



# CITY OF BROWNSVILLE

## Council Meeting

Tuesday – November 22<sup>nd</sup>, 2011

**Regular Session      7:00 p.m.**

### Table of Contents

1	Agenda
3	<i>Minutes: October 25<sup>th</sup>, 2011</i>
7	Administrator
19	Planning
20	Public Works
22	Library
23	Court
25	Sheriff
28	Resolution 671
29	Sharing Hands Capital Campaign
32	River Design Group
34	MOU/MOA EPC
36	Pilkenton Letter
38	VLC Letter
39	DEQ Letter
40	PSU Population Update
41	COG Transportation Update
43	Financials



# **CITY OF BROWNSVILLE**

## **Council Meeting**

City Hall – Council Chambers  
Tuesday, November 22<sup>nd</sup>, 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: October 25<sup>th</sup>, 2011
- 6) PUBLIC HEARINGS OR PRESENTATIONS
  - A. Introduce Katie McCord
  - B. Eugene Kennel Club – Angela Pellerin
  - C. Emergency Preparedness Committee – Mike Nida
  - D. Pioneer Park Erosion
- 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. R 671 – Sewer Construction Fund Transfer

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.

10) ACTION ITEMS:

- A. Fire Department Recognition – Councilor Shepherd
- B. Final Proof Survey – Jon Erwin
- C. River Design Group Proposal

11) DISCUSSION ITEMS:

- A. Gateway Street Trees & Vegetation
- B. Central Linn Rec Center – Phone Service & Restrooms
- C. Oregon Water Resources Update
- D. Sharing Hands Capital Campaign
- E. Christmas Decorations 2011
- F. September Financials

12) CITIZEN QUESTIONS & COMMENTS

13) COUNCIL QUESTIONS & COMMENTS

14) EXECUTIVE SESSION

- A. Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions and Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

15) 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

October 25<sup>th</sup>, 2011

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

PUBLIC: Linn County Sheriff's Office Captain Jeff Cone, Sergeant Brad Kelley, Deputy George Sutton, Steve Chambers, Christine Ruck, Kaye Fox & Sherri Lemhouse.

ADDITIONS AND DELETIONS: Mr. McDowell added Resolution 670 to Legislative Items, a discussion regarding the Country Music Festival under Action Items and a discussion regarding erosion control in Pioneer Park.

MINUTES: The Council reviewed the minutes of the September 27<sup>th</sup>, 2011, meeting. Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.

#### PUBLIC HEARINGS OR PRESENTATIONS:

1. Cheryl Haworth – Park Avenue Closure Request. Ms. Haworth was not present so Mr. McDowell presented her request. He said that the Calapooia Food Alliance's Farmers' Market wanted to have a pumpkin rolling contest on Park Avenue on Saturday from 12:00 p.m. to 12:30 p.m. He said they would like to close the section from the top of the hill down to the Pioneer Park entrance for that time. The consensus of the Council was to approve the request.

#### DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Kelly was present and said that there was nothing out of the ordinary to report.
2. Planning. Mr. Sattler told the Council that the new inventory software at the Library seems to be working well. He said that he had received notice from Department of Environmental Quality (DEQ) approving the Total Maximum Daily Load (TMDL) plan for the City and that he had obtained a \$1,000 planning grant from the Department of Land Conservation & Development (DLCD).
3. Public Works. Mr. Frink said that the handheld computers had been used for water meter reading for the first time in October and it had gone well. Mr. Frink said that a chlorine analyzer had died. He noted that there had been quite a few electronic equipment failures recently and he suspected that power surges may have been causing damage. Mr. Frink said that a number of trees had been trimmed to get them out of roads because he had received a lot of complaints from delivery drivers, bus drivers and others who had been affected by trees

growing out into the traffic lanes of roads around town. He said that Public Works has been preparing a new office for Judge Lemhouse upstairs at City Hall and that Marvin Borntrager had recently received his pesticide applicator license.

4. City Administrator. Mr. McDowell thanked Mr. Frink & Public Works for his assistance on the Arbor Day celebration and said that there had been a good turnout for the event. Mr. McDowell said that he had been working with Harris Software as their original training had not been adequate and he had successfully negotiated for them to return to do additional training at no expense other than travel costs. He said that he has been in contact with Linn County regarding their handling of the Country Music Festival and that various local businesses will be sending letters to Linn County expressing their support for the music festival. Mr. McDowell said that a number of local businesses such as Dari Mart had days of record business during the music festival. McDowell indicated that staff would be meeting with Ms. Ann Reece of Oregon Water Resources in an attempt to determine the impact that water curtailment will have on the municipal water supply. McDowell indicated the City received a letter from the Oregon Department of Revenue regarding multiple changes to Budget Law. McDowell said he would be attending the training session in late February 2012 to learn more. McDowell reported that the Emergency Preparedness Committee is putting the final touches on the standard contract language that will be used in or into partnerships with key organizations in the City and surrounding area. The Committee is also putting together a public outreach program for 2012. There also working on the details for Incident Command System (ICS) training through FEMA. McDowell indicated that he would be attending Risk Management training through City County Insurance Services (CIS) in a few weeks. McDowell explained that there had been many complaints regarding the median strips/traffic calming devices. McDowell indicated that the Oregon Department of Transportation (ODOT) has put these devices in many rural locations in the State of Oregon. Councilor Van Sandt stated how impressed she was with the Linn County Road Department in handling citizen concerns. He stated that he had been contacted by the Calapooia Watershed Council to see if the City is interested in participating in a water quality monitoring project on the Calapooia and staff made sure that the City would participate if there were no costs to the City.
5. Library Report. Ms. Lemhouse was present and provided a report to Council.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. Councilor Boyanovsky said that he went to the Rec Board meeting the previous evening.
8. Citizen Comment. Ms. Kaye Fox asked to receive late additions to the Council packets. McDowell provided the additional information as requested.

#### LEGISLATIVE:

1. Resolution 670 – Funds Transfer. Mr. McDowell explained that with the transition of moving Judge Lemhouse's office upstairs, the judge is requesting if you safety items to protect the court clerk such as a new transaction door and the installation of a panic button. He said that he would recommend moving \$5,000 from contingency to cover any needed improvements and office

equipment for the transition. Councilor Boyanovsky moved to approve Resolution 670. The motion was seconded by Councilor Gerber and was approved unanimously.

#### ACTION ITEMS:

1. Planning Commission and Historic Review Board Appointments. Mr. McDowell indicated that the terms of three members of the Planning Commission, Joshua Kometz, Rob Wingren and Jim Isenberg, were expiring at the end of the year and that Joni Nelson's term on the Historic Review Board was expiring as well. He said that all of them had requested to be reappointed. Councilor Gerber moved to reappoint them. The motion was seconded by Councilor Shepherd and was approved unanimously.
2. Music Festival Letter of Support. Mr. McDowell recommended that the City send a letter of support to the Linn County Commissioners prior to their decision on a permit for next year's Willamette Country Music Festival based on a recent conversation with event organizers that was attended by Mayor Ware, Councilor Cole and Mr. McDowell. Councilor Van Sandt moved to authorize the Mayor to send a letter of support. The motion was seconded by Councilor Gerber and was approved unanimously.
3. Pioneer Park Bank Erosion Update. Mr. McDowell said that staff met with representatives from the Calapooia Watershed Council, the Army Corps of Engineers and Governor Kitzhaber's Regional Solutions team two weeks earlier to try to find a feasible solution to the riverbank erosion problem in Pioneer Park. Mr. McDowell reviewed that the Watershed Council had applied for funding twice and had been denied. He reported that they had been requested to apply again but had not done so. Mr. McDowell said that Mr. Mark Ellsworth thought a new approach to the problem was needed. The Regional Solutions team is recommending taking a fresh look at the concern. Mr. Scott Wright from River Group Design, Inc. came highly recommended. Mr. McDowell recommended having Mr. Scott Wright visit and offer possible solutions. Mr. McDowell indicated that Mr. Wright has done a number of successful projects and has worked well with the involved agencies so he had a good chance of success. He said that he didn't know the cost of the work yet, but it would probably be in the area of \$5,000 to \$10,000 which could be applied towards the City's cost sharing should funding be obtained. Councilor Shepherd moved to approve approaching River Design Group, Inc. The motion was seconded by Councilor Gerber and was approved unanimously. Mr. McDowell will report back at the November Council meeting.

#### DISCUSSION ITEMS:

1. Pioneer Park Restrooms. Mayor Ware wanted to entertain discussion regarding possible replacement plans for the Pioneer Park restrooms. He said that he thought planning should move forward and said that it seemed clear that there was only one site suitable due to the cost of relocating utilities to other possible sites. He suggested going with a building similar to what was there as it had worked well for many years. Mr. Frink said that it might need to be slightly large to accommodate current ADA requirements. Mr. McDowell reported that the Park Board has been clear about the fact that there has been no history regarding concession sales. The Board also felt that the Rec Center could place a small storage building somewhere else in the Park and that would much more cost effective than the City building storage as part of the new restroom building. McDowell suggested looking for a design/build proposal as was done for the

Art Center renovation. Mr. McDowell indicated that the current budget would probably cover a building of about 480 square feet and there was no advantage to building unused space as part of the project unless it was able to be added as an option depending on available funding. Park Board did not move to make any recommendations to Council. Councilor Shepherd moved to seek proposals for restrooms only at this time. The motion was seconded by Councilor Boyanovsky and was approved unanimously. Mr. McDowell said it would probably be done in January due to his schedule at this time.

2. Nuisance Abatement Update. Mr. McDowell presented a slideshow of the cleanup of several abatement issues around town including 600 Washburn Street, the Gateway project and the removal of the trailer homes on the Antioch Ministries property. McDowell explained that staff is ready to take the next steps with homes that are currently not in compliance with the Brownsville Municipal Code. He reported that there had been several complaints about Public Works trimming trees that were growing into public streets and said that the work should have been done by the property owners. He said he was particularly concerned that a public official had threatened litigation over Public Works doing what was clearly required to be done by the Brownsville Municipal Code. He said that in the future it might be best to just treat it as a nuisance abatement issue and notify property owners to take care of it themselves. Councilor Shepherd noted that was how Linn County deals with the issue. The consent of Council was to maintain the right-of-ways as has been the most recent practice of Public Works. Public Safety is the chief concern with regards to school busses, motorists and other vehicles traveling through town. Council advised to not let a few ruin the service for the broader community at large.
3. Croquet Court Update. Mr. McDowell said that Mr. Brenner had indicated that the Croquet group wanted to make a run at one more year. Councilor Gerber said that she wasn't sure what was going on and would follow up with Mr. Brenner and report back.
4. September Financials. No discussion.

