



CITY COUNCIL MEETING PACKET

FOR

Tuesday, January 17, 2023

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

6:00 pm City Council Work Session

7:00 pm City Council Regular Meeting

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



Home of the Tualatin River National Wildlife Refuge

6:00 PM WORK SESSION

- 1. Sherwood Concept Plan Re-Look Update**
(Erika Palmer, Planning Manager)
- 2. Sherwood Utility Billing Update**
(Amy Jollett, Customer Service 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 January 3, 2023 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. Approval of January 7, 2023 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - C. Resolution 2023-007, Adopting Rules of Procedure for City Council**
(Keith Campbell, City Manager)
 - D. Resolution 2023-008, Appointing the Budget Officer for Fiscal Year 2023-24**
(Keith Campbell, City Manager)
 - E. Resolution 2023-009, Appointment of City Council Liaison Assignments**
(Keith Campbell, City Manager)
 - F. Resolution 2023-010, Appointing Sean Garland to the Sherwood Library Advisory Board**
(Adrienne Doman Calkins, Library Manager)
- 6. CITIZEN COMMENTS**
- 7. NEW BUSINESS**
 - A. Resolution 2023-011, Assessing Sidewalk Construction Costs on Various Sherwood Properties and Directing the City Recorder to Enter Such Assessments in the City's Lien Docket** (David Janusz, Asset Management Specialist)
- 8. CITY MANAGER REPORT**
- 9. COUNCIL ANNOUNCEMENTS**

AGENDA

SHERWOOD CITY COUNCIL January 17, 2023

6:00 pm Work Session

7:00 pm City Council Regular Session

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

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

10. 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.



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
January 3, 2023

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 7:02 pm.
2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Renee Brouse, Kim Young, Taylor Giles, Linda Henderson, and Councilor-Elect Dan Standke. Councilor Doug Scott participated remotely.
3. **STAFF PRESENT:** City Manager Keith D. Campbell, Interim City Attorney Alan Rappleyea, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, IT Director Brad Crawford, Planning Manager Erika Palmer, Police Chief Ty Hanlon, Economic Development Manager Bruce Coleman, HR Manager Lydia McEvoy, Municipal Judge Jack Morris, and City Recorder Sylvia Murphy.

4. PRESENTATIONS:

A. Swearing In of Newly Elected Officials

Municipal Judge Jack Morris administered the Oath of Office to the newly elected Mayor Tim Rosener and Councilors Keith Mays, Taylor Giles, Dan Standke, and Doug Scott. Councilor Linda Henderson stepped down.

Councilor Young stated that she wished to move Consent Agenda Item F, Resolution 2023-003, Authorizing City Manager to Execute a Purchase Order for the Purchase and Installation of a Playground Structure and Swing Set for Woodhaven Park to New Business Item B.

MOTION: FROM COUNCILOR YOUNG TO MOVE ITEM F, RESOLUTION 2023-003, AUTHORIZING CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE AND INSTALLATION OF A PLAYGROUND STRUCTURE AND SWING SET FOR WOODHAVEN PARK TO SECTION 8, NEW BUSINESS ITEM B. SECONDED BY COUNCILOR MAYS. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

5. APPROVAL OF AGENDA:

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

6. CONSENT AGENDA:

- A. Approval of December 2, 2022 City Council Meeting Minutes
- B. Approval of December 6, 2022 City Council Meeting Minutes
- C. Approval of December 7, 2022 City Council Meeting Minutes
- D. Resolution 2023-001, Appointing Brie Scrivner to the Sherwood Library Advisory Board
- E. Resolution 2023-002, Approving an Employment Agreement with Ryan Adams to Serve as City Attorney
- F. Resolution 2023-004, Authorizing an amendment to the existing Angelo Planning Group/MIG contract for the Sherwood West Re-look project
- G. Resolution 2023-005, Ratifying the Collective Bargaining Agreement with AFSCME
- H. Resolution 2023-006, Ratifying the Collective Bargaining Agreement and Approving a Sabbatical Memo of Understanding with SPOA

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

7. CITIZEN COMMENTS:

New City Attorney Ryan Adams introduced himself and explained that prior to taking the City Attorney position in Sherwood, he was the Assistant City Attorney in Wilsonville. He stated he was “excited and humbled” to work for the city and thanked Council for considering him for the job. He stated his first day as Sherwood’s City Attorney would be January 30th.

Mayor Rosener addressed the next agenda item.

8. NEW BUSINESS:

A. City Council Selection of Council President

Councilor Young nominated Councilor Mays to serve as Council President. Councilor Mays accepted the nomination. With no other nominations received, Mayor Rosener called for a vote.

VOTE: ELECTING COUNCILOR KEITH MAYS AS COUNCIL PRESIDENT. VOTE PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener commented that he appreciated Council President Mays continuing to serve on Council for an additional year. Mayor Rosener explained that Council President Mays had a vast institutional knowledge of the regional processes and procedures and would serve as a good asset for him as he took on the role of bringing products and services to Sherwood.

Mayor Rosener addressed the next agenda item.

B. Resolution 2023-003, Authorizing City Manager to Execute a Purchase Order for the Purchase and Installation of a Playground Structure and Swing Set for Woodhaven Park

Councilor Young explained that the Parks and Recreation Advisory Board had held an open house where they presented the three options for the playground structure at Woodhaven Park to the community. She explained that the city and Council had received community feedback that none of the options had enough

inclusive items. She stated that City Manager Keith Campbell had asked staff to review other options to present to the Parks and Recreation Advisory Board for their review. She explained that the Parks and Recreation Advisory Board had reviewed the new options and had made a recommendation to Council. Public Works Director Craig Sheldon explained that city staff had reviewed options that included: turf, tile, and pour-in-place. He stated that the facility already had a sandbox next to it, and from a maintenance standpoint, sand was abrasive to tile. He explained that this was not the best location to do an inclusive structure replacement. Councilor Young added that the option that the Parks and Recreation Advisory Board had recommended did have some inclusive options, but some citizens were suggesting other inclusive ideas that could be utilized sometime in the future. Mr. Sheldon replied that there were likely other playgrounds that would need to be replaced in the near future that would be good candidates to have more inclusive items. He reported that he had reviewed three or four different options that could fit in the park, with the cost being considerably more than budgeted for. He explained that the additional cost was not the ultimate reason why they had chosen Option A. He clarified that there was an error in the draft legislation for Resolution 2023-003, and that Option A was the correct option, not Option B. He stated that the playground was ADA compliant, it had a 4-point harness swing set, two transition points, and audio/touch items among other inclusive items. Councilor Young explained that Council and the city would be using the citizen feedback to make future parks more inclusive. Councilor Scott explained that this topic was discussed heavily at the last Parks and Recreation Advisory Board meeting and stated that everyone supported the goal of having a fully inclusive playground in Sherwood in the near future. He outlined that the Parks and Recreation Advisory Board was concerned about the substantial additional cost for the new items, as those items had not been budgeted for, and whether or not Woodhaven Park was the right location for that type of facility to be built. He continued that the Parks and Recreation Advisory Board believed that once the facility was built, it would become a destination for visitors, so the location of the facility would be an important factor to consider.

MOTION: FROM COUNCIL PRESIDENT MAYS TO AMEND RESOLUTION 2023-003 TO SELECT OPTION A INSTEAD OF OPTION B. SECONDED BY COUNCILOR GILES. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

MOTION: FROM COUNCIL PRESIDENT MAYS TO APPROVE AMENDED RESOLUTION 2023-003. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

9. CITY MANAGER REPORT:

City Manager Campbell introduced HR Manager Lydia McEvoy, who had been appointed to the HR Manager position and asked her to provide some background on herself. Ms. McEvoy reported that she moved away from England eleven years ago, and she and her family had lived in Sherwood for over two years.

City Manager Campbell called up newly appointed Community Development Director Eric Rutledge. Mr. Rutledge explained that he had been working for the city for three years as an Associate Planner and commented that it was a big honor to serve as the Community Development Director. He commented he was excited to continue to work with Council, the Senior Leadership Team, and the community.

City Manager Campbell shared a story of his recent trip to visit family. Council President Mays gave his kudos to Public Works Director Craig Sheldon and his team for their response to the recent winter weather event. Council President Mays gave his kudos to Police Chief Ty Hanlon and his team for keeping Sherwood roads safe. Council thanked the Sherwood Police Department for their work. Council President Mays asked Public

Works Director Sheldon if there was any damage during the recent windstorm? Mr. Sheldon replied that a tree had fallen on one of the city's well houses. Mayor Rosener thanked Public Works staff for their hard work during the winter weather. He thanked Municipal Judge Jack Morris for swearing in Council and his longtime service to the city.

Mayor Rosener addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Councilor Giles wished everyone a happy New Year and reported that the Council goal setting work session would be held on January 7th. He thanked those who submitted community feedback at city open houses and commented the feedback was always appreciated and listened to. He welcomed Councilor Standke as a new City Councilor.

Councilor Standke thanked the voters of Sherwood for voting him into the City Council.

Councilor Brouse reported that the library was currently undergoing another strategic planning process, with a focus on community engagement, building relationships, and inclusive representation from the community. She reported that the library was recently awarded a grant of \$2,000 by the Cultural Coalition of Washington County in order to help the library complete their strategic planning work.

Councilor Young wished everyone a happy New Year. She reported that the Police Advisory Board was continuing their work on their community survey. She reported that the CDBG committee would begin to review applications by the end of January.

Councilor Scott wished everyone a happy New Year and welcomed Councilor Standke.

Council President Mays wished everyone a happy New Year and thanked Municipal Judge Jack Morris for swearing in the elected officials. He reported that Sherwood had been awarded a \$3 million federal infrastructure grant to help pay for the construction of Ice Age Drive. Mayor Rosener reported that the grant was the only economic development earmark that was awarded to the State of Oregon. He thanked Senators Wyden and Merkley, city consultants, city staff, and Council President Mays for all their work procuring those funds.

Mayor Rosener reported that the city had hosted the Oregon Broadband Advisory Council meeting in December and thanked city staff for their work putting on the meeting. He reported that the head of Business Oregon would take a tour of Sherwood on January 4th.

11. ADJOURN:

Mayor Rosener adjourned the regular session at 7:44 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
January 7, 2023

WORK SESSION – GOAL SETTING

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 8:30 am.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Keith Mays, Councilors Kim Young, Taylor Giles, and Dan Standke. Councilors Doug Scott and Renee Brouse were absent.
3. **STAFF PRESENT:** City Manager Keith D. Campbell, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, IT Director Brad Crawford, Police Chief Ty Hanlon, Economic Development Manager Bruce Coleman, Finance Director David Bodway, HR Manager Lydia McEvoy, Community Development Director Eric Rutledge, and City Recorder Sylvia Murphy.

OTHERS PRESENT: Consultants Mike Mowery and Andy Duke with Strategic Government Resources.

