



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, December 17, 2024

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

5:30 pm City Council Executive Session
(ORS 192.660(2)(h), Legal Counsel, Litigation)

5:45 pm City Council Work Session

7:00 pm City Council Regular Meeting

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

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



Home of the Tualatin River National Wildlife Refuge

5:30 PM CITY COUNCIL EXECUTIVE SESSION

1. **ORS 192.660(2)(h), Legal Counsel, Litigation**
(Sebastian Tapia, Interim City Attorney)

5:45 PM CITY COUNCIL WORK SESSION

1. **Council work session with Sherwood Traffic Safety Committee**
(Craig Sheldon, City Manager)
2. **Discussion on Youth Advisory Committee**
(Kristen Switzer, Assistant City Manager)

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 December 3, 2024, City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. **Resolution 2024-080, Approving the City Recorder's Canvassing of the Washington County Election returns of the November 5, 2024 General Election and directing the City Recorder to enter the results into the record** (Sylvia Murphy, City Recorder)
6. **CITIZEN COMMENTS**
7. **CITY MANAGER REPORT**
8. **PUBLIC HEARING**
 - A. **Resolution 2024-081, Adjusting Solid Waste and Recycling Collection Rates, Repealing and Replacing Resolution 2024-075** (Craig Sheldon, City Manager)
9. **COUNCIL ANNOUNCEMENTS**
10. **ADJOURN to URA BOARD OF DIRECTORS MEETINGS**

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

AGENDA

**SHERWOOD CITY COUNCIL
December 17, 2024**

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AMENDED AGENDA – EXECUTIVE SESSION ADDED

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
December 3, 2024

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:01 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Ketih Mays, Renee Brouse (virtual), Dan Standke, and Doug Scott.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Interim Public Works Director Rich Sattler, IT Director Brad Crawford, Police Chief Ty Hanlon, Planning Manager Sean Conrad, Economic Development Manager Erik Adair, Senior Planner Joy Chang, Library Manager Adrienne Doman Calkins, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.

BOARDS & COMMITTEE MEMBERS PRESENT: Planning Commission Chair Jean Simson, Senior Advisory Board Vice Chair Zana Mays, Cultural Arts Commission member Jennifer Casler, Parks and Recreation Advisory Board Chair David Scheirman, Police Advisory Board Chair Brian Dorsey, Police Advisory Board Vice Chair & Traffic Safety Committee Liaison Richard Amicci, Budget Committee Chair Kady Strode, and Library Advisory Board Chair Sean Garland.

4. TOPIC:

A. Council Goals & Objectives - Meeting with City Boards & Committee Chairs

Mayor Rosener recapped that this was the second year that Council had held a work session with the Boards and Committee Chairs. He explained that what was discussed at this meeting would inform Council goal setting in January. He commented that he would like to hold another meeting with the Chairs in June or July after the budget had been adopted to discuss projects and goals. Mayor Rosener asked those in attendance to introduce themselves. Planning Commission Chair Jean Simson stated that the Planning Commission needed to be nimble when it came to managing new state mandates. She referred to citizen engagement and recommended transparency and information be posted on the city's website regarding what was being driven through the city's code and what was state mandated. She referred to livability and workability and stated that the Planning Commission would complete the mandatory Housing Production Strategy over the next year. The Planning Commission would also complete updates for the city's transportation, water, sewer, floodplain maps, and storm master plans. She referred to the Old Town Strategic Plan and commented she wanted to review how to provide economic opportunities in Old Town and Old Town code. She stated that Metro's approval of the city's UGB expansion request for Sherwood West would add significant work for the

Planning Commission. She referred to community feedback and stated that the Planning Commission often heard comments regarding Sherwood's tree code and the desire to improve how trees were protected within the community. She added that the Planning Commission would also like to begin to review view corridors, particularly with Sherwood West. She commented that there were several new Planning Commissioners and asked that they undergo training in order to ensure that Commissioners were fully trained on their responsibilities. A Councilor commented that the League of Oregon Cities (LOC) could provide that type of training. Councilor Giles asked regarding the requirements of state mandates and trainings. Councilor Mays commented that the LOC could most likely assist in that area. Mayor Rosener spoke on budget planning, trainings, and workloads and stated that staff should keep these things in mind when forecasting for the budget. Mayor Rosener commented that he was concerned about new housing mandates and said that he wanted staff to be nimble, flexible, and to strategize in the coming year. Discussion regarding what information to put on the city's website occurred and Planning Commission Chair Simson, Councilor Giles, and Mayor Rosener spoke on their desire for transparency for citizens to be informed about what was going on in the city. Senior Advisory Board Vice Chair Zana Mays recapped significant accomplishments for the Senior Advisory Board over the past year. She reported that the Senior Advisory Board had made significant progress on the age-friendly business guide, they had partnered with the Sherwood Chamber of Commerce, and they had welcomed three new members to the board. She outlined Senior Advisory Board goals for 2025 as: continue board membership growth and engagement, complete and launch the age-friendly business guide in partnership with the Chamber of Commerce, and continue their work on age-friendly park design and implementation for the increased enjoyment and utilization of community members. Council President Young asked what types of things made for an age-friendly park and Senior Advisory Board Vice Chair Mays replied that opportunities for low-impact activities and more walkways and accessible access to those walkways would make for more age-friendly parks. Councilor Giles asked if the Senior Advisory Board had met with the Parks and Recreation Advisory Board regarding these ideas. Parks and Recreation Advisory Board Chair David Scheirman replied that they had not, but he had made a note to schedule a meeting with the Senior Advisory Board. Councilor Mays asked how many vacancies the Senior Advisory Board had, and Senior Advisory Board Vice Chair Mays replied she believed there was two vacancies. Cultural Arts Commission member Jennifer Casler referred to the age-friendly business guide and stated that the Cultural Arts Commission would like to see a copy when it was published to help them incorporate some of their work. Mayor Rosener asked if the Senior Advisory Board had discussed additional programming for the Senior Center. Senior Advisory Board Vice Chair Mays replied that the Senior Center was very busy and their mental health programs, art classes, and exercise classes were very popular. Councilor Giles asked regarding the Senior Center van and Vice Chair Mays replied that the van had been well received and was frequently used. Councilor Giles asked if the van had city signage and City Manager Sheldon replied that there was a plan for van signage, but it needed to be funded. Assistant City Manager Switzer added that the Senior Advisory Board had recently voted on one of three wrap options for the van. Councilor Scott asked how the van program worked, and Ms. Switzer replied that people who needed a ride called to schedule a pickup. Cultural Arts Commission member Jennifer Casler recapped that the Cultural Arts Commission had had some mid-year vacancies, but they had a full board now. She reported that the Cultural Arts Commission had organized three successful festivals over the past two years, the Día de los Muertos, Diwali festival, and Lunar New Year. She stated that the Cultural Arts Commission was very engaged, was diverse, and they had engaging discussions. She stated there was a good mix of both "watchmakers and timekeepers" on the board. Ms. Casler stated that they had found the designated funds from the TLT (transient lodging tax) to be very helpful. She reported that they were currently seeking grant funding to make the TLT funds go further. She stated that the Cultural Arts Commission was also reviewing potential locations for public art and spoke on the Cultural Arts Commission's involvement with the art for the pedestrian bridge. She reported she attended the

