



CITY OF BROWNSVILLE

Council Meeting
Tuesday – April 26th, 2011

Regular Session 7:00 p.m.

Table of Contents

1	Agenda
Minutes	
3	March 22 nd , 2011
Reports	
8	Administrator
13	Planning
14	Public Works
16	Library
17	Court
19	Sheriff
22	Resolution 662
23	Proclamation Older Americans Month
24	OBR Park Agreement
28	OLCC Renewal Information
31	2011-2012 Law Enforcement Agreement
35	Call Before You Dig Request
36	FFLY Information
37	Tribute Ride Information
38	Archaeological Permit Information
39	Linn County Clerk's Notice
40	COG Transportation Information

(Continued)

42	Contaminant Regulation Info
43	Sign Regulation Info
TBD	Financials

May

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers

Tuesday, April 26th, 2011

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: March 22nd, 2011
- 6) PUBLIC HEARINGS OR PRESENTATIONS
 - A. Carine St. Martin–Jeffries – Gas Line Installation
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Planning
 - C. Public Works
 - D. Administration
 - E. Library
 - F. Court
 - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
- 9) LEGISLATIVE:
 - A. Resolution 662 – State Revenue Sharing (Verifying Services)
 - B. Proclamation – Older Americans Month
- 10) ACTION ITEMS:
 - A. Oregon Bicycle Ride Agreement

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the City Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You.

- B. OLCC Annual Renewals
- C. Community Gardens Agreement Renewal
- D. 2011-2012 Linn County Sheriff's Office Agreement

11) DISCUSSION ITEMS:

- A. OLCC & Brownsville Video
- B. West Side Power Poles
- C. OR 228 Property
- D. March Financials

12) CITIZEN QUESTIONS & COMMENTS

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the City Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You.

BROWNSVILLE CITY COUNCIL
MEETING MINUTES

March 22nd, 2011

ROLL CALL: Mayor Ware called the meeting to order at 7:00 p.m. with Councilors Gerber, Van Sandt, Boyanovsky, Cole and Shepherd present. Councilor Chambers was excused. Also present were City Administrator Scott McDowell, City Planner Bill Sattler and Public Works Director Karl Frink.

PUBLIC: Johnny & Diana Young, Bruce & Gwen Landon, Jeff Cone & Son, George Frasier, Dan Hartsook, Jay Curtis, Leroy Spurlin, Roger Dorsey, Leslie Heckathorn, Kaye Fox, Chenoweth Robertson, Scott Johnson, Ernie Martin, Dave & Tricia Thompson, Rick Dominguez and Charlotte Bates.

ADDITIONS AND DELETIONS: Mr. McDowell added a public hearing on Ordinance 732 and an action item regarding an RFP for a new roof for City Hall.

MINUTES: The Council reviewed the minutes of the February 22nd, 2011, meeting. Councilor Gerber moved to approve the minutes. The motion was seconded by Councilor Cole and was approved unanimously. The Council reviewed the minutes of the January 25th, 2011, meeting as there had been an addition made to them due to an omission regarding the appointment of the Emergency Preparedness Committee members. Councilor Cole moved to approve the minutes. The motion was seconded by Councilor Van Sandt and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Kirk Avenue Truck Traffic.** Mr. Jay Curtis spoke regarding the proposal of asking Linn County to limit truck traffic on Kirk Avenue. Mr. Curtis said that he had looked at Kirk Avenue and found only 2 potholes but 47 utility cuts in the road, which he said were responsible for the bumps in the road. Mr. Curtis said that a number of trucks use the road and that closing it to trucks would add a great deal of additional cost and time to the people who currently use it; not to mention the impact on trash service, delivery trucks and school buses. Mr. Curtis also mentioned his concern about the area on Main Street on the west side at the intersection of Kirk and Main. He said that the street had been widened there to give trucks turning onto Main enough room to make the turn but that the area has been occupied with parked cars for some time. He said that it used to be painted yellow as a no parking zone but the paint has worn away. Mr. Leroy Spurlin also spoke, saying that he had the same concerns as Mr. Curtis. He said that he had farm fields out Northern Drive and a warehouse northwest of town so not being able to drive his trucks on Kirk Avenue would be a serious burden on him.
2. **Mr. George Frasier – Brownsville Rec Center.** Mr. Frasier said that he is currently the President of the Central Linn Rec. Center Association. He said that the group appreciates the City putting on the new roof and painting the building. He said that now they would like to work to focus on the inside of the building. He reported that after extensive research and discussion the Board would like to get more years out of the existing gym floor. He said that the Board would like the floor refinished and sealed and a regular maintenance program established for the floor. He said that in addition to the gym area they would like the hardwood floors in the entire building refurbished including the stage, the bleachers and the coaches office. He said that there had been a lot of turnover on the Board with only one member out of 11 having been on for more than three years. Mr. Frasier said that fundraising efforts had been going well and they are in good financial standing. He said that about 500 kids had participated in the programs in the last year. Mayor Ware thanked him for the report.
3. **Citywide Clean-Up Day – Scott Johnson.** Mr. Johnson was present to represent Sweet Home Sanitation. He said that there been some issues with the Citywide Clean-Up Day as it has been

done for some time and wanted to ask the Council to look at some alternatives. Mr. Johnson said that using volunteers has become more problematic due to liability concerns and that out of town refuse being dumped has been a problem. He said that it has been difficult to sort out recyclables with the system that has been used. Mr. Johnson offered several alternative proposals. He said that the City could keep the current system but that would probably require an increase in rates of about four percent to cover the additional costs. Another alternative would be to have a central drop site and have everyone bring their refuse there for disposal. Sweet Home Sanitation staff would be there to help unload and sort the recyclable materials. They would also verify addresses to be sure those using the service were City residents. Finally, the City could eliminate the Clean-Up Day and Sweet Home Sanitation could pay a franchise fee to the City instead. He said that the franchise fee would be around five percent or about \$10,000 per year. Councilor Gerber asked if reiterated that accommodations could be made for disabled or elderly who might be unable to bring their refuse to the drop-off site. Mr. Johnson said that could be done and they had done it in the past in other cities. The Council discussed some of the details of how it would operate. Mayor Ware asked for a show of hands from the audience as to which alternative they preferred. The vote was evenly split with five for keeping the current system and five for the central drop site alternative; no one voted for the franchise fee. Mr. Roger Dorsey said that he has been on the Fire Department for many years and that when the Clean-Up Day was instituted years ago fire calls went down by nearly half which he attributed to a reduction in trash. Mr. Dorsey said that he thought the biggest problem was people from out of town and the new system should take care of that. Mr. Dave Thompson said that people put out useable stuff early so it could be picked up by anyone who could use it and he would like to see that continue. Ms. Kaye Fox was worried how the change would affect Seniors. Mr. Johnson reiterated that they would be willing to assist Seniors and others who weren't able to bring their items in. Mr. Johnny Young said that he would like the system to remain as it is but wasn't willing to pay any additional charges. Mr. Dan Hartsook said that he wanted the people who brought trash in to be charged and not all the ratepayers. Ms. Gwen Landon said that she knows there's some problems but would like to see it continue as it has been. She said that she is willing to pay a little more to keep it. Councilor Van Sandt suggested having it later in the year after Citywide Garage Sale Day. Mr. Johnson said that it is hard to schedule it during the summer. Councilor Cole said that she thought most people liked the current system and were willing to pay the dollar or so per month to maintain it. Councilor Shepherd said that he thought the central drop-off site idea was the best option. Councilor Gerber said that she would like to see a "swap" area where people could put useable items that others might want. Councilor Cole suggested that they only pickup from people who had subscribed to trash service. Councilor Shepherd moved that the City try the central drop site idea for this year. The motion was seconded by Councilor Boyanovsky. The motion as approved with a vote of five to one in favor of trying the drop-off site option with Councilor Cole voting to keep the current system.

4. Resolution 732 – Vacation of Alley. Mayor Ware opened a public hearing and invited public comment on Ordinance 732, vacating an alley. No one wished to speak and Mayor Ware closed the public hearing.

DEPARTMENT REPORTS:

1. Sheriff's Report. Cpt. Jeff Cone was present. He said that in recent days there had been at least three daytime burglaries in town. He said that they do have a suspect as the person was seen but that no arrest has been made yet.
2. Planning. Mr. Sattler updated the Council. He said that the real estate market has not picked up and that prices still seem to be declining due to the large number of foreclosures on the market. Mr. Sattler said that installation of the new computer software for the City is still underway and that everyone is working to get it going.

3. Public Works. Mr. Frink said that his department had rebuilt fourteen water meters to be reused. He said that his staff had been doing work at the water plant to fix it up as it is constantly exposed to chlorine and other fumes that damage the finishes. Mr. Frink said that they had not been able to do any mowing due to the rainy weather. Mr. Frink said that he was in town when the wind storm hit and he had been able to help clear fallen trees out of the roads but there isn't much that can be done until the power lines have been removed. Councilor Shepherd asked if the wastewater plant generators were on an automatic fill-up program. Mr. Frink said that they only use about 20 gallons of fuel per month so it's easier to take care of it in-house. He said that they refill the generators immediately after they are used. Councilor Cole asked if the chlorine in the water plant was dangerous. Mr. Frink said that it caused corrosion on some items and that those were being replaced with fiberglass, stainless steel and plastic that was not affected by the fumes.
4. City Administrator. Mr. McDowell reminded the Councilor to be sure to complete their SEI forms and said that they can drop them off at City Hall if they want. Mr. McDowell said that he had been notified by the Linn County Cultural Trust that the Brownsville Art Association had been awarded a \$1,000 grant for their storage project. Mr. McDowell said that he had met with City Engineer Jon Erwin regarding the water curtailment issue and the Water Master Plan. He reported that Mr. Erwin had said that the Water Master Plan was good and that he would make a few additions to complete it with the assistance of Mr. John Cunningham. Due to the changes with the new software, Mr. McDowell and Mr. Warthen will be redefining the internal controls policy book to match changes to internal processes. Mr. McDowell said that the Spring newsletter would be going out soon and the deadline for submitting articles was the coming Friday.
5. Library Report. Ms. Lemhouse provided a written report.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. None
8. Citizen Comment. Ms. Kaye Fox said that she wanted to tell the Council that Jo Ann McQueary of the Linn County Sheriff's Department would be hosting two presentations to the Seniors regarding emergency preparedness.

LEGISLATIVE:

1. Ordinance 732 (Vacating An Alley). Councilor Gerber moved to read by title only. The motion was seconded by Councilor Boyanovsky and was approved unanimously. Mayor Ware read the title of Ordinance 732. Councilor Cole moved to approve Ordinance 732. The motion was seconded by Councilor Shepherd and was approved unanimously.

ACTION ITEMS:

1. Appoint Budget Committee Member. Mr. McDowell said that Theresa Wilhelm had applied for the open position on the Budget Committee. Councilor Van Sandt moved to appoint her. The motion was seconded by Councilor Cole and was approved unanimously.
2. Croquet Court Agreement. Councilor Gerber stated that she was withdrawing from the discussion due to a conflict of interest. Mr. McDowell said that he had modified the agreement as had been requested at the last meeting. He said that he had put in hours of operation and reduced the water allotment proportionate to the reduced land area being utilized. Councilor Shepherd asked if he had received the key to the area and Mr. McDowell said that he had. Councilor Cole moved to approve the agreement. The motion was seconded by Councilor Van Sandt and was approved unanimously with Councilor Gerber abstaining.