4. TOPICS:

Goal Setting Facilitation

Record Note: See Record, Exhibit A, (email correspondence with attachments) provided to Council in advance of the meeting.

Mayor Rosener and City Manager Keith Campbell thanked staff for their work putting together the information for Council to use in their goal setting. Consultant Mike Mowery recapped the interview feedback he had received from the councilors prior to the work session and provided an overview of the goal setting work session process. Mayor Rosener commented it was important to give staff feedback on which projects and goals were priorities so that they could allocate their time accordingly. Mr. Mowery presented the “City of Sherwood Council Retreat” PowerPoint presentation (see record, Exhibit B) and addressed **Pillar 1: Economic Development**. He provided an overview of the eight goals of: Promote Strong Diverse Economic Growth Opportunities; Build Infrastructure to Support New Commercial and Industrial Development; Balancing the Tax Base; Work with Metro and regional partners to bring Sherwood West land into UGB; Bring Jobs to Sherwood that provide wages that allow people to live and work in Sherwood; Sherwood West Planning; Tonquin Employment Area; and Prioritization of Infrastructure Development Deliverables for Best ROI. He asked for Council feedback on what had gone well in Economic Development in the last year. Council President Mays commented that most everything had been going well in the past year even though there had been difficulties dealing with rising interest rates and inflation. He continued that time would tell what impact inflation and rising interest rates would have on projects moving forward, but major projects were still moving forward,

which was good. Mayor Rosener commented that great progress had been made in bringing trade sector jobs to Sherwood, but the inflation rates for construction projects was outpacing regular inflation and he wanted to move forward with high-priority construction projects as quickly as possible to keep costs down. Economic Development Manager Coleman recapped the current development occurring in the TEA (Tonquin Employment Area) and explained that in the next five years, once the major development was completed, the remaining land would be more challenging for developers to work with. Mr. Mowery asked for Council feedback on things that were not going well under Economic Development. Councilor Giles commented that it seemed that the goals of “Promote Strong Diverse Economic Growth Opportunities,” “Balancing the Tax Base,” and “Bring Jobs to Sherwood that provide wages that allow people to live and work in Sherwood” had a large amount of overlap and commented that it might help staff to combine those goals into a single goal. Mayor Rosener commented that he disagreed and explained that those three goals meant three different and specific outcomes that were important to Council. He explained that the “Balancing the Tax Base” goal conveyed why the city was pursuing that goal (i.e., the cost of city services to take care of different types of zoning), the “Promote Strong Diverse Economic Growth Opportunities” goal was about attracting the right businesses to Sherwood, and the “Bring Jobs to Sherwood” goal was to provide wages that allowed people to live and work in Sherwood. Councilor Giles asked why the goals of “Work with Metro and regional partners to bring Sherwood West land into UGB,” “Sherwood West Planning,” and “Tonquin Employment Area” could not be combined or consolidated. Discussion occurred and Economic Development Manager Bruce Coleman commented that staff was working on each of those goals simultaneously and it helped staff to have the goals as well-defined as possible. Discussion on the history of the Economic Development goals in Sherwood occurred and Council decided not to combine any of the listed Economic Development goals. Community Development Director Rutledge commented that there was overlap between the goals, but there were also nuances to the goals and having them remain separate helped keep that nuance. City Manager Campbell explained that in his experience, having the separate goals not only helped staff, but it also helped convey Council’s goals for Sherwood to the public and regional partners. Mayor Rosener asked to add “state” into the goal of “Work with Metro and regional partners to bring Sherwood West land into UGB” in order to capture the different avenues the city may utilize. Mr. Mowery asked if Council agreed to add “state” to the goal of “Work with Metro and regional partners to bring Sherwood West land into UGB”? Council signaled that they agreed. Mr. Mowery voiced that it was Council’s job to set the direction and priorities of the pillars and explained that the goals under each pillar helped give staff direction, and the deliverables were the City Manager’s and staff’s responsibility. Mr. Mowery asked if Council wished to remove any of the Economic Development goals and discussion occurred. Community Development Director Rutledge stated that in 2023-2024, the Sherwood West Concept Plan would be completed and explained that Sherwood West planning would be ongoing once the Concept Plan was complete. He said that an additional deliverable of an “ask” could be added under that goal. Economic Development Manager Coleman commented that Concept Plans did not go into much detail and that once the Sherwood West Concept Plan was complete, a grant application to Metro would then be needed to complete the implementation and infrastructure plan, which would likely happen in 2023. He commented that it was important to move quickly on all aspects of Sherwood West, not just the Concept Plan.

Mr. Mowery addressed **Pillar 2: Infrastructure** and provided an overview of the five goals of: Build Pedestrian Connectors between Sherwood East and West; Continue to invest in Sherwood Broadband Utility as an Important infrastructure for Sherwood and Beyond; New Public Works Facility; Investment in Cyber and Network Security; and Invest in Business Process Improvements and asked for Council feedback on what went well. Councilor Young stated that the progress on the pedestrian bridge and

plans for the new Public Works facility were going well. Council stated that the goal of “Continue to invest in Sherwood Broadband Utility as an Important infrastructure for Sherwood and Beyond” was going well. Councilor Giles asked if the goal of “Invest in Business Process Improvements” pertained to IT or to all city departments? IT Director Crawford replied that the goal applied across all departments and included the continual review of the software the city used to determine its usability. Councilor Giles commented that the software that the HR department used should be updated and commented that ensuring that staff had the right tools to do their job effectively was an important part of attracting businesses to the city. He asked for clarification on the goal of “Investment in Cyber and Network Security” and Mr. Crawford explained that the goal was likely listed because it related to a potential funding source, but it did not need to be continuously listed as a goal. Councilor Giles commented that the goal was an important one and should always be included in the budget but asked if it was necessary to include as a Council goal? Council President Mays commented that he agreed that continuing to include it as a goal was not necessary as it should be an ongoing project for staff. Mr. Mowery asked if Council wished to remove the goal and discussion occurred. Council agreed to remove it from the list of goals with the acknowledgment that the goal was something staff should work on continuously. Councilor Giles commented that he wanted to retain the goal of “Invest in Business Process Improvements” because he felt that the various software upgrades would tie in closely with the planned redesign of the city’s website. Mayor Rosener commented that he liked the phrasing of the goal “Invest in Business Process Improvements” because it did not name a particular software, but instead made it an ongoing goal. Councilor Young asked if the new finance and HR software would be compatible with each other? IT Director Crawford replied that it was not necessarily about continuously replacing software, but more about regularly reviewing possible upgrades to the current software to see if those upgrades would better serve the needs of the department. Mayor Rosener commented that the selection of the new city software should be driven by what Council wanted the city’s business processes to be, not the other way around and discussion occurred. HR Manager McEvoy commented that the city needed HR software in order to make the HR processes more efficient and modern. City Manager Campbell spoke on the deliverables under “Invest in Business Process Improvements” and explained that having that goal helped staff to budget, and discussion occurred. Mayor Rosener commented that PERS and union contracts were two of the most difficult aspects for payroll and HR software providers and commented that it was important to take those aspects into consideration when reviewing software changes. Mayor Rosener stated he wanted to pull out and elevate the Cedar Creek pedestrian undercrossing as a top priority because conversations about the project had begun with Sherwood’s regional partners. He explained that it should be a separate goal from the “Build Pedestrian Connectors between Sherwood East and West” goal. Council President Mays put forward the phrasing of “Cedar Creek Pedestrian/Wildlife Undercrossing.” Mr. Mowery recapped that Council wished to remove the goal of “Investment in Cyber and Network Security” and the goal of “Cedar Creek Pedestrian/Wildlife Undercrossing” would be added. Council confirmed that was correct. Mayor Rosener asked if something needed to be added regarding infrastructure in the TEA? City Manager Campbell and Economic Development Manager Coleman commented that they felt that that was addressed under Economic Development. Councilor Giles asked if any goals for city-owned property should be added under Economic Development? Councilor Young commented that she did not want to list specific projects in the Council goals. Mayor Rosener commented that it seemed reasonable to do so if the goal was a large one and the city would be seeking outside funding, but he felt that the development of city-owned property was more internal to the city. Mr. Mowery asked where that goal would fit, and discussion occurred. Mr. Mowery commented that it seemed that the goal of determining what to do with city-owned property could be added to Pillar 3: Livability and Workability. Councilor Young put forward the goal of “Review City-Owned Property” and discussion occurred. Council President Mays commented

that it was the responsibility of Council and the city to be good stewards of the land that they owned if/when there was a proposal for the development of that land. Mr. Mowery recommended adding the deliverable of “Review City-Owned Property” under “Investment in Community Gathering Spaces or Community Enhancements” goal under Pillar 3.

Mr. Duke addressed **Pillar 3: Livability and Workability** and provided an overview of the seven goals of: Continue to Support and Enhance Senior Services; Trails and Walkability; Promote and monitor diverse housing that will accommodate a wide variety of life stages and needs; Public Art; Mental Health and Wellness; Investment in Community Gathering Spaces or Community Enhancements; and Investment in Parks (Acquire New Land for Parks and Expansion and Improvements of Current Parks) and asked what had gone well. Council President Mays commented that the city had accomplished many goals to support and enhance senior services this year and more goals were currently being worked on. Councilor Giles commented that the city had done a good job of creating a desirable trail system and was often cited as a top feature of Sherwood. Council spoke on the completed Cedar Creek Trail project and stated work on the festival plaza had begun. Councilor Young commented that the city had done a good job of promoting and monitoring diverse housing options via code updates. Council addressed the goal of Public Art and Council President Mays commented money had been set aside and conversations were occurring to support the Public Art goal. Councilor Giles asked what had been done regarding the goal of “Mental Health and Wellness?” City Manager Campbell explained that each month, HR had focused on different ways to provide extra support services, benefits, or information to employees to try and touch on different aspects of mental health and wellness. Councilor Giles asked if that was for city staff or for residents? Mr. Campbell replied that those efforts had been focused on city staff, but the city had put out some mental health and wellness information to residents and was hoping to do more in the future. Councilor Young asked what specifically had been done for residents? Mr. Campbell explained that most of the mental health and wellness initiatives for residents had focused on the Senior Center. Mr. Duke asked for feedback on what had not gone well for Pillar 3. Councilor Giles commented that there should be more deliverables for residents under the “Mental Health and Wellness” goal. Councilor Young suggested rephrasing the goal to also encompass services to residents. Mr. Mowery asked how the city would manage that? City Manager Campbell gave examples of potential deliverables that included providing more opportunities or resources to residents like advertising classes residents could sign up for, such as CPR classes. Mr. Mowery suggested rephrasing the goal to read “Mental Health and Wellness within the Organization and in the Community.” Mr. Duke asked for feedback on areas of improvement for other goals under Pillar 3. Council President Mays commented that the city had made investments in parks, which included purchasing additional land for future parks and commented that this goal was an ongoing effort. Councilor Young commented that the city should be mindful of the need for more inclusive components in parks when improving or creating new parks. Community Services Director Switzer replied that creating an inclusive park was included in the Parks Master Plan and was a topic the Parks and Recreation Advisory Board would discuss as a priority for 2023. Councilor Giles commented that a universally inclusive park would be a destination and would bring people into Sherwood and discussion occurred. Council agreed that there was no need to add the creation of a universally inclusive park to the “Investment in Parks (Acquire New Land for Parks and Expansion and Improvements of Current Parks)” goal since staff was aware that this was a priority and supported by Council. Discussion regarding the vacant lot by the Center for the Arts occurred and Council determined that Council needed to have a conversation about what they wanted that to look like. Mr. Mowery explained that the deliverables would be updated after this meeting to reflect the discussions at this meeting. Councilor Standke asked for more clarification on the goal of “Promote and monitor diverse housing that will accommodate a wide variety of life stages and needs.” Councilor Giles

replied that Sherwood was comprised of mostly single-family houses that were priced above what the average young family could afford, and families with adult children often sold their homes and moved elsewhere to smaller homes. He continued that the goal was to offer enough diverse housing options via zoning that allowed people of all ages and life stages to continue to live in Sherwood and discussion occurred. Mr. Duke asked if the “Promote and monitor diverse housing that will accommodate a wide variety of life stages and needs” goal needed to be rephrased? Council agreed that the goal did not need to be rephrased.

