

# Council Agenda Packet

Tuesday, July 23<sup>rd</sup>, 2024 | 7:00 p.m. | Council Chambers



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## Council Meeting

Tuesday, July 23<sup>rd</sup>, 2024

**Location:** Council Chambers

### 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 25<sup>th</sup>, 2024
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. Friends of Gap Road | *Muddy Creek Solar Farm*
  - B. Cybersecurity | CIS
  - C. Website Reviews
  - D. Halsey-Shedd Fire Department | *Chief Travis Hewitt*
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administrator
  - D. Planning
  - E. Library
  - F. Office
  - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
  - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE
- 10) ACTION ITEMS:



A. League of Oregon Cities Priorities

11) DISCUSSION ITEMS:

- A. Nuisance Abatement Modification | *Tabled until September*
- B. June Financials

12) CITIZEN QUESTIONS & COMMENTS

- ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

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June 25<sup>th</sup>, 2024

**ROLL CALL:** Mayor Craven called the meeting to order at 7:00 p.m. with Council President Chambers, Councilor LaCoste, Councilor Winklepleck, Councilor Humphreys, Councilor Hansen, and Councilor Solberg present. Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver, Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell were also present.

**ABSENT:** None.

**PUBLIC:** Tia Parrish (*The Times*), Ronda Heck, Benjamin Carey, Cam Elder, Laura Rolfe, Mary Lehto, Wayne & Jeana Graham, Lt. Brian Hardy (*Linn County Sheriff's Office*), Melody Nowak, Christine Crowe, Mike Nehls, Toni Reynolds, Summer Stephens, Jaime Gleason, Penny Rosenberg (*Albany Democrat Herald*), Chenoweth Robertson, Joshua Bloomfield, Natalie Wade, Donald Lyon, Katie Craven, Anne Clark, Michelle Micklewright, Mandy Cole, Stephen Brenner, Julie Gerig, Clive Clark, Matt Wyatt, Kerry Shatell, Max Phair-Worthing, Diana Barron, Joan Thompson, Yolanda Tauzer, Kathleen Swayze, Joe DeZurney, Kris Solberg, Adelind Coy, Abe Sword, Leia Landrock, Pamela Solberg, Chuck Smith, Joe Rackley, Melanie Mayne, Michael Crowe, Tricia Thompson, Ashley Flint, Kira Hughes, Paul & Rosann Winther, Lily Giannone, Denise Thornton, Betsy Ramshur, Patrick Starnes, Fitz Howe, Jeff Timpone, Melissa & Fred Selby, Denny & Maureen Robeson, Mike Moshofsky, Norina Columbaro, Krystal & Travis Overvig, Patrick O'Donnell, Colleen Becker, Nancy Hansen, Apollo Annisen, Scott McKee, Michelle Harper, Bill & Shauna Hand, Joni Nelson, Mary Oleri, Jean Chapins, Clyde Reed, Kim Kendall, Rose Kaler, Denise Lovejoy, Sabrina & Geneva Sedlar, Sally Lockhart, Walter & Sharon Beeson, Nancy Greenman, Cheryl Haworth, Fran & George Wepler, Kylie Jones, Terran Sobel-Smith, Wes Enos, Lisa McGinnis, Jolene Thomson, Michael Thomsan, Stevie Beisswanger, Steve Van Sandt, Phebe Howe, Donald J. Nealon III, Takur Conlu (*KVAL, Eugene*), Keith Kolkow, Iris Hodge, George Landrock, Tami Cockeram, Shane Wendell, Matt Shoemaker, Pamela Wright, Adam Tull, Mikayle Stole, Steven Haney, Zack Wright, Claire Gumbs, and Barbara Andersen.

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** Item 6) B. Halsey-Shedd Rural Fire Protection District Chief Travis Hewitt presentation will be tabled, due to being called to a conflagration in Eastern Oregon. Also, Action item 10) D. will be tabled and held for the July meeting.

Mr. McDowell also indicated that microphones have been set up for the folks next door in the listening room, and they are super sensitive. Please refrain from side bar conversations and keep noise to a minimum.

**MINUTES:** Councilor Solberg made a motion to approve the May 23<sup>rd</sup>, 2024, meeting minutes as presented. Councilor Chambers seconded the motion and the motion passed unanimously.

## **PUBLIC HEARING | PRESENTATIONS:**

1. **Budget Public Hearing | FY 2024.2025 | Budget Passage.** Mayor Craven opened the budget public hearing and invited public comment. McDowell reported the Budget Committee had approved levying the full permanent tax rate of \$6.9597 per thousand, levying \$183,225 for the Wastwater Bond Debt, levying \$36,645 for the Water Bond Debt, a 3% Utility Rate increase, the historic use of the State Revenue Sharing for public safety needs, and the continued use of all designated funds and line items contained in the FY 2024.2025 budget document. In conclusion, the committee recommended approving the FY 2024.2025 budget as presented. He also reviewed



the modifications made due to current projects extending into the upcoming fiscal year, including moving \$175,000 to cover the remaining GR12 project, funds for the completion of the Central Linn Rece Center project, and \$2,750 added to the beginning cash balance for the Cemetery Trust Fund which encompasses lot sales for this fiscal year. No public comment was made, and the hearing was closed.

2. **Halsey-Shedd RFPD | Chief Travis Hewitt.** Mr. McDowell stated that this item will be tabled tonight.

**Citizen Comments.** Due to a large audience turnout, Mayor Craven stated that the Citizen Comments section of the meeting will be moved earlier to accommodate the public better. Mayor Craven asked that comments be limited to three minutes per audience member, and asked that citizens would please state their name and address for the public record prior to commenting.

Bill Sattler thanked Mr. McDowell for dealing with a neighboring nuisance situation so quickly and efficiently. Mr. Sattler is concerned with the way the City is handling Canal Company business. He maintains that the Canal Company is a private landowner. They need to be taking care of their own property; the difference here may be that the canal provides drainage through town. The legal process to deal with the situation would be to create a Local Improvement District (LID), which has some protections for folks, and that seems to be the best way to proceed. Sattler says the City should rethink whether this agreement is worth all the strife and trouble it will create. Mayor Craven assured Mr. Sattler that there will be plenty of opportunities for public comments on the issue going forward.

Kathleen Swayze began her comments with a definition of bullying. She further stated that Resolution 718 addresses rules of conduct for City Councilors. This resolution clearly lines out ethical behavior, and is agreed to when the new member takes the oath of office. Swayze stated that Councilor Solberg clearly violated these rules over more than the past year. He and his wife have repeatedly sought out two community members, Joshua Bloomfield and Cam Elder, harassing, baiting, menacing, mimicking, name calling, and yelling at them on city streets, the bar, at the Farmer's Market, and their private property. Clearly this is not one incident, it has happened repeatedly over the year plus. This obsessive, abusive behavior has been witnessed, recorded, and recently reported to the Sheriff. It must stop; Joshua and Cam are the victims here. They just want to live quietly in this small town without harassment and fear. Mrs. Swayze moved here 40 years ago, to this perfect, imperfect little community. We all had different views, politics and beliefs. We chose to find the things we all had in common. We were a welcoming town to all kinds of folks. Consequently, Swayze stated that this kind of alienating, bullying behavior makes her sad, sick, and brokenhearted. She states that there should be consequences for Councilor Solberg's inappropriate behavior. An investigation is needed, and an apology is a small start.

Pam Solberg commented next stating that everyone is here tonight due to an editorial in the Brownsville Times featuring a one-sided editorial. She is asking herself why it was even published. Trapper and Nichole have been attacked many times over a disagreement in a conversation. She has been called ugly names, time and time again. Trapper has not engaged because he is on the City Council, and he knows that he and Nichole have been provoked. Mrs. Solberg believes that if Trapper was not a City Councilor, this would never have been an issue. She is ashamed of anybody behind these attacks. Solberg and her husband have been hairdressers in this community for years. Trapper has had a beauty business for nearly 30 years. Many folks in the beauty business are part of the LGBTIQ+ community. They would have no chance of being successful in the industry if they were homophobic, which is the last thing any of them are. There are always two sides to every story.

Laura Lehto spoke next, stating that she is a friend to all, including Trapper, Cam and Joshua. Ms. Lehto likes these people, she sees them almost daily. These actions were no way to behave to each other. We live in a small community, and every Councilor must represent all of us, or none of us. We can all do better, and she hopes that starts today.



Jeana Graham spoke next stating that she really likes Trapper and Joshua. She referenced an incident where she was accosted, but she didn't write about it in the paper. She stated that folks should be aware that alcohol changes people.

Mandy Cole spoke next, asking for Mr. McDowell to make a joke to ease the tension; there were a lot of strong emotions in the room. Ms. Cole stated that this is a heartbreaking situation. The issue is not a political issue, it is a community issue, maybe a legal issue. It is how we treat each other in Brownsville, and how we expect our elected officials, our leaders, to behave to our citizens, not rudely, offensively, aggressively, or with harassment. There must be consequences when our officials behave in this manner. Ms. Cole stated that she is embarrassed on the City's behalf, and the jeopardy the City may now be in. She stated that with this misbehavior, she would like this Councilor replaced by others that can better represent the best Brownsville has to offer.

Leia Landrock spoke next stating that there are two sides to every story. We are one community, and we need to find healing. She worked for over 20 years as a civil servant. Not once, was she allowed to ever respond with name calling or homophobic slurs, etc. When serving in a civil servant capacity, you need to hold yourself to a higher standard and respond better in the future; this whole situation has been a sad state of circumstances. It is never appropriate to use homophobic or racial slurs. Councilor Solberg encouraged her to watch the video for the real story.

Yolanda Tauzer spoke next with a message of love in honor and recognition of pride month. She and her husband support Brownsville's LGBTIQ+ community and their families and friends; they dearly love and appreciate them. The Navajo concept says that beauty exists within and around us as the light reflects through a rainbow. The symbol of the rainbow is our sovereign communication with the Creator. She would like to say in the spirit of love and compassion and solidarity, to all the beautiful people, happy pride month. May you always reflect your light, may you always speak your truth, and may you always walk in beauty with respect.

Chuck Smith spoke next stating that he has lived in Brownsville for many years. He stated that he has known Trapper since he was born, and has never known him to be disrespectful; he is a courteous, great guy. Mr. Smith believes that this situation is a ploy to get Trapper off Council. Perhaps the sticks and stones adage applies here. He thanked Council for listening, and everyone for being present.

Summer Stevens spoke next stating that she was advised not to come tonight, because nobody is going to listen. She related past experiences with both Trapper and Adam. This community is her roots, but it was hard to grow up here. It is a town of lookers. Her only wish tonight is that Council will hear her message. Ms. Stephens stated that we are messy humans, and alcohol makes us do things that we might not necessarily otherwise do. We need to do better as human beings; how can we come together? She asks that Councilor Solberg own up to his behavior, and apologize. This town has her heart. We need to think of the question, what are we growing here? Is it hate? Is it love? What do we want to support? How can we come together and grow in our togetherness rather than separate and be divisive. Ms. Stephens stated that she hadn't seen the video, but she is asking for Councilor Solberg to own up. She asks that when Councilor Solberg does own up, that people choose to take him into their heart and allow to receive that he is taking that step. Don't berate him, let's come together.

Michael Worthing stated that he owns the Brownsville Fitness Center, and as business owners it is best to stay out of the fray. That said, he thinks the issue is too important, it strikes at the core of who they are, and it is his moral obligation to respond. Mr. Worthing talked about his upbringing, and the best lesson he ever learned was the golden rule. The Brownsville Fitness Center members represent a political, religious cross section of the community. They welcome everyone, but require that they be respectful of one another, and the vast majority of folks are. Those that cannot, or will not follow their rules, are encouraged to find a different gym. It is extremely disappointing to him that our leaders have set a bar much lower than that. Brownsville deserves better.



Dianna Barron stated up front, that she doesn't know the facts, but things seem to accelerate quickly here. She is not political, but is the party of human decency, and it seems that there is lack of decency going on, and that needs to be addressed. City Councilors are held to a higher standard, and she referenced the code of conduct. She is here tonight because of the call to action she received, and she sees that Trapper and his family are being attacked because of their conservative values. Behaviors are a different thing, though. The letter to the editor had one view of things, and she would like to hear the other side as well. It sounds like neither behavior was ok, similar to middle school behavior. Ms. Barron hopes that we can find the human decency among us, and would like an investigation into the situation so that everyone feels respected.

Mike Nehls stated that he just came to listen tonight. He has observed everyone listening very well, except Councilor Solberg who has done a lot of eye rolling. It has been hard to watch that, and empathizes with the situation. He believes that we can have candid conversations in this town. He said that alcohol was involved, and that we should try to make the bar the best place in town!

Christine Crow stated she has lived here for about 2½ years. She stated that testimony tonight stated that alcohol is the cause of the problem. Her background as a counselor believes that, stating that the belief system drives the bad behavior. It is not ok to act out, regardless of alcohol consumption. This behavior should not happen from a Councilor. She would like this to be a community of love and equality.

Julie Barry stated that she worked in this town. It takes two to tango, and it takes two to fix the situation. Trapper deserves some respect and support with all the things said about him and his lovely wife.

Anne Clark echoed Dianna Barron's and everyone else's words tonight. She referenced the code of conduct, oath of office, and implications. Councilor members must practice civility and decorum at public meetings and find common ground with the public. Private encounters should be handled with respectful public officials' conduct as well. Ms. Clark was called to action, and as a citizen is asking for an investigation so that we can all know the truth. Council sets the stage, and you all represent us, and if your behavior is not acceptable to members of the community, it needs to be addressed. (Clark also relayed a personal story that included language that was racially insensitive and has been edited, for that reason, from these minutes.)

Wayne Graham spoke next stating that it sounds like no one knows anything. It sounds like hearsay, a lot of drunk talk from behind the tavern, and he is embarrassed that we are here addressing this.

Lily Giannone spoke next. She has lived here for a few years, happy to be here in Brownsville. Ms. Giannone stated that who she walks with in the world is important, and how we treat other people matters. It is very important to have an ethical and moral code. She was saddened to hear that civil servants who have agreed to represent all of us, which is a special honor, and maybe some people who sit at that table, don't represent all of us. This statement has nothing to do with Councilor Solberg as a person, or a man. She agrees that if individuals have a dispute, they should work it out. Hateful words from somebody in a position of power, that matters. She asked that Councilor Solberg step back and evaluate whether he is capable of holding that power.

Kira Hughes is a new member of the community of only a few months. A few weeks later she attended a Council meeting. She was disappointed that attendance was so low; she was thrilled to see everyone here tonight. Hughes encouraged all to keep coming to Council meetings, so that we all have a role. City Council does represent every single person in Brownsville, no matter what. Hughes said that if a Councilor cannot do that, they should not be on City Council.

Ronda Heck stated she is a bartender at the bar, and part of the LGBTQ+ community. She would like to have no drama at the bar. She stated that Trapper and Nichole have been in the bar twice wearing MAGA hats stating Make America Great Again. She thinks this is unacceptable, because she feels it shows he is not supporting the whole community; that it is his (own) agenda. Ms. Heck asked that he



please not wear that garb in the bar anymore. She further stated that if he is part of the conservative values, then she thinks that Trapper should be ticketed for drinking outside the bar and doing disorderly conduct.

