



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, August 1, 2023

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

7:00 pm City Council Regular Meeting

City Council Executive Session
(ORS 192.660(2)(e) Real Property Transactions and ORS 192.660(2)(h) Legal Counsel)
(Following the regular City Council Meeting)

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



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 July 18, 2023, City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
- B. Resolution 2023-061, Appointing Brandi Morton to the Sherwood Police Advisory Board** (Ty Hanlon, Police Chief)
- C. Resolution 2023-063, Authorizing the City Manager to sign an amendment to existing Intergovernmental Agreement with Washington County for the Community Development Block Grant Program** (Keith Campbell, City Manager)

6. CITIZEN COMMENTS

7. PRESENTATIONS

- A. Proclamation, Honoring Lee David Weislogel** (Tim Rosener, Mayor)

8. PUBLIC HEARINGS

- A. Resolution 2023-062, Adjusting Solid Waste and Recycling Collection Rates** (Craig Sheldon, Public Works Director)

9. CITY MANAGER REPORT

10. COUNCIL ANNOUNCEMENTS

11. ADJOURN to EXECUTIVE SESSION

12. EXECUTIVE SESSION

- A. ORS 192.660(2)(e) Real Property Transactions and ORS 192.660(2)(h) Legal Counsel** (Ryan Adams, City Attorney)

13. ADJOURN

AGENDA

SHERWOOD CITY COUNCIL

August 1, 2023

7:00 pm City Council Regular Session

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(ORS 192.660(2)(e) Real Property
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22560 SW Pine Street
Sherwood, OR 97140**

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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
July 18, 2023

WORK SESSION

1. **CALL TO ORDER:** Council President Mays called the meeting to order at 5:33 pm.
2. **COUNCIL PRESENT:** Council President Keith Mays, Councilors Kim Young, Doug Scott, Taylor Giles, and Dan Standke. Mayor Tim Rosener and Councilor Renee Brouse were absent.
3. **STAFF PRESENT:** City Attorney Ryan Adams, IT Director Brad Crawford, Community Development Director Eric Rutledge, Economic Development Manager Bruce Coleman, Community Services Director Kristen Switzer, Public Works Director Craig Sheldon, Senior Planner Joy Chang, Planning Manager Erika Palmer, Police Chief Ty Hanlon, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.

OTHERS PRESENT: Consultant Chris Bell with Bell & Associates, Pride Disposal representatives Mike Leichner, Cindy Leichner, Kristin Leichner, and Eric Anderson.

4. TOPICS:

A. Discuss Solid Waste Rates

Public Works Director Craig Sheldon introduced Chris Bell with Bell & Associates and stated that he had sent Council the "Solid Waste & Recycling Rate Review Report" (see record, Exhibit A) prior to this meeting. Mr. Bell presented the "City of Sherwood Solid Waste & Recycling Collection" PowerPoint presentation (see record, Exhibit B) and recapped that the current solid waste rates were implemented in January 2023 and included a 3.5% price increase to cart rates, a 2.4% increase to container rates, and a \$5 per-haul price increase for drop boxes. He reported that the adjusted 2022 results were 8.80%, which fell within the goal range of 8-12%. He explained that because the 2022 reported results were between 8-9%, the Sherwood Municipal Code required that the rates be increased by 1.25% of the CPI. He outlined that a 2.78% increase in driver wages, a 3% increase in administrative wages, a 30.4% increase for new collection trucks, a 40% increase in insurance costs, a 34% increase for recycling processing, and a 9.2% increase for waste disposal had been factored into the increased collection costs. He referred to the new collection trucks and explained that there was an 18–24 month delay for procuring those trucks and commented that new trucks would continue to be difficult to procure for the next several years. He explained that the equipment the collector trucks used was also becoming more difficult to find as well as finding those able to service the trucks or equipment. He referred to insurance cost increases and explained that there were currently only three insurance carriers in the US that underwrote garbage companies. He explained that if a hauler could not get insurance, then it was likely that that hauler would need to sell their company to a larger hauler, such as Waste Management. Mr. Bell referred to recycling

processing cost increases and explained that the price was heavily tied to the value of cardboard recycling and when the value of cardboard went down, the cost for recycling processing increased. Council President Mays asked if haulers were able to redeem the bottle deposit for cans and bottles they collected. Pride representative Kristin Leichner explained that in order for them to be able to redeem the bottle deposit, they would have to pull out the items and send them through the Bottle Drop system and that they did not receive a credit when they dropped off cans and bottles at a recycling facility. Councilor Giles asked if the new trucks were replacing old trucks. Mr. Bell replied that was correct and explained that Pride depreciated the trucks over seven years, and many of the trucks were fully depreciated in this year's report. He explained that the new trucks were starting to arrive, and those costs needed to be accounted for. Ms. Leichner added that trucks were depreciating more quickly because finding replacement parts and finding people to service those parts was becoming more and more difficult. Mr. Bell referred to a waste disposal increase of 9.2% and explained that the increase was actually 11.5% and noted that the discrepancy was due to the lapse of the fiscal year versus the calendar year. He explained that Metro's 2023 tipping fee was 11.6% and noted that in 2022, Metro had stated that they would raise the rate roughly 7% for the next five years. He noted that the chart on page 5 of the presentation assumed a 7.7% tipping fee increase for 2024-2027 and Council commented that the forecasted 7.7% could not be assumed at this point given the 11.6% rate for 2023. Mr. Bell reported that there would be a \$8.14 price increase for a 35-gallon cart and stated that the Metro tipping fee would increase by 12.6% from 2022-2027. Council President Mays asked that this information be shared with the Sherwood Archer and other websites. Councilor Scott asked if it was possible to show the percentages of the various components of a customer's garbage bill to show how the dollar amount was calculated. Ms. Leichner stated that an informational letter could be included with a customer's bill, but showing a breakdown of the costs was complicated due to the complexity of the Regional System Fee components. She explained that Metro had acknowledged that the disposal component of their tipping fee was not meeting their cost of service, so Metro was dipping into their reserves to subsidize their operations. She explained that Regional System Fee funds and operational funds were blended reserves and noted that Pride Disposal and other local haulers paid a Regional System Fee, but only Metro was able to access the Regional System Fee funds. She stated that there had been ongoing conversations with Metro about building their reserves "off the backs of the private facilities, which is therefore off the backs of residents in Sherwood and other communities" and urged Metro to build their reserves from their operational components. She noted that this was why Metro had raised their rates more than 8% and explained that Pride had advocated for Metro to raise their operational costs to the cost of service and cap their Regional System Fee. She stated that this would allow for time to examine how Metro was spending their money. She commented that Metro needed to provide more information on the Regional System Fee and how those funds were being spent and allocated. Mr. Bell added that more information about the tonnage caps was also needed from Metro. Discussion about the need to make information about how solid waste rates were calculated occurred and Mr. Bell commented that he could create a chart that showed the cost breakdown of an average customer's bill and include that with the informational letter to customers. He addressed the projected 2023 results and reported that there was a 4.95% return on revenues and stated that there were two rate alternatives for Council to choose from. The first option was an overall 9.84% increase that would be effective January 1, 2024. The second option would set the rate on September 1, 2023 to try and capture the cost of service rather than delaying it. He explained that there would be an increase of \$1 for roll cart collection, a \$0.02 increase for collection and a \$0.91 per-yard increase for disposal of commercial containers, and a \$5.00 per-haul collection service increase for drop boxes. Councilor Scott referred to the cost of drop boxes and stated that he felt that the price increase should be higher since it was an optional service and would bring its overall revenue up to a similar range of the other line items. Mr. Bell explained that drop boxes had two price components, the haul and the disposal and that a direct comparison could not be made between

drop boxes and the other line items. Mr. Bell asked for Council feedback on if the rates should be set on January 1, 2024 or September 1, 2023. Council President Mays asked why the drop box rate increase percentage was less than the other line items for the September 1st rates. Councilor Scott asked if the rates were set on September 1, 2023, would another increase occur on January 1, 2024. Mr. Bell replied that if the rates were set on September 1st, a secondary rate increase in January would not be necessary and commented that, ideally, this would be enough to get through the end of 2024 but that may not be the reality. Council President Mays asked for Council's thoughts on which rate alternative to implement and Council determined to set the new rates on September 1, 2023 and asked that clear messaging be published to explain the need for the rate increases. Council asked that the drop box percentage be increased to 5%. Discussion regarding the food waste processing costs occurred and Mr. Bell stated that those costs had been factored into the cost calculation. Councilor Standke asked how popular the food waste processing program had been thus far. Ms. Leichner replied that the average amount of food that was added to the total yard debris load was about 5% of the material that was in the truck, which was not significant but explained that this was a service that customers had been requesting for many years. Public Works Director Sheldon reported that this topic would be added to the August 1st City Council meeting agenda.