Old Town Strategic Plan meeting and spoke on her desire for the Cultural Arts Commission and other city boards to inform the Old Town Strategic Plan going forward. Councilor Giles recommended that the Cultural Arts Commission partner with the Multicultural Club at Sherwood High School. Councilor Mays commented that the Oregon Street roundabout art would be installed soon. Mayor Rosener requested that stock footage of the festivals be created for advertising purposes. Parks and Recreation Advisory Board Chair David Scheirman stated that they would like to continue their work developing and linking park trails in Sherwood as well as finishing the Cedar Creek Trail project as a long-term goal. He stated his excitement at the adoption of the Murdock Park Master Plan Update and commented the Parks and Recreation Advisory Board was looking forward to implementing it. He referred to Sherwood West and stated that it was important to set aside a minimum of 15 acres for a community park and spoke on other types of smaller parks that could be located within Sherwood West. Council President Young asked how many acres Snyder Park was and discussion occurred. Ms. Casler asked if 15 acres was enough space and Parks and Recreation Advisory Board Chair Scheirman replied that 15 acres was sufficient for a neighborhood park, but not a regional park. He spoke on the Parks and Recreation Advisory Board's desire for a universally accessible playground in Sherwood and the need to provide appropriate levels of parking for a destination park. City Manager Sheldon reported that Snyder Park was 22.7 acres. Mayor Rosener referred to the Sherwood West Concept Plan and commented that they had allocated for roughly a 30-acre park. He explained that Sherwood West would be master planned which would allow for purposeful development. Councilor Giles commented that he appreciated the variety of types of parks in Sherwood and spoke on a universally accessible park in Hillsboro. Police Advisory Board Chair Brian Dorsey reported that the board was seeking enhanced community engagement and awareness. He stated that he felt the Police Advisory Board had done well in that area and referred to the Sherwood Police Department's Facebook page. He stated they wished to highlight some of the Sherwood Police Department's technology, tools, and their partnership with Washington County's Mental Health Response Team. He reported that the Sherwood Police Foundation had been "phenomenal" to work with and allowed the Sherwood Police Department to procure new tools, such as drones. He referred to the goal of fostering public safety through collaborative partnerships and stated that they were working with schools, faith-based organizations, and community organizations to promote public safety initiatives. He stated the Police Advisory Board would continue to review police policies and procedures for the Sherwood Police Department. He reported that the Police Advisory Board would also continue to review funding proposals and staffing plans, particularly with the addition of Sherwood West. He stated the Police Advisory Board wished to conduct additional community surveys to stay in touch with the community. Police Advisory Board Vice Chair & Traffic Safety Committee Liaison Richard Amicci spoke on the Traffic Safety Committee. He stated that one of the committee's goals was to enhance the community's awareness of the committee itself and commented they had been very successful. He stated that the Traffic Safety Committee was discussing whether or not the scope of the committee was appropriate for the types of concerns that they were hearing. He referred to crosswalks and how many of the remedies needed were not within the Traffic Safety Committee's authority to undertake or complete and the need to ensure that those remedies were completed and not abandoned. He reported that the committee was discussing ways in which they could be more active and impactful in the new year. He stated that the Traffic Safety Committee had been successful in accomplishing many projects this past year. Mayor Rosener stated that he wanted to change the name of the committee to the Traffic and Pedestrian Safety Committee. He stated that Council had been discussing the need to ensure that the committee was properly empowered with the right tools and the need for a pedestrian and traffic safety community plan. He spoke on the need for better communication to the community about ongoing and planned pedestrian and traffic safety projects via the website. Council President Young commented that the Traffic Safety Committee did not have a Council liaison, which cut down on communication between Council and the committee. Planning Commission Chair Simson

commented that there had been a significant decrease in people coming to Planning Commission meetings to speak on traffic safety issues, so the advertising the Traffic Safety Committee had done was working. She stated that she would like the Traffic Safety Committee to be involved in the Transportation System Plan update. Councilor Scott commented that the Traffic Safety Committee should be a committee that reported to Council. Mr. Amicci recommended that board and committee members regularly attend each other's meetings in order to have a better understanding of what each board and committee was working on. Cultural Arts Commission member Casler asked if anyone from the Traffic Safety Committee was serving on the Old Town Strategic Plan group and Mayor Rosener replied that someone from the Traffic Safety Committee could serve. Budget Committee Chair Kady Strode stated that one of the Budget Committee's main goals was to maintain the city's ending fund balance policy/contingency policy. She stated that she believed that this was one of the main reasons why the city was financially healthy whereas other surrounding cities were facing financial constraints. She stated the city had done a good job of adhering to the 5-year forecast plan to maintain the 20% ending fund balance policy while balancing purchasing needs. She stated that it was important that the city continue with this policy to maintain financial stability. She spoke on the city moving to a biennial budget process and stated that there were many benefits for making the move. She reported that a biennial budget would provide staff the time to work on the many deliverables under Council goals. She stated that the Budget Committee frequently discussed moving to a new budgeting or financial software and spoke on OpenGov's community engagement tools. Council President Young commented that the city already used OpenGov's budgeting tool and Mayor Rosener added that utilizing OpenGov's ERP system would require an RFP. Mayor Rosener spoke on the importance of the city maintaining the 20% ending fund balance policy in order to keep the city financially healthy. Councilor Mays spoke on inflation and stated that because of Oregon's funding mechanism, inflation was difficult for Oregon cities to manage. Mayor Rosener spoke on the city's ability to provide small business loans to local businesses quickly during the pandemic and stated that this was only possible because of the city's 20% ending fund balance policy. Library Advisory Board Chair Sean Garland recapped that the Library Advisory Board's membership roster had been stable for the past year. He reported that the board had been working on funding governance and building up the Sherwood Library Foundation (SHELF). He reported the board was seeking alternative funding sources and explained that the majority of the Sherwood Library's funding was tied to WCCLS. He stated that the Library Advisory Board was reviewing the WCCLS' Library Funding and Governance Evaluation project's Current State Assessment Report and had participated in stakeholder surveys. He reported that work on this would continue into 2025 and commented that Council engagement with the WCCLS process would be helpful. He stated that the Library Advisory Board had also been working on strategic planning to help the board identify their goals and monitoring their progress. They had also been working with consultants to apply design thinking principles. He stated that the Library Advisory Board's goals could be summarized as staff facing which included fiscal responsibility, capacity, and efficiencies. And public facing which included accessibility languages, cultural appreciation, and technology. He reported that the Library Advisory Board had several members who had experience in trauma-informed response training to help inform the board's discussions and decisions. He stated that outreach had been important this past year and spoke on the Library Advisory Board's partnership with Sherwood High School and the student library card project. Councilor Mays asked if the project would be offered annually. Library Manager Adrienne Doman Calkins explained that this had been the first year the program had been offered and those students who opted in and stayed in the Sherwood School District would remain in the program. Students who had not opted in would have another opportunity to do so at the start of the next school year. Chair Garland recapped that the board would continue to review funding governance, proposed base-level services, the future state Assessment Level Report, proposed levy rates, and the funding distribution formula. He commented that the new funding distribution formula could lead to new IGAs with Washington County and member libraries. He reported that in May 2025

