



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, November 15, 2022

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

7:00 pm City Council Regular Meeting

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



Home of the Tualatin River National Wildlife Refuge

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 October 27, 2022 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
- B. Approval of November 1, 2022 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
- C. Resolution 2022-082, Creation of Economic Development Comparable Cities**
(Bruce Coleman, Economic Development Manager)

6. CITIZEN COMMENTS

7. PUBLIC HEARINGS

- A. Resolution 2022-083 Adjusting Solid Waste and Recycling Collection Rates**
(Craig Sheldon, Public Works Director)
- B. Ordinance 2022-006, Establishing Time, Place, and Manner restrictions on Psilocybin Service Centers and the manufacturing of Psilocybin Products** (*First Reading*)
(Erika Palmer, Planning Manager)

8. CITY MANAGER REPORT

9. COUNCIL ANNOUNCEMENTS

10. ADJOURN

How to Provide Citizen Comments and Public Hearing Testimony: Citizen comments and public hearing testimony may be provided in person, in writing, or by telephone. Written comments must be submitted at least 24 hours in advance of the scheduled meeting start time by e-mail to Cityrecorder@Sherwoodoregon.gov and must clearly state either (1) that it is intended as a general Citizen Comment for this meeting or (2) if it is intended as testimony for a public hearing, the specific public hearing topic for which it is intended. To provide comment by phone during the live meeting, please e-mail or call the City Recorder at Cityrecorder@Sherwoodoregon.gov or 503-625-4246 at least 24 hours in advance of the meeting start time in order to receive the phone dial-in instructions. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their names and by their city of residence." Anonymous comments will not be accepted into the meeting record.

How to Find out What's on the Council Schedule: City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, generally by the Thursday prior to a Council meeting. When possible, Council agendas are also posted at the Sherwood Library/City Hall and the Sherwood Post Office.

To Schedule a Presentation to the Council: If you would like to schedule a presentation to the City Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder, 503-625-4246 or Cityrecorder@Sherwoodoregon.gov

ADA Accommodations: If you require an ADA accommodation for this public meeting, please contact the City Recorder's Office at (503) 625-4246 or Cityrecorder@Sherwoodoregon.gov at least 48 hours in advance of the scheduled meeting time.

AGENDA

SHERWOOD CITY COUNCIL November 15, 2022

7:00 pm City Council Regular Session

Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140

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



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
October 27, 2022

EXECUTIVE SESSION

1. **CALL TO ORDER:** The executive session was called to order at 6:02 pm.
2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Kim Young, Renee Brouse, and Linda Henderson. Councilors Taylor Giles and Doug Scott were absent.
3. **STAFF PRESENT:** City Manager Keith D. Campbell, Interim City Attorney Alan Rappleyea, Labor Attorney Steven Schuback, and Police Chief Ty Hanlon.
4. **TOPICS**
 - A. **ORS 192.660(2)(d), Labor Negotiation Consultation**
5. **ADJOURN:**

The executive session was adjourned at 6:36 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Keith Mays, Mayor



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
November 1, 2022

WORK SESSION

1. **CALL TO ORDER:** Mayor Mays called the work session to order at 6:15 pm.
2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, and Linda Henderson. Councilor Taylor Giles was absent.
3. **STAFF PRESENT:** City Manager Keith D. Campbell, Interim City Attorney Alan Rappleyea, IT Director Brad Crawford, Community Services Director Kristen Switzer, Economic Development Manager Bruce Coleman, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.
4. **TOPICS:**