B. Legislative Update

State Representative Courtney Neron presented the "2023 Legislative Session Review" PowerPoint presentation (see record, Exhibit C) and outlined that the 2023 Legislative Session had focused on: building and preserving affordable housing, strengthening schools, addiction treatment and mental health, addressing barriers to healthcare, expanding access to childcare, ensuring community safety, and supporting economic development. She outlined significant state investments as: \$10.2 billion for the State School Fund to support Oregon's K-12 students and educators; \$144 million to improve early literacy outcomes; \$25 million to support Oregon's educator workforce; nearly \$2 billion to build homes and stabilize those at risk of homelessness; \$153 million to stabilize mobile crisis response funding and coordination; \$172 million to help families with the cost-of-living crisis and reduce child poverty; a \$4 billion investment to fund law enforcement, invest in community safety, and fully fund the Oregon Department of Emergency Management; and \$260 million to secure Oregon as a global leader in the semiconductor industry, create good paying jobs, and boost Oregon's economy for future generations. Representative Neron reported that HB 3042, HB 3043, HB 3213, HB 2915, HB 2490, HB 2717, HB 2719, HB 2805, HB 3031, and HB 3037 were her priority bills that had passed. She addressed her priority bills that had taken an alternative path on page 5 of the presentation and explained that they included HB 3614 which paused tolling until 2026 and would create a task force to oversee ODOT's implementation and explained that Governor Kotek implemented the pause through executive order and Legislative leadership had created a legislative subcommittee to ensure additional oversight and study of alternatives. HB 3030 would establish a universal meals program to ensure free school meals statewide and reported that \$17 million in additional funding was provided to help more schools offer universal meals through HB 5014. HB 3026 would have added graduate students to university Boards of Trustees at institutions with at least 400 graduate students or where graduate students made up at least 15% of the student population and explained that this language was put into SB 273, a broader university governance bill. HB 2682 established educator apprenticeship programs to support recruitment and retention of new teachers with mentoring and financial resources and was included in the broader educator workforce package of SB 283. She outlined that she would bring back the following bills at a future legislative session: HB 2739, which would improve the process of calculating the Current Service Level for the State School Fund; HB 3035, which would establish the crime of threatening mass harm to fill a gap in existing law that made it difficult for law enforcement to respond when an individual made a credible threat to carry out a violent attack; HB 3032, which would create an exemption for paying taxes on income earned through home sharing; and HB 2951, which would establish a grant program to support

Spanish driver education programs. Representative Neron provided an overview of the 2023 Senate and House Bills that would help build and preserve affordable housing on page 7 of the presentation and stated they included: SB 5511, SB 5505, and HB 3395 which involved nearly \$2 billion in investments and built on prior emergency investments; HB 2001 and HB 5019 which included a \$200 million investment to help shelter and prevent more homelessness, and increase affordable housing production across the state; HB 3042, which focused on the preservation of affordable housing, commercial and rental conversions, and rent stabilization. She referred to SB 611 which limited annual rent increases to the lesser of either 10% or 7% plus the CPI and explained that this was only applicable to apartment complexes that were 15 years or older. She reported that she served on the Education Policy Committee which worked to address Oregon's educator workforce crisis and provided an overview of the Senate and House Bills that would help to build strong schools which included SB 283, SB 3, HB 3198, SB 279, and SB 819. Discussion on SB 279, the Interstate Teacher Mobility Compact occurred, and Council President Mays asked which states had joined thus far. Representative Neron replied that Oregon had been the 10th state to join the Compact and noted that the first 10 states to join also served as the rule-making authority. She reported that an additional six states were slated to join in the near future and that the Interstate Teacher Mobility Compact was mainly comprised of states on the west coast and central US. She provided an overview of the Senate and House Bills that would help to address addiction treatment and behavioral health and included HB 2757, HB 2395, HB 2645, HB 2513, HB 2757, SB 5525, HB 5026, and SB 5506. She reported that the Senate and House Bills that would help to address access to healthcare included HB 2002, HB 2697, HB 2725, SB 192, HB 2574, and SB 1089. Representative Neron outlined the Senate and House Bills that would help to address access to childcare and stated they included SB 599, HB 3005, HB 2727, and HB 3235. She reported that the Senate and House Bills that would help to address community safety included SB 337, HB 2005, HB 3443, and HB 2316. She stated the Senate and House Bills that would help to address economic development included SB 4, HB 2009, and HB 3201. Representative Neron reported that her Children's Agenda was funded. She explained that her Children's Agenda included \$650,000 for the Family Preservation Project which would allow for the continuation of the program at Coffee Creek Correctional Facility and included comprehensive wrap-around support services for impacted families; \$5.9 million for the Oregon Court Appointed Special Advocates (CASA) Network to recruit and train volunteer advocates; and \$65,500 for Outdoor Preschool Licensure, which created a path to licensure for outdoor preschool programs. She reported that Senator Woods, Representative Bowman, and herself would hold an End of Session Town Hall at the King City Civics Association on July 29th in King City, Oregon. Representative Neron stated that she had advocated for Sherwood by ensuring that land use conversations were heard for HB 3414 as well as specific funding asks for the Cedar Creek culvert and crossing. She stated she appreciated the level of involvement from the Sherwood City Council and had enjoyed working with the Councilors. Councilor Young asked for more information on why HB 3035 did not pass. Representative Neron replied that concerns about free speech were raised as well as the desire to appropriately define "mass harm." She explained that when the bill was first brought forward in 2020, there was a requirement for a mental health evaluation for anyone that made a mass harm threat to a school or place of worship, and it was requested that the mental health evaluation be removed from the bill because a judge could always request that an evaluation be done. She explained that it was asked that the mental health evaluation be removed to not further stigmatize mental health when the majority of mass harm threats were hate-based. The mental health evaluation was then removed, and the bill was brought forward again but there was a call to make sure that a mental health response was included in the bill. She commented that legislators agreed that there was a gap in the law that needed to be addressed and stated that conversations were still ongoing. She stated that she intended to bring the bill back and would expand the bill to include places of gathering instead of only places of worship or schools. She thanked Police Chief Hanlon for advocating on behalf of the bill. Councilor Giles commented that he would like to see metrics to

show how people's tax dollars were helping to address the issues and programs they were funding. Representative Neron replied that in addition to those metrics, ensuring that the key performance measures they were monitoring were the actual ones that should be monitored, and if not, evaluating what data needed to be collected going forward were important tools she relied on.

C. Discuss Food Carts

Planning Manager Erika Palmer presented the food cart pod PowerPoint presentation (see record, Exhibit D) and stated that this was the third work session to discuss food cart pods in Sherwood. She recapped previous Council discussion on food carts and stated that if a food cart pod were to be located in Sherwood it would need to be a "destination" location with a permanent pavilion, restrooms, and 5+ food carts. She stated that if a food cart pod was located in Old Town, then Old Town design elements would apply. Council President Mays asked if the Old Town design elements would be applicable to the food carts as well as the permanent pavilion. Ms. Palmer replied that the design standards would only apply to the pavilion. She outlined that a food cart pod would be permitted in Retail Commercial Zones and asked for feedback from Council on if they would like to include General Commercial Zones as well. She explained that additional information on tax assessed values for the type of use in the region and draft code language had been sent to Council prior to this meeting (see record, Exhibit E). She provided an overview of the zoning maps on page 3 of the presentation and explained that the map on the left showed Retail Commercial Zones in pink and General Commercial Zones in tan. Community Development Director Eric Rutledge clarified that the majority of Sherwood's Retail Commercial Zoning was in the Six Corners area and was nearby Safeway, Hobby Lobby, Ross, Sherwood Police Department, Cedar Creek Plaza, and parts of Old Town. General Commercial Zones were located further down Highway 99W and the Regal Cinemas site. Councilor Scott asked for staff's recommendation on adding General Commercial Zones. Mr. Rutledge replied that he felt it would be smart to include both zones. Councilor Giles commented that having both zones would provide flexibility for developers. Council President Mays stated he agreed about including both zones and commented that government property should not be included as possible locations for food cart pods. Council commented they agreed. Planning Manager Palmer provided an overview of the real market value versus assessed property value matrix on page 4 of the presentation and asked for Council feedback on next steps. Council asked that this item be put on the Planning Commission's project list for review. Council President Mays asked that the stipulations outlined in this presentation, such as a 5+ cart minimum, be included in the Planning Commission's review. Discussion occurred and Council agreed that both Retail Commercial and General Commercial Zones be included in the draft legislation and asked that the Planning Commission review the project. Community Development Director Rutledge explained that this would be a Type 4 Land Use decision, so it would not come to Council for a final vote but would go through the public hearing process of the Planning Commission. He commented that the Planning Commission would have a lot of discretion in the design standards and requirements. He recapped that the food cart pod would need to have a minimum of 5 food carts, a permanent dining structure that was a minimum of 1,000 square feet and noted that the structure would not need to be enclosed. Council President Mays asked if color palette design standards could be added for a pod outside of Old Town. Discussion occurred and Mr. Rutledge commented that at a minimum, the primary and accessory structures could have color design standards. Discussion occurred regarding the possibility of regulating the color of the food trucks and City Attorney Ryan Adams stated that a more in-depth conversation was needed. Discussion regarding food truck sign standards occurred and Planning Manager Palmer explained that the city had sign standards for large commercial signs, such as a sign advertising the food cart pod. Councilor Giles commented that a perimeter wall that obstructed the view of the individual food trucks would allow for color palette design standards while not trying to control the specific color of food trucks. Council asked that "visible from the street" or screening language be added

to the ordinance. Council asked if the food cart pod/food trucks would have to follow the city's flag sign rules and Ms. Palmer replied that was correct. Councilor Giles commented that he appreciated that this would create a community meeting space. Councilor Young referred to travelling food trucks in Sherwood and asked why they were not permitted in the Municipal Code. Councilor Scott commented that the Municipal Code should be updated to allow for roaming vendors that did not stop for longer than 15 minutes. Community Development Director Rutledge explained that it was a nuanced topic that included right-of-way, private property, and land use issues and commented that staff would look into the matter.