The Council recessed for a break from 9:50 am to 10:00 am.

Mr. Duke addressed **Pillar 4: Public Safety** and provided an overview of the four goals of: Public Safety Planning; Collaborate with School District; Promote Bike and Pedestrian Safety; and Promote Driver Safety and asked for feedback on what had gone well. Council commented that the school district had a new Superintendent and new SRO. Mayor Rosener commented that it seems that the school district was more willing to partner with the city now. Council President Mays commented that the city had been successful in filling Police Department vacancies and Sherwood was one of the safest cities in the US. Councilor Young commented that the Police Advisory Board was currently working on a community survey that, when complete, would help the Police Department in their strategic planning. Mr. Duke asked for feedback on Pillar 4 goals that needed to be adjusted or revised. Councilor Giles referred to Deliverable 4:6 “Develop an Action Plan with County to Improve Safety on County Owned Roads in Sherwood and UGB” and stated that most of the public feedback he had received concerned road safety on county roads. He asked what else the city could do to better communicate information about county road projects? Councilor Young suggested an FAQ on the city’s website and Council discussed the option of putting up temporary informational signage as a potential option. Councilor Giles asked for more information on county processes for road improvements and Council President Mays explained. Councilor Giles asked if there were other deliverables under “Public Safety Planning” besides the funding for an additional SRO and asked if the “safety” component of the city’s design standards had been established? Community Development Director Rutledge replied that the engineering and the design of city roads was critical to its safety and explained that engineering, enforcement, and education were the three key components to road safety. He explained that today, the most important component was in the engineering of the roads, which involved coordinating with the county. Council President Mays explained that another challenge in creating safe roads was the differences between what a city wanted for vehicle and pedestrian safety, what the county’s goals were for their roads, and what ODOT’s goals were. Mayor Rosener referred to Deliverable 4:6 and stated that he felt that the city should be more proactive in partnering with the county and ODOT. City Manager Campbell replied that Deliverable 4:6 was intended to be proactive, not reactionary and staff was aware of that. Councilor Young asked if the new Police Department staffing plan should be added as a deliverable? Discussion occurred and Police Chief Hanlon replied that a staffing plan had been completed five years ago, but it had stalled out due to the pandemic. He suggested that the staffing plan be revised to determine what the new needs were and explained that the community survey that the Police Advisory Board was working on would help with that. He continued that the new revised staffing plan would ideally be implemented in the next 3-5 years as needs were identified. Councilor Standke asked if landscaping safety near roads was captured in any of the goals and explained that in certain areas of town, landscaping/vegetation blocked the field of vision and created safety concerns. Community Development Director Rutledge replied that city streets had clear standards regarding vision clearance areas, as did the county and state and explained that it came down to maintenance which usually came

down to code enforcement. Mr. Duke asked if Council wished to add any additional goals to Pillar 4? Council agreed that no new goals needed to be added.

Mr. Mowery addressed **Pillar 5: Fiscal Responsibility** and provided an overview of the two goals of: Pursue New Internal and External Revenue Sources, and Efficient Service Delivery and asked for feedback. Council President Mays replied that the city had received funding for the pedestrian bridge and Ice Age Drive, as well as ARPA money. Mayor Rosener stated that the city had hired CFM in 2018 to lobby on behalf of Sherwood and commented that it had been money well spent. Councilor Giles spoke on grant writing, grant readiness, and the possibility of the city partnering with the school district when applying for grants. Mayor Rosener referred to the TSP (Transportation System Plan) and CIP (Capital Improvement Plan) and explained that it was important that Sherwood's projects were reflected in the RTP (Regional Transportation Plan). He continued that it was also important to prioritize those projects and get them as "grant-ready" as possible in order to be competitive. Council added "Grant Readiness" as a goal under Pillar 5 and discussion on how to prioritize which projects should be made grant ready occurred. City Manager Campbell explained that staff would review what grants were available and go from there. Mayor Rosener commented that it was essential to get important projects grant ready because grant opportunities often came up with little notice and the city should be ready to take advantage of those opportunities. Councilor Giles asked regarding the yearly city audit and asked if additional transparency could be created when it came to the city's annual audit. Finance Director Bodway explained that there was a budgetary component and the audit of the actual numbers, and the city followed Oregon budget law procedures and auditors were unable to "audit assumptions" and it was staff's responsibility to budget funds correctly. Council President Mays suggested that adding a deliverable of publishing a budget scorecard and commented he was happy with the city's current practices. Council President Mays suggested adding a goal of having quarterly meetings preparing for a recession in order to stay informed on the status of the city's budget and expectations. Mr. Mowery suggested the phrasing of "Quarterly Meetings to Stay Current on Budget Expectations." City Manager Campbell voiced that a deliverable for that goal would be to be mindful of the changing economic conditions and suggested a deliverable of, "Being responsive, transparent, and communicating economic uncertainty challenges." Council President Mays outlined that the goal was, "Heightened Awareness of Economy." Mayor Rosener suggested adding additional wording to ensure that the evaluation of the risk to traditional sources of income occurred. Mr. Mowery suggested breaking those goals into two separate goals and put forward the phrasing of, "Evaluating Risk to Our Traditional Sources of Revenue" and "Heightened Awareness of the State of the Economy" and asked for Council feedback. Discussion occurred and Council agreed to the wording of, "Be Transparent and Proactive to Changes in the Economy." Mr. Mowery recapped the new goals under Pillar 5 as: "Grant Readiness," "Evaluating the Risk to our Traditional Sources of Revenue," and "Be Transparent and Proactive to Changes in the Economy." Mr. Mowery asked City Manager Campbell if those goals would generate deliverables? Finance Director Bodway commented that, "you constantly monitor the economic environment..." Mr. Mowery recapped that that the aim was to state to residents that the city was aware and monitoring the economic environment for changes and would be proactive in their actions.

Mr. Mowery addressed **Pillar 6: Citizen Engagement** and provided an overview of the five goals of: A Communication Plan that is Comprehensive and Strategic to Modernize City-Wide Communication; A High Level of Customer-Centric Approach to Citizens Engaging with the City; Diversity, Equity, Inclusion, and Accessibility; Engaging with Youth; and Efficient Management of Meetings for All Boards and Commissions and asked for feedback on what had gone well under Pillar 6. Council recapped that the city had completed their DEI statement and some work on the Youth Advisory Committee had been

completed. Mr. Mowery asked for feedback on what could be improved under Pillar 6. Councilor Young commented that she felt that Pillar 6 was one of the hardest areas to figure out. Council President Mays commented that things the city was already doing to engage with residents were not listed and included the regular publication of a city newsletter, social media posts, the accessibility of city boards and commissions via livestreaming meetings and added that improvements could always be made. Mr. Mowery asked what the biggest challenges were with citizen engagement? Councilor Giles replied that the challenge was trying to ensure that your message was reaching everyone and that meant the message had to be phrased and disseminated in different ways because everyone consumed information differently and discussion of a “city app” occurred. Mayor Rosener explained that he viewed citizen engagement in three different categories: external push communications to create awareness in the community (e.g., press releases), times when the city was trying to gather feedback from the community, and how residents integrated with the city’s business processes and he suggested a work session to create a citizen engagement plan for integrating residents into the city’s processes. Discussion occurred regarding integrating residents into the city’s processes and the need for any changes or upgrades to the city’s processes or website needed to serve both residents and city staff. IT Director Crawford asked if Council wanted to do a phased-in approach and explained that a phased-in approach would be more manageable for staff. Mayor Rosener replied that it would have to be a phased-in approach and it needed to be done with the overarching goal of synergizing city processes and services to benefit both residents and staff. Mr. Crawford explained that if the city started with an open-ended platform that took into consideration all the facets Council wished to integrate (e.g., billing system integrations, forms, citizen engagement, etc.), all of the goals should be able to be worked in. Mayor Rosener reiterated that a work session should be held to provide staff with information and direction on what the overall goal was for citizen engagement. After the work session staff could then determine how to accomplish those goals or ascertain what the project needs were. Finance Director Bodway commented that from a staff perspective, it felt as if staff had lost two years’ worth of progress because of the pandemic. Councilor Giles suggested forming a Council subcommittee to further develop the overall goal of the new city website and the communication strategy in order to provide staff further direction. Mr. Mowery asked if that should be a new goal or if it fell within the “A Communication Plan that is Comprehensive and Strategic to Modernize City-Wide Communication” goal? Councilor Young and Mayor Rosener replied that it should not be a new goal. Mr. Mowery recapped that the work session Mayor Rosener suggested should be added as a deliverable. City Manager Campbell commented that it did not need to be added as a deliverable since staff was now aware that Council wished to hold a work session on the topic. Mr. Mowery asked if the goal of “Efficient Management of Meetings for All Boards and Commissions” still needed to be listed as a goal? City Manager Campbell commented that he wanted the goal to remain because it demonstrated the value of the boards and commissions to the city. Mayor Rosener asked the Council liaisons of the boards and commissions if Council needed to provide more feedback to the boards and commissions? Councilor Young suggested that the boards and commission review the new Council goals after this meeting and determine if they needed more information from Council. Council President Mays commented that he would be unhappy if something came to Council from a board or commission that was not an adopted deliverable or goal. Community Services Director Switzer commented that in her experience, the Council liaisons do a good job of providing regular Council updates to the boards and commissions. She continued that it would be helpful for the boards and commissions to review the new Council goals at the beginning of the year and then create a prioritized list of what that board would like to work on for the year. She continued that the list would then be forwarded to Council for approval so as not to waste time and resources. Councilor Young suggested that at the beginning of the year, boards and commissions could review their SWOT reports for the projects they cited they wanted to work on in the coming year and determine where those

projects fit into the adopted Council goals. She explained that Council could then provide feedback on their work and discussion occurred. Mr. Mowery asked if there were any new goals Council wished to add under Pillar 6. Mayor Rosener referred to the possibility of creating a Youth Advisory Committee and commented that he thought that that would present a good opportunity for the city to also partner with the school district as well as seeing what other communities had done. Councilor Young commented that the high school had recently formed a Student Union who now advocated at School Board meetings, and a Youth Advisory Board could present a good partnering opportunity and discussion occurred. Mr. Mowery asked if that was a deliverable or a goal? Mayor Rosener replied that it was a deliverable. Councilor Giles commented that if a Youth Advisory Board was created, he wanted to utilize it as an opportunity to expose students to municipal careers. City Manager Campbell commented that Youth Advisory Boards were a newer concept. Economic Development Manager Coleman referred to Councilor Giles' comments regarding exposing students to municipal careers and stated that was an important aspect. Mr. Campbell replied that ideally, the Youth Advisory Board would provide education on how local government worked as well as career opportunities in government. Mayor Rosener recapped that he wanted to explore the option of a Youth Advisory Board and asked staff to put together a proposal or options for Council to consider. Mayor Rosener stated he wanted to add the reinstatement of the Citizen Academy program as a goal under Pillar 6.