CITIZEN COMMENT: Ms. Kaye Fox said that she hadn't been able to use the croquet court and thought that perhaps another group could take care of it if the current group does disband.

EXECUTIVE SESSION. Cancelled.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The motion was seconded by Councilor Boyanovsky and was approved unanimously. The meeting was adjourned at 8:29 p.m.

---

City Administrator S. Scott McDowell

Mayor Don Ware



# City Administrator Report

November 22<sup>nd</sup>, 2011

**From:** S. Scott McDowell  
**To:** Mayor & Council  
**Re:** General Business

**Administrative Assistant** – Katie McCord will be introduced Tuesday night.

**Eugene Kennel Club** – Ms. Angela Pellerin will be present to discuss their perspective on how their event went last summer and to ask permission to begin discussions on entering into an agreement for 2012. (Ms. Pellerin is in charge of the event this year, relieving Mrs. Debbie Berry.) They are planning on holding their event the weekend after Labor Day which would be September 6<sup>th</sup> - September 9<sup>th</sup>, 2012. Council and the Park Board have discussed a few operational issues that will need to be addressed at the appropriate time. Basically, McDowell would prefer Council to focus on basic questions of the EKC at the meeting. Any notes or other concerns Councilors may have should be forwarded to McDowell for consideration when developing the Memorandum of Agreement.

**Emergency Preparedness Committee** – The Committee has developed a Memorandum of Understanding/Memorandum of Agreement which will be sent to identified individuals and organizations that could be vital partners in the time of emergency. Mr. Mike Nida will be asking Council to officially approve the language as submitted. Mr. McDowell has forwarded the agreement for official review to both City County Insurance Services (CIS) and Harrang, the City Attorney, who have approved the document. McDowell has included a copy of the language in the agenda packet. Below are a list of organizations that will be invited to participate:

- |                                 |   |                            |
|---------------------------------|---|----------------------------|
| Central Linn School District    | ◆ | LDS Church                 |
| Central Linn Rec Board          | ◆ | Assembly of God Church     |
| Brownsville Chamber of Commerce | ◆ | Catholic Church            |
| Brownsville Senior Center       | ◆ | Family Bible Church        |
| Pioneer Picnic Association      |   | <i>City of Brownsville</i> |
| Sharing Hands                   |   | a. Planning Commission     |
| Women's Study Club              |   | b. Park Board              |
| <i>Faith Community</i>          |   | c. Library Advisory Board  |
| ◆ Mennonite Church              |   | d. Budget Committee        |
| ◆ Christian Church              |   | e. Historic Review Board   |
| ◆ First Baptist Church          |   |                            |

The Committee is also planning on taking the Incident Command System (ICS) training through FEMA and recommending Council do the same. Below is a matrix that was developed for Council and Staff:

### City of Brownsville NIMS Course Training Matrix

<i>Elected Officials</i>	ICS-100	ICS-200	ICS-300	ICS-800	ICS-400
Don Ware					
Mandy Cole					
Gary Shepherd					
Rob Boyanovsky					
Carla Gerber					
Lynda Chambers					
Nan Van Sandt					

#### *Employees*

City Administrator	10.30.2008				
PW Superintendent					
City Planner					
Admin Assistant	10.17.2011				
Utility Clerk					
Librarian					
PW Operator					
PW Operator					

The City has also developed a training matrix for staff and Council. To learn more, visit [www.brownsville.or.us/epc.html](http://www.brownsville.or.us/epc.html).

**Pioneer Park Restroom** – Councilor Boyanovsky and Park Board Member Brandie Simon reported that the Central Linn Recreation Board voted unanimously to assist in any way possible for the construction of the new restrooms. Rec Board President George Frasier and McDowell discussed several possible outcomes that need to be researched prior to entering into any such agreement for the construction. The City wants to make sure that the agreement protects both the City and the Rec Board and that both bodies are properly discharging these duties in accordance with State law. The basic idea that has been bantered around for a while is to enter into a construction agreement with the Central Linn Rec Board for the sole purpose of constructing the new restrooms. The major advantage to this would be getting more facility for the funds the community has available for this project.

Wenger Construction & Design Services has been asked to provide design services for a 480 sq. ft. facility as directed by Council at the October 25<sup>th</sup>, 2011 meeting. The projected schedule is as follows:

1. **Presently:** Hire design services for the restrooms which includes a rendering, plans and specifications.
2. **February 2012:** Council approves the restroom design and authorizes staff to obtain quotes based on the plans and specifications.
3. **March 2012:** Council and or the Central Linn Rec Board award the contract to the successful bidder.
4. **April – June 2012:** Finalize contracts and complete the construction of the new restrooms.

In the meantime, McDowell will research and possibly develop a Memorandum of Agreement that would potentially allow working the project through the Central Linn Rec Board.

**Pioneer Park & Calapooia River Bank Erosion** – Council, under the general direction and advice of the Regional Solutions Team, decided to approach Engineer Scott Wright from River Design Group, Inc., to exhaust all possible solutions. Mr. Wright is highly recommended from several different groups including the Calapooia Watershed Council. Typically his designs are completely in line with current regulations. He has over 10 years of experience doing River restoration work on the Calapooia. Staff met with Mr. Wright and the Calapooia Watershed Council to review the scope of the project. Mr. Wright had taken pictures in 2006 and was very aware of the concerns in Pioneer Park.

McDowell asked Wright to provide a few solutions with possible cost projections so that the Council could formulate a plan. Mr. Wright wanted to make sure the point was made that river stabilization projects constantly change and require a great deal of maintenance into the future. Ms. Patty Linn of the Park Board recited a quote that she had heard from a friend, “The river is a harsh mistress and we dance to her tune.” Included in the packet is River Design Group's initial cost projection.

**Resolution 671: Sewer Construction Fund Transfer** – The City Auditor Joshua Morrow, Boldt, Carlisle & Smith, recommends that Council close the Sewer Construction Fund and move the funds back from where they came which was the General Fund. Please see the actual resolution for more information.

**Fire Department Recognition Letter** – Councilor Shepherd is recommending Council consider sending a letter of recommendation to the Brownsville Rural Fire District for their outstanding work they did on the Corner Café fire which happened at 11:45 p.m. on November 7<sup>th</sup>.

**Oregon Water Resources** – McDowell, Public Works Superintendent Karl Frink, City Engineer Jon Erwin and Consulting Engineer Jon Cunningham recently met with Ms. Ann Reece of Oregon Water Resources to discuss the impacts of the curtailment measures the State has recently adopted. Many things were discussed. The general

outcome of the meeting was that the City could do a Final Proof Survey on the well water right and the infiltration gallery water right. By doing a Final Proof Survey, the City could prove more water is actually being used than was defined 13 years ago. If the numbers were high enough, the City would not be required to curtail any water being currently used for municipal purposes.

Reece indicated that a lobby group by the name of Water Watch have really been putting their focus on municipal water sources. It seems the mission of Water Watch is to ensure very little, if any water resources, are taken out of Oregon's rivers. Fish protection and persistence is at the very heart of their mission. The League of Oregon Cities and the State of Oregon have been trying to work with the legislature to mitigate the impacts of these types of laws being implemented. However, two years ago the group was able to pass fish persistence measures that directly correlated to the curtailment of municipal uses. Any water right that was not certified before November 2<sup>nd</sup>, 1998 is subject to curtailment under the new law. City staff pointed out that the reason why the water rights are not certified in the first place, is because the State has a completely inefficient process. The City has been waiting since 1998 on certain water applications.

The outcome of the meeting was to do a Final Proof Survey at the Water Treatment Plant as described above. The City would ask for an extension, which would be approved by Ms. Reece, and the City could reassess how curtailment would impact municipal operations. Below is the latest e-mail exchanges with City Engineer Jon Erwin:

**RE: [Fwd: RE: Brownsville's Transfer T-6860]**  
 Thursday, November 17, 2011  
 3:31 PM

<b>Subject</b>	<b>RE: [Fwd: RE: Brownsville's Transfer T-6860]</b>
<b>From</b>	<a href="mailto:jon@erwinconsult.com">jon@erwinconsult.com</a>
<b>To</b>	S. Scott McDowell
<b>Sent</b>	Tuesday, November 15, 2011 3:08 PM

Scott.....

I have put in Claims before and waited 15 years for them to issue a Certificated Water Right. What is alarming to me is that I got the impression from Ann that we needed to get that in like she didn't even know we submitted back in 1998?

Jon

Good Morning Jon:

Wow! That seems very unsatisfying somehow... I mean if we have waited since 1998 and all...

S. Scott McDowell

-----Original Message-----

From: jon@erwinconsult.com [<mailto:jon@erwinconsult.com>]  
Sent: Tuesday, November 08, 2011 4:51 PM  
To: admin@ci.brownsville.or.us  
Subject: [Fwd: RE: Brownsville's Transfer T-6860]

Scott....

Here is there response to the transfer Claim. Guess we wait.

Jon

----- Original Message

Subject: RE: Brownsville's Transfer T-6860  
From: "Gerry Clark" <gerald.e.clark@state.or.us>  
Date: Tue, November 8, 2011 10:01 am  
To: "Gerry Clark" <gerald.e.clark@state.or.us>  
"jon@erwinconsult.com" <jon@erwinconsult.com>

Jon,

Just wait for the Department to review the Claim.

Gerry

-----Original Message-----

From: jon@erwinconsult.com [<mailto:jon@erwinconsult.com>]  
Sent: Monday, November 07, 2011 5:52 PM  
To: Gerry Clark  
Subject: RE: Brownsville's Transfer T-6860

Gerry.....

Thanks for the heads up. I forgot I did that. Is there anything else we need to do on the transfer or just wait for Water Resources to act?

Jon

Jon,

The file has a Claim that you prepared for the City back in September of 1998. I have attached a copy of the Claim for your reference.