a county-wide levy would be voted on. Mayor Rosener and Councilor Giles clarified that this was a renewal levy, but there were discussions about changing the rate. Mayor Rosener added that 60% of the WCCLS' funding came from Washington County's General Fund and 40% came from the WCCLS levy. He stated that he and other Washington County mayors were concerned that Washington County would try to use some of the 60% General Fund money to backfill their budget shortfall in their General Fund. Chair Garland stated that the Library Advisory Board would continue their work on strategic planning for the year to determine ways to enhance the accessibility of the building and further their work for SHELF. Councilor Brouse commented that she appreciated that the Library Advisory Board was utilizing a trauma-informed lens to help inform the board's discussions and decisions. Mayor Rosener recapped that he wanted to have an additional work session with the Board and Commission Chairs in the summer after the budget had been completed to review Council's goals and objectives. He asked for feedback on if they felt like this process had been worthwhile. Cultural Arts Commission member Casler and Library Advisory Board Chair Garland commented that this meeting had allowed the various boards to determine their need to work together on key topics moving forward. Mayor Rosener commented that he would like a formalized process to ensure that the correct boards were being brought together to work on joint or complimentary projects. He stated he also wanted a formalized process to determine when Council and the boards needed to engage with each other. Councilor Giles suggested an email distribution group for the Board and Committee Chairs to communicate with each other and discussion regarding public meeting laws occurred. Interim City Attorney Tapia replied that board staff liaisons could meet. Councilor Scott commented that he felt that Council had done well including the pertinent boards with specific projects but there could be more opportunities to further that work. Cultural Arts Commission member Casler suggested that the different boards and commissions meet quarterly to "speed date" and discuss their projects and discussion occurred. Planning Commission Chair Simson added that having additional input from the city's boards and commissions while the Planning Commission updated the city's master plans would be very helpful. Mayor Rosener reported that staff was working to reinstate the Citizen's University program.

5. ADJOURN

Mayor Rosener adjourned the work session at 7:06 pm and convened a regular session.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:15 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Keith Mays, Renee Brouse (virtual), Dan Standke, and Doug Scott.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Interim Public Works Director Rich Sattler, IT Director Brad Crawford, Police Chief Ty Hanlon, Planning Manager Sean Conrad, Economic Development Manager Erik Adair, Senior Planner Joy Chang, City Engineer Jason Waters, Finance Director David Bodway, and City Recorder Sylvia Murphy.
4. **APPROVAL OF AGENDA:**
MOTION: FROM COUNCIL PRESIDENT YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR MAYS. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of November 19, 2024, City Council Meeting Minutes**
- B. Resolution 2024-076, Approving a \$5m Brownfields Cleanup Grant Cooperative Agreement & Work Plan with the United States Environmental Protection Agency (EPA) for the Tannery Site Cleanup Project**
- C. Resolution 2024-077, Authorizing City Manager to Enter into a Contract with Northwest Success for Janitorial Services, Hard Floor Maintenance, Carpet and Window Cleaning**
- D. Resolution 2024-078, Authorizing an Interfund Loan from the Community Investment Fund to the Broadband Fund**
- E. Resolution 2024-079, Authorizing the City Manager to sign an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) for the Construction of SW Ice Age Drive**

MOTION: FROM COUNCIL PRESIDENT YOUNG 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 Jim Claus came forward and provided a handout (see record). He spoke on litigation and urban planning in San Diego. He stated that he had offered to donate “several millions of dollars’ worth of ground” to the city, but the city had not met with him. He spoke on urban renewal and zoning in Sherwood. He stated he was proposing a gift to the city and referred to stipulations in order for the deal to go through. He stated that he did not sell zoning, he was doing this for the benefit of the city. He stated that he was offering the city the opportunity to create the necessary group of people to create a plan in order for the gift to the city to proceed.

Mayor Rosener addressed the next agenda item, and the City Recorder read aloud the public hearings statements.

7. PUBLIC HEARING:

A. Resolution 2024-075, Adjusting Solid Waste and Recycling Collection Rates

City Manager Craig Sheldon presented the staff report and explained the city reviewed Pride Disposal’s annual report each year and that Pride had submitted their annual report to the city in March. He stated that the proposed rate adjustment aimed to ensure the financial sustainability of the solid waste collection service provided by Pride while also aligning with the target rate of return set forth in the city’s franchise agreement. He noted that the Sherwood Municipal Code 8.20.80 outlined that Council set the rates the franchise holder charged for those services. He reported the existing solid waste rates were last updated in September 2023, and since that time there had been significant increases in operational costs and Metro tipping fees. City Manager Sheldon stated that in July 2024, the city had Bell and Associates conduct a rate review and they issued a report. He stated that the adjusted rate of return for 2023 ranged from 2.74% to 7.72% depending upon the type of collection services, with a composite rate return of 4.17%. He stated that the 2024 rate of

return would range from 4.8% to 12.51% depending upon the type of collection service, with a composite of 6.69%. Mr. Sheldon stated that Bell and Associates had presented their findings at two Council work sessions in September and November, and Council had held a special meeting with Metro in October to discuss tipping fees and solid waste collection. He stated that after reviewing the rate, staff recommended adjusting the solid waste and recycling collection rates with the intent to achieve a projected composite rate of return of 10%. He stated that he had appreciated the discussion Council had had with Metro regarding tipping fees in October and noted that tipping fees had increased by 47% since 2017. Mayor Rosener explained that the city set the rates for waste collection in Sherwood, but Metro set most of the fees “behind the scenes” and determined how the waste was collected and handled. He stated that he and other regional mayors were trying to work with Metro regarding the increase in tipping fees. Councilor Giles commented that Metro stated that they had paused their increases during the pandemic and were now having to catch up, and Mayor Rosener commented that Metro had done a “\$20 million chargeback to their General Fund to cover losses in other areas that don’t have anything to do with garbage collection.” Councilor Scott asked how many public relations positions Metro had, and Mayor Rosener replied that Metro had around seven. Councilor Scott commented that this was part of the reason for the rate increase. Mayor Rosener stated that Pride Disposal did “an amazing job” and had been great partners to the city. Mayor Rosener opened the public hearing to receive comment. Hearing none, Mayor Rosener closed the public hearing and asked for discussion or a motion from Council. Councilor Standke commented that Council was aware that the rates were increasing significantly for most residential services, and they had done what they could, but most of the rate increases were driven by Metro. Mayor Rosener referred to Metro’s Regional Waste Advisory Committee and reported that rates would now be reviewed by the Committee. With no other comments stated, the following motion was received.