Councilor Standke referred to Pillar 3 "Livability and Workability" and asked where a climate plan for the city would fit into the Council's goals? Council President Mays replied that it fit within the adopted plans and Community Development Code updates from the Planning Commission that had followed state and Metro standards. Councilor Standke commented that it could appear as if Council had missed addressing climate change by not specifically citing it in their goals. Councilor Young asked what the deliverable for that goal would be if it had already been addressed? Councilor Standke replied that he viewed it as a long-term goal under Pillar 3. Mr. Mowery replied that one option to communicate to the public the work Council had already completed on that topic was to have an introductory paragraph that explained each pillar and cited previously completed or ongoing work. Councilor Young suggested that a community FAQ could be created that showed what work had already been completed. Councilor Giles commented that addressing a climate change plan could also fit under Pillar 5 "Fiscal Responsibility." Mayor Rosener commented that it was important to address climate change, but he wanted to make sure that any deliverables that came out of that goal "made sense...and moved the dial." Discussion regarding steps the city had already taken to address climate change occurred and Mr. Mowery recapped that it was a communication issue about how to communicate those accomplishments to the public. Councilor Giles suggested codifying environmentally friendly options in the Community Development Code to encourage developers to pick greener options. Community Development Director Rutledge commented that the city already had a great deal of environmentally friendly requirements in the Community Development Code and referred to tree canopy and parks and open space requirements. He voiced that the city could do a better job of publicizing those things and discussion occurred regarding the need for the city to engage in "smart growth" and how to best showcase those achievements. Discussion occurred regarding adding environmentally friendly building options to the Community Development Code and the need for those changes to be complimentary to the state's mandates and also considered the impact the changes had on the affordability to developers and homebuyers.

City Manager Campbell thanked Council, Mr. Mowery, and staff for their work today. Mayor Rosener thanked staff for their hard work today as well as their hard work over the past five years.

5. ADJOURN:

Mayor Rosener adjourned the work session at 11:30 am.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

TO: Sherwood City Council

FROM: Keith D. Campbell, City Manager
Through: Alan Rappleyea, Interim City Attorney

SUBJECT: Resolution 2023-007, Adopting Rules of Procedure for City Council

Issue:

Shall the City Council adopt Rules of Procedure?

Background:

One of the requirements of the Sherwood City Charter is for the City Council to adopt rules by resolution each January after a general election. Since November 2022 was a general election, the City Council is currently required to adopt rules by resolution by the end of this month. A review of the Council Rules indicated there were no suggestions for any changes to the current version of the Rules of Procedure for City Council. The current version was previously adopted by Resolution 2021-006 on January 19, 2021.

Financial Impacts:

There are no additional financial impacts as a result of approval of this resolution.

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2023-007, Adopting Rules of Procedure for City Council.



RESOLUTION 2023-007

ADOPTING RULES OF PROCEDURE FOR CITY COUNCIL

WHEREAS, Section 10 of the Sherwood City Charter requires that the City Council adopt rules by resolution each January after a general election; and

WHEREAS, the current version of the Rules of Procedure for City Council were adopted by Resolution 2021-006 on January 19, 2021.

WHEREAS, the City Council has reviewed the current version of the Rules of Procedure for City Council and no revisions were recommended.

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

Section 1. The Rules of Procedure for City Council attached as Exhibit A are hereby approved, and all prior Council Rules are hereby repealed.

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

Duly passed by the City Council this 17th day of January, 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Rules of Procedure for City Council

JANUARY 2023





Rules of Procedure for City Council

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CHAPTER 1 - Councilor Code of Conduct

The individual attitudes, words and actions of Council members should demonstrate, support and reflect the qualities and characteristics of our great city Sherwood and the community it contains. While the Code of Conduct is not intended to be a set of rules that all councilors are compelled to follow, they do set aspirational goals and Council members should strive to meet the spirit of the following code of conduct:

- I. Do the right thing, in doing the right thing, I will:**
 - A. Be honest with fellow Council members, the public and others.
 - B. Credit others' contributions to moving our community's interest forward.
 - C. Make independent, objective, fair and impartial judgments by avoiding relationships and transactions that give the appearance of compromising objectivity, independence, and honesty.
 - D. Reject gifts, services or other special considerations, given with the intent to influence your decisions.
 - E. Protect confidential information concerning litigation, personnel, property or other affairs of the City.
 - F. Use Public resources such as staff time, equipment, supplies or facilities, only for City related business.

- II. Get It Done, in getting it done I will:**
 - A. Review materials provided in advance of the meeting.
 - B. Make every effort to attend meetings.
 - C. Be prepared to make difficult decisions when necessary.
 - D. Make decisions after prudent consideration of the financial impact, taking into account the long-term financial needs of the City.

- III. Respect and Care, in respecting and caring, I will:**
 - A. Promote meaningful public involvement in the decisions making process.
 - B. Treat Council members, board members, staff and the public with patience, courtesy, and civility, even when we disagree on what is best for the community.
 - C. Share substantive information that is relevant to a matter under consideration from sources outside the public decisions-making process with my fellow Council members and staff.
 - D. Respect the distinction between Council and staff
 - E. Encourage participation of all persons and groups

CHAPTER 2 – General Governance

I. Rules of Procedure.

- A. Unless otherwise provided by charter, ordinance, or these rules, the procedure for city council meetings, and any subcommittee of Sherwood City Council, shall be guided by Robert's Rules of Order, as it may be amended from time to time.
- B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the Council and confuse members of the public.
- C. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum.

- A. A quorum is required to conduct official city business.
- B. The members of the Sherwood City Council are the City Councilors and Mayor. Fifty-percent plus one of the currently serving members of the Council shall constitute a quorum.
- C. In the event a quorum is not present, the members of Council present shall adjourn the meeting.

III. Presiding Officer.

- A. The Mayor shall preside over all meetings. The Mayor shall have all rights and privileges of the office of Mayor as set out in the City charter when acting in this capacity.
- B. In the Mayor's absence the Council President shall preside over the meeting. The Council President shall have all rights and privileges of the office of Mayor as set out in the City charter when acting in this capacity.
- C. If both the Mayor and the Council President are absent from the meeting, the following procedures shall be utilized to determine who is the presiding officer:
 - 1. The City Recorder shall call the council meeting to order and call the roll of the members.
 - 2. Those members of Council present shall elect, by majority vote, a temporary presiding officer for the meeting.
 - 3. The presiding officer shall have all rights and privileges of the office of Mayor as set out in the City charter when acting in this capacity.

4. Should either the Mayor or the Council President arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

IV. Agendas. The City Manager shall prepare an agenda for every regular meeting, and, if requested by the presiding officer, for every special meeting.

- A. Agendas and informational material for meetings shall generally be distributed to the council at least three (3) days preceding the meeting.
- B. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under Approval of Agenda.
- C. A member of the Council who wishes to have an item placed on the agenda shall advise the City Manager at least two weeks prior to the meeting.
- D. Notwithstanding, Chapter one section IV agendas, three members of City Council may request an item be placed on the agenda by advising the City Manager. Such requests shall be made in writing. The City Manager may not remove an agenda items placed on that agenda in accordance with this provision.

V. Order of Business. The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the City, the order of business may be changed for any single meeting by the City Manager prior to the meeting agenda being made available to the public, except that the Citizen Comments portion of the meeting shall be held prior to any regular agenda items requiring a vote by City Council:

- o Call to order
- o Pledge of Allegiance
- o Roll call
- o Approval of Agenda
- o Consent Agenda
- o Citizen Comments
- o New Business
- o Public Hearings
- o City Manager Report
- o Council Announcements
- o Adjournment

- A. Call to Order. The presiding chair shall call all meetings of the Council to order.
- B. Roll Call. The City Recorder shall conduct a roll call to determine which members of the Council are present and which are absent.
 - 1. The attendance shall be properly reflected in the minutes.
 - 2. If roll call determines that a quorum is not present, a public meeting may not occur and those members present shall adjourn.
- C. Consent Agenda. In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.
 - 1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
 - 2. Any item on the consent agenda may be removed for separate consideration by any member of the Council. This action should take place during the Approval of Agenda portion of the agenda.
- D. Citizen Comment
 - 1. An opportunity for citizen comment will be reserved for every regular, special and emergency meeting of the Council. This period shall not exceed a maximum of 30 minutes, unless a majority of Councilors present vote to extend the time.
 - 2. Citizen comment is a time for comment; it is not a time for debate, nor is it a time for members of the public to ask questions of and receives answers from the Council or City staff.
 - 3. Persons wishing to speak during citizen comments must sign and submit a Request to Speak form provided by the City, which must include the person's name and address and the topic upon which the person wishes to speak, not later than the Call to Order.
 - 4. Except as otherwise provided herein, the public shall be entitled to comment during citizen comments on all matters before the Council that require a vote, including ordinances and resolutions. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Citizen comments shall not be used to testify about a quasi-judicial land use matter.
 - 5. Speakers are limited to four minutes. The speakers will be called upon in the order in which they have submitted Request to Speak forms, until the time allotted for citizen comments has expired. Speakers shall identify

themselves by their names and by their city of residence. All remarks shall be addressed to the presiding officer.

E. Public Hearings Generally

1. A public hearing will be held when required by law, and may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
2. Persons wishing to speak must sign and submit a Request to Speak form provided by the City, which must include the person's name and address and the topic upon which the person wishes to speak, prior to the commencement of the public hearing at which the person wishes to speak.
3. The City Recorder shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda, and shall read a statement setting forth the procedures for the hearing and the applicable time limits. The presiding officer shall then declare the hearing open.
4. Speakers shall identify themselves by their names and by their city of residence. All remarks shall be addressed to the presiding officer.

Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by Councilors should be to provide clarification or additional information on testimony provided.

Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer may intervene if a Councilor is violating the spirit of this guideline.

5. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided.
6. The presiding officer may exclude immaterial matter. The presiding officer, with the approval of the council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony.
7. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.
8. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be

submitted to the City Recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a Councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.

F. A Public Hearing Procedures and Time Limits

1. For **Quasi-Judicial hearings**, the following procedures and time limits shall apply:
 - a. Staff will present the staff report – 15 min.
 - b. Questions (if any) by the City Council for staff.
 - c. Receive any written testimony.
 - d. Open the public hearing for testimony, and time will be limited as follows:
 1. Applicant(s) – 30 min (split between presentation and rebuttal).
 2. Person(s) in favor of the application – 4 min each.
 3. Person(s) opposed to the application – 4 min each.
 4. Person(s) neutral with regard to the application – 4 min each.
 5. Rebuttal from the Applicant(s) – remainder of 30 min.
 - e. Close the public hearing (no other comments will be heard from the public or the Applicant(s)).
 - f. Final comments by staff – 15 min.
 - g. Question of staff, if any, by the Council.
 - h. Discussion by the Council.
2. For **Legislative hearings with an applicant**, the following procedures and time limits shall apply:
 - a. Staff will present the staff report.
 - b. Questions (if any) by the City Council for staff.
 - c. Receive any written testimony.
 - d. Open the public hearing for testimony, and time will be limited as follows:
 1. Applicant(s) – 30 min (split between presentation and rebuttal).

2. Person(s) in favor of the application – 4 min each.
 3. Person(s) opposed to the application – 4 min each.
 4. Person(s) neutral with regard to the application – 4 min each.
 5. Rebuttal from the Applicant(s) – remainder of 30 min.
 6. Close the public hearing (no other comments will be heard from the public or the Applicant(s)).
 7. Final comments by staff.
 8. Questions of staff, if any, by the Council.
 9. Discussion by the Council.
3. For all **other Legislative or Administrative hearings**, the following procedures and time limits shall apply:
- a. For all other Legislative or Administrative hearings, the following procedures and time limits shall apply:
 - b. Staff will present the staff report.
 - c. Questions (if any) by the City Council for staff.
 - d. Receive any written testimony.
 - e. Open the public hearing for testimony, and time will be limited to 4 minutes per person. Any interested person may present testimony.
 - f. Close the public hearing (no other comments will be heard from the public).
 - g. Final comments by staff.
 - h. Questions of staff, if any, by the Council.
 - i. Discussion by the Council.
4. For **Appeals**, the following procedures and time limits shall apply:
- a. Staff will present the staff report – 15 min.
 - b. Questions (if any) by the City Council for staff.
 - c. Receive any written testimony.
 - d. Open the public hearing for testimony. Only those who previously went on the written or verbal record in connection with the decision being appealed may appear before Council on appeal. Time will be limited as follows:
 - e. Applicant(s) – 30 min (split between presentation and rebuttal).

- f. Person(s) in favor of the application – 4 min each.
- g. Person(s) opposed to the application – 4 min each.
- h. Person(s) neutral with regard to the application – 4 min each.
- i. Opposing party on appeal - 30 mins (to be divided equally if there are opposing parties).
- j. Rebuttal from the Applicant(s) – remainder of 30 min.
- k. Close the public hearing (no other comments will be heard from the public or the Applicant(s)).
 - 1. Final comments by staff – 15 min.
 - 2. Questions of staff, if any, by the Council.
 - 3. Discussion by the Council.

G. Written Communications to Council

- 1. Unsolicited communications received by staff and addressed to the Council as a whole concerning matters on the agenda shall be provided to the Council prior to the meeting or at the meeting, and shall be included into the meeting record.
- 2. Unsolicited communications received by staff and addressed to the Council as a whole concerning matters that are not on an agenda shall be forwarded to the council.

CHAPTER 3 – Meeting Time, Location and Frequency

- I. **Regular meetings.** The Council shall meet every first and third Tuesday evening of each month, with the exception of designated holidays and/or Council recesses.
 - A. Meetings shall begin at 7:00 p.m.
 - B. Meetings shall adjourn at 9:30 p.m., allowing incremental extensions upon a majority vote of the Council.
- II. **Special meetings.** Special meetings may be called by the presiding officer, by request of three members of the Council, or by the City Manager.
 - A. Notice of the special meeting shall be given to all members of the Council and the City Manager via email.
 - B. Special meetings shall be noticed in accordance with Oregon's public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.
- III. **Emergency meetings.** Emergency meetings may be called by the presiding officer, by the request of three members of the Council, or by the City Manager.
 - A. Notice of the emergency meeting shall be given to all members of Council and the City Manager via telephone and email.
 - B. Emergency meetings are those meetings called with less than 24 hours' notice and the Council shall identify why the meeting could not be delayed in order to allow 24 hours' notice immediately after calling the meeting to order.
 - C. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.
 - D. Emergency meetings shall be noticed in accordance with Oregon's public meetings law.
- IV. **Executive Sessions.** Executive sessions may be called by the presiding officer, by the request of three members of Council, by the City Manager or by the City Attorney.
 - A. Only members of the Council and persons specifically invited by the Council shall be allowed to attend executive sessions.
 - B. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.

- V. **Work Sessions.** Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.
- A. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
 - B. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
 - C. Work sessions may be called by the presiding officer, by the request of three members of council, or by the City Manager.
 - D. The City Manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.
- VI. **Holidays.** In the event a regular meeting falls on a holiday recognized by the City, the regular meeting for that week shall be cancelled.
- VII. **Location.** Council meetings shall be held in the Community Room located at Sherwood City Hall.
- A. In the event that the Community Room at City Hall is not available for a meeting, or is not suitable for a particular meeting as determined by the City Manager, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the city.
 - B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.
 - C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of one of the participating government entities.
- VIII. **Notice.** The City Recorder shall provide notice of all meetings in accordance with Oregon's public meeting law.
- IX. **Attendance.** Members of the Council shall advise the City Manager if they will be unable to attend any meetings. Vacancies for City Councilor positions are defined under Section 31 of the City charter.

CHAPTER 4 – Motions, Debate, Public Comment and Voting

- I. **Motions.** All motions shall be distinctly worded.
 - A. The following rules shall apply to motions:
 1. If a motion does not receive a second, it dies.
 2. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
 3. Any motion shall be reduced to writing if requested by a member of the Council.
 4. A motion to amend can be made to a motion that is on the floor and has been seconded.
 5. No new motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
 6. A motion may be withdrawn by the mover at any time without the consent of the Council.
 7. Amendments are voted on first, then the main motion is voted on as amended.
 8. A member of the Council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
 9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question is not permitted until all councilors have been given the floor and at least one full opportunity to speak on the main motion.
 - b. A call for the question fails without a majority vote.
 - c. Debate on the main subject resumes if the motion fails.

10. A motion that receives a tie vote fails.
11. The presiding officer shall repeat the motion prior to a vote.
12. A motion to adjourn cannot be amended.

B. **Motion to Reconsider.** A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion. In the case of a tie vote, neither side is the prevailing side, and a motion to reconsider is therefore not permitted.

1. No motion, once decided, shall be made more than once in the same meeting.
2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the Council.

II. Debate. The following rules shall govern the debate of any item being discussed by the Council:

- A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
- B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.
- C. The member of the Council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

CHAPTER 5 – Minutes

I. Generally.

- A. All minutes shall be in written form, with an electronic copy maintained by the City Recorder in accordance with the appropriate record retention schedule.
- B. The minutes shall contain the following information:
 - 1. The date, time and place of the meeting;
 - 2. The members present;
 - 3. The motions, resolutions, orders, ordinances, and measures proposed and their disposition;
 - 4. The results of all votes and the vote of each member by name;
 - 5. The substance of any discussion on any matter; and
 - 6. A reference to any document discussed at the meeting.

II. Approval. The Council shall approve all meeting minutes.

- A. All minutes shall be approved within ninety days of the meeting having occurred, or at the next available meeting thereafter.
- B. The draft minutes shall be submitted to the Council as part of the Council's packet prior to the meeting where they will be considered.
- C. Any member of the Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

CHAPTER 6 – Appointments

- I. Appointments of City Staff.** The Council appoints and can remove those positions identified in the City's charter. All appointments require a majority vote of the currently serving members of the Council.
- A. Reviews. Any person appointed by the Council shall be subject to an annual review by the Council.
 - B. Removals. All appointed persons may be removed by a majority vote of the currently serving members of the Council.
 - C. Interference. If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.
 - D. Formal Complaints. If Council receives a formal complaint directed against any appointed staff, the Mayor will call an executive session of the Council and the appointed staff that the complaint was directed against, unless that staff member requests an open meeting. Council shall comply with City HR policy on these matters.
- II. Appointments of Members to Boards, Commissions and/or Committees.**
- A. Boards and Commissions Appointments
 - 1. The Mayor, in consultation with the applicable Council liaison, will make a recommendation to Council regarding appointments to City commissions, boards and committees, including ad-hoc committees (hereinafter "committees"). All such appointments are subject to the approval of City Council by resolution.
 - 2. A citizen may not serve on more than one City committee simultaneously without approval of the City Council by resolution. A citizen serving on two City committees may not be the chairperson of both City committees simultaneously.
 - 3. The Mayor or any three members of Council may remove a citizen from a City committee prior to the expiration of the term of office subject to the consent of the City Council by resolution.
 - 4. Council members shall encourage City committee member participation.
 - B. Councilor Liaisons
 - 1. The Mayor, in collaboration with Council members, will appoint Councilors to liaison positions to City committees, as the Mayor deems necessary, and

subject to the consent of the City Council by resolution. The Mayor will consider Council liaison appointments in January of every year or at the Council's annual Goal Setting sessions.

2. The Mayor, in collaboration with council members, will appoint Councilors as liaisons to all non-City commissions, boards and committees as the Mayor deems necessary, subject to the consent of the City Council by resolution.
3. The role of the liaison member is to convey information from the Council to the commission or committee and from the commission or committee to the Council. The member is not to provide direction to the commission or committee, but rather to encourage work plans and recommendations for Council approval.
4. Council members as liaisons will not vote on any issue before the committee.

CHAPTER 7 – Ethics, Decorum, Outside Statements

- I. Ethics.** All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:
 - A. Disclosing confidential information.
 - B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
 - C. Expressing an opinion contrary to the official position of the Council without so saying.
 - D. Conducting themselves in a manner so as to bring discredit upon the government of the City.

- II. Decorum.**
 - A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal to the full Council.
 - B. Members of the Council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
 - C. Members of the City staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.