A. Economic Development Comparable Cities

Economic Development Manager Bruce Coleman presented the “Discussion on Sherwood Economic Development Comparable Cities” PowerPoint presentation (see record, Exhibit A) and recapped that economic development was a high priority for Council and that Sherwood took an aspirational approach to economic development. He explained that it was important to benchmark Sherwood with comparable cities from an economic development perspective to ensure that Sherwood remained competitive. He reported that benchmarking Sherwood would also help when reviewing SDC rates and would assist in formulating economic development goals, policies, and programs. He continued that doing so would create guidance for creating new industrial/employment sites and included land use planning issues, code revisions, infrastructure/CIP programs, UGB expansions, and business recruitment initiatives. Mr. Coleman outlined that the criteria for the comparable cities list included: a 10,000-30,000 population, location, potential employment land availability, economic development goals and strategies, quality of life, and aspirational or similar economic development goals. He explained that staff was looking for Council to provide direction regarding which cities were comparable to Sherwood and should be benchmarked as Sherwood continued to emerge as a technology and advanced manufacturing hotspot. Council President Rosener clarified that the comparable cities should be cities that Sherwood can compete with, not just similarly sized cities. Mr. Coleman replied that was correct and explained that he used Sherwood as the base metric for comparison and provided an overview of the key economic development growth potential factors on page 6 of the presentation. He outlined that each city was compared on their population, school ranking, public safety ranking, and economic development growth potential key factors. He recapped that Sherwood was a higher income community that had a growing industrial/manufacturing business base and 200 acres of industrial land with proximity to “Silicon Forest”. He commented that he believed that all of Sherwood’s usable industrial land would be used up

within the next five years and discussion occurred. He outlined that Sherwood also had other potential future employment areas that included Sherwood North, Brookman/99W, and TEA (Tonquin Employment Area) South. He provided an overview of the City of Tualatin and recapped that the city had good proximity to Portland and the Port of Portland, the city had a large business base that included key existing industries and large existing industrial parks with a well-established and diverse business mix. Tualatin had over 700 acres of planned future industrial land, much of which was in their UGB, and they had TIF funding and an Opportunity Zone but no Enterprise Zone. Mr. Coleman explained that Sherwood did not have an Opportunity Zone because the US Treasury had delineated the area to the east of 124th Avenue as the Opportunity Zone and explained that it was a census issue. Councilor Henderson referred to Tualatin's Basalt Creek industrial area and commented that there was no access on the pathway. Economic Development Manager Coleman replied that a lot of infrastructure would have to be built in that area and that Tualatin viewed the Basalt Creek area as a 30-year plan. He provided an overview of the City of Wilsonville and recapped that the city had good proximity to Portland and the Port of Portland, the city had a large business base that included key existing industries and large existing industrial parks with a well-established and diverse business mix. Wilsonville had over 200 acres of new industrial parks planned as well as the "Wilsonville Invest Now" (WIN) TIF incentive program that functioned similar to an Enterprise Zone. He reported that Wilsonville had an Opportunity Zone on the east side of I-5, but no Enterprise Zone. He provided an overview of the City of Tigard and recapped that the city had direct access to I-5 and Highway 217. He reported that the city focused on infill and making downtown Tigard a mixed-use urban village. He stated that the city also focused on the Washington Square Regional Center that had an urban/suburban center that was mixed use Commercial, Residential, and Industrial to the west of Highway 217 and commented that Tigard had a limited amount of industrial land. He provided an overview of the City of Newberg and recapped that the city was adjacent to Highway 99W and somewhat close to I-5 and the city was outside of the Metro UGB. Mr. Coleman reported that the city had an existing economic base that included manufacturing companies. Newberg had a 200-acre industrial site that was currently undergoing redevelopment and their economic development strategy focused on advanced manufacturing, high tech, food/beverage, machining/fabricating, and aviation. He reported that Newberg had an Opportunity and Enterprise Zone as well as George Fox University and PCC-Newberg. Council President Rosener asked if having a college in the city was a big advantage to the city? Mr. Coleman replied that it did not provide a large advantage and discussion regarding distances from Sherwood to nearby colleges occurred. He provided an overview of the City of West Linn and recapped that the city had good proximity to Portland, the Port of Portland, and was I-205 adjacent. West Linn was a higher income community, but their economic base was different from Sherwood. The city had a corporate center but a low location quotient for manufacturing and they were targeting different future industries compared to Sherwood. Mr. Coleman outlined that based on a 2016 EOA, West Linn had 11 acres of buildable industrial land and a "Potential Urban Enterprise Zone." He provided an overview of the City of Canby and recapped that the city was Highway 99W adjacent and somewhat close to I-5. The city had a small and medium sized business base and a 300-acre industrial park that had shovel-ready sites and expansion opportunities. He explained that Canby was outside the Metro boundary area which developers were interested in and the city had property tax abatements but no Opportunity or Enterprise Zones. Mr. Coleman provided an overview of the City of Forest Grove and recapped that the city had access to Highways 8 and 47 and had proximity to the Silicon Forest growth corridor. He reported that Forest Grove had 0% industrial vacancy and their economic development strategy focus was data centers and promoting Forest Grove as an alternative to Hillsboro. Councilor Henderson asked if there were any studies that showed where the employees of high-tech sites lived. Mr. Coleman replied that he believed that Metro may keep track of those, or similar metrics and discussion occurred. He stated that the city had 70 acres available for industrial expansion but no current opportunities for UGB expansions. He provided an overview of the

