City of Sherwood Oregon
Home of the Tualatin River National Wildlife Refuge

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

Pursuant to House Bill 4212 (2020), this meeting will be conducted electronically and will be live streamed at
https://www.youtube.com/user/CityofSherwood

February 2, 2021

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Mays called the executive session to order at 5:32 pm.

2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, Sean Garland, and Russell Griffin.

3. **STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, Finance Director David Bodway, Public Works Director Craig Sheldon.

   OTHERS PRESENT: Trevor Newman, Erik Doescher, Ross Schulz, Dave Nieuwstraten.

4. **TOPICS**

   A. ORS 192.660(2)(f), Exempt Public Records

5. **RECESS:**

   Mayor Mays recessed the executive session at 6:58 pm and convened a regular session.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 7:03 pm.

2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, Sean Garland, and Russell Griffin.

3. **STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, IT Director Brad Crawford, Community Development Director Julia Hajduk, Police Chief Jeff Groth, Finance Director David Bodway, Public Works Director Craig Sheldon, Planning Manager Erika Palmer, Community Services Director Kristen Switzer, Economic Development Manager Bruce Coleman, and City Recorder Sylvia Murphy.

4. **APPROVAL OF AGENDA:**

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

Mayor Mays addressed the next agenda item.

5. CONSENT AGENDA:

A. Approval of January 19, 2020 City Council meeting Minutes
B. Resolution 2021-008 Authorizing the City Manager to sign an intergovernmental agreement with Oregon and Southwest Washington agencies for sharing police records data
C. Resolution 2021-009 Authorizing the City Manager to sign a successor Intergovernmental Agreement with Washington County for towing services
D. Resolution 2021-010 Appointment of City Council Liaison Assignments

MOTION: FROM COUNCILOR BROUSE TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCIL PRESIDENT ROSENER. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Mays addressed the next agenda item.

6. CITIZEN COMMENTS:

No citizen comments were received. Mayor Mays addressed the next agenda item.

7. PRESENTATIONS

A. Recognition of Eagle Scout Award Recipient

Mayor Mays recognized Ian Kleditz for his achievement of attaining the rank of Eagle Scout and invited him to attend a future Council meeting.

Mayor Mays addressed the next agenda item.

8. NEW BUSINESS

A. Introduction of New Metro Councilor for District 3

New Metro Councilor Garritt Rosenthal introduced himself and stated that he had lived in the area since 1991 and was a hydrologist and biochemist and had taught science and math. He remarked that he first became involved with public service in Lane County where he worked for the county and local council governments. He commented that because Metro was a regional agency, they had to work together to solve regional problems with the advice and consent of the local districts. He stated that his interests revolved around environmental aspects and he had worked with ODOT on transportation issues and had completed land use planning, habitat protection and preservation for wetlands and uplands, and solid waste issues. Metro Councilor Rosenthal commented regarding Sherwood's request for an extension on the UGB deadline and stated that because of the COVID-19 pandemic, Metro had to consider which ordinances they needed to change, and Metro's attorney was currently determining what was the best legal, easiest, and simplest legal measures to address the City's concerns. He reported that Metro would come to a decision on purchasing property in Cornelius for a future transfer station this week. Mayor Mays commented he would like Metro Councilor Rosenthal to attend future City Council meetings in order to provide updates and allow for community feedback. Metro Councilor Rosenthal replied he was happy to do so. Council President Rosener stated he was looking forward to working with Metro Councilor Rosenthal and building the City's relationship with Metro. Metro Councilor Rosenthal asked if there was an update regarding the proposed pedestrian bridge? Mayor Mays replied that the pedestrian bridge update would be discussed at the work session following this meeting and explained that the City was moving forward with their plans and were advocating in Salem for lottery dollar funding. He explained that the City had been awarded lottery funding and there had been a draft bill in last year's short session in which the City was to receive more money, but there was never a quorum to act on the bill. He added that the pandemic had impacted lottery revenue, which then delayed all projects that were approved nearly two years ago. City Manager Gall reported that Metro Councilor Rosenthal would attend the March 16th work session as a part of the Metro Community Enhancement Program Grant Committee to review applications.

9. CITY MANAGER REPORT:

City Manager Joe Gall reported that Council would hold their annual goal setting work session on February 20th, and it would be held at the Arts Center.

Mayor Mays addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Councilor Young reported that the YMCA facility would reopen soon to allow for small group gatherings. The Community Development Block Grant had completed their grant cycle and held presentations last week, many of which focused on homelessness/housing/rent/evictions. She stated that the results should be published within the next few weeks. Council President Rosener asked if any Sherwood organizations had applied? Councilor Young replied that no Sherwood organizations had applied per se, but many organizations that also represented Sherwood had applied.

Councilor Griffin reported on the Parks and Recreation Advisory Board meeting where they unanimously approved the Parks Master Plan Update. He explained that the Parks Master Plan Update would then go to the Planning Commission on February 9th and Council on February 16th.

