



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
July 16, 2024

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:00 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Renee Brouse, Dan Standke, and Doug Scott. Councilor Keith Mays was absent.
3. **STAFF PRESENT:** Interim City Attorney Sebastian Tapia, City Manager Pro Tem Craig Sheldon, and Community Development Director Eric Rutledge.

3. **TOPICS:**

A. ORS 192.660(2)(e), Real Property Transactions

4. **ADJOURN:**

Mayor Rosener adjourned the executive session at 6:25 pm and convened a work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:30 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Renee Brouse, Doug Scott, and Dan Standke.
4. **STAFF PRESENT:** City Manager Pro Tem Craig Sheldon, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Public Works Utility Manager Rich Sattler, IT Manager Richard McCord, Law Clerk Jeremy Zerkle, HR Director Lydia McEvoy, City Engineer Jason Waters, Senior Planner Joy Chang, Economic Development Manager Bruce Coleman, Police Chief Ty Hanlon, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.

3. **TOPICS:**

A. Update on UGB Expansion

Community Development Director Eric Rutledge presented the "Sherwood West UGB Expansion Work Session" PowerPoint presentation (see record, Exhibit A) and recapped that the city had submitted its

application for the full 1,300 acres to Metro in April and staff had provided a presentation to Metro Council and committees in May. He reported that in July, the draft Urban Growth Report (UGR) was released, and the comment period was opened. Mr. Rutledge outlined that the city had been conducting stakeholder meetings with public service providers, developers, CWS, property owners, etc. and commented that the meetings had resulted in useful feedback. He reported that in August, the Metro COO would release their recommendation on the city's UGB expansion proposal. In September, MPAC (Metro Policy Advisory Committee) and CORE (Committee on Racial Equity) would provide a recommendation on the city's proposal to the Metro Council. In October, the Metro Council would give direction on their intended decision, the first public hearing would be held in November, and the final public hearing would be held in December. Mayor Rosener provided an overview of the local groups, businesses, and organizations that had been included in the stakeholder meetings and explained they included 1000 Friends of Oregon and local wineries. Community Development Director Rutledge added that feedback had also been received from regional groups that included the Oregon Farm Bureau and other equity-oriented groups to give a well-rounded regional review of the proposal. Councilor Giles asked when the deadline was to pull the city's application and Mr. Rutledge replied that the deadline would likely be in October 2024 and explained that there would be multiple opportunities between now and October for staff and Council to discuss Metro's possible conditions of approval. Councilor Mays commented that if Metro put unfavorable conditions of approval on their proposal, he was willing to pull the application. Councilor Scott and Mayor Rosener commented that the decision to pull the application should be made prior to the application being approved with conditions from Metro. Mayor Rosener commented that the purpose of this work session was to discuss the possible conditions of approval Metro may place on the city's application. Community Development Director Rutledge explained that the UGR was a supply and demand analysis that showed growth projections and scenarios, the results of which showed that there was a range of need for housing and employment land over the next 20 years. He outlined the draft UGR had been published and the comment period was open from now through August. He read aloud from the report and stated that "Metro council has latitude to determine there is a need to add the Sherwood West urban reserve to the UGB or take other measures to encourage redevelopment." Mr. Rutledge reported that Metro had the authority to place conditions of approval on the city's UGB expansion application and outlined the potential conditions of approval on page 4 of the presentation. He outlined that the potential conditions of approval included conditions on residential land including housing density, housing type, and housing affordability. Possible conditions on employment land included 50-acre minimum lot sizes in the north district. Councilor Scott referred to Metro's comments regarding employment land lot size and said that he felt that Metro meant to protect the larger lots. Mr. Rutledge replied that the north district did not have any parcels over 50-acres, so it would require assembly to get to 50-acres. Councilor Scott and Councilor Giles voiced that this aligned with what Council had wanted for the north district. Discussion occurred regarding if 50-acres was too large for the area and the need for there to be flexibility within the plan. Mayor Rosener spoke on the UGR and explained that the report was constrained by state law and the figures within the report were based on gross assumptions and did not account for some important factors. He stated that it was important not to overly rely on these reports when making decisions. Councilor Scott commented that Metro studies reviewed the Metro region as a whole and did not take into consideration individual factors of the cities within the region. Mayor Rosener spoke on the analytics for the lot sizes used in the UGR and explained that there were three lot sizes for the zoning, and the largest lot size Metro considered was 2,500 sqft and above. He voiced that this overestimated the capacity for the region to absorb new people within the current boundary. Council President Young and Councilor Scott explained that Metro had emphasized that when reviewed as a whole, there was no need for industrial land, but when large lots were segmented out, there was a huge need, and commented that Sherwood West included industrial land. Community Development Director Rutledge recapped that the last potential condition of approval for the city's application was public engagement with specific requirements for outreach during the comprehensive planning process. He provided an overview of the "Residential Land

