



# CITY OF BROWNSVILLE

## Council Meeting

Tuesday – July 24<sup>th</sup>, 2012

**Regular Session 7:00 p.m.**

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### September 2012

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### October 2012

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
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# **CITY OF BROWNSVILLE**

## **Council Meeting**

City Hall – Council Chambers  
Tuesday, July 24<sup>th</sup>, 2012

### **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: June 26<sup>th</sup>, 2012
- 6) PUBLIC HEARINGS OR PRESENTATIONS
  - A. Uerlings-Barker Insurance
  - B. Swanson – Park Deposit Refund (Possibility)
- 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 689 – Basketball Court Transfer
- 10) ACTION ITEMS
  - A. Stabilization Effort

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. Authorize Elections Advertisement
- C. Central Linn Rec Center Roof Contract Award
- D. Authorize Shuttle IGA

11) DISCUSSION ITEMS:

- A. Right-of-Way Infringements
- B. Personnel Changes
- C. June Financials

12) CITIZEN QUESTIONS & COMMENTS

13) COUNCIL QUESTIONS & COMMENTS

14) EXECUTIVE SESSION

- ▶ 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.

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.



## COUNCIL MINUTES

June 26<sup>th</sup>, 2012

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

**PUBLIC:** Kaye Fox, Brad Kelley, Anne Hankins, Scott Johnson, Ernie Martin, Cynthia Burgeson, Sarah Dyr Dahl, Tara Davis, Don Leber & Neal Karo.

**ADDITIONS AND DELETIONS:** Mr. McDowell added three legislative items, 1) Resolution 686 – Utility Arrangements, 2) Resolution 687 – Budget Allocation Explanation, and 3) Resolution 688 – Adding Signer to City Bank Accounts. Mr. McDowell added Discussion items regarding Kirk Avenue, the Emergency Preparedness Committee and the League of Oregon Cities policy survey. Mr. Sattler added a Public Hearing regarding Ordinance 736.

**MINUTES:** The Council reviewed the minutes of the May 29<sup>th</sup>, 2012, meeting. Councilor Cole moved to approve the minutes. The motion was seconded by Councilor Boyanovsky and was approved unanimously.

### PUBLIC HEARINGS OR PRESENTATIONS:

1. Willamette Country Music Festival. Ms. Anne Hankins and Mr. Dan Leber were present to update the Council on the status of the Music Festival. Ms. Hankins described a number of changes from last year such as increased security, flaggers to direct traffic, permission from ODOT to stop traffic on Hwy. 228 to speed the flow of traffic in and out of the Festival and an onsite medical facility with staff complete staff. Mr. Leber said that there is an opportunity for Brownsville business to get free advertising from the Festival in both print ads and video ads being shown during the Festival. He encouraged the businesses to take advantage of the opportunity.
2. Riverbank Stabilization Projects and the Calapooia Watershed Council. Ms. Sarah Dyr Dahl and Ms. Tara Davis were present to discuss what lessons had been learned about riverbank stabilization projects and their long term success or failure on the Calapooia River. Photographs were shown of the projects done just downstream of Brownsville and the damage they had suffered during last winter's high water periods. She noted that funding agencies are no longer funding these type of projects due to the high failure rates over time. Ms. Davis discussed the changes occurring at the site of the Brownsville Dam since its removal and the discovery of the old wooden crib dam structure. Ms. Davis said that there is about \$10,000 remaining in the project funds and was seeking input on possible uses. She said that it cannot be used for normal operation but can be spent on unforeseen expenses. She asked the Council to contact her if they had any suggestions.
3. Sweet Home Sanitation Report. Mr. Ernie Martin was present and told the Council that the citywide cleanup had gone well and described how much had been collected including 20 tons of garbage, 2.41 tons of yard debris, 148 tires, 2.13 tons of wood, 100 items of E-waste. Councilor Shepherd asked if he had made progress on the franchise agreement. Mr. Martin said that he wants to add some services such as household hazardous waste collection events.
4. Exchange Student Program. Cancelled.



## COUNCIL MINUTES

5. French Street Vacation. Mayor Ware opened a public hearing seeking input on the proposed vacation of a section of French Street per Ordinance 736. There was no one who wished to comment and Mayor Ware closed the public hearing.

### DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Kelley reported that Pioneer Picnic had gone well and said that Deputy Putney had spent quite a bit of time there. Sgt. Kelley said that his office is preparing for the Music Festival coming up in August.
2. Planning. Mr. Sattler said that there has been a continuing uptick in real estate activity with quite a few people calling or coming in to discuss possible property purchases. Mr. Sattler said that he will be posting the first round of vegetation abatement notices. He said that the second reading of Ordinance 736, vacating a portion of French Street, will be on the agenda later in the meeting. Mr. Sattler said that he has been picking up the Accounts Payable duties as Jannea is available to train him.
3. Public Works. Mr. Frink said the Oak Street project is nearly finished. He said progress on the Pioneer Park restrooms has been spotty due to the rainy weather. Mr. Frink said that the dust control coating had been applied to Washington Street, Hume and Holloway Heights.
4. Administrator's Report. Mr. McDowell reported that Karo Construction is trying to finish the Pioneer Park restroom project before July 1<sup>st</sup> but it didn't look like that would be possible due to various delays. He said that the same situation pertains to the South Oak Street Project but it was looking more hopeful to get that project substantially complete. Mr. McDowell said that he has been continuing to work with Schroder Law regarding the City's water rights. He said that they reviewed the re-implementation of a water right associated with an old well that dates back to 1921 which could be of great benefit so they are looking at the various options for what could be done with that right. Staff made a few recommendations regarding the possible installation of tile in the Art Center. The City is waiting for official word from the Association. Mr. McDowell informed the Council that Mr. Hopla and Mr. Ginn had come to him with urgent requests for temporary liquor licenses and that Mayor Ware had signed them as there had not been time to wait for the full Council meeting.
5. Library Report. Ms. Lemhouse provided a written report.
6. Court Report. The Municipal Court provided a written report.
7. Council Comments. None.
8. Citizen Comment. None.

### LEGISLATIVE:

1. Resolution 683 – Fiscal Year 2012-2013. Mr. McDowell directed the Council's attention to a change made since the last draft of the Resolution due to the new LB1 form. Councilor Cole moved to approve Resolution 683. The motion was seconded by Councilor Shepherd and was approved unanimously. Mr. McDowell asked for authorization to republish the corrected LB 1 form. Councilor Cole moved to approve the



## COUNCIL MINUTES

- republishing. The motion was seconded by Councilor Shepherd and was approved unanimously.
2. Resolution 684 – Setting Water Rates. Councilor Cole moved to approve Resolution 684. The motion was seconded by Councilor Van Sandt and was approved unanimously.
  3. Resolution 685 – Setting Sewer Rates. Councilor Van Sandt moved to approve Resolution 685. The motion was seconded by Councilor Shepherd and was approved unanimously.
  4. Resolution 686 – Budget Transfers. Councilor Cole moved to approve Resolution 686. The motion was seconded by Councilor Van Sandt and was approved unanimously.
  5. Resolution 687 – Transfer of Funds. Mr. McDowell told the Council that the purpose of this Resolution was to document the disposition of some funds received from USDA-RD several years ago associated with the wastewater project. Councilor Cole moved to approve Resolution 687. The motion was seconded by Councilor Boyanovsky and was approved unanimously.
  6. Resolution 688 – Adding Signer to City Bank Accounts. Councilor Cole moved to approve Resolution 688. The motion was seconded by Councilor Van Sandt and was approved unanimously. Councilor Shepherd will be added as an authorized agent.
  7. Ordinance 736 French Street Vacation (Second Reading). Councilor Boyanovsky moved to read by title only. The motion was seconded by Councilor Van Sandt and was approved unanimously. Mayor Ware read the title of Ordinance 736. Councilor Cole moved to approve Ordinance 736. The motion was seconded by Councilor Van Sandt and was approved unanimously.

### ACTION ITEMS:

1. Move August Council Meeting Date. Mr. McDowell recommended moving the August meeting to September 4<sup>th</sup> due to a scheduling conflict. Council agreed to move the meeting back a week to September 4<sup>th</sup>, 2012.
2. Authorize RFP For Central Linn Rec Center Roof. Councilor Boyanovsky moved to approved publishing an RFP for a new roof for the Rec Center. The motion was seconded by Councilor Shepherd and was approved unanimously.
3. Authorize RFQ for Backhoe Purchase. Councilor Cole moved to approve publishing an RFQ for the purchase of a new backhoe. The motion was seconded by Councilor Van Sandt and was approved unanimously.
4. Authorize RFQ for Mower Purchase. Councilor Cole moved to approve publishing an RFQ for the purchase of a mower. The motion was seconded by Councilor Van Sandt and was approved unanimously.

### DISCUSSION ITEMS:

1. Animal Ordinance. Mr. McDowell said that he had not heard anything further regarding the complaints on Northpoint. Mr. McDowell said that any of the suggested changes to



the ordinance would not have any effect on the situation due to the size of the lot in question. Further, if Council changes the ordinance to incorporate lots of that size, no one in town would be permitted to have farm animals. Mr. McDowell reported that many people in town are strongly in favor of allowing animals and continuing the current policy and asked Council if he should spend more time on the issue. Mayor Ware said that he liked the current policy. Councilor Cole said that Brownsville is a rural community and she thought the current policy was fine. Councilor Shepherd said that he would like to see more work done as he is having a problem with his neighbor. Other than Councilor Shepherd the rest of the Council wished to keep the current policy.

2. FEMA Update. Mr. McDowell indicated that an issue had recently arisen with the City's FEMA application. FEMA has a strict time frame for eligible damages. FEMA's time frame on the Oregon flood event is January 17<sup>th</sup> – 21<sup>st</sup>. The City documented the initial damage to the waterline occurred prior to that period. FEMA has determined that the damage is almost certainly not eligible for FEMA funding. Mr. McDowell said that he could proceed but there is realistically no hope for success and that the other option is to withdraw the claim. Mr. McDowell said that the river level needs to drop before the damage can be ascertained but that he thinks it is almost certainly in the 45 degree coupler. If that is the case the repair should cost \$80,000 to \$120,000 as a broad estimate. The consensus of the Council was to direct Mr. McDowell to withdraw the application. He said that the plan is to work with the Corps of Engineers and DSL for an emergency permit to do the work. Councilor Cole asked about the long term viability of a repair. Mr. McDowell said that the first priority is to get the line repaired and then to start saving toward the boring project previously discussed or possibly to look into a revenue bond to pay for the work.
3. May Financials. Mr. McDowell said that the May financials are not yet finished due to problems that had been found in the accounting. He said that the Auditors have not had time to help resolve the issues and asked for permission to hire an outside accountant to help if needed. The request was approved unanimously.
4. Linn County Road Department and Kirk Avenue. Mr. McDowell said that he had met with Mr. Lane regarding Kirk Avenue and that Mr. Lane had suggested doing an overlay on the street except for the approach from Averill Street to Main Street where the road would be dug out and the base rebuilt, including curbs, gutters and sidewalks. Mr. Lane said that should bring the project cost down to around \$600,000 to \$700,000. Mr. McDowell reported that the City would not be required to contribute any funds towards the project. He said that Mr. Lane thought the work could be scheduled either for next summer or for 2014. Mr. McDowell said that he will work on getting an agreement finished with the County later this year.
5. Emergency Planning Commission. Mr. McDowell indicated that he EPC had been charged with public education and drafting an emergency response plan. He reported that they had been doing well but then took a break last Summer and work on the plan had slowed. Mr. McDowell said that some of the people attending meetings were creating issues for others and slowing down the work of the committee. Mr. McDowell said that there have been three resignations out of the seven members. Mr. McDowell said that part of the problem is that the topic is very broad, but that people tend to come to the committee focused on only one small area and that has been driving off other volunteers. He said that the some options are to repeal the ordinance and do away with the committee completely or to create an adjunct committee chosen by the City Administrator. He said that he would continue to follow up on the options and report back to Council.



## COUNCIL MINUTES

6. League of Cities Policy Update. Mr. McDowell explained that the League is polling cities to choose legislative priorities and asked the cities to choose four areas. He asked Councilors to email him with their suggestions.

COUNCIL COMMENTS: None.

CITIZEN COMMENT: Ms. Fox said that the Seniors have raised enough money to pay for the new ADA door for the building and that she is still working on finding an electrician to do the work for them. She said that they will have a dedication ceremony when it is finished. Ms. Fox said that the blacktop pathway between the Library Park and the Museum is lifting in places due to roots growing underneath. She said that the Baptist Church is looking for donations to help exchange students.

EXECUTIVE SESSION: The Council moved to Executive Session at 9:10 p.m. pursuant to ORS 192.660. Council returned from Executive Session at 9:22 and reconvened in regular session.

LIBRARY BOARD. Mayor Ware indicated that Librarian Sherri Lemhouse recommends Jennifer Ashcraft for the open position on the City's Library Advisory Board. A motion was made by Councilor Cole, seconded by Councilor Van Sandt to appoint Jennifer Ashcraft to the Library Advisory Board. The motion carried unanimously.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The meeting was adjourned at 9:26 p.m.

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City Administrator S. Scott McDowell

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Mayor Don Ware



# City Administrator Report

July 24<sup>th</sup>, 2012

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

**Uerlings-Barker Insurance** – Sharon King and Steve Uerlings will be present to discuss the benefits of having an insurance agent. They will be available to answer any questions anyone may have about that possibility. Uerlings-Barker comes highly recommended from CIS. The City still needs to determine the annual cost for such a service. Two major, positive benefits is continuity of service and comprehensive reviews of coverage with an industry professional.

**Park Deposit Refund** – A party may be present to dispute their Park deposit refund. Council would be acting in a quasi-judicial role if this should take place. Basically, you would hear the facts and testimonies from the party and from Staff. You would then make a decision based on the facts presented.

**R 689: Basketball Court Transfer** – Pioneer Bookkeeping provides professional accounting services to the Central Linn Rec Board. Recently, I received a call from Cindy Clark indicating that the Board was showing two assets in their financial statements that should have been transferred to the City. The intention of the Board was to transfer the basketball court that was installed in 2006 in the amount of \$25,319.20 and to transfer the baseball fencing in the amount of \$2,990. This resolution will allow for those assets to be properly transferred to the City's ownership and will get them off the Board's books. (I will have the resolution available on Council's desk prior to the meeting and will also e-mail the resolution if completed in advance of the meeting.)

**Calapooia Stabilization** – Council needs to make a decision regarding the future outcome of this potential project.

## What We Have Learned

1. **Grant Funding Sources Are Not Available.** The City has exhausted every possible opportunity for State and Federal funding. The Governor's Office Regional Solutions Team, the Calapooia Watershed Council, the Army Corps of Engineers, the Linn County Engineer's Office and the Federal Emergency Management Agency have all thoroughly reviewed the stabilization effort.
2. **Construction Techniques.** The State & Federal rules and requirements do not allow the City to place rip rap along the bank for stabilization purposes. River Design Group Incorporated, Cascade Earth Sciences and the Calapooia Watershed Council have done extensive engineering designs around the construction principles allowed in the 21<sup>st</sup> century. Scott Wright of River Design Group shared with Council at the public hearing in January 2012 approved construction techniques for this type of stabilization effort.

