



*Home of the Tualatin River National Wildlife Refuge*

**SHERWOOD CITY COUNCIL MEETING MINUTES**  
**22560 SW Pine St., Sherwood, Or**  
**September 3, 2024**

**WORK SESSION**

1. **CALL TO ORDER:** Mayor Tim Rosener called the meeting to order at 6:02 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Renee Brouse, Dan Standke, Keith Mays, and Doug Scott.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Interim Public Works Director Rich Sattler, HR Director Lydia McEvoy, IT Director Brad Crawford, Economic Development Manager Bruce Coleman, Planning Manager Sean Conrad, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.
4. **TOPIC:**

**A. Sherwood West Update**

Community Development Director Eric Rutledge presented the “Sherwood West Urban Growth Boundary Expansion Discussion Council Work Session” PowerPoint presentation (see record, Exhibit A) and provided an overview of the timeline on page 2 of the presentation. He stated that the “2024 Urban Growth Management Decision: Metro Chief Operating Officer/Staff Recommendations” staff report (see record, Exhibit B) had been released and provided to Council. He outlined that Metro Council would hold a work session on September 5<sup>th</sup> to discuss the staff report, after which the recommendation would be sent to MTAC, MPAC, CORE, and a Metro Council public hearing would be held on September 26<sup>th</sup>. Councilor Scott asked if any changes to the staff report recommendation could occur since its publication. Mr. Rutledge replied that he believed that the intent was to publish the recommendation, accept public testimony on the recommendation, and then move forward. Councilor Mays stated that MTAC, MPAC, or CORE could recommend changes or provide comments regarding changes they would like to see. Community Development Director Rutledge outlined that a first reading of the Metro Council ordinance would be held on November 21<sup>st</sup> and a second reading would be held on December 5<sup>th</sup>. Councilor Scott asked if recommended changes to the recommendation would be made available to the public prior to the first public hearing. Mr. Rutledge replied he felt that that was likely, but he would ask Metro to confirm. He provided an overview of Sherwood West and recapped that the area contained: 265 acres of employment land, including mixed-use and hospitality zones; 340 acres of housing land with a density of 6.3-9.2 units per acre; 40 acres for schools; 20 acres for community parks; 500 acres for open space; and three new zoning types (Middle Housing, Cottage Cluster, and Hospitality). Councilor Mays asked if topography could be factored into housing unit density. Community Development Director Rutledge replied that the plan and the proposed densities

responded to the topography of the different areas. Council President Young clarified that the Sherwood West Concept Plan was created by a citizen advisory committee that met regularly over two years and incorporated community feedback. She continued that during that time the city had not completed any other UGB ask. Mr. Rutledge provided an overview of the Sherwood West Housing Estimates table on page 4 of the presentation and explained that the table was included in the Sherwood West Concept Plan, but the Metro staff report did not respond to the table included in the Concept Plan. He explained that the table showed a density of 9.2 and city staff had clarified to Metro prior to the release of the recommendation, that 9.2 was the high end of the density range and 6.3 was at the low end of the density range. He reported that the Metro recommendation did not take that clarification into account and explained that city staff would continue to work to get Metro to understand that the city's proposal was for a density range of 6.3-9.2, with the potential to go above that due to HB 2001. Mayor Rosener explained that the middle housing percentages were included in the report to illustrate the potential impacts of HB 2001, and the figures were not included to indicate that Sherwood was okay with anything between 9.2-16.4 housing units per acre. He commented that he hoped Metro would correct this misunderstanding because the Sherwood community was supportive of a density of 6.3-9.2. Mr. Rutledge stated that in his experience, developers tended to reach the high-end of the density range in any zone. He reported that the CAC recommended showing the high-end of the density range to provide transparency to the community about what was likely to happen when development occurred. He added that the CAC also wanted to show the community the potential impacts of HB 2001, which was why the Middle Housing percentages were included in the table. He commented that he believed that Metro had focused on the 9.2 density figure and had tried to establish that number as the new minimum instead of understanding that the 9.2 density figure represented the likely/maximum density for Sherwood West. He stated that staff had attempted to clarify this misunderstanding with Metro, but currently Metro had not responded to that clarification. He reported that Metro staff had recommended the approval for the city's entire UGB expansion request. He outlined that if they chose to do so, there was a "clear path" for Metro Council to impose conditions of approval. He explained that within the metro area over the 20-year planning period, Metro predicted the following baseline forecast: 203,500 new households and 110,000 new jobs through 2044. He noted that Sherwood was proposing 2,000-3,000 units, which represented approximately 1% of the housing growth over the next twenty years. Councilor Scott clarified that Metro was represented on the TAC for the entirety of the Sherwood West Concept Plan planning period and at no point during that process did they object to the proposed density. He added that, as required, Sherwood had forwarded a final version of the Sherwood West Concept Plan to Metro for their acknowledgement, and again received no pushback from Metro on the density proposals. Community Development Director Rutledge commented that he had reviewed some of the CAC meeting minutes which indicated that there was possibly one informal conversation with Metro where densities were discussed. He addressed the potential conditions of approval and explained that they could include a base density of 9.2-16.4 units per acre. Mayor Rosener referred to the Metro staff recommendation Report statement of "in order to achieve a mix of housing types..." and explained that the Sherwood West Concept Plan planned for more middle housing by zoning for it and the Metro Staff Recommendation did not acknowledge that Sherwood West was creating a Middle-Housing Zone and Cottage Cluster Zone. Mr. Rutledge recapped that affordability was a possible additional condition of approval cited in the Metro staff recommendation. Mayor Rosener stated that he believed there was no objection to having a component of the comprehensive planning process include determining what tools and programs that could be put in place to allow for the development of subsidized housing. He reported that he had explained to Metro staff that the city could plan for it and try to develop tools, but the city did not have the resources or money to do that. He commented that aspirational goals were fine, but conditions that stipulated certain percentages of affordable housing were not feasible because that was out of the city's control. Community Development Director Rutledge referred to HB 2003 from 2019, or OHNA, and explained that this required the city to review its Housing Needs Analysis and stratify its citywide housing proposal

based on income level. He referred to requirements around affordability and policy requirements and commented that these stipulations were already coming down from the state and discussion regarding the comprehensive and master planning process, and aspirational goals occurred. Mr. Rutledge commented that Sherwood was supportive of lowering housing costs in the city, but he was concerned that if an affordability condition were imposed, then development would stall in Sherwood West and would result in less development overall based on the affordability condition. Councilor Giles spoke on the need to allow residents to age in place in Sherwood. Community Development Director Rutledge addressed the potential conditions regarding creating and protecting industrial sites on page 10 of the presentation and explained that there was the possibility of a condition to assemble land within the north district of Sherwood West to achieve 50 acres. Mayor Rosener added that in the Urban Growth Report, it stated that there was a surplus of industrial land, but the median lot sizes were around 1 acre in size. Mayor Rosener stated that it was important that the condition be in place around lot size, or it would not pass legal muster on an appeal. Mr. Rutledge commented that Metro staff had been pretty firm on the 50-acre number because that was the number cited in the semiconductor task force report. Councilor Mays commented that he was in favor of industrial lot sizes, but the misunderstanding on the residential density needed to be rectified or he was not interested in moving forward. Community Development Director Rutledge recapped that HB 2001, which allowed for middle housing, boosting density in single-family zones and SB 1537 which offered variances that could increase density, lot size, building height, reduced community space, etc. inherently increased density, and would influence long-term development beyond the city's original plans if Sherwood West was not master planned. Councilor Giles clarified that the city would not be able to master plan the area unless Sherwood West was included in the city's UGB. Mayor Rosener referred to HB 2001 and clarified that cities could utilize the master planning process to be more specific about housing types. Mr. Rutledge provided an overview of SB 1537 on page 13 of the presentation and clarified that the impacts of SB 1537 could not be regulated by the master planning process. He provided an overview of previous expansion proposals versus the applied conditions of approval on page 15 of the presentation. He outlined that Metro had never imposed conditions to require higher density than what was proposed by local communities in the past two cycles. He reported that previously, Metro would expand the UGB and then require a concept plan and explained that this led to issues where communities would reject the plan. Currently, Metro required a concept plan before expanding the UGB which led to different issues of communities engaging in a 2–3-year planning process followed by two months of high-level Metro hearings where the nature of the plan was significantly changed. He commented that Metro should provide guidance on how to calculate density to standardize the process for cities. Mr. Rutledge referred to River Terrace 2.0 and reported that Metro conditioned less density than was proposed by the city and reported that Metro Council had not imposed affordability conditions in the last two expansion cycles. Councilor Mays referred to affordability and commented that it seemed unnecessary to have two processes, and Metro should follow state law. Mayor Rosener recapped that currently, Sherwood had an average housing density of 7-8 units per acre, and an average lot size of 5,850 sqft. The Sherwood West proposal included a housing density of 6.3-9.2 units per acre, with an average of 7.75, and an average lot size of 5,620 sqft. He recapped Metro staff's recommendation as: 9.2-16.4 units per acre housing density with an average lot size of 4,734-2,656 sqft. Council President Young commented that the Sherwood West Concept Plan accomplished the community's desire to "keep Sherwood looking like Sherwood." Councilor Scott commented that the community realized and accepted that as time went on and the housing crisis continued, density would increase. He referred to the Sherwood West Concept Plan and the projected 6.3-9.2 units per acre density and commented that that range was deemed acceptable by the Sherwood community but going from 9.2 units per acre to an average of 12 units per acre was incredibly different. Councilor Giles commented that Sherwood did not have the infrastructure or public transportation to support a 12 unit per acre density in Sherwood West. He commented that the housing crisis could not be solved in Sherwood alone. Community Development Director Rutledge expressed that the city had engaged in a very

long planning process with the Sherwood community, and created a plan that was supported by the community. He stated that he was concerned about Metro's desire to significantly change the nature of the Sherwood community. He remarked that he wondered if Metro would even hold an open house in Sherwood or any engagement with the community around the conditions of approval and their impacts to Sherwood West or if the entirety of the public hearings process would occur in downtown Portland. Mr. Rutledge referred to Statewide Planning Goal 1, which called for "the opportunity for citizens to be involved in all phases of the planning process" and reported that Metro's condition would preempt the planning process. He reported that there had been no outreach to the Sherwood community, residents, or stakeholders about the conditions and how the conditions would impact the nature of Sherwood West. Mr. Rutledge recapped next steps on page 18 of the presentation and reported that city staff would work with legal counsel to fully understand the city's rights and options in this process and would prepare options for moving forward. He explained that the city had brought in land use attorney, Carrie Richter, and staff would meet with Metro staff and their legal counsel on Wednesday to discuss the density issue and explore options. Community Development Director Rutledge outlined the options for moving forward as: continue to negotiate conditions aligned with our community and our adopted Concept Plan; determine a process for pulling the proposal; or determine a process to revise the proposal. Councilor Scott asked that city staff continue to negotiate and work with Metro Council and Metro staff. He asked that city staff prepare the appropriate documents for both pulling the proposal and documents to revise the proposal so that it applied to the industrial areas of Sherwood West. Mayor Rosener recapped that he had been very clear about the proposed density range in his discussions with Metro Council and staff. He agreed with Councilor Scott's statements regarding having the documents prepared ahead of time to pull the city's proposal. Discussion regarding changing the proposal to apply only to the industrial land areas of Sherwood West occurred. Mayor Rosener commented that for him, if it were between high-density housing or industrial land only, he would choose the industrial land only option. Councilor Brouse asked if Sherwood could request that Metro come to Sherwood and engage with the community. She stated she also wished to know what the ramifications of withdrawing the city's proposal would be. Mayor Rosener commented that he wanted to come to an agreement with Metro in order to move forward with Sherwood West and expressed that he was worried about potential future state-imposed regulations on the area if the UGB was not expanded and the area was not master planned. Council President Young stated that she preferred to keep working with Metro to hopefully move forward, but barring that, she supported revising the proposal or pulling the proposal. Councilor Mays stated he agreed with Council President Young. Mayor Rosener asked for a work session to be scheduled to discuss the topic further. Mayor Rosener addressed the next work session agenda topic and Council agreed to continue the work session after the regular session.

## **5. ADJOURN**

Mayor Rosener adjourned the work session at 6:58 pm and convened a regular session.

## **REGULAR SESSION**

- 1. CALL TO ORDER:** Mayor Tim Rosener called the meeting to order at 7:05 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Renee Brouse, Dan Standke, Keith Mays, and Doug Scott.

3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Interim Public Works Director Rich Sattler, HR Director Lydia McEvoy, IT Director Brad Crawford, Finance Director David Bodway, and City Recorder Sylvia Murphy.

4. **APPROVAL OF AGENDA:**

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

Mayor Rosener addressed the next agenda item.

5. **CONSENT AGENDA:**

**A. Approval of August 20, 2024, City Council Meeting Minutes**

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

Mayor Rosener addressed the next agenda item.

6. **CITIZEN COMMENT:**

There were no citizen comments and Mayor Rosener addressed the next agenda item.

7. **PUBLIC HEARING:**

**A. Ordinance 2024-003, Adding new sections to the Sherwood Municipal Code designating City Manager Pro Tem in the absence of the City Manager and amending Chapter 1.10 (First Reading)**

Interim City Attorney Sebastian Tapia presented the staff report and summarized that this ordinance would change Sherwood's Municipal Code Chapter 1.04 pertaining to a City Manager Pro Tem in the City Manager's absence, as well as an amendment to Sherwood Municipal procurement code 1.10.030. He explained that Council had adopted a resolution to delegate authority to specific individuals to serve as City Manager Pro Tem when the City Manager was unable to fulfill their duties. He reported that staff had expressed an interest in a more permanent solution by designating the Assistant City Manager as the default manager pro tem during unplanned absences and allowing the manager to delegate their authority during planned absences. He stated that in the instance of a vacancy, the Assistant City Manager would step in until Council had the opportunity to appoint a City Manager Pro Tem. Councilor Giles asked regarding the Assistant City Manager Pro Tem and Assistant City Manager roles. Mr. Tapia explained that in the past, Council had delegated authority to specific individuals and that would likely be the process in the future if the position was not fulfilled. Mayor Rosener explained the need for the ordinance and stated that it would outline the authority given to the City Manager Pro Tem in situations in which the City Manager role was unoccupied and allowed Council the time to appoint a permanent replacement City Manager. Council President Young asked regarding procurement, Sherwood Municipal Code Chapters 1.04.010 and 1.04.090 and asked if this was added language. Mr. Tapia replied that Chapters 1.04.010 and 1.04.090 were new code provisions and clarified that Chapter 1.04.010 pertained to definitions and Chapter 1.04.090 pertained to planned and

unplanned absences. Mayor Rosener opened the public hearing and asked for public comment on the proposed ordinance. Hearing none, Mayor Rosener closed the public hearing and asked for questions or a motion from Council. Councilor Scott stated that he felt that this was a “fairly uncontroversial and obvious correction,” and he would be open to voting on the ordinance at this meeting. Mayor Rosener commented that he always preferred having two public hearings on ordinances unless it was an emergency. He stated that the proposed ordinance would be back for a second hearing at the September 17<sup>th</sup> City Council meeting.

Mayor Rosener addressed the next agenda item.

## **8. CITY MANAGER REPORT:**

City Manager Craig Sheldon reported that the Meineke roundabout would be closed from 4 pm - 8 am on September 8<sup>th</sup> for a grind and overlay. He reported that the draft ADA Transition Plan had been published on the city’s website and was open for public comment.

Mayor Rosener addressed the next agenda item.

## **9. COUNCIL ANNOUNCEMENTS:**

Councilor Standke reported that the Planning Commission did not meet last week.

Councilor Scott reported that the Parks and Recreation Advisory Board did not meet.

Councilor Mays spoke on his recent travel experiences at local airports. He spoke on county water projects and their impacts to local roads. He thanked city staff for their work.

Councilor Brouse reported that the Senior Advisory Board did not meet. She reported she would attend the SAFE Cascadia event in Echo, Oregon.

Councilor Giles reported that the Library Advisory Board did not meet. He reported on his meeting with the new Sherwood School District Superintendent. He encouraged middle school students to sign up for the cross-country team. He spoke on a Sherwood Public Library program, the Library of Things.

Council President Young spoke on the upcoming election on November 5<sup>th</sup> and encouraged people to register to vote.

Mayor Rosener reported he had met with Metro Councilors regarding the city’s Sherwood West UGB expansion request. He reported that the LOC conference was scheduled for October. He reported his family and neighbors were hosting an international exchange student.

## **10. ADJOURN:**

Mayor Rosener adjourned the regular session at 7:25 pm and convened a work session.

### **WORK SESSION - CONTINUED**

**1. CALL TO ORDER:** Mayor Tim Rosener called the meeting to order at 7:27 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:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, IT Director Brad Crawford, and City Recorder Sylvia Murphy.
4. **TOPIC:**

#### **B. LOC 2025-26 Legislative Priorities Ballot Discussion**

Mayor Rosener explained that the League of Oregon Cities (LOC) lobbied on behalf of issues that were important to cities and communities. He explained that each year, the LOC compiled a list of legislative priorities for cities to vote on. City Manager Craig Sheldon presented the "City of Sherwood Legislative Priorities" PowerPoint presentation (see record, Exhibit C). Council President Young clarified that the LOC would advocate for more than the five chosen issues. City Manager Sheldon provided an overview of the LOC recommendations on page 4 of the presentation and explained that Council would need to choose a top five from the list of options. Councilor Giles asked for clarification between the "Resilient, Futureproof Broadband Infrastructure and Planning Investment" and "Digital Equity and Inclusion" recommendations and Mayor Rosener explained. Mayor Rosener stated his top five priorities were: Infrastructure Funding; 2025 Transportation Package; Employment Lands Readiness and Availability; Shift from a Gas Tax to a Road User Fee; and Marijuana Tax. Council President Young stated her top five priorities were: Infrastructure Funding; Employment Lands Readiness and Availability; Lodging Tax Flexibility; 2025 Transportation Package; and Shift from a Gas Tax to a Road User Fee. Councilor Scott stated his top five priorities were: Employment Lands Readiness and Availability; Shift from a Gas Tax to a Road User Fee; Lodging Tax Flexibility; 2025 Transportation Package; and Infrastructure Funding. Councilor Brouse stated her top five priorities were: Infrastructure Funding; Funding and Expanding Public and Inter-Community Transit; 2025 Transportation Package; she was between the Marijuana Tax and Alcohol Tax; and Shelter and Homelessness Response. Councilor Standke stated his top five priorities were: Shelter and Homelessness Response; Address Energy Affordability Challenges from Rising Utility Costs; Funding and Expanding Public and Inter-Community Transit; Investment in Community Resiliency and Climate Planning Resources; and 2025 Transportation Package. Councilor Giles stated his top five priorities were: Infrastructure Funding; Funding and Expanding Public and Inter-Community Transit; 2025 Transportation Package; Employment Lands Readiness and Availability; and Full Funding and Alignment for Housing Production. Mayor Rosener stated that he wished to replace the Marijuana Tax priority with the Full Funding and Alignment for Housing Production priority. City Manager Sheldon stated that Councilor Mays' top five priorities were: Employment Lands Readiness and Availability; Infrastructure Funding; 2025 Transportation Package; and infrastructure funding co-sponsored by community and economic development. Mr. Sheldon noted that Councilor Mays' last priority was one Councilor Mays had created. City Manager Sheldon recapped that Council's shared top priorities were: Infrastructure Funding; Employment Lands Readiness and Availability; and 2025 Transportation Package. Councilor Scott stated that he wished to replace the Lodging Tax Flexibility priority with Full Funding and Alignment for Housing Production priority. Council President Young and Councilor Brouse stated they were also in favor of that. City Manager Sheldon added Full Funding and Alignment for Housing Production priority to Council's shared top priorities list. Discussion occurred and Council added the Funding and Expanding Public and Inter-Community Transit priority to Council's shared top priorities list. Mr. Sheldon reported that he would submit the list of priorities on September 4<sup>th</sup>.

#### **5. ADJOURN**

Mayor Rosener adjourned the work session at 7:45 pm and convened an executive session.

**EXECUTIVE SESSION**

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:47 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 Craig Sheldon, Assistant City Manager Kristen Switzer, 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 8:11 pm.

Attest:

A blue ink signature of Sylvia Murphy, written in a cursive style, positioned above a horizontal line.

Sylvia Murphy, MMC, City Recorder

A blue ink signature of Tim Rosener, written in a cursive style, positioned above a horizontal line.

Tim Rosener, Mayor