– Concept Plan Comparison” charts on page 5 of the presentation. He recapped that Frog Pond in Wilsonville had an average net density of 6.9 units per acre, Sherwood West had an average net density of 9.2, Cooper Mountain in Beaverton had an average net density of 11.2, and River Terrace 2.0 in Tigard had an average net density of 13.5. Mr. Rutledge commented that these numbers were general but accurate enough for discussion purposes. He outlined that Frog Pond was approved at 100% Single Family; Sherwood West offered 57% Single Family, 18% Middle Housing, and 25% Multifamily; Cooper Mountain offered 55% Single Family, 26% Middle Housing, and 19% Multifamily; and River Terrace 2.0 was approved without any specific unit breakdown. Community Development Director Rutledge provided residential land density examples on pages 6-7 of the presentation. He explained that net density removed roads, rights-of-way, environmental constraints, and potentially parks. Mr. Rutledge recapped that 7 units per acre resulted in an average lot size of 6,222 sqft per unit, 10 units per acre resulted in an average lot size of 4,356 sqft per unit, 12-13 units per acre resulted in an average lot size of 3,350 sqft per unit, and 18 units per acre resulted in an average lot size of 2,420 per unit. He noted that 12-13 units per acre resulted in apartment units and some Middle Housing and 18 units per acre resulted in Multifamily type housing. He commented that he had heard that Metro was likely to propose a 13-18 unit per acre condition. Councilor Giles stated that a higher density requirement would not put people on the path to home ownership and spoke on the lack of a major transportation hub and the lack of the necessary infrastructure to support that level of density. He stated that he wanted to get creative on how to provide housing for young families and residents who wished to age in place in Sherwood and discussion occurred. Councilor Scott commented that an average of 18 units per acre for Sherwood West “did not match the reality of what was possible here from a transportation perspective.” Community Development Director Rutledge provided an overview of the Sherwood West densities chart on page 8 of the presentation and explained that approximately 1,200 additional units were needed to achieve a net density between 12-13 units per acre for residential land. Councilor Scott commented that another option was to change the acreage mix of the housing types then stated that either scenario was a “non-starter” for him. He spoke on his experience serving on the CAC for Sherwood West and stated they had spent a large amount of time getting to a 9.2 average density and expressed that he would prefer to pull the application than move forward with 11 or more units per acre. Mayor Rosener commented that there should be aspirational conditions versus mandates and stated that if the city were to change the amount of land, it had to be based more on a number per acre average if a compromise could be reached. Mayor Rosener asked for Council feedback regarding density. Councilor Mays stated that he supported a density range that included aspirational figures. He spoke on master planning and stated that some housing types required mass transit, and the city did not control mass transit and without mass transit available, it severely impacted the opportunity. Councilor Brouse stated she would be supportive of more middle housing/affordable housing and commented that in order to get to the density Metro wanted, Metro needed to get Sherwood more transportation and infrastructure. Councilor Standke commented that it seemed that Metro wanted to create an urban area in the suburbs, which was not what Sherwood wanted to be. Council President Young stated that she did not want to “Portland-ize” Sherwood and expressed her frustrations with the amount of time and effort that had gone into the application to ensure different types of housing were represented. She stated that the Sherwood community would be extremely upset if Metro’s proposed density was used. Councilor Giles stated that if Metro’s proposed density was used, it would actually diminish the housing variety because it would all be apartments. He spoke on his desire to provide Sherwood residents with the opportunity to continue to live in their communities throughout different life stages by offering housing variety and discussion occurred. Councilor Scott voiced that it was “nonsensical” to think a city like Sherwood could have the type of housing density as cities near transit corridors like inner Portland or inner Hillsboro. Economic Development Manager Bruce Coleman stated that it was not a given that Metro would require a 50-acre minimum for industrial land. He referred to the map on page 9 of the presentation and spoke on the need for both larger and smaller plots of industrial land. He stated that 50+ acres was possible in the north district of Sherwood West and commented that there were significant economic benefits to the city and the region by