5. ADJOURN:

Council President Mays adjourned the work session at 6:57 pm and convened a regular session.

REGULAR SESSION

- 1. CALL TO ORDER:** Council President Mays called the meeting to order at 7:08 pm.
- 2. COUNCIL PRESENT:** Council President Keith Mays, Councilors Kim Young, Doug Scott, Taylor Giles, and Dan Standke. Mayor Tim Rosener and Councilor Renee Brouse were absent.
- 3. STAFF PRESENT:** City Attorney Ryan Adams, IT Director Brad Crawford, Community Development Director Eric Rutledge, Economic Development Manager Bruce Coleman, Community Services Director Kristen Switzer, Public Works Director Craig Sheldon, Senior Planner Joy Chang, Planning Manager Erika Palmer, Police Chief Ty Hanlon, City Engineer Jason Waters, and City Recorder Sylvia Murphy.
- 4. APPROVAL OF AGENDA:**

MOTION: FROM COUNCILOR YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR GILES. MOTION PASSED 5:0; ALL PRESENT MEMBERS VOTED IN FAVOR (MAYOR ROSENER AND COUNCILOR BROUSE WERE ABSENT).

5. CONSENT AGENDA:

- A. Approval of June 20, 2023 City Council Meeting Minutes**
- B. Resolution 2023-057, Authorizing the City Manager to sign a construction contract with North Sky Communications**
- C. Resolution 2023-058, Authorizing the City Manager to Enter into a Professional Services Contract with Consor North America, Inc. for the Rock Creek Sanitary Trunk Line Upsizing Phase 2 Project**
- D. Resolution 2023-059, Creating a City Charter Review Committee**

MOTION: FROM COUNCILOR SCOTT TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCILOR YOUNG. MOTION PASSED 5:0; ALL PRESENT MEMBERS VOTED IN FAVOR (MAYOR ROSENER AND COUNCILOR BROUSE WERE ABSENT)

Council President Mays addressed the next agenda item.

6. CITIZEN COMMENTS:

There were no citizen comments and Council President Mays addressed the next agenda item.

7. PUBLIC HEARINGS:

A. Resolution 2023-060, Accepting the Sherwood West Concept Plan as a Foundational Tool to Base Future Urban Growth Boundary Expansion Discussions Through the Plan's Vision & Implementation

Planning Manager Erika Palmer introduced MIG | APG consultant Darci Rudzinski and presented the "Sherwood West Concept Plan" PowerPoint presentation (see record, Exhibit F) and explained the purpose of a concept plan. She stated that the Sherwood West Concept plan was a long-range planning tool to guide decisions about future growth and was a required first step to amending the Urban Growth Boundary (UGB). She stated that a concept plan was not a regulatory document and explained that if land was brought into the UGB, the next step in the process was providing a regulatory framework for development which included zoning, updates to master plans, protection of natural resources, etc. She provided background on Sherwood West and recapped that Sherwood West was designated as a Metro Urban Reserve Area 5b and was 1,291 acres in size. She reported that the area had 126 properties with 110 property owners and an average property size of 9.8 acres. Ms. Palmer reported that Council had approved a Preliminary Concept Plan for Sherwood West in 2016 and explained that staff had completed a relook because there had been a shift in Council priorities, including the desire for a more diversified tax base. She stated that the adoption of the 2040 Comprehensive Plan, the construction of the new high school, Sherwood West experiencing continuous growth, changes in housing regulations, and the completion of the city's Residential Design Standards had all contributed to necessitating a relook. She outlined that the Sherwood West Concept Plan had been guided by the CAC since 2021 and explained that the proposed resolution was the recommended plan, which incorporated the recommended changes from the Planning Commission. Ms. Palmer stated that some of the community engagement activities included a project website, social media postings, articles published in the Archer Newsletter, a project video that was published online, direct mailings to property owners, informational booths at community events, and two open houses. She stated that the 2016 Concept Plan's vision, goals and evaluation criteria had been reviewed and updated, and was informed by the CAC and TAC's input. She stated that this included updating policies, regulations, transportation issues, and economic opportunities. She stated that the goal for Sherwood West was for the area to be an extension of "current Sherwood" and the area should be walkable, it should provide mixed use employment, and green spaces and trails should be included. Ms. Palmer outlined the six project goals as: the area was designed as a natural extension of Sherwood and was integrated into the existing pattern of growth in order to preserve the community's heritage and small-town feel; the area would attract a variety of businesses and employment opportunities, which would help to satisfy the city's need for an expanded tax base; transportation facilities served to connect, rather than divide neighborhoods; residents had access to a variety of parks and natural areas that were anchored by the Chicken Creek Greenway; the area was served by a robust network of active transportation options that were integrated into Sherwood's existing network; and growth and development were well-planned and implementation of the area was pragmatic. She provided an overview of the land use and zoning for the area and stated that Sherwood West was a mix of farmland, orchards, rural homes, and natural areas. All land was within Washington County jurisdiction and nearby landmarks included the Ridges Elementary School, Mandell Farms, and the Oregon Trail and Woodhaven subdivisions. She stated that staff had sought the input from targeted industries and economic development sectors including the technology industry, wine businesses,

hospitality, and retail businesses in order to determine what businesses would be suitable for Sherwood West. She addressed transportation and stated that key transportation features included the Elwert Corridor, Highway 99W, Roy Rogers Road, and Brookman Road. Planning Manager Palmer addressed parks, trails, and open spaces and reported that they had completed a Buildable Lands Inventory and removed floodplains, wetlands, steep slopes, and riparian areas to determine the number of buildable acres in Sherwood West. She reported that when the open spaces were removed from the area's acreage, roughly 40% of open space would be preserved, not including the additional open space requirements for PUDs. She reported that public facilities included water, sanitary sewer, and stormwater and explained that they would need to be extended to support the developing area. She noted that the Clean Water Services Brookman trunkline extension project would bring the necessary sanitary and stormwater services to the area. She addressed land use alternatives and reported that the land use alternatives and mapping was guided by the project's CAC board. She recapped their methods for determining appropriate land uses for the area and noted that they had created two custom land use designations for middle housing and included a separate designation for cottage clusters. She recapped that Sherwood West land use designations included multifamily, which included apartments, condominiums, townhomes, triplexes, and quadplexes; middle housing, which included duplexes, townhomes, and cottage clusters; and cottage cluster zoning. Neighborhood designations included Medium-High Density, Medium Density, and Low Density. She addressed employment uses in Sherwood West and explained that they included mixed employment, commercial, mixed use, and hospitality. She explained that the hospitality designation was a new concept for Sherwood and had developed from the discussions with the CAC. She stated that the hospitality designation would provide intentional locations for uses for businesses like hotels/motels, restaurants, wineries, or similar uses that could capitalize on Sherwood West's location as the "entrance to wine country." She stated that there were two large community parks in the Sherwood West Concept Plan plus additional neighborhood parks. She addressed the three Sherwood West Concept Plan map alternatives on page 24 of the presentation and explained that each land use alternative had the shared themes of: a focus on mixed employment in the northern area; a community park on the south side of the Chicken Creek corridor; commercial/mixed-use and higher-density housing along Kruger Road; a mix of housing types throughout; and low density residential along the western hilltop. Ms. Palmer reported that the three map alternatives were shared at open houses and had received community feedback that showed the following: the importance of safety/design of Elwert Road; preservation of natural features; a plan for parks and trails; a variety of housing types; employment in the northern area; and placement of mix of uses close to Highway 99W. She noted that there was concern regarding the topography, cost, and location for the proposed north/south connector road. She addressed the land use map on page 30 of the presentation and reported that the northern area would focus on mixed use, high-wage employment, and a mix of housing with a neighborhood park. The far west district would contain low-density housing and the west district would contain a mix of housing designations. The southwest district would include the hospitality and commercial zoning designations. Ms. Palmer addressed housing metrics and explained that the CAC had reviewed the possible impacts of HB 2001 for housing choices for Sherwood West. She reported that if 0% middle housing were provided in Sherwood West, the average density would be 9.2 and noted that the final total would be 7.8 when open space was factored in. She reported that the total number of housing units for Sherwood West ranged from 3,117-5,582 units depending on the amount of middle housing provided. She recapped that developers had estimated that 0-10% middle housing was likely to occur in Sherwood West. Consultant Darci Rudzinski recapped HB 2001. Planning Manager Palmer addressed employment uses and recapped that it was important to create good-paying jobs in Sherwood West and reported that an estimated 4,524 new jobs would be generated in Sherwood West. She stated that the job to housing ratio was between 1.5-.08, depending on the amount of middle housing provided. She addressed transportation and explained that transportation principles included: a

