



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, February 6, 2024

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

5:45 pm City Council Work Session

7:00 pm City Council Regular Meeting

URA Board of Directors Meeting
(Following the 7:00pm Regular Council Meeting)

City Council Executive Session
(ORS 192.660(2)(d), Labor Negotiation Consultations and ORS 192.660(2)(i), Performance Evaluation
(Following the URA Board of Directors Meeting)

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



Home of the Tualatin River National Wildlife Refuge

5:45 PM WORK SESSION

1. **Annexation Policy & Agreements**
(Eric Rutledge, Community Development Director)
2. **Annual Housing Report**
(Eric Rutledge, Community Development Director)
3. **Donation Leave Policy**
(Lydia McEvoy, Human Resources Director)
4. **Workback Program**
(Lydia McEvoy, Human Resources Director)

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 16, 2024 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. **Resolution 2024-004, Authorizing an Interfund Loan from the Community Investment Fund to the Sanitary Fund** (David Bodway, Finance Director)
6. **CITIZEN COMMENTS**
7. **NEW BUSINESS**
 - A. **Resolution 2024-005, Declaring support for the Washington County Justice System; a commitment to partner with the state and county in securing funding and build support; requesting the state fully fund court system** (Craig Sheldon, City Manager Pro Tem)
8. **CITY MANAGER REPORT**
9. **COUNCIL ANNOUNCEMENTS**
10. **ADJOURN to URA BOARD OF DIRECTORS MEETING**
11. **RECONVENE CITY COUNCIL - EXECUTIVE SESSION**
 - A. **ORS 192.660(2)(d), Labor Negotiator Consultations and ORS 192.660(2)(i), Performance Evaluation** (Ryan Adams, City Attorney)

AGENDA

**SHERWOOD CITY COUNCIL
February 6, 2024**

5:45 pm City Council Work Session

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**URA Board of Directors Meeting
(Following the 7:00 pm Council Meeting)**

**City Council Executive Session
(ORS 192.660(2)(d), Labor Negotiator
Consultations and ORS 192.660(2)(i),
Performance Evaluation)
(Following the URA Board of Directors
Meeting)**

**Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140**

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12. ADJOURN

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 16, 2024

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 5:32 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 Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, IT Director Brad Crawford, 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, HR Director Lydia McEvoy, and City Recorder Sylvia Murphy.

OTHERS PRESENT: Kittleson & Associates consultants Tony Roos, Cedomir Jesic, and Nick Gross.

4. TOPICS:

A. Discuss Interfund Loan

Finance Director David Bodway presented the “Interfund Loan” PowerPoint presentation (see record, Exhibit A) and outlined that the interfund loan was for the Schamburg sewer project and explained that per ORS 294.468, a local government may loan money from one fund to another. He reported that there were two types of interfund loans, operating and capital. Operating loans paid for operating expenses and must be repaid in one year while capital loans paid for capital assets and must be repaid within ten years. He explained that the Sewer Fund had limited resources, and the city was seeking to borrow \$600,000 from the Community Investment Fund in order to pay for the sewer improvements to Schamburg from Division Street to the end of the road. Mr. Bodway outlined next steps and explained that if Council decided to move forward with the request, the loan must be authorized by official resolution or ordinance. He stated that because this would be a capital loan, the resolution needed to include the following information: funds involved; purpose, amount, and interest rate to be charged; and the repayment schedule must be included. Mayor Rosener explained that it was common for municipalities to utilize interfund loans. Mr. Bodway added that because the Sewer Fund was a restricted fund, if a city were to only transfer money into the Sewer Fund, it would be difficult to repay those funds since those funds were now comingled with the restricted funds. He explained that an interfund loan would allow the Sewer Fund to repay the loan back into the Community Investment Fund. Council President Young asked what the balance of the Community Investment Fund was, and Mr. Bodway replied that there was roughly \$3.8 million available. Councilor Giles asked what the money in the Community Investment Fund could be spent on and Finance Director Bodway replied that the funds were unrestricted dollars and Council could choose to spend those funds as they deemed appropriate. City Manager Pro Tem Craig Sheldon spoke on the need to utilize an interfund loan rather than waiting for the

Sewer Fund to generate the necessary funds and explained that currently, there was a failed sewer line and the city needed to start the design process now in order to fix the issue. He added that this project was a part of a larger project that also included street work and reported that the \$600,000 loan only covered the sewer project costs, while the remaining project costs would be paid for out of the Street Fund. Mayor Rosener asked that staff bring forward a resolution to approve the interfund loan for the next City Council meeting.