utilizing the larger lots. He explained that he saw the opportunity for larger parcel sizes east of Elwert and spoke on the opportunities for master planning and campuses. He stated that if there was a 50-acre minimum condition it would require private assembly and voiced that private assembling was likely to be challenging. He continued that if there was a minimum lot size, the east side would be slower to develop because of the smaller lot sizes and spoke on the likely impacts of slower development such as increased construction costs and lease rates. Councilor Mays stated that he preferred this option for moving forward versus other potential mandates. Councilor Scott commented that he wanted flexibility within the plan and stated that if each lot was developed individually, he would view that as a “massive failure.” He voiced that he would welcome assistance from Metro to encourage larger development without the conditions being so inflexible that the area remained undeveloped, and discussion occurred. Mayor Rosener asked for Council feedback and Council President Young stated that she would like flexibility within the conditions. Councilor Standke stated that this was much easier to go along with than the density conditions. Councilor Brouse stated she agreed. Community Development Director Rutledge recapped the upcoming timeline and reported that the city should have a clear direction from Metro regarding potential conditions for the city’s UGB expansion application soon.

Record note: Prior to the meeting, Community Development Director Eric Rutledge provided Council with a copy of the Conditions of Approval for the 2018 expansions in King City, Tigard, Beaverton, and Wilsonville and UGB Expansion – Decision Making Timeline (see record, Exhibit B).

4. ADJOURN:

Mayor Rosener adjourned the work session at 7:22 pm and convened a regular session.

REGULAR SESSION

1. CALL TO ORDER: Mayor Tim Rosener called the meeting to order at 7:25 pm.

2. COUNCIL PRESENT: Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Renee Brouse, Doug Scott, and Dan Standke.

3. STAFF PRESENT: City Manager Pro Tem Craig Sheldon, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Public Works Utility Manager Rich Sattler, IT Manager Richard McCord, Law Clerk Jeremy Zerkle, HR Director Lydia McEvoy, City Engineer Jason Waters, Senior Planner Joy Chang, Economic Development Manager Bruce Coleman, Police Chief Ty Hanlon, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

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

Mayor Rosener addressed the next agenda item.

5. CONSENT AGENDA:

A. Approval of June 18, 2024, City Council Meeting Minutes

B. Resolution 2024-049, Appointing Jay Walmsley to the Sherwood Planning Commission

- C. Resolution 2024-050, Appointing Joe Tillotson to the Sherwood Planning Commission**
- D. Resolution 2024-051, Reappointing Steve Munsterman to the Sherwood Parks and Recreation Advisory Board**
- E. Resolution 2024-052, Appointing James Booker to the Sherwood Parks & Recreation Advisory Board**
- F. Resolution 2024-053, Appointing Tara Khodadadian to the Sherwood Parks & Recreation Advisory Board**
- G. Resolution 2024-055, Appointing Barbara Leitzinger to the Sherwood Parks & Recreation Advisory Board**

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

Mayor Rosener addressed the next agenda item.

6. CITIZEN COMMENT:

Sherwood resident Mark Long came forward and stated he was concerned about property taxes and quality of life. He referred to Day Road and stated that it was within Washington County and spoke on the poor condition of the road. He asked that the city look into getting the road fixed. He stated he was also concerned about 124th Avenue and spoke on the heavy amount of traffic utilizing the road. He stated traffic congestion issues in the area affected one's quality of life. He referred to Costco redeveloping the old movie theater lot and spoke on the proposed parking structure and the impact to local roadways and traffic. He stated that Sherwood did not need a Costco and that the revenue generated from having a Costco was not worth the impact it would have on the quality of life within the city.

Sherwood resident Jim Claus came forward and stated he was starting the procedure on exhausting administrative remedies. He spoke on the City Attorney and the URA and stated that the city had violated the State Constitution. He spoke on development, compromised position, and the requirement of a road to be constructed. He stated that this resulted in the buyer withdrawing their offer. He spoke on the statute of limitations and fraud. He stated that he would disseminate information. He spoke on the Oregon Supreme Court and record retention and stated that the city was committing waste, fraud, and the abuse of public money. He spoke on the 14th Amendment and civil rights violations.