MOTION: FROM COUNCILOR MAYS TO APPROVE RESOLUTION 2024-075, ADJUSTING SOLID WASTE AND RECYCLING COLLECTION RATES. SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

B. Ordinance 2024-005, Amending Sherwood Municipal Code Chapter 12.12 Limiting Liability for the City of Sherwood and Other Parties from Private Claims Resulting from Use of Trails in a Public Easement or Unimproved Right of Way Under ORS 105.668

Interim City Attorney Sebastian Tapia recapped that this topic had been presented to Council during a November work session. He explained that this ordinance allowed the city to opt-in to the protection provided under ORS 105.668 regarding a city’s open trails. Mr. Tapia stated that the city’s insurance provider recommended that Sherwood opt in. He stated that once the ordinance was passed, a new section of the Sherwood Municipal Code would indicate that the City of Sherwood would join the immunity protection of the statute. Mayor Rosener opened the public hearing to receive comment. Hearing none, Mayor Rosener closed the public hearing and asked for discussion or a motion from Council. Councilor Standke asked when the ordinance would be effective and Mr. Tapia replied that it would be effective 30 days after adoption, but there was no deadline for cities choosing to opt-in. Councilor Mays commented that until it was effective, the city would be held liable. Interim City Attorney Tapia stated that Council had the authority to unanimously approve the ordinance, after which it would become effective 30 days after its adoption. He explained that the ordinance was not drafted with emergency provisions that would allow it to go into effect immediately after its adoption. Councilor Mays clarified that until the ordinance was in effect, the city would be exposed to liability claims. Mr. Tapia replied that the city was exposed to “some extent” but the city was also protected

under a different statute. Councilor Mays stated that he supported voting on the ordinance at this meeting and Councilor Standke and Council President Young stated they agreed. Mayor Rosener spoke on recreational immunity, the definition of “recreation,” and recent court cases. He stated that they were not creating a new protection for the city, they were restoring a protection that had always been there. Mayor Rosener stated he supported voting on the ordinance at this meeting and asked Councilor Brouse if she agreed. Councilor Brouse replied that she supported voting on the ordinance at this meeting.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO READ CAPTION AND ADOPT ORDINANCE 2024-005, AMENDING SHERWOOD MUNICIPAL CODE CHAPTER 12.12 LIMITING LIABILITY FOR THE CITY OF SHERWOOD AND OTHER PARTIES FROM PRIVATE CLAIMS RESULTING FROM USE OF TRAILS IN A PUBLIC EASEMENT OR UNIMPROVED RIGHT OF WAY UNDER ORS 105.668. SECONDED BY COUNCILOR MAYS. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

C. Ordinance 2024-006, Approving annexation of 38.63 acres to the City of Sherwood and Clean Water Services within the Tonquin Employment Area, comprised of five Tax Lots and City of Sherwood and BPA rights-of-way and declaring an emergency

Senior Planner Joy Chang presented the “Tonquin Employment Area Annexation Case File: LU 2024-019 AN” PowerPoint presentation (see record, Exhibit A). She provided background and stated that the applicant was seeking approval to annex approximately 38.63 acres of land to the City of Sherwood and Clean Water Services boundaries. She stated that the applicant was requesting the annexation utilizing the procedures outlined in SB 1573 or ORS 222.127. She outlined that under this method, the annexation did not require a vote by the City electorate, however, a petition must be signed by all affected property owners and meet certain approval criteria. Ms. Chang reported that this was a Type V application with the City Council as the hearing authority. She stated that notice of the application had been routed to affected agencies on October 21, 2024 and agency comments had been incorporated into the findings and exhibits of the staff report. She stated that public notice of the application had been provided in accordance with local, regional, and state requirements and that as of this meeting, no written public comments were received on the application. Senior Planner Chang provided an overview of the location of the site on page 4 of the presentation and reported that the subject territory was composed of five tax lots and was located southeast of SW Oregon Street, south of SW Tualatin-Sherwood Road, west of 124th Avenue, and on both sides of SW Dahlke Lane. She outlined that the properties were addressed as 21370 SW Oregon Street and 21680, 21700, 21775, 21825 SW Dahlke Lane and were all within the Tonquin Employment Area. She outlined the three criteria levels as: state, regional, and local. She addressed state criteria on page 6 of the presentation and outlined that in 2016, state legislators passed SB 1573 which allowed 100% property owner-initiated annexations as long as the following criteria was met: 100% property owner initiated, the site was within the UGB, the site was subject to a Comprehensive Plan, the site was contiguous to the city boundary line, and the site conformed to all other city ordinances. Ms. Chang noted that in 2012, Sherwood voters authorized the annexation of properties in the Tonquin Employment Area into the city subject to Council public hearing and approval. She added that the applicant also requested annexation to the Clean Water Services Service District under the provisions of ORS 199.510(2)(c), which allowed a site annexing to the city be also included in the boundary of the service district. She addressed regional criteria and stated that staff had reviewed urban services and determined that it was feasible to serve the site. She reported that the site was within the Washington County Enhanced Sheriff’s Patrol District (ESPD) and once annexed, the site would be

withdrawn from the County's ESPD and Sherwood Police would service the site. She stated that the proposal was consistent with Urban Service, CWS, and TVF&R agreements and the proposal would promote orderly facilities, effective urban services, and avoid duplication of services. Senior Planner Chang provided an overview of the local criteria and 2040 Comprehensive Plan criteria on page 8 of the presentation and outlined that the Governance and Growth Management criteria had been met for annexation. She referred to Tonquin Employment Area Concept Plan criteria and reported that the area had been brought into the Sherwood UGB in 2004, the Tonquin Employment Area Concept Plan was completed in 2010 and required that the Sherwood Municipal Code be amended to include Employment Industrial (EI) zoning. She reported that EI zoning applied only to those properties within city limits or upon annexation, and once annexed, the EI zoning designation would be applied. Senior Planner Chang referred to Ice Age Drive and explained that annexation would allow for the construction of a new collector status roadway, which was at 100% design and was expected to go to bid in early 2025. She stated that the annexation would also allow the city to permit construction of Ice Age Drive subject to city land use and infrastructure requirements. Ms. Chang stated that staff recommended that the ordinance be passed as an emergency pursuant to Section 17 of the Sherwood City Charter, which would allow the ordinance to become effective immediately upon its passage. She explained that an emergency declaration was required in order to ensure that the city's Ice Age Drive construction project stayed on schedule and did not miss the spring construction season. She outlined that annexation of the subject properties was required in order to receive approval from the Department of Environmental Quality for the city's erosion and grading control permit. She stated that annexation was also required for the city to permit the larger Ice Age Drive project. Ms. Chang recapped that based on the criteria in SB 1573 and ORS 199.510(2)(c), Metro annexation criteria and the city's policies in the Comprehensive Plan and Tonquin Employment Area Concept Plan, staff recommended the approval of the Tonquin Employment Area annexation petition to the City of Sherwood and Clean Water Services District. She outlined Council alternatives as: hold the first public hearing on the ordinance and adopt the ordinance tonight as an emergency ordinance; hold the first public hearing on the ordinance and issue a decision on the matter after the second reading on December 17th; or hold the first public hearing on the ordinance and direct staff to revise findings that denied the annexation request. Council President Young referred to the request to vote on the ordinance at this meeting and declare an emergency in order for it to go into effect immediately and asked why the ordinance was not brought to Council sooner. Community Development Director Eric Rutledge came forward and stated that the property owners included the City of Sherwood, two private landowners, and Bonneville Power Administration (BPA). He explained that procuring signatures from the private property owners and BPA had taken time as well as ensuring that the city had the authority to process the application under the voter approved annexation laws. He commented that typically, staff did not like bringing forward emergency ordinances, but staff had felt that the Ice Age Drive project needed to move forward, and they wished to give Council that option. Councilor Giles spoke on bidding timelines and the seasonal nature of construction projects. Mr. Rutledge replied that was correct and added that the city needed to procure a necessary permit that required DEQ approval prior to starting construction and spoke on the timelines for DEQ permit approval. Mayor Rosener commented that voters had already weighed in on the long-term plans for the area and spoke on rising construction costs and inflation rates. Mayor Rosener opened the public hearing to receive comment. Hearing none, Mayor Rosener closed the public hearing and asked for discussion or a motion from Council. Councilor Scott stated that he supported voting on the ordinance at this meeting and commented that voters had approved of this years ago and was consistent with the city's economic development goals. Councilor Mays, Councilor Giles, Council President Young, and Councilor Brouse signaled they also supported voting on the ordinance at this meeting.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO READ CAPTION AND ADOPT ORDINANCE 2024-006, APPROVING ANNEXATION OF 38.63 ACRES TO THE CITY OF SHERWOOD AND CLEAN WATER