- III. Statements to the Media and Other Organizations**
 - A. **Representing City.** If a member of the Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member may only state the official position of the City, as approved by a majority of the Council.
 - B. **Personal Opinions.** If a member of the Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

CHAPTER 8 – Interactions with Staff & City Attorney

- I. Staff.** All members of the Council shall respect the separation between the Council's role and the City's Manager's responsibility by:
- A. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
 - B. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
 - C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.
 - 1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.
 - 2. Members of the Council shall normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.
- II. City Attorney.** Council members may make requests to the City Attorney for advice related to City business, so long as the request does not require more than two hours per month of the attorney's time. A Councilor may make a request that exceeds two hours per month of attorney time with the concurrence of the majority of the Council.

CHAPTER 9 – Training, Expenses, and Reimbursement

- I. Training.** The Council is encouraged to attend training sessions throughout the year in order to gain knowledge and understanding of their roles as local elected officials in Oregon. These sessions are largely provided through the League of Oregon Cities, Oregon Association of Mayors, and other similar organizations.
 - A. Requests to attend training should be coordinated through the City Manager. The City Manager's office shall make all necessary arrangements for any training (e.g. registration, accommodations, etc.)
 - B. The training budget for City Council will be prepared each year by the City Manager and approved by City Council through the annual budget adoption process.

- II. Expenses.** City Councilors will follow the same rules and procedures for expense reimbursement as apply to City employees, as set forth in the policy manual.
 - A. Councilor expenditures for non-routine reimbursable expenses in excess of \$500 will require advance Council approval. Routine reimbursable expenses are defined as conference registrations, meeting attendance, mileage, and other similar expenses.
 - B. The City Manager shall provide a monthly report to the City Council of all expenses related to City Councilors.

CHAPTER 10 – Censure and Removal

- I.** The Council may enforce these rules and ensure compliance with City ordinances, charter and state laws applicable to governing bodies. If a member of Council violates these rules, City ordinances, the City charter or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.

- II.** The Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

- I. Amendment.** These rules of procedure are subject to amendment by the Council in accordance with the rules noted herein.
 - A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - B. All amendments to these rules requires a majority vote.
 - C. Amended rules shall not go into effect until the meeting after the rule was approved.

- II. Repeal.** These rules of procedure are subject to repeal and replacement by the Council in accordance with the rules noted herein.
 - A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.
 - B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - C. Any repeal and replacement of these rules requires a majority vote.
 - A. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.

City Council Meeting Date: January 17, 2023

Agenda Item: Consent Agenda

TO: Sherwood City Council

FROM: Keith D. Campbell, City Manager

SUBJECT: Resolution 2023-008, Appointing the Budget Officer for Fiscal Year 2023-24

Issue:

Shall the City Council appoint a Budget Officer for Fiscal Year 2023-24?

Background:

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

City staff is recommending the City Manager, Keith Campbell be appointed as the Budget Officer for the upcoming fiscal year.

Recommendation:

Staff respectfully recommends Council adoption of Resolution 2023-008, appointing the Budget Officer for Fiscal Year 2023-24.



RESOLUTION 2023-008

APPOINTING THE BUDGET OFFICER FOR FISCAL YEAR 2023-24

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

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

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

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

Section 1. Keith D. Campbell, City Manager is appointed as the Budget Officer.

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

Duly passed by the City Council this 17th day of January 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Keith D. Campbell, City Manager
Through: Alan Rappleyea, Interim City Attorney

SUBJECT: Resolution 2023-009, Appointment of City Council Liaison Assignments

Issue:

Shall the City Council approve the City Council Liaison assignments for 2023?

Background:

At the beginning of each new calendar year, the Mayor appoints City Councilors to various liaison assignments for both city and non-city commissions, boards and committees as the Mayor deems necessary. Mayor Rosener has made such appointments which are outlined in Exhibit A which is attached to the subject resolution. The primary role of the liaison member is to convey information from the Council to the commission or committee and from the commission or committee to the Council.

Chapter 6.II.A.1 of the Rules of Procedure for City Council stipulates that the Mayor's appointments are approved by the consent of the City Council by resolution. These assignments are for the calendar year 2023.

Financial Impacts:

There are no additional financial impacts as a result of approval of this resolution.

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2023-009, Appointment of City Council Liaison Assignments.



RESOLUTION 2023-009

APPOINTMENT OF CITY COUNCIL LIAISON ASSIGNMENTS

WHEREAS, the current Rules of Procedure for City Council in Chapter 6 outlines the process for appointment of Councilor Liaisons to both city and non-city commissions, boards and committees; and

WHEREAS, Mayor Tim Rosener has appointed Councilors to their respective assignments as outlined in Exhibit A; and

WHEREAS, Councilor liaison assignments are required to be approved by consent of City Council.

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

Section 1. The Council Liaison assignments as outlined in Exhibit A are approved for 2023.

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

Duly passed by the City Council this 17th of January, 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

2023 City Council Liaison Assignments

[illegible]

TO: Sherwood City Council

FROM: Adrienne Doman Calkins, Library Manager
Through: Kristen Switzer, Community Services Director

SUBJECT: Resolution 2023-010, Appointing Sean Garland to the Sherwood Library Advisory Board

Issue:

Should the City Council appoint Sean Garland to the Sherwood Library Advisory Board?

Background:

Position 7 on the Library Advisory Board was vacated mid-term by Dani Sticka. The City and Library have advertised and received two applications. The Council Liaison to the board, Renee Brouse; Library Manager, Adrienne Doman Calkins; and Chair Melanie Dobson interviewed all candidates and unanimously recommended appointment of Sean Garland to fill the vacancy. The Mayor has recommended this appointment to Council. In accordance with City Council Rules of Procedure, all such appointments are subject to the approval of City Council by resolution.

Financial Impacts:

There are no financial impacts from this proposed action.

Recommendation:

Staff respectfully recommends City Council's adoption of Resolution 2023-010, Appointing Sean Garland to the Sherwood Library Advisory Board.



RESOLUTION 2023-010

APPOINTING SEAN GARLAND TO THE SHERWOOD LIBRARY ADVISORY BOARD

WHEREAS, a vacancy exists on the Library Advisory Board due to a member resigning mid-term; and

WHEREAS, the term of office for this vacancy expires in June 2025; and

WHEREAS, the City advertised the vacancy on the City website, Sherwood Public Library website, social media, print publications, and onsite at the Library; and

WHEREAS, Sean Garland applied to be appointed and was interviewed by the interview panel; and

WHEREAS, the interview panel considered all of the applicants and recommended to the Mayor that Sean Garland be appointed to fill the vacancy; and

WHEREAS, the Mayor has recommended to City Council that Sean Garland be appointed; and

WHEREAS, in accordance with Council Rules of Procedure, all such appointments are subject to the approval of the City Council by resolution.

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

Section 1. The Sherwood City Council hereby appoints Sean Garland to position 7 of the Sherwood Library Advisory Board for a term expiring at the end of June 2025.

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

Duly passed by the City Council this 17th day of January 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: David Janusz, Asset Management Specialist
Through: Craig Sheldon, Public Works Director, Keith D. Campbell, City Manager & Alan Rappleyea, Interim City Attorney

SUBJECT: Resolution 2023-011, Assessing Sidewalk Construction Costs on Various Sherwood Properties and Directing the City Recorder to Enter Such Assessments in the City's Lien Docket

Issue:

Should the City place property owners on the City's lien docket who elected to participate in the Sidewalk Repair Assistance Program but failed to compensate the City for the completed repairs?

Background:

In October 2020, City staff notified the property owners of the addresses listed below of the requirement to repair the sidewalks and invited them to participate in the Sidewalk Repair Assistance Program. All of the property owners elected to opt into the program, which shared the costs and granted each homeowner twelve (12) months to remit the full balance. To date, none of the homeowners have remitted the full balance for the repairs since the initial billing on June 15, 2021.

Property Address:	17610 SW Dodson Drive, Sherwood, OR 97140
Property Owner:	Brandy Perez
Amount Owed to City:	\$463.13

Property Address:	17680 SW Elder View Dr. Sherwood, OR 97140
Property Owner:	Gary Lite
Amount Owed to City:	\$181.25

Chapter 12.08.090 of the Sherwood Municipal Code (SMC) states: "The notice shall specify the amount of the cost of construction or repair, and state that if the amount is not paid within thirty (30) days after the date of service, the council shall thereafter, after hearing objections, if any, made thereto, by resolution assess the cost of such construction and repairs of such sidewalk or sidewalks upon the lots and parcels abutting such sidewalk and thereby benefited; and the Recorder shall enter such assessment in the docket of city liens and shall bear interest at the rate of nine (9) percent per annum from ten (10) days after date of entry in the lien docket.

In the manner provided in Chapter X of the City Charter for docketing liens for street improvements, and it shall become immediately due and collectible thereafter and enforced in the manner provided by Chapter X of the City Charter, or as provided by state statute for enforcement of city liens and assessments. Such assessments shall be paid in full.

Financial Impacts:

The sum of money to be considered for placement on City's lien docket for each property above. This does not include the cost of attorney or staff hours.

Recommendation:

Staff respectfully requests City Council adoption of Resolution 2023-011, Assessing Sidewalk Construction Costs on Various Sherwood Properties and Directing the City Recorder to Enter Such Assessments in the City's Lien Docket.



RESOLUTION 2023-011

**ASSESSING SIDEWALK CONSTRUCTION COSTS FOR VARIOUS SHERWOOD PROPERTIES AND
DIRECTING THE CITY RECORDER TO ENTER SUCH ASSESSMENT
IN THE CITY'S LIEN DOCKET**

WHEREAS, pursuant to Chapter 12.08 of the Sherwood Municipal Code, the City undertook improvements to various sections of sidewalks within the City; and

WHEREAS, the City notified various property owners of their obligation to complete the improvements themselves or the option of partnering with the City to share in the cost of the improvements; and

WHEREAS, the owner of the properties noted in Exhibits A and B elected to opt into the program but did not remit full payment for the repair(s) performed.

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

Section 1. The City Council directs the City Recorder to enter the individual assessments in the docket of City liens. Interest shall accrue as provided in SMC 12.08.090. The City Council may authorize the enforcement of the liens to collect the amounts assessed in accordance with ORS 223.505 et seq. or other relevant provisions of law.

Section 2. The property owner(s) may discharge their assessment(s) in accordance with SMC 12.08.090, ORS Chapter 223 or other relevant provisions of law.

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

Duly passed by the City Council this 17th day of January 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder



Exhibit A

(7 Pages)

Property Address: 17610 SW Dodson Drive, Sherwood, OR 97140
Owner: Brandy Perez
Total Amount: \$463.13

City of Sherwood
15527 SW Willamette St
Sherwood, OR 97140
Tel 503-625-5722
Fax 503-625-0679
www.sherwoodoregon.gov

City Manager
Joseph Gall, ICMA-CM

BRANDY PEREZ
17610 SW DODSON DR
SHERWOOD, OR 97140

October 08, 2020

Re: Sidewalk Deficiency - Correction Required
17610 SW DODSON DR

Dear BRANDY PEREZ

You are receiving this letter because the City has identified a sidewalk deficiency adjacent to your property.