Sherwood resident Susan Claus came forward and provided a map handout of Ice Age Trail to the Tualatin River Wildlife Refuge (see record). She referred to the original Ice Age Trail from 2012 and stated that Ice Age Trail went from Wilsonville, went through Sherwood, and connected in Tualatin. She stated that Sherwood was responsible for Sherwood's portion of the trail in that the city connected to the trail which provided local access. She stated that in 2012, the trail went up Tonquin Road, but the trail had been changed in the newest Parks Master Plan to follow 124th Avenue. She stated that this was a fundamental change to the city's Metro-guided pathway that connected Sherwood to Wilsonville. She stated that she and Jim Claus had donated land for this specific project and explained that Tonquin Road was low ground which was accessible to more people versus the higher elevation of having the trail come off Oregon Street. She stated that this project was a "crown jewel" for the city and the region and the changes to the trail affected the walkability of the trail. She asked that the city review this issue and that the city work with the US Fish and Wildlife Service. She referred to the request to speak forms and stated that there was no way to indicate that a citizen wished to provide public comment during a URA meeting.

Mayor Rosener addressed the next agenda item.

7. NEW BUSINESS:

A. Resolution 2024-054, Approving Ballot Title and Explanatory Statement and Submitting to the Voters a Proposed Charter Amendment regarding Council Compensation for Expenses Incurred while Conducting the City's Business

Interim City Attorney Sebastian Tapia explained that this resolution was in response to the Charter Review Committee's recommendation concerning Section 37 of the Charter. He outlined that currently, Section 37 stipulated that there was to be no compensation but there could be reimbursement when conducting city business. He stated that this was a minor change which aligned Council reimbursement to be consistent with city employee policies. Councilor Scott asked for more information and Mr. Tapia explained that it applied the same standards which include mileage, per diem, and allowed Councilors to utilize mileage accounts that city employees were also allowed to have. Council President Young added that Councilors received zero compensation as Council was a volunteer position and explained that sometimes it was necessary for Councilors to use their personal credit cards, which typically had reward programs associated with them. She explained that those rewards were considered a form of compensation, and this Charter amendment would clean up the language in Section 37, allowing Councilors to keep those rewards. Mayor Rosener stated that under state law, state and city employees were able to keep those rewards, and this would bring Council into alignment with that standard. Mr. Tapia clarified that for all intents and purposes it met the current usage, but made it very clear and aligned with the current policy for city employees. Councilor Giles explained that this change would actually save the city money by allowing Councilors to use their own discounts when making city-related purchases. Council President Young stated that she did not think the explanatory statement properly described the issue. Interim City Attorney Tapia replied that explanatory statements had a word limit, so they needed to be kept fairly brief, but he could work to add more context. Mayor Rosener stated he wanted it to be clear to the voters that City Council remained a volunteer position, and that this change was simply a language clean up to bring the City Charter in alignment with state statute. He asked if this resolution could be tabled until the next City Council meeting to allow staff time to add clarifying language to the explanatory statement. The City Recorder stated that while there was limited time to rework the statement, there should be enough time for staff to do so. Council asked that the proposed resolution be tabled to allow the City Recorder to consult the elections calendar.

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

8. PUBLIC HEARINGS:

A. Ordinance 2024-002, Amending sections of the Sherwood Zoning and Community Development Code, and adopting Chapters 3.40 and 5.36 of the Sherwood Municipal Code for Climate-Friendly and Equitable Communities rules (First Reading)

Senior Planner Joy Chang presented the "Climate-Friendly and Equitable Communities" PowerPoint presentation (see record, Exhibit C) and explained that these were state-mandated changes. She provided background information and stated that Executive Order 20-04 directed state agencies to reduce climate pollution. In July 2022, the Oregon Land Conservation and Development Commission (LCDC) adopted the Climate-Friendly and Equitable Communities (CFEC) rules to help meet state goals to reduce climate pollution, especially from transportation. She stated that the rules applied to urban metropolitan areas