B. Cedar Creek Undercrossing Update

City Manager Pro Tem Sheldon reported that the city had not been awarded the state lottery funds for this project and explained that staff was seeking Council approval for the use of the available funds to complete the FEMA-FIRM Map Correction Project. City Engineer Jason Waters presented the “Highway 99W Trail Undercrossing Project Status & FEMA-FIRM Map Correction Project Commencement Notice” report (see record, Exhibit B) and outlined that the discrepancies in the FEMA-FIRM maps would create residual impacts on trail projects moving forward if they were not corrected. Mr. Waters explained that the FEMA-FIRM maps had a 9.5-foot elevation discrepancy. Kittleson & Associates consultant Cedomir Jestic referred to the Effective FEMA map on page 7 of the report and explained that this map became effective in October 2018 and noted that the existing swimming pool and parts of a parking lot were located within the floodplain. Mr. Jestic provided an overview of mapping changes and outlined that the Washington Countywide Flood Insurance Study (FIS) began in 2000 with the maps becoming effective in November 2016. He explained that the Cedar Creek portion of the study utilized hydrologic modeling to identify peak flows in the watershed and hydraulic modeling was conducted to determine base flood elevations. He reported that the FIS was updated in 2018 as part of the Tualatin Watershed Risk MAP project which resulted in an increase in water surface elevations. Mr. Jestic provided an overview of the charts on page 10 of the presentation and explained that FEMA’s models disregarded the storage while Kittleson’s study had utilized the storage resulting in a difference in higher water surface elevations. He outlined that FEMA relied on communities to provide accurate and updated flood hazard information for the National Flood Insurance Program maps and FEMA prioritized revisions concerning modifications to Special Flood Hazard Areas and stated that cities were able to provide revised maps to FEMA utilizing the Letter of Map Revision (LOMR) program. He provided an overview of the LOMR program on page 12 of the presentation and explained that the city would need to update the entire panel. He outlined next steps in the process and explained that the entire process could take upwards of 18 months to complete and would cost an estimated \$80,000-100,000, \$9,000 of which was the cost of the FEMA Review Fee. Councilor Giles asked what advantage there was for the city completing the LOMR process. Mr. Jestic explained that it would limit what projects could be located within the floodplain without completing the LOMR process and spoke on the need for projects to have balancing, grading, and the need to be flood neutral. Discussion occurred and City Manager Pro Tem Sheldon explained that if Council chose not to proceed with the LOMR process, it could affect planned future projects for the area including storm water management projects and Stella Olsen Park projects. City Engineer Waters replied that he felt that the city was obligated to complete the LOMR process as there were several federally funded projects that would be affected by not completing the process. Councilor Mays commented he supported moving forward with the LOMR process. Mayor Rosener asked if there would have been a cost savings if the maps had been updated when the Cedar Creek Trail project was underway. Mr. Waters replied that the floodplain issues were originally missed by FEMA and staff had only checked structures that would be impacted by the rise in elevation, not the elevation difference. Mayor Rosener stated that he was in favor of moving forward with the LOMR process and asked about FEMA’s public noticing process. Mr. Jestic explained that FEMA was required to provide a public notice of map changes. Mayor Rosener asked that staff move forward with updating the FEMA-FIRM maps.