SERVICES WITHIN THE TONQUIN EMPLOYMENT AREA, COMPRISED OF FIVE TAX LOTS AND CITY OF SHERWOOD AND BPA RIGHTS-OF-WAY AND DECLARING AN EMERGENCY. SECONDED BY COUNCILOR SCOTT. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

8. CITY MANAGER REPORT:

City Manager Craig Sheldon reported that the Winter Art Walk would be held on December 5th. A Budget Committee meeting would be held on December 5th. He reported the Robin Hood Festival holiday parade would be held on December 7th.

Mayor Rosener addressed the next agenda item.

9. COUNCIL ANNOUNCEMENTS:

Councilor Giles reported on Sherwood School District, cross country, and football events. He reported on the most recent Library Advisory Board meeting and spoke on the success of the recent outreach efforts to provide students with library cards.

Councilor Brouse reported that she would attend the Oregon Business Forum meeting and the Sherwood Chamber of Commerce breakfast.

Councilor Mays reported on his attendance at the TAC meeting for the Old Town Strategic Plan. He spoke on his interactions with the Clauses.

Councilor Standke reported that the Planning Commission had not met. He recapped the prior work session held with the Sherwood Board and Committee chairs.

Council President Young reported on her attendance at the most recent Police Advisory Board meeting. She reported on her attendance at the Region 1 Committee on Transportation meeting. She shared that there was a gift collection underway for the SHARE Center. She reported there would be a Sherwood Chamber of Commerce ribbon cutting ceremony at a new children's clothing store.

Mayor Rosener reported that the Robin Hood Festival holiday event would be held on December 7th. He reported that the LOC's City Day would be held on January 28th in Salem. He spoke on the Governor's new housing bill.

10. ADJOURN:

Mayor Rosener adjourned the regular session at 8:10 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

TO: Sherwood City Council

FROM: Sylvia Murphy, MMC, City Recorder

Through: Craig Sheldon, City Manager and Sebastian Tapia, Interim City Attorney

SUBJECT: Resolution 2024-080, Approving the City Recorder's Canvassing of the Washington County Election returns of the November 5, 2024 General Election and directing the City Recorder to enter the results into the record

ISSUE:

Should the City Council approve the official November 5, 2024 general election results as provided by the Washington County Elections Division?

BACKGROUND:

Via this resolution, the City Recorder/City Elections Official is seeking City Council approval of Exhibit A, the Abstract of Votes from the November 5, 2024 General Election. Upon approval of the election results, the City Recorder will take all necessary steps to enter the election results into the record.

FINANCIAL IMPACTS:

There are no financial impacts of the adoption of this resolution.

RECOMMENDATION:

Staff respectfully recommends City Council approval of Resolution 2024-080, Approving the City Recorder's Canvassing of the Washington County Election returns of the November 5, 2024 General Election and directing the City Recorder to enter the results into the record.



RESOLUTION 2024-080

APPROVING THE CITY RECORDER'S CANVASSING OF THE WASHINGTON COUNTY ELECTION RETURNS OF THE NOVEMBER 5, 2024 GENERAL ELECTION AND DIRECTING THE CITY RECORDER TO ENTER THE RESULTS INTO THE RECORD

WHEREAS, the Washington County Elections Manager has duly and regularly certified the results of the General Election held on November 5, 2024; and

WHEREAS, the City Elections Officer, consistent with the duties imposed on that office, will canvass the votes and enter the results into the record following adoption by the City Council; and

WHEREAS, the certified election results are attached as Exhibit A to this resolution, and the City Council deems it appropriate to accept the official results and to direct the City Recorder to take all required actions relative thereto.

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

Section 1. The City Council hereby accepts and approves the official results of the November 5, 2024 general election as shown in Exhibit A to this Resolution.

Section 2. The City Recorder is hereby directed to enter a copy of this Resolution into the record of the proceedings of this Council and to canvass the votes.

Section 3. This Resolution is and shall be effective from and after its adoption by the City Council.

Duly passed by the City Council on this 17th of December 2024.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Ballots Cast per Contest with Precincts
Washington County November 5 2024 General Election
All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
Official Results
Total Ballots Cast: 301105, Registered Voters: 400012, Overall Turnout: 75.27%

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2024-12-02
09:11:39

City of Sherwood, Mayor (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Tim Rosener	Write-In	Over Votes	Under Votes
Precinct 424	4657	5850	3191	3115 97.62%	76 2.38%	0	1466
Precinct 435	4132	5143	2784	2674 96.05%	110 3.95%	0	1348
Precinct 442	2708	3394	1884	1831 97.19%	53 2.81%	0	824
Total	11497	14387	7859	7620 96.96%	239 3.04%	0	3638

RECEIVED
DEC 02 2024

BY: *Sylvia Murphy*
(4 pages)



I, Dan Forester, Washington County
Elections Division Manager and designee
of the Ex-Officio County Clerk, do hereby
certify this to be a true and correct
copy of the original.

Date: Dec. 2, 2024
By: *Dan Forester*

Ballots Cast per Contest with Precincts
Washington County November 5 2024 General Election
All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
Official Results
Total Ballots Cast: 301105, Registered Voters: 400012, Overall Turnout: 75.27%

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2024-12-02
09:11:39

City of Sherwood, Council Members (Vote for 3)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Kim Young		Renee E Brouse		Dan Standke		Write-in	
Precinct 424	4657	5850	8283	2773	33.48%	2679	32.34%	2670	32.23%	104	1.26%
Precinct 435	4132	5143	7548	2484	32.91%	2446	32.41%	2462	32.62%	108	1.43%
Precinct 442	2708	3394	4996	1671	33.45%	1626	32.55%	1617	32.37%	56	1.12%
Total	11497	14387	20827	6928	33.26%	6751	32.41%	6749	32.41%	268	1.29%



I, Dan Forester, Washington County
Elections Division Manager and designee
of the Ex-Officio County Clerk, do hereby
certify this to be a true and correct
copy of the original.