design for safety, integration with existing Sherwood, connection to all areas of Sherwood West, street design for all ages and abilities, and providing opportunities for all modes of travel. She noted that the 2016 Concept Plan called for the rerouting of Elwert and explained that the CAC had discussed and agreed that rerouting Elwert remained the preferred option. She stated that further study on realigning Elwert was needed in addition to a study on the proposed north/south connector road. Council President Mays asked what the main argument for rerouting Elwert was. Ms. Palmer replied that rerouting may be cheaper, it could increase the safety of the road, and rerouting could be better for protecting the surrounding wetlands. Councilor Giles added that a concept plan was required before any of those studies could be completed. She addressed the Elwert Road design concepts and explained that the redesign took inspiration from Sunset Boulevard including tree canopy cover, buffered sidewalks, and multi-use paths. Council President Mays stated that Elwert Road was owned by the county, not the city, so the city had no authority to make changes to the road without undergoing a separate process. Planning Manager Palmer addressed trails and open spaces networks and explained that there would be two paths along Chicken Creek to provide access to the wildlife refuge. She explained that the Chicken Creek Greenway would be showcased as an asset to the Sherwood West area that would provide access to nature, multi-use paths, connectivity to the wildlife refuge, wildlife corridors and habitats, and stormwater management. She addressed next steps and implementation and explained that the next step would be to submit a UGB expansion request and noted that a UGB expansion request was a Council decision. Council President Mays noted that that decision could be years from now and would include meetings to discuss the potential expansion request. Ms. Palmer stated that the city would continue to refine the project costs and financial modeling and create a supplemental SDC methodology to help pay for the project. After the land was brought into the UGB, the comprehensive planning process would begin and would include the creation of zoning regulations. She noted that a key component would be creating future annexation policies, strategies, and phasing for the area. She outlined that the city's various master plans would also need to be updated to include Sherwood West and stated that community engagement would be continued throughout the project. She clarified that if the proposed resolution was adopted at this meeting, it would still take a long time and many more decisions needed to be made before the Sherwood West area would begin development. Council President Mays clarified that if Council approved the resolution, it meant nothing when it came to if, or when, Sherwood West happened because after the Concept Plan was adopted, studies were needed and Metro would need to weigh-in on the plans, and Metro had cycles they adhered to. Planning Manager Palmer addressed public testimony and reported that in general, the community had been supportive of the Sherwood West Concept Plan and noted that comments had been received regarding concerns over the north/south connector road. She outlined Council alternatives and asked for any questions from Council. Council President Mays referred to the estimated number of housing units in the Sherwood West Concept Plan and asked if the parks and open spaces were factored into that calculation. Ms. Palmer replied that parks, streets, schools, etc. had been removed when the Buildable Lands Inventory was calculated. She reported that a Sherwood School District representative was a part of the CAC for the Sherwood West Concept Plan and spoke on the placement of schools in Sherwood West. She explained that the CAC had determined that an estimated 35-40 acres were needed for future schools in Sherwood West but determining specific locations for schools was not necessary at this point in time. Council spoke on the importance of building a variety of housing to help attract and retain Sherwood residents of all life stages. Council President Mays opened the public hearing to receive public comment on the proposed resolution.

Jeffery Kleinman, 1207 SW 6th Avenue, Portland, Oregon 97204 provided comments via email (see record, Exhibit G) and Zoom as a representative of the Eastview Road Homeowners Association. He stated he and his clients had participated in the Sherwood West Concept Plan process and they had

retained the services of traffic engineer Chris Clemow. He stated that his clients were concerned about the north/south connector road and said that the alignment of the road was not feasible. He stated that the road would not be practical due to the steepness of the slopes and the county had no plans to provide a connection further north. He noted that the goal of the road was to divert traffic away from existing roads and stated that this would not happen. He stated that by leaving the road on the map, it “cast a shadow” on the existing developed properties as the alignment would require that land be taken from property owners and would affect property values. He asked that the road be removed from the maps within the Sherwood West Concept Plan.

Chris Clemow, 2237 SW Torrey Pines Drive, Bend, Oregon 97703 provided comments via email (see record, Exhibit H) and Zoom and said he was a transportation engineer hired by the Eastview Road Neighborhood Association. He stated he appreciated land use and transportation planning from a big picture perspective, but the north/south connector road was not feasible. He stated that the city’s transportation consultant had determined that the proposed road would not provide the desired connectivity and urged the city to focus on something else. He commented on his concerns and cautioned the city to not focus on Eastview Road and focus on Elwert instead. He referred to Sherwood’s Transportation System Plan and Washington County’s Transportation System Plan and stated that there was no alignment that would provide connectivity, nor would it provide connectivity in the future. He stated that the city’s traffic consultant had noted that the proposed road would only service local traffic and urged the city to focus on Elwert Road instead. He stated that the Eastview Road Neighborhood Association was concerned about the crossing of the Chicken Creek Greenway and noted that doing so would be expensive given the area’s topography and asked that the city remove the proposed road from the Sherwood West Concept Plan.

Brian Fields, 21450 SW Eastview Road, Sherwood, Oregon 97140 came forward and stated that he was a member of the Eastview Road Neighborhood Association. He referred to email communications he had sent Council prior to the meeting (see record, Exhibit I). He asked that Council consider those who already lived in the area and spoke on the many residents that comprised the area. He stated that this was a walkable, safe neighborhood. He referred to the city’s goal of not dividing Sherwood and creating walkable neighborhoods and stated that the Sherwood West Concept Plan would impact an existing neighborhood if the north/south connector road were to remain on the map in the Concept Plan. He stated that instead, the city could state that they wished to study potential options for north/south connectivity. He stated that leaving the road on the map could “damage our neighborhood” and it could limit options for those who wish to sell their properties, or those trying to get a mortgage to purchase a home in the area. He referred to the slope for the area of the proposed road and stated that the city would not be able to build anything significant for a reasonable price and doing so would hurt an existing neighborhood.

Logan Dunn, 17522 Stagecoach Lane, Sherwood, Oregon 97140 provided testimony via a YouTube link (see record, Exhibit J). In the video he stated that Sherwood West should be built with an abundance of trails. He stated that trails would provide better pedestrian safety from vehicular traffic and urged that any trail conflict point be turned into a pedestrian underpass and remove any at-grade crossings. He stated that he had identified 56 possible underpass locations in Sherwood West and stated that implementing underpasses at every possible conflict point would increase pedestrian safety. He addressed cost and stated that each underpass should aim to be built within a year of the sale of each property. He stated that building the underpasses would be good for Sherwood’s national reputation as well as providing quality trails for Sherwood residents.

Todd Christiansen, 23079 SW Cuthill Place, Sherwood, Oregon 97140 came forward and stated that he and his family had lived in Sherwood since 2000. He stated that in that time, Sherwood had grown from 12,000 residents to 20,000 residents. He stated that Sherwood was special because of its size, sense of community and its small-town charm, and was why many residents moved here. He stated that it was clear that a lot of work and thoughtfulness was put into the Sherwood West Concept Plan, and he appreciated the Concept Plan's goal to make Sherwood West walkable, safe, and preserving what made Sherwood special. He stated that the Sherwood West Concept Plan was inconsistent with those values and goals as it showed an increase in density and population that would double or triple the population of Sherwood and commented that this was an aggressive plan. He stated that the increase in density and population would have an adverse effect on traffic volumes and the Concept Plan did not adequately address this issue. He stated that it appeared as if the desire to grow was mostly driven by developers, who did not live in Sherwood, who wanted to introduce large scale multi-family housing and medium/high density zoning. He referred to HB 2001 and stated that HB 2001 did not apply to areas outside the UGB or on lots that were zoned for non-residential use, or for areas served by sufficient urban services or infrastructure. He stated that HB 2001 only applied to existing land appropriately zoned in Sherwood and was limited in its scope and impact. He asked why Sherwood needed to become a large city. He stated that there would be less privacy, less small business, more traffic, more pollution, and more environmental impact. He asked that the plan be slowed down or reviewed and referred to developments in Beaverton and Wilsonville and asked if a similar development was Sherwood's goal.

Record note: Mr. Christiansen provided written testimony via email prior to this Council meeting (see record, Exhibit K).

John Rankin, 5 Centerpointe Drive Suite 400, Lake Oswego, Oregon 97035 came forward and stated that he had lived in Sherwood for many years and raised his family here. He stated that he had spent his career in the engineering, surveying, planning, and legal field helping small cities. He stated that he had been involved with the Sherwood West project since 2015-2016 and commended current and previous city staff for their work to complete the Sherwood West Relook. He stated that there was still work that needed to be done, but the Sherwood West Concept Plan was a great plan and had "real merit." He stated that he felt that the city had done a good job of listening to community feedback and urged Council to move the Sherwood West Concept Plan forward and include the project in the city's 2024 ask to Metro. He spoke on Metro and commented that recent UGB expansion requests had been granted in their entirety. He stated that the "vision" of Sherwood West would suffer if the entire area was not all brought in at the same time. He stated that bringing the entire area into the UGB would still afford the city flexibility to make adjustments as needed on a site-by-site basis. He urged Council to approve the Sherwood West Concept Plan.