C. Traffic Study Update for Sunset Blvd.

City Manager Pro Tem Sheldon explained that this project was a part of the city's CIP project list. He reported that the city would also be completing a maintenance project paving overlay in the Timbrel area and noted that if Council chose to, it may be possible to add some of this project to the paving overlay project. He reported that currently there was roughly \$100,000 available for traffic calming measures. Consultant Tony Roos outlined that his team was tasked with reviewing the safety and connectivity intersections located at Sunset Boulevard/Woodhaven Drive, Sunset Boulevard/Timbrel Lane, and Sunset Boulevard/Heatherwood Lane. Consultant Nick Gross presented the "Sunset Boulevard Crosswalk Safety & Enhancement Study" PowerPoint presentation (see record, Exhibit C) and reported that the study area was mainly focused on Sunset Boulevard between Highway 99W and Pinehurst Drive. He stated that pedestrian and traffic counts were collected for all three intersections. He noted that there were many pedestrian generators and attractors in this area and stated that they included Middleton Elementary School, the YMCA facility, Woodhaven Park, along with several formal and informal connections to Sunset Boulevard via neighborhoods. Mr. Gross stated that the safety challenges limited the potential use of Sunset Boulevard as a transportation facility, particularly for children. He outlined that Sunset Boulevard was a popular pedestrian corridor due to its natural features and comfortable pathways. He stated that pedestrian data was collected at three intersections on June 7, 2023 and reported that 477 pedestrians had entered the study intersections during the morning peak periods of 7 am-9 am and evening peak periods of 12 pm-6 pm and commented that 477 was a high figure. Councilor Scott asked if June 7th was a school day and Mr. Gross confirmed that it was. Mr. Gross provided an overview of the "Activity Levels of People Walking" chart on page 7 of the presentation, with the highest total entering and total crossing figures occurring at the Sunset Boulevard/Timbrel Lane crossing. Mr. Gross provided an overview of the existing conditions assessment key findings and addressed the Sunset Boulevard/Woodhaven Drive intersection. He stated that this intersection should be the highest priority for safety improvements out of the three intersections. He outlined that the eastbound right-turn drop lane at Sunset Boulevard/Woodhaven Drive came as a surprise to drivers and explained that drivers were observed accelerating to merge into the through lane while looking over their left shoulder in advance of the existing marked crosswalk. He continued that vehicular acceleration and reduced visibility resulting from the merge into the through lane increased the risk to pedestrian safety at the marked crosswalk. He noted that the trees located in the median and landscape buffer between the road and sidewalk reduced stopping sight distance and commented that their goal was to preserve trees while improving sight distance and visibility. He reported that there were Stopping Sight Distance (SSD) issues for both the Sunset Boulevard/Woodhaven Drive and Sunset Boulevard/Timbrel Lane intersections. Mr. Gross outlined the crash data from 2015-2020 from the area of study and reported that eight total crashes had occurred within the study area during that time period and no crashes were reported at the Sunset Boulevard/Heatherwood Lane intersection. Mayor Rosener referred to the 2019-2020 Sunset Boulevard intersection upgrades and confirmed that the cited crash data was prior to all of those upgrades and Mr. Gross confirmed that the timeframe of 2015-2020 would not have accounted for any improvement projects. Mr. Gross outlined that their pedestrian crossing analysis relied on two methodologies, the NCHRP Report 562 and the FHWA Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations, both supported on national, state, and local levels. He stated that Kittleson & Associates' recommendations were influenced by two primary considerations. The first consideration were safety countermeasures and were based on NCHRP Report 562 and the FHWA. The second consideration was engineering judgment based on field observations, understanding of the study area, and surrounding context. He outlined the recommended safety improvements for the Sunset Boulevard/Woodhaven Drive intersection as: relocate the existing crosswalk to the east by approximately 15 feet to improve sight distance, reduce crossing distance, and increase stopping distance for eastbound vehicles in advance of marked crosswalk; install high-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs; and remove the eastbound right-turn trap lane by merging eastbound traffic into a single lane with pavement markings. Mr. Gross provided an overview of a map of the recommended changes on pages 13-14 of the presentation. He outlined that Exhibit 1 – Dedicated Right Turn Lane option would: reduce the risk of conflict between vehicles and pedestrians crossing Sunset