Date: Dec. 2, 2024
By: [Signature]

Ballots Cast per Contest with Precincts
Washington County November 5 2024 General Election
All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
Official Results
Total Ballots Cast: 301105, Registered Voters: 400012, Overall Turnout: 75.27%

Page: 96 of 147
2024-12-02
09:11:39

City of Sherwood, Council Members (Vote for 3)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Write-In		Write-in		Over Votes	Under Votes
Precinct 424	4657	5850	8283	35	0.42%	22	0.27%	0	5688
Precinct 435	4132	5143	7548	32	0.42%	16	0.21%	3	4845
Precinct 442	2708	3394	4996	17	0.34%	9	0.18%	3	3125
Total	11497	14387	20827	84	0.40%	47	0.23%	6	13658

Ballots Cast per Contest with Precincts
Washington County November 5 2024 General Election
All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
Official Results
Total Ballots Cast: 301105, Registered Voters: 400012, Overall Turnout: 75.27%

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2024-12-02
09:11:39

Question 34-340 (Vote for 1)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes		No		Over Votes	Under Votes
Precinct 424	4657	5850	4290	2498	58.23%	1792	41.77%	0	367
Precinct 435	4132	5143	3791	2217	58.48%	1574	41.52%	0	341
Precinct 442	2708	3394	2457	1477	60.11%	980	39.89%	0	251
Total	11497	14387	10538	6192	58.76%	4346	41.24%	0	958



, Dan Forester, Washington County
Elections Division Manager and designee
of the Ex-Officio County Clerk, do hereby
certify this to be a true and correct
copy of the original.

Date: Dec. 2, 2024
By: Dan Forester

TO: Sherwood City Council

FROM: Craig Sheldon, City Manager

Through: Sebastian Tapia, Interim City Attorney

SUBJECT: Resolution 2024-081, Adjusting Solid Waste and Recycling Collection Rates, Repealing and Replacing Resolution 2024-075

Issue: The City Council adopted Resolution 2024-075 on December 3, 2024, adjusting solid waste and recycling collection rates. Resolution 2024-075 did not include all the rates provided by Pride Disposal. As a result, staff is asking Council to adopt a new resolution with all the rates, repealing and replacing Resolution 2024-075.

Information to be added:

- Include Recycle+ rates: \$2.55 monthly flat fee and \$9.45 for each on-call pick up
 - This rate went into effect January 1, 2023 and has not increased. It has not been included in the breakdown of rates since its inception
- Update 1-Yard Heavy Container Rates
 - One: \$173.65 Two: \$332.84 Three: \$488.46

Background: Solid waste and recycling collection services in Sherwood are provided by Pride Disposal, a private company pursuant to a franchise issued under Sherwood Municipal Code (SMC) Chapter 8.20. As set forth in SMC 8.20.80, the City Council sets the rates the franchise holder charges for those services. The current solid waste and recycling collection rates have been in effect since September 1, 2023. SMC 8.20.080 outlines the related factors and processes to be followed by City Council to adjust solid waste and recycling collection rates.

Most cities in Washington County aim to set a reasonable composite rate of return of 8 to 12 percent annually for their solid waste franchisees and SMC 8.20.080 defines a similar target for Sherwood franchisees. With updated 2023 financial information from Pride Disposal, the City had Bell and Associates conduct a Rate Review and issue a report, which was completed in July 2024. The City has determined through the analysis of financial information from Pride Disposal that their adjusted rate of return for 2023 ranged from 2.74% to 7.72% depending upon the type of collection services, with a composite rate return of 4.17%

During the City Council work session on September 17, 2024, Bell & Associates presented a recommendation to adjust rates (see attached) based on increased costs for collection and the increase in tipping fees from Metro. The financial analysis determined that the projected rate of return in 2024 ranges from 4.8% to 12.51% depending upon the type of collection service with a composite of 6.69%.

Financial Impacts: With the proposed rate increase, there will be a minimal financial impact on the City budget as a result of the approval of this resolution.

Recommendation: Staff respectfully recommends City Council hold a public hearing and adopt Resolution 2024-081, Adjusting the solid waste and recycling collection rates, Repealing and Replacing Resolution 2024-075.



Solid Waste & Recycling Rate Review Report



| SEPTEMBER 2024

City of Sherwood Solid Waste Rate Review

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Background

Collection of waste and recycling within the City of Sherwood (City) is accomplished under an exclusive franchise agreement between Pride Disposal (Pride) and the City. As the regulator of waste and recycling, the City Council is responsible for setting rates for waste collection services. Section 8.20.080, subsection F.1 of the Sherwood Municipal Codes states the following: *On or before March 15, the franchisee shall file an annual report, in a form established by the city manager, with the city manager for the year ending the immediately previous December 31. The report is required from the franchisee regardless of whether or not a rate adjustment is requested.*

In March 2024, Pride Disposal submitted the annual detailed cost report to the City for the calendar year 2023. The reported financial results of collection operations within the City was 2.56%.

To assist with the review of the solid waste rates, the City contracted with Bell & Associates to provide City staff with solid waste and recycling consulting services.

Annual Cost Report

The annual cost report provides line-item costs and revenues associated with providing service within the City and combined line-item totals for their non-Sherwood operations. The format provides the capacity to calculate the cost of service for each line of business (cart, container, and drop box). Cart collection is primarily for residential customers, whereas business customers are serviced with a container. Reported results were analyzed and the following tasks were completed:

- a. Analyze reported route collection hours to the reported customer counts for each line of business.
- b. Using a predictive test of revenue for each line of business, ensure the reported revenues are reasonable for the number of reported customers.
- c. By thoroughly reviewing the reported direct cost line items, determine if the expense is reasonable in relation to the customer and operational data entered from the detailed cost report.
- d. Utilize a predictive test of disposal to determine if the reported disposal expense is reasonable.
- e. Using the reported administrative line items, determine if the expense is reasonable compared to the operational data entered from the detailed cost report.
- f. Review the costs between the City and Pride's other franchised collection operations to determine if the allocations are reasonable.

Adjusted Report

Financial data was consolidated by service, showing the collection system's total revenues and expenses. This consolidated report allows the calculation of Pride's return on revenue and provides a measure of the adequacy of rates. Table 1 on the following page details the return for each collection service within the Sherwood collection franchise.

Table 1: 2023 Sherwood Results

Cost Component	Roll Cart	Container	Drop Box	Total
Revenues	\$2,687,869	\$1,249,129	\$1,010,168	\$4,947,166
Direct Costs of Operations	\$2,293,830	\$999,844	\$845,178	\$4,138,852
Indirect Costs of Operations	\$320,302	\$194,867	\$86,982	\$602,151
Allowable Costs for Rates	\$2,614,132	\$1,194,711	\$932,160	\$4,741,003
Franchise Income	\$73,737	\$54,418	\$78,008	\$206,163
Return on Revenues	2.74%	4.36%	7.72%	4.17%

Projected Results for 2024-25

Projecting the financial performance for 2025 was completed by applying the following assumptions to the 2023 adjusted revenues and expenses.