throughout Oregon and the City of Sherwood was mandated to apply the CFEC rules. She reported that the city had implemented the least impactful standards of all of the CFEC alternatives. Ms. Chang outlined that the city, along with 12 other jurisdictions including Tualatin, Hillsboro, Happy Valley, and Oregon City have sued over the new rules and stated that the issue was whether the LCDC exercised authority it did not have when codifying and mandating the rules. On March 6, 2024, the Oregon Court of Appeals affirmed the overall validity of the 89 rules adopted by LCDC. She reported that the city and co-petitioners were seeking review of this decision by the Oregon Supreme Court, and if successful, the CFEC rules could be found invalid. Ms. Chang outlined that the draft ordinance contained language that would automatically repeal it with immediate effect under specific circumstances. She provided an overview of the CFEC rules on page 3 of the presentation and reported that the City of Sherwood was granted an alternative date of implementation of September 14, 2024. She addressed the proposed amendment of Reduction of Parking Mandates for Development Types (OAR 660-012-0430) and explained that this would require no more than one parking space per unit in residential developments; no parking requirements for residential care/training/treatment facilities; and no parking requirements for childcare, single-room occupancy housing, residential units smaller than 750 sqft, affordable housing, publicly supported housing, emergency and transitional shelters, and domestic violence shelters. She addressed the proposed amendment of Parking Reform Near Transit Corridors (OAR 660-012-0440) and explained that there would be no parking requirements for lots or parcels within one-half mile of the transit corridor and noted that TriMet's 94 Line was considered "frequent transit" by the state. Senior Planner Chang addressed the proposed amendment of Parking Reform in Climate Friendly Areas (OAR 660-012-0435) and explained that Sherwood's town center area and parcels of land within a quarter mile of the town center area would also have no parking requirements. She explained that the pink area on the map on page 5 of the presentation represented the affected area of this rule, the blue line reflected Line 94, and the red outline delineated the town center. She noted that developers were still able to build parking if they chose to, but the CFEC rules made it so providing parking was not required. Ms. Chang addressed the proposed amendment of Electric Vehicle Charging (EV) (OAR 660-012-0410) and explained that new multi-family residential buildings with five or more residential dwelling units, and new mixed-use buildings with five or more residential dwelling units would be required to install EV conduits to accommodate 40% of all vehicle parking spaces while non-residential development under private ownership would be required to install EV conduits at no less than 20% of the vehicle parking spaces in the garage or parking area for the building. She explained that staff were incorporating these changes into the city's building code since the city was already making changes related to conduits for EVs. She addressed the proposed amendment of Parking Regulation Improvements (OAR 660-012-0405) and explained that the mandate required preferential placement of carpool/vanpool parking; it allowed redevelopment of any portion of a parking lot for bike or transit uses; it allowed and encouraged redevelopment of underutilized parking for other uses; it allowed and facilitated shared parking; new parking lots more than ½ acre in size must install 40% tree canopy or solar panels, solar/wind fee-in lieu or green energy; and the adoption of parking maximums in locations such as downtowns, regional or community center, and transit-oriented development. Ms. Chang addressed the proposed amendment of Reducing the Burden of Parking Mandates (OAR 660-012-0425) and outlined this mandated that garages and carports may not be required for residential developments; garage parking spaces shall count towards off-street parking mandates; provision of shared parking shall be allowed to meet parking mandates; required parking may be provided off-site, within 2,000 feet of pedestrian travel of a site; and reduced parking mandates if solar panels or wind power capacity was provided, car-sharing parking space, EV parking spaces, units that were fully accessible to people with mobility issues. She addressed the proposed amendment of Fair Parking Policies (OAR 660-012-0445(1)(a)) and explained that Council had reviewed the available choices and chose to adopt fair parking policies through unbundling parking spaces serving leased commercial developments and added a new 10% tax on the revenue from new commercial parking lots. Senior Planner Chang clarified that the city did not currently have any commercial parking lots within the city, but this rule would go into effect should one be constructed.