Boulevard at the east leg of the intersection, it maintained the right-turn lane, and transitioned bikes to the left of the right-turn lane. He outlined that Exhibit 2 – Shared Through-Right option would: reduce the risk of conflict between vehicles and pedestrians crossing Sunset Boulevard at the east leg of the intersection, it created a shared thru right-turn lane, and it kept bikes to the right of the thru right-turn lane. He noted that Exhibit 1 had an estimated engineering cost of \$238,000 and Exhibit 2 had an estimated engineering cost of \$208,000. Mayor Rosener referred to the design of the left-hand turn lanes on Highway 99W and traffic congestion and asked if it would be possible to make it a single turn lane but extend the length of the lane. Mr. Gross and City Engineer Waters replied that since Highway 99W was controlled by ODOT, doing so would be exceedingly difficult. Councilor Giles asked if there was any data available that showed that moving the crosswalk back 15 feet would improve pedestrian safety. Mr. Gross replied that the FHWA guidance was likely based on research with proven counter measures that showed an increased yielding compliance with the high visibility of the crosswalk and signage. Mr. Gross outlined the recommended safety improvements for the Sunset Boulevard/Timbrel Lane intersection as: relocate existing crosswalk to the west leg of the intersection to improve sight distance and reduce crossing distance; and install high-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs. He noted that a Rectangular Rapid Flashing Beacon (RRFB) was a proven safety countermeasure to improve vehicle yielding compliance and stated that based on pedestrian volumes and connectivity to Middleton Elementary School, an RRFB should be considered. Mr. Gross provided an overview of the maps of the recommended changes on pages 16-18 of the presentation. He outlined that Exhibit 3 – Relocate Crosswalk option would: increase pedestrian connectivity, reduce crossing distance, reduce the risk for pedestrian and vehicle conflicts, and had a preliminary engineering cost estimate of \$147,000. Council discussed the probability of increased traffic congestion caused by the relocation of the crosswalk by breaking a single crossing into two crossings. City Engineer Waters commented that there may be a Safe Routes to School option for this configuration and discussion occurred. He outlined that Exhibit 4 – Remove Sidewalk, Widen Timbrel option would: increase pedestrian connectivity, reduce crossing distance, reduce risk for pedestrian and vehicle conflicts, and would improve vehicular operations. Exhibit 4 had a preliminary engineering cost estimate of \$345,000. He outlined that Exhibit 5 – Roundabout Concept option would: increase pedestrian connectivity, reduce crossing distance, reduce risk for pedestrian and vehicle conflicts, reduce vehicular speeds, and improve vehicular operations. Exhibit 5 had a preliminary engineering cost estimate of \$3,426,000. Councilor Scott referred to roundabouts and commented that he understood that roundabouts were to increase traffic flow but were not necessarily safer for pedestrians and asked if there was a traffic flow problem at this intersection. City Engineer Waters replied that there was an anticipated traffic flow issue due to the Brookman intersection not getting a signal. Councilor Giles asked if there was any data that showed that the RRFB signals were effective. Mr. Gross replied that the effectiveness of RRFB signals increasing motorist yielding compliance had been proven by multiple studies. Mayor Rosener commented that he would be more interested in a HAWK (high intensity activated crosswalk) system and Mr. Gross replied that he would look into that option. Councilor Mays commented that he felt that flashing signals gave pedestrians a false sense of security, particularly children. Mr. Gross recapped Council's feedback and stated that Council sought a more enhanced treatment for pedestrian crossings along Sunset Boulevard and he would report back with his findings. Mr. Gross outlined the recommended safety improvements for the Sunset Boulevard/Heatherwood Lane intersection as: install high-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs. He noted that of the three studied intersections, the Sunset Boulevard/Heatherwood Lane intersection had the lowest priority. He provided an overview of the maps of the recommended changes on pages 16-18 of the presentation. He outlined that Exhibit 6 – New Marked Crosswalk option would: increase pedestrian connectivity, reduce crossing distance, and would reduce the risk for pedestrian and vehicle conflicts. He stated that the preliminary engineering cost estimate for Exhibit 6 was \$59,000. Councilor Standke asked regarding the alignment options to eliminate the double crossing at Timbrel and City Engineer Waters replied that City staff were exploring the option of installing ADA ramps and relocating the fire hydrant

in order to keep the crossing at its current location. He commented that there was an upcoming paving project and city staff were reviewing the costs of including this project with the upcoming paving project and determine if doing so would address some of the safety concerns. He continued that staff would look into whether doing so could be budgeted into the Timbrel paving project and would report back to Council with their findings. Mr. Roos clarified that the reason they had relocated the crossing to the west side was to reduce the number of conflict points with vehicles crossing the pedestrian path. City Manager Pro Tem Sheldon recapped that he would like these options presented to the Traffic Safety Committee to get their feedback, with updated options for Council's consideration to be presented at a later date. Mayor Rosener asked for an update on the speed data that had been collected. Mr. Sheldon replied that he wanted to ensure that this area was a complete school zone and explained that Chief Hanlon had recently observed the area and determined that there was an enforceable ticket rate of 18%. He continued that Chief Hanlon would present his findings regarding Sherwood's school sites at a future Council meeting.

Record note: Prior to the meeting, City Engineer Jason Waters provided Council with the "SW Sunset Blvd Crosswalk Safety Study Overview & Next Steps" report (see record, Exhibit D).