City of Cornelius and recapped that the city had direct access to Highway 8 and had proximity to the Silicon Forest and the city was mostly focused on microbusinesses and serving as a business incubator. Cornelius had a Town Center economic development focus, a total of 54 acres of industrial land, and an Enterprise Zone. He provided an overview of the City of Hillsboro and recapped that it was a large city that could serve as an aspirational model for Sherwood to focus on attracting tech/advanced manufacturing. Hillsboro had good connectivity to US 26, I-5, Portland, and the Hillsboro Airport. Mr. Coleman commented that Hillsboro had the key industry clusters that Sherwood would like to emulate. Council President Rosener clarified that this discussion was solely focused on comparing economic development of comparable cities and what Sherwood wished to compete with. Mr. Coleman continued that Hillsboro had a 700-acre tech park and office clusters around Tanasbourne. Mayor Mays spoke on the land reserves in the state and commented that if those reserves were to be revised, Sherwood needed to be mindful of their approach and provided background. Mr. Coleman stated that Hillsboro was included in his list to serve as an economic development aspirational model. He provided an overview of the City of Happy Valley and recapped that the city had good proximity to Portland, I-205, and Highway 212. He explained that much of Happy Valley's acreage was comprised of small or hard to assemble parcels that may not have good access. Mr. Coleman asked for Council feedback on which cities should be included in his comparable cities tracking. Councilor Brouse asked if the City of McMinnville was considered, and Mr. Coleman explained that he had not included it because McMinnville did not share enough similarities to Sherwood to include it in the list. Council agreed to include Tualatin, Tigard, Wilsonville, Newberg, Canby, and Hillsboro in the list of comparable cities. Discussion regarding the Wilsonville WIN TIF program occurred.

5. ADJOURNED:

Mayor Mays adjourned the work session at 6:58 pm.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Mays called the meeting to order at 7:03 pm.
- 2. COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, and Linda Henderson. Councilor Taylor Giles was absent.
- 3. STAFF PRESENT:** City Manager Keith D. Campbell, Interim City Attorney Alan Rappleyea, IT Director Brad Crawford, Community Services Director Kristen Switzer, Public Works Director Craig Sheldon, Finance Director David Bodway, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCILOR YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR GILES WAS ABSENT).

5. CONSENT AGENDA:

- A. Approval of October 18, 2022 City Council Meeting Minutes**
- B. Approval of October 19, 2022 City Council Meeting Minutes**

C. Resolution 2022-081, Authorizing the City Manager to Execute a Construction Contract for the 2022 Waterline Replacement Project (Norton Fire Flow Improvements)

MOTION: FROM COUNCILOR BROUSE TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCILOR YOUNG. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR GILES WAS ABSENT).

6. CITIZEN COMMENTS:

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

7. PRESENTATIONS:

A. Recognition of Eagle Scout Award Recipient

Mayor Mays called Caitlyn Kreuzer forward and asked her to explain her Eagle Scout project. Ms. Kreuzer explained that her project entailed building the benches located next to the American flag outside the Sherwood Marjorie Stewart Senior Center. She explained that the new benches replaced the old benches that were in need of repair. She reported that the new benches would be more comfortable and would be more weather resistant than the previous benches. She commented that it was important to her to complete her Eagle Scout project in Sherwood at the Senior Center, and she thanked the city and the Senior Center, the Scouts and adults of Troops 423 and 218, and her family for their help and support. She stated that she was proud to be the first female Eagle Scout from Troop 218 in Tigard, Oregon. Mayor Mays asked Ms. Kreuzer how long her project took to complete. Ms. Kreuzer replied that it took roughly 50 hours to complete the project in total. Councilor Young asked if anyone had donated materials to her project. Ms. Kreuzer replied that she had purchased the materials herself. Mayor Mays presented Ms. Kreuzer with a certificate of achievement.