Council President Rosener reported he would attend the Special Districts Association of Oregon meeting where he would represent the Willamette River Water Coalition. He attended several Sherwood School Board meetings. He reported that Governor Brown had recently made changes for counties in the "extreme risk" category to allow for the reopening of gyms and entertainment centers. He recapped the number of Washington County COVID-19 cases. He attended the Historical Society meeting where they discussed the Morback House's foundation issues.

Councilor Garland reported that he attended the Willamette Intake Facility meeting and Cultural Arts Committee meeting. He participated in an online servant leadership conference along with City Manager Gall and Councilor Brouse. He gave his kudos to Sherwood teachers, staff, and administration for their hard work helping students during the pandemic.

Councilor Brouse reported she attended an online servant leadership conference and commented she was excited to apply what she had learned towards building greater diversity, equity, inclusion, and accessibility in Sherwood. She attended the Library Advisory Board and Senior Advisory Board meetings. She was unable to attend the Housing Advisory Committee meeting because of scheduling conflicts.

Councilor Scott reported he attended the Planning Commission work session last week.

Mayor Mays reported that the League of Oregon Cities partnered with the Oregon Mayors Association to hold a virtual "City Day" in Salem. He reported that Council President Rosener and City Manager Gall participated in the event. He explained that the event had over 200 city representatives from over 90 cities in Oregon where they learned about the LOC's 2021 legislative priorities. He reported on the LOC's presidential regional roundtable meetings. He reported that he would attend the National League of Cities meeting.

11. ADJOURN:

Mayor Mays adjourned the regular session at 7:35 pm and reconvened the executive session.

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Mays called the executive session to order at 7:40 pm.

2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, Sean Garland, and Russell Griffin.

3. **STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, Finance Director David Bodway, Public Works Director Craig Sheldon.

   OTHERS PRESENT: Trevor Newman, Erik Doescher, Ross Schulz, Dave Nieuwstraten.

4. **TOPICS:**

   A. ORS 192.660(2)(f), Exempt Public Records

5. **ADJOURN:**

   Mayor Mays adjourned the executive session at 8:42 pm and convened a work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Mays called the work session to order at 8:45 pm.

2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Kim Young, Sean Garland, and Russell Griffin. Councilor Renee Brouse was absent.

3. **STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, IT Director Brad Crawford, Community Development Director Julia Hajduk, Police Chief Jeff Groth, Finance Director David Bodway, Public Works Director Craig Sheldon, Planning Manager Erika Palmer, Community Services Director Kristen Switzer, City Engineer Bob Galati, and City Recorder Sylvia Murphy.

4. **TOPICS**

A. Sign Code Discussion

Mayor Mays stated he would like to delay the sign code discussion to a future date when the City felt it was past the COVID-19 pandemic. He asked for input from other Council members. Councilor Young commented that since the City was still dealing with COVID, she felt the discussion should be delayed. Council President Rosener and Councilor Garland stated they agreed with Councilor Young and Mayor Mays. Councilor Scott commented that he felt that it did not make a difference when the discussion occurred because it hurt businesses either way and was fine with moving the discussion to a later date if that was what Council wanted.

B. Pedestrian Bridge Planning/Contracting

Community Development Director Julia Hajduk presented the "Moving the Pedestrian Bridge forward to construction" PowerPoint presentation (see record, Exhibit A) and recapped that the City had completed the feasibility study for the bridge and it had identified the general length, location, and alignment of the pedestrian bridge. The bridge would be roughly 620 feet long with ramps and stairs and 12 feet wide and would cost an estimated $17.5 - $21.7 million to construct. She reported that she had consulted with some manufacturers of prefabricated structures and had gotten the estimated cost down to $10.2 - $11.5 million. She explained that the $10.2 - $11.5 million estimate was the figure they were using for seeking outside funding. She reported that the feasibility study provided high level estimates, but design level work was still needed. She reviewed the proposed timeline for the completion of the pedestrian bridge and explained that City Engineer Bob Galati had begun a draft an RFP for design services to get to 30% design, and estimated that the RFP would be ready to be bid on between February and March 2021. She reported that they would also conduct an RFP of prefabricated bridge manufacturers to submit similar design options and services to select a specific bridge and commented that Council needed to pick which bridge structure they wanted folded into the 30% design work. She explained that contract negotiations and scope of work would take place between April and May 2021 and the contract would go to Council for approval. Design work would occur between June and September 2021, which also included public outreach and Council input opportunities in order to select a bridge design manufacturer and other design elements. By September 2021, 30% design would be complete along with firm cost estimates and Council would decide on whether to go with design-build or design-bid-build for the structure. She outlined the estimated timeline for the design-bid-build option as: October-November 2021 to complete the RFP for design, the design phase would occur November 2021-April 2022 (60%-100%), bidding in April-May 2022, and construction would occur between May-October 2022. She outlined the estimated timeline for the design-build option as: RFP for design/build in October-November 2021, and November 2021-July 2022 for the design and build. Mayor Mays commented he was pleased with the general timeline for completion. Councilor Griffin commented that a webpage should be created to push out information regarding the pedestrian bridge for residents to access once the project was announced. Ms. Hajduk explained that the reason they chose the 30% design was to allow the City time to procure the necessary funding to construct the bridge. Councilor Griffin commented that it was important that citizens understand the process and how URA funding worked. Council President Rosener commented that the key message to communicate with residents was that the bridge would be constructed without raising property taxes. Mayor Mays explained that the City would know if it would be receiving money to construct the bridge by July 1st because that was the end of the legislative session. Ms. Hajduk reported that the City would likely want to contract with a project manager who specialized in bridge structures for this project.