3. **Costs.** Engineering solutions built to the 50 year flood standard would cost the City approximately \$275,000. Engineering solutions built to the 100 year flood standard would be in excess of \$1,000,000.
4. **Risk.** The Calapooia Watershed Council suffered damage to two stabilization efforts just downstream of the City's problem area. A project of this nature does not have a projectable useful life. A flood event like the one in January 2012 could completely destroy any improvement made by the City.
5. **Improvements.** The City has many other capital improvement projects that have high costs associated with their eventual construction.
6. **Budgetary Constraints.** Allocating financial resources for such a project could cause an undue strain on the municipal treasury.

### Thoughts

1. **Retreatment Strategy.** Park Board was generally in favor of retreating. The plan presented and reviewed by the Board and Council in November 2011 included removing the gravel road west of the playground, creating a new cul-de-sac turnaround area north of the playground, planting native species along the top of the bank from Gerber's property line to just north of the logging show area. The City would budget to eventually move the playground across from the Community Arts building at some point in the future.
2. **Asset Protection.** What is the City trying to protect? So far the City has retreated out of necessity. The only asset that we had in the area was the restroom that had to be removed.
3. **Historic Channel.** While we do not know the complete history of the Calapooia River channel, we do know that according to the research on record the channel has never been beyond the west road at the edge of the playground.
4. **Wild River.** All of the presentations have demonstrated one thing – the Calapooia is restless and is continually moving regardless of what manmade structures are created to contain the river's banks and path.
5. **Hard Structures.** There has been a lot of discussion about the hydrology of the river and consternation over the rip-rap corner bend. I would submit for your consideration that the rip-rap was installed around 1964 and the City did not experience the bank destabilization until around 2004. It is hard to extrapolate a direct correlation forty years later.

### Decision

Staff needs to know Council's wishes for this project. If the City chooses to move forward with an engineering design, Staff will need to start executing contracts in order to get a substantial design completed by October 2012, otherwise we will miss the opportunity to work in the river in 2013.

## **Recommendation**

The stabilization of the river has been a very emotional issue. Pioneer Park is the crown jewel of Brownsville. Everyone loves the Park. There has been a lot of frustration over the rules and regulations that are in place to protect the environment. Many have offered solutions to the problem, but no one has a viable solution that meets the current regulatory requirements and that will offer long term stability for the bank. The City has worked with every political figure in the State to determine a way to fund and construct this project.

Every Councilor is going to have their own perspective and understanding of what this issue means to both them individually and to the City collectively. My recommendation is to consider a retreatment strategy. I base that recommendation on the fact that the project is a very risky undertaking on three fronts, 1) Politically – people who are wanting something done will be the first to condemn if the project should fail, 2) Financially – spending the taxpayers money to protect no known assets does not make sense to me, and 3) Construction – there is no guarantee that any method used will be effective in the long-term future.

**Calapooia Watershed Council** – The City submitted some expenses for the Council's consideration regarding the remaining funding discussed by Executive Director Tara Davis at the last Council meeting. There will be more to discuss as our expenses were under \$5,000, should they be deemed eligible.

**Authorize Elections Advertisement** - Council is required by the Brownsville Municipal Code to publish a notice for all general elections. Councilors Gerber, Van Sandt and Chambers are up for re-election in November general election. Any interested party should contact City Hall to file the proper paperwork for candidacy.

**Central Linn Rec Board Roof Contract** – Council authorized Staff to proceed with an RFP for the Rec Center roof. The City's proposal deadline is set for July 24<sup>th</sup>, 2012 at noon. I will have the proposals compiled and ready for Council discussion and action. Our hope is to have the roof completed before the rain begins this Fall.

**Shuttle to Town** – The Brownsville Chamber of Commerce is partnering with the Central Linn School District, the Willamette Country Music Festival and the City to provide a bus service that will bring WCMF ticketholders to town Friday, Saturday and Sunday. The District Office is requesting that the City act as an intermediary so they can provide the service as requested by the Chamber. The District cannot legally offer these services to a non-profit organization, only another governmental entity. Council is being asked to authorize the Mayor signature for this intergovernmental agreement.

**Right-of-Way Infringements** – The City has historically had property owners infringing on public right-of-ways throughout town. Typically, the City has been entering into encroachment agreements with property owners to abate any future concerns. Sometimes this works well and other times it is not very effective. It is common practice elsewhere to not allow any infringements on city-owned right-of-way's and property. Staff wanted to make Council aware of the process the City has been

implementing for very long time. We would like to discuss the pros and cons of a few particular situations to get Councils' thoughts.

**Budget Certified Update** – All budget documents were officially certified to the Linn County Clerk's Office and the Linn County Assessor's Office on July 9<sup>th</sup>, 2012.

**Master TTDL (FY 2011-2012)** – Recently, I provided a list of projects we will be working on for FY 2012-2013. Below are some of the highlights from last fiscal year:

|                                         |                                   |
|-----------------------------------------|-----------------------------------|
| City Hall Roof Project                  | Court Room Relocation             |
| Information Sign Project                | Junk Ordinance Review             |
| Historic Bell Project                   | Annual Performance Evaluations    |
| Gateway Project                         | Harris Computer Training & Issues |
| Annual Audit                            | Water Treatment Operations        |
| Annual Budget Process                   | Wastewater Treatment Operations   |
| (2) Bi-annual Newsletters               | Facilities Maintenance            |
| Abatements – Weeds & Nuisances          | Fleet Maintenance                 |
| Nida Retirement                         | Annual CCR                        |
| Personnel Interviews, Training & Hiring | Monthly Reporting & Testing       |
| S. Oak Street Water Line Project        | System Repairs & Maintenance      |
| Water Master Plan                       | Eugene Kennel Club Agreements     |
| Water Curtailment Issues                | Public Hearings                   |
| Pioneer Park Restrooms                  | Resolutions & Ordinances          |
| Implement Sensus Handheld Readers       | Building Permits                  |
| Calapooia Stabilization Effort          | Annual Insurance Renewals         |
| LC Cultural Coalition Grant             | Several Property Disputes         |
| Rec Center Gym Floor Project            | Canal Company                     |
| Performance Evaluations                 | Prepare Equipment RFP's           |
| Council Goal Setting                    | FEMA Process                      |

**Public Works Operator Opening** – As Karl indicates in his report, Marvin Borntreger submitted his resignation on July 5<sup>th</sup>, 2012. Marvin has been with the City since January 8<sup>th</sup>, 2007. He's been extremely reliable and a tremendous asset to the City in his role as Public Works Operator. Marvin will be missed.

The City has placed ads in *The Times*, the *Albany Democrat-Herald* and with Worksource Oregon in Lebanon. The deadline for applications is August 8<sup>th</sup>, 2012. Karl and I plan on setting up interviews the following week in order to fill the position as soon as possible.

**Assistant Clerk Opening** – The City received a very competitive pool of applicants for this position. Jannea Deaver and I conducted the interviews. Seven candidates were selected from the pool. We are happy to announce that Elizabeth Coleman has accepted the City's offer and will begin her employment on August 13<sup>th</sup>, 2012.

**Chamber of Commerce** – The City dealt with a considerable amount of dissatisfaction with the way the Chamber handled the Citywide Garage Sale. There was a mix up on the date. The Chamber website indicated originally that the garage sale was to be on July 14<sup>th</sup>. They later changed the date to July 21<sup>st</sup>. Since 2007, the City has been

collecting money and distributing necessary paperwork to folks interested in various community events Chamber related and otherwise. The City requires a receipt book to be provided in order to properly account for the funds received. I have been working closely with Chamber Liaison Sharon McCoy to remedy some of the concerns the City has been experiencing in the actual practical application and execution of this important partnership. The bottom line is that the City will always be contacted when any organization does an event in town. Staff does not mind serving the community in this way however it is vital that we have all of the correct information for the public.

**Harrang: Social Media Policy** – I attended a seminar regarding social media implications at Harrang's Law Office in Eugene on June 28<sup>th</sup>, 2012. At some point in the future, the City will need to address the adverse effects of social media. I'm currently working with CIS to develop a model policy. Many employers have had concerns with employees posting inappropriate and nasty public comments on Facebook and Twitter. These comments have been about fellow employees and supervisors and have had a negative impact on the organization. Stay tuned!

**Holloway Heights Invoice** – The City has been collecting the resident's portion of the dust control completed for Holloway Heights.

**CIS & Sorenson Report** – I recently had lunch with Dunny Sorenson of CIS to review all of the City's insurance coverage and do a general update on the state of the City. Mr. Sorenson felt that overall the City is doing a very good job tending to risk management issues. We discussed some specific examples where the City used agreements to limit the City's exposure, possible threats and future litigation. We also discussed several areas where official policy could better protect the City's interests. Dunny indicated that if the City should choose to hire an insurance agent, it would not adversely affect the relationship the City has with CIS. He explained that is completely up to each individual City to determine their needs in that particular area.

**Fencing Installation** – Due to concerns about the exposed metal in the river, Public Works installed some fencing in the trouble area. Public Works plans on removing the old snow fence that has fallen into the river along with a picnic table, a fire pit and will cut up the trees that have fallen into the river soon.

**Boldt, Carlisle & Smith** – The City recently executed the letter of engagement for the City Auditor to commence their work. Joshua Morrow intends on completing the audit July 30<sup>th</sup> – August 3<sup>rd</sup>. We have also added August 7<sup>th</sup> – 9<sup>th</sup> in order for BCS to provide additional accounting services as necessary.

**Willamette Country Music Festival** – Anne Hankins is putting the final touches on plans for this year's Festival which will be August 17<sup>th</sup> – 19<sup>th</sup>. WCMF & Bi-Mart have put together another exceptional lineup.

**August Council Meeting** – ***Reminder:*** Rescheduled for Tuesday, September 4<sup>th</sup>, 2012.

**Park Use Agreements** – The City has recently executed agreements with the WAG Dog Show and the Brownsville Community Church for the Festival of Tents over Labor day weekend.

**Art Association Flooring Request** – We are still waiting to hear from the Association. *Last meeting:* Staff forwarded a few requests to the Art Association as direct by Council at the last meeting. The e-mails are included in the agenda packet.

**Pioneer Park Restrooms** – Karo Construction is working toward finishing the project by the end of July/first week of August. We are waiting on Pacific Power although the City recently executed the necessary contract for service. Public Works is doing everything in their power to make sure that the restroom is completed as soon as possible.

**S. Oak Street Water Line** – Karl and I are working on some punch list items with City Engineer Ryan Quigley. The City still has a little over \$8,000 in retainage which will be released when the City is satisfied with the final construction outcome.

**Eugene Kennel Club** – Staff will be meeting with representatives from the Club on August 8<sup>th</sup> to go over the final details for their event.

**Canal Company** – *From last meeting:* I expect to hear something from Canal Company Attorney Deb Dyson in July or August.

**WCMF & RV Outcome** – The City is still filling spots.

**Water Billing** – The City will be forwarding the resolution passed by Council August 1<sup>st</sup> to affected customers. Utility rate increases have been entered into the computer and will be billed next week.

**Kirk Avenue** – Waiting for County determinations on the condition of the pavement and subsurface.

**Public Buildings** – Staff has not had time to develop an agreement for the various civic organizations as discussed at the May Council meeting.

*From last meeting:* The City continues to experience problems with building security stemming from groups not locking doors after they are finished using City facilities. The Rec Center has been left open Sunday through Monday or Friday through Saturday at least a dozen times during the last year. City Hall has also been found unlocked from time to time. The City has sent letters, posted signs and really it should be common sense to lock the facility but the end result is doors are being left open. Staff's concern is the possibility of vandalism. Council and Staff have put a lot of time and effort into making our facilities first rate. I would like to hear any ideas Councilors may have to help this concern. One option would be to charge an annual deposit for service groups who use City facilities however this could pose a financial hardship to those groups and would really not produce the result of getting the buildings closed nor would it help cover the cost of any potential vandalism.

**Water Master Plan** – I will be requesting an official extension for the final delivery of the Water Master Plan. It is still unclear whether the City will have to submit a Water Management & Conservation Plan due to the curtailment implications. We are getting closer to determining our water usage for the final proof survey and will be developing a plan for the re-engagement of the GR 12 water right.

*From the several last meeting:* Due to the uncertainties with Oregon Water Resources, the City has extended the contract with Mr. John Cunningham for the completion of the Water Master Plan until April 2012. Mr. Jon Erwin is still compiling data for the final proof survey which will be submitted to the State this Winter.

*From November meeting:* 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 they 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.

**ODOT Outcome** – *From past meetings:* I spoke with Permit Specialist Ken Lamb who indicated that he would work on the permits for the Welcome Sign parcels of property the City maintains. The City has sent him the information that has received no response.

*From past meetings:* Spoke with Tony Jones regarding this issue. Hopefully, the City will see some progress soon.

*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.

**Sweet Home Sanitation Contract Review** – Scheduled appointment for September to review the contract.

Respectfully Submitted,



S. Scott McDowell



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

July 19, 2012

1. Building Permits. No new residential permits this month but already have the start of furnace replacement season as people get ready for the winter.
2. Real Estate. We've had several homes sell in the last month. It looks like the property at 600 Washburn is in the process of being sold. One of the purchasers hopes to build a couple of residences on the bare land there. I don't know if anyone saw the reports or cared, but there was a huge legal decision in Oregon this week. The Court of Appeals ruled that any mortgage that had been assigned to MERS, which is almost all of them in the last 10 years, must go through the judicial foreclosure process. What that means is that the lender must file a lawsuit and get a judicial declaration of foreclosure instead of just going through the process set out in the mortgage documents. This will cause foreclosures to be delayed by many months or even years so we'll have to see what affect that has on the housing market. MERS was a system created by the banks to avoid paying county filing fees as they are required to do so they brought this on themselves and the result is going to be interesting as they may not even be able to foreclose in many cases unless they can prove the chain of ownership of the mortgage between banks.
3. Computer Projects. My monitor started giving out on me after only 13 years so I had to buy a new one and finally got one of those new-fangled flat thingies. It's nice being able to see the screen even when the lights are on. We got a deal on a dual display setup for Jannea now that her new work involves so many spreadsheets. If you want to get monitor envy stop by and check it out. Other than some upgrades things have been fairly quiet lately.
4. Historic Review Board. We had one project review by the HRB last month for a new shed. The "Cooley Cottage" on Blakely was just sold and the new owner is working with the HRB to learn the history of the home.
5. Abatements. I got fairly good response from the first round of letters but ended up posting about a dozen properties for weed abatement. It looks like about half of those are getting mowed and we'll need to have the others mowed. It's pretty much properties in the midst of foreclosure that are not being taken care of. Unfortunately the home actually stays in the owner's name until it is sold by the bank so we have no way of knowing who is actually responsible for the property in many cases. We'll be continuing to monitor the situation and as always if you are aware of a problem please let me know.
6. Vacation. I took a week of vacation last week when the opportunity came up so I was able to get my accumulated hours down and managed to get a lot of work done at home.
7. Alley Vacation Update. Not long ago we vacated an alley just east of Oak. The Linn County Surveyor's office has changed their mind and decided that it was not actually an alley and therefore we can't vacate it. We may have to readdress that issue in the future and I'm looking into what our options are.



