



CITY COUNCIL MEETING PACKET

FOR

Tuesday, December 6, 2022

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

5:45 pm City Council Work Session

7:00 pm City Council Regular Meeting

City Council Executive Session
(ORS 192.660(2)(d), Labor Negotiator Consultations)
(Following the Regular City Council Meeting)

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



Home of the Tualatin River National Wildlife Refuge

5:45 PM WORK SESSION

1. **UGB Expansion Request Options**
(Erika Palmer, Planning Manager)
2. **Update on Ice Age Drive Project**
(Craig Sheldon, Public Works Director)

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 November 15, 2022 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. **Approval of November 16, 2022 City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - C. **Resolution 2022-084, Appointing Elizabeth Flores to the Sherwood Cultural Arts Commission**
(Chanda Hall, Arts Center Manager)
 - D. **Resolution 2022-085, Authorizing the City Manager to sign an amendment to the Broadband Users Group IGA** (Brad Crawford, IT Director)
 - E. **Resolution 2022-086, Appointing Larry O'Keefe to the Sherwood Police Advisory Board**
(Ty Hanlon, Police Chief)
 - F. **Resolution 2022-087, Appointing Richard Amicci to the Sherwood Police Advisory Board**
(Ty Hanlon, Police Chief)
 - G. **Resolution 2022-088, Approving the City Recorder's Canvassing of the Washington County Election returns of the November 8, 2022 General Election and directing the City Recorder to enter the results into the record** (Sylvia Murphy, City Recorder)
6. **CITIZEN COMMENTS**
7. **PRESENTATIONS**
 - A. **Recognition of Eagle Scout Award Recipients** (Mayor Mays)
8. **PUBLIC HEARINGS**

AGENDA

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Sherwood, OR 97140**

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AMENDED AGENDA, ITEM 5.G ADDED

A. Ordinance 2022-006, Establishing Time, Place, and Manner restrictions on Psilocybin Service Centers and the manufacturing of Psilocybin Products (*Second Reading*)

(Erika Palmer, Planning Manager)

9. CITY MANAGER REPORT

10. COUNCIL ANNOUNCEMENTS

11. ADJOURN TO EXECUTIVE SESSION

A. ORS 192.660(2)(d), Labor Negotiator Consultations

12. 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.



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
November 15, 2022

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 7:02 pm.
2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Renee Brouse, Kim Young, and Linda Henderson. Councilors Doug Scott and Taylor Giles were absent.
3. **STAFF PRESENT:** City Manager Keith D. Campbell, IT Director Brad Crawford, Public Works Director Craig Sheldon, Finance Director David Bodway, and City Recorder Sylvia Murphy. Interim City Attorney Alan Rappleyea participated remotely.

4. **APPROVAL OF AGENDA:**

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

5. **CONSENT AGENDA:**

- A. Approval of October 27, 2022 City Council Meeting Minutes
- B. Approval of November 1, 2022 City Council Meeting Minutes
- C. Resolution 2022-082, Creation of Economic Development Comparable Cities

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

6. **CITIZEN COMMENTS:**

There were no citizen comments and Mayor Mays addressed the next agenda item and the City Recorder read the public hearings statement aloud.