She provided an overview of Chapter 5.36 Unbundled Parking for Commercial Uses on page 10 of the presentation and noted that the city would ask that the property owners with commercial leases have a \$50 minimum parking rate per space per month. She outlined the Fair Pricing Municipal Code Amendments Parking Reform B – New Tax Revenue for Commercial Parking Lots on page 11 of the presentation and clarified that these amendments were for standalone parking lots that rented out parking spaces on a daily/monthly/annual basis. She explained that the rates would be based on gross income and would be collected on a quarterly basis. She provided an overview of the applicable criteria for a plan amendment on page 12 of the presentation and reported the criteria had been met. She provided an overview of the public engagement staff had conducted and reported it included two open houses, two presentations to the Sherwood Chamber of Commerce, various social media postings, and the necessary land use hearing public noticing requirements. Senior Planner Chang explained that the Planning Commission was the Project Advisory Committee (PAC) for this project and the PAC had held three work sessions and City Council had held a work session to discuss the topic. She clarified that public involvement had been permitted at each PAC and City Council meetings on the topic. Ms. Chang reported that staff had received a new comment from TriMet that stated that parking reform near transit corridors would create larger demand for on-street parking and requested that bus zones be installed to restrict curb access in bus stop areas, so buses could pull up to the curb to board and unload riders using mobility devices. Ms. Chang reported that this comment had been routed to the City Engineer and Public Works to review the request and stated that bus zone “no parking” requirements were currently not implemented throughout the city. She stated that in 2025, the city would update the Transportation System Plan (TSP), and through the updated TSP, staff would consider creating bus zones that may lead to “no parking” signage within bus zones. She reported that staff had also received testimony from the DLCD which requested additional amendments to the city’s proposed CFEC regulations. She reported that city staff met with DLCD staff to determine which amendments needed to be addressed and the proposed amendments had been updated accordingly and were included in the Council meeting packet. Ms. Chang reported that staff received one email correspondence from Phyllis Nasta wherein Ms. Nasta critiqued the mandates aimed at reducing parking and promoting transit use. She argued that while the intentions may be good, the approach was flawed, and she highlighted various challenges people faced in their daily lives which made limiting parking impractical and unfair. She suggested that instead of restricting parking, there should be a focus on promoting electric vehicles and public transit. She also criticized the potential consequences of limited parking, such as double parking, cluttered streets, and argued that such policies encroached on individual freedom and represented government overreach. Mayor Rosener commented that Council and the city had been tracking this issue for several years and stated that the “one-size-fits-all” idea for how communities dealt with parking and housing did not work for cities like Sherwood. He stated that Council endeavored to choose the least impactful mandates to implement within the city. Councilor Giles stated that people would need to drive less if amenities such as grocery stores were closer to where people lived. He referred to EV conduit and asked if it would be possible to require that new houses be built with 220-volt 50-amp outlets. Senior Planner Chang explained that it could be addressed by the building code, but it was not a part of the CFEC mandates.

Mayor Rosener opened the public hearing and asked for public comment on the proposed ordinance. Sherwood resident Mark Long came forward and stated that these mandates were “ludicrous” and would “choke our city.” He spoke on how Sherwood was a rural town and how it wanted to remain a rural town. He stated that these rules would only work in a city in which less than 50% of its residents’ owned cars and stated that Sherwood was not that place. He stated that the state was hoping to force cities to pay penalties for noncompliance and the mandates would make it harder for businesses to develop. Hearing no more public comments, Mayor Rosener closed the public hearing and asked for questions or discussion from Council. Councilor Mays referred to the CFEC mandates and commented that “largely, we have no choice.” He thanked the Planning Commission and city staff for the amount of time and effort they had put into doing