Chapter 12.08 of the City of Sherwood Municipal Code ("Code") states that all owners of property within the city limits are liable for sidewalks adjacent to their property. This includes the maintenance of adjacent sidewalks and any repairs required to make sure they are free of defects. **The Code states that you have 120 days from the date of this letter to have the repair corrected.**

To help offset the cost to owners for repairs of these deficiencies and in the interest of public safety and welfare, the City implemented a Concrete Sidewalk Repair Assistance Program ("Program"). This Program enables the homeowner to utilize the City's contractors to repair the deficiency and share the costs using monies collected and set aside specifically for sidewalk repairs. For details about the Program, please visit www.sherwoodoregon.gov/publicworks.

Due to the complexity of the repairs we invite you to schedule a site visit with a City Inspector to answer any questions. **Please call 971.979.5354 if you have questions.**

Otherwise, enclosed is an agreement with the estimated costs for repair. Decide if you would like to participate in the Program and have the City schedule the work and share the cost. Then, simply initial, sign and date the agreement on page 3 and return to the Public Works Department - Mail to: 15527 SW Willamette St. Sherwood, OR 97140; FAX to 503 625-0679; email to operations@sherwoodoregon.gov.

If we do not hear from you by Thursday, October 22, 2020, we will conclude that you do not wish to participate in the program and you will be solely responsible for the correction of the deficiency and all associated costs.

We look forward to hearing from you and we hope that you will take advantage of the cost sharing opportunities available to you through this program.



Craig Sheldon

Sidewalks List

Sidewalk ID

SDW0899

SDW0899

Condition

Condition includes a Tree

Condition is horizontal or vertical > 2 inches

Repair Type

Tree

Replace

Site Address: 17610 SW DODSON DR, SHERWOOD, OR 97140

Asset #: SDW0899

Responsible Party: Name: BRANDY PEREZ

Address: 17610 SW DODSON DR, SHERWOOD, OR 97140

On Tuesday, October 6, 2020 the City mailed a certified letter informing you of a sidewalk deficiency adjacent to your property and offered you the opportunity to participate in the City of Sherwood's Sidewalk Repair Assistance Program ("Program"). Sherwood Municipal Code 12.08 details the property owner's responsibility and defines the process for correcting any deficiencies to be within 120 days. **The date that work is to be complete is no later than Wednesday, February 3, 2021.** Information regarding the Program is located on the City's website at www.sherwoodoregon.gov.

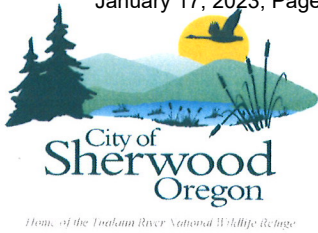
You have been made aware that the sidewalks abutting your property have been inspected and correction is required. Based upon our estimate of the work to be performed, we are providing an estimated cost for repairs if performed by our contracted agencies. When you opt into the Program you will be responsible for 50% of the total cost of work.*

CONDITION	REPAIR TYPE	AREA	QUANTITY	CONTRACTOR COST
Condition includes a Tree	Tree			TBD
Condition is horizontal or vertical > 2 inches	Replace	5x4.5		\$326.25
Total Cost				\$326.25

***All costs displayed are estimates based upon evidence provided at the surface. There may be cases where additional costs are incurred based upon findings after demolition (i.e. tree removal determined in an arborist report). The final statement will reflect the actual costs.**

Please note that any deficiencies that are deemed to be corrected by method of shaving are a temporary fix only and further repairs may be required at a later date.

Per Sherwood Municipal Code 16.142.060.B, any street tree that has been determined by the arborist to be removed requires a Street Tree Removal permit by the Planning Department. Your signature to enter the program constitutes your signature on the street tree removal permit; therefore if the arborist determines the tree must be removed the permit will be processed and the tree removed. **You, as the property owner, will be responsible for replacing the street tree within 6 months** with a tree from the recommended street tree list (available upon request). This program does not cover the costs for the replacement of the tree. Please note that if you want to remove a street tree on your property and the arborist has not determined that it must be removed for this project, you will need to coordinate directly with the Planning Department (this program will not pay a share of the costs or facilitate the processing of the permit).



One of the following must occur within 120 days of the notification from the City dated Tuesday, October 6, 2020. Please initial only one (1) of the two options.

1. Opt into the Program. The City will be responsible for coordination of the contractor(s) to ensure work is completed within the timeframe identified through the City's ordinance. You will be responsible for 50% of the total cost of the work.*
2. Replace the sidewalk deficiency(s) yourself OR hire a contractor to replace the sidewalk deficiency(s) without compensation from the program. All work must meet City of Sherwood Standards. You will be required to obtain any/all permits and the work will require inspection by City staff. Work must be complete by **Wednesday, February 3, 2021.**

BP

BP

NOTE: If you choose not to do any of the above within one hundred twenty (120) days from receiving notification, the city will correct the sidewalk deficiency(s) at 100% cost to the homeowner, up to and including notice, engineering, advertising and attorney's fees. These charges will be due in full once work has been completed. **Failure to pay may result in a lien being assessed to your property.**

I reserve the right to opt out of the Program pending the quote for the removal or modification to the tree creating the sidewalk condition. I am responsible for 50% of the cost for the Arborist Report and will be billed consistently with the terms of the Program. I am entitled to a copy of the Arborist Report to obtain the required permit.

BP
INITIALS

When you opt into the Program, the City will coordinate all work to be performed. Once the work is complete, we will schedule a final inspection.

An invoice will be provided to you detailing all work performed and the total cost will be provided. The City will pay 50% of the total cost and the remaining balance will be owed by you.

As per the Program, you have 12 months to pay your portion of the work. Once the 12 months has been reached, any outstanding monies owed to the City will be subject to the City's lien process.

ACCEPTANCE:

CITY OF SHERWOOD

Craig Sheldon

Craig Sheldon, Public Works Director

October 08, 2020

Date

HOMEOWNER

Signature of Homeowner

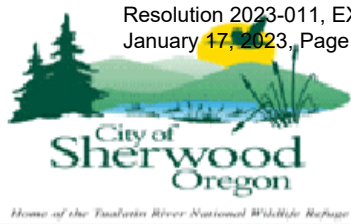
Printed Name:

4/22/2021

Date

Site Address: 17610 SW DODSON DR

Asset #: SDW0899



P.O. Box 638
Sherwood, OR 97140
(503) 625-5722
OperationsPW@SherwoodOregon.gov

Sidewalk Program Bill

Thank you for your assistance in providing safe sidewalks in the City of Sherwood.

This bill must be paid separately from your utility bill.

Date	Description	Amount
6/15/2021	Site Address: 17610 SW DODSON DR	
	Sidewalk Repair - Arborist Report Charge	\$75.00
	Sidewalk Repair - Concrete Replacement Charge	\$326.25
	Sidewalk Repair - Tree Removal Permit Charge	\$25.00
	Sidewalk Repair - Tree Services Charge	\$500.00
	Sidewalk Repair - Arborist Report Discount	(\$37.50)
	Sidewalk Repair - Concrete Replacement Discount	(\$163.12)
	Sidewalk Repair - Tree Removal Permit Discount	(\$12.50)
	Sidewalk Repair - Tree Services Discount	(\$250.00)

Please include this remittance with your payment to ensure payment is applied to the Sidewalk Program bill.



City of Sherwood Public Works

P.O. Box 638
Sherwood, OR 97140

Remittance	
Account Number	072147-D02-RES
Remit By	6/15/2022
Amount Due	\$463.13
Amount Enclosed	

Make all checks payable to City of Sherwood Public Works

BRANDY S PEREZ
17610 SW DODSON DR
SHERWOOD, OR 97140

City of Sherwood Public Works
P.O. Box 638
Sherwood, OR 97140

Important Information Concerning Your City of Sherwood Sidewalk Bill

Overview

The goal of the Concrete Sidewalk Repair Assistance Program is to prevent and repair sidewalk trip hazards in a timely manner in the interest of public safety and welfare and to assist property owner with repair costs.

Industry Practices for Responsibility of Sidewalk

According to the U.S. Department of Transportation, Federal Highway Administration (FHWA), city charters commonly specify that the city is not liable for any accidents or injuries incurred due to sidewalk conditions. Some charters assign complete responsibility of sidewalk maintenance to the owner of the adjacent property (i.e. City of Seattle, City of Portland, City of Ann Arbor).

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Sidewalk trip hazards for the City of Sherwood are defined by the following criteria:

- Vertical separation greater than a 1/4"
- Horizontal separation greater than a 1/4"
- Obstructions located within the sidewalk area
- Other defects deemed necessary for repair

These criteria are based on current industry standards used by municipalities across the United States.

Responsible Party

Chapter 12.08 of the Sherwood Municipal Code states that property owners abutting sidewalks are the responsible party for all sidewalk maintenance and repair in the City of Sherwood. In order to assist with sidewalk repairs, the City has created this sidewalk repair assistance program.

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The City of Sherwood Sidewalk Repair Assistance Program utilizes limited funds collected from households and businesses in Sherwood.

Safe sidewalks are a priority for the City of Sherwood. Properly maintained sidewalks allow for safe pedestrian travel, add value to individual properties and make our streets more appealing.

BILLING INFORMATION

(503)625-5722

8 a.m. to 4:30 p.m. - Monday - Friday

Website: www.sherwoodoregon.gov

Email: OperationsPW@SherwoodOregon.gov

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The City may, at its discretion, begin the lien process against your property. If the City determines it is in their best interest to lien your property, all costs (including but not limited to: Contractor fees, arborists fees, attorney fees, and the cost of the lien).

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Home of the Tualatin River National Wildlife Refuge

BRANDY S PEREZ
17610 SW DODSON DR
SHERWOOD, OR 97140

10/14/2022

City of Sherwood
Public Works Department
15527 SW Willamette St
Sherwood, OR 97140
Tel 503-625-5722
Fax 503-625-5524
www.sherwoodoregon.gov

**Re: Sidewalk Repair Payment Required
17610 SW DODSON DR Sherwood, OR 97140**

Dear Homeowner,

This letter is to inform you are past due on the balance for your sidewalk repair performed in winter/spring of 2021. Upon failure to satisfy the balance the City will be requesting that City Council approve placing a lien against your property for failure to remit payment in the amount of **\$463.13** for work completed by the City to correct sidewalk deficiencies adjacent to your property.

The process to place an unpaid balance onto the Lien Docket requires a passing Resolution by the City Council. Once the Resolution is confirmed on the agenda we will notify you as to the date and time of the hearing. You will be permitted to speak on your own behalf at the meeting to express your justification for your refusal to remit.