7. **PUBLIC HEARINGS:**

- A. Resolution 2022-083 Adjusting Solid Waste and Recycling Collection Rates

Public Works Director Craig Sheldon stated that solid waste and recycling collection services in Sherwood were provided by Pride Disposal. He stated that Pride Disposal was a private company pursuant to a franchise issued under Municipal Code and explained that City Council set the rates that the franchise holder charged for solid waste and recycling collection services. He outlined that most cities in Washington County, including Sherwood, aimed to set composite rates at a return of 8-12% for their solid waste franchises. He recapped that Pride Disposal had submitted their 2021 financial report on March 10, 2022 and explained that the report met the requirements of the agreement. He stated that the city hired a third party, Bell & Associates, to conduct a rate review and issue a report and stated that that report was completed in October 2022. Mr. Sheldon reported that the city had analyzed the financial information from Pride Disposal and had determined that Pride's adjusted rate of return for 2021 ranged from 7.89-15.50%, depending upon the type of collection services, with a composite rate return of 11.97%. He continued that the financial analysis had also determined that Pride's projected rate of return for 2022 ranged from 4.91-10.31%, depending upon the type of collection service, with an estimated composite rate of return of 10.15%. Mr. Sheldon outlined that Council had held two work sessions with Bell & Associates in September and October 2022 where Bell & Associates had recommended increasing the residential and drop box rates by 3.5%, increasing commercial rates by 2.4%, and adjusting medical waste rates by an average of 4.3%. He explained that Sherwood's Municipal Code detailed the methodology for adjusting collection rates, and because the 2021 reported results were higher than 11%, the code required a rate increase of 75% of the Consumer Price Index. He recommended that Council approve Resolution 2022-083. Mayor Mays commented that he appreciated the hard work of Sherwood's local hauler and thanked the representatives of Pride Disposal, consultants, and city staff for their hard work. Mayor Mays opened the public hearing to receive public comment and recapped the upcoming service changes that would start in January. Hearing no public comments, Mayor Mays closed the public hearing and asked for discussion or a motion from Council. Council President Rosener thanked city staff, Chris Bell, and Pride Disposal for their work. He explained that in most cases, the increased rates were due to the pass-through rates that Metro charged to haulers which included tipping fees and facility usage rates. With no further comments, the following motion was received.

MOTION: FROM COUNCILOR YOUNG TO APPROVE RESOLUTION 2022-083 ADJUSTING SOLID WASTE AND RECYCLING COLLECTION RATES. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILORS GILES AND SCOTT WERE ABSENT).

Mayor Mays addressed the next agenda item.

B. Ordinance 2022-006, Establishing Time, Place, and Manner restrictions on Psilocybin Service Centers and the manufacturing of Psilocybin Products (*First Reading*)

Interim City Attorney Alan Rappleyea recapped that in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act, which allowed for the manufacturing, delivery, and administration of psilocybin at supervised, licensed facilities. He explained that Council had directed city staff to treat Ballot Measure 109 similarly to how the city treated marijuana uses within the city. He explained that the State was working on adopting rules on how to process psilocybin usage and intended to begin accepting applications in January 2023. Mr. Rappleyea explained that in order to be ready for the January 2023 start date, city staff recommended approving Ordinance 2022-006 to act as a placeholder that imposed restrictions of psilocybin uses similar to how the city restricted marijuana

uses. He explained that the ordinance was intended to be temporary and would be rescinded after regulations had been drafted as part of the city's Development Code. He outlined that he was working with Planning Manager Erika Palmer and city staff on the proposed ordinances and explained one ordinance would be a business regulation ordinance, and the other ordinance would be a zoning code ordinance. Mayor Mays opened the public hearing to receive public comment. Hearing none, Mayor Mays closed the public hearing and asked for questions or discussion from Council. Mayor Mays explained that one of the significant differences between what was passed by the voters on psilocybin versus marijuana was that those who wished to take psilocybin had to consume it on site, be monitored by people at the facility, and they would be unable to leave while they were under the influence of the drug. Mayor Mays stated that the second reading of the proposed ordinance would take place in December 2022.

Mayor Mays addressed the next agenda item.

8. CITY MANAGER REPORT:

City Manager Campbell reported that the holiday tree lighting ceremony would be held on December 3rd. He reported that a City Council and Sherwood School District Board joint work session would be held on November 16th. He congratulated Sherwood High School alum Adley Rutschman for receiving the American League Rookie of the Year award.

Councilor Henderson thanked city staff for their work putting on the city's Veteran's Day event at the Arts Center.

Councilor Young commented she was happy to see the holiday lights up in Old Town.

Mayor Mays commented regarding his recent experience utilizing the police non-emergency number when he observed an impaired driver and thanked Chief Hanlon and his team.

Councilor Young commented regarding a recent event involving the Sherwood Police Department at the high school and expressed her appreciation.

Mayor Mays addressed the next agenda item.

9. COUNCIL ANNOUNCEMENTS:

Councilor Young reported that Sherwood High School's Performing Arts Department would perform a "Tuck Everlasting" musical on November 17-19th and reported that tickets could be purchased online. She reported on her attendance at the WEA meeting with the DLCD to discuss the DLCD's rule making process.