3. Community Gardens Agreement. Mr. McDowell said that both the Calapooia Food Alliance and the Linn County School District are parties to the agreement as the community garden is located on school property. He said that he was asking Council for comment before he took the agreement to the School Board. Councilor Shepherd inquired as to the term of the agreement. Mr. McDowell said that the draft called for a three year term and was a rolling agreement meeting that it can simply be reviewed for continuance.
4. Linn County Pioneer Picnic Association Letter. Mr. McDowell said that he had been sending this letter annually to the Picnic Association to clarify the role of the City and the Association in preparing for Pioneer Picnic. He said that the content of the letter had been reviewed and approved by the Park Board and Leisa Keyser of the Picnic Association. Councilor Gerber moved to approve the letter as drafted. The motion was seconded by Councilor Shepherd and was approved unanimously. Mr. McDowell said that the City normally sends a letter to Linn County supporting the Picnic Association's request for road closures for the two parades. Councilor Shepherd moved to instruct Mr. McDowell to send a letter supporting the road closures. The motion was seconded by Councilor Cole and was approved unanimously.
5. Pioneer Park and Calapooia River Erosion. Mr. McDowell said that he and Mr. Sattler had met with Tara Davis and Tim Otis of the Calapooia Watershed Council. He said they had reported that OWEB had not funded the Reach 2 project at this time due to some concerns that had recently been raised about possible archeological sites in the area. Mrs. Davis said that a preliminary archaeological survey will be done and if that is negative she thought OWEB would fund the project in the current grant cycle if the application was resubmitted. However, if a follow-up investigation is needed the time required would push it past the deadline for the current cycle. Councilor Cole moved to approve reapplying to OWEB in conjunction with the Calapooia Watershed Council. The motion was seconded by Councilor Boyanovsky and was approved unanimously.
6. Linn County and Court Clerk Agreement. Mr. McDowell said that he had continued to work on options to handle the Municipal Court when Mrs. Nida retires later in the year. Council has discussed this item at several meetings in the past. Councilor Cole moved to have Mr. McDowell and Mayor Ware move forward with attempting to negotiate an agreement with Linn County. The motion was seconded by Councilor Gerber and was approved unanimously.
7. Roof RFP. Mr. McDowell said that the Budget Committee and the Council had previously approved replacing the roof on City Hall. He said that he would like to put out an RFP to see if there is enough money in the budget this year to do the work or to make any adjustment for fiscal year 2011-2012. Councilor Gerber moved to approve the RFP. The motion was seconded by Councilor Van Sandt and was approved unanimously.

DISCUSSION ITEMS:

1. Carsow Information. Mr. McDowell said that there had been some questions about the language of a drainage easement along the west side of the properties on the north end of Filbert Street. He said that the language granted an easement to the City and said that the City could work in the easement if it should choose to do so but did not place any obligation on the City to do so. Mr. McDowell said that Mr. George Carsow had hired Mr. Larry Northern who had worked on the drainage ditch there and had done a great job of fixing it so that it should not overflow across Oak Street any more.
2. Joling Property. Mr. McDowell said that he had spoken with Mr. Joling and Mr. Joling would accept the agreement if there was a cap placed on his cost. Mr. McDowell said that because the City is involved he would need to have some environmental testing done on the trailers and that might drive the price over the \$5,000 figure. Councilor Gerber moved to have the City pay the

cost of the environmental testing and contract with Sweet Home Sanitation to remove the trailers with a maximum removal cost of \$5,000. The motion was seconded by Councilor Boyanovsky and was approved unanimously.

3. Council Goals 2011-2013. Mr. McDowell said that he had included the goals in the Council packet and asked if there were any questions. He said that he will make up a poster and put them on the wall of the Council Chambers.
4. ODOT Right of Way (Welcome Sign Area). Mr. McDowell said that ODOT had told him that since the City maintains that area they might transfer the property to the City but then they decided they couldn't do that. Mr. McDowell said that the City should really have some type of permit for the sign and the consensus of the Council was to have him pursue that with ODOT.
5. February Financials.

CITIZEN COMMENT: Ms. Kaye Fox suggested that the Croquet Court key be kept by the Pioneer Park Caretakers.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The motion was seconded by Councilor Boyanovsky and was approved unanimously. The meeting was adjourned at 8:55 p.m.

City Administrator S. Scott McDowell

Mayor Don Ware



City Administrator Report

April 26th, 2011

From: S. Scott McDowell

To: Mayor & Council

Re: General Business

Carine San Martin–Jeffries: Gas Line Installation – Mrs. San Martin-Jeffries would like to request the closure of Holloway Heights at some point in the future. Northwest Natural Gas has a considerable charge to provide flaggers for the installation of gas line. City Planner Bill Sattler has indicated that the City has done this in the past in order to save money for homebuilders. She will be available for discussion.

Resolution 662 – State Revenue Sharing (Verifying Services) – This is an annual resolution required by the Department of Administrative Services; the document serves notice to the Department that the City is providing basic public services. It is required in order to be eligible to receive State Revenue Sharing dollars.

Proclamation: Older Americans Month – The Cascade West Council of Governments is requesting participation in recognizing Older Americans Month which is May. This Mayoral proclamation achieves that goal. The City has participated for the last few years.

Oregon Bicycle Ride Agreement – The Park Board has reviewed this agreement and is recommending Council approval. Below is an excerpt from their last meeting:

McDowell reported that the Oregon Bicycle Ride agreement had been finalized. McDowell discussed a few the details including arrival times, equipment needs and indicated the group will be catering their event. He stated that they agreed to the amount of \$1,200 for the rental of the Park for August 7th & 8th. The Board did not have any questions. A motion was made by Mrs. Tinseth, seconded by Mr. Mayer to approve the Oregon Bicycle Ride agreement and recommend to Council. The motion carried unanimously.

OLCC Annual Renewals - Time has come once again to review the establishments who serve alcohol in town. As you know, the City is required to take no action. Council has requested a cover letter supporting the local establishments be sent back to OLCC in the past.

Community Gardens Agreement – On April 11th, 2011, Kathleen Swayze, President of the Calapooia Food Alliance, and I attended the Central Linn School Board meeting to discuss the renewal of this agreement. The Board felt comfortable renewing the contract for another three years. The School Board approved the agreement as written. The

agreement will be reviewed again in February of 2014. The Elementary School is working on developing student gardens and the Board is hopeful that a program could start at the High School. The Calapooia Food Alliance has put significant resources in infrastructure and in operating the gardens. If you have any questions, please review the information provided by the Alliance in the last Council packet.

2011-2012 Linn County Sheriff's Office Agreement – The City recently received the law enforcement contract for this upcoming fiscal year. The Linn County Sheriff's office is projecting a 5% increase over 2010-2011. The new amount has been included in the proposed budget for 2011-2012.

West Side Power Poles – Mr. Lemhouse recently learned that Pacific Power would charge \$23,000 to move the polls on the easement known as Pearl Street. The City is still working with Mr. Lemhouse to secure the easement for the hydrant discussed in late 2010.

OR 228 Property – Mr. Joling requested the City hire Atez to perform the lead & asbestos testing on the abandoned mobile homes. He is currently working with another company to provide for the removal of the homes. We are trying to work together to keep his costs down. Sweet Home Sanitation continues to be very supportive and helpful.

Rec Center Floor Update – George Frasier, Mark Running and I met with Mr. Mike Sossie to develop the language for the specifications to be used in putting together a request for proposals (RFP). The RFP will include the gym floor, the bleacher area floor, refinishing the stage floor and the coach's office floor. Once we have the specifications we can put out the RFP and determine a timeline for when the floors will be completed.

Sweet Home Sanitation's Clean-Up Day – Scott Johnson has been posting information regarding Clean-Up Day in *The Times*. The City did get approval for the use of the parking lot with the Central Linn Rec Board.

Nuisance Abatement & Junk – Mr. Sattler and I are working closely on developing and maintaining a spreadsheet of properties throughout town. We would like to place an article in *The Times* explaining the changes, reminding folks to take advantage of the Citywide Clean-Up Day and make the general public aware that the City will be doing enforcement on this issue. Staff's plan is to roll out official communication with residents well in advance of the June 4th, 2011 Clean-Up Day.

Emergency Preparedness Committee – The Committee met last week at the new fire station. Considerable progress was made. The Committee has broken down into three subcommittees to get a handle on the tasks that need to be accomplished. The Committee approved the model and sections to be used for the basic plan, the initial documents to be used for individual/family preparedness efforts and the letter asking for assistance from both individuals and organizations. The group hopes to have some basic information ready for the Brownsville Rural Fire District's Open House on June 4th, 2011 at 600 E. Blakely. They also plan on having information at the Pioneer Picnic. I

continue to be impressed by their progression and enthusiasm for this topic. To learn more, visit www.brownsville.or.us/epc.html.

Pioneer Park & Calapooia Erosion – The City recently approved the archaeological permit forwarded by the State Historic Preservation Office (SHPO). Pam Silbernagel of Cascade West Council of Governments indicated that an archaeological survey was done around 1983 when the infiltration gallery was constructed. Ms. Silbernagel said the city received a "clean bill of health" then. Hopefully, SHPO will be able to find this report and it will expedite the process. Tara Davis has forwarded a new grant proposal to OWEB for consideration. Mr. Tim Otis recently attended, April 22nd, an update regarding waterway regulations and requirements as presented by the Department of State Lands.

Water Master Plan & Erwin – City Engineer Jon Erwin has reviewed the Water Master Plan and has made several suggestions for Mr. John Cunningham. The City is in the process of entering into an agreement with Mr. John Cunningham to fine-tune the document and work in conjunction with Mr. Erwin to finish the document and forward it to the Department of Human Services by this fall.

Oregon Heritage Conference – The City was invited to participate as a guest speaker to discuss film heritage in Oregon. I was invited by Mac Burns of the Oregon Film Museum in Astoria. Kuri Gill of the State Historic Preservation Office also extended an invitation. I had a great time presenting information about *Stand by Me* including the press coverage, the festivals and the walking tour. Mayor Ware received a huge belly laugh from the audience when he described the barfing scene in a clip recently seen on KMTR News Channel 16 out of Eugene. I will be discussing some of the outcomes with the Brownsville Chamber of Commerce and attempt to follow-up on opportunities with the Oregon Film Museum.

Council Goal Setting Session – Council chambers has recently been adorned with the Goals for 2011 – 2013.

Goals 2011-2013

- ◆ Active Implementation & Prioritization of the Capital Improvements Plan.
- ◆ Develop an Economic Development Plan.
- ◆ Create & Implement a Water Master Plan.
 - Determine Curtailment Impact.
 - Investigate Other Potential Sources.
 - Conservation & Distribution.
- ◆ Develop & Implement Staffing Changes.
- ◆ Develop a Review Process for Ordinances.