D. City Manager Recruitment, Next Steps

Mayor Rosener recapped that there were several options available including starting the recruitment process immediately, waiting until after budget season was complete, or making a hiring decision at this meeting. He asked for Council feedback on the available options. Council President Young commented that it may be beneficial to pause the recruitment process for the time being as she felt that proceeding now could rush the process. Mayor Rosener confirmed that City Manager Pro Tem Sheldon was open to continuing to serve in the City Manager Pro Tem position and Mr. Sheldon confirmed that he was. Mr. Sheldon commented that some things may need to be adjusted in Public Works in order to accommodate the change. Councilor Scott commented that unless there was a large time or cost saving aspect in continuing to pursue the filling of the City Manager position, he was in favor of pausing the recruitment until the Interim City Attorney position was filled. Councilor Brouse stated that she was in favor of pausing the recruitment and waiting for things to stabilize. Councilor Giles commented that he worried that the situation was already unstable given the workload of both positions and referred to upcoming city projects and stated that he would prefer to move forward with the recruitment. Councilor Mays stated that he was in favor of waiting until the budget cycle was complete and then moving forward with recruitment efforts. Councilor Standke stated that waiting to complete the budget cycle was the latest he wanted to wait to begin the process. Council President Young referred to Councilor Giles' comments regarding potential instability and commented that instability may be more likely to occur if there were two new people in each position versus having an Interim City Attorney working with City Manager Pro Tem Sheldon. Councilor Brouse commented that the city could open up the position for internal applicants and if no one suitable applied, then proceeding with an external hiring process. She asked how the work of the Public Works Director position would be addressed if the recruitment process was paused. Mr. Sheldon replied that he felt that there was someone capable of stepping into the Public Works Director role and commented that he would likely recommend moving someone up from Sherwood Broadband. Mayor Rosener commented that he was in favor of pausing recruitment and recommended revisiting the topic in July. There was Council consensus in favor of revisiting the topic in July. Mayor Rosener asked if City Manager Pro Tem Sheldon was open to continuing to serve in the role and Mr. Sheldon replied that he was.

E. Interim City Attorney Recruitment

City Attorney Ryan Adams reported that the Deputy City Attorney job posting had been published online. He explained that the Deputy City Attorney job description was better aligned to allow that person to step in to

fill the role of the Interim City Attorney while he was deployed. He noted that there was concern regarding this position and the five-year forecast and explained that this would be discussed during the Budget Committee meetings. He stated that he had no reservations about City Manager Pro Tem Sheldon being able to successfully work with whoever was hired to fill the Deputy City Attorney/Interim City Attorney role. He referred to the possibility of an unsuccessful recruitment and explained that he recommended utilizing an RFP for outside counsel in such a case. Council President Young asked if the Deputy City Attorney position was advertised as permanent and City Attorney Adams confirmed that it was. Councilor Mays asked how long the RFP process would take if recruitment was unsuccessful and commented that the city could begin the RFP process in case the recruitment process was unsuccessful. Mr. Adams replied that he recommended giving the recruitment process two months and then evaluate after that based on the number of applicants. Councilor Mays commented that he wanted to know how much it would cost to hire outside counsel for 14-16 months and Mr. Adams replied that he could provide a reasonable estimate after this meeting. Councilor Brouse commented that she was in favor of the RFP process. She asked if the city's budget could support two City Attorneys and if the job posting could be updated to include "interim" language. City Attorney Adams replied that he recommended not updating the job description to include the interim language as it would create uncertainty around the position which would result in fewer applicants being interested in applying. Mayor Rosener commented that Council could discuss the quality of the applicants who had applied at the next meeting and adjust from there if necessary. Mayor Rosener asked if Council agreed to keep the job posting up and schedule another work session to discuss and refine the job posting moving forward. He stated that he was in favor of moving forward with the RFP process. Council signaled their agreement.

5. ADJOURN:

Mayor Rosener adjourned the work session at 7:19 pm and convened a regular session.

REGULAR SESSION

1. CALL TO ORDER: Mayor Rosener called the meeting to order at 7:25 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 Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, IT Director Brad Crawford, Finance Director David Bodway, City Attorney Ryan Adams, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCIL PRESIDENT 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 January 2, 2024 City Council Meeting Minutes

B. Resolution 2024-002, Appointing the Budget Officer for Fiscal Year 2024-25

C. Resolution 2024-003, Awarding a contract for the Sherwood Senior Center siding and window replacement

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

Mayor Rosener addressed the next agenda item.