- September 1, 2023, a rate increase of 5.7% for residential service, 2.4% for commercial service, and 4.8% for the drop box / roll off compactor haul fee plus disposal pass-through.
- The driver wage increase is calculated on the hourly wage increase from the Teamster's contract, which was \$32.35 in March 2024. This is an increase of 2.8% from 2023. It will increase by 3.0% in 2024. The two year increase from 2023 through 2025 is 5.9%.
- Recology increased organic waste processing by 5.5% in 2024 and 3% in 2025.
- Administrative salaries and costs are estimated to increase by 6% from 2023 through 2025.
- Pride maintains fleet readiness through regular truck replacement; however, the problems with the supply chain for new trucks have delayed replacement. As a result, collection trucks ordered in 2020 through 2022 were delivered throughout 2023, which has increased truck depreciation by \$33,386 or 13.9% from 2023. Truck repair costs are estimated to increase by 2.5%.

Table 3 calculates the tipping fee increase from 2023 through 2024. Pride's contracts for transport and disposal increased based on the CPI on January 1. The four-year All Items West CPI average is 4.4%, which is the estimated increase in January 2025.

Table 2: Assumed Inflation Factors

Expense	Increase
Driver Wages	7.6%
Organic Processing	7.5%
Truck Depreciation	13.9%
Truck Repair	2.5%
Administration	6.0%

Table 3: Increased Disposal Fee Per Ton Calculation

	2023 Average	2024 Average	January 2025	23 to 25 \$ ▲
Tonnage Fee	\$84.52	\$97.33	\$101.61	\$17.09
Metro Fees	\$46.35	\$48.44	\$50.57	\$4.22
Total Fee	\$130.87	\$145.77	\$152.18	\$21.31
% ▲		11.4%	16.3%	



Year-to-Year Comparison of Expenses

Table 4 compares projected revenue and expenses for 2025 to the adjusted amounts from 2023.

Table 4: Revenue and Expense Comparison from 2023 to 2025

Description	2023 Actual	2025 Projected	\$ ▲	% ▲
Total Revenue	\$4,947,166	\$5,223,907	\$276,741	5.6%
SW and Yard Debris Disposal	\$1,729,992	\$1,998,199	\$268,207	15.50%
Recycling Processing	\$194,108	\$194,108	\$-	0.00%
Labor	\$931,486	\$977,430	\$45,944	4.93%
Truck	\$680,386	\$705,461	\$25,075	3.69%
Equipment	\$142,577	\$143,329	\$752	0.53%
Franchise Fees	\$243,501	\$257,338	\$13,837	5.68%
Other Direct	\$216,802	\$216,840	\$38	0.02%
G & A	\$602,151	\$634,932	\$32,781	5.44%
Total Expenses	\$4,741,003	\$5,127,637	\$386,634	8.16%
Rate of Return	4.17%	1.84%		

Section 8.20.080 of the Sherwood Municipal Code details the collection rate adjustment method. Because the 2023 reported results were below 8%, the code requires the City to undertake a rate study to recommend new rates. The study will be designed to recommend new rates effective immediately following January 1 and intended to produce a rate of return of ten percent for the calendar year beginning on that date.

Calculating the Cost of Collection Services

The financial impact of applying the increased costs from Table 4 reveals the variable returns for each service provided by Pride Disposal in Table 5.

Table 5: Estimated 2025 Rate of Return by Service

Service	Cart	Container	Drop Box	Composite
Revenues	\$2,843,543	\$1,279,072	\$1,101,292	\$5,223,907
Direct Costs	\$2,466,612	\$1,068,036	\$958,057	\$4,492,705
Indirect Costs	\$337,767	\$205,505	\$91,660	\$634,932
Allowable Costs	\$2,804,379	\$1,273,541	\$1,049,717	\$5,127,637
Franchise Income	\$39,164	\$5,531	\$51,575	\$96,270
Return on revenues	1.38%	0.43%	4.68%	1.84%

Table 5 reported the estimated composite return is 1.84% for 2025 without any rate adjustments. When the **waste disposal increase** was eliminated from the estimate, the expected rate of return for all three lines of business increased, which is summarized below.

Cart	Container	Drop Box
4.81%	5.86%	12.51%

The calculation without the disposal increase is necessary to measure the revenue requirement for collection operations.

The additional amount for cart collection is \$156,666, or \$2.22 (\$156,666 / 12 months / 5,878 customers) per month. The adjustment for disposal varies by the size of the customer's roll cart. Table 6 details the expenses to calculate the proposed cart/residential rates.

Table 6: Rate Calculation for Cart Collection Services

Service	Residential Customers	Current Rate	Collection Increase	Disposal Increase	Total Increase	% Rate ▲
20 gal cart	416	\$29.92	\$2.22	\$0.71	\$2.93	9.8%
35 gal cart	2,719	\$32.99	\$2.22	\$1.19	\$3.41	10.3%
65 gal cart	2,188	\$43.29	\$2.22	\$2.17	\$4.39	10.1%
95 gal cart	465	\$53.73	\$2.22	\$3.15	\$5.37	10.0%

The projected return for commercial collection without any rate adjustment is 5.86%; therefore, increasing the commercial collection rates for the cost of collection and the waste disposal increase is necessary to keep the line of business within the allowable margin range. The revenue requirement for container collection is \$55,206 or \$0.90 (\$55,206 / 61,594 yards) per collected yard of waste.

The average weight per collected garbage yard is approximately 110 pounds, and it will cost an additional \$1.38 per yard to dispose of waste. The total increased cost for container collection is \$2.28 per yard (\$0.90 + \$1.38). Table 7 details the additional disposal expense on Sherwood's most popular container sizes.

Table 7: Commercial Rate Calculation with Disposal Pass-Through

Level of Service	Customers	Current Rate	Container Increase	New Rate	% Rate ▲
2 yard weekly	22	\$211.52	\$19.74	\$231.26	9.3%
3 yard weekly	33	\$284.15	\$29.62	\$313.77	10.4%
4 yard weekly	40	\$356.83	\$39.49	\$396.32	11.1%
6 yard weekly	32	\$501.84	\$59.23	\$561.07	11.8%

Drop box service is comprised of three costs: haul fee, disposal, and drop box rental. Disposal costs are the actual cost of the material hauled in the box and are "pass-through" to the customer. These costs vary depending on the weight or amount of material hauled. Because the customer pays the actual disposal cost, these expenses are not considered when calculating the haul fees. Table 8 shows the projected drop box service return with the disposal removed from the revenue and disposal. No rate increase is required because the projected return is within the 8% to 12% return range.

**Table 8: Projected Drop Box / Roll Off
Compactor Service Results**

Description	Amount
Revenue w/o Disposal	\$ 486,249
Collection	\$ 343,014
G&A	\$ 91,660
Total	\$ 434,674
Revenue	\$ 51,575
Projected Return	10.6%



RESOLUTION 2024-081

ADJUSTING SOLID WASTE AND RECYCLING COLLECTION RATES, REPEALING AND REPLACING RESOLUTION 2024-075

WHEREAS, the City Council adopted Resolution 2024-075, adjusting solid waste and recycling collection rates; and

WHEREAS, Resolution 2024-075 did not provide a complete listing of all the services and current rates; and

WHEREAS, the current solid waste and recycling rates have been in effect since September 1, 2023; and

WHEREAS, the Sherwood City Council sets rates for all solid waste collection services as set forth in Sherwood Municipal Code (SMC) 8.20.080; and

WHEREAS, SMC 8.20.60 provides for compensation to be paid by solid waste franchisees for the use of City streets in the form of solid waste franchise fees; and

WHEREAS, Pride Disposal, a franchisee for solid waste services in Sherwood, has submitted their 2023 annual report per SMC 8.20.080(F)(1); and

WHEREAS, the City has determined through an analysis of financial information from Pride Disposal that their adjusted rate of return for 2023 ranged from 2.74% to 7.72% depending upon type of collection service, with a composite rate of return of 4.17%; and

WHEREAS, the City has determined through analysis of financial information from Pride Disposal that their projected rate of return for 2024 ranges from 9.8% to 11.8% depending upon type of collection services; and

WHEREAS, the City Manager has reviewed the Rate Review Report compiled by Bell & Associates and concurs with the recommendation to adjust solid waste and recycling collection rates in a manner intended to achieve a projected composite rate of return of 10%; and

WHEREAS, the City has determined that the new solid waste and recycling collection rates should take effect on January 1, 2025.