Ms. Hajduk outlined what went into a 30% design on page 4 of the presentation and explained that it included: survey work to confirm grade elevations, identification of major issues or obstacles, exact location of endpoints and structures, geotechnical work to confirm loads, and it would start to nail down cost estimates. She outlined that 60% design would: finalize critical component design items including layout of sidewalk location and bridge siting location, major utility conflicts were identified with solution options presented, cost estimates were updated to reflect major design decision implications, and a draft of the project specifications would be presented at that time. She outlined that 90% design would: finalize all project component design items, all project items would be shown with technical data required for construction, a very limited amount of component design item modification, updated project specifications would happen at this time, and final cost estimates would be presented. She outlined that 100% design meant that the project was ready for construction bidding plans, specifications, and cost estimates. She explained that a design-build meant that there was an RFP for design-build and one entity with subcontractors to make the project work. She explained that the advantages for going with the design-build option were: reduced risks due to on-going collaboration between designer and contractor, shorter timelines, and it was easier to budget. The disadvantages of the design-build option were: higher prices because construction was folded into the overall cost, there was no bidding opportunity, unless the project was very well defined at the outset, costs for design-build would include higher costs due to the unknowns, and loss of creativity and creative control from project owner. She explained the advantages of using design-bid-build as: more control over project construction cost because of competitive bidding process/"lowest bid wins", better project clarity, and more input on project design. The disadvantages were that: cost can be more fluid since the design was not working in tandem with a contractor, longer timelines due to two hiring processes, and potential communication issues (because there were two separate processes, there may be miscommunication or issues that may have been avoided if it could have been addressed earlier). Council President Rosener asked if a design-bid-build process would eliminate prefab companies? Ms. Hajduk replied that that concern was why they were only doing a 30% design initially. City Engineer Bob Galati explained that for the design-bid-build, 30% design level would ensure that what the City, citizens, and Council wanted in a bridge design would be captured, including style and amenities. He explained that it gave the maximum flexibility to the City to get the bridge constructed. Ms. Hajduk remarked that if the City were to go with a design-build, the City would have no idea what kind of bridge structure, artistic elements, or what kinds of issues there were, which was why City staff recommended completing additional design work in order to have a more definitive design in place. She commented that the difference between the ODOT estimates and the preliminary feasibility study estimates were that ODOT's estimates were based on non-prefabricated costs. City Engineer Galati provided an example of why completing the 30% design was important and explained that the pedestrian bridge was going to go across Highway 99W, and on the west side of the highway was where all the high power had been installed to serve the new high school and was at a certain level above grade. He explained that the City did not know what that level was or if the bridge could go underneath it and clear it in the proper elevation. He stated that the City did not want to be dealing with that at the design-build phase, the City needed that information upfront because it needed to know exactly what types of impacts needed to be budgeted for. Ms. Hajduk added that by knowing those financial figures upfront it would allow the City to fold those costs into the budget asks for additional requests to the state. Mayor Mays asked what was needed from Council to start the 30% design process? Ms. Hajduk replied that she needed Council's approval to proceed with the proposed timeframe and stated that now was the time for Council to voice any questions, issues, concerns, or desire for staff to slow down until more funding had been procured. Council indicated their agreement to proceed with the proposed timeline. Mayor Mays asked Ms. Hajduk and Mr. Galati which was a more common approach for construction using prefabs, design-build or design-bid-build? Mr. Galati replied that if you did the statement method, it was basically design-bid-build. If you did private, it depended on the bridge, its location, and its purpose. Ms. Hajduk replied that when she met with a prefab manufacturer, she got the impression that they were used to the design-build process. Mr. Galati commented that prefab manufacturers were probably more suited to simply getting a bridge installed, but when it came to identifying ROW acquisitions, easements, sidewalk ramp siting, etc., it was a much more complex project. He explained that until the project was at 30% design, he was not able to make a recommendation because of the complexities that had not yet been identified. City Manager Gall asked if Council wanted to be kept up to date on the status of this project via a work session in the spring? Mayor Mays replied that a work session would be fine or emailed updates and asked if Council had a preference between the two options? Councilor Griffin replied that email updates would suffice until there was a big update that required Council feedback, then a work session would be needed. Councilor Scott stated he agreed with Councilor Griffin. Council President Rosener asked if the City had all of the necessary ROW in order to land the bridge on the school side? Ms. Hajduk replied that the feasibility study had identified that, but there were still details that needed to be worked out. Mayor Mays asked that the City's lobbying firm be kept up to date with project news. Ms. Hajduk commented that having more design work and more defined cost estimates would help to counter arguments that the cost estimates were incorrect.

5. ADJOURN:

Mayor Mays adjourned the work session at 9:15 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Keith Mays, Mayor