6. CITIZEN COMMENT:

Sherwood resident Neil Shannon referred to the December 5th City Council joint work session with City Boards and Commissions and stated he would like to address the goals and objectives of the Planning Commission. He referred to Planning Commission Chair Simson asking if Council would like the Planning Commission to review the city’s tree code and asked that Council say yes to that question. He stated that urban trees were, “not only beautiful and functional but also provide physical, mental, emotional, and psychological benefits to its residents” and referred to studies on the benefits of retaining urban trees. He stated that trees were a key component in creating “successful” outdoor spaces and outdoor spaces were fundamental in creating a healthy community. He referred to development in the Brookman Road area and Sherwood West and stated that Sherwood citizens had made it clear via the Parks and Recreation Master Plan that retaining urban trees was a high priority. He stated he was “extremely concerned” that the city’s urban trees were being threatened by the rapid development in the area and referred to development code requirements and the public hearing for LU 2021-023 SUB Cedar Creek Gardens. He referred to comments made by Hearings Officer Joe Turner regarding SZCDC 16.142.070.D(4) and stated that this portion of the Sherwood Development Code must be made clear and objective. He referred to the city’s participation in the Tree City USA program and commented he hoped that the city would work on “improving the environment that we live in.”

Mayor Rosener addressed the next agenda item.

7. CITY MANAGER REPORT:

City Manager Pro Tem Craig Sheldon thanked the Public Works and Sherwood Broadband employees for their work during the inclement weather.

Councilor Mays asked if the inclement weather had damaged many trees in the community as it had elsewhere in the region. Mr. Sheldon replied that there were no downed trees in Sherwood, but there were reports of water leaks due to the freezing temperatures. Mayor Rosener asked if the city offered any programs for those experiencing water leaks. Mr. Sheldon replied that people experiencing water leaks should contact the Public Works billing department regarding the leak adjustment program. Councilor Standke asked if the city was tracking residential power outages and Mr. Sheldon replied that PGE had been sending out regional reports on residential power outages. Councilor Giles asked regarding police activity due to the inclement weather and Mr. Sheldon replied that he would follow up with Police Chief Hanlon and report back. Council discussed the recent fire at the Hampton Inn.

8. COUNCIL ANNOUNCEMENTS:

Councilor Standke reported that the Planning Commission did not meet. He reported that the Lunar New Year Lantern Festival at the Arts Center would be held on February 4th.

Councilor Brouse reported that the Friends of the Tualatin River National Wildlife Refuge were seeking a volunteer to prepare their taxes.

Councilor Mays encouraged residents to attend the Lunar New Year Lantern Festival at the Arts Center.

Councilor Scott reported on the most recent Parks and Recreation Advisory Board meeting where they discussed 2024 priorities and heard an update on the Murdock Park Master Plan.

Councilor Giles reported on the continued work of the SHELF (Sherwood Library Foundation) and spoke on the importance of continued funding for local libraries.

Council President Young reported she attended the most recent CDBG meeting and reported she would attend their upcoming meeting where they would evaluate the applications they had received. She gave her kudos to the Sherwood Broadband team for their work restoring service during the inclement weather event and their commitment to customer service.

Mayor Rosener gave his kudos and thanks to Sherwood Broadband and Public Works employees for their work restoring service during the inclement weather event. He reported he attended the most recent Waste Fee Policy Task Force meeting. He reported that Council President Young attended the Metro Urban Growth Boundary stakeholders group meeting in his place and Council President Young provided a recap of the meeting. He reported he would attend the upcoming MPAC meeting. He spoke on the water treatment facility upgrades and gave his kudos to the team working on the upgrades.

Councilor Mays reported that in anticipation of the incoming inclement weather, the Senior Center had distributed extra food and thanked staff for doing so.

9. ADJOURN:

Mayor Rosener adjourned at the regular session at 7:52 pm and convened an executive session.

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)(e), Real Property Transactions

5. ADJOURN:

The executive session was adjourned at 8:20 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

TO: Sherwood City Council

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

SUBJECT: Resolution 2024-004, Authorizing an Interfund Loan from the Community Investment Fund to the Sanitary Fund

Issue:

Should the City of Sherwood authorize an Interfund Loan from the Community Investment Fund to the Sanitary Fund?

Background:

On January 16, 2024, a work session was held with City Council to discuss a \$600,000 interfund loan from the Community Investment Fund to the Sanitary Fund.

Currently the Sanitary Fund has limited resources and is requesting a \$600,000 loan from the Community Investment Fund for a capital related project that is listed in the city's current capital improvement plan. This project consists of Sanitary Improvements to Schaumburg from SW Division Street to end of the road.