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

Section 1. The Sherwood City Council hereby approves the proposed schedule of solid waste and recycling collection rates as contained in the attached Exhibit A.

Section 2. Resolution 2024-075 is hereby repealed and replaced with this Resolution 2024-081.

Section 3. The adjusted solid waste and recycling collection rates will take effect on January 1, 2025.

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

Duly passed by the City Council this 17th of December 2024.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

City of Sherwood

Rates Effective January 1, 2025

Roll Cart Collection Rates	1/1/2025	Service Fees	9/1/23 Rate
One 20 gallon cart	32.85	Walk-in Fee	5.44
One 35 gallon cart	36.40	SNP	25.00
One 60 gallon cart	47.68	NSF	25.00
One 90 gallon cart	59.10	Go Back Fee	17.94
On-Cal Service	21.36	Special Services (per hr.)	104.68
Extra Can / 32 gal bag	8.08	Recycling Contamination Fee	30.00
Extra Bag (small)	4.38		
Yard Debris Only	8.51	-	
Second Yard Debris Cart	8.51	Extras - per collected yard	15
Yard Debris Extra	2.74	Extra with Clean Up *	30
Recycling Only	8.11	* Requires driver to pick up waste /recycling	

Commercial Food Waste

One 60 gallon cart	45.05
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Drop Box Rates

Service / Box Volume	1/1/25 Rate
10 Cubic Yards per Haul	\$155.00 Haul charge listed + actual disposal fee
20 Cubic Yards per Haul	\$155.00 Haul charge listed + actual disposal fee
30 Cubic Yards per Haul	\$155.00 Haul charge listed + actual disposal fee
40 Cubic Yards per Haul	\$155.00 Haul charge listed + actual disposal fee
Compactor per Haul	\$190.00 Haul charge listed + actual disposal fee
Delivery / Relocation (per box)	\$77.00 Per movement
Box Not Ready Trip Fee	\$26.00 Per occurrence

Open Top Box Rental	1/1/25 Rate
10 and 20 Cubic Yards	\$11.00
30 Cubic Yards	\$13.00
40 Cubic Yards	\$13.00

Box with a lid

10 and 20 Cubic Yards	\$16.00
30 Cubic Yards	\$18.00

Mileage Charge ¹	\$3.89
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1. Mileage Charges are assessed on the disposal leg of the haul mileage is greater than 5 miles from pick-up to the disposal site

Medical Waste Collection Rates

Service Component	1/1/25 Rate Note:
On-site Pick-up Charge	49.00
<u>Disposal</u>	
Disposal Cost per 17 or < Gal. Unit	18.02
Disposal Cost per 23 Gal. Unit	24.39
Disposal Cost per 31 Gal. Unit	32.87
Disposal Cost per 31 Gal. Unit (10 or more per stop)	21.89 Unit rate when 10 or more units are collected
Disposal Cost per 43 Gal. Unit	45.59
Disposal Cost per 43 Gal. Unit (10 or more per stop)	30.36 Unit rate when 10 or more units are collected
Pharmaceutical Waste per 5 gal	48.19
Chemotherapy Waste Disposal	115.00
Cardboard Bio Boxes (per 23/30 gallon per box)	8.50

* The medical collection rate is the sum of the onsite pick-up fee plus the disposal cost per unit of waste. Customers typically have multiple containers, so the onsite pick-up cost is spread over containers.

City of Sherwood

Proposed Commercial Collection Rates

Effective January 1, 2025

Container(s):	One	Two	Three	Four	Five	EOW
1 yard	144.63	272.92	396.99	521.11	645.44	
each additional	101.5	197.18	292.7	388.23	483.87	
1.5 yard	189.91	354.94	519.92	684.87	849.93	
each additional	142.83	279.24	415.6	551.95	688.38	
2 yard	231.26	437.06	642.85	848.65	1054.46	135.27
each additional	184.19	361.35	538.56	715.77	892.92	95.37
3 yard	313.77	601.25	888.65	1176.02	1463.58	177.89
each additional	266.69	525.51	784.32	1043.16	1302.02	134.29
4 yard	396.32	765.52	1134.5	1503.49	1872.71	216.84
each additional	349.9	689.78	1030.17	1370.59	1711.17	173.28
5 yard	478.85	929.55	1380.27	1830.98	2281.67	
each additional	431.79	853.84	1275.93	1698.06	2120.13	
6 yard	561.07	1093.46	1625.76	2158.05	2690.46	294.63
each additional	513.99	1017.72	1521.41	2025.16	2528.91	250.99
8 yard	727.27	1422.85	2118.47	2814.03	3509.62	372.42
each additional	680.21	1347.12	2014.14	2681.13	3348.05	329.45

Compacted Rates

1 yard compacted	320.47	604.19	878.39	1152.53	1426.95
2 yard compacted	510.4	963.52	1416.58	1869.65	2321.93
3 yard compacted	691.03	1322.97	1954.58	2586.28	3217.11
4 yard compacted	871.71	1682.5	2492.72	3302.94	4112.32

Proposed Commercial Collection Rates

Heavy Container	One	Two	Three	Four	Five
1 yard	173.65	332.84	488.46		
each additional	n/a	n/a	n/a	n/a	n/a
1.5 yard	244.24	456.23	702.84	915.17	1126.17
each additional	233.85	450.35	667.83	868.1	1067.12
2 yard	323.69	630.33	922.67	1201.12	1476.68
each additional	308.1	591.48	858.39	1115.18	1369.8
3 yard	451.16	875.93	1279.1	1662.09	2058.57
each additional	433.67	846.68	1244.04	1638.7	2029.29
4 yard	578.26	1122.64	1664.02	2178.26	2677.46
each additional	562.62	1107.05	1640.64	2162.49	2656.14
5. yard	699.84	1377.46	2042.96	2693.67	3312.12
each additional	689.73	1348.22	1999.08	2639.4	3263.49
6 yard	811.31	1596.66	2370.58	3124.69	3871.58
each additional	799.41	1573.35	2335.44	3066.98	3797.68
8 yard	1040.42	2046.5	3032.65	4003.67	4952.49
each additional	1024.34	2015.33	2986.4	3941.63	4874.6

Other	Monthly Fee	On-Call Pick Up Charge:
Recycle+	\$2.25 Flat Fee	\$9.45 Each Pick Up