Council President Rosener reported on his attendance at the WEA meeting with the DLCD to discuss the DLCD's rule making process.

Mayor Mays reported that he met with the Director of the DLCD where they discussed the DLCD's rule making process and ways moving forward. He thanked city staff for putting on the Veteran's Day event at the Arts Center and thanked Council President Rosener for speaking at the event. He commented

that the winter parade and tree lighting ceremony were made possible through the hard work of city staff and Robin Hood Festival Association. He reported that a City Council and Sherwood School District Board joint work session would be held on November 16th.

10. ADJOURN:

Mayor Mays adjourned the regular session at 7:30 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Keith Mays, Mayor



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
November 16, 2022

WORK SESSION

1. **CALL TO ORDER:** The meeting was called 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 participated remotely.
3. **STAFF PRESENT:** City Manager Keith D. Campbell, IT Director Brad Crawford, Ty Hanlon, Police Chief, David Bodway, Finance Director, Craig Sheldon, Public Works Director, IT Manager Richard McCord, Katie Corgan, Records Technician and City Recorder Sylvia Murphy.

SCHOOL DISTRICT BOARD: Vice Chair Krista Thorne, Director Jessica Adamson (in at 6:27 p.m.), Director Jeff Lee, and Director Harmony Carson; SSD Executive Team: Interim Superintendent Jeremy Lyon, Assistant Superintendent Marleen Carroll, Executive Director of Human Resources Steve Emmert, Chief Operations Officer Jim Rose, and Executive Assistant to the Superintendent Christine Andregg. Board Chair Abby Hawkins and SSD Chief Financial Officer Gary Bennett were absent.

4. TOPICS:

Mr. Campbell welcomed participants and audience in attendance; all participants introduced themselves.

UPDATE FROM SHERWOOD SCHOOL DISTRICT

Dr. Lyon provided an update on behalf of the Sherwood School District. He discussed his motivations for joining the District and provided an overview of his areas of focus for the District, which included the themes of renewal, encouragement, and “Sherwood strong.” Dr. Lyon discussed observations from recent visits to school campuses and described some of the current strengths of the District. He discussed the role of the District in the City’s economic development planning.

UPDATE FROM THE CITY OF SHERWOOD

Mr. Campbell provided an update on behalf of the City of Sherwood. He discussed examples of the “sense of community” evident in Sherwood and spoke about areas of focus such as economic development, the pedestrian bridge project, infrastructure construction, and community safety. Mr. Campbell described the benefit of the partnership between the City and the District.

GENERAL DISCUSSION

There was general conversation among the participants on topics related to the partnership between the City and the District, including exploring future intergovernmental agreements (IGAs) to share resources, expansion of school officer positions and the safety benefits of those positions, and the Safe Routes to Schools program.

Councilor Henderson asked for clarity on the nature of the work of the school resource officer; Chief Hanlon spoke to the work of current school resource officer James Wolfer, including student engagement and relationship building, and Dr. Lyon concurred with Chief Hanlon's description. There was additional conversation about the role of the school resource officer and their presence at all schools throughout the District.

There was further discussion about the benefits of IGAs, including collective savings for both organizations and the use of shared resources (such as maintenance equipment). Mayor Mays shared an overview of the history of IGAs between the City and the District; Councilor Rosener additionally discussed the overlap of functions for the City's management of local parks and recreation and the District's management of fields and facilities. There was additional discussion of the challenges involved with the previous IGAs, as well as the potential for future return to partnership through IGAs, with general consensus that any IGAs would need to mutually benefit both organizations. It was noted that metrics should be established to measure how any IGAs would benefit the community as a whole.

SSD BUDGET UPDATE FROM SUPERINTENDENT LYON

Dr. Lyon provided an update on the District's budget situation. He shared a brief review of the situation to-date, discussing the impact of enrollment on school budgets and highlighting accounting issues that had occurred in recent years within the District. Dr. Lyon noted that the District was engaging law enforcement to determine any needed investigation out of due diligence and described the recent work of District administrators and staff to identify reductions within the current school year. He discussed the furlough days adopted by the District, noting that the state required instructional hours were still maintained with those days reduced.