Cheryl Haworth stated that she has been here as long as the Solbergs. Her daughter and Trapper even had ballet lessons together. She has always loved Trapper, and stated he has a wonderful heart. Haworth has heard a lot of things lately about slurs and lewd physical actions that Trapper has taken. She stated that this is not what she wants from Trapper, and that he is way better than that. She stated that Trapper is a wonderful person, and she would like him to be on the Council. She stated Oregon Department of Justice bias description and rules. She stated that under this law, certain behaviors are crimes. Haworth stated that these crimes are serious, and we expect the best of everyone on City Council. We all need to have a good code and she hopes that we can all come together on this.

Iris Hodge stated that she is here today speaking because she wanted Trapper to see her face, further stating that she knows everything that he did. She has seen every video as it occurred over the last 12 months. She further stated that anyone talking about we don't know what happened, is not true. The victims are in this room, and there are witnesses in the bar when you and your friends were talking to the victims in a way that is hate speech, harassment, and derogatory. She is speaking tonight because she does not believe that Trapper represents her. Ms. Hodge quoted from Resolution 718 that talks about the expectations and code of conduct from City Councilors, elected officials, and appointed residents. She stated that this resolution has clearly been violated. She charged the Mayor, City Manager, and others to make sure that appropriate action is taken. Ms. Hodge stated that she is respectfully asking for Trapper and Nichole to step down from their positions because they don't represent us, and their behavior is unbecoming, and it is unacceptable. She further stated that hate speech and lewd gestures were used by Trapper and Nichole in the video. We all love the First Amendment Right, freedom of speech. Ms. Hodge stated that using the *f- \* - \* - t* word is hate speech. She again asked that Trapper step down; it may actually help him in the criminal case and urged his wife to step down as well.

Michelle Micklewright moved here because they appreciated the cooperation in the town. She stated that she sat here tonight watching a man smirking, rolling his eyes, and commenting out of time and out of place, when the City Manager has asked you not to. She said this behavior reminds her of her 10-year-old son. She asked Trapper why this situation is not a serious matter to him? Everyone else seems to think it is.

Abe Sword spoke next stating that he has lived here for 32 years, and he believes that we can learn from this incident. He believes that Trapper can be a leader to these people, and while we are not necessarily here to legislate the incident, we can all be open to learning from it. He stated that when Trapper smirks, talks out of turn, and lacks decorum, that is not it. We are all human, and we can all be better. Mr. Sword stated that there will be a lot to reflect upon from tonight. That will include not shutting people down who are different from you; show that you care with your actions.

Mayor Craven thanked everyone for coming out tonight and expressing their views. He stated that no one is perfect, and we can all be better as people. We are all hoping to move forward and find some common ground; it is not always about politics, but sometimes that is a motivator. Let's move forward together as one Brownsville; we are all Americans. Mayor Craven stated that he has lost friends because he ran for Mayor and the flag that he displays.

Councilor Solberg addressed the comments about his inattentiveness, eye rolling, and unintended gestures. He stated that it is very hard to be passive when folks are saying untruthful things about you, and therein lies the reason for the body language and gestures. As a human being, he is the furthest thing from being against the LGBTQ+ community. He has many, many folks in that community that he calls friends, and they would stand behind him all day long. There were a lot of half-truths told tonight, and he would encourage everyone to watch the video. Councilor Solberg stated that there is a certain person in our crowd that is here to stir things up, therein lies the problem.





Mayor Craven asked for a 5-minute recess.

## **DEPARTMENT REPORTS:**

1. **Linn County Sheriff's Office (LCSO) Report.** Lt. Brian Hardy was present to report May statistics. He indicated a traffic blitz in May comprising 68 traffic stops and 36 citations. Hardy also related an incident of care and compassion by saving kittens crossing a busy highway. He stated that Pioneer Picnic went off without a hitch. LCSO is preparing to cover the July 4<sup>th</sup> fireworks event in the park as well.
2. **Public Works.** Public Works Superintendent Karl Frink reported that Public Works focus has been cleaning up the town, and preparing for summer events. The park hosts arrived last month; however, one person was unable to fulfill their duties due to an injury. A temporary worker was hired to help facilitate mowing and other miscellaneous chores. Public Works has had a mirage of equipment breakdowns, but Staff is working through the issues.
3. **Administration.** Administrator Scott McDowell recapped the progress on the GR12 project. There are some elements that are extending the project into the next fiscal year.

Mr. McDowell reported that he and Mayor Craven recently traveled to Portland to attend a Daily Journal of Commerce award presentation to Woodblock Architecture for the Central Linn Rec Center Renovation project. Tasks still needed to be addressed include landscaping, lighting issues, painting, windows, as built plans, floor issue, and owner manuals. Staff is diligently working to resolve the issues, and trying to get the building to open as soon as possible.

McDowell reminded Council that the Library will be closed this week for annual maintenance.

McDowell reported that the City website is transitioning to a new platform. A major concern will be the elimination of our current building reservation calendar. Drupal and Civic Plus are working on finding a product that will work. The City website is a major way of communication with our citizens.

McDowell touched on Ordinance 805: Abandoned Vehicles Modification coming before Council tonight. State towing laws have changed, which is precipitating this ordinance update. This Ordinance would help LCSO streamline enforcement of towing laws across Linn County. If passed unanimously, this Ordinance can be passed tonight as an emergency.

McDowell reported that he attended a REAL meeting on May 27<sup>th</sup>. Pacific Power is advising folks to consider utilizing generators, especially if medically needed. Fire season is quickly approaching, and with climate challenges and wildfire season, it is likely that more brown outs will be occurring.

McDowell informed Council that extra portable toilets have been ordered for the summer event season, and will be cost-shared with some of our community partners. Light towers have also been ordered for the July 4<sup>th</sup> celebration.

Weed and nuisance abatement season has officially started as of June 1<sup>st</sup>. Abatements have been posted, and Staff would like to thank folks for addressing the situations and bringing their properties back into compliance.

McDowell reported that he has reached out to the River's Edge Homeowners Association to request some mowing and tree maintenance; Phase 3 will begin building out soon.

McDowell remarked that some of Bill Sattler's Canal Company comments made earlier in the meeting are correct. The City and the Canal Company will host a series of town hall meetings and



the community will be invited to address the concerns expressed by Sattler and others through the years.

4. **Planning.** No comments.
5. **Library.** No comments.
6. **Office.** No comments.
7. **Court.** No comments.
8. **Council Comments.** Councilor Chambers commented that she and Mr. McDowell had recently attended the LCSO quarterly meeting. The Sheriff continues to struggle with personnel and is making sure all contract cities receive their hours. The group will hear from District Attorney Doug Marteeny at their next quarterly meeting.

## LEGISLATIVE:

1. **Resolution 2024.09 | Water Rates Annual Adjustments.** *Councilor Humphreys made a motion to approve R 2024.09. Councilor LaCoste seconded the motion and it passed unanimously. Councilor Winklepleck commented that a 3% increase is welcome compared to what it could be.*
2. **Resolution 2024.10 | Sewer Rates Annual Adjustments.** *Councilor Chambers made a motion to approve R 2024.10. Councilor Humphreys seconded the motion and it passed unanimously.*
3. **Resolution 2024.11 | Adopting FY 2024-2025 Budget & Making Appropriations.** *Councilor Chambers made a motion to approve R 2024.11. Councilor Humphreys seconded the motion and it passed unanimously.*
4. **Resolution 2024.12 | Year End Transfers FY 2023.2024.** *McDowell reported that this is end of the year bookkeeping. Several years back the auditor forced the City to move funds from the Cemetery Trust Fund to the General Fund. Brownsville Municipal Code 2.45.010 states that those funds are proprietary and are to be left with the Cemetery Trust Fund. Audited fund balance at the end of 2023 was \$85,322. This number as well as \$2,750 from lot sales from the current year will be reflected in the beginning cash balance in the upcoming 2024.2025 budget document. Staff is making a note of it here for clarity. Councilor Chambers moved to approve Resolution 2024.12 as presented. Councilor Humphreys seconded the motion and it passed unanimously.*
5. **Ordinance 805 | Abandoned Vehicle Modification (Emergency).** *Mr. McDowell stated that this is the first reading for O 805. As stated earlier, state towing laws have changed, which is precipitating this ordinance update. This Ordinance would help LCSO streamline enforcement of towing laws across Linn County. If passed unanimously, this Ordinance can be passed tonight as an emergency and take effect immediately. Councilor Winklepleck moved to approve Ordinance 805 as presented. Councilor Humphreys seconded the motion and it passed unanimously.*

## ACTION ITEMS:

1. **Approve Delinquent Assessments.** *McDowell stated that annually Council attaches delinquent assessment to the tax rolls. These amounts will also be listed on the LB 50 form. Councilor Winklepleck moved to approve the delinquent assessments as presented. Councilor Chambers seconded the motion and it passed unanimously.*



2. **Authorize 2024 General Election Advertisements.** McDowell reported that there will be 3 Council positions open for the fall 2024 election; he will put a notice in the local paper. *Councilor Solberg moved to authorize Mr. McDowell to go forth. Councilor Hansen seconded the motion and it passed unanimously.*
3. **Approve Canal Company Agreement.** McDowell reported that the situation with the Canal Company has been a long, ongoing process – nearly twenty years. The Canal Company nor the City are charging anyone for the service some folks have been receiving for many years; the City has been covering the cost. Replacement of the pumps for the Canal is extremely expensive. The pumps typically start May 15<sup>th</sup> and run through September. The State will often shut down the Canal pumps by August. The draft agreement is not a binding document. It is important to note that there will be some folks not happy about this effort. *Councilor Winklepleck moved to authorize Mr. McDowell to go forth, stating that this has been an ongoing issue since he has been on Council. It is understood that not everyone will be happy with the agreement, but the agreement should ease the City's financial burden. Councilor Chambers seconded the motion and it passed unanimously.*

## **DISCUSSION ITEMS:**

1. **Central Linn School District | IGA.** McDowell reported that the City has worked in conjunction with the School District and the Rec Center for many, many years. This agreement memorializes this cooperation. Dr. Pelt indicated that the agreement will go before the School District Board in August.
2. **North Templeton Street | Possible Request.** McDowell indicated that a property owner on N. Templeton is interested in researching how to get the pavement extended on that street. There are a couple ways to accomplish this. The ball is in the private citizen's court; we may hear more at the July Council meeting.
3. **May Financials.** No comments.

**CITIZEN QUESTIONS & COMMENTS.** Don Lyon made a formal request for a bipartisan study group to meet and review videos concerning Councilor Solberg and others, stating it would be a reality check for both parties.

Patrick Starnes asked about a timeline for trying to figure out how to move forward. McDowell stating that it is unknown just yet, but Staff is extremely busy in July with vacations, budget work, and continuing projects. September may be a more realistic time frame if more review is needed by Council, but the City will try its best to have something as soon as possible.

William Hand informed Council that he had received an abatement notice, and is working on resolving the issues noted.

## **COUNCIL COMMENTS.**

Councilor Chambers stated that it has been wonderful serving with the current Council. They have always shown themselves to be kind, gentlemanly, caring men. Chambers stated that she was very disturbed to witness several members of the public attack Councilor Solberg tonight. He is a decent man.

Councilor Solberg stated that he would like an investigation done against all these allegations. He encouraged everyone to watch the video because the comments tonight did not represent fairly what happened.



Mr. McDowell stated that in reply to Don Lyon and Patrick Starnes comments earlier, this situation has been going on for a while. It is important to remember that the handbook is guidelines. McDowell stated that should an investigation be needed; it will be an internal matter. He will be contacting the City Administrator in the morning and looking for a path to move forward. McDowell also stated that it is evidently clear that everyone here loves Brownsville, and it is profoundly important for us to focus on how to collectively get better and move forward as a community. Situations like this need to be handled in an orderly way, and not convict people in a public arena. Council has experienced many one-sided articles in the news media through the years. Counseling for Councilor Solberg has been impactful and meaningful, his anguish is also palpable.

Councilor Winklepleck commented that the 3% water and sewer rate increases are necessary. Council does weigh these decisions very seriously. The increases are hitting our wallets too.

Councilor Humphreys commented that if his electric and gas bills only went up 3%, he would be happy!

**ADJOURNMENT:** *Councilor Humphreys moved to adjourn at 9:15 p.m. Councilor Winklepleck seconded the motion and it passed unanimously.*

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City Administrator S. Scott McDowell

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Mayor Adam Craven



# City Administrator Report

July 23<sup>rd</sup>, 2024

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

*Enjoy August Recess!*

**Note:** The first section of this report follows the Council meeting agenda and provides an overview of topics to be discussed the night of Council. If an item title is **highlighted in green**, that means the item is part of Council Goals. When you see this symbol, ☒, it means more information will be provided at the meeting.

“Love all, trust a few, do wrong to none.”  
~ William Shakespeare

“I have loved the stars too fondly to be fearful of the night.”  
~ Sarah Williams, Actor

“I stopped worrying about the start. The end is what’s important.”  
~ Usain Bolt, Sprinter



## AGENDA ITEMS DISCUSSION

The following items follow the order of the Agenda

### 6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Friends of Gap Road | Muddy Creek Solar Farm** – Steve Hood and Troy Jones will be presenting their efforts in opposition to the Muddy Creek Solar Farm. To learn more about their efforts, visit <https://www.friendsofgaproad.com/>. Also, please see the document posted on the City’s website at <https://www.ci.brownsville.or.us/citycouncil>. Mr. Jones included the document for Council consideration but due to the length of the document it was posted to the Council’s webpage.
- B. **Cybersecurity Review** – Semi-annually, Staff are required to review cybersecurity related issues to the governing board as part of the CIS Cyber Security Policy that Council was required to adopt by CIS. I will provide a brief overview Tuesday night. I have also placed several articles in the agenda packet FYI.
- C. **City Website Review** – Staff will provide an overview of the City websites.
- D. **Halsey-Shedd Fire Department | Chief Travis Hewitt** | Chief Hewitt will discuss *Community Wildfire Protection Program (CWPP)*. The State of Oregon’s Legislative Assembly backed in part by the Federal Emergency Management Agency (FEMA) have developed two programs that require communities to engage in creating programmatic efforts regarding mitigation efforts for communities prone to natural disasters, Natural Hazards Mitigation Plan



(NHMP), and creating defensible space and fire prevention measures known as the CWPP. Chief Hewitt applied for grant funds and will discuss his plans for those funds.

## 9) LEGISLATIVE

### 10) ACTION ITEMS:

- A. **League of Oregon Cities Priorities** – The League’s priorities are a part of the Council agenda packet. Annually, Council reviews the priorities and asks Staff to submit votes for advocacy positions by the League. The League of Oregon Cities publishes a legislative policy ballot every two years. They are preparing for the upcoming legislative session and are once again asking cities to vote for five (5) of the priorities listed in the report found in the agenda packet. The League compiles the votes and prepares their platform for the upcoming legislative session. I have the full report listed on the Council’s webpage at <https://www.ci.brownsville.or.us/citycouncil>.



### 11) DISCUSSION ITEMS:

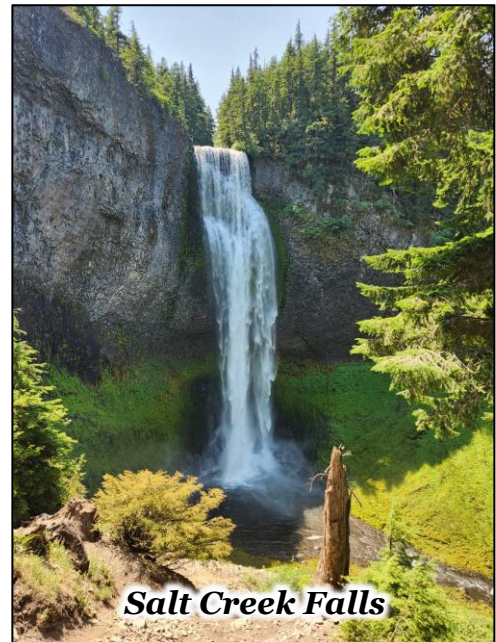
- A. **Nuisance Abatement Modification | Tabled until September** – Councilor Winklepleck asked if I would place a draft of his ordinance idea in the agenda packet for Council review. His draft can be found in the agenda packet. Council will discuss the issue at the September Council meeting.
- B. **June Financials**

## UPDATES, INFORMATION & HAPPENINGS

**Solid Waste Advisory Committee (SWAC)** – I have been appointed to this position by the Linn County Commissioners for many years. I originally stood in for Mayor Ware. The Committee has recently met and made recommendations pertaining to County waste haulers for the upcoming rate season. Inflation, regulatory issues, and supply chain problems continue to drive costs.

**CIS Annual Renewals** – Staff completed the Request For Coverage for the upcoming policy year.

*From 06.25.2024:* Administrative Assistant Jannea Deaver and I attended the annual insurance updates meeting in Florence last week. No major changes in the insurance coverages offered to the City employees this year. The City offers health, dental, vision, and life insurance. Employees have optional choices they can add at their expense including long-term disability, additional life insurance, and flexible spending accounts to name a few.



**Salt Creek Falls**



# City Administrator Report

**Property Insurance Update** ☒ – Staff ensured that all insurance coverages were bound for the upcoming policy year.

*From 06.25.2024:* City Agent Darrin Godfrey reported that premiums are up 11% over last year due to the increases in the CIS Appraisal Report that was recently released. Godfrey shared that many structures over client portfolios are not keeping up with replacement costs for these assets. He expects premiums will continue to increase to cover future potential losses. Godfrey explained that structures are being covered around 50 to 65 percent of the actual replacement cost. Insurance companies are paying double and, in some cases, triple to replace destroyed structures.

**Weeds & Nuisances Update** – Staff is working through many on-going nuisance abatements. The City's mowing contractor has completed all the work in Phase I. It appears that fire season will once again cut short Phase II of weed abatement. Staff will continue to monitor the situation.

*From 06.25.2024:* Administrative Assistant Tammi Morrow and I reviewed all outstanding mowing and have addressed all concerns for Phase I of the City's weed abatement program. There are a few nuisance spots that are being worked on and Staff will do weekly inspections and address issues as they arise. One situation Staff would like to address is the Williams residence that burned down last year. Staff is also working on several nuisance and abandoned vehicle situations around town. Staff would like to thank all residents for doing their part to keep Brownsville safe from fire hazard and to make the town look nice.

**Audit Preparations** – Staff has been busy preparing documents for Raushell Palmer's SingerLewak team that will be coming to audit FY 2023.2024 on August 26<sup>th</sup> through the 28<sup>th</sup>. The sooner everything is loading the quicker the auditor can perform their duties.

**General Ledger** – Staff has entered the FY 2024.2025 budget into the general ledger system.

**Bond Payments** – Staff will the necessary arrangements to meet the bond obligation due by July 1<sup>st</sup>, 2024.

*From 06.25.2024:* Gap financing for the Rec Center Renovation was due June 7<sup>th</sup>, 2024. Staff made arrangements to satisfy this annual obligation. The term was for fifteen (15) years. Staff will review the City's annual bond payment schedule.



**Chamber Events** – *From 06.25.2024:* President Jenna Stutsman agreed to participate in the annual portable units agreement due primarily to Chamber events. Chamber's payment has been made.

*From 05.23.2024:* The City-wide Garage Sale will return this year to Kirk's Ferry park. Ms. Harrison is managing the event for the Chamber of Commerce; this popular event is scheduled for the third Saturday in July, July 20<sup>th</sup>.

**Events Portable Toilets** – *From 05.23.2024:* The City shares the cost of placing additional portable toilets in Pioneer Park with the Chamber of Commerce for the Antique Fair, the Fourth of July, and Rally on the River. Usually the units are added at the very end of June.



# City Administrator Report

**Canal Company Agreement Update** – Council moved forward with Staff collecting information for presenting at a series of joint Town Hall meetings with the Canal Company.

*From 06.25.2024:* The agreement may not be in its absolute final form, however, most of the major tenets have been addressed. Council is being asked to review the agreement and consider moving forward with the next steps of the plan as previously presented to Council.

*From 05.23.2024:* Councilor Chambers and I met with the Canal Company Board on May 16<sup>th</sup>. The general agreement has been reviewed, and terms have been agreed upon. I have sent the agreement to City Attorney Ross Williamson for review. The tentative plan is for Council to review the agreement as early as the June meeting.

*From 05.23.2024:* The City verified through HUB International that coverage is in place for the Mill Race. Public Works Superintendent Karl Frink has started operations.

**REAL Meeting** – I plan to have an oral update for Council.

*From 04.23.2024:* On April 10<sup>th</sup> REAL members met to discuss general business. Time was spent clarifying the survey associated with the Strategic Plan with JayRay who has been hired as part of the new ROI grant. The next meeting is scheduled for May 23<sup>rd</sup>, 2024 to complete the survey as work continues on executing the strategic goals of the group. REAL is continuing their partnership with RAIN. Contracts are being completed. RAIN has received more State funding for entrepreneurship.

**GR12 Waterline** ☒ – City Engineer Ryan Quigley reports that the project should be wrapping up the third week of July. Public Works Superintendent Frink and I will have an update for Council Tuesday evening.

*From 06.25.2024:* The electrical subcontractor has encountered several concerns including equipment delays and additional needs. City Engineer Ryan Quigley identified a major upgrade needed to the Water Treatment Plant's (WTP) PLC, Programmable Logic Controller, so the GR12 Well site and the WTP can properly communicate.

**Woodblock Architecture | Rec Center Renovation Project** ☒ – I have been working with Rob Belkner, Jeff Sackman, and Kyle Marston on resolving flooring issues. Public Works Superintendent Karl Frink has been wonderful finishing up details. The Rec Center's Stephanie Koontz recently held a volleyball clinic in the gym.

*From 06.25.2024:* Arnie from Brandsen Flooring visited with Staff on Thursday, June 13<sup>th</sup>, 2024 to review a concern with the new floor. Staff is awaiting next steps from J.E. John along with other items.

*From 05.23.2024:* Ken Shields, J.E. John, personally came down from Vancouver to finish a few of the punch list items over the last two weeks. The City is still awaiting information from the flooring manufacturer.

**Daily Journal of Commerce Award** – *From 06.25.2024:* The City won a prestigious DJC Top Projects award for 2024. Mayor Craven and I attended the event held in Portland at the Oregon Convention Center. Woodblock Architecture were gracious hosts at the awards and afterwards. The City will receive a replica of the award soon.

**Linn County Sheriff's Office Monthly Report | [G1]** – The City is under contract for 200 hours per month. The eighteen-month average looks like this:





### LCSO Month-to-Month Comparison (18 months)

<u>Year</u>	<u>Month</u>	<u>Citations</u>	<u>Warnings</u>	<u>Hours</u>
2024	May	36	32	200
2024	April	10	22	201.25
2024	March	17	28	209.25
2024	February	19	66	212.75
2024	January	13	34	204
2023	December	11	20	218.25
2023	November	11	25	221
2023	October	26	33	210
2023	September	15	19	203
2023	August	17	12	210.5
2023	July	10	20	208.25
2023	June	7	11	202
2023	May	6	12	224.5
2023	April	6	19	200
2023	March	7	15	208.65
2023	February	13	16	204.25
2023	January	13	34	202
2022	December	12	18	209
	<i>Subtotal</i>	249	436	3748.7
	<b>Total Average</b>	13.83	24.22	208.26

**LCSO Quarterly Meeting** – From 06.25.2024: Personnel continues to be a constant challenge. Currently, there are six openings and with vacations and leaves, the Sheriff is busy paying a lot of overtime hours to ensure that the contract cities are receiving the required service. Duncan thanked the cities for being flexible over the summer, and the language change last year that will provide some much needed relief this year. There have been two separate officer involved shootings that the Office is working through. Labor talks will begin early in 2025. The percentage for wages will definitely go up due to inflation and other economic factors. The contract cities are in the final year of a three-year agreement. The cities gave a rundown of summer events and safety issues. Several cities have experienced vandalism involving restrooms. Sheriff Duncan and McDowell also discussed the possible implications of the Grants Pass case that is being reviewed by the United States Supreme Court. The Court is due to issue a final opinion at the end of June. The group voted to invite Linn County District Attorney Doug Marteeny to the September meeting to discuss Measure 110, deflection, and to take a look at the crime statistics and major law enforcement trends in Linn County and the State of Oregon.



### Small Municipalities Advocacy Coalition (SMAC)

**Small Municipalities Advocacy Coalition (SMAC)** ☒ – The City will soon begin activating the Legislative Advocacy & Policy Committee (LAPC) to review policy positions and prepare for the upcoming long session of the State Assembly.



# City Administrator Report

*From 06.25.2024:* The City recently extended the agreement with Tate Public Affairs. Planning meetings will be happening over the summer months in preparation for the long-session of the State Assembly.

## ACTIVE, PENDING, STALLED & COMPLETED

**Pending: Advertise the November 5<sup>th</sup>, 2024 General Election** – The advertisement will appear for the first time this upcoming week. Petitions are due Friday, August 23<sup>rd</sup>, 2024.

*From 06.25.2024:* The City Charter requires Council to notify the public of a general election by publishing an advertisement. Councilor Chambers, Councilor Winklepleck, and Councilor Humphreys are up for election in November. [...]



**Pending: Central Linn School District IGA** – *From 06.25.2024:* Dr. Candace Pelt plans to finalize the agreement at the August School Board meeting. The City initiated this conversation hoping to create a cooperative agreement between the School District, the City, and the Central Linn Recreation Association for use of public green spaces for youth sports programs.

*From 05.23.2024:* Staff is currently working with Dr. Candace Pelt to craft an agreement that includes the Central Linn Recreation Association in using District owned property for youth sports & programming. For many years, the District and the City have allowed use of public space for a variety of purposes. The time has come to memorialize this in agreement form to ensure that everyone knows what to expect and to ensure cooperation regarding the use of public facilities.

**Completed: North Templeton Street | Possible Request** – The interested party has decided not to pursue this request.

*From 06.25.2024:* Council may receive a request concerning a local improvement assessment as found in Brownsville Municipal Code, Chapter 3.15.

**Pending: TMDL Report** – *From 04.23.2024:* The City received approval for the required DMA Plan just before last Council meeting. Karl Frink and I will give an overview Tuesday evening. The email notification is in the agenda packet for your review.

*From 12.19.2023:* The Department of Environmental Quality's (DEQ) Priscilla Woolverton has contacted the City about the most recent edition of the TMDL. We are awaiting further information.

*From 11.28.2023:* Twice a year the City is required to report on TMDL. The requirements stem from the Clean Water Act passed by the United States Congress. In Oregon, the Department of Environmental Quality (DEQ) administers the program. The basic premise of TMDL contends that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in copious quantities by humans. In March of 2021, the City was deemed a Designated Management Agency (DMA) by the DEQ which required the City to complete a new, more rigorous TMDL plan. DEQ approved the City's plan earlier this year.

**TMDL Five-Year Review:** The City is required to file a five-year report to the Department of Environmental Quality (DEQ) on the TMDL plan. I have placed the questionnaire on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents. [...]



**Active: Water Management Conservation Plan** – Public Works Superintendent Karl Frink is working on installations and repairs to address the adopted plan.

*From 05.23.2024:* Money has been budgeted for the upcoming fiscal year to begin to address the requirements of this plan.

*From 04.23.2024:* Public Works Superintendent Karl Frink and I have budgeted funds for the implementation of this plan. The City has a required timeline for implementation.

*From 01.23.2024:* Public Works Superintendent Karl Frink is working on valve replacements and meter replacements at key points before doing system-wide leak detection project.

*From 10.24.2023:* Staff will begin implementing items as identified by Staff and approved by Council. Items include the adoption of a water conservation ordinance, auditing the water distribution system, and the creation of water filling station.

*From 09.26.2023:* The City finally received the final requirements from the Oregon Water Resources Department for the City’s newly adopted Water Management & Conservation Plan (WMCP). Public Works Superintendent Karl Frink and I have reviewed the document and developed an implementation plan for Council’s consideration as promised at the July Council meeting. The plan can be found in its entirety on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.

This is an unfunded mandate. [...]



**Active: Linn County Housing Rehabilitation Program (LCHRP)** – *From 10.24.2023:* The City collaborates with the communities in Linn County to help low-income homeowners to make improvements to their houses using Federal money (HUD). The City has been a member of this organization for over forty years. Cities take turns being the lead recipient and DevNW manages the funds received. Brownsville had its turn a few years ago. Currently, the City of Lebanon is taking the lead on the current funding request.

- ★ Council authorized election advertisements for the November 2024 Election.
- ★ Council approved and finalized the FY2024.2025 Budget. Staff has delivered the budget to Linn County.
- ★ Council raised utility rates and Staff has implemented those changes.
- ★ Staff advertising for a full-time Public Works Operator.

Respectfully Submitted,

S. Scott McDowell  
City Administrator

Please visit the City website at <https://www.ci.brownsville.or.us> for all kinds of information pertaining to the City’s business & operations.

★ Kirk Avenue History ★ Calapooia Riverbank ★ Plus much more

# PLANNING AT A GLANCE

## July 2024

### Permits *Building, Plumbing, Mechanical, Fence, Etc.*

- |              |   |                |
|--------------|---|----------------|
| • Mechanical | Install AC Unit                               | 841 Pebble St  |
| • Plumbing   | Com 3bas sink, flr drain, hw sk & grease int. | 522 N Main St  |
| • Structural | Foundation Repair                             | 907 Filbert St |
| • Mechanical | Replace Furnace & AC                          | 804 Kirk Ave   |
| • Fence      |   | 117 Worley Ave |

Elizabeth E. Grewson



# LINN COUNTY SHERIFF'S OFFICE

**Michelle Duncan, Sheriff**

1115 S.E. Jackson Street, Albany, OR 97322

Albany, OR. 97322

Phone: 541-967-3950

www.linnsheriff.org

## 2024

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

**FOR THE MONTH OF: JUNE**

<b>TRAFFIC CITATIONS: -----</b>	<b>33</b>
<b>TRAFFIC WARNINGS: -----</b>	<b>51</b>
<b>TRAFFIC CRASHES: -----</b>	<b>1</b>
<b>ARRESTS MADE: -----</b>	<b>2</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED:-----</b>	<b>152</b>

**TOTAL HOURS SPENT:**

**BROWNSVILLE**  
**201 hours**

**CONTRACT HOURS = 200 HOURS**

**Michelle Duncan,  
Sheriff, Linn County**

**By: Sgt. Steven Frambes**



## Library Advisory Board

### *Librarian's Report*

June 2024

Here are a few facts about our Library for the month of June 2024. We have received 60 new books for the library. Volunteers donated 68 hours to our Library. There were 1,029 materials checked out. 291 adult fiction books; 80 adult non-fiction books; 73 audio books; 300 children's books; 194 junior books; 28 junior reference books and 63 large print books. Included with this report are the statistics that have been collected since 2010/11. I find looking at this data very interesting.

There was a total of 235 electronic materials checked out. 151 adult fiction books; 45 adult non-fiction books; and 39 junior books. Of these 93 were eBooks and 142 were eAudiobooks. If you haven't looked into using Libby by Overdrive, I encourage you to check it out!

In June, we held 4 children's programs with 95 participants. We held the Summer Reading Program Kick off at Pioneer Picnic. Magician Jay Frasier came and performed his magician act for about 60 people. It was terrific to hear laughter throughout the audience from children and adults. This program was sponsored by the Brownsville Women's Study Club. There are many programs scheduled this busy. Strengthening Rural Families, Parenting Success Networks and Linn Benton Community College Parenting Education Department will be bringing Summer Squishtivities four times to our Library. Squishtivities is for adults and their children using arts & crafts and 'messy' play to promote problem-solving, fine-motor skills, caregiver/child relationships and creativity! Best for families with children 2 – programs for adults with 16 participants.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sherri Lemhouse".

Sherri Lemhouse  
Librarian

Books Checked Out		Average	2023/24	2022/23	2021/22	2020/21	2019/20	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/12	2010/11
July		1509.60	1281	1848	1344	1375	1428	1412	1524	1487	1808	1760	1629	1355	1515	1231
August		1425.90	1658	1613	1161	1109	1483	1576	1626	1381	1672	1524	1586	1198	1470	1117
September		1260.70	1230	1553	1063	1080	1479	1491	1125	1327	1589	1002	1466	1305	1147	1075
October		1376.00	1192	1265	1160	1321	1501	1247	1397	1414	1280	1673	1504	1472	1374	1078
November		1278.90	1175	1269	1036	1060	1337	1513	1529	1319	1087	1124	1354	1503	1195	1105
December		1210.00	1075	971	942	1082	1229	1145	1240	1312	1317	1337	1309	1165	1298	895
January		1288.40	1092	1428	1191	1169	1314	1161	1466	1363	1330	1398	1477	1194	1266	1060
February		1283.10	1330	1310	1035	1087	1333	1391	1422	1468	1168	1582	1246	1010	1432	1025
March		1380.00	1230	1566	1255	1257	1224	1503	1450	1513	1423	1266	1298	1344	1480	1266
April		1345.70	1236	1108	1286	1286	725	1467	1252	1365	1452	1763	1267	1292	1147	1166
May		1339.50	1496	1496	1332	1130	683	1644	1452	1254	1148	1690	1181	1370	1368	1158
June		1178.50	1029	1104	1481	1074	882	1026	1163	1450	1155	1175	797	1773	1026	1146
<b>Total Print Books</b>		<b>15876.30</b>	<b>15024</b>	<b>16531</b>	<b>14286</b>	<b>14030</b>	<b>14618</b>	<b>16576</b>	<b>16646</b>	<b>16653</b>	<b>16429</b>	<b>17294</b>	<b>16114</b>	<b>15981</b>	<b>15718</b>	<b>13322</b>
eBooks			2220	1171												
<b>Total Books</b>			<b>17244</b>	<b>17702</b>												
Registered Borrower:		219.00	292	262	236	199	221	381	300	284	296	142	163	187	145	91
YTD Patron visits			8638													

Library  
Total Books Patrons Visits

Year	Total Books	Patrons	Visits
2023/24	15024	292	8638
2022/23	16531	262	8126
2021/22	14286	236	6986
2020/21	14030	199	3117
2019/20	14618	221	8224
2018/19	16576	381	11481
2017/18	16646	300	11121
2016/17	16653	284	11480
2015/16	16429	296	10244
2014/15	17294	142	11969
2013	16114	163	13223
2012	15981	187	9868
2011	15718	145	
2010	13322		
2009	14303	329	
2008	11876	0	

**S. Scott McDowell**

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**From:** Troy Jones <mtroyjones@gmail.com>  
**Sent:** Monday, July 15, 2024 8:57 PM  
**To:** admin@ci.brownsville.or.us  
**Cc:** Steve Hood  
**Subject:** Friends of Gap Road - City Council Meeting July 23rd  
**Attachments:** Comments of Friends of Gap Road 23.08.11 copy 2.pdf; Untitled attachment 00097.htm; Muddy Creek Solar FL 2.pdf; Untitled attachment 00100.htm

Hello Scott,

Thank you, and Mayor Craven, for providing Friends of Gap Road the opportunity to address the Brownsville City Council.

As you requested, I have attached a few materials for your City Council Members to review prior to our meeting on July 23rd, 2024. In addition to these materials, the City Council can find additional information in the Oregon Department of Energy Project Order at this link: [https://www.oregon.gov/energy/facilities-safety/facilities/Facilities library/2023-10-06-MCEP-NOI-Project-Order.pdf](https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2023-10-06-MCEP-NOI-Project-Order.pdf) . Council members should pay special attention to the Public Comments section of the ODOE Project Order.

Additionally, we have created a web page, as well as social media links. The Council Members can locate this information at <http://www.friendsofgaproad.com>

Please let me know if you require any additional information prior to the 23rd.

Thanks, again, for all your efforts!

Sincerely,

Troy Jones  
Friends of Gap Road  
541-603-6637

**City Note** | Mr. Jones dropped off the Murphy & Buchal LLP Memo which was prepared for the ODOE. I have placed this document on the City Council webpage due to the length of the document.

**Link:** <https://www.ci.brownsville.or.us/citycouncil>.



# SAVE OUR FARMLANDS!

## The Muddy Creek 'Energy Park' is NOT a park. It is an Industrial Solar Photovoltaic Facility.

The compound would cover over 1,500 acres of highly valued private land zoned for Exclusive Farm Use (EFU), located on Gap Road, 8 miles south of Brownsville in Linn County, Oregon. Along with the solar panels the complex would include a battery storage system, a collector substation, power collection system, 1/2 mile of overhead transmission lines, perimeter fencing, access roads, staging areas and more. **NOT A PARK!**

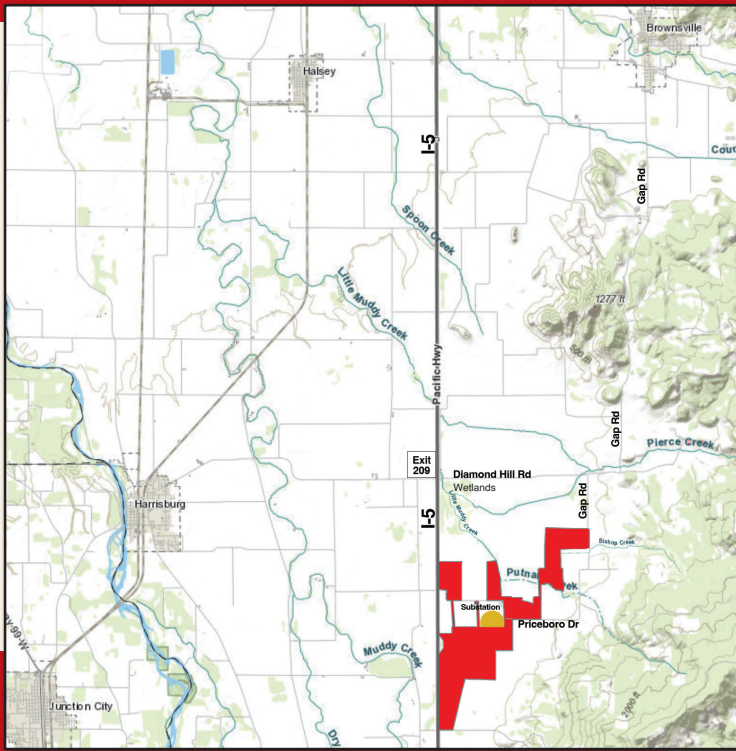
The applicants are a company called Hanwha (South Korea) and Qcells (California).

Their intent is to lease the land for 40 years. On July 25, 2023, a **Public Information Meeting and Notice of Intent** was held in Brownsville City Hall. They started the meeting an hour earlier than scheduled, and many people were unable to attend due to the lack of space in the small city council room. A video of that meeting and comments can be found on **YouTube** at: [www.youtube.com/watch?v=bXACXeIPtjg](http://www.youtube.com/watch?v=bXACXeIPtjg)

There is more information about the 'Energy Park', a project timeline and comments on the ODOE website at: [www.oregon.gov/energy/facilities-safety/facilities/Pages/MCEP.aspx](http://www.oregon.gov/energy/facilities-safety/facilities/Pages/MCEP.aspx)

## MORE MEETINGS WILL BE COMING!

We need your attendance and support to STOP this project and oppose the destruction of our local farmlands! Your presence is crucial to our farmers, families and community. We encourage you to ask respectful and challenging questions at meetings. - Friends of Gap Road



### Points to consider:

- Hanwha & Qcells chose to bypass the land use process in Linn County, by going through the ODOE, showing a lack of understanding or caring about the impact to the local community.
- The site they have chosen is next to wetlands fed by several creeks that run through the property.
- It is a flyway resting place for ducks and geese.
- Agrivoltaic facilities are experimental. Research is still being done on their long term impact/value.
- These solar panels will decrease agricultural productivity on the land.
- It will devalue the farmland and homes in the surrounding communities.
- There is evidence that solar panels have negative consequences to the soil and are a fire hazard.

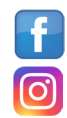


**DON'T LET OUR VALUABLE FARMLAND BECOME THIS!**



**Please help us stop this experiment now, before it comes to your neighborhood!**

For more information on how you can help or to make a donation, go to our website: [FriendsOfGapRoad.com](http://FriendsOfGapRoad.com)



You can also stay up to date on events by following us on Facebook and Instagram at: [Friends Of Gap Road](#)

**S. Scott McDowell**

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**From:** David Hansen <dave.hansen.97327@gmail.com>  
**Sent:** Thursday, June 27, 2024 2:15 PM  
**To:** Brownsville City of  
**Subject:** Solberg situation

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Scott,

I made a few changes after watching the videos. I am comfortable with this being shared with the other members of council and other outlets as you deem appropriate.

6/26/24

I generally refrain from commenting publicly on matters confronting the council because it often seems futile. However, the longer I reflect on the last council meeting the more disturbed I am. Let us be careful lest those of us who proclaim tolerance the loudest become the most intolerant of all. I am reluctant to quote from the Bible because scriptures are often taken out of context or misused. Nevertheless, two passages came to mind after the last council meeting.

‘He that is without sin among you, let him first cast a stone’

&

‘Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother’s eye’.

After reluctantly watching the videos in question and observing the behavior of both parties, another passage came to mind:

‘thou therefore which teachest another teachest thou not thyself? thou that preachest a man should not steal, dost thou steal?’ We would all be well served to have a little less stone throwing and a little more self reflection. How dare any of us hold others to a higher standard than we hold ourselves?

On display at the council meeting was a transparent and politically motivated attack. Trapper & Nicole’s behavior, if as accused, was shameful and the Mayor, Council President and City Administrator will determine if further action is appropriate but their behavior is not what is dividing this community. What is dividing this community and our country is, among other things, the use of identity politics. Identity politics and the promotion of misnomers and euphemisms such as ‘protected classes’ and ‘hate speech’ are very troubling. I apparently was under the misconception that we were living in a country where all people were to be treated with respect and dignity and citizens were entitled to equal protections under the law. That is true inclusivity.

At times, I have felt as though the attack on Trapper has been a by proxy attack on my own beliefs with respect to religion, philosophy, ideology and morality.

As one who professes Christianity, the primary, if not sole purpose of my life is to reflect the love of Christ while here on this earth. Everything else is secondary.

Am I perfect? No, but I have tried to treat everyone in this community with respect and dignity and will continue to do so.

Dave Hansen,  
Brownsville City Council

**S. Scott McDowell**

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**From:** Brian  
**Sent:** Wednesday, June 26, 2024 7:52 PM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Brownsville City Council member

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

Hello, I have watched the videos of what appears to be Brownsville City Council member Trapper Solberg and his wife intoxicated, drinking outside of the Brownsville tavern, using homophobic slurs and gestures. Just wow, after looking at the supposed values of the city of Brownsville's city council members. I would have to say it appears that council member Trapper Solberg is falling extremely short of actually embracing and encouraging the values posted. These particular ones really stands out:

2023-2024 Council Values

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## Council Vision Statement

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and to create a high quality of life for our citizens.

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## A Vision for Brownsville

For a tiny rural Oregon community, Brownsville has a huge presence. It is well-known throughout the state for its friendly welcome and for being a safe, clean, and attractive town. It is clear that residents value its historic character and make special efforts to preserve and enhance it. Talk to business owners in the thriving north and south business areas and you will find that it is the creative working relationships between city government and private, county, state, and federal partners that sustain our economic health and well-being. Residents participate in Brownsville's inclusive process of growing and enhancing our high quality of life. Brownsville citizens care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

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## Tag line

## Who we are?

Brownsville is a City that is proud of its past while constantly improving toward the future for the benefit of our citizens. We are a group of citizens that honor each other by carefully balancing the social contract (Brownsville Municipal Code) to keep peace and order. The Brownsville Municipal Code and Comprehensive Plan help define the role of the City. Organizational transparency is a focus of Council. Council is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute identified goals and carry out the responsibilities of the City.

Brownsville has a tremendous sense of place and synergy between City Hall and our residents. Active citizens are the true strength of Brownsville as evidenced by the volunteers who give freely of themselves to provide many municipal functions and civic services. Many civic organizations implement their missions actively in our community which provides a quality of life and vibrancy that is uncommon. Community events are planned and designed to invite people into town to share what Brownsville has to offer.

Council recognizes that many civic organizations and the City government are working diligently on implementing organizational development concepts in order to more efficiently provide services. Council recognizes that we are in a transition period between an authoritative model and are collectively moving toward a new, participatory approach within the organization and throughout the community.

## What do we want for Brownsville?

Brownsville should honor the past, maintain a healthy present and strive to assure a dynamic future by focusing on fundamental municipal services such as:

2023-2024 Council Values | Final

Page | 1 of 3

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# 2023-2024 Council Values

## Organizational Development

- 1.

Elected & Appointed Officials. People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are

focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.

- 4.

Civil Rights Act of 1964. The City creates an environment of equal access to opportunities for all individuals in Brownsville. The city is committed to equal access through Federal and State laws, but also through local practice principled in the elimination of bias and barriers that may exist in the community and from developing in the City's organization. Council shall continue to consider implications of new and past policies that may create unnecessary barriers for members of minority groups, women, veterans and vulnerable populations.

Council member Trapper Solberg elected or not, has no business being in his current city position. Him and his MAGA hat should immediately recalled from the city council.

Sincerely  
Brian K Daniels

**S. Scott McDowell**

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**From:** Donald Lyon  
**Sent:** Monday, July 1, 2024 8:53 AM  
**To:** McDowell, Scott  
**Subject:** public review of Solberg - Bloomfield incidents

Hello Scott — further to my request at the last Council Meeting about a bi-partisan group to review the Bloomfield videos and your determination that that would not be appropriate, and your decision to review the events with the city attorney, I believe that involving the city attorney would result only in an effort to protect the city from legal proceedings against it. It would not result in building some sort of consensus within the community — which was the main thrust behind the comments of the 23 people who spoke at the Council Meeting. Thank you, by the way, for the Meeting Synopsis and the promise to include the citizen comments in the official minutes.

A bipartisan review committee probably would not work because of the very strong opinions held by both sides. The videos do not, in my opinion, reveal much more than the animosity between the two sides. The videos are an embarrassment to all involved and it is unfortunate that they were shared so widely. The incident that concerns me more is the report that Trapper Solberg drove past the Thursday Market shouting “faggot” at Joshua and Cam. I understand this event is verified by a number of people at the Market and I believe Joshua has other such events recorded that also did not occur while both parties were inebriated.

I don't know if this event rises to “hate crime” level but it does indicate that Trapper Solberg should resign from City Council immediately and should apologize to the community, as well as to the two men he harassed. Since I don't believe the meeting with the attorney will resolve the community's concerns I feel that some sort of a public review is needed.

Can we meet soon to discuss this? Fifteen minutes max. Don

**S. Scott McDowell**

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**From:** Sue Bailey  
**Sent:** Thursday, July 4, 2024 7:44 AM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Trapper Solburg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I have known Trapper and his wife Nicole professionally for 30+ years. I have done business with Trapper for all of these years. He has always been professional and honest. I am so proud of him for standing up and speaking for what is right. Running and being elected to Brownsville City Council to make a positive difference in his community is something I that I know he takes very seriously. These attacks on him and his family I feel are because he will not bend over for treating any group more special than the rest. It seems to me that Special Interests are trying to force him out because he won't capitulate to them. Trapper is the kind of young leader our country desperately needs and I pray you can all see through the agenda that is rearing its head. I would trust Trapper and have his back. You all know that very few have the backbone to stand up to injustice, this young man does. Thank you and please take this into consideration.

Susan Bailey  
Roseburg, OR.,  
Business owner 33yrs.

Page 31 of 62  
The Epoch Times June 28 - July 2

# 6 Things Individuals Can Do to Help Bring America Together

By Lawrence W. Reed



Americans are angry and divided—perhaps more than at any time since the Civil War. Holding strong opinions, especially in defense of truth, is no vice. But failing to bridge our differences and resolve them peacefully is no virtue, either. Here's my "to do" list if you want to be part of the solution instead of the problem.

1. Choose someone you disagree with and start a dialogue. Make friends, even if neither of you changes your mind.
2. Find common ground, avoid epithets, and presume goodwill on the part of others unless and until their actions suggest otherwise.
3. Embrace America as an imperfect, unfinished product—and one whose future depends on a respect for those principles that made it largely free and exceptional in the first place. No country is without flaws, and few countries in world history have accomplished as much for life and liberty as America.
4. Think twice before using political connections and influence to get something you can't secure voluntarily from others in the marketplace. Cronyism diminishes respect for both you and for the free enterprise system it corrupts.
5. Judge every individual by "the

content of his character" and the merit of his actions, not by the group to which he was assigned by birth, origin, faith, color, or politics.

6. Blame the importance of personal character in your life. No society can flourish if it degrades virtues such as honesty, humility, patience, responsibility, tolerance, courage, gratitude, self-discipline, and respect for the lives, rights, property, and choices of others.

7. Choose liberty over power and persuasion over force. Find ways in which you can leave the world not only a better place, but a freer one as well, for life without liberty is both unthinkable and unlivable.

8. Live your life as though politics is but a corner of it, not consumed by it. Recognize the incalculable value of intact families, vibrant and voluntary associations, community engagement, loving relationships, and institutions created and sustained outside the divisive realm of politics.

9. Ask yourself every day, "Am I good enough for liberty?" Then dedicate yourself to self-improvement if you can't honestly answer "yes." Reforming the world starts with reforming oneself.

10. Defend the free speech of all peo-

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City of Brownsville

JUL 15 2024

Clerk \_\_\_\_\_

ple. If you catch yourself attempting to intimidate, shut down, or frighten others into submission, shake it off before the impulse turns you into an actual monster. "I, Ance!" nobody ever! those who insist on canceling others.

11. Reverse truth and the honest search for it. Never let truth be obscured or destroyed by claims that it doesn't matter or that it is nothing more than a subjective whim of the moment. There is no such thing as "his truth" or "her truth," only "the truth."

12. Seek diversity of opinion. Minds that try to stigmatize or close the minds of others or that pretend that color, sex, and religion are all that matter are enemies of the "diversity" that matters most.

13. Love peace more than you love force, conflict, compulsion, and intolerance. Work toward a society in which individuals choose to do right because they want to, not because they're forced to.

14. Reject nihilism, cynicism, and pessimism. People of goodwill and character can shape the future for the better. It's never too soon or too late to start.

15. Learn from history; don't rewrite it. Lessons from the past can make us better people in the future. Don't twist

your underwear into a knot over an old statue. Never allow the poison of "pessimism" to corrupt your perspective.

16. Celebrate the "uncommon." It is the uncommon to whom we owe the greatest debt—those who speak truth to power, invent and innovate, turn failure into success, and add value to society. No one should encourage a child, for example, to aspire to nothing more than "commonness." Respect and encourage the exceptional.

Former U.S. Sen. George Mitchell (D-Maine) once said, "I believe there's no such thing as a conflict that can't be ended. They're created and sustained by human beings. They can be ended by human beings. No matter how ancient the conflict, no matter how hateful, no matter how hurtful, peace can prevail."

I hope he's right. But in any event, no peace of any kind can prevail so long as we nurture conflict within and between ourselves. No peace of any kind can long be imposed from the outside in. It must begin on the inside, as a matter of conscience, one conscientious individual at a time, and then grow outward into a course of action.

These 16 suggestions constitute a course of action for each reader to consider.

From the *Foundation for Economic Education*

Lawrence Reed writes a weekly op-ed for *El American*. He is president emeritus of the *Foundation for Economic Education (FEE)* in Atlanta, Georgia, and is the author of "Real Heroes: Inspiring True Stories of Courage, Character, and Conviction" and the best-seller "Was Jesus a Socialist?"



[< ALL COMMENTARY](#)

WEDNESDAY, JUNE 19, 2024

# 16 Things Individuals Can Do to Help Bring America Together

**Solving the polarization problem begins with our individual choices.**

**Lawrence W. Reed**

Americans are angry and divided—perhaps more than at any time since the Civil War. Holding strong opinions, especially in defense of truth, is no vice. But failing to bridge our differences and resolve them peacefully is no virtue either. Here’s my “to do” list if you want to be part of the solution instead of the problem.

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4. Think twice before using political connections and influence to get something you can’t secure voluntarily from others in the marketplace. Cronyism diminishes respect for both you and for the free enterprise system it corrupts.
5. Judge every individual by “the content of his character” and the merit of his actions, not by the group to which he was assigned by birth, origin, faith, color, or politics.
6. Elevate the importance of personal character in your life. No society can flourish if it denigrates virtues such as honesty, humility, patience, responsibility, tolerance, courage, gratitude, self-discipline, and respect for the lives, rights, property, and choices of others.

7. Choose liberty over power, persuasion over force. Find ways in which you can leave the world not only a better place, but a freer one as well, for life without liberty is both unthinkable and unlivable.
8. Live your life as though politics is but a corner of it, not consumed by it. Recognize the incalculable value of intact families, vibrant and voluntary associations, community engagement, loving relationships, and institutions created and sustained outside the divisive realm of politics.
9. Ask yourself every day, “**Am I good enough for liberty?**” Then dedicate yourself to self-improvement if you can’t honestly answer “yes.” Reforming the world starts with reforming oneself.
11. Revere truth and the honest search for it. Never let truth be obscured or destroyed by claims that it doesn’t matter or that it is nothing more than a subjective whim of the moment. There is no such thing as “his truth” or “her truth,” only “the truth.”
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These sixteen suggestions constitute a course of action for each reader to consider.

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## More By **Lawrence W. Reed**

HISTORY

### **The Good That Jimmy Carter Did**

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JULY 8, 2024 | **LAWRENCE W. REED**

HISTORY

### **The Forgotten European Country with an Unforgettable Name**

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JUNE 10, 2024 | **LAWRENCE W. REED**

POLITICS

### **Is It Time to Hold a Convention of the States to Address the Debt Bomb?**

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MAY 20, 2024 | **LAWRENCE W. REED**



July 17<sup>th</sup>, 2024

**To:** Mayor & Council  
**From:** S. Scott McDowell  
**Re:** Solberg Investigation

Council was asked by a few members of the public and Councilor Solberg, at the June 25<sup>th</sup>, 2024, Council meeting, to investigate incident(s) that transpired at the Brownsville Saloon. The public comments portion of that meeting centered around an editorial published in *The Brownsville Times* on June 20<sup>th</sup>, 2024. Council moved forward with the City Administrator and City Attorney looking into the matter to determine the proper course of action. The City Attorney rendered his opinion which is included in the Council agenda packet for your review.

Staff had previously reviewed three allegations leveled against Councilor Solberg. I consulted with the City Attorney on each allegation. The City has a history of Councilor behavioral issues which is not an uncommon phenomenon in any given city. The concern for the position of City Administrator is to determine whether there are legitimate legal implications to the City for Councilor behavior that could result in meaningful legal action taken against the City. Every Councilor is trained on these issues once elected and then intentionally reminded twice a year or more depending on cases handed down by State and Federal courts.

Beyond the official opinion of City Attorney Ross Williamson, I know it is important to achieve some level of peaceful interaction between citizens and neighbors within Brownsville which is why I have bartered many citizen arbitrations. My part of this investigation, to the chagrin of Mr. Williamson, was to gather the parties to find a peaceful path forward. Staff were unable to make this happen because one party decided that it was in their best interest to seek legal advice and remedy – which we totally respect their decision.

The City is in an untenable position. Regardless of what decision the City makes the City has and will be tried in the court of public opinion; some will agree, and some will not agree with varying opinions in between. Any Council member and appointed official, including the Solbergs, have the right to go to any establishment they wish on their private time. Their private conversations, interactions and business dealings are theirs and theirs alone – unless it poses a legal concern for the City which, in this case, it does not.

Several citizens called for a resolution to this situation that would strengthen and make our community better going forward. I think this thought process is correct. Each one of us had a parent, guardian, or teacher that taught us from an early age that name calling is not okay, and it is not the way we should handle our disagreements. Increasingly over the last ten years, civility has seen a sharp decline in our country. There are many reasons for this decline, however name calling, accusations, veiled threats, and sharp rhetoric have dominated every form of public discourse.

The best, and maybe only thing we can do as individuals of this community, is heed the advice of Mahatma Gandhi, “Be the change you want to see in the world.”

Sincerely,

A handwritten signature in blue ink, appearing to be "SM", written in a cursive style.

S. Scott McDowell, City Administrator

## Memo

**To:** S. Scott McDowell, City Administrator

**From:** Ross M. Williamson, City Attorney

**Date:** July 15, 2024

**Re:** Councilor Conduct

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### Background

As I understand it, Councilor Trapper Solberg and his wife Nichole Solberg were at a local bar in Brownsville one night in May. During their time at the bar, some heated words were exchanged amongst another couple at the bar. At least one version of the events from that night has the Solbergs using derogatory language towards the other couple. There are also other versions of the events.

Linn County law enforcement came to the bar, responding to a call for service. After conducting interviews, the Deputy took no enforcement action.

The interaction and the various versions of the interaction made the rounds on social media and local news. The matter was also a significant subject at a recent Council meeting, drawing public comment and Council discussion.

### Question

Citing to the City's Handbook for elected and appointed officials, you wanted to know whether the City should get involved in this matter and how the City should respond to public calls for an investigation into Councilor Solberg's conduct at the bar.

### Short Answer

In my opinion, there is no conduct at issue here that would call for City action in conducting an investigation or seeking sanctions under the City's Handbook.

S. Scott McDowell, City Administrator

July 15, 2024

Page 2

## **Discussion**

The City has a document titled, "Officials Handbook." I understand that the Council adopted the most recent version of the Handbook in November, 2023. The Handbook covers a wide array of subjects, from ethics, to elected official conduct, to procedures for City meetings.

Included within the Handbook are guidelines for elected officials when acting in private (see conduct with one another "in private encounters" at Handbook pages 4-5). By its own terms, these provisions of the Handbook apply to situations when elected officials are interacting with each other or other City officials outside of public meetings. There is no indication that the Handbook purports to assert control over private interactions about private matters like those at issue here.

In addition, Section III of the Handbook governs elected officials' conduct with the public and is broken up into sections addressing conduct at public meetings and conduct at unofficial meetings. None of these regulations purport to govern a scenario like the one at issue here. Councilor Solberg was not acting as an elected official and there was no City "meeting" taking place at the bar.

As to the scenario before us now, I do not read these Handbook provisions as calling for any City enforcement action; I do not read these Handbook provisions to apply here. Quite simply, in my opinion, the private interactions between a City Councilor and other private parties conducting private business are outside the scope of the Handbook.

I do not see action for the City or Council to take in this matter. The voters of Brownsville can act at the next election when Councilor Solberg is up for election, or they could even press the matter with a recall petition. Otherwise, I see this as a matter that does not involve the City. Councilor Solberg was not acting in his capacity as a City Councilor at the time and there is no allegation that City business was being conducted. In my opinion, this particular scenario is beyond the regulatory reach of the City as set out in the Handbook.

**S. Scott McDowell**

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**From:** Hunt, Suzanne  
**Sent:** Thursday, July 11, 2024 12:44 PM  
**To:** Matt Straite; Kim Johnson; Stacie Cook; City of Lyons; Audrey Whiddon; Larissa Gangle; Briana; Sheena Dickerman; admin@ci.brownsville.or.us; Elizabeth Coleman  
**Subject:** New Tech Fee

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

Hello,

Linn County has implemented a Tech Fee for all forms of payment. The tech fee will automatically be assessed. The fee must be invoiced before the permit can be issued. Linn County has opted to not invoice the Tech Fee for cash or check payments. If you choose to not charge for cash or check payments the fee must be deleted before anything is invoiced. You cannot delete the fee after it has been invoiced.

Please forward to anyone who may need this information. Thank you

Let us know if you have any questions.

Have a great day,



**Suzanne Hunt**  
**Administrative Assistant**  
**Linn County Planning and Building**  
300 SW 4th Avenue | Albany, OR 97321  
Office #: (541) 967-3816 ext. 2254  
Fax #: (541) 926-2060

**S. Scott McDowell**

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**From:** Mike K ]b\_`Yd`YW  
**Sent:** Sunday, June 23, 2024 10:57 PM  
**To:** S. McDowell  
**Subject:** Chronic Nuisance Property City Ordinance Working Copy

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

For discussion

**Chronic Nuisance Property City Ordinance  
Working Copy Example Only and Use For Future Discussion Only - Mike Winklepleck**

For the purposes of this code section, the following definitions apply:

A. **Chronic nuisance property** means property upon which or within 200 feet of which any person associated with the property has three or more separate factual occurrences of the below listed offenses occur during any 90-day period and have been independently investigated by any law enforcement agency:

1. All felony drug offenses as enumerated in ORS [475.840](#) to [475.980](#).
2. Assault, strangulation or menacing as defined in ORS [163.160](#) through [163.190](#).
3. Harassment as defined in ORS [166.065\(1\)\(a\)](#).
4. Disorderly conduct as defined in ORS [166.025](#).
5. Alcohol violations as defined in ORS [471.410\(1\)](#), [\(2\)](#) and [\(3\)](#) and ORS [471.430\(1\)](#) and [\(2\)](#).
6. Intimidation as defined in ORS [166.155](#) through [166.165](#).
7. Public or private indecency as defined in ORS [163.465](#) and [163.467](#).
8. Any sexual offense as defined in ORS [163.305](#) through [163.445](#).
9. Theft as defined in ORS [164.015](#) through [164.140](#).
10. Prostitution or related offenses as defined in ORS [167.007](#), [167.012](#), and [167.017](#).
11. Any attempt to commit as defined in ORS [161.405](#), or conspiracy to commit, as defined in ORS [161.455](#), any of the above offenses.
12. Noise as defined in Brownsville Municipal City Code [9.10.040](#).
13. Unlawful discharge of a weapon as defined in Brownsville Municipal Code [9.20.010](#).
14. Violation of any Brownsville City Code or ORS statute that results in 5 or more total hours of law enforcement time.

B. **Control** means the ability to regulate, restrain, dominate, counteract or govern conduct that occurs on that property.

C. **Owner** means any person, agent, firm or corporation having a legal or equitable interest in a property. Owner includes, but is not limited to:

1. A mortgagee in possession in whom is vested:
  - a. All or part of the legal title to the property; or
  - b. All or part of the beneficial ownership and a right to present use and enjoyment of the premises; or
  - c. An occupant who can control what occurs on that property.

D. **Permit** means to suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.



E. **Person** means any natural person, agent, association, firm, limited liability company, partnership, corporation, or other entity capable of owning or using property in the City of Bend.

F. **Property** means any real property including land and that which is affixed, incidental or appurtenant to land, including but not limited to any premises, room, house, building or structure or any separate part or portion thereof, whether permanent or not. [Ord. NS-2142, 2010]

**Procedure.**

When the Linn County Sheriff's department believes in good faith that the property within the City of Brownsville has become chronic nuisance property, he/she shall:

A. **Notify** the owner(s) of record in writing that the property has been determined to be chronic nuisance property. The notice shall contain the following information:

1. The street address and a legal description sufficient for identification of the property.
2. A statement that the Linn County Sheriff's department has found the property to be chronic nuisance property with a concise description of the conditions leading to his/her findings.
3. A copy of the notice shall be served on the occupant of the property if that person is different than the owner.
4. Include a copy of potential fines if issue continues.

B. **Assess Fine(s)** On any subsequent of 4 or more occurrences in a 90 day period a fine of \$250 shall be imposed for each occurrence to not exceed \$500 per calendar month.

**—The Section Drafted from our EXISTING Nuisance Abatement code 8.30.190 related to Nuisances including Weeds etc.... with some small changes—**

1. The City Recorder shall forward to the owner and the person responsible by mail, by hand-delivery or by posting on the subject property a notice stating:

- a. The total fine(s) assessed, including the administrative overhead.
  - b. That the cost as indicated will be assessed to and become a lien against the property unless paid within 30 days from the date of the notice.
  - c. That if the owner or the person responsible objects to the fine as indicated, a notice of objection may be filed with the City Recorder not more than five days from the date of the notice.
- C. Council, in the regular course of business, shall hear and make a decision on the objections to the fine assessed.
- D. If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs, as stated or as decided by the Council, shall be entered in the docket of City liens by the City Recorder. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.
- E. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the rate of interest determined by the Council at the time the assessment is entered in the lien docket. The interest shall begin to run 10 days after the date of entry of the lien in the lien docket.
- F. An error in the name of the owner or the person responsible or a failure to receive the notice of the proposed assessment will not void the assessment, and it shall remain a valid lien against the property. [Ord. 772, 2018; Ord. 588 § 50, 1989; 1981 Compilation § 4-5.50.]

***Brownsville EXISTING Code related to Nuisances Abatement 8.30.190 Assessment of costs.***

A. The City Recorder shall forward to the owner and the person responsible by mail, by hand-delivery or by posting on the subject property a notice stating:

1. The total cost of abatement, including the administrative overhead.
2. That the cost as indicated will be assessed to and become a lien against the property unless paid within 30 days from the date of the notice.

3. That if the owner or the person responsible objects to the cost of the abatement as indicated, a notice of objection may be filed with the City Recorder not more than five days from the date of the notice.
- B. Council, in the regular course of business, shall hear and make a decision on the objections to the costs assessed.
- C. If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs, as stated or as decided by the Council, shall be entered in the docket of City liens by the City Recorder. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.
- D. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the rate of interest determined by the Council at the time the assessment is entered in the lien docket. The interest shall begin to run 10 days after the date of entry of the lien in the lien docket.
- E. An error in the name of the owner or the person responsible or a failure to receive the notice of the proposed assessment will not void the assessment, and it shall remain a valid lien against the property. [Ord. 772, 2018; Ord. 588 § 50, 1989; 1981 Compilation § 4-5.50.]

## ***Bend Municipal City Code EXAMPLE***

### **5.45.005**

#### **Chronic Nuisance Property.**

For the purposes of this code section, the following definitions apply:

- A. **Chronic nuisance property** means property upon which or within 200 feet of which any person associated with the property has three or more of the below listed offenses occur during any 30-day period as a result of three separate factual incidents that have been independently investigated by any law enforcement agency:
  1. All felony drug offenses as enumerated in ORS [475.840](#) to [475.980](#).
  2. Assault, strangulation or menacing as defined in ORS [163.160](#) through [163.190](#).
  3. Harassment as defined in ORS [166.065\(1\)\(a\)](#).
  4. Disorderly conduct as defined in ORS [166.025](#).
  5. Alcohol violations as defined in ORS [471.410\(1\)](#), [\(2\)](#) and [\(3\)](#) and ORS [471.430\(1\)](#) and [\(2\)](#).
  6. Intimidation as defined in ORS [166.155](#) through [166.165](#).
  7. Public or private indecency as defined in ORS [163.465](#) and [163.467](#).
  8. Any sexual offense as defined in ORS [163.305](#) through [163.445](#).
  9. Theft as defined in ORS [164.015](#) through [164.140](#).
  10. Prostitution or related offenses as defined in ORS [167.007](#), [167.012](#), and [167.017](#).
  11. Any attempt to commit as defined in ORS [161.405](#), or conspiracy to commit, as defined in ORS [161.455](#), any of the above offenses.
  12. Violation of BC Chapter [5.50](#), Noise.
  13. Unlawful discharge of a weapon as defined in BC [5.40.040](#).
- B. **Control** means the ability to regulate, restrain, dominate, counteract or govern conduct that occurs on that property.
- C. **Owner** means any person, agent, firm or corporation having a legal or equitable interest in a property. Owner includes, but is not limited to:
  1. A mortgagee in possession in whom is vested:
    - a. All or part of the legal title to the property; or
    - b. All or part of the beneficial ownership and a right to present use and enjoyment of the premises; or
    - c. An occupant who can control what occurs on that property.
- D. **Permit** means to suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.
- E. **Person** means any natural person, agent, association, firm, limited liability company, partnership, corporation, or other entity capable of owning or using property in the City of Bend.

F. **Property** means any real property including land and that which is affixed, incidental or appurtenant to land, including but not limited to any premises, room, house, building or structure or any separate part or portion thereof, whether permanent or not. [Ord. NS-2142, 2010]

**5.45.015**

**Remedy.**

A. In the event a court determines property to be chronic nuisance property, the court may order that the property be closed and secured against all use and occupancy for a period of not less than 30 but not more than 180 days, or the court may employ any other remedy deemed by it to be appropriate to abate the nuisance.

B. In addition to the remedies provided for in subsection (A) of this section, the court may impose upon the owner of the property a civil penalty in any amount up to \$100.00 a day, payable to the City, for each day the owner had actual knowledge that the property was chronic nuisance property and permitted the property to remain chronic nuisance property.

C. In determining what remedy or remedies to employ, the court may consider evidence of other conduct which has occurred on the property. [Ord. NS-2142, 2010]

**5.45.020**

**Procedure.**

When the Chief of Police believes in good faith that the property within the City of Bend has become chronic nuisance property, he/she shall:

A. Notify the owner(s) of record in writing that the property has been determined to be chronic nuisance property. The notice shall contain the following information:

1. The street address and a legal description sufficient for identification of the property.
2. A statement that the Chief of Police has found the property to be chronic nuisance property with a concise description of the conditions leading to his/her findings.
3. A statement that the owner shall have the opportunity to respond to the notice, within 15 days from the date of the notice, describing what steps the owner has taken or will take to remedy the chronic nuisance on the property.
4. If the owner's response to the notice is not satisfactory to the Chief of Police, or if the owner does not respond, then another copy of the notice shall be served on the owner and their agent, if known, at least 10 days prior to the commencement of any judicial action by the City. Service shall be mailed certified mail, return receipt requested, postage prepaid, addressed to such person at the address of the property believed to be a chronic public nuisance property, and to such other address as shown on the tax rolls of the County in which the property is located or such other place which is believed to give the owner actual notice of the determination by the Chief of Police.
5. A copy of the notice shall be served on the occupant of the property if that person is different than the owner and shall occur not less than 10 days prior to the commencement of any judicial proceedings and be made either personally or by mailing a copy of the notice by certified mail, return receipt requested, postage prepaid, to them at the property.
6. A copy of the notice shall be posted at the property prior to the commencement of any judicial proceedings.
7. The failure of any person or owner to receive actual notice of the determination by the Chief of Police shall not invalidate or otherwise affect the proceedings under this chapter. [Ord. NS-2142, 2010]

**5.45.025**

**Commencement of Actions – Burdens of Proof – Defenses – Mitigation of Civil Penalty.**

A. In an action seeking the closure of a chronic nuisance property, the City shall have the initial burden of proof to show by a preponderance of the evidence that the property is chronic nuisance property.

B. It is a defense to an action seeking the closure of chronic nuisance property that the owner of property at the time in question could not, in the exercise of reasonable care or diligence, determine that the property had become chronic nuisance property, or could not, in spite of the exercise of reasonable care and diligence, control the conduct leading to the finding that the property is chronic nuisance property.

C. In an action seeking civil penalties pursuant to BC [5.45.015\(B\)](#) the City shall have the initial burden of proof to show by a preponderance of the evidence that the conditions of that subsection are satisfied.

D. In establishing the amount of any civil penalty requested, the court may consider any of the following factors, as they may be appropriate, and shall cite those found applicable:

1. The actions taken by the owner(s) to mitigate or correct the problem at the property;

2. Whether the problem at the property was repeated or continuous;
3. The magnitude or gravity of the problem;
4. The cooperativeness of the owner(s) with the City;
5. The cost to the City of investigating and correcting or attempting to correct the condition;
6. Any other factor deemed by the court to be relevant. [Ord. NS-2142, 2010]

**5.45.030**

**Closure during Pendency of Action – Emergency Closures.**

In the event that it is determined that the property is an immediate threat to the public safety and welfare, the City may apply to the court for such interim relief that is deemed by the City Attorney to be appropriate. In such an event the notification procedures set forth in BC [5.45.020](#) need not be complied with. [Ord. NS-2142, 2010]

**5.45.035**

**Enforcement of Closure Order – Costs – Civil Penalty.**

A. In the event that a court finds that property constitutes chronic nuisance property as defined in this chapter, the court may order the remedies set out in BC [5.45.015\(A\)](#). In addition, in the event that it also finds that the owner had knowledge of activities or conditions at the property constituting a violation of this chapter and nonetheless permitted the activities to occur, the court may utilize the penalties provided for in BC [5.45.015\(B\)](#).

B. The court may authorize the City to physically secure the property against use or occupancy in the event that the owner(s) fail to do so within the time specified by the court. In the event that the City is authorized to secure the property, all costs reasonably incurred by the City to affect a closure shall be made an assessment lien upon the property.

1. The City Department(s) affecting the closure shall prepare a statement of costs and the City shall submit that statement to the court for its review. If no objection to the statement is made within the period prescribed by Oregon Rules of Civil Procedure 68, a certified copy of the statement, including a legal description of the property, shall be entered in the City's lien docket.

2. Liens imposed by this chapter shall be collected in all respects as provided for street improvement liens, and shall bear interest at the rate of nine percent per year from 10 days after the entry in the lien docket.

3. Any person who is assessed the costs of closure and/or a civil penalty by the court shall be personally liable for the payment to the City. [Ord. NS-2142, 2010]

Mike Winklepleck



## **U.S. Supreme Court Rules in Favor of Cities in Grants Pass v. Johnson**

Earlier today, the United States Supreme Court released its [opinion](#) considering the question of whether the city of Grants Pass's ordinance regulating public property by prohibiting activities such as camping or parking overnight on city property or parks violated the U.S. Constitution's Eighth Amendment, particularly as it relates to people experiencing homelessness. The court held that it does not.

In a 6-3 opinion, the majority reversed and remanded the case. The court concluded that the cruel and unusual clause in the U.S. Constitution's Eighth Amendment does not extend to the enforcement of generally applicable laws, such as public camping ordinances regulating public property. Further, the court concluded that Grants Pass's public camping ordinance does not criminalize the status of being homeless; rather, it prohibits specific actions, for example camping, undertaken by any persons.

Now that the U.S. Supreme Court has ruled on *City of Grants Pass v. Johnson*, the LOC's focus as a member service organization will be to understand what the law does, how it impacts our member cities, and what actions we need to take in support of our members. Given the complicated nature of this issue from a legal and policy perspective, LOC attorneys are reviewing the decision and will be consulting with their colleagues in municipalities across the state before issuing guidance and/or recommendations.

The Supreme Court opinion cited and relied upon the LOC's *Amici Curiae* brief numerous times throughout the opinion. The LOC would like to thank the team at Markowitz Herbold PC, specifically Anit Jindal, Harry



Wilson, and Stephen Deatherage, for their excellent work on this case. The LOC will continue tracking this matter while on remand.

The LOC staff, like the U.S. Supreme Court, recognizes and respects that homelessness is a complicated social, political, legal, and moral issue that cities have been grappling with for several years. There is no one-size-fits-all solution for this issue—either for those individuals experiencing homelessness or for those stakeholders working to address the effects of homelessness in their communities. The LOC will continue to support and assist its member cities as they work to identify solutions to preventing and addressing homelessness.

**Contact:** Jayme Pierce, General Counsel - [jpierce@orcities.org](mailto:jpierce@orcities.org); Robin Klein, Assistant General Counsel - [rklein@orcities.org](mailto:rklein@orcities.org).

*Last Updated 6/28/24*



# Oregon

Tina Kotek, Governor



## Liquor & Cannabis Commission

9079 SE McLoughlin Blvd.  
Portland, Oregon 97222-7355  
503-872-5000  
800-452-6522  
[www.oregon.gov/olcc](http://www.oregon.gov/olcc)

July 1, 2024

Several months ago, the Oregon Liquor and Cannabis Commission (OLCC) launched a new on-line licensing system. The first phase of the [Cannabis and Alcohol Management Program \(CAMP\)](#) transitioned OLCC recreational marijuana licensees into **CAMP**.

The second phase of **CAMP**, **beginning August 12, 2024, will transition alcohol licensees** into OLCC's new licensing system. This document outlines how the transition to **CAMP** will affect local governments' endorsement processes, what forms will change, and how applicants and licensees will be navigating these new processes with local governments and the OLCC.

Going forward, OLCC alcohol licensees will use **CAMP** to manage their licensing activity, eliminating most paper requirements needed for existing or new alcohol licenses. This will change the approval process and paperwork concerning local government endorsements. **CAMP** will provide licensees more immediate access to their license information than they have with OLCC's current licensing system.

**Beginning August 12, 2024, OLCC will no longer accept paper applications** for new annual licenses, changes to existing annual licenses, or special event licenses. License renewals also will be managed online in **CAMP**. The **CAMP** system will accept electronic payment via debit or credit card, or digital checks via an ACH payment.

Information on the **CAMP** system for alcohol licensing can be found here at our **CAMP** website:  
<http://camp.olcc.online>

### Local Government Endorsements for New Annual Liquor Licenses

To complete the requirements for obtaining a new alcohol license, OLCC customers will still need to obtain local government approval. OLCC's documentation for that process is changing. The OLCC has created a new local government endorsement form for annual license applications.

**Beginning August 1, 2024**, the endorsement form will be available on the OLCC website on the agency's [CAMP](#) and [Alcohol Licensing](#) pages. The new annual liquor license endorsement form will include approval instructions for local governments, including a description of acceptable digital or physical forms of endorsements. A description of an alternative form of an acceptable written endorsement that meets OLCC requirements will also be included.

The endorsement form provides information fields for the applicant to supply the applicant's name, address, and license type, as well as a general outline of the type of business the applicant plans on conducting at the location.

### Local Government Endorsements for Special Events

The OLCC has created a new local government endorsement form for special events applications. **Beginning August 1, 2024**, the endorsement form will be available on the OLCC website on the agency's [CAMP](#) and [Alcohol Licensing](#) pages.

The new special events endorsement form will include approval instructions for local governments, including a description of acceptable digital or physical forms of endorsements. A description of an alternative form of an acceptable written endorsement that meets OLCC requirements will also be included.

The new special events endorsement form includes information fields describing the nature of the event itself, however it will differ from the OLCC's current special event paper application.

### Local Government Endorsements for Annual Licensing Renewals

Beginning August 12, 2024, OLCC will direct annual licensees *to first submit* their renewal to the OLCC. After OLCC has initially processed the renewal, licensees should *then submit* their endorsement request to their local government.

Once a licensee has submitted their renewal to the OLCC, the **CAMP** system will auto-fill the application form, making it suitable for downloading and printing. The OLCC pre-filled application will be ready for licensees to submit to their local government for endorsement review.

A local government won't be required to submit an endorsed application to the OLCC; a local government is statutorily required to submit a license application ***only if the local government is not endorsing*** a license renewal.

### Licensing Forms Available on [OLCC website](#)

After July 31, 2024, OLCC's current downloadable paper forms will be replaced with new forms that integrate with the **CAMP** system.

The existing forms will be replaced with new licensing forms that OLCC will use for licensing activity in **CAMP**. For annual licensing, this includes but is not limited to, the new Local Government Endorsement Forms, Floor Plan, and Business Information Form.

For Special Events, this includes but is not limited to, the new Local Government Endorsement form, new Operational Plan form (which replaces our old Plan to Manage & Operational Plan forms) and Outdoor Event Map forms.

If your local government website currently links to OLCC licensing forms, your agency should update any existing website descriptions and weblinks to OLCC's new forms starting August 1, 2024.

The OLCC understands that local government endorsement activity on OLCC's current paper forms may be taking place during the transition to **CAMP**. OLCC will accept local government endorsements on the current forms, even after **CAMP** launches on August 12<sup>th</sup>. For this specific group of "transition" applicants, please instruct them to upload the local government endorsement as part of their online application. *If an applicant*



*starts their license renewal before the transition, and it is not completed by August 12, 2024, they will need to complete the application in CAMP.*

If a local government requires more information from applicants for its approval process, and that information is not already a part of OLCC's updated forms, the local government may produce its own application forms and provide them to applicants for completion and submission.

### September 2024 (District 4) Renewals

The August 12, 2024, **CAMP** transition date will disrupt the normal renewal timeline for annual licenses (in District 4) that expire on September 30, 2024. The OLCC will not send out paper renewal forms to this group with expiring licenses. Those renewals will need to be performed in **CAMP** after August 12, 2024.

In July 2024, instead of mailing renewal paperwork to expiring licensees, the OLCC will provide the District 4 licensees with a document describing a one-time alternative renewal process. The District 4 licensee document will also serve as the documentation these licensees can submit to local governments to begin their endorsement review, if the licensee needs to submit information to OLCC prior to the August 12, 2024, transition. The District 4 document will have additional instructions specific to this year's renewal process.

### Licensing Fees Stay the Same

With the launch of **CAMP**, the OLCC will not change the fees charged for any licensing actions including fees charged by local governments for endorsements. As a reminder, under ORS 471.311, the maximum fees local governments are allowed to charge for endorsement applications are:

- Application Processing Fee: \$25
- Application for New Annual License: \$100
- Change of Ownership/Change of Location/Change in Privilege Application: \$75
- Renewal Application: \$35
- Special Event Application: \$35

### Help OLCC spread the word for the launch of our **CAMP** system

Please help OLCC make licensees and potential applicants aware of the transition to our new online system. Licensees can be directed to our **CAMP** website at <http://camp.olcc.online>.

Some key takeaways that we are sharing with licensees about **CAMP** include:

- Accepts online payments, including debit & credit card payments
- Tracks license applications online
- Renew license online
- Email Notifications
- Reduces and eliminates paper forms/process

Please continue to check our [CAMP website](http://camp.olcc.online) for further details as we get closer to the launch date. If you have any questions on any of the topics of this email, please email us at [OLCC.CAMP@olcc.oregon.gov](mailto:OLCC.CAMP@olcc.oregon.gov) or call/leave a voicemail for us at 1-503-872-5000.



**REASONS WE MAY DENY OR RESTRICT A LICENSE**  
**ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322**  
**845-005-0325, 845-005-0326(4)(5) or 845-005-0355**

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC **can** consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location.

The problems can include:

- Obtrusive or excessive noise, music or sound vibrations
- Public drunkenness
- Fights or altercations
- Harassment
- Unlawful drug sales
- Alcohol or related litter

OLCC is **not** able to consider the following issues when deciding to renew a liquor license:

- Lack of parking
- Increase in traffic
- Too many licenses in a specific area (saturation)
- Entertainment type - nude dancing, gambling, live bands, etc.
- Increased noise
- Zoning issues

Visit [www.oregon.gov/olcc/](http://www.oregon.gov/olcc/) to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

## S. Scott McDowell

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**From:** RENEWALS olcc \* OLCC <olcc.renewals@olcc.oregon.gov>  
**Sent:** Monday, July 1, 2024 10:04 AM  
**To:** RENEWALS olcc \* OLCC  
**Subject:** OLCC Pre-Renewal Notice - District 4  
**Attachments:** Denial Criteria Doc.pdf

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

Hello,

Liquor licenses assigned to **District 4** will be up for renewal soon, which may include licenses in your area. Liquor licenses for **District 4** are due to expire **09/30/2024**. This notice provides below the instructions of how to electronically generate the list of liquor licenses relevant to you for this license renewal period, as well as instructions on how to recommend approval or denial.

### INSTRUCTIONS:

Use the below hyperlink to access the license database and use the appropriate filters on the left-hand side described below to generate the list of your area specific licenses we are requesting endorsement for. Instructions for filtering that list to generate the specific licenses in your area are below:

1. Access the webpage found here:  
<https://data.olcc.state.or.us/t/OLCCPublic/views/LiquorLicenseeList/Dashboard?%3Aembed=y&%3AisGuestRedirectFromVizportal=y>
2. In Filter Category: **Effective and Expiration Dates**; select the option **Expiring within next 90 days**
3. In Filter Category: **License Type**; check only the options: **BP, F-CAT, F-CLU, F-COM, F-FPC, F-PC, F-PL, L, and O.** (per OAR 845-005-0360, only these license types require LGB endorsement on renewal)
4. In Filter Category: **City/County**; select only the option of the specific city or county you represent.
5. This will generate your list of licenses about to expire. If you wish to export that list, use the options below the left-side filters to export the list in the format of your choosing.

**\*\*NOTE\*\* This notification is not dependent on your local government having renewing licenses for this upcoming renewal period.** This notice is being sent to all jurisdictions, and you may have licenses up for renewal for more than one district period per year. Please use this time to check if you have upcoming renewals for this renewal period. If you have no upcoming renewing licenses for this upcoming renewal period, you can ignore this notification.

### HOW TO MAKE A RECOMMENDATION

**You have until 08/30/2024 to make your recommendation. Below are your options for renewals:**

#### RECOMMEND APPROVAL

**1. DO NOTHING.** If you do not submit a recommendation by **08/30/2024**, the OLCC will process the renewal application as a favorable recommendation.

#### RECOMMEND DENIAL (see additional information attached as a PDF)

1. File an unfavorable recommendation, stating the grounds for the unfavorable (must meet denial criteria on attached PDF); **OR**
2. Make a written request for additional time to complete an investigation. The request must state:
  - A) You are considering making an unfavorable recommendation;
  - B) The specific grounds being considered.

**The grounds must be one referenced in Oregon Administrative Rule 845-005-0308(3).** If your request is granted you will be given a 45-day extension to file your unfavorable recommendation. Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

**RECORDS UPDATE REQUEST**

If your address for liquor license renewals, contact email address, or renewal fees have changed, please notify us via email to [olcc.generalinfo@oregon.gov](mailto:olcc.generalinfo@oregon.gov)

**CONTACT INFORMATION:**

If you need assistance or would like to discuss a specific application, please contact your local OLCC office, or our general line at 503.872.5000 so we can best rout your inquiry. Please send renewal recommendation correspondence to [OLCC.Renewals@oregon.gov](mailto:OLCC.Renewals@oregon.gov) or OLCC License Renewals, P.O. Box 22297, Portland, OR 97269-2297. If you have questions, contact our license renewal section at 503.872.5138.

Thank you,

**Jessica Buzikowski**

License Renewal Coordinator

Call 503-872-5138

Oregon Liquor and Cannabis Commission ([OLCC](http://OLCC))

Schedule: 8am – 5pm Monday through Friday

Alcohol Licensing Contacts:

- Questions about obtaining a liquor license: [olcc.alcohollicensing@oregon.gov](mailto:olcc.alcohollicensing@oregon.gov)
- Renewing your current alcohol license: [olcc.renewals@oregon.gov](mailto:olcc.renewals@oregon.gov)
- Planning a special event or needing a temporary sales license: [olcc.specialevents@oregon.gov](mailto:olcc.specialevents@oregon.gov)
- Looking for your service permit: [olcc.servicepermits@oregon.gov](mailto:olcc.servicepermits@oregon.gov)
- Other questions or concerns: [olcc.generalinfo@oregon.gov](mailto:olcc.generalinfo@oregon.gov)



**S. Scott McDowell**

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**From:** CAMP Olcc \* OLCC <OLCC.CAMP@oregon.gov>  
**Sent:** Tuesday, July 2, 2024 10:28 AM  
**To:** Undisclosed recipients:  
**Subject:** CAMP LGB Letter  
**Attachments:** CAMP LGB Letter Final -rev.pdf

**July 1, 2024**

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### **September 2024 (District 4) Renewals**

The August 12, 2024, **CAMP** transition date will disrupt the normal renewal timeline for annual licenses (in District 4) that expire on September 30, 2024. The OLCC will not send out paper renewal forms to this group with expiring licenses. Those renewals will need to be performed in **CAMP** after August 12, 2024.

In July 2024, instead of mailing renewal paperwork to expiring licensees, the OLCC will provide the District 4 licensees with a document describing a one-time alternative renewal process. The District 4 licensee document will also serve as the documentation these licensees can submit to local governments to begin their endorsement review, if the licensee needs to submit information to OLCC prior to the August 12, 2024, transition. The District 4 document will have additional instructions specific to this year's renewal process.

### **Licensing Fees Stay the Same**

With the launch of **CAMP**, the OLCC will not change the fees charged for any licensing actions including fees charged by local governments for endorsements. As a reminder, under ORS 471.311, the maximum fees local governments are allowed to charge for endorsement applications are:

- Application Processing Fee: \$25
- Application for New Annual License: \$100
- Change of Ownership/Change of Location/Change in Privilege Application: \$75
- Renewal Application: \$35
- Special Event Application: \$35

### **Help OLCC spread the word for the launch of our CAMP system**

Please help OLCC make licensees and potential applicants aware of the transition to our new online system.

Licensees can be directed to our **CAMP** website at <http://camp.olcc.online>.

Some key takeaways that we are sharing with licensees about **CAMP** include:

- Accepts online payments, including debit & credit card payments
- Tracks license applications online
- Renew license online
- Email Notifications
- Reduces and eliminates paper forms/process

Please continue to check our **CAMP** website for further details as we get closer to the launch date. If you have any questions on any of the topics of this email, please email us at [OLCC.CAMP@olcc.oregon.gov](mailto:OLCC.CAMP@olcc.oregon.gov) or call/leave a voicemail for us at 1-503-872-5000.



## **Goals 2023-2024** *(Compilation Date: February 2023)*

### 1. Focus on the Fundamentals.

★ *Protect & manage Brownsville's treasury.*

- ▶ The City fielded a full Budget Committee with the addition of Felipe Eversull & Matt Schoemaker. Staff shared the audit findings from the previous fiscal year. Council executed gap financing for the completion of the Rec Center Renovation project. Government Capital Corporation was able to find a great rate given market conditions. Council passed a supplemental budget in February 2024 to appropriate the funds for expenditure. Council received a good price for the completion of the GR12 Waterline & Pump Station Improvements project. Council passed ordinances to push back against Salem for unfunded mandates that continue to take away local funding for local projects.

★ *Foster cooperative and productive relationships both internally & externally.*

- ▶ The City continues working closely with the State of Oregon's Department of Environmental Quality (DEQ), Oregon Water Resources Department (OWRD), the Linn County Commissioners Office and several other agencies. Regional efforts including Rural Economic Alliance (REAL), RAIN, the Sheriff's Office contract, the Planning & Building Department contract, and the development of SMAC. Connections have been maintained with the League of Oregon Cities, the Cascade West Council of Governments, and CIS. Local agreements have been extended with the Calapooia Food Alliance (CFA), Sweet Home Sanitation, the Chamber of Commerce, and the Central Linn Recreation Association.

### 2. Advocacy Plan.

★ *Create an advocacy committee charged with developing an advocacy strategy complete with written policy statements as an effort to participate in the State legislative process and in the Federal legislative process when appropriate.*

- ▶ Council created the Legislative Advocacy & Policy Committee (LAPC) through ordinance early in 2023. The Committee made several framework recommendations that were passed and implemented by Council. Position papers on key advocacy items were created for internal use and provided to the other members of SMAC and to Sean Tate.

★ *Focus on home rule with other stakeholders, partnerships, and other regional efforts to strengthen City policy positions.*

- ▶ Council attended several meetings and continues to stay connected to key issues facing the City through the League of Oregon Cities and Sean Tate. Staff have communicated through partnerships the path for execution. Mayor Craven met with House Representative Jami Cate on several occasions and attended a luncheon with Governor Kotek to express the City's policy priorities and concerns.

★ *Monitor new laws, tort limits, and recreational immunity protections for local amenities.*





- ▶ Cities in Oregon received bad news in the case, *Fields v the City of Newport*. The City has been active in working toward a fix with CIS. SB 1576 is currently being voted on in the House for passage. If this loophole cannot be closed with this legislation, the impact on the City park system will be devastating. The State's raising of the tort limits is wreaking havoc with the insurance rates. Property & liability insurance has risen nearly 60% due to these limits being raised and the continued passage of terrible public policy that is dramatically impacting cities and counties across the State.

### 3. Capital Improvements Plan.

- ★ *Complete Rec Center Renovation project.*

- ▶ Open House was held in February. The City has successfully completed this important project. Staff continue detailed work to prepare the facility for public rentals.

- ★ *Complete the GR 12 Waterline extension.*

- ▶ The project is underway and progressing nicely overall. Staff hopes the project will be completed by the end of March 2024.

- ★ *Plan for new sewer lagoon along with operational improvements.*

- ▶ The City Engineer continues to work on the initial planning for a new sewer lagoon. The City is also looking into making a chemical change at the Treatment Plants. Any formal plans will have to be rolled into a bond with the improvements planned for the Water Treatment Plant. The City will have some high cost items that must be addressed per State Law and to continue providing critical services to the residents.

- ★ *Plan for construction of new pavilion and relocation of the playground.*

- ▶ Funding will delay these projects. Council will need to reassess during the upcoming Budget Season FY 2024.2025.

- ★ *Analyze new TMDL plan.*

- ▶ Department of Environmental Quality (DEQ) has not officially approved the City's new plan. Council approved submitting the edited report at the January 2024 Council meeting.

### 4. Community Development Plan.

- ★ *Refine Brownsville Municipal Code to better reflect actual practice.*

- ▶ Council passed several ordinances including parking, towing, curfew, camping, and administrative laws toward this effort. Council authorized Staff to review the nuisance abatement process for repeat offenders at the February Council meeting.

- ★ *Adopt building rules and standards to preserve and promote the historic aesthetic.*

- ★ *Continue the local & regional emergency preparedness efforts.*



- ▶ Council supported the EPC who has been sending stand alone newsletters twice a year to all residents in Brownsville, Halsey, and the corresponding fire districts. The City ordinance is centered around public education and individual preparedness efforts.

- ★ *Support youth activities with community partners.*

- ▶ Council spent over \$2M renovating the Rec Center, adopted a new agreement and helped with organizational development and custodial services. Staff continues to assist the Central Linn Recreation Association with operational issues.

## 5. Economic Development Plan.

- ★ *Participate in regional efforts and opportunities with partner cities.*

- ▶ Council finalized the financial agreement with Business Oregon for the partnership with REAL. Council entered into a new agreement with RAIN through the end of 2025.

- ★ *Support and implement the Rural Economic Alliance's 5-year strategic plan.*

- ▶ The group continues to prioritize items in the strategic plan. REAL is close to signing a deal with JayRay Marketing to survey regional businesses to get a better understanding of needs and priorities. This survey will be done in partnership with Business Oregon.

- ★ *Complete and implement the Land Use inventory.*

- ▶ Administrative Assistant Elizabeth Coleman, Planner Dave Kinney continue work with Linn County's GIS Department preparing for this process.

## 6. Water Rights.

- ★ *Explore possible additional water source options.*

- ★ *Continually work on monitoring and perfecting City water rights.*

- ★ *Implement the State required Water Management & Conservation Plan.*

- ▶ Staff are actively working on the implementation of the items identified in the Plan.

## 7. Organizational Development.

- ★ *Review Council rules and policies.*

- ▶ Council passed a new officials handbook.

- ★ *Focus on Council leadership development & training.*

- ▶ Council met several times throughout 2023 to work on group dynamics and interactions. Great progress was made in the overall cooperation of the Council. Council held a Staff appreciation dinner for Staff.



- ★ *Foster positive and effective working relations between Council and Staff.*
  - ▶ Council held a Staff appreciation dinner for Staff. Staff & Council held a volunteer appreciation party in September at the pavilion in Pioneer Park. Mayor Craven and Council have increased their efforts in working with Staff and are maintaining extremely effective relationships with Staff.
  
- ★ *Maximizing social media efforts to promote City projects and events.*
  - ▶ Council revisited this item. The City will not publish Council meetings in a television format. Council members are doing a great job monitoring social media conversations without creating more community drama and turmoil.
  
- ★ *Focus on recognizing volunteers, meeting training and procedures for all official boards & committees.*
  - ▶ Council held both a volunteer appreciation cookout & a Staff dinner this past year as mentioned above. Librarian Sherri Lemhouse also does a very good job recognizing Library volunteers with appreciation events during the year.



## 2023-2024 Council Values

### Council Vision Statement

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and to create a high quality of life for our citizens.

### A Vision for Brownsville

For a tiny rural Oregon community, Brownsville has a huge presence. It is well-known throughout the state for its friendly welcome and for being a safe, clean, and attractive town. It is clear that residents value its historic character and make special efforts to preserve and enhance it. Talk to business owners in the thriving north and south business areas and you will find that it is the creative working relationships between city government and private, county, state, and federal partners that sustain our economic health and well-being. Residents participate in Brownsville's inclusive process of growing and enhancing our high quality of life. Brownsville citizens care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

### Tag line

***Brownsville:*** Where People Care, Business Thrives, and History Lives

### ***Who we are?***

Brownsville is a City that is proud of its past while constantly improving toward the future for the benefit of our citizens. We are a group of citizens that honor each other by carefully balancing the social contract (Brownsville Municipal Code) to keep peace and order. The Brownsville Municipal Code and Comprehensive Plan help define the role of the City. Organizational transparency is a focus of Council. Council is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute identified goals and carry out the responsibilities of the City.

Brownsville has a tremendous sense of place and synergy between City Hall and our residents. Active citizens are the true strength of Brownsville as evidenced by the volunteers who give freely of themselves to provide many municipal functions and civic services. Many civic organizations implement their missions actively in our community which provides a quality of life and vibrancy that is uncommon. Community events are planned and designed to invite people into town to share what Brownsville has to offer.

Council recognizes that many civic organizations and the City government are working diligently on implementing organizational development concepts in order to more efficiently provide services. Council recognizes that we are in a transition period between an authoritative model and are collectively moving toward a new, participatory approach within the organization and throughout the community.

### ***What do we want for Brownsville?***

Brownsville should honor the past, maintain a healthy present and strive to assure a dynamic future by focusing on fundamental municipal services such as:



- |                         |                            |
|-------------------------|----------------------------|
| 1. Treasury Health      | 7. Contract Administration |
| 2. Water                | 8. Personnel               |
| 3. Sewer                | 9. Police Protection       |
| 4. Capital Improvements | 10. Municipal Court        |
| 5. Parks                | 11. Library Services       |
| 6. Streets              | 12. Planning & Zoning      |

**Organizational Development**

- Elected & Appointed Officials.* People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
- Staff.* People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
- Organizational Axiom.* Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.
- Civil Rights Act of 1964.* The City creates an environment of equal access to opportunities for all individuals in Brownsville. The City is committed to equal access through Federal and State laws, but also through local practice principled in the elimination of bias and barriers that may exist in the community and from developing in the City's organization. Council shall continue to consider implications of new and past policies that may create unnecessary barriers for members of minority groups, women, veterans and vulnerable populations.

**NOTES:** Council has discussed many organizational theories & objectives as well as identifying important critical thinking models that will serve as a guide for making better decisions. Below are a few of those models:

**THE PROCESS OF PROGRESS**

1. Recognize & Identify
2. Accept & Agree
3. Strategize & Develop Action Steps



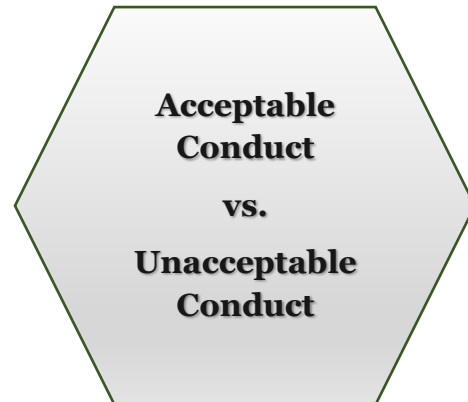
- 4. Implement & Execute
- 5. Review Outcomes

**LEXIPOL’S 10 FAMILIES OF RISK MODEL**

- 1. External Risks
- 2. Legal & Regulatory Risks
- 3. Strategic Risks
- 4. Organizational Risks
- 5. Operational Risks
- 6. Information Risks
- 7. Human Resources Risks
- 8. Technology Risks
- 9. Financial and Administrative Risks
- 10. Political Risks

***How are expectations set in City Government?***

- ◆ Laws & Municipal Code
- ◆ Standards
- ◆ Requirements & Rules
- ◆ Memoranda of Understanding
- ◆ Contracts
- ◆ Agreements
- ◆ Employee Handbook
- ◆ Societal Norms
- ◆ Cultural Nuances
- ◆ Public Opinion



**Decision Making**

- |                      |                            |
|----------------------|----------------------------|
| 1. General Liability | 6. Need or Want            |
| 2. Legal Implication | 7. Political Lift or Will  |
| 3. Legality          | 8. Support or Lack of      |
| 4. Precedence        | 9. Resource Management     |
| 5. Staff Capacity    | 10. Community Implications |

**MONTH END FINANCIAL RECAP**

		JUNE 2024					
		REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 65,615.06	\$ 118,886.94	\$ 2,757,033.49	60.26%	\$ 1,817,973.51	1
2	WATER	\$ 71,749.78	\$ 318,082.70	\$ 1,161,581.59	82.05%	\$ 254,068.41	2
3	SEWER	\$ 48,273.96	\$ 25,985.24	\$ 334,851.27	34.97%	\$ 622,738.73	3
4	STREETS	\$ 19,724.47	\$ 38,736.42	\$ 220,210.22	63.07%	\$ 128,924.78	4
5	WATER BOND	\$ 421.80	\$ -	\$ 46,417.84	74.88%	\$ 15,572.16	5
6	SEWER BOND	\$ 884.84	\$ -	\$ 300,721.39	67.73%	\$ 143,278.61	6
7	SEWER DEBT FEE	\$ 12,998.61	\$ -	\$ 148,010.82	109.64%	\$ -	7
8	BUILDING & EQUIPMENT	\$ 717.38	\$ -	\$ -	0.00%	\$ 188,800.00	8
9	WATER RESERVE	\$ 2,736.60	\$ -	\$ -	0.00%	\$ 175,300.00	9
10	HOUSING REHAB	\$ 870.54	\$ -	\$ -	0.00%	\$ 222,000.00	10
11	WATER SDC	\$ 40,649.21	\$ (200,000.00)	\$ (200,000.00)	-82.66%	\$ 441,960.00	11
12	SEWER SDC	\$ 100,945.94	\$ -	\$ -	0.00%	\$ 758,500.00	12
13	STORMWATER SDC	\$ 38,464.96	\$ -	\$ -	0.00%	\$ 277,575.00	13
14	BIKEWAY/PATHS	\$ 370.50	\$ -	\$ -	0.00%	\$ 63,730.00	14
15	LIBRARY TRUST	\$ 30.02	\$ -	\$ -	0.00%	\$ 7,650.00	15
16	CEMETERY	\$ 32.69	\$ -	\$ -	0.00%	\$ 9,040.00	16
17	TRANSIENT ROOM TX	\$ -	\$ -	\$ -	0.00%	\$ -	17
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19	LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,985.00	19
20	COMMUNITY PROJECTS	\$ 338.02	\$ 201.63	\$ 18,429.63	24.49%	\$ 56,820.37	20
		\$ 404,824.38	\$ 301,892.93	\$ 4,639,245.43			

Key Bank Account	
General Checking	\$321,053.15
Oregon State Treasury	\$ 4,801,271.93
Community Improvements	\$ 41,323.23
Project Escrow Holding	\$ 105,318.64
Project Holding Acct #2	\$ -
CLRC Renovation Acct	\$ 630,506.00
<b>TOTAL OST / LGIP</b>	<b>\$ 5,578,419.80</b>

CLRC Loan Payment  
[\$57,996.99]

2023-2024	YTD	% of Total
Appropriated	\$ 5,193,916.57	47.18%

**Total Bonded Debt (Principal Only)**

\$ 6,142,195.00  
**Total Bonded Debt is \$8,691,081 (Principle & Interest)**

Annual Bond Payment	
Water	\$ 45,167.05
Wastewater	\$ 307,259.95
<b>Total</b>	<b>\$ 352,427.00</b>

ARPA Funds | SLFRP \$404,801.67 Total Funds Received  
 (American Rescue Plan Act) \$202,457.75 Funds Disbursed

**Previous Month Court Revenue \$1,199.87**