Record note: Mr. Rankin provided written testimony via email prior to this Council meeting (see record, Exhibit L).

Sukhjinder Deo, 10702 SW London Lane, Wilsonville, Oregon 97070 came forward and stated that he owned property on Kruger Road for over eight years. He stated that he was in favor of the Sherwood West Concept Plan as well as submitting a UGB expansion request to Metro. He stated that he had been involved with the Sherwood West Concept Plan for many years and commented that the Sherwood West Relook went through a thorough process with city staff, consultants, and community engagement. He stated that he felt that city staff had done a good job of incorporating community feedback into the Sherwood West Concept Plan, which considered Sherwood's growth needs from an employment, housing, and commercial needs standpoint while also preserving natural green spaces and retaining

Sherwood's family-friendly, small-town character. He stated that he was aware of how difficult achieving those goals were and stated he appreciated the transparency and goal orientedness of the Sherwood West Concept Plan. He stated that there were many macro trends in the last few decades that had led to tremendous urban growth in Oregon, especially in the Portland Metro area. He stated that these trends were beyond the control of city staff or City Council. He provided an example of businesses like Intel, Nike, Tektronix, Daimler, etc. who had recently created tremendous growth in the technology industry in the tri-county area. He spoke of the "changed geopolitical equations" globally and of the US's over-dependence on overseas manufacturing. He stated that this had an impact on national security matters which had led to federal policies that encouraged the development of domestic high-tech manufacturing, such as the CHIPS Act. He stated that he had lived in many areas of the US, but he felt that Oregon had one of the best climates in the country. He stated that Oregon's ideal climate, combined with growth in employment opportunities had naturally led to more urbanization and commented that these trends were likely to continue for the foreseeable future. He stated that cities who planned their growth to align with the macro-economic trends would have better-balanced populations and tax bases to provide the best facilities and educational opportunities to their residents. He stated that affordable housing was a key factor that large employers considered when making major growth investments. He stated that housing in Oregon was not as affordable as it once was, which hurt Oregon industry, which in turn hurt all Oregon residents. He referenced TSMC and Intel's recent investments in Phoenix, Arizona and stated that the importance of affordable housing could not be over-stated as a key factor in attracting young employees when those companies were deciding to make large investments. He stated that the Sherwood West planning process had evolved in an "organic and transparent manner," and he believed that Council would make the right decision on behalf of their residents.

Record note: Mr. Deo provided written testimony via email prior to this Council meeting (see record, Exhibit M).

Brian Bellairs, SW Kruger Road, Sherwood, Oregon 97140 came forward and stated that he was a landowner and realtor and stated that his time in the industry had given him valuable perspective. He stated that Oregon had a housing shortage of over 140,000 units and the state was building 85% fewer homes than were needed each year. He stated that he "applauded" the Sherwood West Concept Plan and that he felt that the plan was extremely well thought out. He referred to the idea of treating Sherwood West as a "gateway to wine country" and stated that he felt that this was a "brilliant" creative idea and urged staff to pursue that line of thinking. He stated that the Sherwood West Concept Plan was a great plan that focused on building a community and he supported the level of thought that had gone into the plan. He urged Council to consider the future housing needs of those who had not yet moved to the area and asked that Council approve the proposed resolution.

Jeff Roberts, 15373 SW Sunset Boulevard, Sherwood, Oregon 97140 came forward and stated that he and his family had lived in the community for roughly 20 years. He stated that the proposed Sherwood West Concept Plan had been refined and had thoughtfully incorporated needed middle housing. He stated that the planning was well thought out and "smart." He stated that "Sherwood desperately needs this right now" and that the city needed to take this step in order to move on to the next step and plan for the future. He stated that this was an opportunity to allow current and future residents to age in place, to create new city parks, the development of Sherwood West would only have positive impacts on Old Town, and it would make the community more vibrant by increasing foot traffic and increasing the number of jobs. He stated that the middle housing options provided flexibility for those who needed it, new parks would provide opportunities for those with mobility issues that could not travel to existing city parks. He spoke on infrastructure and stated that Clean Water Services was constructing a trunkline to

the new high school that the city could leverage for further development of the area. He stated he was in favor of bringing in the entire acreage at the same time and developing those acres slowly and deliberately through a Master Plan design. He spoke on the Sherwood School District bond and capacity and stated that by developing Sherwood West, that capacity would finally be utilized. He stated that he wanted all generations of Sherwood residents to be able to continue to stay in Sherwood to contribute the “wisdom, knowledge...history, and legacy” with a new generation.

Suzanne Rood, 4161 Childs Road, Lake Oswego, Oregon 97034 came forward and stated that she was in favor of the Sherwood West Concept Plan and stated that she and her family had lived in the Sherwood area since the 1970s where her parents had opened and operated a Christmas tree farm. She stated that she had previously owned a flower shop in Sherwood and spoke on how Sherwood’s land was developed over the years. She stated that progress was “inevitable,” and it was critical to engage in thoughtful progress. She stated that a lot of time, effort, and energy had gone into the Sherwood West Concept Plan and spoke on the Concept Plan’s comprehensiveness for providing needed housing opportunities. She stated that to not move forward with the plan would be “detrimental” to the “concept and flavor of Sherwood.” She urged that Council approve the proposed resolution and “let these families have a piece of their dream.”

Marc Farrar, 732 NW 19th Avenue, Portland, Oregon 97209 came forward and stated that he lived in the area, but he was representing the Metropolitan Land Group at this meeting. He stated that the Metropolitan Land Group was a property owner and had significant interest in the area. He stated that he had been involved with the Sherwood West Concept Plan since the CAC and Planning Commission meetings. He referred to the waterways map within the Sherwood West Concept Plan and stated that it should be made clear that the map was provided by Metro and was not reflective of what was “on the ground today” and everything shown on the map was only an approximation. He stated that what may or may not develop could look “something or nothing like this at all” in terms of the shown areas of parks, Chicken Creek, etc. He stated that the Metropolitan Land Group had performed a ground truthing study for significant natural resources for a property to the south of Kruger Road and discovered that what was shown on the map and what was actually on the site differed greatly. He said they supported the proposed hospitality zone and appreciated the inclusion of the possibility of an overlay in order to provide more options for development. He thanked the members of the CAC and TAC for their work on the Sherwood West Concept Plan and commented that he felt that this was a strong plan. He commented that it would take decades for the entire Sherwood West Concept Plan to be fully implemented and stated that this would allow for thoughtful planning and development. He stated that he supported bringing the entire area into the UGB at the same time and urged that the neighborhood surrounding the new high school take priority so that students could walk to school.

Karen Labahn, 18283 SW Edy Road, Sherwood, Oregon 97140 came forward and stated that she had lived in Sherwood her entire life and both her and her husband’s families had been impacted by the construction of the Ridges Elementary School. She stated that her property was designated for housing in the Sherwood West Concept Plan, but she and her husband would like to continue to farm. She stated she received a copy of a letter from John Rankin which listed her name and property and explained that she felt that the inclusion of her name and property made it appear as if she was in favor of her property being added to the UGB. She stated that she was not supportive of her property being added to the UGB and stated that she had not been consulted or asked if they had wanted their property included.

Debbie Judy, 19995 SW Chapman Road, Sherwood, Oregon 97140 came forward and stated that she had lived in Sherwood for over 40 years. She stated that she was not excited about the Sherwood West

Concept Plan and spoke of traffic issues on Highway 99W and stated that because of the location of schools and shops in Sherwood, traffic would be made worse if the Sherwood West Concept Plan was approved. She stated that the new high school had had a negative impact on traffic in the area. She stated that adding 3,000 more homes would only create more traffic and worsen the problem. She stated that some of the land that would be added to the UGB was productive farmland, and those property owners should be taken into consideration as well. She stated that this would “take people’s livelihoods” if the Sherwood West Concept Plan were to proceed. She spoke on previous regulations for annexation and stated that Sherwood residents had repeatedly voted not to annex part of the Sherwood West area. She spoke on previous discussions regarding asking Sherwood West property owners on their interest in annexing. She asked that Council consider the thoughts and feelings of those already living in the area, not just the developers. She stated that she felt that the Sherwood West Concept Plan had undergone many changes since an open house was held at the Ridges Elementary School and that much of the community feedback had not been incorporated into the plan.