## Public Works Report July 18, 2012

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 July.
- *Distribution System* – Two small water leaks have been repaired. Nine new water meters have been installed.
- *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. The annual backflow testing will occur in July.
- *Water Treatment Plant* –The emergency response plan and operations and maintenance manual are under construction. Progress is slow, but slowly moving forward. Filter #1 has been cleaned, scraped and is now back in service.. All of the water quality monitoring instruments have been calibrated per the drinking water program requirements. The water return line to the river has been root cut and is now working properly. The computer monitor at the water plant stopped working and has since been replaced. A new video card will be installed to accommodate for the new wide screen monitors.
- *Oak Street Project*- The work on Oak Street is complete. a punch list of items remains to be completed. Overall the project went very well. There were minimal disruptions to customers throughout the duration of the project. Three driveway approaches will be replaced by public works. Due to finish grades, some driveway approaches no longer match the new grade of the street. The grade has changed to achieve proper drainage of the street.

### **Sewer:**

- *North Lagoons* – This facility has been mowed and sprayed for weeds.
- *South Lagoons*- This facility has been mowed and sprayed for weeds.
- *Collection System*- The storm drain line near the library has been root cut and is now working properly.
- *Misc.* – The emergency response plan for the wastewater system is still in the process of being updated.

### **Streets:**

- *Mowing/Tree Maintenance* – Tree maintenance continues on an as needed basis. We are currently working on mowing and weed eating the ditches and right-of-ways through-out town.
- *Asphalt/ Gravel Road Maintenance* – The road grader broke down during the road grading and has been repaired. We will finish grading roads by the end of July or first part of August. A few pot holes have been identified and will be repaired soon.
- *Storm Drainage* – No additional drainage work has been done at this time.
- *Signs*- Several sign posts and signs have been straightened and adjusted as needed. I performed a complete inspection of all street signs and have ordered some signs in need of replacement. The list includes a few street identification signs, no parking signs and stop signs.

**Parks:**

- *Pioneer Park* –The park caretakers are doing a terrific job with maintaining the park. We have started watering portions of the park to accommodate upcoming events in the park.
- *Blakely Park* – This park is mowed and maintained weekly. We began irrigating this park Monday, July 16th.
- *Kirk's Ferry Park* –This park is mowed and maintained weekly. *Remington Park*- This park is mowed and maintained weekly. The irrigation system has been turned on.

**Cemetery:**

- *Grounds* – The cemetery is scheduled to be mowed the week of July 23rd. We are currently maintaining right-of-ways and will begin mowing upon completion.

**Library:**

- *Grounds*- This facility is mowed and maintained weekly. We started watering this facility on July 16th.
- *Buildings*- A slab was poured for the outside book drop to sit on. Additional items have been requested and will be scheduled when time allows.

**Downtown**

- *Restrooms* – This facility is cleaned every Friday, or more often needed. The grass around the facility is mowed and maintained weekly.
- *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*- Nothing to report at this time..
- *Grounds* – This facility is mowed weekly.
- *Community Center*- Nothing to report at this time.

**Rec. Center:**

- *Grounds*- The grass is mowed and maintained weekly. We started watering this facility on July 13th.
- *Buildings*- Nothing to report at this time.

**Public Works:**

- *Grounds*- The grass is mowed and maintained weekly.
- *Buildings*- The alarm system at the shop has been updated and repaired. One of the new detectors failed and has been replaced.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.
- The Mill Race Pump Station was turned on July 2nd. Additional repairs have been made to the lift station to properly operate the backwash system.
- Public Works employee Marvin Borntreger resigned his position with the City on July 5th. His last working day will be July 19th. Marvin was a hard-working employee who showed a tremendous amount of pride in his work. We wish him well in his future endeavors.



## Library Advisory Board

### *Librarian's Report*

June 2012

The Summer Reading Program had a fabulous kick off during the Pioneer Picnic. If you were unable to listen to Arrieu Wind Quartet, you missed a wonderful program of narrated stories. Program Coordinator Sarah Glenn has lined up some wonderful programming. Advertising is being circulated by our own magnificent Joey Running. Library kids that walked in the Kiddie Parade for the Summer Reading Program won 2<sup>nd</sup> Place. At the end of June we had 36 children registered for this summer's program. The Library Park will be busy the morning of Friday, July 6 with our first program - tie-dying t-shirts. We are all looking forward to lots of summer reading.

The Library re-opened on June 26 with more books than the book drop could hold. Volunteer Richard Anderson had come down mid-way through the week and emptied it, but by the time Tuesday rolled around, there was no more room for more. It was amazing to see so many books being circulated. Each day volunteers see small amounts come back. To see so many at once was fun. With the cart full and a three foot stack of junior/children books, it took all day to put the final book back on the shelf. With all said and done, over 1,029 materials were checked out. 90 Non-fiction books; 417 adult fiction books; 35 large print books; 124 children's books; 265 junior books; 35 junior reference books and 63 audio materials. In June 52 new books were received through memorial contributions in honor of Prudy Draeger. Volunteers donated 135.25 hours to our library.

Respectfully submitted,  
Sherri Lemhouse,  
Librarian



# 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)

## 2012

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

**FOR THE MONTH OF:**

**JUNE**

|                                          |    |
|------------------------------------------|----|
| TRAFFIC CITATIONS: -----                 | 18 |
| TRAFFIC WARNINGS: -----                  | 10 |
| TRAFFIC CRASHES: -----                   | 0  |
| ADULTS CITED / VIOLATIONS: -----         | 0  |
| ADULTS ARRESTED: -----                   | 3  |
| JUVENILES CITED / VIOLATIONS: -----      | 0  |
| JUVENILES ARRESTED: -----                | 3  |
| COMPLAINTS/INCIDENTS INVESTIGATED: ----- | 60 |

**TOTAL HOURS SPENT IN:                      BROWNSVILLE                      234**

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

**Tim Mueller,  
Sheriff, Linn County**

**By: Sgt. Brad Kelley**

| CAD Call# | ENTRY DATE | ENTRY TIME | CALL DESCRIPTION          | ST. # | ADDRESS       | CITY        | DESCRIPTION                      |
|-----------|------------|------------|---------------------------|-------|---------------|-------------|----------------------------------|
| 121820318 | 6/30/12    | 19:26:32   | SUSP-VEHICLE              | 120   | SPAULDING AV  | Brownsville | No Additional Report Necessary   |
| 121820281 | 6/30/12    | 17:32:46   | VEH-RECOVERED             | 626   | KAY AV        | Brownsville | Incident Report                  |
| 121820242 | 6/30/12    | 15:21:47   | ALARM - POLICE            | 400   | HUME ST       | Brownsville | No Additional Report Necessary   |
| 121820206 | 6/30/12    | 13:29:13   | Trf Moving Viol           | 431   | N MAIN ST     | Brownsville | WARNING - MOVING VIOLATION       |
| 121820184 | 6/30/12    | 12:44:45   | PARKING COMPL             | 430   | N MAIN ST     | Brownsville | No Additional Report Necessary   |
| 121820157 | 6/30/12    | 11:25:40   | LITTERING                 | 407   | E BLAKELY AV  | Brownsville | No Additional Report Necessary   |
| 121820100 | 6/30/12    | 8:17:35    | Trf Speed Viol            | 100   | HAUSMAN AV    | Brownsville | WARNING - SPEEDING VIOLATION     |
| 121810326 | 6/29/12    | 17:21:45   | ALARM - POLICE            | 400   | HUME ST       | Brownsville | No Additional Report Necessary   |
| 121810197 | 6/29/12    | 12:18:35   | VIOL OF RLS AGRM          | 217   | KIRK AV       | Brownsville | No Additional Report Necessary   |
| 121810144 | 6/29/12    | 10:03:44   | HAZ-TRAFFIC               | 800   | OAK ST        | Brownsville | No Additional Report Necessary   |
| 121800163 | 6/28/12    | 12:35:34   | CRIM MISCHIEF             | 714   | LOUCKS WY     | Brownsville | No Additional Report Necessary   |
| 121800099 | 6/28/12    | 9:33:22    | ALARM - POLICE            | 200   | PARK AV       | Brownsville | No Additional Report Necessary   |
| 121800057 | 6/28/12    | 5:42:23    | Trf Speed Viol            | 220   | S MAIN ST     | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 121790366 | 6/27/12    | 20:29:36   | THEFT-RPT                 | 106   | KISLING AV    | Brownsville | Incident Report                  |
| 121790360 | 6/27/12    | 20:10:59   | THEFT-RPT                 | 626   | TEMPLETON ST  | Brownsville | Incident Report                  |
| 121790326 | 6/27/12    | 18:05:09   | Trf Moving Viol           | 380   | SPAULDING AV  | Brownsville | CITE ISSUED - NO INSURANCE       |
| 121790302 | 6/27/12    | 17:07:17   | ALARM - POLICE            | 400   | HUME ST       | Brownsville | No Additional Report Necessary   |
| 121790038 | 6/27/12    | 3:23:52    | Trf Equipment Viol        | 800   | OAK ST        | Brownsville | WARNING - EQUIPMENT VIOLATION    |
| 121780276 | 6/26/12    | 16:04:07   | SUSP-VEHICLE              | 200   | SPAULDING AV  | Brownsville | No Additional Report Necessary   |
| 121780136 | 6/26/12    | 10:49:12   | NARCOTICS OFF             | 200   | PARK AV       | Brownsville | No Additional Report Necessary   |
| 121780133 | 6/26/12    | 10:44:06   | NARCOTICS OFF             | 200   | PARK AV       | Brownsville | No Additional Report Necessary   |
| 121780126 | 6/26/12    | 10:34:05   | Trf Moving Viol           | 200   | PARK AV       | Brownsville | Incident Report                  |
| 121780004 | 6/26/12    | 0:25:04    | SECURITY CHECK            | 100   | NORTH AV      | Brownsville | CITE ISSUED - MOVING VIOLATION   |
| 121770199 | 6/25/12    | 13:42:33   | DOG COMPLAINT             | 815   | N MAIN ST     | Brownsville | MDT Narrative Update             |
| 121770142 | 6/25/12    | 11:37:29   | Trf Speed Viol            | 800   | LOUCKS WY     | Brownsville | No Additional Report Necessary   |
| 121770099 | 6/25/12    | 9:51:20    | THEFT-RPT                 | 313   | WALNUT AV     | Brownsville | WARNING - SPEEDING VIOLATION     |
| 121760006 | 6/24/12    | 0:40:19    | SUSP-VEHICLE              | 27910 | SEVEN MILE LN | Brownsville | Incident Report                  |
| 121750258 | 6/23/12    | 18:18:36   | CRIM MISCHIEF             | 1004  | PINE ST       | Brownsville | No Additional Report Necessary   |
| 121720390 | 6/20/12    | 19:47:55   | CRIM MISCHIEF             | 200   | PARK AV       | Brownsville | No Additional Report Necessary   |
| 121720319 | 6/20/12    | 16:29:16   | TRAFF-DUII                | 100   | WALNUT AV     | Brownsville | Incident Report                  |
| 121710063 | 6/19/12    | 5:08:15    | ALARM - POLICE            | 400   | HUME ST       | Brownsville | No Additional Report Necessary   |
| 121710048 | 6/19/12    | 3:47:25    | Trf Speed Viol            | 300   | WASHBURN ST   | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 121710031 | 6/19/12    | 1:43:35    | ALARM - POLICE            | 400   | HUME ST       | Brownsville | No Additional Report Necessary   |
| 121710010 | 6/19/12    | 0:30:09    | CURFEW                    | 380   | KIRK AV       | Brownsville | No Additional Report Necessary   |
| 121700352 | 6/18/12    | 21:59:54   | WARRANT SERV              | 220   | S MAIN ST     | Brownsville | No Additional Report Necessary   |
| 121700325 | 6/18/12    | 20:48:33   | Trf Observe Susp Activity | 100   | S MAIN ST     | Brownsville | Nuisance Tow                     |
| 121700325 | 6/18/12    | 20:48:33   | Trf Observe Susp Activity | 100   | S MAIN ST     | Brownsville | CITE ISSUED - DWS/NO ODL         |
| 121700224 | 6/18/12    | 15:51:08   | IDENTITY THEFT            | 600   | LOUCKS WY     | Brownsville | Incident Report                  |
| 121690274 | 6/17/12    | 20:40:09   | ASST-MOTORIST             | 203   | W BISHOP WY   | Brownsville | No Additional Report Necessary   |
| 121690169 | 6/17/12    | 14:56:17   | ALARM - POLICE            | 130   | SPAULDING AV  | Brownsville | No Additional Report Necessary   |
| 121690062 | 6/17/12    | 7:10:45    | ALARM - POLICE            | 400   | HUME ST       | Brownsville | No Additional Report Necessary   |
| 121690043 | 6/17/12    | 5:32:50    | ALARM - POLICE            | 203   | W BISHOP WY   | Brownsville | No Additional Report Necessary   |