Mayor Mays addressed the next agenda item.

8. CITY MANAGER REPORT:

City Manager Campbell reported that the Sherwood Center for the Arts would hold a Veteran's Day celebration on November 11th. He thanked Public Works Director Craig Sheldon and Public Works staff for their work putting up the outdoor lights in Old Town.

Mayor Mays addressed the next agenda item.

9. COUNCIL ANNOUNCEMENTS:

Councilor Scott reported the Parks and Recreation Advisory Board would meet on November 7th to discuss the Sherwood West Concept Plan feedback they had received.

Councilor Brouse reported on the most recent Library Advisory Board meeting where they continued their work on their strategic plan and completed their SWOT (strengths, weaknesses, opportunities, and threats) analysis. She reported that the Senior Advisory Board had also completed their SWOT analysis and continued discussions on making Sherwood a senior-friendly city. She reported a fundraiser event would be held at the Senior Center on November 19th for the PEARLS program.

Councilor Young reported that the Police Advisory Board had finalized the survey questions for community feedback regarding policing in Sherwood. She reported that she attended a Planning Commission training session on October 29th.

Council President Rosener reported that he attended the most recent WRWC meeting. He reported that he filled in for Mayor Mays at the WCCC meeting where they heard presentations on the ODOT tolling project and TriMet. He reported that Councilor Brouse, Councilor Young, himself, and city staff had provided a tour of the city for Senator Merkley's staff. He thanked Public Works and Police staff for their work assisting with the "Pirates of Pinehurst" and stated that the event raised funds for the Sherwood Education Foundation.

Mayor Mays reported that Sherwood would be awarded a federal grant of \$3 million to put towards the construction of an industrial road when the bill passed in November or December. He reported that the LOC was still searching for a new executive director. He reported he attended a Washington County Cooperative Communications Center executive committee meeting where they continued their discussion on the implementation of new radios for all public safety officials in the county. He reported he would meet with the new director of the DLCD on November 4th.

Councilor Young encouraged residents to turn in their ballots by November 8th.

10. ADJOURN TO EXECUTIVE SESSION:

Mayor Mays adjourned the regular session at 7:25 pm and stated the Council would meet in an executive session.

EXECUTIVE SESSION

- 1. CALL TO ORDER:** The executive session was called to order at 7:27 pm.
- 2. COUNCIL PRESENT:** Council President Tim Rosener, Councilors Kim Young, Doug Scott, Renee Brouse, and Linda Henderson. Mayor Keith Mays and Councilor Taylor Giles were absent.
- 3. STAFF PRESENT:** City Manager Keith D. Campbell and Interim City Attorney Alan Rappleyea.
- 4. TOPICS**
 - A. ORS 192.660(2)(e), Real Property Transactions**
- 5. ADJOURN:**

The executive session was adjourned at 7:54 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Keith Mays, Mayor

Agenda Item: Consent Agenda

TO: Sherwood City Council

FROM: Bruce Coleman, Economic Development Manager

Through: Keith D. Campbell, City Manager

SUBJECT: Resolution 2022-082, Creating Economic Development Comparable Cities

Issue:

Shall the City Council approve a list of comparable cities for the purpose of economic development and benchmarking?

Background:

Economic Development is a high priority for the Sherwood City Council. On April 5th, 2022 adopted Resolution 2022-021, City Council Pillars, Goals, and Deliverables, with "Economic Development" being the first pillar. Staff identified a need to establish benchmarks for Sherwood with comparable cities from an economic development focus to assure that Sherwood is competitive.

On November 1st, 2022 the Sherwood City Council met in a work session to discuss this topic. The purpose of the work session was to help identify comparable cities that the city should use for benchmarking and comparisons. This information could be used to help in future review of SDCs, assist in formulating goals, policies, and programs. It can also provide guidance for creating new industrial/employment sites, land use planning, code revisions, infrastructure/CIP, UGB expansions, business recruitment and retention incentives. The criteria for comparison included, population size, location, Metro, employment land, economic development goals, quality of life, and aspirational or similar economic development goals.