With no further public comments, Council President Mays closed the public hearing and asked for discussion or questions from Council. Council President Mays stated that it was important to note that even if the Sherwood West Concept Plan was approved and the plan moved forward, landowners still retained their rights regarding what they could do with their land with the rare exception of imminent domain. Councilor Giles referred to the question of why Sherwood needed to grow in size or why a Sherwood West Concept Plan was needed at all and asked for staff to explain. Planning Manager Palmer stated that the creation of a Sherwood West Concept Plan was the first step in completing a UGB expansion request and that Sherwood had a housing shortage. She referred to the 2020 Housing Needs Analysis and reported that at the time, Sherwood had a deficit of over 600 units among all price points and residential designations. She stated that the deficit had likely increased since the Housing Needs Analysis had been completed. Councilor Giles asked if there were any state mandated stipulations that required cities to maintain a minimum amount of buildable land. Ms. Palmer replied that the choice to expand Sherwood was ultimately a Council decision and referred to the housing deficit. Councilor Scott clarified that the area of Sherwood West was designated as Urban Reserve, and cities were legally required to have a plan in place for their Urban Reserve areas. He explained that the city needed a plan in place, but the city may or may not act on the plan. He stated that even if the city never developed the area, Metro could decide to incorporate the area into the UGB, and then Metro would be responsible for planning and developing the area, not the city. Councilor Scott stated that the city was doing its due diligence to set the city up to make such decisions in the future and commented that even after a Sherwood West Concept Plan was in place, there was years of comprehensive planning, additional due diligence, and parcel annexations ahead. Councilor Giles stated that he would rather the city make an intentional plan for Sherwood West, rather than have someone else plan Sherwood West. Councilor Giles and Councilor Young referred to the north/south connector road and asked if there was harm in removing the road from the map and instead refer to the possibility of a north/south connector road in the document. Councilor Scott replied that there was no proposed road in any designated spot, but there was a concept for a road on the western part that would require further study to determine if it would be feasible or worthwhile to construct. Council President Mays stated that he would leave the proposed road both on the map and in the document and commented that having more than one crossing for Chicken Creek was a good idea. Ms. Palmer added that the City Engineer had never said whether or not the proposed road could be built or not and commented that their analysis showed that the proposed road would likely be mostly utilized for local traffic. Councilor Scott commented that he believed that the cost feasibility studies that were completed were done so to analyze specific alignments, not every possible alignment. He added that more than one crossing would be necessary to prevent bottlenecks and further study was needed. Planning Manager Palmer noted that the Sherwood

West Concept Plan states that the street was a conceptual street and needed further study. Councilor Scott commented that that was true for every part of the proposed Sherwood West map. Council President Mays stated that he was in favor of the hospitality zoning and asked for clarification on the request for an overlay. Ms. Palmer explained that there currently was no overlay for hospitality, but that could be added in the future and noted that the possibility of an overlay zone was cited in the Sherwood West Concept Plan. Councilor Young clarified that the approval of this resolution did not mean that the city would submit a UGB request to Metro, it only approved the Concept Plan. Councilor Giles commented that he was impressed by the amount of community feedback staff had incorporated into the document and appreciated the variety of housing types the Concept Plan provided. Council stated that they appreciated the hard work from the CAC, TAC, Planning Commission, and city staff. Discussion regarding the need to provide various housing types for the community occurred and Council President Mays asked for a motion from Council.

MOTION: FROM COUNCILOR YOUNG TO ADOPT RESOLUTION 2023-060, ACCEPTING THE SHERWOOD WEST CONCEPT PLAN AS A FOUNDATIONAL TOOL TO BASE FUTURE URBAN GROWTH BOUNDARY EXPANSION DISCUSSIONS THROUGH THE PLAN'S VISION & IMPLEMENTATION. SECONDED BY COUNCILOR SCOTT. MOTION PASSED 5:0; ALL PRESENT MEMBERS VOTED IN FAVOR (MAYOR ROSENER AND COUNCILOR BROUSE WERE ABSENT).

Council President Mays addressed the next agenda item.

8. CITY MANAGER REPORT:

Public Works Director Craig Sheldon reported that the July 19th Music on the Green would be Latin/Salsa music. He reported that National Night Out would be held on August 1st. He reported that the second phase of water reservoir repairs at Snyder Park would start this week. Police Chief Ty Hanlon reported on the Robin Hood Festival and reported that the city had utilized their new anti-vehicle barriers and stated that the event went well.

Council President Mays addressed the next agenda item.

9. COUNCIL ANNOUNCEMENTS:

Councilor Scott commented regarding the Robin Hood Plaza and stated that he had heard a lot of positive feedback on the plaza.

Councilor Giles stated that he had also heard positive feedback regarding the Robin Hood Plaza for the Sherwood Main Street event.

Councilor Standke reported that the Planning Commission did not meet last week. He reported that the last summer reading event would be held on July 25th.

Councilor Young reported that she attended the Sherwood Main Street event held in the Robin Hood Plaza and stated that it was a well-attended event. She reported that she attended the Robin Hood Festival.

Council President Mays reported that he attended the Robin Hood Festival.

10. ADJOURN:

Council President Mays adjourned the regular session at 9:05 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

TO: Sherwood City Council

FROM: Ty Hanlon, Chief of Police
Through: Keith D. Campbell, City Manager

SUBJECT: Resolution 2023-061, Appointing Brandi Morton to the Sherwood Police Advisory Board

Issue:

Shall the City Council Appoint Brandi Morton to the Sherwood Police Advisory Board?

Background:

Position #3 on the Police Advisory Board is currently vacant.

Chair Brian Dorsey, Council Liaison Kim Young, and Staff Liaison Ty Hanlon recommended to Mayor Rosener that Brandi Morton be appointed to the Board to fill position #3 for a term which expires in June 2026. The Mayor has recommended this appointment to City Council. In accordance with City Council Rules of Procedure, all such appointments are subject to the approval of City Council by resolution.

Note: Position numbers were established with the adoption of Resolution 2019-066 for the purpose of managing terms.

Financial Impacts:

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

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2023-061, Appointing Brandi Morton to the Sherwood Police Advisory Board.



RESOLUTION 2023-061

APPOINTING BRANDI MORTON TO THE SHERWOOD POLICE ADVISORY BOARD

WHEREAS, a vacancy exists within Position 3 on the Police Advisory Board; and

WHEREAS, the interview panel considered Brandi Morton's application and recommends to the Mayor that Brandi Morton be appointed to fill the position; and

WHEREAS, the Mayor has recommended to City Council that Brandi Morton be appointed to fill the position; 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 Brandi Morton to Position 3 of the Police Advisory Board for a term expiring at the end of June 2026.

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

Duly passed by the City Council this 1st day of August, 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Keith D. Campbell, City Manager
Through: Ryan Adams, City Attorney

SUBJECT: Resolution 2023-063, authorizing the City Manager to sign an Amendment to an existing Intergovernmental Agreement with Washington County for the Community Development Block Grant Program

Issue:

Shall the City Council authorize the City Manager to sign an amendment to the existing Intergovernmental Agreement (IGA) with Washington County for the Community Development Block Grant (CDBG) program?

Background:

Since 1979, the City of Sherwood has partnered with Washington County to participate in the federal CDBG program. In 2014, the City entered into a new Intergovernmental Agreement (IGA) with Washington County. In 2020, the City approved an amendment to the IGA. The City has received and estimated \$2,545,117 since 1979 and has utilized these federal funds. Most recently the City received \$208,635 for renovations to the Marjorie Stewart Senior Center.

Our current IGA contains an automatic renewal clause. However, the federal Department of Housing and Urban Development (HUD) which administers the program has provided recent guidance has necessitated minor amendments to the agreement. As a result, Washington County has drafted the amendment to the IGA for consideration. Before the City Manager can sign the amendment, authorization is needed from the City Council.

Financial Impacts:

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

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2023-063, authorizing the City Manager to sign an Amendment to the existing Intergovernmental Agreement with Washington County for the Community Development Block Grant Program.



RESOLUTION 2023-063

AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE EXISTING INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the Community Development Block Grant (CDBG) program was enacted into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, the CDGB program has as its primary objective the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for persons of low and moderate income, and

WHEREAS, since 1979, the City of Sherwood, with CDBG funds of approximately \$2,545,117, has provided housing rehabilitation; neighborhood revitalization; addition, expansion, or improvements of community facilities and shelters; and physical redevelopment, and

WHEREAS, in 2014, the City entered into a new Intergovernmental Agreement (IGA) with Washington County, and in 2020 amended said agreement, and

WHEREAS, while the existing agreement contains an automatic renewal clause, HUD's recent requirements necessitate minor changes and clarifications to the legal document; and

WHEREAS, an Amendment to the IGA has been drafted by the County and is attached as Exhibit A to this resolution.

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

Section 1. The City Manger is authorized to sign an amendment to the City's Intergovernmental Agreement with Washington County in a form substantially similar to the attached "Exhibit A."

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

Duly passed by the City Council this 1st of August, 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Contract No. _____

INTERGOVERNMENTAL AGREEMENT AMENDMENT NO. 2

This amendment is made and entered into by and between, the City of _____ (City) and Washington County, a political subdivision of the State of Oregon (County).

This amendment modifies that certain Intergovernmental Agreement (IGA) between the parties, the original contract number being _____.