ORS 294.468 allows a local government to loan money from one fund to another and this type of borrowing has been utilized by the city in the past.

Financial Impacts:

There are no immediate financial impacts of approving this resolution. However, the yearly loan repayment must be budgeted and will be a part of the annual budgeting process.

Recommendation:

Staff respectfully recommends City Council adoption of Resolution 2024-004, Authorizing an Interfund Loan from the Community Investment Fund to the Sanitary Fund.



RESOLUTION 2024-004

**AUTHORIZING AN INTERFUND LOAN FROM THE COMMUNITY INVESTMENT FUND
TO THE SANITARY FUND**

WHEREAS, the City of Sherwood is permitted under ORS 294.468 to loan money from one fund to another, provided the loan is authorized by an official resolution; and

WHEREAS, the resolution must state the fund from which the loan is made and the fund to which the loan is made, the purpose of the loan, the principal amount of the loan, interest rate and repayment schedule; and

WHEREAS, this loan is considered a capital loan and must be repaid in full within 10 years; and

WHEREAS, the Community Investment Fund consists of unrestricted funds; and

WHEREAS, inter-fund loans are less expensive to the City as a whole than external borrowings.

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

Section 1. **Approval of the Interfund Loan.** The Community Investment Fund shall pay to the Sanitary Fund \$600,000 to make Sanitary Improvements to Schaumburg from SW Division Street to end of the road. Such loan shall bear interest at 5%, which is the rate earned on the City's deposit in the State Local Government Investment Pool for the effective date nearest the date of this resolution; and be paid in equal installments over ten years, with the first annual payment due February 6, 2025. The loan may be prepaid without penalty.

Section 2. Loan Repayment Schedule.

Fiscal Year	Interest	Principal	Ending Balance
23-24			600,000.00
24-25	28,922.52	47,444.65	552,555.35
25-26	26,495.16	49,872.01	502,683.34
26-27	23,943.62	52,423.55	450,259.79
27-28	21,261.53	55,105.64	395,154.15
28-29	18,442.22	57,924.95	337,229.20
29-30	15,478.67	60,888.50	276,340.70
30-31	12,363.50	64,003.67	212,337.03
31-32	9,088.95	67,278.22	145,058.81
32-33	5,646.87	70,720.30	74,338.51
33-34	2,028.68	74,338.51	(0.00)

Section 3. Effective Date. This Resolution shall become effective upon its approval and adoption.

Duly passed by the City Council this 6th day of February, 2024.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Craig Sheldon, City Manager Pro Tem
Through: Tim Rosener, Mayor

SUBJECT: Resolution 2024-005, Declaring support for the Washington County Justice System; A commitment to partner with the State and County in securing funding and build support; Requesting the State fully fund Court System

Issue:

Should the city adopt a resolution declaring support for the Washington County Justice System, a commitment to partner with the State and County in securing funding and build support, requesting the State fully fund the Court System?

Background:

Mayor Rosener along with Washington County mayors received a request from Washington County Circuit Court presiding judge Rebecca D. Guptill to consider adoption of a resolution declaring support for our justice system. See attached letter dated January 23, 2024.

Financial Impacts:

There are no currently known financial impacts with the adoption of this resolution.

Recommendation:

Staff respectfully recommends City Council adoption of Resolution 2024-005, Declaring support for the Washington County Justice System; A commitment to partner with the State and County in securing funding and build support; Requesting the State fully fund Court System.

Rebecca D. Guptill
Circuit Court Judge



Phone: (503) 846-8888 ext. 55052

WASHINGTON COUNTY CIRCUIT COURT

Courthouse
150 North First Avenue
Hillsboro, OR 97124

January 23, 2024

Dear Washington County Mayors,

Re: Improvement of Washington County Justice System.

We appreciated your attendance at the Legislative Breakfast in December and your interest in improving our county justice system.

Based on the discussion between you and Rob Harris after the breakfast presentations, our group prepared a draft resolution that your city councils can consider adopting in support of our justice system. Feel free to modify it if you wish to do so. We look forward to your feedback and advice in getting this resolution before every city council in our county.

Please feel free to contact us if you have questions or feedback or any ideas about how to proceed. We are open to any ideas but felt this step would start movement towards better coordination between the county level justice system leaders and city leaders as we are all responsible for the wellbeing of their communities.

We look forward to our continued partnership with you and appreciate your shared commitment to improving our county, including through your support regarding these critical justice system issues.