what was required. Councilor Mays asked that City Council consider, with the assistance of the Planning Commission and city staff, adopting legislation which outlined Sherwood's community expectations for parking within the 2024 city limits regardless of state law. He spoke on Sherwood West and how these mandates would be included in the master planning process for that area, but the largest impact from this legislation would be seen in the existing community. He stated he wanted the city to do whatever it could to "minimize the harm" of the proposed ordinance and spoke on establishing community standards that the city hoped developers would choose to follow. He continued that should developers choose not to follow those standards, the city would alert the developers there was an ordinance in place which directed staff to immediately begin the process of creating an on-street parking zone. He explained that this was needed so that developers could not assume that they would be able to redevelop their land with the expectation that they could displace cars onto Sherwood streets. Councilor Scott stated that he would vote in favor of this ordinance because the alternative was "more onerous" in which worse rules would be forced upon the city. He spoke on the CFEC mandates and expressed his displeasure for the process in which the new rules were mandated and the continued need for the separation between branches of government. He stated that the CFEC mandates were legislation, not administrative rules and they were an "afroint to our society and our system of government that this is allowed." He spoke on how it was a mistake to force cities, regardless of their regional location, into a one-size-fits-all solution and stated that it was a "misguided attempt to homogenize everything" when doing so was an impossible goal. Councilor Standke explained that the Planning Commission discussed the need to create parking recommendations for developers to be aware of. He spoke on how ADA parking would be wiped out within Sherwood's town center area due to some of the CFEC mandates. Councilor Standke stated that he was voting in favor of the ordinance because the alternative was "much worse." Councilor Brouse asked Senior Planner Chang regarding ADA parking and Senior Planner Chang replied that if a developer decided not to provide any parking, then no ADA parking would be required. Councilor Brouse commented that "we're going backwards in rights" and stated that she agreed with Councilor Scott's comments. Councilor Giles stated he agreed with Councilor Scott's comments and said he was trying to avoid a worse alternative. He spoke on the goal of reducing the use of vehicles and stated that making that a possibility in Sherwood was a goal that would require many years of work to achieve. Council President Young stated that this was "state overreach at its best" and referred to a previous work session with the DLCD in which Council explained Sherwood's high reliance on vehicles based on its demographics and resident's need to travel outside the city for work. Mayor Rosener spoke on the previous work session with the DLCD in which Council was told that developers knew best regarding the need to provide parking. Mayor Rosener commented that in his experience, developers were out to make as much money as possible and they had little regard for how their development would impact the city. He referred to HB 2001 and the Governor's recent housing bill and spoke on the issues both had caused communities. He stated that he wanted the community to know that the city was spending a lot of energy in Salem working with the LOC and other groups to "fight this type of preemption of local control." Councilor Scott commented that people would come to regret these decisions in 10-20 years because of the negative impacts it will have on their communities and referred to HB 2001 and CFEC mandates. Mayor Rosener commented that there was still time to change the trajectory and that the city would continue to try and work with the state. Councilor Mays reiterated his desire for Council to pass legislation which outlined Sherwood's community expectations for parking within the 2024 city limits regardless of state law. Mayor Rosener stated that the second hearing on this ordinance would be held at the August 6th City Council meeting.

Mayor Rosener addressed tabled Resolution 2024-054.

Resolution 2024-054 – Continued

The City Recorder reported that there was sufficient time to allow staff to add additional information to the explanatory statement and to bring the resolution back to Council at their August 6th meeting. She explained that Council needed to approve the ballot title and explanatory statement and file the document with the City Clerk by August 16th.

Mayor Rosener addressed the next agenda item.

9. CITY MANAGER REPORT:

City Manager Pro Tem Craig Sheldon reported that street light painting in downtown would begin next week. He reported that the Robin Hood Festival would be held this coming weekend. He reported staff would put out an RFP for the TSP update by the end of next week.

Interim City Attorney Sebastian Tapia introduced the city's summer Law Clerk Jeremy Zerkle and reported that Jeremy attended law school in San Francisco. Council welcomed Mr. Zerkle.

Mayor Rosener addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Councilor Standke reported he attended the most recent Planning Commission meeting where they discussed annexation policy. He welcomed the newly appointed Planning Commission members.

Councilor Scott reported that the Parks and Recreation Advisory Board did not meet in July. He reported that he, Assistant City Manager Kristen Switzer, and Chair David Scheirman conducted interviews to fill the Parks and Recreation Advisory Board vacancies.

Councilor Mays reported that the Cultural Arts Commission and WRWC did not meet in July.

Councilor Brouse reported that she had no meetings this week. She reported that August 6th was National Night Out. She reported that the Rotary Sherwood Wine Festival had been rescheduled to November 2nd.

Councilor Giles reported that the Sherwood School District had not met since their last meeting. He reported that the Library Advisory Board would meet on July 17th and provided an overview of upcoming library and Arts Center events.

Council President Young reported she attended the most recent CDBG meeting and reported on an upcoming CDBG projects tour. She reported she attended the WCCC meeting. She reported she would attend the upcoming Police Advisory Board meeting where they would review policies. She provided an overview of upcoming local events.

Mayor Rosener reported that he attended the Metro urban growth stakeholder group meeting and MPAC meeting. He spoke on the upcoming Robin Hood Festival parade. He reported that the Portland Winterhawks had entered into an operating agreement with the Sherwood Ice Arena and were working towards purchasing the arena.

Councilor Mays referred to the citizen comments regarding Day Road and stated that Day Road was owned and maintained by the City of Wilsonville and explained it had previously been a Washington County road.

11. ADJOURN:

Mayor Rosener adjourned the regular session at 8:45 pm.

Attest:



Sylvia Murphy, MMC, City Recorder



Tim Rosener, Mayor