The IGA is amended as follows:

Section II.3 is hereby amended and modified to read as follows:

3. The parties agree to take all actions necessary to assure compliance with the urban county's certification required by Section 104 (b) of Title I of the Housing and Community Development Act of 1974, conducted and administered in accordance with Title VI of the Civil Rights Act of 1964 and the implementing regulations at 24 CFR part 1, the Fair Housing Act and the implementing regulations at 24 CFR part 100, and will affirmatively further fair housing (24 CFR 91.225(a) and Affirmatively Furthering Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021), to be codified at 24 CFR 5.151 and 5.152; section 109 of Title I of the Housing and Community Development Act of 1974 and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975 and the implementing regulation at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968; and other applicable laws. The parties further agree that no urban funding shall be provided to City under this agreement for any activities in or in support of City if City does not affirmatively further fair housing within its own jurisdiction or if City's activities impede the County's actions to comply with the County's fair housing certification.

4. The parties agree that they will not sell, trade, or transfer of all or any portion of the funds to another such city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under Title I of the Act.

CERTIFICATION

The parties by the signatures below certify that the governing body of each party has authorized entry into this Amendment.

In WITNESS, the undersigned parties have executed this Amendment this ____ day of _____, 2023.

All other terms and conditions of the original Agreement shall remain in full force and effect.

WASHINGTON COUNTY

CITY OF _____

Signature

Signature

Printed Name, Title

Printed Name, Title

Date

Date

It is my opinion that the terms and provisions of this Amendment are fully authorized under the State and local law and that the Agreement provides full legal authority for the County to undertake or assist in undertaking essential community renewal and lower income housing assistance activities.



Jacquilyn E. Saito
Senior Assistant County Counsel

TO: Sherwood City Council

FROM: Craig Sheldon, Public Works Director
Through: Keith D. Campbell, City Manager and Ryan Adams, City Attorney

SUBJECT: Resolution 2023-062, Adjusting Solid Waste and Recycling Collection Rates

Issue: Shall City Council adjust the solid waste and recycling rates?

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

Most cities in Washington County aim to set a reasonable composite rate of return of 8 to 12 percent annually for their solid waste franchisees and SMC 8.20.080 defines a similar target for Sherwood franchisees. With updated 2022 financial information from Pride Disposal, the City had Bell and Associates conduct a Rate Review and issue a report, which was completed in July 2023. The City has determined through the analysis of financial information from Pride Disposal that their adjusted rate of return for 2022 ranged from 4.78% to 10.85% depending upon the type of collection services, with a composite rate return of 8.80%

During the City Council work session on July 18, 2023, Bell & Associates presented a recommendation to adjust rates (see attached) based on increased costs for collection and the increase in tipping fees from Metro. The financial analysis determined that the projected rate of return in 2023 ranges from 2.93% to 5.92% depending upon the type of collection service, with an estimated composite rate of return of 4.95%. Should the City wait until January 2024 to implement rate increases, the overall increase to residents would be approximately 9.84% versus an increase of 4.95% if the rate increase is implemented in September 2023. Council recommendation was for staff to bring forth a resolution authorizing rates to go into effect September 1, 2023.

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

Recommendation: Staff respectfully recommends City Council approval of Resolution 2023-062, adjusting the solid waste and recycling collection rates.

City of Sherwood Solid Waste & Recycling Collection

**Rate Alternatives for Council Input
and Direction
July 18, 2023**

Collection & Disposal Costs

- Current rates were implemented in January 2023
- Cart rates increases ranged from 3.5%
- Container rates increased by 2.4%
- Drop Box by \$5 per haul

Adjusted 2022 Results

Service	Cart	Container	Drop Box	Composite
Revenues	\$ 2,531,183	\$ 1,161,528	\$ 882,344	\$ 4,575,055
Direct Costs of Operations	\$ 1,998,284	\$ 839,615	\$ 797,633	\$ 3,635,532
Indirect Costs of Operations	\$ 298,445	\$ 195,936	\$ 42,574	\$ 536,955
Allowable Costs	\$ 2,296,729	\$ 1,035,551	\$ 840,207	\$ 4,172,487
Franchise Income	\$ 234,454	\$ 125,977	\$ 42,137	\$ 402,568
Return on revenues	9.26%	10.85%	4.78%	8.80%

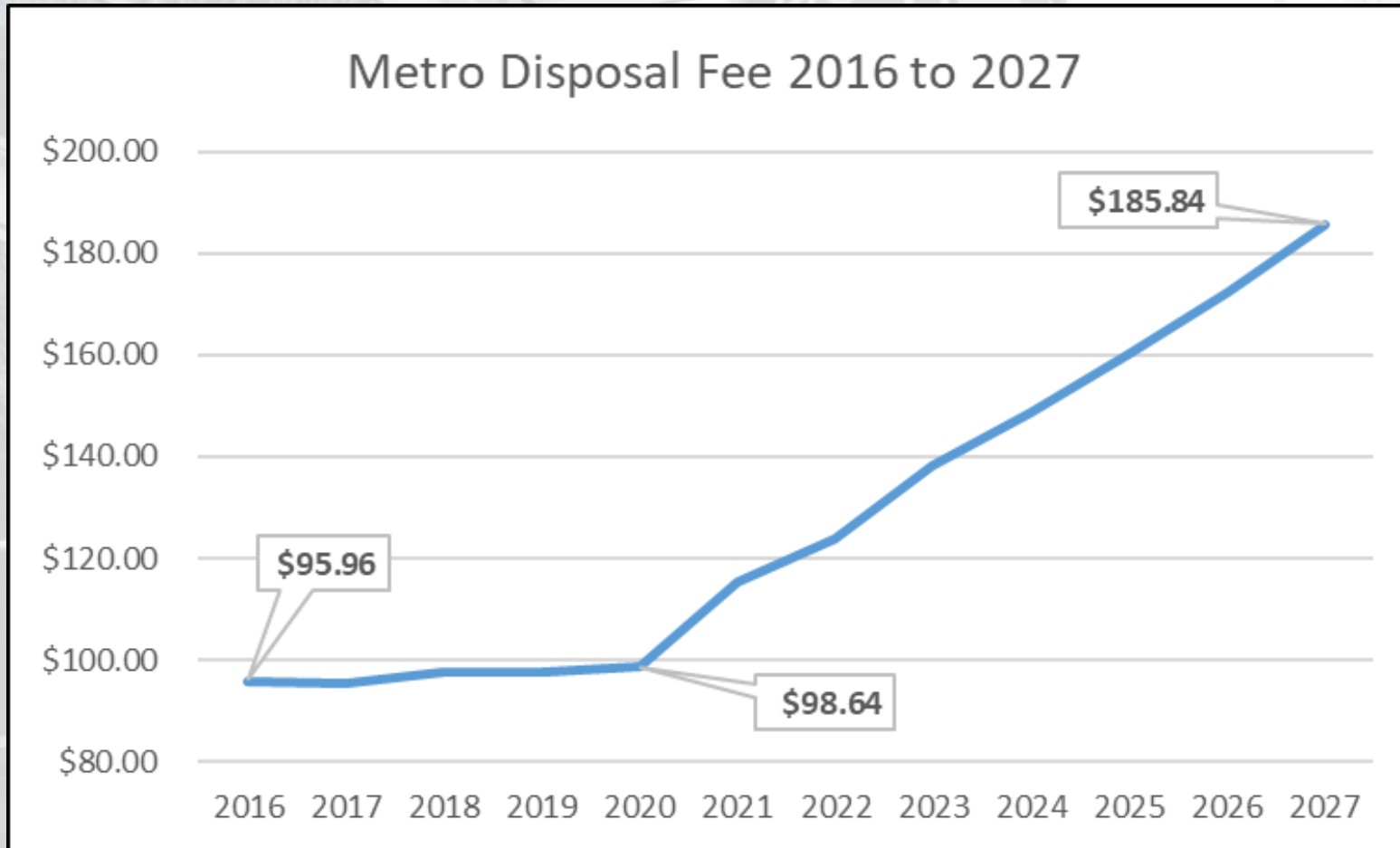
Increased Costs for Collection

- Driver Wages - 2.78% in March 2023
- Administrative Wages – 3%
- New Collection Trucks - 30.4%
 - Trucks were ordered in 2021 and 2022
- Insurance Cost – 40% in 2023
 - Limited Carriers for Waste Industry
- Recycling Processing - 34% in 2023
- Waste Disposal – 9.2% (year to year % increase)

Increased Waste Disposal Costs

Year	Metro Disposal Rate	35 gal cart disposal cost (22#)	4 yard cont. disposal cost (440#)
2020	\$ 98.35	\$ 6.12	\$ 110.55
2021 (17.1%)	\$ 115.54	\$ 7.02	\$ 129.49
2022 (7.2%)	\$ 123.86	\$ 7.57	\$ 138.81
2023 (11.6%)	\$ 138.26	\$ 8.14	\$ 154.95
2024 (7.7%)	\$ 148.83	\$ 8.76	\$ 166.79
2025 (7.7%)	\$ 160.22	\$ 9.43	\$ 179.56
2026 (7.7%)	\$ 172.53	\$ 10.15	\$ 193.36
2027 (7.7%)	\$ 185.84	\$ 10.93	\$ 208.27