There was general discussion in consensus of appreciation for the transparency of the District around the budget situation. Dr. Lyon referenced the recommendation report provided to the District by expert third-party consultants and noted the District would be taking steps to pursue implementation of the recommendations contained within the report. There was additional discussion of next steps for the District in pursuit of best practices in the future, the nuances of the impact of the recent budget reductions on students, and the role and timeline of the auditing process. Mayor Mays offered help on behalf of himself and the City Council in future budget planning processes.

ROUNDTABLE

There was general discussion on topics including the possible impacts of inflation on both organizations, appreciation for the work of the new SSD Superintendent, the shift of the District from reactive to proactive efforts, and exploration of funding for the Cedar Creek crossing path project at Highway 99.

5. ADJOURNED:

City Manager Campbell thanked the meeting participants and adjourned the meeting at 7:38 p.m.

Attest:

Sylvia Murphy, MMC, City Recorder

Keith Mays, Mayor

Record Note: Minutes transcribed by Christine Andregg, Sherwood School District Executive Assistant to the Superintendent.

TO: Sherwood City Council

FROM: Chanda Hall, Arts Center Manager
Through: Kristen Switzer, Community Services Director and Keith D. Campbell, City Manager

SUBJECT: Resolution 2022-084, Appointing Elizabeth Flores to the Sherwood Cultural Arts Commission

Issue:

Should the City Council appoint Elizabeth Flores to the Sherwood Cultural Arts Commission?

Background:

The Cultural Arts Commission currently has a vacancy, position 5, with a term expiring June 2023. The Arts Center Manager Chanda Hall, Arts Commissioner Casey Chen, and Arts Commission Vice Chair Jennifer Casler interviewed Elizabeth Flores and unanimously recommended her appointment. The Mayor has recommended this appointment to Council. In accordance with City Council Rules of Procedure, all such appointments are subject to the approval of City Council by resolution.

Financial Impacts:

There are no financial impacts from this proposed action.

Recommendation:

Staff respectfully recommends City Council's adoption of Resolution 2022-084, appointing Elizabeth Flores to the Sherwood Cultural Arts Commission.



RESOLUTION 2022-084

APPOINTING ELIZABETH FLORES TO THE SHERWOOD CULTURAL ARTS COMMISSION

WHEREAS, a vacancy exists within Position 5 on the Cultural Arts Commission, with a term expiration of June 2023; and

WHEREAS, the City advertised the vacancy on the City's website, Center for the Arts website, and social media; and

WHEREAS, Elizabeth Flores applied to be appointed and was interviewed by the interview panel; and

WHEREAS, the interview panel considered all of the applicants and recommended to the Mayor that Elizabeth Flores be appointed to fill the vacancy; and

WHEREAS, the Mayor has recommended to City Council that Elizabeth Flores be appointed; 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 Elizabeth Flores to Position 5 of the Cultural Arts Commission for a term expiring at the end of June 2023.

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

Duly passed by the City Council this 6th day of December, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Agenda Item: Consent Agenda

TO: Sherwood City Council

FROM: Brad Crawford, IT Director

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

SUBJECT: Resolution 2022-085, Authorizing the City Manager to sign an amendment to the Broadband Users Group IGA

Issue:

Shall the City Council authorize the City Manager to sign an amendment to the BUG IGA extending the IGA term to January 1, 2026?

Background:

The Broadband Users Group (BUG) is a collective of local public agencies setup to collaborate and share network resources. The BUG manages and maintains the telecommunications network that allows cities and other government bodies to connect with each other. This includes connectivity to WCCCA for 911 services, WCCLS for library services, and other connectivity needs. The City of Sherwood joined the BUG on June 6, 2017 under Resolution 2017-040.

The current BUG IGA is set to expire in 2023, however the BUG members would like to revise the bylaws in the IGA to reflect current operational and member needs. Due to the time needed to make these updates the BUG members are requesting to extend the duration of the current IGA until January 1, 2026. This will allow ample time for BUG members and its consultant to review the current bylaws and make the necessary amendments that will be brought forth at a future Council meeting.

Financial Impacts:

No additional financial impacts for signing this IGA.

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2022-085, authorizing the City Manager to sign the amendment to the Broadband Users Group IGA.



RESOLUTION 2022-085

**AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE
BROADBAND USERS GROUP IGA**

WHEREAS, the Broadband Users Group is a regional consortium of public agencies formed to foster collaboration and sharing of network resources; and

WHEREAS, the Sherwood City Council approved the joining of the Broadband Users Group (BUG) on June 6, 2017 under Resolution 2017-040; and

WHEREAS, the current Broadband Users Group IGA expires in 2023 and its members need some additional time to rewrite the IGA to reflect its operational and member needs; and

WHEREAS, this amendment will extend duration of this IGA to January 1, 2026.

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

Section 1. The City Manager is hereby authorized to sign the amendment to Broadband Users Group IGA, attached as Exhibit A.

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

Duly passed by the City Council this 6th day of December, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

**SECOND AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
BROADBAND USER'S GROUP (BUG)**

*Shared Use of Public Communication Network, Internet Access, Communication Devices and
Communication Equipment*

WHEREAS, the Cities of Beaverton, Cornelius, Forest Grove, Hillsboro, King City, Lake Oswego, Tigard, Tualatin, Banks, Sherwood, and North Plains, and Clean Water Services, Metropolitan Area Communications Commission, Tualatin Valley Fire & Rescue, Washington County, Washington County Consolidated Communications Agency, Washington County Cooperative Library Services, Banks Fire District 13, and Tualatin Hills Parks and Recreation District previously entered into the Broadband Users Group Intergovernmental Agreement, (hereafter “BUG IGA” or “Agreement”);

WHEREAS, pursuant to section 11.2 of the Agreement, the BUG IGA will terminate in 2023; and

WHEREAS, the Parties individually and collectively desire to extend the duration of the BUG IGA until January 1, 2026;

NOW THEREFORE, pursuant to ORS 190.010 et. seq., the Parties hereby agree to as follows:

- A. Section 11.2 of the BUG IGA is hereby amended to read as follows (deleted language in ~~strike through~~ and new language in *underline italic*):

11.2 This Agreement and the BUG will continue until January 1, 20236. A Participant may withdraw from the BUG by giving at least 180 days written notice of its intent to withdraw to the GB Chair. The written notification (not email) must include a transition plan developed by the withdrawing Participant to allow the orderly and coordinated ending of all BUG related services. The withdrawing Participant is responsible for the transition plan that must include: 1) an inventory listing each BUG related interconnectivity requirement with certification that each is addressed prior to disconnection, 2) a written summary of a meeting with the Lead Administrative Agency to review termination requirements, and 3) a timeline for withdrawing based on that meeting with the Lead Administrative Agency.

- B. Except as expressly amended by this Second Amendment, all terms and provisions of the BUG IGA shall remain in full force and effect.
- C. This Second Amendment to the BUG IGA may be executed in one or more counterparts (facsimile or otherwise), each of which shall be deemed to be an original. All

counterparts shall constitute one agreement binding on all parties. This Second Amendment to the BUG IGA shall be effective as of the last date of signature indicated below.

THE PARTIES, by execution of this Second Amendment to the BUG IGA, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions. This Second Amendment to the BUG IGA is hereby APPROVED AND SIGNED by the appropriate officers who are authorized to execute this agreement on behalf of the governing body of each Party.

Dated this _____ day of _____, 2022

Banks Fire District 13

Banks Fire District 13 Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Banks

City of Banks Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Beaverton

City of Beaverton Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Cornelius

City of Cornelius Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Forest Grove

City of Forest Grove Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Hillsboro

City of Hillsboro Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of King City

City of King City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Lake Oswego

City of Lake Oswego Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of North Plains

City of North Plains Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Tigard

City of Tigard Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Tualatin

City of Tualatin Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

Clean Water Services

CWS Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

MACC

MACC Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

THPRD

THPRD Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

Tualatin Valley Fire & Rescue

TVF&R Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

Washington County/WCCLS

WC Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

WCCCA

WCCCA Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2022

City of Sherwood

City of Sherwood Attorney
APPROVED AS TO FORM

TO: Sherwood City Council

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

SUBJECT: Resolution 2022-086, Appointing Larry O’Keefe to the Sherwood Police Advisory Board

Issue:

Shall the City Council appoint Larry O’Keefe to the Sherwood Police Advisory Board?

Background:

Position #4 on the Police Advisory Board was recently vacated; the current term of this position is set to expire June 2023.

Chair Brian Dorsey, Council Liaison Kim Young, and Staff Liaison Ty Hanlon recommended to Mayor Mays that Larry O’Keefe be appointed to the Board to fill position #4 for the remainder of the term which expires in June 2023. The Mayor has recommended this reappointment 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 additional financial impacts as a result of approval of this resolution.

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2022-086, appointing Larry O’Keefe to the Sherwood Police Advisory Board.



RESOLUTION 2022-086

APPOINTING LARRY O'KEEFE TO THE SHERWOOD POLICE ADVISORY BOARD

WHEREAS, a vacancy exists within Position 4 on the Police Advisory Board; and

WHEREAS, the Mayor has recommended to City Council that Larry O'Keefe be appointed; 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 Larry O'Keefe to Position 4 of the Police Advisory Board for a term expiring at the end of June 2023.

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

Duly passed by the City Council this 6th day of December, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

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

SUBJECT: Resolution 2022-087, Appointing Richard Amicci to the Sherwood Police Advisory Board

Issue:

Shall the City Council appoint Richard Amicci to the Sherwood Police Advisory Board?

Background:

Position #5 on the Police Advisory Board was recently vacated; the current term of this position is set to expire June 2024.

Chair Brian Dorsey, Council Liaison Kim Young, and Staff Liaison Ty Hanlon recommended to Mayor Mays that Richard Amicci be appointed to the Board to fill position #5 for the remainder of the term which expires in June 2024. The Mayor has recommended this reappointment 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 additional financial impacts as a result of approval of this resolution.

Recommendation:

Staff respectfully recommends City Council approval of Resolution 2022-087, appointing Richard Amicci to the Sherwood Police Advisory Board.



RESOLUTION 2022-087

APPOINTING RICHARD AMICCI TO THE SHERWOOD POLICE ADVISORY BOARD

WHEREAS, a vacancy exists within Position 5 on the Police Advisory Board; and

WHEREAS, the Mayor has recommended to City Council that Richard Amicci be appointed; 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 Richard Amicci to Position 5 of the Police Advisory Board for a term expiring at the end of June 2024.

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

Duly passed by the City Council this 6th day of December, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Sylvia Murphy, MMC, City Recorder
Through: Keith D. Campbell, City Manager and Alan Rappleyea Interim City Attorney

SUBJECT: Resolution 2022-088, Approving the City Recorder's Canvassing of the Washington County Election returns of the November 8, 2022 General Election and directing the City Recorder to enter the results into the record

ISSUE:

Should the City Council approve the official November 8, 2022 general election results as provided by the Washington County Elections Division?

BACKGROUND:

Via this resolution, the City Recorder/City Elections Official is seeking City Council approval of Exhibit A, the Abstract of Votes from the November 8, 2022 General Election. Upon approval of the election results, the City Recorder will take all necessary steps to enter the election results into the record.

FINANCIAL IMPACTS:

There are no financial impacts of the adoption of the resolution.

RECOMMENDATION:

Staff respectfully recommends City Council approval of Resolution 2022-088, Approving the City Recorder's Canvassing of the Washington County Election returns of the November 8, 2022 General Election and directing the City Recorder to enter the results into the record.



RESOLUTION 2022-088

APPROVING THE CITY RECORDER'S CANVASSING OF THE WASHINGTON COUNTY ELECTION RETURNS OF THE NOVEMBER 8, 2022 GENERAL ELECTION AND DIRECTING THE CITY RECORDER TO ENTER THE RESULTS INTO THE RECORD

WHEREAS, the Washington County Elections Manager has duly and regularly certified the results of the General Election held on November 8, 2022; and

WHEREAS, the City Elections Officer, consistent with the duties imposed on that office, will canvass the votes and enter the results into the record following adoption by the City Council; and

WHEREAS, the certified election results are attached as Exhibit A to this resolution, and the City Council deems it appropriate to accept the official results and to direct the City Recorder to take all required actions relative thereto.

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

Section 1. The City Council hereby accepts and approves the official results of the November 8, 2022 general election as shown in Exhibit A to this Resolution.

Section 2. The City Recorder is hereby directed to enter a copy of this Resolution into the record of the proceedings of this Council and to canvass the votes.

Section 3. This Resolution is and shall be effective from and after its adoption by the City Council.

Duly passed by the City Council on this 6th day of December, 2022.

Keith Mays, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Ballots Cast per Contest - Accumulative Summary
Washington County November 8 2022 General Election
All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
Official Election Results

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Total Ballots Cast: 257479, Registered Voters: 387173, Overall Turnout: 66.50%

Choice	Votes	Vote %
Write-In	30	0.41%
Write-in	26	0.35%
Write-in	23	0.31%
Total	7369	100.00%
Overvotes	4	
Undervotes	4451	



Dale R...

City of Sherwood

DEC - 5 2022

Recorder's Office

City of Lake Oswego, Councilor (Vote for 3)

1 ballots (0 over voted ballots, 0 overvotes, 0 undervotes), 1 registered voters, turnout 100.00%

Jeff Gudman	0	0.00%
Trudy Corrigan	1	33.33%
Charles Bryan	1	33.33%
John Wendland	0	0.00%
Ali Afghan	1	33.33%
Katherine Luplor	0	0.00%
Write-in	0	0.00%
Write-in	0	0.00%
Write-in	0	0.00%
Total	3	100.00%
Overvotes	0	
Undervotes	0	

City of North Plains, Council Members (Vote for 3)

1638 ballots (0 over voted ballots, 0 overvotes, 1949 undervotes), 2359 registered voters, turnout 69.44%

James Faga	974	32.85%
Rickey Smith	909	30.66%
Trista Papen	952	32.11%
Write-in	87	2.93%
Write-in	30	1.01%
Write-in	13	0.44%
Total	2965	100.00%
Overvotes	0	
Undervotes	1949	

City of Portland, Commissioner, Position 3 (Vote for 1)

709 ballots (1 over voted ballots, 1 overvotes, 66 undervotes), 1089 registered voters, turnout 65.11%

Rene Gonzalez	364	56.70%
Jo Ann Hardesty	276	42.99%
Write-in	2	0.31%
Total	642	100.00%
Overvotes	1	
Undervotes	66	

City of Rivergrove, Councilor (Vote for 3)

23 ballots (0 over voted ballots, 0 overvotes, 3 undervotes), 29 registered voters, turnout 79.31%

Doug McLean	10	15.15%
Brenda C Ruble	5	7.58%
Walter Williams	18	27.27%
Joel Williams	5	7.58%
Arne Nyberg	15	22.73%
Janice "Susie" Lahsenc	13	19.70%
Write-in	0	0.00%
Write-in	0	0.00%
Write-in	0	0.00%
Total	66	100.00%
Overvotes	0	
Undervotes	3	

City of Sherwood, Mayor (Vote for 1)

9757 ballots (0 over voted ballots, 0 overvotes, 3063 undervotes), 13863 registered voters, turnout 70.38%

Tim Rosener	6403	95.65%
Write-in	291	4.35%

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Choice	Votes	Vote %
Total	6694	100.00%
Overvotes	0	
Undervotes	3063	

City of Sherwood, Council Members (Vote for 4)

9757 ballots (0 over voted ballots, 0 overvotes, 14784 undervotes), 13863 registered voters, turnout 70.38%

Taylor Giles	5931	24.46%
Keith Mays	6066	25.02%
Doug Scott	5869	24.21%
Dan Standke	5812	23.97%
Write-in	301	1.24%
Write-in	115	0.47%
Write in	83	0.34%
<u>Write-in</u>	<u>67</u>	<u>0.28%</u>
Total	24244	100.00%
Overvotes	0	
Undervotes	14784	

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City of Tigard, Mayor (Vote for 1)

25829 ballots (4 over voted ballots, 4 overvotes, 2574 undervotes), 38126 registered voters, turnout 67.75%

John Goodhouse	6581	28.30%
Heidi Lueb	12096	52.02%
Nirk Hess	4498	19.35%
Write-in	75	0.32%
Total	23251	100.00%
Overvotes	4	
Undervotes	2574	

City of Tigard, Council Members (Vote for 2)

25829 ballots (6 over voted ballots, 12 overvotes, 14239 undervotes), 38126 registered voters, turnout 67.75%

Jai Raj Singh	8980	24.01%
Derrick Wright	5212	13.93%
Tom Anderson	8464	22.63%
Yi-Kang Hu	14342	38.34%
Write-in	334	0.89%
<u>Write in</u>	<u>75</u>	<u>0.20%</u>
Total	37407	100.00%
Overvotes	12	
Undervotes	14239	

City of Tigard, Council 2 Year Unexpired Term (Vote for 1)

25829 ballots (440 over voted ballots, 440 overvotes, 4743 undervotes), 38126 registered voters, turnout 67.75%

Karen Marrello	4413	21.37%
Maureen Wolf	12841	52.20%
Austin Johnson	3250	15.74%
Write-in	142	0.89%
Total	20846	100.00%
Overvotes	440	
Undervotes	4743	

City of Tualatin, Mayor (Vote for 1)

10529 ballots (1 over voted ballots, 1 overvotes, 3621 undervotes), 15949 registered voters, turnout 66.02%

Frank Bubenik	6607	95.66%
Write-in	300	4.34%
Total	6907	100.00%
Overvotes	1	
Undervotes	3621	

City of Tualatin, Council Member, Position 1 (Vote for 1)

10529 ballots (0 over voted ballots, 0 overvotes, 4053 undervotes), 15949 registered voters, turnout 66.02%

Maria Royes	6322	97.82%
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City of Sherwood, Mayor (Vote for 1)

Precinct	Ballots Cast	Reg Voters	Total Votes	Tim Rosener	Write-in	Over Votes	Under Votes
Precinct 424	3937	5668	2688	2568 95.54%	120 4.46%	0	1249
Precinct 435	3550	4904	2392	2270 94.90%	122 5.10%	0	1158
Precinct 442	2270	3291	1614	1565 96.96%	49 3.04%	0	656
Total	9757	13863	6694	6403 95.65%	291 4.35%	0	3063



Ballots Cast per Contest with Precincts
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Total Ballots Cast: 257479, Registered Voters: 387173, Overall Turnout: 66.50%

City of Sherwood, Council Members (Vote for 4)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Taylor Giles		Keith Mays		Doug Scott		Dan Standke	
Precinct 424	3937	5868	9749	2393	24.55%	2450	25.13%	2367	24.28%	2339	23.99%
Precinct 435	3550	4904	8700	2112	24.28%	2162	24.85%	2079	23.90%	2088	24.00%
Precinct 442	2270	3291	5795	1426	24.61%	1454	25.09%	1423	24.56%	1385	23.90%
Total	9757	13863	24244	5931	24.46%	6066	25.02%	5869	24.21%	5812	23.97%

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City of Sherwood, Council Members (Vote for 4)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Write-in		Write-in		Write-in		Write-in	
Precinct 424	3937	5868	9749	115	1.18%	38	0.37%	27	0.28%	22	0.23%
Precinct 435	3550	4904	8700	132	1.52%	54	0.62%	42	0.48%	31	0.36%
Precinct 442	2270	3291	5795	54	0.93%	25	0.43%	14	0.24%	14	0.24%
Total	9757	13863	24244	301	1.24%	115	0.47%	83	0.34%	67	0.28%

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City of Sherwood, Council Members (Vote for 4)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Over Votes	Under Votes
Precinct 424	3937	5668	9749	0	5999
Precinct 435	3550	4904	8700	0	5600
Precinct 442	2270	3291	5795	0	3285
Total	9757	13863	24244	0	14784

Agenda Item: Public Hearing – 2nd Reading

TO: Sherwood City Council

FROM: Erika Palmer, Planning Manager

Through: Kristen Switzer, Interim Community Development Director and 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: On November 15, 2022, City Council held its first public hearing on this ordinance. 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 6th day of December, 2022.

Keith Mays, Mayor

Date

Attest:

Sylvia Murphy, MMC, City Recorder

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