The Sidewalk Repair Assistance Program, in which you agreed to participate, allows the homeowner 12 months interest free to remit the remaining portion of the total balance of the repair. **Municipal Code 12.08.090 – Assessment** permits the City to enter the unpaid balance into the docket of city liens.

Remittance in full to the Utility Billing Department prior to the hearing will remove your address from the process.

Thank you,

David Janusz
Asset Management Specialist
15527 SW Willamette St
503.925.2312
januszd@sherwoodoregon.gov

**Questions about
this notice?**

**Call David at
503.925.2312**



Home of the Tualatin River National Wildlife Refuge

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SHERWOOD, OR 97140

12/9/2022

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22560 SW Pine St.
Sherwood, OR 97140
Tel 503-625-5722
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www.sherwoodoregon.gov

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17610 SW DODSON DR Sherwood, OR 97140**

Mayor
Keith Mays

Council President
Tim Rosener

Councilors
Renee Brouse
Taylor Giles
Linda Henderson
Doug Scott
Kim Young

City Manager
Keith Campbell

Dear Homeowner,

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Materials for the Council Packet will be submitted to the City Recorder on Friday, January 6th. Once submitted these documents will be part of the public record. You can review these documents at <https://www.sherwoodoregon.gov/meetings>.

Remittance in full to the Utility Billing Department prior to the end of day on January 6th will remove your name and address from the process.

Thank you,

David Janusz
Asset Management Specialist
januszd@sherwoodoregon.gov

**Questions about
this notice?**

**Call David at
503.925.2312**



Exhibit B

(8 Pages)

Property Address: 17680 SW Elder View Drive, Sherwood, OR 97140
Owner: Gary Lite
Total Amount: \$181.25

City of Sherwood
15527 SW Willamette St
Sherwood, OR 97140
Tel 503-625-5722
Fax 503-625-0679
www.sherwoodoregon.gov

City Manager
Joseph Gall, ICMA-CM

GARY LITE
17680 SW ELDER VIEW DR
SHERWOOD, OR 97140-7907

October 08, 2020

Re: Sidewalk Deficiency - Correction Required
17680 SW ELDER VIEW DR

Dear GARY LITE

You are receiving this letter because the City has identified a sidewalk deficiency adjacent to your property.

Chapter 12.08 of the City of Sherwood Municipal Code ("Code") states that all owners of property within the city limits are liable for sidewalks adjacent to their property. This includes the maintenance of adjacent sidewalks and any repairs required to make sure they are free of defects. **The Code states that you have 120 days from the date of this letter to have the repair corrected.**

To help offset the cost to owners for repairs of these deficiencies and in the interest of public safety and welfare, the City implemented a Concrete Sidewalk Repair Assistance Program ("Program"). This Program enables the homeowner to utilize the City's contractors to repair the deficiency and share the costs using monies collected and set aside specifically for sidewalk repairs. For details about the Program, please visit www.sherwoodoregon.gov/publicworks.

Below is listed the specific hazards noted on the sidewalk adjacent to your property. Please look for the hazards that are marked with white paint.

Enclosed is an agreement with the estimated costs for repair. Decide if you would like to participate in the Program and have the City schedule the work and share the cost. Then, simply initial, sign and date the agreement on page 3 and return to the Public Works Department - Mail to: 15527 SW Willamette St. Sherwood, OR 97140; FAX to 503 625-0679; email to operations@sherwoodoregon.gov. **Please call 971.979.5354 if you have questions.**

If we do not hear from you by Thursday, October 22, 2020, we will conclude that you do not wish to participate in the program and you will be solely responsible for the correction of the deficiency and all associated costs.

We look forward to hearing from you and we hope that you will take advantage of the cost sharing opportunities available to you through this program.

Sincerely,



Craig Sheldon

Sidewalks List

Sidewalk ID
SDW1783

Condition
Condition is horizontal or vertical < 2 inches

Repair Type
Shave

Site Address: 17680 SW ELDER VIEW DR, SHERWOOD, OR 97140

Asset #: SDW1783

Responsible Party: Name: GARY LITE

Address: 17680 SW ELDER VIEW DR, SHERWOOD, OR 97140-7907

On Tuesday, October 6, 2020 the City mailed a certified letter informing you of a sidewalk deficiency adjacent to your property and offered you the opportunity to participate in the City of Sherwood's Sidewalk Repair Assistance Program ("Program"). Sherwood Municipal Code 12.08 details the property owner's responsibility and defines the process for correcting any deficiencies to be within 120 days. **The date that work is to be complete is no later than Wednesday, February 3, 2021.** Information regarding the Program is located on the City's website at www.sherwoodoregon.gov.

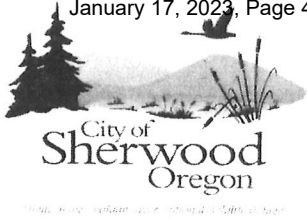
You have been made aware that the sidewalks abutting your property have been inspected and correction is required. Based upon our estimate of the work to be performed, we are providing an estimated cost for repairs if performed by our contracted agencies. When you opt into the Program you will be responsible for 50% of the total cost of work.*

CONDITION	REPAIR TYPE	AREA	QUANTITY	CONTRACTOR COST
Condition is horizontal or vertical < 2 inches	Shave		1	\$55.00
Total Cost				\$55.00

***All costs displayed are estimates based upon evidence provided at the surface. There may be cases where additional costs are incurred based upon findings after demolition (i.e. tree removal determined in an arborist report). The final statement will reflect the actual costs.**

Please note that any deficiencies that are deemed to be corrected by method of shaving are a temporary fix only and further repairs may be required at a later date.

Per Sherwood Municipal Code 16.142.060.B, any street tree that has been determined by the arborist to be removed requires a Street Tree Removal permit by the Planning Department. Your signature to enter the program constitutes your signature on the street tree removal permit; therefore if the arborist determines the tree must be removed the permit will be processed and the tree removed. **You, as the property owner, will be responsible for replacing the street tree within 6 months** with a tree from the recommended street tree list (available upon request). This program does not cover the costs for the replacement of the tree. Please note that if you want to remove a street tree on your property and the arborist has not determined that it must be removed for this project, you will need to coordinate directly with the Planning Department (this program will not pay a share of the costs or facilitate the processing of the permit).



One of the following must occur within 120 days of the notification from the City dated Tuesday, October 6, 2020. Please initial only one (1) of the two options.

1. Opt into the Program. The City will be responsible for coordination of the contractor(s) to ensure work is completed within the timeframe identified through the City's ordinance. You will be responsible for 50% of the total cost of the work.*
2. Replace the sidewalk deficiency(s) yourself OR hire a contractor to replace the sidewalk deficiency(s) without compensation from the program. All work must meet City of Sherwood Standards. You will be required to obtain any/all permits and the work will require inspection by City staff. Work must be complete by **Wednesday, February 3, 2021.**

OL

NOTE: If you choose not to do any of the above within one hundred twenty (120) days from receiving notification, the city will correct the sidewalk deficiency(s) at 100% cost to the homeowner, up to and including notice, engineering, advertising and attorney's fees. These charges will be due in full once work has been completed. **Failure to pay may result in a lien being assessed to your property.**

When you opt into the Program, the City will coordinate all work to be performed. Once the work is complete, we will schedule a final inspection.

An invoice will be provided to you detailing all work performed and the total cost will be provided. The City will pay 50% of the total cost and the remaining balance will be owed by you.

As per the Program, you have 12 months to pay your portion of the work. Once the 12 months has been reached, any outstanding monies owed to the City will be subject to the City's lien process.

ACCEPTANCE:

CITY OF SHERWOOD

Craig Sheldon, Public Works Director

November 12, 2020

Date

HOMEOWNER

Signature of Homeowner
Printed Name:

11-24-2020

Date

Site Address: 17680 SW ELDER VIEW DR

Asset #: SDW1783



Home of the Tualatin River National Wildlife Refuge

GARY LITE
17680 SW ELDER VIEW DR
SHERWOOD, OR 97140-7907

March 23, 2021

**Re: Sidewalk Deficiency - Correction Required
17680 SW Elder View Dr**

Dear GARY LITE

City of Sherwood
15527 SW Willamette St.
Sherwood, OR 97140
Tel 503-625-5722
Fax 503-625-0679
www.sherwoodoregon.gov

Thank you for participating in the Sidewalk Repair Assistance Program. You are receiving this letter to inform you that the City's original estimates for the repairs were incorrect and some alterations need to be made.

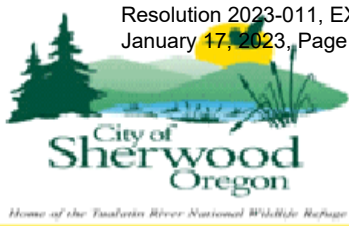
City Manager
Joseph Gall, ICMA-CM

Your original estimate indicated that you had an uplifted panel(s) that could be ground down, or shaved. The contractor who performs this service reviewed the hazard at your address and encourages that the panel be removed and replaced rather than ground down. His analysis is that after grinding the remaining concrete would be very thin and fragile. Concrete that is too thin will crack and crumble in a short period while a panel that is removed and replaced at the full 4" thickness will help the homeowner avoid another repair in a short period of time.

We understand that this change in treatment will alter your estimated costs. As with the original agreement, all costs listed are prior to the cost sharing with the City.

Remove	1 Shave		\$-55.00
Add/Change	1 Replace	5' x 5' @ \$14.50 per ft²	\$ 362.50

You do not need to do anything at this time to proceed with the repair. If, however, you have questions or want to have the City Inspector review your repairs on site, please call Richard Sattler at 503.925.2319.



P.O. Box 638
Sherwood, OR 97140
(503) 625-5722
OperationsPW@SherwoodOregon.gov

Sidewalk Program Bill

Thank you for your assistance in providing safe sidewalks in the City of Sherwood.

This bill must be paid separately from your utility bill.

Date	Description	Amount
6/15/2021	Site Address: 17680 SW ELDER VIEW DR	
	Sidewalk Repair - Concrete Replacement Charge	\$362.50
	Sidewalk Repair - Concrete Replacement Discount	(\$181.25)

Please include this remittance with your payment to ensure payment is applied to the Sidewalk Program bill.



City of Sherwood Public Works

P.O. Box 638
Sherwood, OR 97140

Remittance	
Account Number	072184-D00-RES
Remit By	6/15/2022
Amount Due	\$181.25
Amount Enclosed	

Make all checks payable to City of Sherwood Public Works

GARY LITE
17680 SW ELDER VIEW DR
SHERWOOD, OR 97140-7907

City of Sherwood Public Works
P.O. Box 638
Sherwood, OR 97140

Important Information Concerning Your City of Sherwood Sidewalk Bill

Overview

The goal of the Concrete Sidewalk Repair Assistance Program is to prevent and repair sidewalk trip hazards in a timely manner in the interest of public safety and welfare and to assist property owner with repair costs.

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10/14/2022

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12/9/2022

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Keith Campbell

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