Washington County Circuit Court Presiding Judge Rebecca Guptill

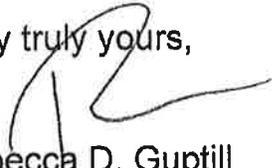
Joined by our Washington County justice system community partners:

- Rob Harris, local member of the Oregon Public Defense Commission (OPDC)

Improvement of Washington County Justice System
Page 2

- Joe Beck, executive director of Oregon Defense Attorney Consortium (ODAC)
- Mary Bruington, Metropolitan Public Defender (MPD)
- Sheriff Caprice Massey, Washington County Sheriff's Office (WCSO)
- District Attorney Kevin Barton, Washington County District Attorney's Office
- James Jensen, President of the Washington County Bar Association (WCBA)
- Melissa Bobadilla, Attorney
- Grant Stockton, Past-President of Oregon Association of Defense Counsel (OADC)

Very truly yours,



Rebecca D. Guptill
Presiding Judge
Washington County Circuit Court

RDG/jab

RESOLUTION No: _____

DECLARING SUPPORT FOR THE WASHINGTON COUNTY JUSTICE SYSTEM; A COMMITMENT TO PARTNER WITH THE STATE AND COUNTY IN SECURING FUNDING AND BUILD SUPPORT; REQUESTING THE STATE FULLY FUND COURT SYSTEM

WHEREAS; We recognize that access to justice is a fundamental right of every community member and a core function of government. A right without a remedy is no right at all.

WHEREAS; We recognize that a well working justice system requires services that are provided and funded by cities, counties and the state.

WHEREAS; We are currently experiencing a critical loss of capacity in our justice system in Washington County leading to a system where our city's residents are not receiving adequate services or justice.

WHEREAS: The data shows that Washington county has experienced a massive growth in population over the past three decades and the state has not allocated a like amount of increase in judicial resources, staffing and court facilities to our county.

WHEREAS: State Court studies have shown that in comparison to other Oregon counties, Washington County needs four more judicial positions to provide services to our community commensurate to other Oregon counties.

THEREFORE, BE IT RESOLVED: We pledge the city will support our part of the county justice system by continuing to adequately fund and support our law enforcement agency, our municipal court (should you have one), and any other service that is part of our county justice system and which for which our city is responsible.

BE IT FURTHER RESOLVED: We call upon State Legislators representing Washington County to obtain adequate state funding for the Washington County Circuit Court, including but not limited to; four more Judges, staffing to support those judicial offices and adequate courthouse facilities.

BE IT FURTHER RESOLVED: As part of our recognition that the county justice system requires a partnership between courts, cities, the county and the state, that we will build a better dialogue between all of the justice system partners.



RESOLUTION 2024-005

DECLARING SUPPORT FOR THE WASHINGTON COUNTY JUSTICE SYSTEM; A COMMITMENT TO PARTNER WITH THE STATE AND COUNTY IN SECURING FUNDING AND BUILD SUPPORT; REQUESTING THE STATE FULLY FUND COURT SYSTEM

WHEREAS, We recognize that access to justice is a fundamental right of every community member and a core function of government. A right without a remedy is no right at all; and

WHEREAS, We recognize that a well working justice system requires services that are provided and funded by cities, counties and the state; and

WHEREAS, We are currently experiencing a critical loss of capacity in our justice system in Washington County leading to a system where our city’s residents are not receiving adequate services or justice; and

WHEREAS, The data shows that Washington County has experienced a massive growth in population over the past three decades and the state has not allocated a like amount of increase in judicial resources, staffing and court facilities to our county; and

WHEREAS, State Court studies have shown that in comparison to other Oregon counties, Washington County needs four more judicial positions to provide services to our community commensurate to other Oregon counties.

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

Section 1. We pledge the city will support our part of the county justice system by continuing to adequately fund and support our law enforcement agency, our municipal court, and any other service that is part of a community justice system and which for which our city is responsible.

Section 2. We call upon State Legislators representing Washington County to obtain adequate funding for Washington County Circuit Court, including but not limited to; four more judges, staffing to support those judicial offices and adequate courthouse facilities.

Section 3. As part of our recognition that the county justice system requires a partnership between courts, cities, the county and the state, that we build a better dialogue between all of the justice system partners.

Section 4. This Resolution shall become effective upon its approval and adoption.

Duly passed by the City Council this 6th day of February, 2024.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder