each category the improvements are not described in detail with any reference to standard design life for the service that is being provided or comparisons to the existing conditions and no evidence to existing conditions. He said the Sherwood Municipal Code requires that the district provide information and that means evidence and facts to support a conclusion. He said the second criteria is to provide this information regarding the continuing benefit to the subject property and stated there is no evidence in the report that there is continuing benefit to the property. He said the third criteria is to provide information of why there is good cause for the extension and they are stressed that the great recession halted development and said they have a flawed methodology and characterization. He stated the cause has to relate directly to the reimbursement district and noted the great recession has nothing to do with what is happening in Area 59 and it has predominantly to do with a huge fee that 51% of the landowners said was too much and decided to hold their property based on representations that were made by the City and others. He referred to the documents he provided that include a list of subdivisions that were approved from 2004 to 2014. He said there have been 17 subdivisions approved between 2004 and 2006 and he offered that those were on vacant available usable land and those lands have been used up. He stated on January 15, 2014 Assistant City Manager Tom Pessemier and Community Development Director Julia Hajduk attended a School District Special Work Session and presented a 2 to 5 year outlook and said Ms. Hajduk noted that there were no formal applications submitted for land development but the City anticipated that 180 units will be approved and developed within a 2 to 5 year timeframe. He said that is 36 building permits per year and said the City doesn’t have buildable land and has not had an annexation recently and he said it is a buildable lands inventory issue that explains the building permit situation and not the great recession.

He said they are exploring and have submitted records requests to the City and the City has 5 business days to respond and will provide records with 20 days. He noted they only had an 11 day notice. He referred to the burden being placed on the Mandel and Labahn family and said there should have been more notice. He said the notice and the right to comment has to be commensurate with the right being hinged upon. He commented that they have spoken with Kelly Hossaini with the School District and they have ideas about possible compromise and ways to reach a settlement. He said one idea that he did not discuss with Ms. Hossaini is that if the City is going to grant this approval and grant a benefit to the School District then it makes sense quit pro quo to grant an equal or similar benefit to the Mandel and Labahn family. He said if the grant is 5 years then all of the property owners in the reimbursement district should have their interest rate waived from the beginning. He said that seems minimal. He said if the

Council is going to make a decision tonight he requested they deny. He said if the intent is to approve this application he requested that they grant a waiver of the 4% interest rate from 2008 to the present. He said a final alternative is to request a continuous to give everyone more time to find a reasonable conclusion.

Mayor Middleton said he spoke with the Council President and they received a lot of this information today that an extension is deserved. Council agreed.

Councilor Grant said he agrees and asked Mr. Rankin if these costs, not including interest would have been borne by the landowners at some point. He referred to the School Districts comments regarding the same math with or without the reimbursement district and asked Mr. Rankin if he agrees.

Mr. Rankin said it is not quite as simple as that and it depends. He said because the schools were placed in the SE corner of the project they had to put in significant infrastructure so they formed a reimbursement district. He stated developers are used to paying something for offsite construction and bringing extra capacity but not \$1.2 million and gaining 4% a year and it looks more like they have taken a loan from the School District for that extra capacity and if they wait they get it forgiven and if they don't they have to pay it and negotiate with the developer. He said this is an encumbrance on the property owners and something that has to be paid in order to develop the property or to sell it and develop it always lowers the price.

Council Grant stated he has a lot of questions and said it may be something for a future Council and he fully supports waiting. He said over the 12 years he has been on Council there are certain meetings that he will remember and one involved this property and he commented on the changes that we brought to those affected by our growth particularly the gentlemen who is in the back tonight. He commented on a moral obligation and setting aside what the courts have said he asked now what is morally right and said he hopes that future Councils come up with the right decision on this issue.

Mr. Rankin said that the gentleman in the back is Lowell Labahn and his sole comment was, "They set the rules why don't they live by them".

Mayor Middleton said the best hope is they are able to come to an agreement with the School District. He said the Council will keep the record open.

Ms. Hajduk asked for clarification before the Council makes a motion to continue to clarify when they are continuing it to.

Council Grant said he supports continuing to a date not certain.

Ms. Hajduk asked if the Council is continuing the hearing or leaving the record open. She said if you continue to December 16 and don't close the record in any way then on December 16 the Council could take additional testimony.

Mayor Middleton suggested continue to December 16 and then leave it open only for written until the next Council comes in to make the decision if we wanted to.

Ms. Hajduk reminded the Council that the Councilor Elects would need to review all of the record from this meeting and December 16 and be prepared to make a decision at some point in the future. She noted it would put burden on the future Council.

**MOTION: FROM COUNCIL PRESIDENT HENDERSON TO CONTINUE THE PUBLIC HEARING REGARDING RESOLUTION 2014-073 UNTIL OUR NEXT SCHEDULED MEETING WHICH IS DECEMBER 16, SECONDED BY COUNCILOR BUTTERFIELD. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.**

Mayor Middleton recessed the meeting at 9:10 pm.

Mayor Middleton reconvened the meeting at 9:20 pm and returned to the New Business item B.

### **B. Appointment of New Council Member**

Mayor Middleton said the Council will appoint a new Councilor and there will be a March 2015 election to fill the position. He asked the City Recorder to pass out the ballots. He said he watched the interviews at the meetings he was unable to attend. He stated they interviewed Beth Cooke yesterday and he also reviewed all of the resumes and said he appreciates everyone that came forward willing to serve. He reminded everyone to get involved in the community and said there will be a number of Boards and Commission positions available.

Councilor Grant asked if we are going to discuss the votes.

City Attorney Pam Beery suggested the Council discuss and have an introductory discussion of the process.

City Recorder Sylvia Murphy said the Council has a blank ballot (see Record, Exhibit F) and said it is noted that this is round 1 of voting in case there are multiple rounds. She said the ballot has to indicate their name and they need to vote and return the ballots to her and she will indicate the votes on a tally sheet (see Record, Exhibit G) which will be part of the record. She noted in the event of a tie vote the Council will continue to vote until the tie is broken. She said at the conclusion of the voting if there is a majority for a particular candidate she has a statement that the Mayor can read referencing the Charter and the Code to place that individual into their position. She said she provided City Attorney Beery with an Oath of Office if the Council chooses to swear in that individual tonight. She reminded the Council that the Oath of Office does not have to happen in a public forum but must be done before the individual is seated in the position.

Mayor Middleton suggested that they justify their votes and said it is an important part of the process.

Councilor Grant said the interviews were compelling and everyone did an excellent job. He said it is important to have someone that can jump right in since it is only a 4 month period. He referred to the will of the voters and said the 4<sup>th</sup> top vote getter by far, less than 100 votes was Dan King and that is who he will vote for.

Councilor Langer commented on the interview process and quality of the candidates. He said it is a short appointment and experience is important so they can take care of work quickly. He stated he is voting for Dan King.

Councilor Clark said she was not happy with the process of the interviews. She said she did watch the video. She stated she would not choose the 4<sup>th</sup> top vote getter because some of the names on her ballot



were not on the November ballot. She stated they should choose the individual with the best ability to fit the position and she voted for Beth Cooke. She said she has experience and interviewed well and is very articulate. She stated she is involved here at the City and at the State level and would be a great addition to the Council. She said this is a short appointment then the citizens will decide.

Mayor Middleton said he also recommends Beth Cooke. He said if you read the resumes hers is the most outstanding with an MBA in Business Administration and she is currently on the Planning Commission and has contacts that we could use and is aware of the TSP and is up to date on the current issues. He said she would make a great full time Councilor and giving her the chance to do a few months would be helpful. He said his top three would have been Renee Brouse, Tony Bevel and Beth Cooke and he chose Beth Cooke as the best choice. He encouraged the other candidates to come back as there will be another opening in January. He stated his vote is for Beth Cooke.

Councilor Butterfield said one of the questions on the application asked if the applicant planned to run in the March 2015 election. He said there were only two applicants that said yes and that was how he narrowed it down to those two applicants. He stated from there he considered who had the most experience and it was between Beth Cooke and Dan King. He said he could not get Beth Cooke to commit to whether she was willing to run in the election at the time so his vote is for Dan King.

Council President Henderson said she enjoyed the interview process. She referred to the last time there was a Council vacancy and said there was one night to interview as opposed to offering four nights for this process and that is an improvement. She said they had the flexibility to ask different questions this time and that was also an improvement. She commented that people are rewarded for effort and referred to tenacity, effort and commitment and said that shows an indication of present behavior which would be an indication of future behavior and she commended those that filled out the application and indicated what nights they were available and committed to the night or day they were available. She said that was an important aspect of the application process. She commented on her experience in Human Resources and noted when an applicant said they were available and did not make the interview that made an impression on her. She referred to coming into an elected official seat and said it takes commitment, tenacity, flexibility and ingenuity. She said she was also interested in applicants that were interested in a long term commitment as opposed to a short term commitment. She stated the applicants that said they were going to run in the March 2015 election showed to her that they did not fill out the application lightly and knew that it was potentially an appointment that led to an election and potentially a 1½ year commitment. She said those are the criteria that she used to make her choice. She encouraged those that are interested in serving to consider a Boards and Commissions position. She noted that some of the applicants had good ideas about how to reach out to the public and get input and is considering adopting some of them herself to get feedback from residents that don't normally attend a meeting. She said it has been a six week process and the Council has work to do and it is better to have representation of a larger Council as opposed to a smaller Council. She stated she is proposing that the Council move forward with the appointment and then staff will have an opportunity to prepare for a March election as well as a May election. She said this is not only a March opportunity but a May opportunity for those interested. She stated the deadline for filing for the March 2015 election is January 8. She said she would cast her vote on the ballot.

Ms. Murphy stated that she would have City Manager Joseph Gall read off the ballots and she would tally the votes.

Mr. Gall read the ballots in no particular order: Councilor Clark voted for Beth Cooke, Mayor Middleton voted for Beth Cooke, Councilor Langer voted for Dan King, Councilor Grant voted for Dan King, Councilor Butterfield voted for Dan King and Council President Henderson voted for Dan King (see Record, Exhibit G). Dan King received 4 of the 6 votes.

Mayor Middleton asked Dan King to come forward and be sworn in. He asked Council President Henderson to read the statement and excused himself from the meeting due to illness.

City Recorder Sylvia Murphy noted that she has asked City Attorney Pam Beery to perform the Oath of Office.

Mayor Middleton congratulated Dan King and left the meeting at 9:32 pm.

Council President Henderson read a statement, "Pursuant to Sherwood Municipal Code Chapter 2.04.034 Daniel King had received the highest number of votes and hereby declared to be appointed to the fill the vacancy created by the resignation of Robyn Folsom' term which is due to expire December of 2016. Daniel King will be seated as a City Councilor upon taking an oath of office scheduled for November 18, 2104. Pursuant to City Charter Section 32, the appointee's term of office runs from the appointment until the vacancy is filled by an election or until the expiration of the term of office if no election is required to fill the vacancy. The next available election is March 2015."

She asked Mr. King to come forward.

City Attorney Pam Beery performed the Oath of Office and Mr. King took a seat at the dais.

Council President Henderson addressed the next item on the agenda.

## **9. COUNCIL ANNOUNCEMENTS**

Councilor Clark said she attended the Love Inc. meeting and encouraged others to get involved and said there is information in the lobby. She said Love Inc. addresses needs in Sherwood, Tualatin and Tigard. She said she attended the Our Table grand opening which is an organic farm and store on Morgan Road and commented on the great products. She attended the Veteran's Day event with Mayor Middleton and Representative Davis was in attendance. She thanked Rose's for catering the event and said Rose's has a new menu with some new items and gluten free items. She stated she was unable to attend the interviews on Saturday as she was representing the City at the One Tree for All program. She said it is a tree planting program supported by Raindrops for Refuge and CWS and since its inception they have planted over 35,000 native trees and shrubs in Sherwood. She commented on the landscape of Woodhaven. She said over 60 people applied online to attend. She announced that Thursday is the Main Street meeting at Rebekah Hall at 8:00 am. She reminded everyone to sign up for the Give n Gobble and commented on volunteer opportunities and said all the proceeds go to support the Helping Hands Food Bank. She stated all registrations are online this year.

Councilor Grant congratulated Councilor Clark for her successful campaign and Councilor Elect Jennifer Harris who was in the audience. He welcomed Councilor King and said he served with Councilor King previously.

Councilor Langer said with respect to the time he would defer any comments to a later meeting.

Councilor King thanked everyone for their support. He commented on Area 59 and said he was on the Council when that was enacted and is aware of the issue. He said he appreciates the opportunity to serve and will run in the March election.

Council President Henderson said she attended the Cultural Arts Commission meeting last night and said there is a lot of excitement and the Cultural Arts Center Director Megan Chapin has been looking at branding, rental rates, rental contracts, fundraising strategies, reaching out to the nonprofits in town and looking at planning a grand opening event as well as an annual gala event which will be a fundraiser for the center. She said there are a lot of exciting opportunities for the Commission which have been on hold for many years waiting for the opportunity to support a building. She said she attended a luncheon with Chief Groth called Ignite the Light by Chehalem Youth Family Services which is headquartered in Newberg that serve at-risk and developmentally challenged youth. She said they have a boy's home, a girl's home, counseling services, job opportunities, mentoring programs and a store with opportunities for the youth to work and get retail experience. She said it was a privilege to be invited and stated Sherwood doesn't have these services. She stated that she will be volunteering and encouraged others to go to cyfs.net and donate their time and talent. She said she will be accompanying Assistant Manager Tom Pessemier and Community Service Director Kristen Switzer this week to finish purchasing all of the furniture, fixtures and equipment for the Community Center. She stated they want to make the right choice for the right price and currently they are under budget for these items. She said they will be coming back to the City Council with a contract.

Mr. Pessemier said they will not be coming back with a contract because it was authorized in the budget that was passed last year.

Councilor Henderson asked Mr. Pessemier to provide an update on the Cultural Arts Center.

Mr. Pessemier said they made a lot of progress over the past few weeks. He said the project is behind schedule and there have been pointed conversations with the contractor. He stated the contractor is saying they cannot deliver the building until January 21. He said it is unfortunate but does give us extra time to clean up a few items. He said besides being behind, the building is coming along great and they will start windows and outside finish work next week.

Councilor Henderson asked if there will be another opportunity for Council tours.

Mr. Pessemier said yes. He said they may also want to include the Cultural Arts Commission and newly elect Councilors.

Council President Henderson addressed the next item on the agenda.

## **10. CITY MANAGER AND DEPT. REPORTS**

Mr. Gall reminded Councilor Clark and Henderson that they have a 7:30 am breakfast tomorrow morning in Hillsboro for Community Action. He said if there are no questions from Council he would rather adjourn and open the URA Board Meeting.

Council President Henderson addressed the next item on the agenda.

**11. ADJOURN**

Council President Henderson adjourned the meeting at 9:50 pm.

Submitted by:

  
\_\_\_\_\_  
Sylvia Murphy, MMC, City Recorder

  
\_\_\_\_\_  
Bill Middleton, Mayor