◆ Create & Implement an Emergency Preparedness Plan.

◆ Adopt a Brownsville Development Plan.

Chamber of Commerce Sign – several weeks ago, the chamber message board at the intersection of Bishop Way & Main Street fell victim to the high winds. The City hired Advanced Mechanical to remove the sign at the request of the Chamber of Commerce. The sign was going to be required to be removed as part of the Gateway project. Advanced Mechanical had the proper equipment to remove the sign safely.

Gateway Project – *From last meeting:* "We have just received the design exception for this project on Friday, March 11, 2011 for the approval of the design along Highway 228 from ODOT. This allowed us to have a curb to curb width of 48 feet rather than 50 feet. Otherwise Right of way would need to be acquired. This is the last step item to get this project going. Final plans and specifications have been prepared and are in ODOT's hand for one final review. With the approved design exception we have now the last component completed that is required to send in to ODOT for what is called an PS&E document. We are still planning on going out to bid in April with bid openings in May and construction starting in June 2011.

Construction should be complete in September 2011 as planned."

Several letters were recently sent to property owners abutting the Gateway project. A few residents stand to lose some shrubs, trees and fencing better in the State right-of-way.

Software Update – The City is continuing to work diligently to get the new software package up and fully operational. Payroll has given staff and the consultants considerable problems. We hope to go to the new postcard bills for April. The old system is no longer an option. The Sensus Handheld units were delivered this week. Once we have the utility billing system working correctly, staff will work together to implement the new units.

Visit Linn Coalition – *From last meeting:* The Coalition has signed a letter of intent with *The New Era* to develop a website that will be privately run but will have the input of the Coalition. The group is moving as quickly as possible in order to have the website operational by June 2011. VLC is still working on getting a full website operational by June 2011.

Court Clerk Contract Update – I recently spoke with County Administrator Ralph Wyatt at the Cascade West Council of Governments meeting last Friday. We will be working out the particulars of the agreement over the next several months. Mr. Wyatt indicated that it passed with full approval from the Linn County Commissioners.

ODOT Outcome – The City recently heard from the Department regarding obtaining a permit to know the welcome sign areas coming into the town from the East and West. We will be working with Permit Specialist Ken Lamb to finalize this piece.

Budget Committee Preparations – The Budget Committee convenes Thursday night, April 28th, 2011 here in Council Chambers at 7:00 p.m. The plan is to complete the process in three meetings as has been done the last five years. McDowell, Budget Officer, will be presenting the budget message this Thursday. Deliberations will begin on May 5th, 2011 and public comment will be taken.

Call Before You Dig – Attached is a letter requesting a contribution for Council's consideration.

Worked Based Learning Program – *From December 2010 meeting:* The City and Central Linn High School are working on an opportunity that would allow a student to come in and work on the sidewalk program or continue the work at the Cemetery. The City's insurance carrier is highly recommending Council having an adopted, current sidewalk program on file. The student would work on breaking the town into sections and assessing the current condition of sidewalks. The project would start at the beginning of 2011. The program is for school credit.

Jay Warthen Internship – *From last meeting:* Mr. Warthen has satisfied the terms of his internship with Linn Benton Community College. We are in the process of entering into an agreement to finalize the handbook of internal financial controls. A few procedures have recently changed due to the implementation of the new software. We will started on this process in late April.

Kirk Avenue – *From past meetings:* Linn County is waiting to finalize the Gateway project before starting on Kirk. Mr. Darrin Lane indicated that he is still struggling with making the street work given the code requirements of building a street and the fact that Brownsville is an historic town.

Respectfully Submitted,



S. Scott McDowell

March 16th, 2011

To: Brownsville City Council
From: Bill Sattler, City Planner

1. Building Permits. Still a noticeable lack of interest in new residential construction but I'm continuing to issue a number of permits for garages, shops, remodels, mechanical and plumbing work and such. In past years we'd have a parade of potential developers coming through the door this time of year but it's been very quiet.
2. Real Estate. There's just too many homes sitting on the market for anyone to think about wanting to put up new ones. It's so bad that banks are not even completing foreclosure proceedings because they're scared to try to sell the homes and they don't want to take over management of them. I enclosed a graph that shows what's going on. It's a little hard to see due to the resolution of the image, but the very tiny line at the bottom is the number of foreclosure sales, the middle line is the number of new foreclosures and the big line is the number of homes that are in the process of foreclosure where banks have not completed the process and they are just sitting in "limbo" with the owners still in them and the bank not taking them back even though they're in default. Part of this is due to the fact that once the bank takes possession they have to record the loss on their books, until that time it doesn't show as a liability so their financials look a lot better if they don't take possession of the house. Should the housing market start to pick up, banks would then have an incentive to complete the foreclosure and try to sell the homes. This would put an additional couple of million homes on the market, which would probably have the effect of driving it back down again
3. Spring Newsletter. We put together the Spring Newsletter a couple of weeks ago and got it out. It's been a lot easier the last few issues as we've had a big increase in the number of articles contributed which really helps out. Once again we were able to combine the required annual Water Consumer Confidence Report with the newsletter which saved several hundred dollars in postage and a lot of work from staff in folding, labeling and mailing.
4. Computer Issues. We've been looking at what to do to upgrade our GIS capabilities, particularly as Public Works is seeking to get the capability for themselves. The industry standard from ESRI is extremely expensive and the conversion process is very difficult so I've been spending a lot of time looking at options. At this time I'm thinking about going in a different direction with another brand of software that is much less expensive but looks like it may be capable of doing the limited number of thing we do with GIS software. We don't use a lot of the features but it is an incredibly useful tool which we use many times each day. Fortunately a lot of the data sets we use have been developed by Linn County and the Linn County GIS Department have been extremely helpful is working with us over the years to develop data for us and keep it updated at little or no cost. The next logical step for us would be do get a GPS data logger and have Public Works start developing layers for all their infrastructure so that it can be accurately located on a map and related to property lines, aerial photos and other features as well as being able to accurately measure relationships and distances. This technology is getting easier and cheaper each year. My plan at this time is to get us set up with the software this year and get trained on it, then look at starting to develop some new data sets either late in the year or the next.
5. Vacation. I'm getting maxed out on leave time again so I'll be taking vacation the first week of May.

Public Works Report

April 21st, 2011

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of April.
- *Distribution System* – Six small water leaks have been repaired.
- *Cross Connection Program*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* – Repairs to the walls are complete. The turbidimeters, ph meters and chlorine analyzer have all been cleaned and calibrated to factory specifications.

Sewer:

- *North Lagoons* – Public works began discharging to the river on April 10th, and will conclude discharging on April 22nd. All discharging to any state water ways ends May 1st. Oregon DEQ conducted a water quality inspection on April 8th. I currently have not received the final report from DEQ that would indicate any problems that may exist.
- *South Lagoons*- Discharge from this facility concluded April 10th. DEQ also performed a water quality inspection of this facility.
- *Collection System*- There were no sewer main blockages this month.
- *Misc.* – There were two customer sewage blockages this month.

Streets:

- *Mowing/Tree Maintenance* – Tree maintenance continues on an as needed basis.
- *Asphalt/ Gravel Road Maintenance* – Nothing to report at this time.
- *Storm Drainage* – Several drainage ditches have been inspected and some will be cleaned as needed to ensure proper drainage. All catch basins have been cleaned.
- *Signs*- Public Works continues to work on street sign repairs as needed.

Parks:

- *Pioneer Park* – The park was fully opened on March 30th. All of the park facilities have been cleaned and prepared for use. The park is mowed weekly. The weed spraying is complete. Public works is in the process of graveling the roads in the park. 6 Portable restrooms have been placed around the park to replace the old restrooms.
- *Blakely Park* – The park is mowed weekly. The weeds have been sprayed.
- *Kirk's Ferry Park* – The park is mowed weekly. The weeds have been sprayed.
- *Remington Park*- The park is mowed weekly.

Cemetery:

- *Grounds* – Public works will begin cleaning up and mowing the cemetery April 27th. There are a lot of fallen branches to be picked up and the grass needs to be mowed. Public works will be grading and graveling the access road as well.

Library:

- *Grounds*- Public Works mows this facility weekly. The weeds have been sprayed at this facility.
- *Buildings*- Several small repairs have been made to this facility, including a roof leak.

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Public works will begin cleaning the downtown area weekly as the weather improves. I believe this task to be important to keep the downtown area clean, warm and friendly to locals and visitors alike.

City Hall:

- *Buildings* –Nothing to report at this time.
- *Grounds* – The area behind City Hall is mowed and weeds have been sprayed.
- *Community Center*- Nothing to report at this time.

Rec. Center:

- *Grounds*- The facility is mowed weekly. The weeds have been sprayed.
- *Buildings*- Nothing to report at this time.

Public Works:

- *Grounds*- The grass is mowed weekly and weeds have been sprayed.
- *Buildings*- Several light bulbs have been replaced.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. I have found the necessary documentation to begin the process of creating public works standards. This will be an ongoing project that may take several months to complete.

Library Advisory Board

Librarian's Report

March 2011

Here are a few facts about our library the month of March 2011. We have received 30 new books for the library. Volunteers donated 150.75 hours to our library. Of these, 18 hours were for the computerized inventory. The librarian imputed 59 books into the inventory. Three volunteers are working on correcting cataloging errors to make our collection more easily accessible for patrons. There were 1,266 materials checked out. 162 Non-fiction books; 519 adult fiction books; 66 large print books; 148 children's books; 255 junior books; 39 junior reference books and 77 audio materials.

To get ready for the new computerized check out system, I have developed a 30 minute course that I walk volunteers through and explain how our new system will work. This has been warmly received. All regular volunteers, but one, have gone through this training. Looking ahead to budget time, I have asked that monies be saved to replace the flooring here in the library. I received one bid for new flooring here in the library and await a second. The first bid was \$26,000. This gives us a figure to aim for and be proactive. The Lego and K'NEX display was a big hit. I took individual pictures of the entries and have placed a virtual display on our website: Brownsville.plinkit.org. The 100th Anniversary Celebration fast approaches. The cake has been ordered, the special bookmarks have arrived, publicity is in the works and there are openings available to volunteer here at the library on Saturday, May 7. Beginning at 10 am we will be serving tea and cake. At 5:30 pm Oregon Bill, Rod Fielder, will be giving a key note address honoring our Century Library.