Metro SW Disposal Fee per Ton



- From 2004 to 2020, tip fee increased from \$72.03 to \$98.64 – 2.3% annual increase
- 2020 to 2027, increase from \$98.64 to \$185.84 – 12.6% annual increase

Projected 2023 Results

Service	Cart	Container	Drop Box	Composite
Revenues	\$ 2,619,250	\$ 1,189,405	\$ 935,507	\$ 4,744,162
Direct Costs of Operations	\$ 2,175,287	\$ 917,567	\$ 864,312	\$ 3,957,166
Indirect Costs of Operations	\$ 306,868	\$ 201,479	\$ 43,759	\$ 552,106
Allowable Costs	\$ 2,482,155	\$ 1,119,046	\$ 908,071	\$ 4,509,272
Franchise Income	\$ 137,095	\$ 70,359	\$ 27,436	\$ 234,890
Return on revenues	5.23%	5.92%	2.93%	4.95%

Proposed Rates Effective January 2024

Status Quo (city ordinance)

Service	Current Rate	Increase	New Rate	% ▲
Res 35 gallon cart	\$31.21	\$3.07	\$34.28	9.84%
4 yd. container	\$340.72	\$33.53	\$374.25	9.84%
Drop Box Haul	\$148.00	\$14.56	\$162.56	9.84%
RO Compactor	\$181.00	\$17.81	\$198.81	9.84%

Cost of Service Rate Increase in September

- Roll Cart Increase for Collection Service - \$1.00, plus
- Disposal Increase dependent on cart volume – from \$0.46 to \$2.07
- Commercial Container Increase for Collection - \$0.02
- Disposal Increase per Yard (110#) is \$0.91
- Drop Box increase for Collection Service is \$5.00 per haul

Proposed Rates Effective September 1, 2023

Service	Customers	Current Rate	Collection Increase	Disposal Increase	Total Increase	% Rate ▲
20 gal cart	398	\$28.46	\$1.00	\$0.46	\$1.46	5.1%
35 gal cart	2,712	\$31.21	\$1.00	\$0.78	\$1.78	5.7%
65 gal cart	2,181	\$40.86	\$1.00	\$1.43	\$2.43	5.9%
3 yard weekly	29	\$272.07		\$12.08	\$12.08	4.4%
4 yard weekly	39	\$340.72		\$16.11	\$16.11	4.7%
Drop Box		\$148.00	\$5.00	N/A	\$153.00	3.3%

Next Steps

- **Public Works Director / Chris Bell will follow up with Council members that have additional questions**
- **Submit rate package to Council**
- **Initial Council vote**



RESOLUTION 2023-062

ADJUSTING SOLID WASTE AND RECYCLING COLLECTION RATES

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

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

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

WHEREAS, Pride Disposal, a franchisee for solid waste services in Sherwood, has submitted their 2022 annual report per SMC 8.20.080(F)(1); and

WHEREAS, the City has determined through an analysis of financial information from Pride Disposal that their adjusted rate of return for 2022 ranged from 7.89% to 15.50% depending upon type of collection service, with a composite rate of return of 11.97%; and

WHEREAS, the City has determined through analysis of financial information from Pride Disposal that their projected rate of return for 2023 ranges from 4.78% to 10.85% depending upon type of collection services, with a composite rate of return of 8.80%; and

WHEREAS, the Public Works Director has reviewed the Rate Review Report compiled by Bell & Associates and concurs with the recommendation to adjust solid waste and recycling collection rates in a manner intended to achieve a projected composite rate of return of 8.80%; and

WHEREAS, the City has determined that the new solid waste and recycling collection rates should take effect on September 1, 2023.

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

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

Section 2. The adjusted solid waste and recycling collection rates will take effect on September 1, 2023.

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

Duly passed by the City Council this 1st of August, 2023.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

City of Sherwood

Rates Effective September 1, 2023

Roll Cart Collection Rates	9/1/23 Rate	Service Fees	9/1/23 Rate
One 20 gallon cart	29.92	Walk-in Fee	5.27
One 35 gallon cart	32.99	SNP	25.00
One 60 gallon cart	43.29	NSF	25.00
One 90 gallon cart	53.73	Go Back Fee	17.38
On-Cal Service	19.11	Special Services (per hr.)	101.41
Extra Can / 32 gal bag	7.55	Recycling Contamination Fee	30.00
Extra Bag (small)	3.96		
Yard Debris Only	8.24	<u>Commercial Container Fees</u>	
Second Yard Debris Cart	8.24	Extras - per collected yard	15
Yard Debris Extra	2.65	Extra with Clean Up *	30
Recycling Only	7.86	* Requires driver to pick up waste /recycling	

Commercial Food Waste

One 60 gallon cart	43.64
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Drop Box Rates

Service / Box Volume	9/1/23 Rate
10 Cubic Yards per Haul	155 Haul charge listed + actual disposal fee
20 Cubic Yards per Haul	155 Haul charge listed + actual disposal fee
30 Cubic Yards per Haul	155 Haul charge listed + actual disposal fee
40 Cubic Yards per Haul	155 Haul charge listed + actual disposal fee
Compactor per Haul	190 Haul charge listed + actual disposal fee
Delivery / Relocation (per box)	77 Per movement
Box Not Ready Trip Fee	26 Per occurrence

Open Top Box Rental	9/1/23 Rate
10 and 20 Cubic Yards	11
30 Cubic Yards	13
40 Cubic Yards	13
<u>Box with a lid</u>	
10 and 20 Cubic Yards	16
30 Cubic Yards	18

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

Medical Waste Collection Rates

Service Component	9/1/23 Rate
On-site Pick-up Charge	39.42
<u>Disposal</u>	
Disposal Cost per 17 or < Gal. Unit	25.35
Disposal Cost per 23 Gal. Unit	29.55
Disposal Cost per 31 Gal. Unit	30.90
Disposal Cost per 43 Gal. Unit	35.85
Pharmaceutical Waste per 5 gal	49.71
Chemotherapy Waste Disposal	47.06

City of Sherwood
Proposed Commercial Collection Rates
Effective September 1, 2023

Container(s):	One	Two	Three	Four	Five	EOW
1 yard	134.76	253.18	367.37	481.62	596.08	
each additional	91.63	177.44	263.08	348.74	434.51	
1.5 yard	175.10	325.32	475.49	625.64	775.89	
each additional	128.02	249.62	371.17	492.72	614.34	
2 yard	211.52	397.57	583.62	769.67	955.74	125.40
each additional	164.45	321.86	479.33	636.79	794.20	85.50
3 yard	284.15	542.02	799.80	1,057.55	1,315.49	163.08
each additional	237.07	466.28	695.47	924.69	1,153.93	119.48
4 yard	356.83	686.54	1,016.03	1,345.53	1,675.26	197.10
each additional	310.41	610.80	911.70	1,212.63	1,513.72	153.54
5 yard	429.49	830.83	1,232.18	1,633.53	2,034.86	-
each additional	382.43	755.12	1,127.84	1,500.61	1,873.32	-
6 yard	501.84	974.99	1,448.06	1,921.11	2,394.29	265.01
each additional	454.76	899.25	1,343.71	1,788.22	2,232.74	221.37
8 yard	648.29	1,264.89	1,881.53	2,498.11	3,114.72	332.93
each additional	601.23	1,189.16	1,777.20	2,365.21	2,953.15	289.96
Compacted Rates						
1 yard compacted	298.75	560.75	813.23	1,065.65	1,318.35	
2 yard compacted	466.96	876.64	1,286.26	1,695.90	2,104.74	
3 yard compacted	625.87	1,192.65	1,759.11	2,325.65	2,891.32	
4 yard compacted	784.83	1,508.75	2,232.09	2,955.43	3,677.93	

Proposed Commercial Collection Rates

Heavy Container	One	Two	Three	Four	Five
1 yard	153.91	293.36	429.22		
each additional	n/a	n/a	n/a	n/a	n/a
1.5 yard	214.62	396.99	613.98	796.71	978.09
each additional	204.23	391.11	578.97	749.64	919.04
2 yard	284.21	551.35	804.21	1,043.16	1,279.24
each additional	268.62	512.50	739.93	957.22	1,172.36
3 yard	391.92	757.47	1,101.40	1,425.15	1,762.39
each additional	374.43	728.22	1,066.34	1,401.76	1,733.11
4 yard	499.28	964.68	1,427.08	1,862.34	2,282.56
each additional	483.64	949.09	1,403.70	1,846.57	2,261.24
5 yard	601.12	1,180.02	1,746.78	2,298.77	2,818.50
each additional	591.01	1,150.78	1,702.90	2,244.50	2,769.87
6 yard	692.85	1,359.72	2,015.18	2,650.81	3,279.24
each additional	680.95	1,336.41	1,980.04	2,593.10	3,205.34
8 yard	882.46	1,730.58	2,558.77	3,371.83	4,162.69
each additional	866.38	1,699.41	2,512.52	3,309.79	4,084.80