After the work sessions the following cities were recommended to be included in Sherwood's Economic Development Comparable Cities: Tualatin, Wilsonville, Tigard, Newberg, Canby, and Hillsboro.

Financial Impacts:

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

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2022-082, creating Economic Development Comparable Cities.



RESOLUTION 2022-082

CREATION OF ECONOMIC DEVELOPMENT COMPARABLE CITIES

WHEREAS, On April 5th, 2022, the City Council adopted Resolution 2022-021, adopting 2022-23 City Council Pillars, Goals and Deliverables: and

WHEREAS, Economic Development is a high priority for the Sherwood City Council; and

WHEREAS, The City of Sherwood believes it is important to create strong economic growth opportunities; and

WHEREAS, It is important for the City of Sherwood to diversify our tax base; and

WHEREAS, Economic Development Comparable Cities will help and assist the City of Sherwood,

WHEREAS, On November 1st, 2022 the Sherwood City Council met in a work session to review and discuss the proposed comparable cities; and

WHEREAS, The City Council came to a consensus on the following cities being identified as comparative, or aspirational benchmarks for economic development: Tualatin, Wilsonville, Tigard, Newberg, Canby, and Hillsboro.

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

Section 1. The City of Sherwood formally resolves that the City adopt the, "Creation of Economic Development Comparable Cities."

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

Duly passed by the City Council this 15th of November, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Craig Sheldon, Public Works Director

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

SUBJECT: Resolution 2022-083, 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, 2022. 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 2021 financial information from Pride Disposal, the City had Bell and Associates conduct a Rate Review and issue a report, which was completed in October 2022. The City has determined through the analysis of financial information from Pride Disposal that their adjusted rate of return for 2021 ranged from 7.89% to 15.50% depending upon the type of collection services, with a composite rate return of 11.97%

In addition, the financial analysis determined that their projected rate of return for 2022 ranges from 4.91% to 10.31% depending upon the type of collection service, with an estimated composite rate of return of 10.15%. At work sessions with City Council on September 20, 2022 and October 18, 2022, Bell & Associates presented a recommendation, (see attached) to adjust residential and drop box rates by 3.5%, increase commercial rates by 2.4%, and medical waste rates adjusted by an average of 4.3%.

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 2022-083, Adjusting the solid waste and recycling collection rates.

City of Sherwood Solid Waste & Recycling Collection

**Rate Alternatives for Council Input
and Direction
October 18, 2022**

Collection & Disposal Costs

- Current rates were implemented in January 2022
- Cart rates increases ranged from 3.3% to 4.7%
- Container rates increased by 2.15%
- Drop Box by \$3 per haul

Adjusted 2021 Results

Service	Cart	Container	Drop Box	Composite
Revenues	\$ 2,437,961	\$ 1,027,153	\$ 805,017	\$ 4,270,131
Direct Costs of Operations	\$ 1,826,511	\$ 716,290	\$ 717,171	\$ 3,259,972
Indirect Costs of Operations	\$ 322,994	\$ 151,691	\$ 24,337	\$ 499,022
Allowable Costs	\$ 2,149,505	\$ 867,981	\$ 741,508	\$ 3,758,994
Franchise Income	\$ 288,456	\$ 159,172	\$ 63,509	\$ 511,137
Return on revenues	11.83%	15.50%	7.89%	11.97%

Estimated 2022 and 2023 Costs for Rate Setting

- Driver Wages - 6.25% in '22 / 2.78% in '23
- Health Insurance - Drivers 0% / Admin 7.5%
- SW Disposal Fees - 7.6% in '22 / 5.9% in '23 (Metro)
- Fuel - 15.0% in '22 / 10% in '23
- Inflation - 3.0% in 2022
- Recycling Processing - 52.0% in 2022

Projected 2023 Results

Service	Cart	Container	Drop Box	Composite
Revenues	\$2,534,855	\$1,075,217	\$890,453	\$4,500,525
Direct Costs of Operations	\$2,029,717	\$801,893	\$820,675	\$3,652,285
Indirect Costs of Operations	\$346,038	\$162,521	\$26,025	\$534,584
Allowable Costs	\$2,375,755	\$964,414	\$846,700	\$4,186,869
Franchise Income	\$159,100	\$110,803	\$43,753	\$313,656
Return on revenues	6.28%	10.31%	4.91%	6.97%