Respectfully submitted,

Sherri Lemhouse,

Librarian

BROWNSVILLE MUNICIPAL COURT
CHECKBOOK RECONCILIATION

MONTH: MAR 2011

Beginning Balance		113.00
Deposits	+	2771.00
Charge back fee deposited	+	00.00
Disbursements:		
Checks	2771.00	
NSF'S	0.00	
Total Disbursements	-	2771.00
Total NSF's	-	
Charge back Fees	-	
ENDING BALANCE		113.00
Bail	-	
<u>\$113.00 Account Balance</u>		

DISBURSEMENT RECONCILIATION:

To General Fund		2247.96
STATE		0.00
LEMLA		19.00
County		146.04
Unitary		317.00
Court Security		41.00
IDPF		0.00
Restitution		0.00
DUII Surcharge		0.00
Refund's/Misc-Bank Supplies		0.00
TOTAL:		2771.00

DEPOSIT RECONCILIATION:

Receipts #082531 through #082572

Total: \$ 2771.00

BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
 STATISTICAL REPORT FOR THE MONTH OF FEB 2011

Offense Class	Pending First Day	Filed	Terminated	Pending Last day	Trials
Misdemeanors	6	2	2	6	0
Violations	8	7	8	7	0
Contempt/Other	55	4	5	54	1
TOTALS	69	13	15	67	

BALANCE SHEET FOR MONTH OF FEB 2011

COURT PAYMENTS

COURT REVENUE		COURT PAYMENTS	
Total deposits +	\$2771.00	City	2247.96
Total bail forfeits +	0.00	Restitution	0.00
Total bail/Bank fees -	0.00	Unitary Assessment	317.00
Total Refund/Rest -	0.00	Jail Assessment	146.04
Total NSF's -	0.00	LEMLA	19.00
TOTAL COURT REVENUE	<u>2771.00</u>	Intoxicated Driver	0.00
Credit given for Community Service \$	0.00	State Misc.	0.00
Other Credit Allowed Against Fines \$	0.00	Court Security	41.00
TOTAL NON-REVENUE		DUII Surcharge	0.00
CREDIT ALLOWED \$	<u>0.00</u>	TOTAL COURT PAYMENTS	<u>\$ 2771.00</u>

TOTAL CASH PAYMENTS TO:
 CITY \$ 2247.96
 STATE \$ 336.00
 COUNTY \$ 146.04
 JUD. DEPT \$ 41.00
 REFUND/RESTITUTION \$0.00

ACCOUNTS RECEIVABLE:

BEGINNING \$ 84,892.70
 ENDING \$ 84,524.20

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STREET #	ADDRESS	CITY	NIT	DESCRIPTION
110900054	3/31/11	6:46:20	UNAUTHORIZED ENTRY	724	N MAIN ST	Brownsville	NONE	NARN Extra Patrol
110900031	3/31/11	4:42:49	ALARM-POLICE	101	PARK AV	Brownsville	703	No Additional Report Necessary
110890307	3/30/11	16:50:01	WARRANT SERV	255	N MAIN ST	Brownsville	781	No Additional Report Necessary
110880305	3/29/11	17:55:49	BURGLARY REPORT	130	MOODY CT	Brownsville	759	No Additional Report Necessary
110870265	3/28/11	15:41:54	WARRANT SERV	217	KIRK AV	Brownsville	756	No Additional Report Necessary
110870259	3/28/11	15:30:58	Trf Cell Phone Use	855	LINN WY	Brownsville	756	CITE ISSUED - DWS/NO ODL
110860178	3/27/11	15:05:27	HARASSMENT RPT	220	S MAIN ST	Brownsville	721	No Additional Report Necessary
110860100	3/27/11	9:49:07	SUSP-VEHICLE	710	AMELIA AV	Brownsville	781	No Additional Report Necessary
110860012	3/27/11	0:48:07	DISTB-OTHER	712	OAK ST	Brownsville	711	No Additional Report Necessary
110850229	3/26/11	17:00:39	TRAFF-OTHER VIOL	1	E HWY 228	Brownsville	NONE	NARN Extra Patrol
110850145	3/26/11	11:36:14	SUSP-CIRCUMSTANCES	101	PARK AV	Brownsville	721	No Additional Report Necessary
110840260	3/25/11	16:45:54	SUSP-CIRCUMSTANCES	225	LOCUST AV	Brownsville	781	No Additional Report Necessary
110830388	3/24/11	22:17:56	CIV PROCESS-OTHER	130	MOODY CT	Brownsville	752	Civil process atmped, not served
110830384	3/24/11	22:08:38	CIV PROCESS-OTHER	316	WASHBURN	Brownsville	752	Civil process atmped, not served
110820395	3/23/11	22:42:46	Trf Equipment Viol	800	LOUCKS WY	Brownsville	752	WARNING - EQUIPMENT VIOLATION
110820366	3/23/11	20:42:28	PHONE-HARASSMENT	100	SCHOOL AV	Brownsville	752	No Additional Report Necessary
110820017	3/23/11	1:02:26	Trf Speed Viol	900	PINE ST	Brownsville	703	WARNING - SPEEDING VIOLATION
110810209	3/22/11	15:40:20	TRAFF-OTHER VIOL	250	KISLING AV	Brownsville	781	No Additional Report Necessary
110810111	3/22/11	11:18:30	SUSP-PERSON	203	KIRK AV	Brownsville	781	No Additional Report Necessary
110800233	3/21/11	14:39:06	BURGLARY REPORT	931	FILBERT ST	Brownsville	721	Incident Report
110800208	3/21/11	13:17:00	BURGLARY REPORT	420	HAUSMAN A	Brownsville	781	Incident Report
110800158	3/21/11	11:13:48	PROP-FOUND	255	N MAIN ST	Brownsville	781	No Additional Report Necessary
110800114	3/21/11	8:55:28	BURGLARY REPORT	1126	LINN WY	Brownsville	781	Incident Report
110800109	3/21/11	8:37:18	SUSP-PERSON	1225	ASH ST	Brownsville	721	No Additional Report Necessary
110790134	3/20/11	10:11:37	PERS-MISSING	500	LOUCKS WY	Brownsville	756	No Additional Report Necessary
110780207	3/19/11	15:45:28	TRAFF-DUII	220	S MAIN ST	Brownsville	702	No Additional Report Necessary
110770306	3/18/11	21:34:45	SUSP-VEHICLE	419	N MAIN ST	Brownsville	752	No Additional Report Necessary
110770221	3/18/11	16:31:26	BURGLARY REPORT	932	KIRK AV	Brownsville	702	No Additional Report Necessary
110770172	3/18/11	13:39:39	PARKING COMPL	353	N MAIN ST	Brownsville	756	No Additional Report Necessary
110760275	3/17/11	19:47:34	SUSP-CIRCUMSTANCES	109	SPAULDING /	Brownsville	703	No Additional Report Necessary
110760255	3/17/11	18:42:28	BURGLARY REPORT	316	SPAULDING \	Brownsville	703	Incident Report
110760205	3/17/11	15:54:10	SUSP-PERSON	1030	OAK ST	Brownsville	NONE	NARN Extra Patrol
110760198	3/17/11	15:29:26	TRAFF-OTHER VIOL	800	LOUCKS WY	Brownsville	757	CITE ISSUED - EQUIPMENT VIOLATION
110760191	3/17/11	15:07:11	Trf Speed Viol	300	WASHBURN	Brownsville	757	WARNING - SPEEDING VIOLATION
110750039	3/16/11	4:40:12	911 HANGUP	628	LOUCKS WY	Brownsville	752	No Additional Report Necessary
110740349	3/15/11	20:45:41	Trf Equipment Viol	300	WASHBURN	Brownsville	752	WARNING - EQUIPMENT VIOLATION
110740346	3/15/11	20:39:30	Trf Equipment Viol	200	E WASHINGTON	Brownsville	752	WARNING - EQUIPMENT VIOLATION
110740175	3/15/11	12:01:07	THEFT-RPT	203	W BISHOP WY	Brownsville	756	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STREET #	ADDRESS	CITY	NIT	CDU	DESCRIPTION
110740090	3/15/11	7:52:50	Trf Aggressive Driver	100	W WASHINGTON	Brownsville	756		CITE ISSUED - AGGRESSIVE DRIVER
110740082	3/15/11	7:12:43	Trf Speed Viol	600	TEMPLETON	Brownsville	756		CITE ISSUED - SPEEDING VIOLATION
110740076	3/15/11	6:45:58	Trf Speed Viol	100	WORLEY ST	Brownsville	756		WARNING - SPEEDING VIOLATION
110740018	3/15/11	1:12:52	SUSP-VEHICLE	204	W BISHOP WY	Brownsville	707		No Additional Report Necessary
110730226	3/14/11	14:00:53	ASST-OUTSIDE AGENCY	729	N MAIN ST	Brownsville	756		No Additional Report Necessary
110730138	3/14/11	10:49:01	SUSP-VEHICLE	382	KIRK AV	Brownsville	756		No Additional Report Necessary
110730119	3/14/11	10:10:55	ALARM-POLICE	513	OAK ST	Brownsville	756		No Additional Report Necessary
110730118	3/14/11	10:02:49	CRIM MISCHIEF	136	SPAULDING /	Brownsville	756		No Additional Report Necessary
110720086	3/13/11	9:01:57	BURGLARY REPORT	130	SPAULDING /	Brownsville	735		No Additional Report Necessary
110720045	3/13/11	4:51:05	NARCOTICS OFF	1004	OAK ST	Brownsville	743		No Additional Report Necessary
110710084	3/12/11	8:55:09	VACATION CHK	35620	KIRK AV	Brownsville	NONE		NARN Extra Patrol
110700314	3/11/11	18:53:14	EXTRA PATROL	130	SPAULDING /	Brownsville	703		No Additional Report Necessary
110700099	3/11/11	9:01:29	WELF CHECK	729	N MAIN ST	Brownsville	775		Incident Report
110700063	3/11/11	6:42:47	ALARM-POLICE	430	N MAIN ST	Brownsville	708		No Additional Report Necessary
110690138	3/10/11	10:13:01	Trf Speed Viol	300	WASHBURN :	Brownsville	756		CITE ISSUED - SPEEDING VIOLATION
110690072	3/10/11	7:35:24	SUSP-VEHICLE	220	S MAIN ST	Brownsville	756		MDT Narrative Update
110690068	3/10/11	7:14:50	Trf Speed Viol	200	TEMPLETON	Brownsville	756		WARNING - SPEEDING VIOLATION
110690066	3/10/11	7:03:13	Trf Speed Viol	200	TEMPLETON	Brownsville	756		CITE ISSUED - SPEEDING VIOLATION
110690062	3/10/11	6:42:43	Trf Speed Viol	200	TEMPLETON	Brownsville	756		CITE ISSUED - SPEEDING VIOLATION
110680321	3/09/11	20:12:54	ALARM-POLICE	351	N MAIN ST	Brownsville	759		No Additional Report Necessary
110680264	3/09/11	17:25:12	SUSP-VEHICLE	227	AVERILL ST	Brownsville	756		No Additional Report Necessary
110680226	3/09/11	15:32:34	DISTB-NOISE	27917	SEVEN MILE	Brownsville	756		No Additional Report Necessary
110670315	3/08/11	20:15:21	THEFT-RPT	600	WASHBURN :	Brownsville	711		Incident Report
110660127	3/07/11	10:51:25	SEX OFFENSE	743	TEMPLETON	Brownsville	762		Incident Report
110660032	3/07/11	5:04:29	Trf Equipment Viol	300	WASHBURN :	Brownsville	756		WARNING - EQUIPMENT VIOLATION
110650225	3/06/11	16:32:07	Trf Moving Viol	100	HAUSMAN A\	Brownsville	759		WARNING - MOVING VIOLATION
110650182	3/06/11	14:19:43	JUV-COMPLAINT	220	LOCUST AV	Brownsville	759		No Additional Report Necessary
110640284	3/05/11	17:53:14	Trf Citz Compl	1000	LINN WY	Brownsville	756		CITE ISSUED - DWS/NO ODL
110640154	3/05/11	11:38:44	SUICIDAL-SUBJECT	600	E BLAKELY AV	Brownsville	752		CAD Report
110640145	3/05/11	11:17:35	FRAUD	210	NORTH AV	Brownsville	748		No Additional Report Necessary
110640131	3/05/11	10:33:00	PERS-MISSING	382	KIRK AV	Brownsville	752		No Additional Report Necessary
110620364	3/03/11	20:33:06	WARRANT SERV	761	TEMPLETON	Brownsville	781		No Additional Report Necessary
110620352	3/03/11	19:18:58	DISTB-DOMESTIC	109	SPAULDING /	Brownsville	757		Incident Report
110610347	3/02/11	21:40:14	SEX OFFENSE	35620	KIRK AV	Brownsville	781		Incident Report
110610020	3/02/11	2:45:12	ASSAULT REPORT	200	N MAIN ST	Brownsville	715		Incident Report
110610014	3/02/11	1:53:15	DISTB-DOMESTIC	200	VROMAN AV	Brownsville	756		Incident Report
110600391	3/01/11	23:27:56	SUSP-PERSON	118	E BLAKELY AV	Brownsville	756		No Additional Report Necessary
110600390	3/01/11	23:13:04	Trf Speed Viol	200	N MAIN ST	Brownsville	756		CITE ISSUED - SPEEDING VIOLATION

RESOLUTION NO. 662

**A RESOLUTION VERIFYING SERVICES PROVIDED BY THE
CITY OF BROWNSVILLE IN ACCORDANCE WITH THE
DEPARTMENT OF ADMINISTRATIVE SERVICES
REQUIREMENTS FOR STATE-SHARED REVENUES**

WHEREAS, Oregon Revised Statutes (ORS) 221.760 provides as follows:

Section 1. The office responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police Protection, (2) Street construction, maintenance and lighting, (3) Sanitary Sewer, (4) Storm Sewers, (5) Planning, zoning, and subdivision control, (6) Water, (7) Library Services, (8) Municipal Court and (9) Parks;

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, hereby certifies that it provides the following municipal services enumerated in Section 1, ORS 221.760:

- (1) Police Protection, (2) Street construction, maintenance and lighting, (3) Sanitary Sewer, (4) Storm Sewers, (5) Planning, zoning, and subdivision control, (6) Water, (7) Library Services, (8) Municipal Court and (9) Parks;

PASSED AND ADOPTED by the Council of the City of Brownsville this 26th day of April, 2011.

S. Scott McDowell
City Administrator

Don Ware
Mayor

R 662

OAM 2011



Older Americans:
connecting the community

PROCLAMATION
OLDER AMERICANS MONTH
OLDER AMERICANS: CONNECTING THE COMMUNITY
MAY 2011

WHEREAS, 17,648 citizens aged 65 and over make their home in Linn County, 9,578 in Benton County, and 9,051 in Lincoln County; and

WHEREAS, the older adults in Brownsville are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

WHEREAS, our society can be enhanced by older adults aging peacefully in their communities; and

WHEREAS, the older adults in Brownsville should be commended for their role in creating and bolstering the fiber of our community and nation; and

WHEREAS, our community can provide that recognition and respect by enriching the quality of life for older Americans by:

- ◆ Increasing their opportunities to remain in their communities as active and engaged citizens
- ◆ Providing services, technologies, and support systems that allow seniors to foster and maintain connections within the community
- ◆ Emphasizing the value of elders by publically recognizing their contributions to the diversity, strength, and unity of our community

NOW THEREFORE, the Council of the City of Brownsville, Oregon do hereby proclaim May 2011 to be Older Americans Month. we urge every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who care for them. Our recognition of older Americans and their involvement in our lives can help us achieve stronger and more meaningful connections with each other and enrich our community's quality of life.

Date this 26th day of April, 2011

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor

Park Use Agreement

BETWEEN: The City of Brownsville, an Oregon
Municipal Corporation (CITY)

AND: Oregon Bicycle Ride (ORGANIZER)

RECITALS

- I. The City of Brownsville owns and operates Pioneer Park, a 26+ acre public park.
- II. Organizer wishes to utilize Pioneer Park to facilitate the 25th Anniversary of OBR; August 7th & 8th, 2011.
- III. The Parks & Open Space Advisory Board and Council have expressed a willingness to make such accommodations and allow such use of Pioneer Park provided Organizer is able to satisfy necessary requirements to ensure the safety of attendees and properly protect Park grounds and facilities.

AGREEMENT

1. ORIGINATION. This Agreement is made this ____ day of _____, 20____, between the City and the Organizer.

2. CONDITIONS. The City grants permission to the Organizer to use Pioneer Park for holding the Event on the dates stated above subject to the following conditions:

a) **Application.** Organizer has submitted the following information:

- Name and address of the person or persons responsible for the Event:

*Event Director Sanna Phinney
1477 NW Saginaw Avenue Bend, OR 97701
541-382-2633 (home/business) 541-410-1031 (cell)*

- Proof of Insurance; (CITY will require to be listed as additionally insured.)

- An accurate description of the area requested to be used;

- The exact dates and times of the proposed event:

August 7th, 2011 - 10 a.m. through August 9th, 2011 - 10 a.m.

- Estimated attendance:

*275 Cycling Guests
35 – 40 Staff*

- Estimated number of campers and RV's:

*3 RV units
1 Semi-truck/Trailer—the Shower Truck
7 Vans
7 – 17' U-Hauls
3 – 26' U-Hauls*

- Number of tickets to be sold, if any:

Not Applicable.

- Nature of the proposed gathering:

Bicycle tour – vacation; convenience station for participants.

b) Additional Information. Organizer has provided the following:

1. A list describing all the temporary structures or equipment proposed to be used.

We may set up our canopies (7 – 10'x6') with tables and chairs. However, if the tables under your shelter are sufficient for our needs, we won't set up the canopies. We will set up several "pop-up" tents to provide cover for our bicycle mechanics, massage therapists, and beverages set out by our 'Camp Central'.

Our bicyclists will set up their personal tents in the area defined by the City Administrator.

2. Fire and life safety plan.

c) Responsibilities of Organizer.

In order to demonstrate that Organizer has adequate plans to satisfy the responsibilities of this Agreement, Organizer has submitted the following information:

1. A feasibility review for the site with proposed venue layout.
2. Marketing for the Event, if any:

We don't do any marketing other than using our website and Facebook to promote our ride.

3. Providing all necessary appurtenances for said Event including, but not limited to, additional trash cans, fencing and portable facilities such as restrooms.

We will order dumpsters to be delivered before our arrival and picked up after our departure.

4. Procuring and providing every aspect of the Event including, but not limited to, all arrangements, logistics and food service.

We provide our own caterer and they travel with us.

5. Setting up and tearing down all structures relating to the Event.

Our staff will arrive around 10 a.m. on August 7th to begin set up and our staff will tear down and leave by 10 a.m. on August 9th. The park will be left in equal to or better condition than when we arrived.

3. RESPONSIBILITIES OF CITY

A. The City shall provide:

1. The use of the requested venue for the specified date. Incidental use of the Park will be permitted. Incidental use includes people using the river, playground equipment and other normal uses of the Park during the Event.
2. The use of all the buildings including the Pavilion, Dance Hall, Stage, Community Arts Building and the Flower Building.
3. Existing Portable restrooms, existing trash cans and one (1) 30 yard dumpster in the food service area.

4. **COMPENSATION.** Both parties have agreed to the sum of \$1,200. Charges are based on the number of buildings and campers for the duration of their stay; generally based on the current fee structure. Payment should be made by August 5th, 2011.

5. **ENTIRE AGREEMENT.** This document embodies the entire agreement between the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties.

6. **MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.

7. INTENT. The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial.

City:

Mayor

Date:

STATE OF OREGON }
 }
COUNTY OF LINN }

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named known to me to be the individual described herein and who acknowledged to me that they freely and voluntarily executed this instrument.

Notary Public for Oregon
My Commission Expires:

Organizer (OBR):

Oregon Bicycle Ride Event Director

Date:

STATE OF OREGON }
 }
COUNTY OF LINN }

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named known to me to be the individual described herein and who acknowledged to me that they freely and voluntarily executed this instrument.

Notary Public for Oregon
My Commission Expires:

OLCC LICENSE RENEWALS

City of Brownsville
BROWNSVILLE
PO Box 188
Brownsville OR 97327

Received
City of Brownsville
MAR 17 2011

Clerk _____

Attached is the list of OLCC liquor licenses in BROWNSVILLE that are eligible for license renewal. These licenses will expire on 7/1/2011.

Oregon Revised Statute (ORS) 471.166 establishes the process for local governments to make recommendations to the OLCC. It also requires the OLCC to notify licensees of the license renewal application or processing fees charged by their local governments. According to our records, you charge:

License Renewal Fee: Off Premises Fee:

We will direct renewal applicants to mail the renewal fees to the address on this letter. Please notify us immediately if the fees or address are incorrect.

Approximately 40 days after the licenses expire, the OLCC will send you a list of the licensees who filed a renewal application. You can use this list to verify that applicants have paid your fees.

Recommendation Process:

You have until 5/20/2011 to exercise one or more of the following options:

1. Provide a written renewal recommendation to the OLCC for any or all of the licenses on this list.
2. Make a written request for additional time to investigate a specific renewal or renewals. The request must set forth the reason additional time is needed, state that the local government is considering making an unfavorable recommendation, and state the specific grounds being considered toward an unfavorable recommendation.
3. Take no action. After 5/20/2011, the OLCC will process the renewal application as if you made a favorable recommendation.

Please send any correspondence to OLCC License Renewals, P.O. Box 22297, Portland OR 97269 2297. You can also contact our license renewal section at 1 (800) 452.6522 or at (503) 872.5121 or (503) 872.5122 in Portland.

Dist. #	License #	Tradename	Participant	License	Premises Address
Local Government: BROWNSVILLE					
3	141822	BELLA CUCCINA & BAKERY	BELLA CUCCINA LLC	L	122 SPAULDING AVE, BROWNSVILLE, OR
	140855	BROWNSVILLE SALOON	WADE, NATALIE L	F-COM	419 N MAIN ST, BROWNSVILLE, OR
	144967	BROWNSVILLE VIDEO	LARSEN, DEBORAH A	O	136 SPAULDING AVE, BROWNSVILLE, OR
	140571	CORNER CAFE	GENERAL STORE CORNER CAFE LLC	L	431 N MAIN ST, BROWNSVILLE, OR
	142435	DARI MART STORE #24	DARI-MART STORES INC	O	220 S MAIN ST, BROWNSVILLE, OR
	139020	JERRY'S CHEVRON	DDB PIONEER LLC	O	203 E BISHOP WAY, BROWNSVILLE, OR



Oregon

John A. Kitzhaber, MD, Governor

Liquor Control Commission

Oregon Liquor Control Commission
Salem Regional Office
200 Hawthorne Ave. #B-210
Salem, OR. 97301

April 18, 2011

City of Brownsville
Scott McDowell, City Administrator
PO Box 188
Brownsville, OR. 97327

Received
City of Brownsville
APR 20 2011

Clerk _____

SUBJECT: LIQUOR LICENSE APPLICATION BY:

At: Deborah A. Larsen
Brownsville, Video
130 Spaulding Ave
Brownsville, OR. 97327

Re: Park known as "Library Park"

Dear City Administrator McDowell:

The Oregon Liquor Control Commission has received an application for a New Outlet Liquor License in your community. This license is for an Off-Premises Sales License.

The Off-Premises Sales License, which allows the licensee to sell factory sealed containers of malt beverages containing not more than 14% alcohol by volume, wine containing not more than 21% alcohol by volume or cider containing not more than 10% alcohol by volume for consumption off the licensed premises. The legal Hours of Sale are 7:00 am to 2:30 am. The applicants proposed hours of operation are: Monday-Thursday, 10am-7pm, Friday-Saturday, 10am-7:30pm and Sunday 10am-4pm.

If your organization wishes to provide the Commission with factual information concerning whether there is a basis to grant or deny the license under the liquor laws of Oregon, please write within 15 days of the date of this letter to:

Shari Dougherty/Investigator
Oregon Liquor Control Commission
200 Hawthorne Avenue, Suite B-210
Salem, OR. 97301
503-378-2939, Fax: 503-378-4594

We will share your information with the applicant, make it part of the public record and consider it when deciding to grant or deny this license.

Sincerely,

Shari Dougherty
Investigator



LINN COUNTY SHERIFF'S OFFICE

Tim Mueller, Sheriff

1115 SE Jackson Street, Albany, OR 97322

Phone: (541) 967-3950

www.LinnSheriff.org

Received
City of Brownsville

APR 13 2011

Clerk _____

April 11, 2011

The Honorable Don Ware
Mayor of Brownsville
P.O. Box 188
Brownsville, Oregon 97327

RE: Agreement – Law Enforcement Services

Dear Mayor Ware:

Enclosed please find two (2) originals of our 2011/2012 Law Enforcement Agreement.

The Linn County Board of Commissioners has determined that the municipal law enforcement agreements will be increased by 5% this coming year. The County will continue to absorb costs such as corrections, dispatch, vehicle maintenance etc., in an attempt to keep costs down.

The majority of this increase is due to rising costs in personnel services, which includes health care and PERS increases.

Please sign both copies and *return to us as soon as possible*. After the County signs the agreements, an original will be sent to you.

If you have any questions, I can be reached at (541) 967-3950.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Mueller".

Tim Mueller
Linn County Sheriff

TM/cp
Enclosures
c: file

AGREEMENT – LAW ENFORCEMENT SERVICES

THIS AGREEMENT MADE AND ENTERED into this 30th day of June, 2011, by and between LINN COUNTY, OREGON a political subdivision, of the State of Oregon, and the SHERIFF OF LINN COUNTY, hereinafter called COUNTY, and the CITY OF BROWNSVILLE a municipal corporation of the State of Oregon, hereinafter called CITY.

W I T N E S S E T H:

WHEREAS, the City is desirous of contracting with the County for the performance of the hereinafter described law enforcement functions within its boundaries by the County, through the Sheriff thereof, and

WHEREAS, the County is agreeable, with approval of the Sheriff to rendering such services on the terms and conditions hereinafter set forth herein, and

WHEREAS, such contracts are authorized and provided for by the provisions of ORS 190.010 and ORS 206.345.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

1. The County agrees, through the Sheriff of the County, to provide police protection within the corporate limits of the City to the extent and in the manner hereinafter set forth. The police services shall encompass duties and functions of the type within the jurisdiction of and customarily rendered by the Sheriff of the County pursuant to the statutes of the State of Oregon, and those duties associated with the enforcement and compliance with the Ordinances of Brownsville under those Ordinances duly authorized and enacted by the city. Such services shall include the enforcement of the State statutes and the municipal ordinances of the City.

2. The rendition of such service, the standards of performance, the discipline of officers, and other matters incident to the performance of such services and the control of the personnel so employed, shall remain in the Sheriff. However, it is understood that two (2) deputies will be assigned to devote seventy percent (70%) of their time to enforcement for the CITY.

3. For the purpose of performing such functions, the County through the Sheriff shall furnish and supply all necessary labor, supervision, equipment, radio communication facilities and supplies necessary to maintain the level of services to be rendered hereunder.

4. The County hereby covenants and agrees to hold and save the City and its officers, agents and employees harmless from all claims whatsoever that might arise against the City, its officers, agents, or employees by reason of any act of the County, its officers, agents, or employees in the performance of the duties required by the terms of this agreement.

5. The City grants to the County and the Sheriff, full municipal police authority.

6. The term of this contract shall be from July 1, 2011 through and including June 30, 2012. However, the service of the Sheriff shall continue to be performed and the authority granted to the Sheriff to enforce the ordinances of the City shall continue until thirty days after notice is given by either party that such services or authority is discontinued.

7. In consideration of the services provided for hereinabove, the City agrees to pay in cash the sum of \$ 117,312.00, said sum to be paid in quarterly installments.

IN WITNESS WHEREOF The City by resolution duly adopted by its City Council cause this agreement to be signed by its Recorder, and the County by order of its County Court and attested by the Clerk of the said County, and subscribed by the Sheriff of Linn County, all on the day and year first above written.

LINN COUNTY, a political subdivision
of the State of Oregon

By _____
Chairman Date

Commissioner Date

Commissioner Date

Sheriff Date

ATTEST:

Linn County Clerk

CITY OF BROWNSVILLE

By _____
Mayor Date

ATTEST:

City Recorder

APPROVED AS TO FORM:

Linn County Legal Counsel



Oregon

John A. Kitzhaber, MD, Governor

Oregon Utility Notification Center
305 NE 102nd Avenue, Suite 300
Portland, OR 97220-4170
(503) 232-1987

Tax ID#: 93-1191869

Dear City Official,

Each year in the US more than 200,000 underground utility lines are struck. 37% of those damages are a direct result of not calling for underground locates before starting to dig, even though it is a free call to the entity performing the excavation work. Every dig-in impacts the integrity of the utility that is damaged and causes interruption of essential services. Damage to working facilities within your boundaries impacts your city's budget, regardless of who caused the incident.

The Oregon Utility Notification Center is preparing a very aggressive campaign for April 2011, national 'Dig Safely' month. It is our goal to saturate the radio waves around the state with a 'Know What's Below, Call 811 Before You Dig' message. The OUNC Board is prepared to MATCH every contribution dollar for dollar! We are asking for your city to partner with our campaign by making a small monetary contribution. We are requesting a donation range of \$100 to \$500 dollars, depending on the size of your city.

The OUNC is approaching this endeavor by regions, so the dollars from your city will be used to pay for radio advertising in YOUR geographical portion of the state. We realize that everyone's budgets are stretched so we are hoping that by asking for small contributions from every city, we will build a collective fund for each area that will be matched dollar for dollar by the OUNC.

The donation amounts we are requesting are a very small price to pay for an ounce of prevention. Whether the damage to the underground utility is large or small, there are always collateral costs associated with inspections, billing, repairs, and possibly litigation. By creating an aggressive and comprehensive Call 811 radio campaign we hope to significantly decrease the number of underground damages throughout the state of Oregon. If your city has already budgeted and made a financial commitment to support this activity, we sincerely thank you.

If a financial commitment supporting Call 811 has not been previously budgeted, please let us know if your city will participate in the 2011 'Know What's Below, Call 811 Before You Dig' campaign. Your payments can be made by check or via PayPal by following the link on our website at www.digsafelyoregon.com or the PayPal address is OUNCLaura@aol.com The mailing address for checks is Oregon Utility Notification Center, 305 NE 102nd Ave, Suite 300, Portland, OR 97220.

The Oregon Utility Notification Center is a self-sustaining, not-for-profit, state agency that receives no funds from the State of Oregon. Please visit the OUNC website at www.digsafelyoregon.com for additional information. Questions regarding the 2011 radio campaign can be sent to anita.floyd@qwest.com or by calling 503-242-8290.

Sincerely,

Anita Floyd

Anita C Floyd
Chair, OUNC Publicity and Education Committee

Fundraising For Lebanon Youth
P.O. Box 2621
Lebanon, Oregon 97355
Telephone: 541-451-1124
EIN: 27-0588942



Received
City of Brownsville
APR 04 2011

Clerk _____

=====

April 1, 2011

Dear Lebanon Chamber Of Commerce Member:



Fundraising For Lebanon Youth (FFLY) is a non-profit organization that was formed to help supplement sports, education, and the well-being of Lebanon's youth. It participates in and provides funding for youth programs in Lebanon. In order to do this, FFLY must rely on donations from the community.

Due to limited funds, we are currently limited to the organizations we can assist. We are involved with the Santa's Workshop at Cascade School which provides food and gifts for less fortunate families and the Seven Oak Middle School Parent Teacher Club which provides funding for classroom supplies, field trips, playground equipment, and reward programs. We are in the process of applying for grants to fund a scoreboard and fencing for the Lebanon High School varsity soccer field.

We realize hard economic times have affected everyone. However, FFLY would greatly appreciate it if you would consider making a monetary donation to help benefit the youth of Lebanon. Donations are tax deductible and can be sent to the address indicated above.



Thank you for supporting this worthwhile organization!

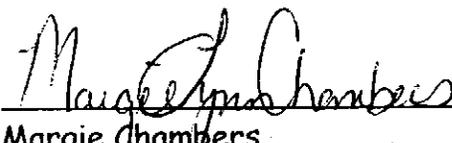
Sincerely,



Sherron Albion
President



Tina Breshears
Vice-President



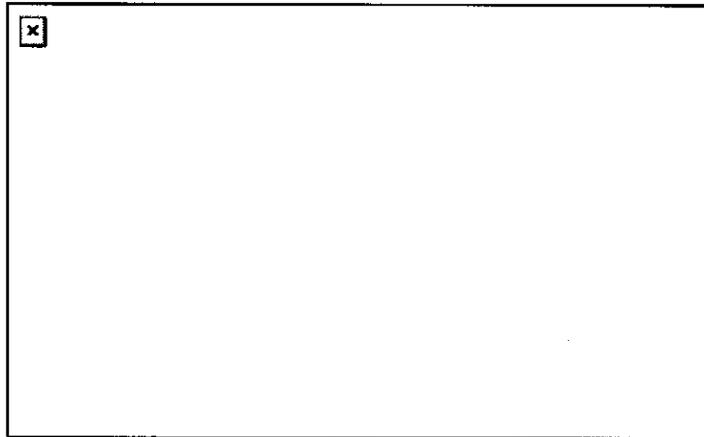
Margie Chambers
Secretary



Michele Burd
Treasurer

From: sales@tributetofallensoldiers.com
Sent: Wednesday, April 06, 2011 4:36 PM
To: rscwarren@aol.com
Subject: Tribute to Fallen Soldiers Motorcycle Ride - 2011 Flyer
Attachments: 2011_Tribute_Ride_Flyer2.jpg

Follow Up Flag: Follow up
Flag Status: Completed



***Saturday & Sunday
August 20-21, 2011***

Hello all from the 2011 *Tribute to Fallen Soldiers Motorcycle Ride*. As we head into spring with warmer weather ahead, most of you will be getting your bikes out of the garage and begin hitting the roads for weekend excursions. As you begin these excursions with your friends or motorcycle club and chapter members we hope you'll begin spreading the word about our *2nd Annual Tribute to Fallen Soldiers Motorcycle Ride* scheduled for **August 20th and 21st**.

As we set out to honor (8) fallen soldiers and their family's from the State of Oregon, our goal is to continue raising awareness for this heart warming and extremely important event. Our mission is simple,.... "*To assure the family's of our fallen soldiers that we'll never forget the sacrifice their fallen hero has given to their country*". And we do this through these exclusive and special family home visits.

Below is a reminder of this years ride details:

Friday August 19th: 2nd Annual Tribute to Fallen Soldiers "*Welcome Reception*" - Holiday Inn Express - 375 Harvard Blvd, Roseburg, OR. - 6PM
(Holiday Inn Express is the official hotel of Tribute to Fallen Soldiers)



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE, Ste C

Salem, OR 97301-1266

(503) 986-0671

Fax (503) 986-0793

www.oregonheritage.org

April 13, 2011

Scott McDowell
City of Brownsville
255 N. Main St.
PO Box 188
Brownsville, OR 97327



RE: Archaeological Permit No. 1496

Dear Mr. McDowell:

Enclosed is an archaeological permit application submitted to State Parks by Kathryn Toepel. It is the responsibility of State Parks to forward all such applications to those parties described under ORS 390.235. Landowners should have been contacted by the applicant for access and disposition of artifacts (private lands).

Please review this application, mark your evaluation below, and return it to us with any comments. If we do not receive a response within thirty (30) days from the date of this notification, we will assume you have no objection to this permit.

Thank you for your cooperation. Please contact me if you have any questions.

Sincerely,

Tom Churchill, MAIS, RPA
SHPO Archaeologist
503-986-0676
thomas.churchill@state.or.us

Reviewer Evaluation

- I approve of the permit
- I request conditions (attach)
- I object to the permit (attach explanation)

Signature: SM CITY ADMINISTRATOR

Date: 04.14.2011

cc: Dr. Jon Erlandson (OSMA)
Karen Quigley (CIS)
City of Brownsville Planning Department
Confederated Tribes of Grand Ronde Community of Oregon
Confederated Tribes of Siletz
Confederated Tribes of Warm Springs

04.14.2011 – Mr. Churchill, the City approves this permit application and looks forward to having this completed. Please contact me if you need anything further.

Steve Druckenmiller
Linn County Clerk

P.O. Box 100, Albany, Oregon 97321
Archives 967-3830
Elections 967-3831
License 967-3830
Recording 967-3829

Received
City of Brownsville

APR 19 2011

Clerk _____

April 14, 2011

Scott McDowell
Brownsville City Hall
255 N. Main Street
Brownsville, Oregon 97327

Dear Mr. McDowell:

This is to advise you that on May 17, 2011 there will be a Special Election. This will require your drop site to operate as an "Official Drop Site" during this election.

The current plan is to deliver the privacy booth and locked ballot bag on April 28, 2011. Pursuant to our drop site agreement we ask that you accept ballots during normal operating hours until May 17, 2011. On that day the drop site will be open from 7:00 a.m. to 8:00 p.m. At 8:00 p.m., the locked ballot bag and equipment will be picked up.

Thanks, to you and your staff for your cooperation and contribution during this election. If you have any questions, please call me at 541-967-3831.

Sincerely,



Derrick Sterling
Supervisor of Elections

S. Scott McDowell

From: Mark Volmert [MVolmert@ocwcog.org]
Sent: Monday, April 18, 2011 8:59 AM
To: admin@ci.brownsville.or.us
Subject: CWACT Federal transportation update

Follow Up Flag: Follow up
Flag Status: Flagged

To: City Managers/Administrators/Recorders

Update on federal transportation funding.

Mark Volmert
Transportation Planner
Oregon Cascades West Council of Governments/
Cascades West Area Commission on Transportation
(541) 924-8430

From: Mark Volmert
Sent: Friday, April 15, 2011 5:43 PM
Subject: CWACT Federal transportation update

**To: CWACT Members and Alternates
CWACT TAC Members**

Two updates on federal transportation funding: Federal Fiscal Year 2011 and Federal Fiscal Year 2012 Budgets

FY 2011

At the bottom of this e-mail you will find an update from the ODOT federal affairs office. Generally, the transportation reductions in the FY 2011 budget approved this week appear to have very limited impact on ODOT or Oregon communities. An earlier budget continuing resolution would have rescinded funding for the ODOT rail grant to help develop the environmental report for the higher speed rail project and to update the 2001 Oregon Rail Plan. The FY 2011 approved budget did not rescind this funding; so these two projects will proceed.

FY 2012

Although the political discourse during the past several weeks was challenging, it will be far more difficult for Congress and the Administration to reach agreement on the FY 2012 budget.

This afternoon the House of Representatives approved a concurrent resolution establishing the FY 2012 budget. The resolution, based on the blueprint outlined last week by House Budget Committee Chair Ryan, would cut federal transportation programs 28% from current baseline levels.

The Highway Trust Fund contract authority would average \$38 billion per year over FY 2012-2014, then dip down in FY 2015. The FY 2011 baseline is \$53 billion (including highway, transit and safety programs). Federal highway funding would drop from about \$42 billion to less than \$30 billion. Federal transit funding would drop from about \$8.4 billion to about \$5 billion; and the current \$2 billion of transit revenue from the general fund would likely be eliminated.

As we have discussed at CWACT meetings, not all federal transportation programs would be reduced by the same percentage. Although some discretionary programs would likely receive deeper cuts than formula programs, if the transportation budget is cut by \$15 billion formula programs would be impacted.

The House Democratic alternative budget resolution, which was rejected in a House vote, would have provided \$93 billion transportation funding in the FY 2012 budget authority, with increases in subsequent years.

As previously reported to CWACT members, President Obama recently called for a very substantial increase in transportation funding over the next six years. The Administration has not identified the revenue source; indicating it will "work with the Congress to find the resources". The Administration has repeatedly said it does not support increasing the federal fuel tax. Last week 23 Republican Senators wrote to President Obama asking him to detail how the Administration plans to raise the hundreds of billions of dollars needed to fund the programs it has outlined as a part of the transportation reauthorization bill.

Needless to say, Congress and the Administration have a very long list of fiscal issues to address in the coming year including Medicare, Medicaid, Social Security and the size of the federal deficit. Opening markers have been placed on the table; including transportation funding markers. Stay tuned. It's likely to be a bumpy road.

Mark Volmert

From: BROUWER Travis [mailto:Travis.BROUWER@odot.state.or.us]
Sent: Thursday, April 14, 2011 10:03 AM
Subject: Federal transportation update: FY 2011 budget deal impacts on transportation

Today the House will vote on HR 1473, the appropriations bill for the remainder of federal FY 2011. As you may have heard, this bill significantly cuts transportation funding. However, the impact on Oregon will be relatively minor. For the most part, highway and transit formula programs were left unscathed, while most of the funding cuts came out of discretionary grant programs including high speed rail.

Here are some of the highlights, focusing on transportation programs that were cut by over \$100 million. For a full list of transportation program cuts, see the last page of the document posted at <http://appropriations.house.gov/files/41211ProgramCutsListFinalFY2011CR.pdf>.

- **Highway funding:** The highway program is funded at about \$41.8 billion, about a billion dollars less than in FY 2010, as a one-time plus-up of \$650 million and nearly \$300 million in special earmarks funded last year were not continued. As last year's money was above the normal authorized funding level, this doesn't really represent a cut in federal highway funding from the baseline level.
- **Rescission of "dead" earmarks:** \$630 million in "dead" or "orphan" earmarks from TEA-21 were rescinded. These are earmarks for which less than 10% of funding has been obligated. Since TEA-21 was passed in 1998, it's likely these earmarks will never be spent. We do not believe any Oregon earmarks will be impacted.
- **Rescission of unobligated highway funding:** \$2.5 billion in unobligated highway program contract authority is rescinded. This is a budget gimmick that doesn't actually take away real money. Oregon's share will be about \$30 million. Contract authority for Transportation Management Areas is protected from rescission.
- **High Speed Intercity Passenger Rail:** FRA's HSIPR program was cut deeply: \$2.5 billion in FY 11 funding was eliminated, zeroing out the program for this year, and \$400 million in FY 2010 funding returned by the state of Florida was rescinded. However, \$2 billion in Florida's returned Recovery Act funding remains, so the grant application ODOT submitted last week seeking \$13 million from this source could still be funded. Congress did not rescind the funding that has already been allocated to states, as proposed in the bill passed by the House earlier in the year; this would have taken millions of dollars from projects in Oregon. Given the animus toward passenger rail expressed in Chairman Ryan's FY 12 budget proposal, it is likely that passenger rail grants won't receive much funding in the next couple years. The impact on Oregon may not be particularly significant, however, as we will not be eligible to apply for construction funds until preliminary engineering/environmental work is complete on a number of projects; by the time that work is complete, funding might be available once more.
- **FTA New Starts:** A total of \$680 million in New Starts funding for high capacity transit projects is cut from FY 2011 and ARRA. Most of this will come from the money for the New Jersey/New York tunnel project that was canceled last year. It is not anticipated that this will directly impact funding for Oregon projects.

Industry opposes contaminant-by-contaminant regulation

U.S. Senator Barbara Boxer, D-Calif., chair of the Senate Committee on Environment and Public Works, has introduced two bills to require the U.S. EPA to set drinking water standards for chromium-6 (hexavalent chromium) and perchlorate, an approach the American Water Works Association resists because it bypasses Safe Drinking Water Act procedures.

Congress doesn't need to legislate individual drinking water standards contaminant by contaminant, Chuck Murray, general manager of Fairfax Water in Virginia, told the Congressional committee on behalf of the association at a Feb. 2 hearing. He emphasized the need to follow the law's scientific methodologies, which include the Unregulated Contaminant Monitoring Rule and the Candidate Contaminant List process, both of which were added to the law in 1996 by amendments.

Written testimony by Carrie Lewis, superintendent of the Milwaukee Water Works on behalf of the Association of Metropolitan Water Agencies, also cautioned "against undermining the [Safe Drinking Water Act] process and forcing EPA to regulate certain contaminants simply because they have been highlighted by an outside group or featured in the news media."

EPA Administrator Lisa Jackson, however, says the agency will continue to develop a regulation for perchlorate. EPA scientists believe the chemical may impact the normal function of the thyroid, which produces hormones critical to the development and growth of fetuses, infants, and children.

The agency, which issued guidance on enhanced monitoring for chromium-6 in January, is also establishing a standard to address a group of up to 16 toxic chemicals.

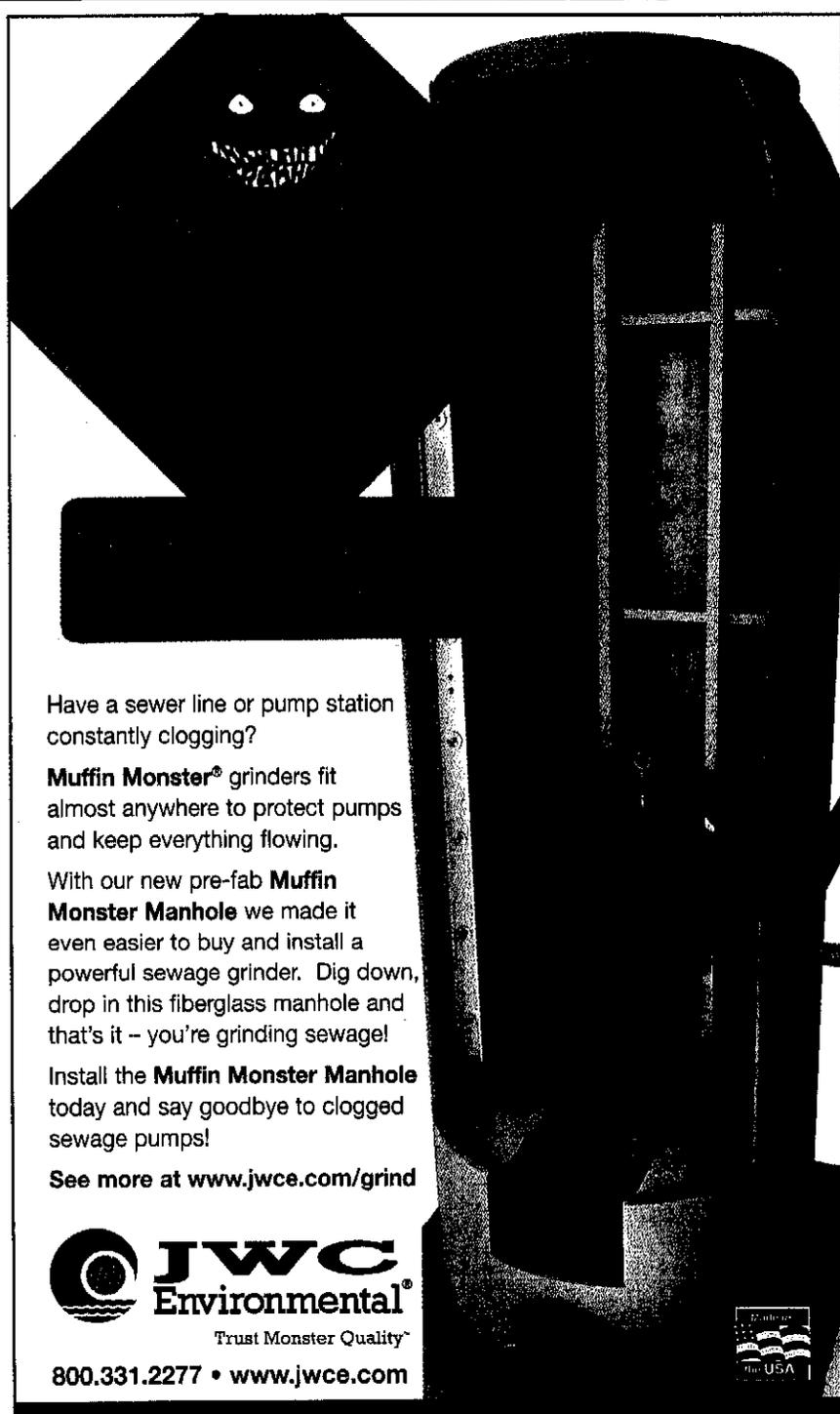
The issue has gained increased attention due to a December report released by the nonprofit research organization Environmental Working Group that alleges drinking water in 31 cities contain detectable levels of chromium-6. The chemical is suspected to cause cancer

with long-term exposure.

Bill S78 would require EPA to issue a health advisory for perchlorate 90 days after enactment and issue a drinking water regulation one year after enactment that "fully protects pregnant women, infants, and children, taking

into consideration body weight, exposure patterns, and all routes of exposure to perchlorate."

Bill S79, co-sponsored by Sen. Dianne Feinstein, D-Calif., would require the same actions under the same time frames for chromium-6.



Have a sewer line or pump station constantly clogging?

Muffin Monster® grinders fit almost anywhere to protect pumps and keep everything flowing.

With our new pre-fab **Muffin Monster Manhole** we made it even easier to buy and install a powerful sewage grinder. Dig down, drop in this fiberglass manhole and that's it - you're grinding sewage!

Install the **Muffin Monster Manhole** today and say goodbye to clogged sewage pumps!

See more at www.jwce.com/grind

 **JWC Environmental®**
Trust Monster Quality™

800.331.2277 • www.jwce.com



Circle 236 on reader service card

Signs point toward a battle

Citing civic pride and financial constraints, a town fights federal retroreflectivity mandates.

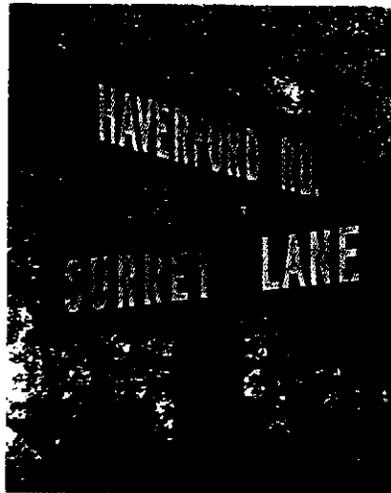
Lower Merion Township (Penn.) might be relatively small, but it's gearing up for a big fight.

The Federal Highway Administration's (FHWA) 2009 edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) gives municipalities until January 2018 to replace all overhead and street-name signs that don't meet retroreflectivity standards. The ruling requires the 60,000-resident community to replace all of its street signs, a task bearing a \$1.5 million price tag, which leaders say they can't afford.

However, it's more than just finances moving the township to resist — it's also a matter of pride.

The signs date back nearly a century, when the Merion Civic Association replaced a jumble of mismatched wooden street markers with more attractive green and gold iron signs that were later spurned in favor of more durable aluminum. The design became a model used by famed landscape architect Frederick Law Olmsted Jr. in plans for community projects from coast to coast. According to Public Works Director Don Cannon, the antique signs mean a great deal to residents.

The federal mandate requiring Lower Merion Township to replace its historic street signs by January 2018 would cost roughly \$1.5 million in materials and labor.



Lower Merion Township's (Penn.) street signs date back nearly a century; a Federal Highway Administration mandate calls for them to be replaced with larger, retroreflective signs.

"We believe they're character-defining components of the community, and the unfunded mandate is unreasonable," says Cannon.

Cannon and his colleagues maintain that many of FHWA's reasons for the rules — including increased visibility and ease of navigation — aren't valid for Lower Merion. No traffic collisions have ever been attributed to poor sign placement or visibility. In addition, omnipresent GPS technology and emergency vehicles' reliance on CAD-assisted dispatch means drivers' dependence on physical street name signs has dwindled significantly.

So when FHWA invited comments on the proposed

MUTCD changes last year, Lower Merion leaders had plenty to say. They submitted a letter of concern explaining their objections: onerous replacement expense, desire to maintain aesthetic and historic interest, and safety issues. They also pointed out that the new signs' 15-year life expectancy is a fraction of the existing signs' durability, so the township would be forced to waste time and money on unnecessary replacements.

They aren't the only ones raising objections to the mandate, either.

Last year U.S. Rep. Don Manzullo (R-Ill.) expressed concern that the rule was put into place without first coming before Congress for a vote, and noted that it stresses financially strapped local governments by requiring them to take on the associated workload and cost without financial assistance.

While working to get the rule's impact reversed or lessened, leaders are planning ahead.

"The township is responsible to comply with the law, which is why in recent years the larger, reflective signs have been installed to replace broken or damaged historical-replica signs," Cannon explains.

On Nov. 30, 2010, U.S. Transportation Secretary Ray LaHood weighed in, stating he believes the regulations are coming at a bad time and should probably be re-examined: "There have got to be better ways to improve safety without piling costs onto the American people." **PW**

— Jenni Spinner (jspinwrites@gmail.com) is a Chicago-based freelance writer and a former editor of *PUBLIC WORKS*.

MONTH END RECAP

		Mar-11							
	REVENUE	EXPENDITURES	YTD	%	Unexpended				
1	GENERAL	\$ 30,412.94	\$ 31,530.67	\$ 605,736.50	45.32	\$ 730,603.50			1
2	WATER	\$ 19,635.24	\$ 15,175.86	\$ 306,617.64	40.25	\$ 455,082.36			2
3	SEWER	\$ 26,653.10	\$ 15,557.86	\$ 190,957.00	28.2	\$ 486,543.00			3
4	STREETS	\$ 10,826.88	\$ 7,186.50	\$ 100,419.96	22.54	\$ 345,080.04			4
5	WATER BOND	\$ 1,507.97							5
6	SEWER BOND	\$ 6,941.54		\$ 354,174.20	90.34	\$ 37,885.80			6
7	SEWER DEBT FEE	\$ 11,356.90		\$ 97,762.93	78.84				7
8	BUILDING & EQUIPMENT	\$ 174.40		\$ 21,833.44	5.36	\$ 385,866.56			8
9	WATER RESERVE	\$ 20.75							9
10	HOUSING REHAB	\$ 84.99							10
11	WATER SDC	\$ 76.40							11
12	SEWER SDC	\$ 98.61							12
13	STORMWATER SDC	\$ 15.05							13
14	BIKEWAY/PATHS	\$ 69.98							14
15	LIBRARY TRUST	\$ 2.60							15
16	CEMETERY	\$ 10.00							16
17	TRANSIENT ROOM TX	\$ 0.49							17
18	SEWER CONSTRUCTION	\$ 4.28							18
19	LAND ACQUISITION	\$ 51.79	\$ 27,380.92						19
20	COMMUNITY PROJECTS	\$ \$107,943.91	\$ 96,831.81	\$ 68,077.92	39.6	\$ 103,922.08			20
		\$ 107,943.91	\$ 96,831.81						

KeyBank Accounts		2010-2011	YTD	% of Total
General	\$ 19,292.35	Appropriated	\$ 1,713,016.63	32.77%
Land Use (Deposits)	\$ 4,554.00			
Water	\$ 15,800.00	DEBT Payments		
Park	\$ 3,963.00	Water	\$ 54,627.00	
Court	\$ 113.00	Wastewater	\$ 360,000.00	
Sewer Construx (USDA)		Totals		
		Total Debt	\$ 1,678,788.00	
		Water	\$ 7,730,852.00	
		Wastewater		
Oregon State Treasury	\$ 4,283,841.86			