Let me know if you have any additional questions.

Gerry

-----Original Message-----

From: jon@erwinconsult.com [<mailto:jon@erwinconsult.com>]  
Sent: Friday, November 04, 2011 11:16 AM  
To: Gerry Clark

Subject: Brownsville's Transfer T-6860

Gerry,

The City of Brownsville intends to submit a Claim of Beneficial Use for T-6860. Per an email from Ann Reece, we can do that if we can show it was completed before 1997.

The question I have is what form do I use. I looked at the WRD site and find CBU's for Districts, not Citys. Can you help me so I use the correct form for this?

Thanks

Jon Erwin, P.E., CWRE  
Erwin Consulting Engineering  
541-409-2729

Staff will be strategizing what the next steps are with the State in an attempt to try to determine what it is they are requiring the City to do in terms of curtailment.

**Water Master Plan** – During a recent meeting with Ms. Ann Reece of Oregon Water Resources, staff learned that an official Water Conservation Plan would be required as part of the Water Master Plan. Due largely to the fish persistence requirements that are mandating water curtailments for municipal sources. McDowell is working out the particulars with Mr. Erwin and Mr. Cunningham. At this time, it is very difficult to say when the Water Master Plan will be ready. It is officially due to the State by December of 2012.

*From last meeting:* Staff along with Mr. Erwin and Mr. Cunningham will be meeting with Ann Reece, Water Rights Services Division, to discuss the curtailment issues at her office in Salem on October 28<sup>th</sup>, 2011. The City is trying to determine the exact impact of the curtailment as being promulgated by the State of Oregon.

*From last two meetings:* The City recently entered 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.

**Gateway Trees & Vegetation** – Public Works Superintendent Karl Frink and McDowell were allowed to review the placement of the new ash and ginkgo trees. Staff decided to leave the trees where they were with the understanding that exiting Dari Mart onto main Street could be very interesting in a couple of years. Right now, it isn't too bad because the ash trees have already lost their leaves for the season, but when fully blossoming sightlines will be obstructed. Public Works will need to prune all of the trees that impact motorists' vision up to a certain height in the next two or three years. Linn County Engineer Daineal Malone indicated that all vegetation was under a one-year warranty through the Contractor. Ms. Malone was very excited to see the project come together. The City has received many compliments about the trees and the overall look of the project. Public Works Superintendent Karl Frink pointed out a few punch list

items that the City will bring to the attention of the Linn County Road Department at the appropriate time.

**Central Linn Rec Board Phone Request** – Councilor Boyanovsky was approached by members of the Central Linn Rec Board regarding the phone. Every month the Board pays \$35.80 for phone service. The Board would like to request that Council pay for this service. Based on the agreement with the Rec Board, Council could certainly justify paying for this expense because the phone service is for the alarm which protects the building which is the City's asset. Council could make a decision on this issue if they choose.

**Sharing Hands Capital Campaign** – Included in the packet is information the City received from Ms. Janet Briley. Ms. Briley indicated that any contribution would be greatly appreciated. Part of their operational costs include providing back pack lunches for needy children which is not unlike Meals on Wheels.

**Brownsville Chamber of Commerce & Christmas Decorations** – The Chamber decided to hang greenery on 20 lamp posts this year. Some of the new lamps are not installed and so the greenery will be placed accordingly. The last five years the Chamber has hung greenery on the only 18 lamp posts the City owned. Once the Gateway project is completed, the City will have a total of 36 lamp posts. Pacific Power will be available to help staff paying the greenery on Thursday, December 1<sup>st</sup>, 2011 so the decorations are in place for Home for the Holidays.

**Commissioner Nyquist** – Linn County Commissioner Roger Nyquist visited the office on Wednesday, November 2<sup>nd</sup> to discuss the Gateway project, the Willamette Country Music Festival and general City business. Nyquist appreciated the e-mail response supporting the work done by the County on the Gateway project. Nyquist was shocked to hear that any public official would be against such a positive project. McDowell explained the dynamics of the community at large in regards to the project. Council is very supportive of the project and the tremendous impact it has had on the community.

McDowell then discussed the particulars of the meeting the Mayor and Councilor Cole had with representatives of the Willamette Country Music Festival (WCMF). McDowell reviewed the tenets of the meeting as well as the concerns WCMF has with the permitting process. Nyquist indicated that his only concern with the event was public safety. Nyquist felt that there were too many folks suffering from alcohol consumption related issues and felt very strongly that the event organizers needed to get a better handle on that situation. Nyquist also recommended that WCMF should bring in an event organizer who has experience developing safety protocols for this type of event. Nyquist understands the economic impact that the event has in south County and certainly appreciate the effort that local business put toward that weekend, but ultimately wants to make sure that the event organizers do everything they can to protect the public attending the event.

**COUNCIL PROTOCOL:** Any media outlet asking Councilors for comments should remember to forward all information requests to the Mayor or the City Administrator. If they are asking you your opinion on a topic or an issue, you may answer them however what they may say or write may not be what you intended. The City website does have a presentation that maybe should be reviewed for Council.

**Pat Manning** – Mr. Manning owns a considerable farm north of Brownsville. Manning called to indicate that he has recently cleaned the ditch from north Brownsville all the way out to Forry road. He indicated that they removed nearly 800 cubic yards of material. McDowell thanked him for his efforts. Manning felt sure that this would help Mr. Krabill and Mr. Compton's concern from last year. The City recently offered Mr. Compton and Mr. Krabill a stick of pipe as approved by Public Works Superintendent Karl Frink. Mr. Compton indicated that they are still in a "wait and see mode" because they think there are going to be impacts due to conditions on Mr. Carrsow's property. McDowell made sure that Mr. Compton understood the offer was still on the table. Compton appreciated the gesture.

**Park Board Update** – The Board recently approved a memorial bench to be located near the 'new' playground in Pioneer Park. The Board is working on tree standards as is their responsibility according to the Brownsville Municipal Code. The Board has charged staff with the responsibility of developing these standards and bringing them back for final approval. Eventually, Council will receive the recommendations from the Board. The Board is also reviewing goals through 2015. The construction of the new restrooms and the river bank erosion concern have caused the Board to review priorities. The Board voted unanimously to discontinue the portable toilet Kirk's Ferry Park due to operational concerns.

Public Works is actively working on the Kirk's Ferry Park improvements that were approved two years ago. The basic goal to improve the area was to remove the chain-link fence and install green cyclone fencing in appropriate areas.

**CIS Risk Manager Training** – McDowell attended a day and a half Risk Manager training session in Tigard last week. McDowell will be implementing several new policies and programs that will help the City save money on property and liability insurance premiums. McDowell be working with staff to develop and implement these changes and modifications. Council will be asked to pass legislation and approved certain measures.

**Surge Protectors & Circuit Boards** – Public Works Superintendent Karl Frink and McDowell are working with Westech Engineering to develop a ballpark estimate for installing surge protectors on vital equipment as requested by Councilor Shepherd at the October meeting. Public Works has experienced several circuit boards burning up over the past several weeks. City Planner Bill Sattler also did some research on surge protection. Staff hopes to report back in the near future.

**Pilkenton Letter** – McDowell has included the letter sent to the residents of 504 Spaulding Avenue as was discussed at the last Council meeting.

**DEQ: Boiled Frog Analogy** – The City received a letter from the Department of Environmental Quality indicating that the new laws and requirements did not impact the City. McDowell would like to support those communities who are impacted by these types of revisions. Regulatory agencies seem to be using the 'divide and conquer' strategy to policy enforcement and implementation. The City certainly needs support from bigger cities on issues such as these, otherwise the City does not have a voice at the State and Federal level.

**The Canal Company** – President John Holbrook reports that the company is trying to address some serious maintenance issues that are impacting the efficiency of the City's pump station.

**Hume Street Request** – The City recently received a paving or dust control request for Hume Street between Washington Street and Bishop Way. Staff is still trying to determine who is responsible for this road. Linn County Road Department has been contacted to determine ownership. Below is the outcome with Mr. Jim Smith, Linn County Road Superintendent:

Scott,

I know the County wouldn't mind if it gets dust oiled.

Jim Smith

**From:** S. Scott McDowell [<mailto:admin@ci.brownsville.or.us>]

**Sent:** Monday, November 14, 2011 4:22 PM

**To:** Smith, Jim

**Subject:** RE: Brownsville - Hume Street

Good Afternoon Jim:

Thanks for getting back. I wonder if the County would mind if the City did some dust control? I am not sure Council would do that but I am just trying to determine the proper way to get a little maintenance down there for a few residents.

S. Scott McDowell

**From:** Smith, Jim [<mailto:jsmith@co.linn.or.us>]

**Sent:** Monday, November 14, 2011 8:40 AM

**To:** S. Scott McDowell

**Subject:** RE: Brownsville - Hume Street

Scott,

Sorry it took me so long to get back to you about this. I talked to Katie, our right of way agent about Hume St. She looked it up and it is a public access road that doesn't really fall under any public agency to maintain. Sorry I don't have more

information. We have quit a few of these roads in the County that we don't maintain. If you have any questions give me a call.

Thanks,

Jim Smith

**From:** S. Scott McDowell [<mailto:admin@ci.brownsville.or.us>]  
**Sent:** Tuesday, October 18, 2011 7:49 AM  
**To:** Smith, Jim  
**Subject:** Brownsville - Hume Street

Good Morning Jim:

Do you know who is responsible for the small stretch of Hume Street between OR 228 & Washington Street? Thanks Jim.

S. Scott McDowell

**League of Cities** – The League of Oregon Cities sent out the following e-mail regarding the Council training video McDowell worked on earlier this year:

Hi everyone.

Well, it'd done and we are ready to share! In fact I am watching it (again) now! You were all great.

After a "soft-release" at the LOC Conference, the Bloopers II was deemed a huge success! We are now ready to share it with you, the CAST.

Let me know which day will work best for you. We will get together at 10:00 and go to noon, then provide lunch for everyone as our way of thanking you for your help on this project.

I look forward to seeing you all again.

Val

**Boldt, Carlisle & Smith** – Staff is working on a few last requests from BCS.

*From last meeting:* Joshua Morrow recently reported that the City should have the results of the audit by Christmas.

**Oregon Department of Revenue** – *From last meeting:* There have been several changes to Oregon Budget Law that will come into play for fiscal year 2012 – 2013. The Department of Revenue is planning on having a training session in late February or early March 2012 to discuss the changes.

**Software Update** – Public Works Operators Marvin Borntreger and Leon Vineyard wanted me to thank Council for upgrading the metering reading process. Both Operators are very happy with the new system.

The City is bringing out a representative from Harris Computer Systems to train on all three modules December 6<sup>th</sup> through the 8<sup>th</sup>. This will allow Staff to resolve several functionality issues and also be very valuable for the new Administrative Assistant.

**Sweet Home Sanitation Contract Review** – *From the September meeting:* Scott Johnson and I have not had an opportunity to connect. I project this item to be back on the agenda for the October meeting.

*From August meeting:* Scott Johnson and I met to discuss some of the finer points of the contract. He will be providing Council with some financial comparisons of other waste services in our area. He has agreed in part to an annual report and has agreed in principle to doing a review every three years in keeping with all other Council contracts.

**Visit Linn Coalition** – The next meeting of the Visit Linn Coalition will be in December here in Brownsville.

**Cascades West Council of Governments** – Executive Director Cynthia Solie visited City Hall on October 6<sup>th</sup>, 2011 to discuss COG services and opportunities to work together or regionally on planning efforts. She has asked to attend the January 2012 Council meeting. To learn more please visit <http://www.ocwcog.org>.

**ODOT Outcome** – Continue to leave messages with Permit Specialist Ken Lamb to resolve this issue.

*From April & July meeting:* 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.

**Rec Center Floor Update** – Still working with Mike Sossie to complete the specifications for the work to be done on the floor.

*From April meeting:* 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.

**Court Clerk Contract** – Staff is currently working on preparing the upstairs office for Judge Lemhouse. Internet and telephone services as well as a safety transaction or are in the process of being installed. Staff is also ordered the requested office furniture.

*From the last meeting:* I have been attempting to reach County Administrator Ralph Wyatt to develop the intergovernmental agreement with the Linn County Commissioners.

**S. Oak Street Water Line Project** – *From last meeting:* Erwin Consulting is preparing bid documents and finalizing engineering plans. The City will go out for bids in January of 2012 with a projected start date of late March, early April. Erwin feels the City will receive a better price and will also get a better design with the relaxed schedule.

**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.

Respectfully Submitted,



S. Scott McDowell



## Planning

*November 17<sup>th</sup>, 2011*

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

I was out for a week dealing with the aftermath of my fire and home and then out most of a week ill so not a lot new to report this month.

1. Building Permits. With winter coming on we've had a slowdown in construction permits as usual along with the expected rush of mechanical permits for furnaces, wood stoves, pellet stoves and so on.
2. Nuisances. We're continuing to follow up on several situations around town. We have one case where someone decided to put up a car shelter in street right of way that we're dealing with and also some properties in foreclosure that need to be cleaned up.
3. Computer Projects. Keeping up with the ongoing maintenance. We're currently setting up so that the Judge's new office will be able to connect to the City's network.
4. TMDL Plan. Received a letter from DEQ formally accepting our plan updates.
5. Grant Application. The grant application was completed and submitted to DLCDC. It sounds like they will be making funding decisions within the next month or so.
6. Real Estate. The trend continues of very little selling and many properties sitting on the market for a long time, gradually decreasing in price. Homes have been selling slowly but lately I've been getting a lot of inquiries about bare land as there was an auction of several pieces of bare land. The Koos/Olsen property on the southwest corner of town went to auction, including the site of an approved subdivision. I haven't heard the outcome of the auction yet but one recurring theme kept coming up in all the discussions, which was that there was almost no interest in bare land as with current market conditions an existing home can be bought for significantly less than the current cost of building something comparable. I've been discussing this with some of the local real estate agents and apparently we haven't had a bare lot sell in the last couple of years in town so they really are unable to come up with a market value for one. If anyone is interested a looking at what is on the market in the area I recommend [www.trulia.com](http://www.trulia.com) then just enter our zip code into the search box. It has a pretty good selection of local listings as well as pricing history for those that have been listed for a while. The last page is typically homes going into foreclosure but usually without the exact address.



## Public Works Report

November 17, 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 November. A few minor details remain to be worked out, however the system is much more efficient to use than pencil and paper.
- *Distribution System* – Three small water leaks have been repaired. One water meter was replaced this month.
- *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* –The emergency response plan and operations and maintenance manual are under construction. Progress is slow, but slowly moving forward. All of the analysis equipment at the water plant has been calibrated per the requirements of the drinking water program. The online chlorine analyzer has been repaired and reinstalled at the water plant. Everything is working well. Well "E" pump and motor both failed. The pump and motor have both been replaced. Distribution pump #2 impeller failed. A spare pump was installed and the original pump sent in for repairs. Everything is now operating correctly.
- The Sanitary Survey recommendations are near completion. The final recommendations include an updated cross-connection ordinance and the O&M manual.

### Sewer:

- *North Lagoons* – The staff gauges have been cleaned and repaired as needed. The effluent discharge systems have been gone through and maintained as needed to use this winter. An influent pump was thought to have failed, but was found to be clogged with sticks and other debris. The pump was pulled, the debris and entire lift station cleaned. All the pumps are working properly at this time.
- *South Lagoons*- The emergency generator had a circuit board failure in the automatic transfer switch has failed again during a routine exercise cycle. I have reviewed the problem with Pacific Power Products and a new circuit panel has been ordered. This problem has not been resolved yet. The effluent discharge system has been gone through and maintained as needed to use this winter.
- *Collection System*- There were no sewer back-ups this month. During routine checks, a manhole on Northpoint Loop was clogged with debris and has been cleaned as needed.
- *Misc.* – The emergency response plan for the wastewater system is currently being updated as required.

### Streets:

- *Mowing/Tree Maintenance* – Tree maintenance continues on an as needed basis.
- *Asphalt/ Gravel Road Maintenance* – The public works crew graded all the gravel streets in town.
- *Storm Drainage* – No additional drainage work has been done at this time.
- *Signs*- Public works will be ordering new stop signs that meet the new reflectivity requirements outlined in the MUTCD. According to the new federal requirements, all signs must meet both the new reflectivity and grammar requirements (upper and lower case letters). My recommendation is that the city perform this requirement in

phases, starting with stop signs, speed signs, one-way signs, and work our way through to the street identification signs.

**Parks:**

- *Pioneer Park* – The park is maintained weekly as needed. Pioneer Park was closed on October 31, all of the facilities winterized and picnic tables are stored away.
- *Blakely Park* – The picnic table from this facility has been stored away for the winter.
- *Kirk's Ferry Park* –The picnic tables have been stored away for the winter. The fencing surrounding the basketball court has been removed as requested. New fencing will be placed along Kirk Ave and behind each basketball hoop.
- *Remington Park*- The park irrigation system has been closed off for the winter.

**Cemetery:**

- *Grounds* – The cemetery has been mowed and all headstones have been trimmed.

**Library:**

- *Grounds*- Nothing to report at this time..
- *Buildings*- A few minor repairs have been made to this facility. The exterior lights were found to not be working. All of the exterior light bulbs were replaced. The system is now operating correctly.

**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* – This area is kept clean as needed.
- *Misc.* – Public works has been cleaning and maintaining the downtown sidewalks weekly.

**City Hall:**

- *Buildings* –Work is under way to install a new phone and data cable to the Judge's chambers. Public Works rewired the entire computer system at the utility billing clerk's desk. The wires were running under employees feet, getting tangled and causing an overall safety concern.
- *Grounds* – the grass around City Hall is mowed and maintained as needed. No ground cover plantings have been planted yet.
- *Community Center*- Nothing to report at this time.

**Rec. Center:**

- *Grounds*- The facility is mowed as needed.
- *Buildings*- Nothing to report at this time.

**Public Works:**

- *Grounds*- The grass is mowed as needed.
- *Buildings*- Some light bulbs have been replaced and minor repairs have been made.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment.



**Library Advisory Board**  
*Librarian's Report*

October 2011

On the last day of this month our town celebrated Halloween. Here at the library it took place on Friday, October 28. We had a delightful Children's Halloween Party. Guest Reader Nan VanSandt read a variety of stories about Halloween. The final book was called Lucy's Halloween by Sally O. Lee. The children had an enjoyable time coloring and cutting their own paper dolls and costumes. Librarian Sherri found a template in the back of the book. Actually, they didn't want to leave.

The glass countertop for our new counter has been ordered. I and staff are eagerly awaiting the install of this new addition. I am afraid of getting more ink on the countertop. It can be tricky to remove. Our Friends of the Library are planning a Book Sale December 3 – 10. There have been numerous donations in the past several weeks to make this another successful event.

During the month of October, the library purchased 14 new books. The Brownsville Women's Study Club donated 24 new books. 35 paperback books were donated by various patrons and placed in the paperback section. The Librarian imputed all 85 books into the inventory. Volunteers donated 100.5 hours to our library. There were 1,499 materials checked out. 164 Non-fiction books; 551 adult fiction books; 72 large print books; 237 children's books; 224 junior books; 22 junior reference books and 104 audio materials.

Respectfully submitted,  
Sherri Lemhouse  
Librarian

BROWNSVILLE MUNICIPAL COURT  
CHECKBOOK RECONCILIATION

MONTH: OCT 2011

Beginning Balance		<u>113.00</u>
Deposits	+	<u>2178.00</u>
Charge back fee deposited	+	<u>00.00</u>
Disbursements:		
Checks	<u>2178.00</u>	
NSF'S	<u>0.00</u>	
Total Disbursements	-	<u>2178.00</u>
Total NSF's	-	<u>                    </u>
Charge back Fees	-	<u>                    </u>
ENDING BALANCE		<u>113.00</u>
Bail	-	<u>                    </u>
<u>\$113.00 Account Balance</u>		

DISBURSEMENT RECONCILIATION:

To General Fund		<u>1813.68</u>
STATE		<u>50.00</u>
LEMLA		<u>10.00</u>
County		<u>69.70</u>
Unitary		<u>170.62</u>
Court Security		<u>24.00</u>
IDPF		<u>00.00</u>
Restitution		<u>40.00</u>
DUII Surcharge		<u>00.00</u>
Refund's/Misc-Bank Supplies		<u>00.00</u>
TOTAL:		<u>2178.00</u>

DEPOSIT RECONCILIATION:

Receipts #933437 through #933466  
Total:     \$ 2178.00

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

Offense Class	Pending First Day	Filed	Terminated	Pending Last day	Trials
Misdemeanors	14	0	0	14	2
Violations	37	4	14	27	
Contempt/Other	68	5	2	71	
TOTALS	119	9	16	112	

BALANCE SHEET FOR MONTH OF OCT 2011

COURT PAYMENTS

COURT REVENUE		COURT PAYMENTS	
Total deposits +	\$2178.00	City	1813.68
Total bail forfeits +	0.00	Restitution	40.00
Total bail/Bank fees -	0.00	Unitary Assessment	170.62
Total Refund/Rest	- 40.00	Jail Assessment	69.70
Total NSF's	- 0.00	LEMLA	10.00
TOTAL COURT REVENUE	<u>2138.00</u>	Intoxicated Driver	00.00
Credit given for Community Service	\$ 0.00	State Misc.	50.00
Other Credit Allowed Against Fines	\$ 0.00	Court Security	24.00
TOTAL NON-REVENUE		DUII Surcharge	0.00
CREDIT ALLOWED	<u>\$ 0.00</u>	TOTAL COURT PAYMENTS	<u>\$ 2178.00</u>

TOTAL CASH PAYMENTS TO:

CITY	\$ 1813.68
STATE	\$ 230.62
COUNTY	\$ 69.72
JUD.DEPT	\$ 24.00
REFUND/RESTITUTION	\$40.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 95,763.25
ENDING	\$ 90,408.25



# LINN COUNTY SHERIFF'S OFFICE

**Tim Mueller, Sheriff**  
1115 SE Jackson Albany, OR 97322  
Phone: (541) 967-3950  
[www.LinnSheriff.org](http://www.LinnSheriff.org)

## 2011

### MONTHLY REPORT TO THE CITY OF BROWNSVILLE FROM THE LINN COUNTY SHERIFF'S OFFICE

**FOR THE MONTH OF:**

**OCTOBER**

<b>TRAFFIC CITATIONS: -----</b>	<b>4</b>
<b>TRAFFIC WARNINGS: -----</b>	<b>11</b>
<b>TRAFFIC CRASHES: -----</b>	<b>0</b>
<b>ADULTS CITED / VIOLATIONS: -----</b>	<b>0</b>
<b>ADULTS ARRESTED: -----</b>	<b>7</b>
<b>JUVENILES CITED / VIOLATIONS: -----</b>	<b>0</b>
<b>JUVENILES ARRESTED: -----</b>	<b>0</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED: -----</b>	<b>39</b>

<b>TOTAL HOURS SPENT IN:</b>	<b>BROWNSVILLE</b>	<b>431</b>
------------------------------	--------------------	------------

**70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS**

**Tim Mueller,  
Sheriff, Linn County**

**By: Sgt. Brad Kelley**

PATRL\_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STREET		CITY	UNI	CD	DIS	DESCRIPTION
				ET #	ADDRESS					
113040339	10/31/11	20:08:33	THEFT-RPT	203	W BISHOP WY	Brownsville	721	014	No	Additional Report Necessary
113040264	10/31/11	15:33:56	ALARM - POLICE	220	S MAIN ST	Brownsville	703	014	No	Additional Report Necessary
113040141	10/31/11	10:32:44	Trf Speed Viol	700	WASHBURN ST	Brownsville	703	094	CITE ISSUED -	SPEEDING VIOLATIC
113040014	10/31/11	1:26:53	SUSP-VEHICLE	35620	KIRK AV	Brownsville	756	014	No	Additional Report Necessary
113030164	10/30/11	11:51:31	SUSP-CIRCUMSTANCES	200	N MAIN ST	Brownsville	759	014	No	Additional Report Necessary
113030078	10/30/11	6:02:32	DISTB-OTHER	600	LOUCKS WY	Brownsville	759	014	No	Additional Report Necessary
113020271	10/29/11	17:59:23	Trf Observe Susp Activity	800	LOUCKS WY	Brownsville	756	077	WARNING -	SEATBELT VIOLATION
113020015	10/29/11	1:14:02	Trf Equipment Viol	380	SPAULDING AV	Brownsville	756	101	CITE ISSUED -	NO INSURANCE
113020015	10/29/11	1:14:02	Trf Equipment Viol	380	SPAULDING AV	Brownsville	756	001	Incident Report	
113020013	10/29/11	1:08:45	Trf Moving Viol	811	N MAIN ST	Brownsville	756	070	WARNING -	SPEEDING VIOLATION
113010083	10/28/11	8:30:47	WELF CHECK	413	HAUSMAN AV	Brownsville	748	014	No	Additional Report Necessary
113000276	10/27/11	16:39:42	WELF CHECK	146	SPAULDING AV	Brownsville	703	014	No	Additional Report Necessary
113000132	10/27/11	10:38:37	Trf Equipment Viol	331	E BLAKELY AV	Brownsville	703	072	WARNING -	MOVING VIOLATION
112990406	10/26/11	23:59:48	SECURITY CHECK	1001	KIRK AV	Brownsville	721	014	No	Additional Report Necessary
112990387	10/26/11	21:50:55	Trf Moving Viol	200	N MAIN ST	Brownsville	781	072	WARNING -	MOVING VIOLATION
112990345	10/26/11	19:33:13	ALARM - POLICE	101	PARK AV	Brownsville	766	014	No	Additional Report Necessary
112980353	10/25/11	17:54:56	TRESPASS	516	WASHBURN ST	Brownsville	759	014	No	Additional Report Necessary
112980313	10/25/11	16:22:09	HARASSMENT RPT	600	WASHBURN ST	Brownsville	759	014	No	Additional Report Necessary
112980045	10/25/11	4:52:16	Trf Equipment Viol	200	N MAIN ST	Brownsville	756	071	WARNING -	EQUIPMENT VIOLATION
112960171	10/23/11	13:19:25	ALARM - POLICE	220	S MAIN ST	Brownsville	733	014	No	Additional Report Necessary
112950188	10/22/11	14:18:06	DOG COMPLAINT	1022	OAK ST	Brownsville	763	170	CAD Report	
112940079	10/21/11	6:00:22	Trf Moving Viol	800	W BISHOP WY	Brownsville	756	070	WARNING -	SPEEDING VIOLATION
112930454	10/20/11	23:43:27	Trf Moving Viol	100	E BISHOP WY	Brownsville	756	100	CITE ISSUED -	DWS/NO ODL
112930433	10/20/11	23:01:45	Trf Observe Susp Activity	220	S MAIN ST	Brownsville	756	180	MDT Narrative Update	
112920402	10/19/11	22:44:06	Trf Moving Viol	150	PARK AV	Brownsville	756	072	WARNING -	MOVING VIOLATION
112920258	10/19/11	14:26:52	ELDER ABUSE	382	KIRK AV	Brownsville	759	014	No	Additional Report Necessary
112920193	10/19/11	12:00:30	HAZ-TRAFFIC	200	N MAIN ST	Brownsville	759	180	MDT Narrative Update	
112920016	10/19/11	1:05:26	NARCOTICS OFF	811	N MAIN ST	Brownsville	781	001	Incident Report	
112910358	10/18/11	20:44:08	SUSP-PERSON	419	N MAIN ST	Brownsville	721	014	No	Additional Report Necessary
112900294	10/17/11	16:02:06	BIKE - OUT WITH	699	TEMPLETON ST	Brownsville	733	072	WARNING -	MOVING VIOLATION
112890281	10/16/11	19:50:35	Trf Speed Viol	811	N MAIN ST	Brownsville	756	070	WARNING -	SPEEDING VIOLATION
112890225	10/16/11	16:56:20	EXTRA PATROL	300	WALNUT AV	Brownsville	NON	040	NARN Extra Patrol	
112880066	10/15/11	5:32:11	ALARM - POLICE	220	S MAIN ST	Brownsville	773	014	No	Additional Report Necessary
112870082	10/14/11	9:23:15	PROP-FOUND	600	WASHBURN ST	Brownsville	749	014	No	Additional Report Necessary
112870059	10/14/11	7:41:58	VEH-RECOVERED	412	FAUST ST	Brownsville	749	001	Incident Report	
112860398	10/13/11	22:57:44	HARASSMENT RPT	511	SPAULDING AV	Brownsville	721	014	No	Additional Report Necessary
112860010	10/13/11	0:22:17	WARRANT SERV	227	E BISHOP WY	Brownsville	721	014	No	Additional Report Necessary
112850443	10/12/11	23:50:46	DISTB-OTHER	227	E BISHOP WY	Brownsville	721	014	No	Additional Report Necessary
112850365	10/12/11	18:32:48	NARCOTICS OFF	427	MOYER ST	Brownsville	721	001	Incident Report	
112850264	10/12/11	13:56:04	SUSP-CIRCUMSTANCES	299	S MAIN ST	Brownsville	763	014	No	Additional Report Necessary

PATRL\_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STRE ET #	ADDRESS	CITY	UNI	PO	DIS
112850234	10/12/11	12:50:27	WELF CHECK	715	TEMPLETON ST	Brownsville	763	014	No Additional Report Necessary
112850102	10/12/11	8:07:01	WARRANT SERV	429	MOYER ST	Brownsville	733	014	No Additional Report Necessary
112850067	10/12/11	6:04:41	PROWLER RPT	429	MOYER ST	Brownsville	733	001	Incident Report
112840365	10/11/11	17:25:13	NARCOTICS OFF	103	E BLAKELY AV	Brownsville	753	014	No Additional Report Necessary
112820120	10/09/11	12:48:48	SUSP-CIRCUMSTANCES	220	S MAIN ST	Brownsville	733	014	No Additional Report Necessary
112810130	10/08/11	11:12:01	CRIM MISCHIEF	827	ASH ST	Brownsville	733	014	No Additional Report Necessary
112800311	10/07/11	17:51:16	TRAFF-OTHER VIOL	310	WALNUT AV	Brownsville	781	014	No Additional Report Necessary
112790330	10/06/11	16:52:08	DISTB-DOMESTIC	217	KIRK AV	Brownsville	752	014	No Additional Report Necessary
112780263	10/05/11	15:05:20	Trf Seatbelt	1000	LINN WY	Brownsville	755	095	CITE ISSUED - SEATBELT VIOLATIO
112780243	10/05/11	14:13:25	TRESPASS	815	N MAIN ST	Brownsville	752	014	No Additional Report Necessary
112770216	10/04/11	13:54:00	Trf Equipment Viol	200	N MAIN ST	Brownsville	733	071	WARNING - EQUIPMENT VIOLATION
112770126	10/04/11	10:33:19	TRESPASS	600	WASHBURN ST	Brownsville	703	001	Incident Report
112760419	10/03/11	21:49:13	Trf Speed Viol	27900	SEVEN MILE LN	Brownsville	721	070	WARNING - SPEEDING VIOLATION
112740182	10/01/11	13:09:58	HAZ-TRAFFIC	1000	LINN WY	Brownsville	773	170	CAD Report

**RESOLUTION NO. 671**

**A RESOLUTION AUTHORIZING A TRANSFER FROM THE SEWER IMPROVEMENTS CONSTRUCTION FUND TO THE GENERAL FUND AS RECOMMENDED BY THE CITY AUDITOR**

**WHEREAS**, Council passed Resolution No. 630 on June 5<sup>th</sup>, 2009 under the direction of the United States Department of Agriculture – Rural Utility Service (USDA-RUS) which authorized moving \$128,000 from the General Fund to the Sewer Improvements Construction Fund; and

**WHEREAS**, the City Auditor has outlined the proper procedure to return the Sewer Improvements Construction Fund back to a zero balance; and

**WHEREAS**, the City has been directed to move the balance of \$105,793 back to the General Fund to accomplish this task; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, that that the following funds be transferred from the Sewer Improvements Construction Fund to the General Fund as follows:

<i>From:</i>	905-000-480-000-00-00	\$105,793.00
<i>To:</i>	100-000-488-000-00-00	\$105,793.00

**PASSED AND ADOPTED** by Council of the City of Brownsville this 22<sup>nd</sup> day of November 2011.

---

Don Ware, Mayor

**ATTEST:**

---

S. Scott McDowell, City Administrator

# People helping people for 30 years

IN THE PAST TEN YEARS WE HAVE:

## FOOD BANK

Distributed over 10,972 food boxes containing 273,344 meals to 31,100 individuals with the help of volunteers who have given 13,463 hours of their time

## THRIFT SHOPPE

Received 734,967 donated articles of clothing and miscellaneous household items for the use of 5,792 customers with the help of volunteers who have given 25,030 hours of their time.

## CHRISTMAS GREETERS

Distributed almost 1000 Christmas Dinners and 3500 toys to low income families and seniors with the help of volunteers who have given over 2500 hours of their time.

## PARENTS & PALS

Provided a safe place for over 100 young parents to bring their children for play groups while they received peer support and information about family resources.

## LEARNING TREE PRE-SCHOOL

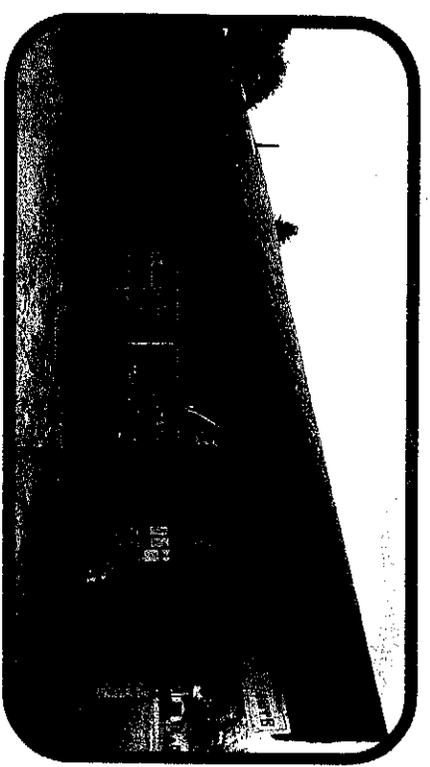
Since 2004 provided a curriculum based program to over 80 children to help prepare them for kindergarten.



Sharing Hands is a partner agency of the United Way of Linn County

Please help us pay for our new home!

# Sharing Hands Capital Campaign



"Sharing Hands is dedicated to providing opportunities for Central Linn citizens to give, receive and learn"

107 W. Bishop Way PO Box 335 Brownsville OR 97327  
(541) 466-3110 [sharinghands@peak.org](mailto:sharinghands@peak.org)

After almost 30 years, we finally have our own home! Now, we need your help to raise \$185,000 to make some major repairs, establish a maintenance fund, and retire our debt so that we can continue serving the Central Linn community for another 30 years.

**IN THE NEXT 3 YEARS, WE HOPE TO:**

- Replace the roof \$10,000
- Repair/replace HVAC \$7,500
- Increase storage space \$7,500
- Replace operating reserves \$30,000
- Establish Maintenance fund \$10,000
- Retire debt to Key Bank \$120,000



**\$185,000**

Your donation will help us maintain our own space so that we can ensure and continue the stability of our programs; maintain and improve upon the high quality of our programs; and have the ability to respond to the community's changing needs.

**DONOR CATEGORIES**

- \$5000 + General Contractor
- \$2500—\$4999 Major Contractor
- \$1000—\$2499 Contractor
- \$500—\$999 Sub Contractor
- \$1—\$499 Supplier

Sharing Hands is a charitable 501(c)3 corporation. Your donation is deductible to the extent allowed by law Federal Tax ID No. 93-0810262

Janet  
466-5719

# Sharing Hands



## CAPITAL CAMPAIGN 2011-12 PLEDGE FORM

Yes, I want to help Sharing Hands provide opportunities for Central Linn citizens to give, receive and learn and I hereby:

PLEDGE PAYMENT OF: \$ \_\_\_\_\_ to Sharing Hands for its Capital Campaign payable as follows:

The sum of \$ \_\_\_\_\_ every \_\_\_\_\_ beginning \_\_\_\_\_ and ending \_\_\_\_\_ with the final payment to be made not later than November 30, 2012 or:

The total payment of the pledged amount in a lump sum or series of payments with the final payment to be made on or before November 30, 2012.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

SIGNATURE \_\_\_\_\_

S. Scott McDowell

---

**From:** Scott Wright [swright@riverdesigngroup.net]  
**Sent:** Wednesday, November 16, 2011 10:00 AM  
**To:** Tara Davis; sarah dyrdahl; S. Scott McDowell  
**Cc:** Troy Brandt  
**Subject:** Pioneer Park  
**Attachments:** 110911-4790.JPG

Hi Sarah, Tara & Scott

I had a chance to think about the Pioneer Park project and also obtain an aerial photo of the site just the other day (attached). In thinking about the project, we put together some quick cost estimates for a likely solution that would meet regulatory guidelines, preserve existing trees, and develop a stable bank. The eroding bank is approximately 600' long and based on likely costs for construction it will be in the range of \$150,000 - \$200,000 depending on the cost for large wood and imported rock. The treatment would consist of bank grading, engineered log jams, vegetated soil lifts, willow clump transplants, and supplemental plantings.

If the City is agreeable to construction costs in this range, we would be willing to move forward with the Council and City in developing this project. We would likely rely on a lot of work that has already been done by CES (i.e. hydraulic modeling, topographic survey) and simply develop final plans for permitting and construction. We would also want to have the CAD data from CES to finish the project. Our fees for design would be on the order of \$10,000 - \$20,000 depending on the number of meetings with the City and stakeholders/regulatory agencies. Permitting of the project would be handled by the watershed council with our input for project quantities.

Let me know if you would like to discuss this in further detail...thanks

Scott

**Scott Wright, P.E.**  
Water Resources Engineer  
River Design Group, Inc.  
541.738.2920

**Project:** Calapooia River - Pioneer Park Bank Stabilization  
**Title:** Cost Estimate  
**City of Brownsville**  
**Cost estimate for bank stabilization and habitat enhancement**  
**November 14, 2011**

Administration	10 hrs	\$50	\$	500	
Fisheries Biologist/Senior Water Resources Engineer	30 hrs	\$100	\$	3,000	
			\$	<b>3,500</b>	
Survey Technician	8 hrs	\$80	\$	640	
Fisheries Biologist	8 hrs	\$100	\$	800	
Mileage	60 miles	\$.5 /mi	\$	30	
			\$	<b>1,470</b>	
Water Resources Engineer	40 hrs	\$95	\$	3,800	
Fisheries Biologist	40 hrs	\$100	\$	4,000	
Mileage	600 miles	\$.5 /mi	\$	300	
			\$	<b>8,100</b>	
Mobilization / Demobilization	100 miles	\$20 /mile	\$	<b>2,000</b>	
<b>Prep and and Reclaim Access Routes and Stockpile Sites</b>			\$	<b>4,500</b>	
- 200 Class Excavator	20 hrs	\$135 /hr	\$	2,700	
- 10-Wheel Dump Truck	20 hrs	\$90 /hr	\$	1,800	
<b>EARTHWORK</b>					
Import Gravel and Soil Fill for Bank Shaping (5.5 miles to Slate Quarry)	1500 cy	\$12 /cy	\$	<b>18,000</b>	
- 200 Class Excavator (load at Slate Quarry)	90 hrs	\$135 /hr	\$	12,150	
- 10-Wheel Dump Truck (2 loads per hr per truck)	75 hrs	\$90 /hr	\$	6,750	
Bank Shaping (60 ft <sup>2</sup> * 600 ft)	1500 cy	\$4 /cy	\$	<b>6,000</b>	
- 200 Class Excavator	40 hrs	\$135 /hr	\$	5,400	
<b>STRUCTURE INSTALLATION</b>					
Large Wood Habitat Structures (6 structures, 30 ft bank length each)	6 LWHSs	\$1890 /LWHS	\$	<b>11,340</b>	
- 200 Class Excavator	12 hrs	\$135 /hr	\$	1,620	
- 10-Wheel Dump Truck	3 hrs	\$90 /hr	\$	270	
Vegetated Soil Lifts with Rock Toe (4-Tier, Unit Cost)	420 lf	\$44.9 /lf	\$	<b>18,858</b>	
Clump Tranplants	75 transplants	\$50 /transplant	\$	<b>3,750</b>	
- 200 Class Excavator	15 hrs	\$135 /hr	\$	2,025	
- 10-Wheel Dump Truck	15 hrs	\$90 /hr	\$	1,350	
- Laborer 1	15 hrs	\$50 /hr	\$	750	
MATERIALS (Trees, Rock, Bioengineering, Erosion Control Cost and Delivery)	1 ls	\$	67,515	\$	<b>67,515</b>
Project Administration Total		0.025 % of Total Budget	\$	3,500	
Construction Administration Total		0.068 % of Total Budget	\$	9,570	
Construction Labor Total		0.455 % of Total Budget	\$	64,448	
Construction Materials Total		0.477 % of Total Budget	\$	67,515	
		<b>Construction Total:</b>	\$	<b>141,533</b>	
		<b>Total Project Cost</b>	\$	<b>145,033</b>	
		<b>Treated Channel Length</b>		<b>600 ft</b>	
		<b>Project Construction Cost per Foot</b>	\$	<b>242</b>	

## MEMORANDUM OF AGREEMENT

**PRELIMINARY.** The Council of the City of Brownsville passed Ordinance 730 in November 2010 for the purpose of building relationships within the community and surrounding area, to heighten emergency awareness efforts within the Brownsville Rural Fire District, design a National Incident Management System (NIMS) compliant emergency plan for the City and to encourage citizen participation and planning on an individual and family basis.

**PURPOSE.** The Emergency Preparedness Committee would like to establish a relationship with area organizations & individuals who have certain skills, equipment and/or facilities that may be useful in the event of a community-wide emergency. The Committee would like to have an agreement in place so that all parties have a working knowledge of how to execute during emergency. The purpose of this agreement is to detail certain sections that will be beneficial to all parties.

This Agreement is entered into by the City of Brownsville ("the City") and \_\_\_\_\_, ("Responder"), together referred to as "the Parties."

**ASSISTANCE TO BE RENDERED.** *To be tailored to the Responder's goods and services to be provided.*

**COMPENSATION & EXPENSES.** The City will work with Linn County Emergency Management, the State of Oregon's Office of Emergency Management (OEM) and any other state and/or federal agencies in the event of an emergency. Responder may be able to seek reimbursement for the services and goods provided, subject to the compensation schedules for such reimbursements as established by the presiding agency. Responders shall not be considered employees of the City or any local, state, or federal entity as a result of this Agreement.

**LIABILITY.** To the extent permitted by the Oregon Tort Claims Act, each Party shall defend, indemnify, and hold harmless the other Party against all claims, losses, damage to life or property, and costs arising from the indemnifying Party's own activities under this Agreement. A Party will not be required to indemnify the other Party for any such liability arising out of the wrongful or negligent acts of employees or agents of that other Party. Responder assumes all liability and/or cost of damage to its equipment and the injury or death of its personnel when responding or performing under this Agreement.

**CONDITION FOR IMPLEMENTATION.** The City will contact Responder directly when requesting, offering and/or withdrawing support; this may be by any communication medium available, including but not limited to electronic means.

### **REQUESTING ASSISTANCE**

- a. For purposes of this Agreement, the City may request assistance through the incident commander or the incident commander's designee.
- b. The City may request assistance when it is essential to protect life and property.
- c. The City is empowered to set up automatic aid protocols for specific circumstances within the City.

**PERSONNEL AND EQUIPMENT PROVIDED.** The City shall include in its request for assistance the amount and type of equipment, and shall specify the location where the personnel and equipment are needed. The final decision on the amount and type of equipment to be sent shall be solely that of the Responder.

**INSURANCE.** The Parties shall provide insurance coverage for their own personnel, facilities and equipment as required by law.

**DAMAGES.** Any damages incurred as a result of actions taken pursuant to this Agreement shall be reported to City in writing within seven (7) days of the incident which caused the damage.

**TERM.** The term of the Agreement shall be for three years. The Agreement may be renewed for an additional three years, if agreed to in writing by the Parties . Specific operational procedures may change during the course of the Agreement, including as a result of changes by the state and federal government. Any changes to the Agreement shall be made in writing and approved by the City Council or City Administrator.

**AGREEMENT NOT EXCLUSIVE.** This Agreement is not intended to be exclusive between the Parties and other agreements may be entered into by the Parties at any time.

**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.

**MODIFICATION AND WAIVER.** All modifications to this Agreement and waiver of any terms shall be in writing and signed by the Parties.

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

**COMMAND, CONTROL, COORDINATION & COMMUNICATION.** The City will have established Incident Command System (ICS) Standard Operating Procedures (SOPs), and will implement them in all incidents involving mutual aid or contingency responses. The Responder's personnel and equipment shall report to the incident commander or other appropriate official as directed. The Responder shall meet with the incident commander or appropriate official for a briefing and assignment. Responder must follow the instructions of the incident commander or appropriate official at all times.

By: \_\_\_\_\_  
[City of Brownsville]

By: \_\_\_\_\_  
[Responder]

Date: \_\_\_\_\_

Date: \_\_\_\_\_



October 26<sup>th</sup>, 2011

**Mr. & Mrs. Scott Pilkenton**

504 Spaulding Avenue  
Brownsville, OR 97327  
541.466.5076

Dear Scott & Anita:

Thank you for your letter dated October 23<sup>rd</sup>, 2011 regarding the street trees in front of your residence. Your assumption is correct. Public Works Superintendent Karl Frink had the Public Works crew trimming trees that were in the public right-of-ways over the last two weeks. The City has been doing this as a public service for trees that are overhanging streets in particular. The Brownsville Municipal Code sets out the responsibility of tree trimming to the residents of any trees that abut a public right-of-way. Below is the section:

**8.30.080 Trees.**

No owner or person in charge of property that abuts upon a street or public sidewalk shall permit trees or bushes on his property to interfere with street or sidewalk traffic. It shall be the duty of an owner or person in charge of property that abuts upon a street or public sidewalk to keep all trees and bushes on his premises, including the adjoining parking strip, trimmed to a height of not less than eight feet above the sidewalk and not less than 10 feet above the roadway. [Ord. 588 § 19, 1989; 1981 Compilation § 4-5.19.]

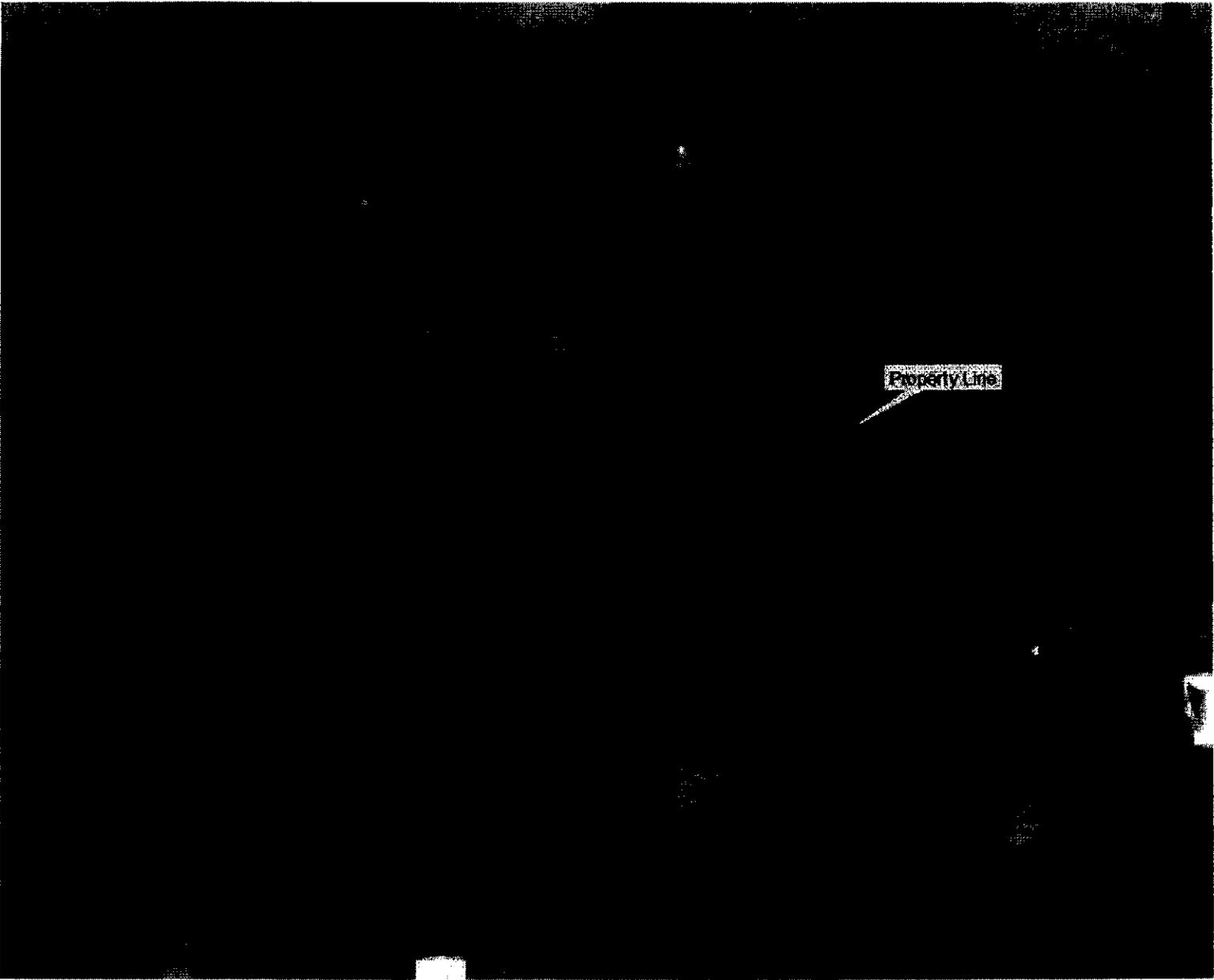
However, your situation is very different. I have included a map of your property that basically shows that your front porch roof line, these trees and the picket fence are all in the public right-of-way. Therefore, since they are considered public trees, the City is responsible for the care of those particular trees. The City responds to requests from Sweet Home Sanitation, delivery trucks such FedEx and UPS as well as requests from area bus drivers when considering what to trim. Mr. Frink has the responsibility of reviewing these situations and making decisions based on the obstruction. I am available to discuss this further at your convenience.

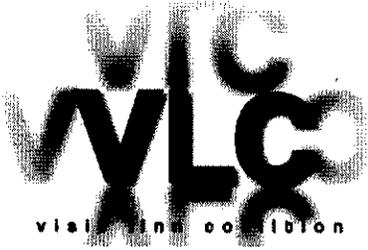
Sincerely,

A handwritten signature in cursive script, appearing to read 'SM', is written in black ink.

S. Scott McDowell

c: Mayor Ware  
Public Works Superintendent Karl Frink  
File





## *Visit Linn Coalition*

October 26<sup>th</sup>, 2011

**Linn County Commissioners**

300 SW 4<sup>th</sup> Avenue  
P.O. Box 100  
Albany, OR 97321

Dear Commissioners,

The Visit Linn Coalition (VLC) would like to thank Linn County for working with the organizers of the Bi-Mart Willamette Country Music Festival. The event brought in people from all over the region mostly due to the exceptional lineup that was featured this year in Brownsville. Events such as this Festival and the Oregon Jamboree afford the County a lot of marketing exposure. These events certainly have an economic impact for both Brownsville and Sweet Home while at the same time showcasing the natural beauty of the area.

The VLC has been working on promoting Linn County tourism. These two events are very significant in shaping how visitors view our County. We appreciate your role and effort in making these and other events possible. If there is anything the VLC can do, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'SM', is written over the printed name.

S. Scott McDowell

c: File



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Environmental Quality

Western Region Salem Office

750 Front Street NE, Suite 120

Salem, OR 97301-1039

(503) 378-8240

FAX (503) 373-7944

TTY 711

November 2, 2011

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

Re: Oregon's new water quality standards and your wastewater treatment facility

Dear S. Scott McDowell:

The Oregon Department of Environmental Quality (DEQ) recently revised Oregon's water quality standards for toxic pollutants to increase protection for people who use our rivers and streams for fishing and drinking water. Some small communities have expressed concern that the new standards will require expensive monitoring or possibly result in the need for upgrades to their sewage treatment plants.

Communities like yours that discharge less than 1 million gallons of wastewater per day are not required to monitor for the toxic pollutants covered by the revised water quality standards. The purpose of this letter is to let you know that the process that DEQ uses to develop sewage treatment plant permit requirements will not change as a result of the revised water quality standards and most communities in Oregon will not be affected by the revised standards.

In the rare instance where a toxic pollutant is known to be present in a community's wastewater, monitoring will be required for that pollutant. This may result in additional permit requirements if the pollutant levels are high enough to have an adverse impact on water quality. An industrial source is discharging a specific pollutant into a community's treatment system is an example where this could occur.

If you have any questions or concerns please don't hesitate to call me at: (503) 378-8306.

Sincerely,

Steve Schnurbusch  
Acting Water Quality Manager  
Western Region



NOV 16 2011

College of Urban and Public Affairs  
Population Research Center

Post Office Box 751  
Portland, Oregon 97207-0751  
570 Urban Center  
506 SW Mill Street

503-725-3922 tel  
503-725-5162 fax  
askprc@pdx.edu  
www.pdx.edu/prc/

Clerk \_\_\_\_\_

– IMPORTANT NOTICE –

## Preliminary 2011 Population Estimate

November 15, 2011

To: **Brownsville city**

Listed below is the preliminary population estimate for July 1, 2011. Also included are the certified 2010 *revised* estimate and 2010 Census figure. The July 1, 2011 estimate will be certified by December 15, 2011.

PRELIMINARY POPULATION ESTIMATE:

JULY 1, 2011: **1670**

CERTIFIED POPULATION ESTIMATE:

JULY 1, 2010(REV): **1670**

CERTIFIED CENSUS FIGURE:

APRIL 1, 2010: **1668**

If you have any questions, please contact:

Risa S. Proehl  
Population Research Center  
Portland State University  
PO Box 751  
Portland, OR 97207-0751

Telephone: (503) 725-5103  
Fax: (503) 725-5199  
E-mail: proehlr@pdx.edu

**From:** Mark Volmert [MVolmert@ocwcog.org]  
**Sent:** Wednesday, November 09, 2011 1:39 PM  
**To:** admin@ci.brownsville.or.us  
**Subject:** CWACT: Update on federal transportation bill  
**Attachments:** 20111109125048978.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**To CWACT Members and Alternates, CWACT TAC Members and City Managers/Administrators/Recorders**

This morning the Senate Environment and Public Works Committee, with an 18-0 vote, approved a component of the federal transportation reauthorization bill.

The 600 page bill (titled Moving Ahead for Progress in the 21<sup>st</sup> Century- MAP-21) was published by the committee last Friday night. It is a two-year reauthorization of federal highway programs at the current total transportation funding level. Attached is a four page summary of the bill.

The bill incorporates the general concept of a new federal omnibus transportation bill that we have discussed at several CWACT meetings. The Senate's draft consolidates about 90 current federal highway programs into less than 30 and increases the flexibility of the delivery of highway projects. The goal is to break down program funding silos/barriers that limit state and local governments in pursuing their highest priority projects. But, with the complexity of federal programs (including formula programs and discretionary grants), it is possible there could be some "winners" and some "losers", depending on the details of the bill that is ultimately approved and the regulations that will be developed by the federal Department of Transportation. For example, a state that has been particularly successful in obtaining discretionary grants from a specific program could receive less money as programs are consolidated and funds allocated in a different manner.

Transit, rail and safety components are not included in this bill. Other Senate Committees are responsible for these components and it is expected that the committees will release and discuss draft bills in the next month.

The funding element has not yet been addressed. As we have discussed several times, the federal government is currently spending about \$50 billion a year on transportation programs (about \$40 billion for highways and about \$10 billion for public transit) with current revenue of about \$35 billion a year. The Senate, looking at a two year bill, is evidently using the current balance (about \$18 billion) in the Highway Trust Fund and searching for an additional \$12 billion in order to fund transportation at the current level for the next two years. The Chair of the Senate Environment and Public Works Committee has reportedly searched for this money for several months but has not yet indicated a funding plan to cover the gap between revenue and expenditures.

During the past year the House has generally discussed funding transportation at the current level of revenue. The House has discussed a 6 year omnibus transportation bill so the gap between current revenue and current expenditures is obviously much larger than the Senate's two year bill. In rough numbers, a gap of \$15 billion a year times 6 years = \$90 billion minus the \$18 billion balance in the Highway Trust Fund for a total gap in the range of \$72 billion. Recently the House leadership gave the Chair of the House Transportation and Infrastructure Committee permission to search for additional funds. The House and the White House have both rejected any increase in the current federal fuel tax. The current political picture in Washington D.C. is certainly unclear. At this time, it appears that the House is looking toward increased domestic oil production as an additional revenue source for transportation. The Speaker of the House, last week, talked about a possible combined Transportation and Energy Bill. In the past, the increase in domestic oil production has been a non-starter in the Senate.

As a reminder, the federal omnibus transportation bill serves as the core of our collective transportation efforts. It involves highway funding including about \$500 million a year in highway formula funds to Oregon; with ODOT "flexing" about \$100 million of this to cities/counties (\$22 million a year), urbanized area programs, senior/disabled transportation programs, bike/ped programs, transportation enhancement programs, transportation growth management programs, work zone safety enforcement programs and other programs. It also serves as the basis for federal assistance to public transit

programs, rail programs, freight programs and other transportation programs of importance to cities, counties, regional agencies and states.

For the past several months the conventional wisdom was SAFETEA-LU would be extended until 2013. In the past couple of weeks the transportation discussion has heated up, as outlined above. Transportation bills/funding, of course, need to be viewed through the political and fiscal lens of the current efforts of the Congressional Debt Committee. It is unclear whether there will be a path, in the next month or two, for the approval of a new omnibus transportation bill.

As additional information comes forward, we will continue to provide you with updates.

Mark Volmert  
Transportation Planner  
Oregon Cascades West Council of Governments/  
Cascades West Area Commission on Transportation

**MONTH END RECAP**

		October 2011			
	REVENUE	EXPENDITURES	YTD	%	Unexpended
1	GENERAL	\$ 9,076.81	\$ 27,889.16	15.23%	\$ 1,010,960.04
2	WATER	\$ 27,785.22	\$ 23,233.61	11.11%	\$ 656,644.34
3	SEWER	\$ 23,973.57	\$ 15,923.61	7.37%	\$ 880,735.97
4	STREETS	\$ 12,644.89	\$ 9,495.81	8.05%	\$ 478,225.59
5	WATER BOND	\$ 216.09			
6	SEWER BOND	\$ 821.98			
7	SEWER DEBT FEE	\$ 10,418.45	\$ 332,072.00		
8	BUILDING & EQUIPMENT	\$ 187.12	\$ 43,084.83		
9	WATER RESERVE	\$ 20.81			
10	HOUSING REHAB	\$ 85.23			
11	WATER SDC	\$ 76.62			
12	SEWER SDC	\$ 98.89			
13	STORMWATER SDC	\$ 15.10			
14	BIKEWAY/PATHS	\$ 102.45			
15	LIBRARY TRUST	\$ 2.60			
16	CEMETERY	\$ 10.00			
17	TRANSIENT ROOM TX	\$ 57.50			
18	SEWER CONSTRUCTION	\$ 4.29			
19	LAND ACQUISITION	\$ 62.72	\$ 1,635.00	17.33%	\$ 187,004.26
20	COMMUNITY PROJECTS	\$ 85,660.34	\$ 78,177.19		
	<b>Total</b>	\$ 78,177.19	\$ 78,177.19		

KeyBank Accounts	2011-2012	YTD	% of Total
General	Appropriated	\$ 739,520.42	13.65%
Land Use (Deposits)			
Water	<b>DEBT Payments</b>		<b>Totals</b>
Park	Water	\$ 54,627.00	
Court	Wastewater	\$ 360,000.00	
<b>Oregon State Treasury</b>	<b>Total Debt</b>		
Community Improvements	Water	\$ 1,678,788.00	
	Wastewater	\$ 7,730,852.00	