Proposed Roll cart Rates Effective January 2023 Status Quo (city ordinance)

Roll Cart Service	Current Rate	Increase	New Rate	% ▲
One 20 gallon cart	\$27.50	\$1.44	\$28.94	5.24%
One 35 gallon cart	\$30.15	\$1.58	\$31.73	5.24%
One 65 gallon cart	\$39.48	\$2.07	\$41.55	5.24%
One 95 gallon cart	\$48.95	\$2.56	\$51.51	5.24%

Proposed Roll cart Rates Effective January 2023 with Residential Organics Program

Roll Cart Service	Current Rate	Increase	New Rate	% ▲
One 20 gallon cart	\$27.50	\$0.95	\$28.45	3.5%
One 35 gallon cart	\$30.15	\$1.05	\$31.20	3.5%
One 65 gallon cart	\$39.48	\$1.37	\$40.85	3.5%
One 95 gallon cart	\$48.95	\$1.65	\$50.60	3.4%

Proposed Commercial Container Rates Effective January 2023

Commercial Container	Current Rate	Increase	New Rate	% ▲
2 yard weekly	\$198.70	\$4.77	\$203.47	2.4%
4 yard weekly	\$332.73	\$7.99	\$340.72	2.4%
6 yard weekly	\$466.48	\$11.20	\$477.68	2.4%
8 yard weekly	\$601.63	\$14.44	\$616.07	2.4%

Proposed Drop Box and Compactor Roll Off Service Rates Effective January 2023

Hauling Service	Current	Increase	Proposed
10 to 40 yd. drop box haul fee	\$143.00	\$5.00	\$148.00
Compactor haul fee	\$174.00	\$7.00	\$181.00
Drop Box Rental			
10-20 yard drop box	\$9.20	\$0.80	\$10.00
30 yard drop box	\$11.20	\$0.80	\$12.00
40 yard drop box	\$11.20	\$0.80	\$12.00
10/20 yd. with lid	\$14.30	\$0.70	\$15.00
30 yd. with lid	\$16.30	\$0.70	\$17.00

Commercial Food Waste Collection Rate Alternatives

Metro's commercial food waste program goes into effect on March 31, 2023, for customers that generate food waste and set out over 1,000 pounds of garbage per week.

There are three tiers of food waste generators:

- Group 1 – Generate over 1,000 pounds of garbage per week
- Group 2 - Generate 500 pounds of garbage per week
- Group 3 - Generate 250 pounds of garbage per week
- Low food waste generators that are not required to participate but choose to are classified as Group 4 under the program requirements.

Commercial Food Waste Collection Rate Alternatives

Council members indicated in the September 20 work session meeting that they would like to continue the current food waste program implemented by Pride, where the customers who receive commercial food scraps services are invoiced for the service.

Recycle⁺

**A new, optional collection service
is now available from your
garbage and recycling company!**

**¡Ya está disponible un nuevo servicio
opcional de recolección de su
compañía de basura y reciclaje!**



Check availability at your home, and find pricing and sign-up details
at WashingtonCountyRecycles.com/Recycle+
Service will be available to apartments in summer 2023.

Vea si hay disponibilidad a su domicilio. Podrá encontrar la tarifa y los detalles sobre
inscripción en CondadoDeWashingtonRecicla.com/Recycle+
El servicio estará disponible para los residentes de apartamentos en el verano del 2023.



503-846-3605

Recycle+ Services

- Optional recycling service for hard to recycle items including:
 - Film plastic
 - #1 clamshell plastics (clear)
 - Textiles
 - Compact fluorescent light bulbs
- Pride will provide a purple bin with a lid and clear plastic bags for sorting, so these materials can be kept dry
- This is a optional service, only paid for by those that participate
 - Flat monthly Fee - \$2.55
 - Pick-up Fee - \$9.45 per collection
- Collection is scheduled by the customer as needed and will occur at the same time as glass collection in the city

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 2022-083

ADJUSTING SOLID WASTE AND RECYCLING COLLECTION RATES

WHEREAS, the current solid waste and recycling rates have been in effect since January 1, 2022; 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 2021 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 2021 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 2022 ranged from 4.91% to 10.31% depending upon type of collection services, with a composite rate of return of 10.15%; 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 10.15%. As a result, staff is recommending residential and drop box rates will be adjusted by 3.5%, commercial rates increased by 2.4%, and medical waste rate adjusted by an average of 4.3%; and

WHEREAS, the City has determined that the new solid waste and recycling collection rates should take effect on January 1, 2023 as outlined in SMC 8.20.080(F)(4); and

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 January 1, 2023.

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

Duly passed by the City Council this 15th of November, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

City of Sherwood

Rates Effective January 1, 2023

Roll Cart Collection Rates	2023 Rate	Service Fees	2023 Rate
One 20 gallon cart	28.46	Walk-in Fee	5.11
One 35 gallon cart	31.21	SNP	25
One 60 gallon cart	40.86	NSF	25
One 90 gallon cart	50.66	Go Back Fee	16.84
On-Cal Service	17.95	Special Services (per hr.)	98.27
Extra Can / 32 gal bag	7.14	Recycling Contamination Fee	30
Extra Bag (small)	3.66		
Yard Debris Only	7.98	Commercial Container Fees	
Second Yard Debris Cart	7.98	Extras - per collected yard	15
Yard Debris Extra	2.57	Extra with Clean Up *	30
Recycling Only	7.62	* Requires driver to pick up waste /recycling	

Commercial Food Waste

One 60 gallon cart	40.86
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Drop Box Rates

Service / Box Volume	2023 Rate
10 Cubic Yards per Haul	148 Haul charge listed + actual disposal fee
20 Cubic Yards per Haul	148 Haul charge listed + actual disposal fee
30 Cubic Yards per Haul	148 Haul charge listed + actual disposal fee
40 Cubic Yards per Haul	148 Haul charge listed + actual disposal fee
Compactor per Haul	181 Haul charge listed + actual disposal fee
Delivery / Relocation (per box)	75 Per movement
Box Not Ready Trip Fee	25 Per occurrence

Open Top Box Rental	2023 Rate
10 and 20 Cubic Yards	10
30 Cubic Yards	12
40 Cubic Yards	12

Box with a lid

10 and 20 Cubic Yards	15
30 Cubic Yards	17

Mileage Charge ¹	2.89
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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	2023 Rate
On-site Pick-up Charge	38.2
<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	30.9
Disposal Cost per 43 Gal. Unit	35.85
Pharmaceutical Waste per 5 gal	49.71
Chemotherapy Waste Disposal	47.06

Agenda Item: Public Hearing – 1st Reading

TO: Sherwood City Council

FROM: Erika Palmer, Planning Manager
Through: Kristen Switzer, Interim Community Development Director; Keith D. Campbell, City Manager

SUBJECT: Ordinance 2022-006, establishing time, place, and manner restrictions on psilocybin service centers and the manufacturing of psilocybin products.

Issue:

Shall the City Council adopt an ordinance establishing time, place, and manner restrictions on psilocybin service centers and the manufacturing of psilocybin products?

Background: In November 2020, Oregon voters (56%) approved Ballot Measure 109, known as the Oregon Psilocybin Service Act which allows for the manufacturing, delivery, and administration of psilocybin at supervised, licensed facilities. Psilocybin mushrooms are wild or cultivated mushrooms that contain psilocybin, a naturally occurring psychoactive and hallucinogenic compound that produces changes in perception, mood, and cognitive processes. Oregon Revised Statutes (ORS) 475A.235 provides that the Oregon Health Authority (OHA) will regulate the manufacturing, transportation, delivery, sale, and purchase of psilocybin products and the provision of psilocybin services in the State. The OHA has initiated a rulemaking process and intends to begin accepting applications for proposed facilities beginning on January 2, 2023.

The OHA has not completed the rulemaking process for implementing the State's psilocybin program. OHA has prepared draft rules that are scheduled for public hearings on November 15, 16, and 17, 2022. The Measure 109 program for psilocybin was modeled after the State's marijuana program. As with the marijuana program, there are different types of licenses that OHA will issue under the State's psilocybin program—manufacturer (production), laboratory (testing), facilitator (server), and service center licenses (location where provided and taken).