| CAD Call# | ENTRY DATE | ENTRY TIME | CALL DESCRIPTION      | ST. # | ADDRESS        | CITY        | DESCRIPTION                         |
|-----------|------------|------------|-----------------------|-------|----------------|-------------|-------------------------------------|
| 121690039 | 6/17/12    | 4:27:38    | DISTB-NOISE           | 1118  | OAK ST         | Brownsville | No Additional Report Necessary      |
| 121680139 | 6/16/12    | 11:10:02   | NARCOTICS OFF         | 200   | PARK AV        | Brownsville | No Additional Report Necessary      |
| 121680083 | 6/16/12    | 6:56:16    | TRAFF-OTHER VIOL      | 373   | FISHER ST      | Brownsville | No Additional Report Necessary      |
| 121670423 | 6/15/12    | 22:53:32   | ALARM - POLICE        | 400   | HUME ST        | Brownsville | No Additional Report Necessary      |
| 121670410 | 6/15/12    | 22:25:26   | Trf Moving Viol       | 600   | WASHBURN ST    | Brownsville | WARNING - MOVING VIOLATION          |
| 121670381 | 6/15/12    | 20:30:55   | TRAFF-OTHER VIOL      | 200   | PARK AV        | Brownsville | MDT Narrative Update                |
| 121670305 | 6/15/12    | 17:27:06   | WELF CHECK            | 729 N | MAIN ST        | Brownsville | No Additional Report Necessary      |
| 121670275 | 6/15/12    | 15:58:27   | TRESPASS              | 200   | PARK AV        | Brownsville | No Additional Report Necessary      |
| 121670234 | 6/15/12    | 14:29:43   | TRESPASS              | 200   | PARK AV        | Brownsville | No Additional Report Necessary      |
| 121670199 | 6/15/12    | 13:03:25   | PARKING COMPL         | 255 N | MAIN ST        | Brownsville | No Additional Report Necessary      |
| 121660207 | 6/14/12    | 12:15:10   | WELF CHECK            | 219   | MILLHOUSE ST   | Brownsville | No Additional Report Necessary      |
| 121650295 | 6/13/12    | 15:06:50   | Trf Citz Compl        | 990   | WASHBURN ST    | Brownsville | No Additional Report Necessary      |
| 121630242 | 6/11/12    | 15:14:06   | DISTB-OTHER           | 234   | GALBRAITH ST   | Brownsville | No Additional Report Necessary      |
| 121630184 | 6/11/12    | 12:36:58   | Trf Moving Viol       | 800 W | BISHOP WY      | Brownsville | CITE ISSUED - MOVING VIOLATION      |
| 121630159 | 6/11/12    | 11:55:06   | HARASSMENT RPT        | 610   | AVERILL ST     | Brownsville | No Additional Report Necessary      |
| 121620256 | 6/10/12    | 17:40:21   | CIV DISP RPT          | 377   | KIRK AV        | Brownsville | No Additional Report Necessary      |
| 121620217 | 6/10/12    | 15:53:24   | Trf Aggressive Driver | 220 S | MAIN ST        | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121620197 | 6/10/12    | 14:45:02   | Trf Seatbelt          | 100   | PARK AV        | Brownsville | WARNING - SEATBELT VIOLATION        |
| 121620194 | 6/10/12    | 14:29:15   | Trf Cell Phone Use    | 600   | HAUSMAN AV     | Brownsville | WARNING - CELL PHONE USE VIOLATION  |
| 121620110 | 6/10/12    | 9:23:34    | Trf Speed Viol        | 500 E | WASHINGTON AV  | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121610260 | 6/09/12    | 15:49:24   | Trf Seatbelt          | 100   | STANARD AV     | Brownsville | WARNING - SEATBELT VIOLATION        |
| 121610192 | 6/09/12    | 13:06:06   | Trf Speed Viol        | 200   | TEMPLETON ST   | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121610183 | 6/09/12    | 12:42:12   | Trf Speed Viol        | 100 E | HWY 228        | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121610181 | 6/09/12    | 12:30:53   | Trf Aggressive Driver | 300   | WASHBURN ST    | Brownsville | CITE ISSUED - AGRESSIVE DRIVER      |
| 121610174 | 6/09/12    | 12:16:48   | Trf Speed Viol        | 100 E | HWY 228        | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121610171 | 6/09/12    | 12:02:22   | Trf Speed Viol        | 220 S | MAIN ST        | Brownsville | WARNING - SPEEDING VIOLATION        |
| 121600097 | 6/08/12    | 8:31:25    | Trf Speed Viol        | 300   | WASHBURN ST    | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121600076 | 6/08/12    | 7:43:14    | Trf Speed Viol        | 220 S | MAIN ST        | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121600073 | 6/08/12    | 7:32:22    | Trf Speed Viol        | 300   | WASHBURN ST    | Brownsville | CITE ISSUED - SPEEDING VIOLATION    |
| 121600064 | 6/08/12    | 7:05:22    | Trf Aggressive Driver | 300   | WASHBURN ST    | Brownsville | CITE ISSUED - AGRESSIVE DRIVER      |
| 121590273 | 6/07/12    | 17:39:54   | HARASSMENT RPT        | 190   | KIRK AV        | Brownsville | No Additional Report Necessary      |
| 121590195 | 6/07/12    | 13:52:19   | CHILD ABUSE REPORT    | 821   | NORTHPOINT LOC | Brownsville | No Additional Report Necessary      |
| 121590184 | 6/07/12    | 13:20:43   | DISTB-DOMESTIC        | 333   | WILSON AV      | Brownsville | No Additional Report Necessary      |
| 121580355 | 6/06/12    | 22:35:27   | WELF CHECK            | 815 N | MAIN ST        | Brownsville | No Additional Report Necessary      |
| 121580295 | 6/06/12    | 18:52:43   | BITE-DOG/ANIMAL       | 316   | WASHBURN ST    | Brownsville | CAD Report                          |
| 121570282 | 6/05/12    | 14:26:42   | Trf Seatbelt          | 200 N | MAIN ST        | Brownsville | CITE ISSUED - SEATBELT VIOLATION    |
| 121570088 | 6/05/12    | 8:05:18    | WARRANT SERV          | 217   | KIRK AV        | Brownsville | No Additional Report Necessary      |
| 121570083 | 6/05/12    | 7:40:46    | WARRANT SERV          | 729 N | MAIN ST        | Brownsville | No Additional Report Necessary      |
| 121570081 | 6/05/12    | 7:35:44    | WARRANT SERV          | 1019  | OAK ST         | Brownsville | Civil process attempted, not served |
| 121560313 | 6/04/12    | 17:40:27   | Trf Moving Viol       | 100   | STANARD AV     | Brownsville | WARNING - MOVING VIOLATION          |
| 121560227 | 6/04/12    | 14:06:23   | WELF CHECK            | 704   | OAK ST         | Brownsville | No Additional Report Necessary      |
| 121550196 | 6/03/12    | 16:20:05   | CIV DISP RPT          | 380   | SPAULDING WY   | Brownsville | No Additional Report Necessary      |

PATRL\_RPT#2 City Incident Report

| CAD Call# | ENTRY DATE | ENTRY TIME | CALL DESCRIPTION | ST. #            | ADDRESS | CITY        | DESCRIPTION                    |
|-----------|------------|------------|------------------|------------------|---------|-------------|--------------------------------|
| 121550045 | 6/03/12    | 3:10:08    | Trf Moving Viol  | 200 N MAIN ST    |         | Brownsville | CITE ISSUED - MOVING VIOLATION |
| 121540127 | 6/02/12    | 12:02:03   | ALARM - POLICE   | 204 N MAIN ST    |         | Brownsville | No Additional Report Necessary |
| 121530415 | 6/01/12    | 23:37:18   | DISTB-NOISE      | 400 SPAULDING AV |         | Brownsville | No Additional Report Necessary |
| 121530358 | 6/01/12    | 20:32:31   | ALARM - POLICE   | 736 WEST VIEW ST |         | Brownsville | No Additional Report Necessary |

SUMMARY OF SIX MONTH CRIME REPORTING  
BROWNSVILLE

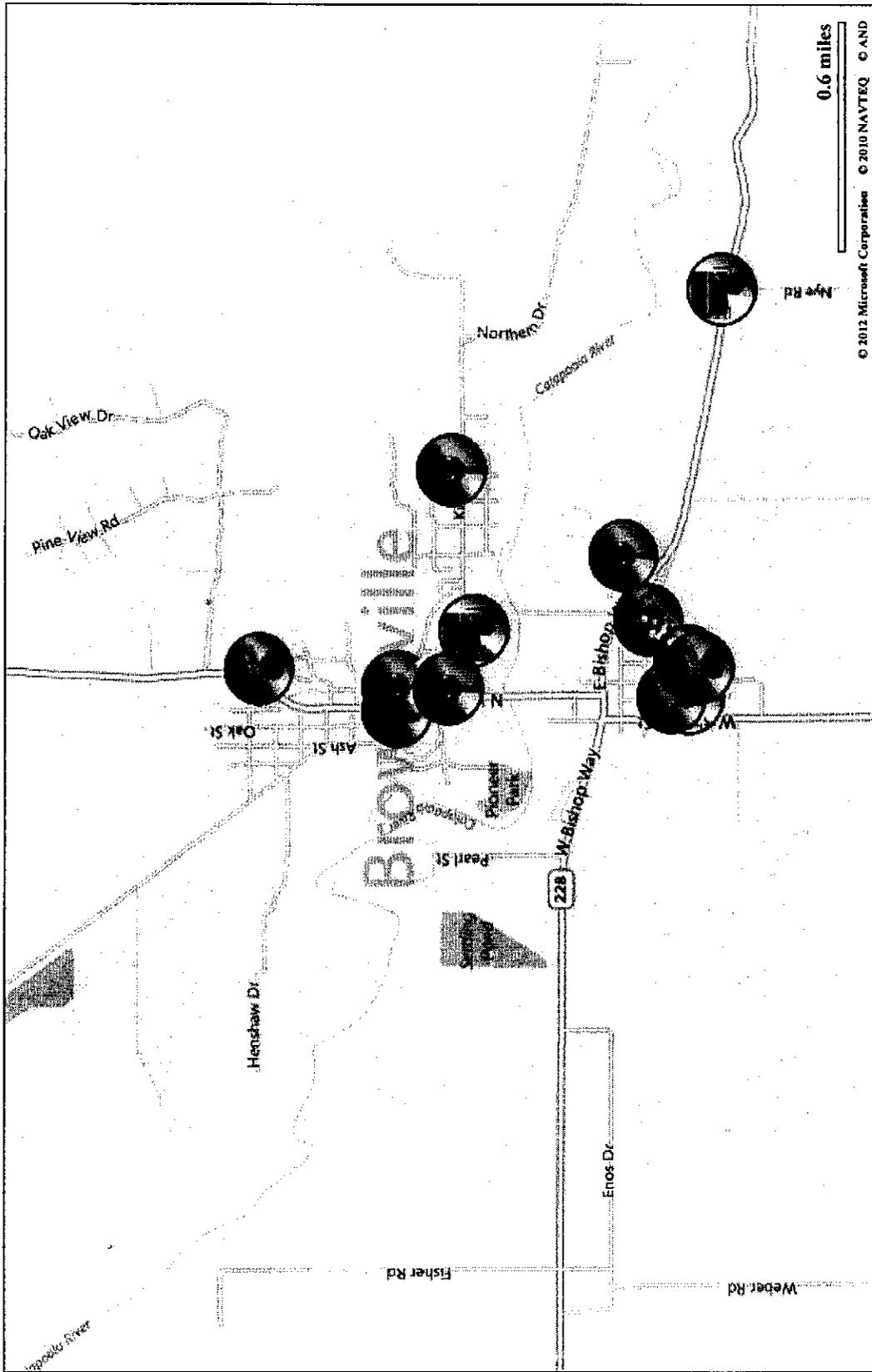
Source: Linn County Sheriff's Office Web Page: [www.linnsheriff.org](http://www.linnsheriff.org) – Crime Map

| <u>CRIME</u> | <u>STREET</u> | <u>DATE</u> |
|--------------|---------------|-------------|
| Assault      | Kirk Av.      | 4/14/12     |
|              | Main St.      | 5/30/12     |
| Burglary     | Washburn St.  | 5/15/21     |
|              | Kirk Av.      | 5/21/12     |
| Drugs        | Blakely St.   | 4/19/12     |
|              | Park Av.      | 6/26/12     |
| Theft        | Washburn St.  | 5/2/12      |
|              | Main St.      | 5/7/12      |
|              | Walnut Av.    | 6/17/12     |
|              | Kisling Av.   | 6/25/12     |
|              | Templeton St. | 6/25/12     |
| Vandalism    | Main St.      | 5/1/12      |
|              | Hume St.      | 5/3/12      |
|              | Galbraith St. | 5/26/12     |
|              | Park Av.      | 6/21/12     |

Total crimes: 15

7/9/12

# Linn County Sheriff's Office - Crime/Incident Map



Select which categories to view

- Arson
- Assault
- Burglary
- Drugs
- Fraud
- Theft
- Vandalism
- Vehicle Theft

Find Address:

**FIND**

(555 SE Main St, Mill City OR)

Crime Data based on last six months. Mappings are only estimated near incident.

Crime Data is maintained by the Linn County Sheriff's Office.

Crime Data does not include crimes investigated by other agencies.

Crime Data is updated every Monday and Friday at 4:00am.

Last Updated 07/09/2012.

**STANDARD INTERGOVERNMENT AGREEMENT (IGA)**

**BETWEEN:** Central Linn School District (District)  
**AND:** Brownsville Chamber of Commerce (Organizer)  
**AND:** City of Brownsville (City)  
**DATE:** July 23<sup>rd</sup>, 2012

**RECITALS**

- A. The District is willing to provide a bus for the purpose of shuttling ticketholders from the Willamette Country Music Festival venue to Brownsville.
- B. The Organizer is interested in bringing people to Brownsville to take advantage of what local businesses and the City has to offer.
- C. The City is acting as an intermediary between the District & Organizer in order for the services to be legally rendered.

**FOR AND IN CONSIDERATION OF THE MUTUAL OBLIGATION HEREIN, THE PARTIES AGREE:**

- 1. **USE.** District shall provide one (1) bus & driver for the purpose of shuttling Willamette Country Music Festival ticketholders from the venue to Brownsville and back to the venue. There will be two stops in Brownsville, 1) Dari-Mart just south of Vroman Avenue and the municipal parking lot on Spaulding Avenue. Organizer shall supply all necessary information to the ticketholder.
- 2. **TERM.** The term of this agreement shall be for Friday, August 17<sup>th</sup>, Saturday, August 18<sup>th</sup> & Sunday, August 19<sup>th</sup>. Friday & Saturday the shuttle will run from 9:00 a.m. to 5:00 p.m. Sunday shuttle hours are from 9:00 a.m. to 4:00 p.m. The shuttle will leave the venue every hour on the hour with the last shuttle leaving the venue at 3:00 p.m. on Friday & Saturday. The last shuttle will leave the venue at 2:00 p.m. on Sunday.
- 3. **RENTAL COSTS.** Organizer shall pay the District the lump sum of \$1,040 for services rendered. Costs include the use of the bus, the driver, fuel and other operational costs.
- 4. **INDEMNIFICATION.** To the extent legally possible, Organizer agrees to indemnify, hold harmless and defend District from and against any and all claims, damages, losses and expenses, including attorneys fees, made by or paid to others, arising from Organizer's use of the bus or from Organizer's performance or failure to perform its obligations under this lease.

5. **INSURANCE.** District requires to be listed as additionally insured on the Organizer's insurance policy up to the amount of \$2,000,000.
6. **ATTORNEY FEES AND LEGAL EXPENSES.** In the event any legal proceeding is commenced for the purpose of interpreting or enforcing any provision of this agreement or to collect any indebtedness hereunder, the prevailing party in such proceeding shall be entitled to recover reasonable attorney fees in the proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the prevailing party in collecting any monetary judgment or award or otherwise enforcing any order, judgment, or decree entered in such suit or action. In addition, in the event of default by either party in performance of this agreement, the defaulting party agrees to pay all reasonable attorney fees and legal expenses incurred by the non-defaulting party in collecting any such sums due hereunder even though no litigation is filed.
7. **SUCCESSORS AND ASSIGNS.** The terms, provisions, covenants and conditions contained in this lease shall apply to, bind and inure to the benefit of the heirs, personal representatives, administrators, legal representatives, successors and assigns of District and Organizer.
8. **ENTIRE AGREEMENT.** This agreement embodies the entire agreement of 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.
9. **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.
10. **INTENT.** The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial for all parties.

**DISTRICT**

CENTRAL LINN SCHOOL DISTRICT

**By:**

**Address:** 331 E. Blakely Ave  
Brownsville, OR 97327

**ORGANIZER**

BROWNSVILLE CHAMBER OF COMMERCE

**By:**

**Address:** 325 Fisher Street  
PO Box 154  
Brownsville, OR 97327

**CITY**

CITY OF BROWNSVILLE

**By:**

**Address:** 255 N. Main Street  
P.O. Box 188  
Brownsville, OR 97327



**C O P Y**

June 29<sup>th</sup>, 2012

**Allison Swanson**  
35640 Oakview Drive  
Brownsville, Oregon 97327

**Re: Deposit**

Dear Ms. Swanson,

The City will not be returning your deposit for the June 24<sup>th</sup>, 2012 rental due to the unacceptable condition the facility was left in. The Park Caretakers had extensive clean up after your event including moving picnic tables, cleaning counters & sinks and emptying the trash.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

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

S. Scott McDowell  
Administrator

c: Administrative Assistant  
File



July 11<sup>th</sup>, 2012

**Allison Swanson**  
35640 Oakview Drive  
Brownsville, Oregon 97327

**Re:** Deposit Refund

Dear Ms. Swanson,

After our discussion, I had an opportunity to review the situation with the front desk and the Park Caretakers regarding the condition of the pavilion at the end of your baby shower. Based on all the information, I feel the best decision is to refund ½ of your deposit. It is clear to me that you had to do extra work taking down the Chamber banner and that the instructions may not have been clear upon renting the space. Staff still had to do extensive work getting the space ready for the next rental.

If you still disagree with this decision, you are welcome to attend Council meeting. If you choose to do that, please let me know and I can put you on the agenda. If you have any questions, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to be 'SM', written over a light blue horizontal line.

S. Scott McDowell  
Administrator

c: Administrative Assistant  
File

# PIONEER PARK

## PARK RESERVATION FORM

Contact Person Allison Swanson/Kira Lehto  
Address 35640 Oakmead Dr.  
Brownsville OR 97327  
Phone # 541-619-6516

Date(s) of use June 24th  
Name of Group Swanson  
Type of Event Baby Shower

Facilities needed

Pavillion ✓  
Kitchen ✓  
Dance Hall ✓  
Grand Stand \_\_\_\_\_  
Camping \_\_\_\_\_

Keys

Picked up \_\_\_\_\_ Returned \_\_\_\_\_

Deposit Amount 150-  
Received 4-27-12 Returned \_\_\_\_\_  
Refund to \_\_\_\_\_

Rent amount 62<sup>50</sup>  
Received 4-27-12

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PIONEER PARK RESERVATIONS FORM**

Contact Person Allison Swanson. Lisa Lehto  
Address 35640 Oakview Dr  
Brownsville OR 97327.  
Phone # 541-619-6516

\*NOTE: The contact person must be available by phone on January 3, 2011 in the event that your selected dates are not available.

Name of Group Swanson  
Type of Event Baby Shower

Dates Preferred  
1) June 24<sup>th</sup>  
2) \_\_\_\_\_  
3) \_\_\_\_\_

\*NOTE: This form must be returned by December 15, 2011.

**RENTAL PACKAGES (CIRCLE ONE)**

STANDARD ~ DELUXE ~ WEDDING ~ GRANDSTAND

| <b>STANDARD</b> |                                   |
|-----------------|-----------------------------------|
| Includes        | Pavilion<br>Kitchen<br>Dance Hall |
| Deposit         | \$150.00                          |
| Rental Fee      | \$125.00                          |

| <b>DELUXE</b> |                                                              |
|---------------|--------------------------------------------------------------|
| Includes      | Pavilion<br>Kitchen<br>Dance Hall<br>Community Arts Building |
| Deposit       | \$150.00                                                     |
| Rental Fee    | \$150.00                                                     |

| <b>WEDDING</b> |                                                                            |
|----------------|----------------------------------------------------------------------------|
| Includes       | Pavilion<br>Kitchen<br>Dance Hall<br>Community Arts Building<br>Grandstand |
| Deposit        | \$150.00                                                                   |
| Rental Fee     | \$200.00                                                                   |

| <b>GRANDSTAND</b> |          |
|-------------------|----------|
| Deposit           | \$100.00 |
| Rental Fee        | \$50.00  |

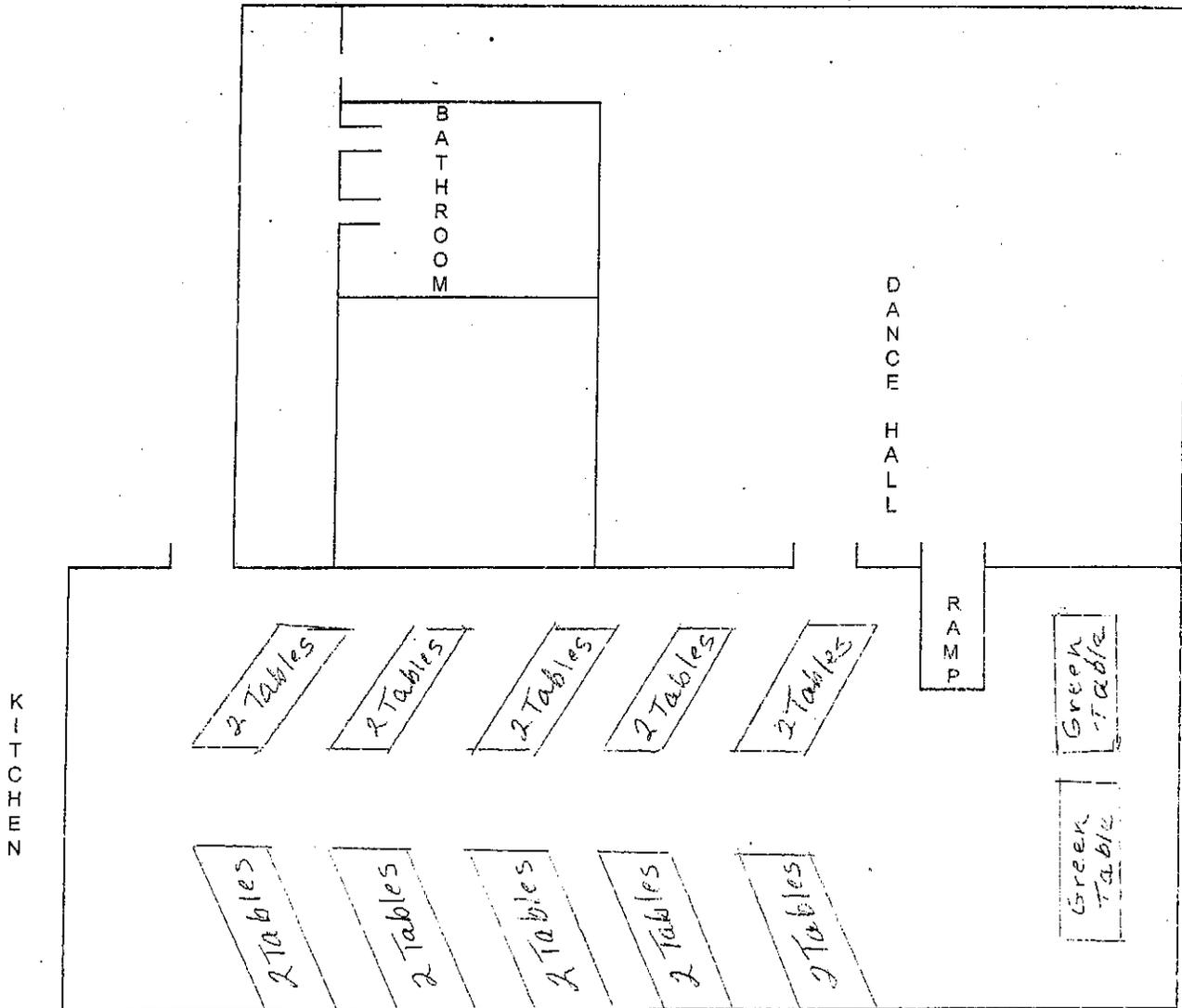
**PIONEER PARK**

**CHECK LIST**

Group Name: Swanson Baby Shower

Date: 6/24/12

|                                                       | IN                                  |                          | OUT                                 |                                     |
|-------------------------------------------------------|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
|                                                       | YES                                 | NO                       | YES                                 | NO                                  |
| 1. Are tables in proper arrangement?                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Is the floor around the tables clean?              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 3. Is the kitchen clean? (floors and counters)        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. Are the refrigerators and freezers clean?          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 5. Have the garbage cans in the kitchen been emptied? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. Are the kitchen sinks clean?                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 7. Are the bathrooms by the kitchen clean?            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 8. Is the dance hall clean?                           | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 9. Is the stage clean?                                | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 10. Is the Flower Building clean?                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 11. Are the facilities ready for the next use?        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 12. Should the deposit be refunded?                   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |



## A controversial case



JULY 01, 2012 7:15 AM • BY ALEX PAUL, ALBANY  
DEMOCRAT-HERALD

***Jefferson farmer clashes with EPA on whether he is violating the law or helping the health of the Santiam***

**JEFFERSON** — Bill Case spent \$100,000 on an 800-foot-long, 15-foot-tall rock and dirt dike to protect his 170-acre farm field near Jefferson.

The project took more than six weeks and was done in the daylight hours; Case, 73, took numerous photographs along the way to show government officials and others what he had accomplished with his own money.

But instead of being praised for helping save the river bank along the North Santiam River, Case now finds himself facing fines of up to \$16,000 per day from the federal Environmental Protection Agency unless he removes the dike and replaces it with “native plants.”

“I’m not going to tear it out,” said Case, who grows produce and grass seed on more than 1,800 acres in the Dever-Conner area. “I don’t want to lose the whole field. I’ll take them to federal court if I have to.”

Case has owned the property for about 20 years, enough time to see the effects of several floods, including the one in 1996 that “made a whole new channel in the river.”

In 2004, another flood created a channel next to his farm land, and from 2005 to 2009, Case said the river sliced away the bank 100 feet wide and 800 feet long, taking trees and other plants with it.

That’s when Case called the Division of State Lands and the Corps of Engineers.

He said he was told during an informal meeting on the property that as long as he did not work in the river itself, he could build a dike on his own property.

“As long as I worked out of the water, I could work without a permit,” Case said. “I understood it was a bit of a gray area, but that it was perfectly legal as long as I stayed out of the water.”

In 2009, Case purchased boulders from the Wodtli Quarry near Sweet Home and created the dike that he says has stopped the river’s erosion.

But after the work was completed, he received a cease and desist order from the Corps of Engineers, and then the EPA got involved after staff members flew over the area and spotted the dike.

"I made the mistake of never getting anything in writing," Case admits.

Case said engineers estimate that he would have lost another 400,000 cubic yards of soil had the dike not been constructed. The EPA says Case is violating the Clean Water Act.

Case said believes removing the rock dike and replacing it with native plants would be foolish.

"Native plants were there before and they washed away, along with 100-year-old trees," Case said. "But the EPA folks just don't care; they say the rocks are heating up the water in the river. That's ridiculous."

In a May 4 letter to David Reece, an Albany engineer hired by Case, Endre Szalay, assistant regional counsel for the EPA in Seattle, wrote: "We believe Mr. Case violated CWA Section 301(a) when he used large earthmoving equipment (a point source) to discharge large rock fill materials (pollutants) below the ordinary high water mark of the North Santiam River (waters of the United States) without a CWA Section 404 permit. We have written and photographic evidence to support each element of the alleged violations."

Szalay added that Case's proposed mitigation plan, which includes planting willows in approved locations along the river bank and removing a three-foot section of an embankment to enhance fish passage into a nearby duck pond, doesn't go far enough.

"We believe these measures fall well short of what we can accept as restoration and mitigation for the impacts of an unauthorized riprap wall the size and scope of the one Mr. Case constructed along the North Santiam River in 2009," Szalay noted.

The EPA contends that the riprap wall "contributes to the loss of functioning natural cover habitat, which means the loss of foraging, resting and refuge habitats that Chinook salmon and steelhead use to maximize growth, avoiding predators and improving survival."

Mark MacIntyre, a spokesman for the Environmental Protection Agency in Seattle, said the agency was in discussions with Case and declined comment.

The EPA wants Case to:

- Remove portions of the riprap wall and replace it with native vegetation that will root extensively and provide elements of shade, food and ultimately large wood in this reach and downstream reaches.
- Remove or lower the upstream rock wing dike, to reduce force on the south bank. "This reach at the confluence of the North Santiam and South Santiam rivers is very dynamic, so even small structures may have a big impact."
- Re-establish a riparian vegetated buffer that blends seamlessly with the adjacent existing buffers. The buffer should be of adequate width and should consist of native, non-invasive herbs, shrubs and trees.

- Remove the impediment to fish passage into the back water area (duck pond) by removal of a section of the embankment.
- Develop a revised restoration and mitigation plan for EPA review and approval. This would include describing how fill material will be removed, how specific projects would be implemented and site vegetation re-established such as specific dates work activities would begin and end; a list of heavy earth moving equipment to be used; names and contact information of contractors; a list of best management practices to be implemented such as installation of silt fencing, hay bales, etc.

## **A letter of support**

Thursday evening, board members Terry Plagman, Cliff Plagman, George Gillette and Jim Gavvish of the South Santiam Flood Control District signed the following letter addressed to Endre Szalay and Tracie Nadeau of the EPA. Case is also a member of the board.

Dear Tracie and Endre,

We the undersigned are the board members of the South Santiam Flood Control District. We as a combined group have over 150 years of knowledge about the Santiam River. We either live beside or work along the river. We are writing this letter in support of Bill Case Farms Inc. and his efforts to stop erosion and pollution of the North Santiam River that is just south of Jefferson.

Case Farms has spent countless hours and dollars to stop the erosion of his field that is on the North Santiam River. His efforts have completely stopped the pollution of the river. These efforts and the success of the efforts have been noted by other federal and state agencies.

We also know for a fact that the EPA's proposal of removing the rock wall and replacing it with native vegetation is totally impractical. Before the flood of 2005 this whole area was solid native vegetation that was 100 to 150 years old. It all washed away in less than two days. This is why we know that your proposal will not solve any problems. In fact it will create erosion and pollution of the North Santiam River 12 months of the year. This will really hurt the fish passage in the summer months.

We as a board were under the impression that the purpose of the Clean Water Act was to keep the river clean and to not pollute the river year around. Also, as far as the few rocks that are at the water line in the summer that are supposedly warming the river, we do not understand how this can make any sense. The disputed area in the North Santiam is only 200 feet before the North Santiam dumps into the South Santiam. The South Santiam is much warmer than the North Santiam. The combined rivers make up the Santiam River.

It has been noted by people looking and studying this site that approximately 400,000 yards of soil will erode into the river in a few years if the rock is removed. We do not think that this is a good thing. We as a board hope you will take these ideas into consideration.

We do not think that what is now proposed by the EPA is a viable option.

Thank you,

The South Santiam Flood Control District.

Copies of the letter were also sent to U.S. Sen. Ron Wyden; Dennis McLerran, EPA region 10 administrator; and U.S. Rep. Peter DeFazio.



[Top of Page](#)   [Home](#)   [Full Site](#)

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# Oregon

John A. Kitzhaber, MD, Governor

## Department of Environmental Quality

Eastern Region - Pendleton Office

700 SE Emigrant Ave, Suite 330

Pendleton, OR 97801

Phone: (541) 276-4063

Fax: (541) 278-0168

Relay Service: 711

July 5, 2012

Ralph Wyatt  
Linn County  
P.O. Box 100  
Albany, OR 97321

*RW*  
*10 JUL 12*



*→ RICK REQUEST FOR REVIEW*

Re: **Brownsville Body Shop**  
105 Bishop Way, Brownsville  
LUST No. 22-98-7048

Dear Mr. Wyatt:

The Department of Environmental Quality (DEQ) has completed activities related to the off-site evaluation of petroleum contamination identified on the Brownsville Body Shop property. The investigation identified petroleum contamination in borings A and B, located in Bishop Way, that appears to be unrelated to the Brownsville Body Shop. The contamination present in borings A and B likely originates at one or more potential sources (both active and former service station locations). Additional investigation will need to be performed to determine the source(s) and extent of contamination documented in borings A and B.

A summary of the investigation actions performed related to the Brownsville Body Shop site is provided in the enclosed *No Further Action Decision Document* dated July 5, 2012. The decision document includes site maps showing the extent of area investigated. DEQ believes residual contamination originating from the Brownsville Body Shop is not a threat to human health or the environment. DEQ has recommended the site for a No Further Action determination following a public comment period. The basis for DEQ's recommendation is summarized in the decision document.

The public comment period will end on **July 26, 2012**. A final determination will be made after consideration of public comments. Send comments by 5 p.m., **July 26, 2012**, to the DEQ Project Manager, Katie Robertson, by phone at 541-278-4620; by mail at 700 SE Emigrant, Suite 330, Pendleton, OR 97801; or by e-mail at [robertson.katie@deq.state.or.us](mailto:robertson.katie@deq.state.or.us).

To access the investigation reports and other site documents please visit DEQ's Leaking Underground Storage Tank (LUST) database located on the web at [www.deq.state.or.us/lq/tanks/lust/LustPublicLookup.asp](http://www.deq.state.or.us/lq/tanks/lust/LustPublicLookup.asp) under LUST Number 22 98 7048.

If you have questions, comments, or concerns please contact me at (541) 278-4620.

Sincerely,

Katie Robertson  
Project Manager  
Cleanup Program

Enclosure



## THE FINANCING TEAM

### PROGRAM ADMINISTRATOR/UNDERWRITER:

## WEDBUSH

As Program Administrator and Underwriter for LOCAP, Wedbush Securities provides investment banking and underwriting services for participating members of the League of Oregon Cities and the Association of Oregon Counties. Wedbush Securities' Northwest Public Finance Group and municipal underwriting activities are centralized in Portland, offering specialized knowledge and experience of the local Oregon municipal finance markets. These are the people who structure and sell the LOCAP Certificates.

### PROGRAM TRUSTEE:



The trustee for LOCAP is The Bank of New York Mellon Trust Company, N.A. The LOCAP security is a "certificate of participation," which requires payment of principal and interest by each participant. Payments are made to The Bank of New York Mellon Trust Company, N.A. who, in turn, directs payment to be made to investors.

### PROGRAM BOND COUNSELS:

LOCAP uses three different bond counsel firms, depending upon which option is used. The three bond counsel firms and the program options they will serve are as follows:

- » LOCAP - Full Faith and Credit: Hawkins Delafield & Wood LLP
- » LOCAP - Revenue/Utilities: Merseaux Shannon LLP
- » LOCAP - Revenue/Transportation: Orrick, Herrington & Sutcliffe LLP

As bond counsel, the appropriate firm provides a validity and tax opinion to investors and serves as special financing counsel to the participant with respect to the LOCAP program.

### PROGRAM SPONSOR

League of Oregon Cities  
 Jennie Messner  
 (503) 588-6550  
 jmessner@orcities.org

Association of Oregon Counties  
 Caro Fischer  
 (503) 585-8351  
 cfischer@aacweb.org

### ADMINISTRATOR/UNDERWRITER

Wedbush Securities  
 Katie Schwab  
 (503) 471-6798  
 katie.schwab@wedbush.com

### TRUSTEE

The Bank of New York Mellon  
 Trust Company, N.A.  
 Kathleen Gylford  
 (206) 662-8903  
 kathleen.gylford@bny Mellon.com

### PROGRAM BOND COUNSEL

Hawkins Delafield & Wood LLP  
 Ann Sherman  
 (503) 402-1324  
 asherman@hawkins.com

Merseaux Shannon LLP  
 Jim Shannon  
 (503) 226-6400  
 jshannon@merseaux.com

### Orrick, Herrington & Sutcliffe LLP

Doug Goe  
 (503) 943-4810  
 dgoe@orrick.com

## THE APPLICATION PROCESS

**1** Complete the Application form available on the League's website at [www.orcities.org](http://www.orcities.org) or on AOC's website at [aacweb.org/aoc/default.aspx](http://aacweb.org/aoc/default.aspx). You can also contact Katie Schwab, Wedbush Securities, at (503) 471-6798 or [katie.schwab@wedbush.com](mailto:katie.schwab@wedbush.com).

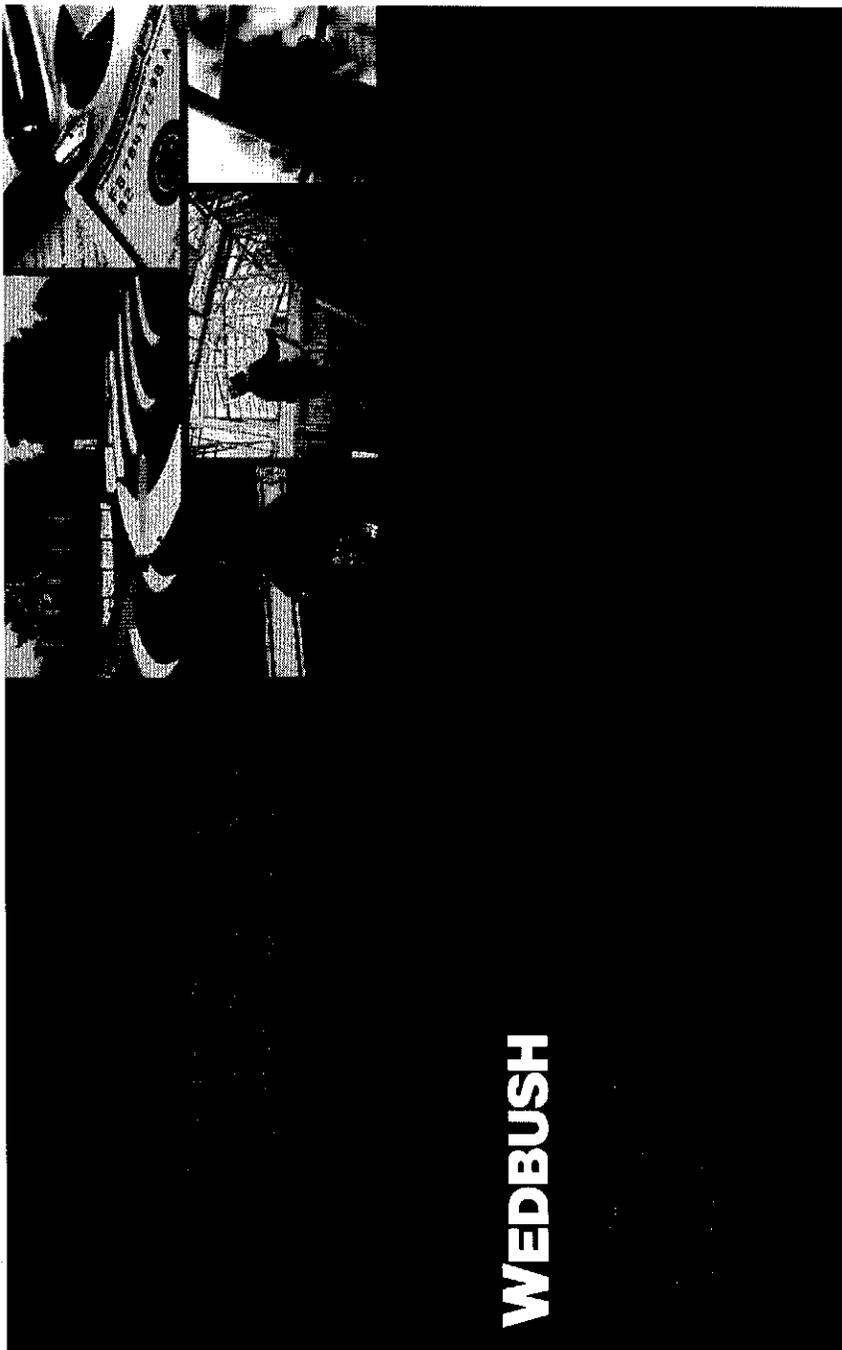
**2** Compile all of the information listed on the Data Request sheet attached to the Application.

**3** Send the Application form and compiled information to Katie Schwab, Wedbush Securities, 1300 SW Fifth Avenue, Suite 2000, Portland, OR 97201 or [katie.schwab@wedbush.com](mailto:katie.schwab@wedbush.com).

# WEDBUSH

# LOCAP

LOCAL OREGON CAPITAL ASSETS PROGRAM



# WEDBUSH

## LOCAP

"ENDORSED BY THE LEAGUE OF OREGON CITIES AND THE ASSOCIATION OF OREGON COUNTIES"

The League of Oregon Cities and the Association of Oregon Counties are the LOCAP sponsors, lending their names to the program for purposes of marketing "certificates of participation" in the municipal bond market. The League and AOC do not have a legal liability for the program. They have partnered with municipal finance experts to bring the LOCAP program to their members.

### LOC AND AOC

### CAPITAL PROJECTS

### POOLED PROGRAM

### BENEFITS TO PARTICIPANT

LOCAP is a proven alternative to traditional means of financing capital assets. LOCAP offers Oregon participants competitive, tax-exempt rates, precise and quantifiable costs of borrowing, "user-friendly" documentation, flexible payment terms, attractive prepayment options, fixed rate financing and 100 percent financing with no down payment required.

The costs associated with financing the projects, such as program administration fees, legal fees and trustee fees, are pooled with other participants and capitalized, or included in the amount to be financed.

With LOCAP participants, acquire equipment or real property quickly and conveniently, retain the benefits of ownership and finance property over its useful life.

## FREQUENTLY ASKED QUESTIONS

- Q. WHAT DOES "LOCAP" STAND FOR?**  
**A.** LOCAP is the abbreviation for the "Local Oregon Capital Assets Program," a pooled financing program for capital projects.
- Q. WHAT TYPES OF PROJECTS CAN BE FINANCED?**  
**A.** LOCAP can be used to finance the purchase of equipment and real property, including land, new construction, remodeling and improvements. LOCAP can also be used for long-term construction and project financing interim financing or for refinancing existing debt.
- Q. WHAT IS THE SECURITY PLEDGED?**  
**A.** It depends on which program option is being used. If the participant is using the full faith and credit option, then that security must be pledged. If the participant is using one of the revenue bond options, then security appropriate to either a utility or transportation revenue source will be pledged. Independent of what is pledged as security, a participant may make payments from any legally available funds.
- Q. HOW LONG CAN MONEY BE BORROWED?**  
**A.** Money can be borrowed for the useful life of the capital project that is being financed. A complete description of the capital project must accompany the application and be approved by bond counsel.
- Q. CAN LOCAP BE USED FOR COMPONENT UNITS OF A CITY OR COUNTY?**  
**A.** Component units of cities and counties, such as a county housing authority or an urban renewal district, may use LOCAP to finance capital projects. However, these city or county projects are financed through a pledge based on their full faith and credit and not on the credit of the component unit. Actual payment of the debt can be made by the component unit through the use of an intergovernmental agreement between the component unit and the city or county government.
- Q. WHAT ARE THE INTEREST RATES?**  
**A.** Fixed market interest rates are applied to the LOCAP program. Interest rates are set the morning of pricing the Certificates.
- Q. HOW LONG IS THE FUNDING PROCESS?**  
**A.** The funding process generally takes 45-60 days.
- Q. IS VOTER APPROVAL REQUIRED?**  
**A.** Voter approval is generally not required, although it is not precluded.
- Q. WHAT IF MY CHARTER IS MORE RESTRICTIVE THAN THE LOCAP PROGRAM?**  
**A.** Charter restrictions on debt limitations or vote requirements must be adhered to. Please submit a copy of your Charter with your application.
- Q. ARE THE CERTIFICATES OF PARTICIPATION RATED?**  
**A.** Individual series of Certificates of Participation may be rated or unrated.
- Q. WHAT IS THE COST TO PARTICIPATE?**  
**A.** The cost is based on a sliding scale that is dependant upon the aggregate principal amount of the certificates and the number of participants.

**Q. HOW DOES MY CITY/COUNTY APPLY?**  
**A.** Complete an Application form (available on the League's website at [www.orcities.org](http://www.orcities.org) or AOC's website at [aocweb.org/aoc/default.aspx](http://aocweb.org/aoc/default.aspx)), gather all materials, and submit both the form and materials to Katie Schwab of Wedbush Securities.

## PROGRAM MECHANICS

The LOCAP program generally takes 45-60 days to complete once an application in good order is received. The key steps are:

**STEP 1:** Participant submits an Application form and Data Request materials to Wedbush Securities.

**STEP 2:** Wedbush Securities:

- » Reviews the Application and prepares a pro forma debt service schedule for review by the participant to make sure it financially can and is interested in proceeding,
- » Contacts the bond counsel, to prepare an Authorizing Resolution or Ordinance,
- » Sends a schedule of events to finance the participant's capital project to the Financing Team and the participant, and
- » Begins preparation of a Preliminary Official Statement, which is the "prospectus" for potential investors.

**STEP 3:** The bond counsel sends an Authorizing Resolution to the participant for review and adoption by the governing body.

**STEP 4:** The governing body adopts the Authorizing Resolution, which authorizes the participant to take part in the LOCAP program within predetermined parameters and designates "authorized representatives."

**STEP 5:** The participant reviews the Preliminary Official Statement and deems it final once it is satisfied the contents are true, accurate, complete and not misleading or contain material omissions.

**STEP 6:** The certificates are sold.

**STEP 7:** Wedbush Securities prepares and circulates a closing memorandum that lays out the total amount of certificate proceeds and the use of such proceeds.

**STEP 8:** The bond counsel prepares the related closing documents and sends them to each participant to execute prior to closing.

**STEP 9:** The certificates are prepared by the bond counsel and delivered to the trustee and the net proceeds are transferred to the participant.



Received  
City of Brownsville

JUL 16 2012

Clerk \_\_\_\_\_

Summer 2012

**Natural Gas Public Safety**

Dear Public Official:

NW Natural has been providing natural gas service to the Pacific Northwest since 1859. We design, build, operate and maintain the local natural gas distribution system – the pipes and infrastructure that carry natural gas to more than 682,000 homes and businesses.

NW Natural has an uncompromising commitment to pipeline safety. We want you as a public official to know about our efforts to provide safe and reliable natural gas service to the communities we serve.

NW Natural has implemented an Integrity Management Program for our transmission pipelines and a broad-based Public Safety Awareness Program that includes a combination of advertising, targeted mailings and first responder training designed to educate the public about natural gas safety. Our proactive approach to damage prevention also emphasizes educating contractors about pipeline safety.

NW Natural's emergency response coordinators are available 24 hours a day in the rare event of a natural gas incident. We also maintain a comprehensive incident command system to react to larger emergencies. Virtually every NW Natural field employee is trained and qualified as a first responder.

As your local gas utility, we believe it's as important to educate the community about natural gas as it is to maintain the highest standards of pipeline construction and maintenance. We are enclosing three documents with this letter. One is a brochure that describes our safety practices and philosophy, along with basic safety information. Another contains important information we send to anyone living or working near a high-pressure transmission pipeline. The third brochure communicates how we ensure the safety of our pipeline system. We hope you find this information helpful.

For additional natural gas safety information, please visit the safety section of our website, which includes details of our Pipeline Integrity Management program.

Natural gas is an exceptionally safe energy source, and we believe a sound public education program will help us keep it that way.

Sincerely,



Kim Heiting  
Chief Communications Officer  
[kah@nwnatural.com](mailto:kah@nwnatural.com)

KH/  
Enclosures

# PIPELINE SAFETY

## NATURAL GAS SAFETY INFORMATION FOR PUBLIC OFFICIALS

HOW TO CONTACT US:  
24-hour odor emergency line  
**800.882.3377**



NW Natural is committed to designing, constructing, operating and maintaining our pipeline system in a safe, environmentally sound manner. We appreciate you taking time to become familiar with the following natural gas safety information. With your help, we can continue to provide safe, reliable natural gas service to the customers and communities we serve.



### CALL BEFORE YOU DIG

Anyone who digs is required by law to notify underground utilities at least two business days in advance before they dig. Call the Utility Notification Center to have underground gas lines (and other participating utilities' lines) located at no charge.

**CALL**



Know what's below.  
Call before you dig.

**OR CALL THE UTILITY NOTIFICATION CENTER:**

**IN OREGON**  
**800.332.2344**

**IN WASHINGTON**  
**800.424.5555**

In addition, to ensure no one accidentally builds on top of natural gas service lines, mains or other natural gas facilities, consumers and businesses must call the Utility Notification Center before a remodel, expansion or any construction. It is the property owner's responsibility to be sure all NW Natural facilities at the premise are safe and accessible for future maintenance. If a "build over" occurs, the owner will be required to remove the obstruction at his or her own expense.

### HOW TO RECOGNIZE A PIPELINE LEAK

In its natural state, natural gas is odorless and colorless. For ready detection, NW Natural injects an odorant into the gas before it is inserted into the distribution system. The odorant is so highly concentrated that even the smallest amount of natural gas can be detected. The odorant gives off a foul smell, reminiscent of rotten eggs or sulfur. Any odor of natural gas may indicate a leak. Here are some steps to take if a natural gas leak is detected:

**SMELL** - How to identify a possible gas leak:

- You smell a rotten egg odor (or a sulfur-like smell).
- You hear a blowing or hissing sound.
- See blowing dirt.

**GO** - What to do:

- Leave the structure or area.
- **DON'T** use any electrical or battery-operated device, such as a light switch, phone, appliance or garage door opener.
- **DON'T** smoke or use a match or lighter.
- **DON'T** start a vehicle in a garage or near any natural gas odor.
- **DON'T** try to find the leak.

**LET US KNOW** - Who to call:

- Call NW Natural and report the odor immediately! Call 800.882.3377 (24-hour emergency line).
- Always call on a phone away from the area, a neighbor's phone or public phone.
- If the leaking gas ignites, do not attempt to put out the flames. Call 911 and then NW Natural.

### PIPELINE RIGHTS-OF-WAY (Easements)

Pipeline rights-of-way or easements are strips of land, up to 60 feet in width, in which natural gas pipelines are installed. These pipelines range in size up to 24 inches in diameter and transport natural gas at pressures of up to 1,200 pounds per square inch (psi).

To identify the location of buried pipelines within the rights-of-way, distinctive marker posts are placed in the ground at intervals in the vicinity of the pipeline. Pipeline rights-of-way



# PIPELINE SAFETY *(continued)*

## NATURAL GAS SAFETY INFORMATION FOR PUBLIC OFFICIALS



are inspected regularly by NW Natural to check the ROW condition, conduct surveys for possible leaks, to install and maintain markers, and to ensure there is no activity that could threaten the safety and integrity of the pipeline.

### RIGHTS-OF-WAY AGREEMENT

Most of the rights-of-way on private property used by NW Natural are easements granted by either the present or former landowners. They are formal agreements granting the use of the right-of-way in perpetuity to NW Natural. A change in ownership of the property does not alter the agreement. To determine whether an easement is located on a property, the owner can request a copy of the agreement through the local Deed of Records Department.

### USING THE RIGHT-OF-WAY

For safety reasons, the following land uses are prohibited under rights-of-way agreements:

- Buildings, garages, pole barns, structures or foundations, overhanging roofs and balconies, garden sheds, patios, concrete slabs, signs, or swimming pools
- Wells or other boreholes
- Pile-driving or blasting
- Storage of flammable materials, equipment, bulk goods and vehicles
- Burning of such materials as waste, scrap lumber and slash
- Unauthorized roadways (temporary or permanent)
- Cable pulling of loads across or along the right-of-way
- Cutting down trees

HOW TO CONTACT US:  
24-hour odor emergency line  
**800.882.3377**



NW Natural®

Any kind of land use listed above, or any use that can impact the access to or safety of the pipeline is prohibited without prior written permission from NW Natural. If a property owner is considering using the rights-of-way for any purpose other than lawns, flower beds, shrubs or a vegetable garden, they must call NW Natural's Risk and Land Department first at 503.226.4211.

If the proposed activities are deemed to have no adverse impact, NW Natural will respond with a letter granting approval.

### OUR COMMITMENT

We have an uncompromising commitment to designing, constructing, operating and maintaining our pipeline system in a safe, environmentally sound manner. NW Natural strives to be a leader in the industry in pipeline safety. If you'd like to learn more about NW Natural's pipeline practices, and our Pipeline Integrity Management Plan, please visit [nwnatural.com/Safety/Integrity](http://nwnatural.com/Safety/Integrity).

Natural gas is an exceptionally safe energy source, and with your help in adhering to the instructions provided in this flyer, we can keep it that way.



FOR MORE INFORMATION

visit the safety section of [nwnatural.com](http://nwnatural.com) or call:

**800.422.4012**

## HELP US KEEP OUR *system safe*

We do everything we can to ensure safety – and we ask you to help by following these important natural gas safety guidelines:

### CALL BEFORE YOU DIG

It's the safe, smart thing to do – and it's the law.

|                                                                                                                                                           |                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>CALL</b><br> <small>Emergency numbers. Call before you dig.</small> |                                      |
| <b>OR CALL THE UTILITY NOTIFICATION CENTER:</b>                                                                                                           |                                      |
| <b>IN OREGON</b><br>800.332.2344                                                                                                                          | <b>IN WASHINGTON</b><br>800.424.5555 |

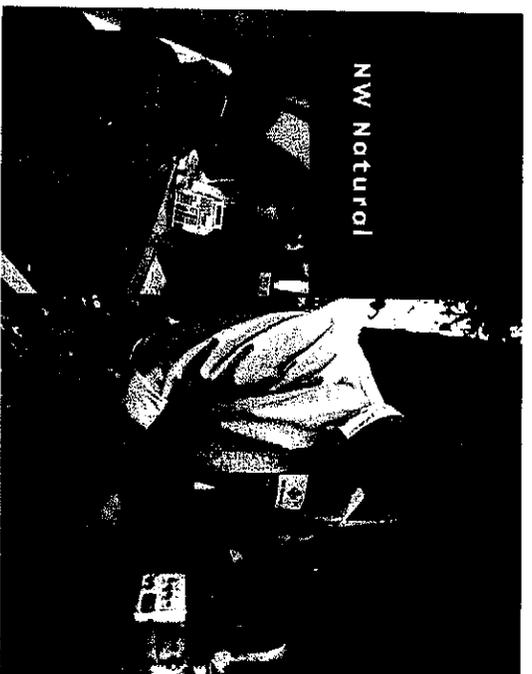
### SMELL. GO. LET US KNOW.

If you smell natural gas, leave the area immediately. Then call us at 800.882.3377 from a different location:

- Do not use your telephone. This includes cellular phones and all types of portable communication and electronic devices that have a battery. These can spark and create a source of ignition.
- Do not light matches or create any other source of ignition.
- Do not operate ANY electrical switch, including lights, on or off, or electronic garage openers.
- Evacuate everyone from the area.

### QUESTIONS?

It's important to us that you feel comfortable with every aspect of your natural gas service. Please call us at 800.422.4012 with any questions, and visit [nwnatural.com](http://nwnatural.com) frequently.



*NW Natural*

## YOUR PARTNER IN SAFETY

As your local natural gas provider, we want you to know what we do to ensure the safety of our pipeline system.



**Helen T. Kary**  
3517 SE 63rd Avenue  
portland, OR 97206-2737

July 5th, 2012

Dear Helen:

On behalf of the citizens & Council of the City of  
Brownsville, Oregon, we would like to extend our appreciation  
and gratitude for your generous donation to Pioneer Cemetery.  
Your kindness is remarkable! Thank you!

Cordially,

*Helen - Thanks so  
much*

*SM*

Don Ware  
Mayor

S. Scott McDowell  
Administrator

# League of Oregon Cities Foundation



P.O. Box 928 • Salem, Oregon 97308 • (503) 588-6550 • (800) 452-0338 • Fax: (503) 399-4863  
www.orcities.org

July 16, 2012

Mayor and Council  
c/o S. Scott McDowell  
PO Box 188  
Brownsville, OR 97327

Dear Mayor and Council:

On behalf of the League of Oregon Cities Foundation, I am writing to your city to invite you to follow the lead of the many cities in Oregon who have contributed to the LOC Foundation over the past several years. Our last fund-raising drive was in 2008 and the time seems ripe to once again seek the support of Oregon's cities to continue to fund efforts such as conference and training scholarships that assist the League in its efforts to be the effective and collective voice of Oregon's cities and their authoritative and best source of information and training.

We are asking that you consider a donation, in an amount that your city can afford in order to provide information and education to city officials across the state of Oregon. Our suggestion is that you consider a donation in an amount equal to five cents per capita or any other amount your city can afford.

Since its inception, the Foundation has provided the following benefits to city officials around the state:

- Scholarships for officials to attend the League of Oregon Cities conference each year;
- Scholarships to help Mayors around the state to attend the annual Mayor's Conference; and
- Scholarships for many city officials to participate in Oregon Local Leadership Institute training workshops.

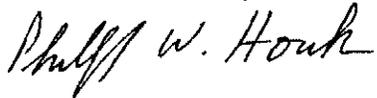
Based on current funds available, staff have been instructed to budget the following for FY 2012-13:

- \$1,000 Scholarships for the Oregon Mayors Association Conference
- \$4,500 Scholarships for the League of Oregon Cities Conference
- \$6,500 Scholarships for Oregon Local Leadership Institute workshops

If your city wishes to make a donation to the LOC Foundation, please send your check to LOC Foundation, ATTN: Jennie Messmer, P.O. Box 928, Salem, OR 97308. The Foundation accepts tax-free donations from private parties as well if you would like to contribute individually.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Phillip W. Houk".

Phillip W. Houk, President  
LOC Foundation Board

# News and Information from CENTER AGAINST RAPE AND DOMESTIC VIOLENCE



## f SUMMER 2012

### “Saves monies, saves lives, and it’s the right thing to do.”

The Violence Against Women Act, enacted in 1994, provides essential funding for domestic and sexual violence services in every state in the nation. Some portions of VAWA expired at the end of 2011, and funding and programs are on hold until the act is reauthorized by Congress. CARDV’s core funding is impacted by the passing of VAWA; we need your help to get it reauthorized by the end of summer. “We shouldn’t have so many women exposed to this violence. This is not a family problem—this is crime,” Senator Wyden said at a press conference held in Medford, Oregon last Tuesday.<sup>1</sup>



Toni Ryan with Senator Wyden and other VAWA supporters.

Join the effort to get VAWA reauthorized. Write or call your member of Congress asking for their support in reauthorizing VAWA, activate your networks to do the same. More ideas and information at [www.4vawa.org](http://www.4vawa.org).

<sup>1</sup>Senator Ron Wyden: “It’s a commitment to doing what’s right.” Jenica Villamor/KTVL News, July 4, 2012, [http://www.ktv.com/shared/news/top-stories/stories/ntvl\\_vid\\_1556.shtml](http://www.ktv.com/shared/news/top-stories/stories/ntvl_vid_1556.shtml)



## Cell Phone Collection Drive

Throughout October, in honor of Domestic Violence Awareness Month, CARDV will hold its annual community-wide campaign to raise awareness of domestic violence by collecting used cell phones. Domestic violence endangers many families in our local communities.

Emergency cell phones are always needed and serve as a lifeline to those living under the threat of violence. It is vitally important for victims of domestic violence to have a way to *immediately* contact police and emergency services. Donated cell phones are reprogrammed to dial 911 and then distributed to CARDV clients.

Join us by hosting a cell phone collection site at your school, work, church, or other group. CARDV supplies collecting boxes and promotional materials; you provide the location and act as a spokesperson in your network. Collection boxes and promotional materials will be distributed mid-September. If you would like to host a collection site or help promote Domestic Violence Awareness month, please contact Crystal Kelley at (541) 758-0219 ext. 301 or [crystal.kelley@cardvservices.org](mailto:crystal.kelley@cardvservices.org).

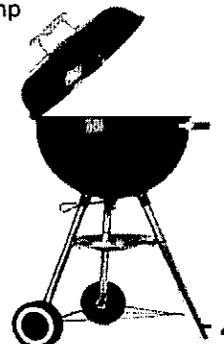
## Volunteer Appreciation BBQ--August 7th

At CARDV, we rely on our volunteers to help us provide free and confidential services. Whether you answer the hotline, serve at one of our events, stuff envelopes, or any other number of ways you support CARDV --YOU make a difference! THANK YOU! If you want to become a **CARDV Volunteer**, see our Volunteer Page for more information: <http://cardvservices.org/volunteer.php>

All CARDV Volunteers are invited to a free BBQ, as our way of saying thank you. Drop-in or stay, bring the family, and meet other volunteers. There will be door prizes!

Tues., Aug. 7, 2012, 5-7pm  
Lion's Shelter (Avery Park, Corvallis)

Please RSVP by July 24<sup>th</sup> at [www.cardvservices.org](http://www.cardvservices.org)  
Questions? Email Crystal or call (541) 758-0219, ext. 301



## Thank You 2012 Run/Walk Sponsors and Donors

### ADVOCATES FOR SAFE FAMILIES:

Alpacas in the Pines  
Mid-Valley Newspapers

### COMMUNITY BUILDERS:

Albany Police  
Benevolent Association  
Citizens Bank  
Valley Catering

### COURSE SPONSORS:

Albany Athletic Club  
Corvallis Police Officers Association  
D. Bryce Downey, M.D.  
Knudson Logging  
Life in Balance Acupuncture

### PEACEMAKERS:

Catherine Fisher  
of Town & Country Realty  
Samaritan Health Services  
Samaritan Obstetrics  
& Gynecology  
Stover, Evey and Jackson  
The Reynolds Law Firm

Pioneer Telephone Cooperative  
Security Alarm Corporation  
West Hills Animal Hospital  
Willamette Veterinary Hospital  
Woodstock's Pizza

### ADDITIONAL SUPPORT BY:

AAA  
Janelle Amberg and  
Chuck Bartholomew  
Animal Crackers Pet Supply  
Anonymous  
Aspire Salon  
Bed, Bath and Beyond  
Beaton County Emergency  
Management  
Bike N' Hike  
Bikram's Yoga  
Cadillac Lunch  
Cindy's Hallmark  
City of Corvallis  
Community Outreach, Inc.  
Corvallis Country Club  
Corvallis Custom Kitchens & Baths  
Corvallis Fire Department  
Corvallis Parks and Recreation  
Corvallis Police Department  
Dairy Queen  
Del Alma  
Donna Bella Lingerie  
Fingerboard Extension  
Five Star Sports  
Footwise  
Francesco Ciellato  
Garland Nursery

Golden Crane  
Heresco Chiropractic  
Highland Bowl  
Janet and Larry Knudson  
Many Hands Trading  
Market of Choice  
Merry Maids  
Modern Avenue Boutique  
Nash Photography  
Nearly Normals  
New Morning Bakery  
Old World Deli  
Olufson Designs  
Oregon Trail Brewing  
OSU's Kid Spirit  
Penguin Flowers  
Pepsi  
Philomath Fire Department  
Red Hat Construction  
Rick DeBellis  
Safety Town  
Safeway  
Samaritan Heartspring  
Wellness Center  
Seventh Mountain Resort  
Silverman Productions  
Starbucks  
Stover, Evey and Jackson

The Clothes Tree  
The Inkwell Home Store  
The Kings Coffee House  
Timberhill Athletic Club  
Vertebrata Chiropractic  
Wilco Farm Supply  
WineStyles  
Woodstock's Pizza  
The Yoga Center of Corvallis

Special thanks to the  
Run Committee  
and Run Volunteers!

**Thank you!**

From the Staff and  
Volunteers of the  
Center Against Rape  
and Domestic Violence



## Calendar:

**July 16-27**

CARDV Stakeholder Survey  
Available Online (see back page)

**July 17**

Volunteer Orientation/Open House

**August 7**

Volunteer Appreciation BBQ

**August 21**

Volunteer Orientation/Open House

**Fall 2012**

Volunteer Training begins

**October 2012**

Domestic Violence Awareness Month



## Needed Items:

CARDV services are free and confidential. Help us provide basic necessities for our clients. All items must be unopened.

- Toilet Paper/Paper Towels
- 13-gal Trash Bags
- Regular Coffee
- \$5 gift cards to Safeway or McDonalds
- Laundry Detergent
- Body Lotion

Drop items at:

CARDV Administrative office  
4786 SW Philomath Blvd, Corvallis

Map and directions at <http://cardvservices.org/contact.php>



## Become a CARDV Volunteer

CARDV volunteers provide the much needed support to keep our services free and confidential. CARDV Volunteers:

- Support our administrative staff
- Are trained to answer the hotline
- Serve on the Board of Directors
- Raise funds and awareness in our communities
- Complete their college careers with an internship
- Organize Wish List Drives to collect items for client use
- And much, much more

For volunteers who will be working directly with clients on the hotline, in shelter, or at the courthouses, CARDV provides a state-mandated, 40-hour advocacy training. The next scheduled training will start Fall 2012.

If you are interested in volunteering with CARDV, attend one of our free Volunteer Orientation/Open House events—the third Tuesday of each month. For more information contact Lucy Daumen, Volunteer Coordinator at (541) 738-8319 ext. 307 or [lucy.daumen@cardvservices.org](mailto:lucy.daumen@cardvservices.org).

# Cascades West Area Commission on Transportation

*Staffed by Oregon Cascades West Council of Governments*

## Notes from June 28, 2012 CWACT Meeting

### 1. Connect Oregon 4 Program

On June 13 the Connect Oregon statewide review committee (Chairs from all ACTs and state modal committees) met to recommend funding allocations to the Oregon Transportation Committee. The following projects in the CWACT area were recommended for funding:

**City of Newport** \$448,500

Rehabilitate runway at Newport Airport, bringing it up to FAA design standards; improve drainage, lighting and safety areas. Part of the local match for an \$8.1 million FAA grant.

**Port of Newport** \$483,600

Complete final construction components of the International Terminal Renovation project including the west wing retaining wall, a moorage dolphin, walkway installation and paving.

**Union Pacific Railroad** \$4,000,000\*

Replacement of a 1906 rail bridge over the Willamette River near Harrisburg.

\* This does not include the CWACT recommendation to require Union Pacific to deed the Bailey Branch to Benton County. Prior to the meeting Union Pacific indicated to ODOT that it does not support the proposal to combine the two projects.

CWACT Chair Roger Nyquist served on the statewide committee and proposed a footnote, approved by the committee, requesting UP to “act in good faith” in working with Benton County for the transfer of ownership of the Bailey Branch.

The OTC will hold a public hearing on this item at its July meeting and will make Connect Oregon funding allocations at its August meeting.

### 2. Approval of New Federal Transportation Bill

Mark Volmert reported that Congress appears ready to approve a two year surface transportation authorization bill. The current multi-year omnibus surface transportation bill (SAFETEA-LU) expired in September 2009 and Congress has extended the law nine times during the past 33 months.

The leadership of the Senate and the House, working with the bill's Conference Committee during the past week, have reached important compromises which reportedly will enable the bill to be approved prior to the June 30 expiration date.

The Conference Committee's report proposes:

A 27 month \$120 billion authorization for highway, public transit and rail programs at essentially the same level of total current amounts. The total highway and public transit allocations to Oregon are estimated to be nearly identical to the current total funding levels.

- **Highways:** Individual program funding is significantly shifted, with a reduction in funding silos from more than 100 to about 30. Greater flexibility is expected in funding highest priority projects, rather than a "follow the grant funding" approach. Increased emphasis on performance measurements. Streamlined environmental review process to reduce the time for developing/constructing federally-funded road projects.
- **Transit:** The consolidation discussed at previous CWACT meetings. Job Access and Reverse program (Corvallis, Philomath, Adair Village and Lebanon have received JARC funds) eliminated and combined with the small city and rural transit program. The "New Freedom" program (ADA enhancement funds that have been received by Benton County and Lincoln County) eliminated and combined with the seniors and people with disabilities program.
- **Metropolitan Planning Organizations:** The current minimum population of 50,000 for MPOs is retained.
- No Congressional earmarks.
- With the particular assistance of the Oregon delegation, a one year extension of federal timber payments to counties and schools was attached to the transportation bill. Approximately \$100 million for Oregon counties and schools.

The Conference Committee's bill:

<http://www.nado.org/wp-content/uploads/2012/06/Final-CRPT-112hrpt-HR43481.pdf>

The Conference Committee Managers joint explanatory statement:

<http://www.nado.org/wp-content/uploads/2012/06/Final-Statement-of-Managers-HR4348crJES1.pdf>

### **3. Draft Oregon Statewide Transportation Strategy: a 2050 Vision for Greenhouse Gas Emissions Reduction**

ODOT staff member Barbara Fraser discussed the draft strategy with CWACT members.

The state Jobs and Transportation Act, approved in 2009, required ODOT, the Department of Land Conservation and Development and other state agencies to work together and examine ways to reduce greenhouse gas emissions from the transportation sector. In response to the legislation several initiatives, known as the Oregon Sustainable Transportation Initiative, were developed; of which the development of a Statewide Transportation Strategy (STS) is a part.

The intent is to help the state meet its legislative goal of reducing 2050 Greenhouse Gas (GHG) emissions by 75% of the 1990 levels.

The STS is the product of an effort involving extensive research and analysis as well as policy direction and technical input from state agencies, local governments, industry representatives and others. It is intended to identify the most effective GHG emissions reduction strategies in transportation systems, vehicles and fuel technologies, and land use patterns which will serve as the best tools available to help meet the state's goals.

It was emphasized that the STS is neither directive or regulatory, but rather points to promising approaches that should be further considered by policymakers at the local, regional and state levels. It constitutes a framework for future work to reduce transportation-related GHG emissions in three key travel areas: ground passenger and commercial services; freight; and air passenger.

Comments from CWACT members included: (1) caution about the costs, including potential taxes; (2) caution about the potential impact on small businesses; (3) most smaller communities have fewer multi-modal (non-vehicle) travel options; and (4) a lack of realistic non-vehicle options for some occupations.

Comments may be submitted to ODOT before July 20. The OTC will hold a public hearing on this item on July 18 and is scheduled to take action on October 17.

The Executive Summary of the strategy is available at:  
<http://www.oregon.gov/ODOT/TD/OSTI/docs/sts/executivesum.pdf>

The complete report is 90 pages and is available on the ODOT website:  
<http://www.oregon.gov/ODOT/TD/OSTI/docs/sts/strategy.pdf>

Additionally, technical appendices are available:  
<http://www.oregon.gov/ODOT/TD/OSTI/docs/sts/appendices.pdf>

Additional information about the ODOT Sustainable Transportation Initiative is available:  
<http://www.oregon.gov/ODOT/TD/OSTI/STS.shtml>

#### **4. ODOT's Proposed Funding Allocation and Project Selection Process for 2015-2018**

ODOT staff member Erik Havig discussed the proposed allocation and selection process.

ODOT staff and the Oregon Transportation Commission have discussed, at the April, May and June OTC meetings, the development of proposed alternatives to the current funding allocation and project selection processes.

ODOT expects to continue to transition to a more multi-modal agency and identify and fund the best transportation projects solutions to address transportation needs. This will involve changes in current processes in order to increase flexibility in the use of available funds.

ODOT indicates the **first step** is to define projected revenue for 2015-2018 and develop a range of scenarios that places funds into either an “Enhance” category or a “Fix-It” category.

- The “Enhance” category includes all of the various categories that add to or enhance the transportation system. This will include: highway modernization projects; the Bicycle and Pedestrian Program; the multimodal “Flex Funds” program; the Safe Routes to Schools Program; the Transportation Enhancement Program; the Transportation Demand Management Program; the Transportation Growth Management Program; and other programs.
- The “Fix-It” category includes all of the capital funding categories that maintain or fix ODOT’s portion of the transportation system.

The **second step** will be to clarify the various limits on funds and the extent to which the OTC has discretion to “flex” the various funding types. ODOT’s goal is to consolidate as many of the programs as possible to allow as much flexibility with the type of projects ODOT funds.

The **third step** will be changing the project selection process for projects in the “Enhance” category. Currently some of the projects are selected by statewide committees and some by the ACTs. ODOT envisions that. Eventually, the statewide committees will set policies and selection criteria while the ACTs will select the projects.

In addition to comments received during the meeting, CWACT expects to forward to the OTC additional comments received from members during the next week.

## **5. ODOT Area Manager’s Report**

Amy Ramsdell provided members with a brief summary (attached) of current construction projects.

She noted that a contract has been awarded for the next phase of the Pioneer Mountain-Eddyville project. In July construction will begin on the installation of horizontal drains and trench drains.

**For additional information or to provide comments and suggestions please contact:**  
**Mark Volmert (541) 924-8430 [mvolmert@ocwcog.org](mailto:mvolmert@ocwcog.org)**  
**CWACT website: [ocwcog.org/ccbindex.asp?ccbid=101](http://ocwcog.org/ccbindex.asp?ccbid=101)**

# Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Summary and Impact on Oregon

**Duration of Authorization:** MAP-21 reauthorizes federal highway, transit, and transportation safety programs for federal FY 2013 and 2014.

**Highway Funding:** Funding levels for the highway program are essentially flat: In FY 2013, \$40.4 billion in funding is provided from the Highway Trust Fund, growing to \$41 billion in FY 2014. Each state will continue to receive the same share of funding they received in formula apportionments and allocations in FY 2012. Oregon will receive a total of \$483.2 million in federal-aid highway apportionments in FY 2013 (the same as FY 2012) and \$487.4 million in FY 2014.

**Highway Programs:** MAP-21 significantly consolidates the highway program structure. Most setasides, small formula programs and discretionary programs—including High Risk Rural Roads, Recreational Trails and Safe Routes to School—are eliminated as separate programs; however, these activities would generally be eligible under other programs. Funding would flow to states under six formula programs, with Oregon's FY 2013 funding:

- National Highway Performance Program: \$288 million
- Surface Transportation Program: \$132.5 million
- Highway Safety Improvement Program: \$31.6 million
- Congestion mitigation and Air Quality Improvement (CMAQ) Program: \$18.7 million
- Metropolitan Planning: \$3.4 million
- Transportation Alternatives (previously Transportation Enhancements): \$9 million

**National Highway Performance Program:** The NHPP combines funding from the Interstate Maintenance, National Highway System, and Bridge programs to create a program focused on preservation and improvement of the National Highway System.

**Surface Transportation Program:** STP funds could be used for highway, bicycle/pedestrian and transit projects. Funding would be suballocated to large MPOs and other areas of the state in a manner similar to current practice.

**Bridges:** Without a separate Bridge program, bridges on the National Highway System would be funded under the NHPP; bridges not on the NHS would be funded under STP. The 15 percent setaside for bridges of the federal-aid highway system on low volume local roads is retained, as is the waiver that Oregon has used to ensure that local governments are not required to overinvest in these bridges on lower volume roads.

**Transportation Alternatives:** The Transportation Enhancements will become the Transportation Alternatives program, and 2 percent of funds would be set aside for TA. Eligibility is modified to remove activities like transportation museums and add environmental mitigation. States are required to suballocate funding to metropolitan planning organizations with populations larger than 200,000 and distribute the remainder of funding as a discretionary grant program. TA funding would have to be spent on Recreational Trails, unless the state opts out, and Safe Routes to School projects are eligible for funding.

**Transit Funding:** Transit would receive \$10.6 billion in FY 2013 and \$10.7 billion in FY 2014, which is similar to FY 2012 funding levels. Oregon would receive \$93.6 million in transit formula funding in FY 2013 and \$94.9 million in FY 2014.

**Transit Programs:** MAP-21 will provide assistance to transit providers under the following formula grant programs:

- Urbanized Areas
- Rural Areas
- Elderly and Disabled (which will include the former New Freedom Program)
- Bus and Bus Facilities (previously a discretionary grant program)
- State of Good Repair (formerly Fixed Guideway Modernization)
- High Density

The Job Access and Reverse Commute program is eliminated, but these activities would be funded under the urban and rural formula programs.

**Transit Operations:** MAP-21 will allow transit systems operating fewer than 100 buses in peak service to use a portion of their Urbanized Area funds for operating expenses.

**Federal Lands:** The Forest Highways Program becomes the Federal Lands Access Program, with the focus expanded from providing access to national forests to include all federal lands. Oregon would receive \$23.1 million under the program in both FY 2013 and FY 2014, slightly more than the state received under the Forest Highways Program in recent years.

**County timber payments:** MAP-21 includes nearly \$100 million for a one-year extension of the Secure Rural School payments to counties and schools.

**Freight Policy:** MAP-21 will establish a national freight policy, including the designation of a primary freight network and development of a national freight strategic plan. It also encourages states to develop state freight plans and to have a freight advisory committee; Oregon already has both.

**Metropolitan Planning Organizations:** The threshold for an urbanized area forming an MPO will remain at 50,000. Oregon's six MPOs—Portland, Salem, Eugene, Corvallis, Bend, and the Rogue Valley—will all remain in operation, and the Albany and Grants Pass areas that were recently designated as urbanized areas by the Census Bureau will become MPOs.

**TIFIA:** The Transportation Infrastructure Finance and Innovation Act (TIFIA) federal credit program is expanded to \$750 million in funding in FY 2013 and \$1 billion in FY 2014 (from \$122 million in FY 2012). This will increase the likelihood that the Columbia River Crossing (CRC) will receive a significant loan.

**Projects of National and Regional Significance:** The PNRS program is reauthorized, with \$500 million in funding authorized (but not provided out of the Highway Trust Fund). The CRC hopes to receive funding from PNRS for interchange improvements that will be made in the future.

**Safety Programs:** Most behavioral safety programs would be consolidated into a National Priority Safety Program that would set aside funding for priority activities and provide incentives to states that implement certain safety programs, including occupant protection, impaired driving, distracted driving, motorcyclist safety, and graduated driver licenses for teens.