It is intended this Ordinance will be temporary and will be rescinded after regulations are drafted as part of the city's development code. Changes to the development require a 35-day notice to the State and hearings before the Planning Commission and Council, which can be a lengthy process.

Financial Impacts:

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

Recommendation:

Staff respectfully recommends City Council approval of Ordinance 2022-006, establishing time, place, and manner restrictions on psilocybin service centers and the manufacturing of psilocybin products.



ORDINANCE 2022-006

ESTABLISHING TIME, PLACE, AND MANNER RESTRICTIONS ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURING OF PSILOCYBIN PRODUCTS

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act, and codified at Oregon Revised Statutes (ORS) 475A, which allows for the manufacture, delivery, and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A provides that the Oregon Health Authority (OHA) will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the OHA has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin related licenses on January 2, 2023; and

WHEREAS, as of November 2022, the OHA has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Sherwood is uncertain how the manufacture, delivery, and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.530 provides that a city council may adopt an ordinance establishing reasonable regulations governing the time, place, and manner of psilocybin service centers and the manufacturing of psilocybin products within the area subject to the jurisdiction of the city.

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

Section 1. DEFINITIONS INCLUDED BY REFERENCE. For the purpose of this Ordinance, the following definitions shall be used:

MANUFACTURING OF PSILOCYBIN PRODUCTS: means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, compounding, conversion or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the psilocybin product or labeling or relabeling of its container.

PSILOCYBIN SERVICE CENTERS: means an establishment defined under ORS 475A.220 which provides psilocybin services to clients before, during, and after the client's consumption of a psilocybin product, and may include preparation, administration, and integration sessions.

Section 2. STANDARDS FOR PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURING OF PSILOCYBIN PRODUCTS.

- A. Location. Psilocybin service centers and manufacturing of psilocybin products is permitted within the General Industrial Zone, and shall not be located:
1. Within one thousand (1,000) feet of the real property comprising a:
 - a. School. A public or private elementary or secondary school attended primarily by children under 19 years of age.
 - b. Psilocybin service center or any psilocybin manufacturer
 - c. Public Plazas and Active Use Parks. As used in this paragraph, an active use park includes a public park that includes features such as playground equipment, athletic courts or fields, active use water features, or skating or skateboard features.
- B. Residential Uses. A psilocybin service center and the manufacturing of psilocybin products shall not be located within one thousand (1,000) feet of any single-family residential or multi-family residential zone. For purposes of this paragraph, the distance specified is measured from the closest points between property lines of the affected properties.
- C. Hours of Operation. A psilocybin service center and the manufacturing of psilocybin products shall only operate between the hours of 8 a.m. and 8 p.m. Monday through Friday.
- D. Public View. All doorways, windows and other openings of psilocybin service centers and businesses engaged in the manufacturing of psilocybin products shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area.
- E. Lighting. Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lighting to provide after-dark visibility to employees and patrons. Fixtures shall be designed and located so the light patterns overlap, but do not cast light beyond the property boundaries, except over pedestrian areas within a public right-of-way.
- F. Storage. All storage shall be located within a permanent building and may not be located within a trailer, tent or motor vehicle. Outdoor storage of any material associated with psilocybin service centers and the manufacturing of psilocybin products is prohibited.
- G. Odors. Psilocybin service centers and the manufacturing of psilocybin products shall use an air filtration and ventilation system designed to ensure, that psilocybin related odors are confined to the premises and are not detectible beyond the property boundaries in which the facility is located.
- H. Secure Disposal. Psilocybin service centers and businesses engaged in the manufacturing of psilocybin products must provide for secure disposal of psilocybin remnants or by-products; psilocybin remnants or by-products shall not be placed within the facility's exterior refuse container.

Section 3. This Ordinance shall become effective 30 days from its adoption.

Duly passed by the City Council this 15th of November, 2022.

Keith Mays, Mayor

Date

Attest:

Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Henderson	_____	_____
Giles	_____	_____
Scott	_____	_____
Brouse	_____	_____
Young	_____	_____
Rosener	_____	_____
Mays	_____	_____