



Council Meeting

Tuesday – January 23rd, 2018
7:00 p.m. in Council Chambers

Table of Contents

1	Agenda
3	<i>Minutes: November 28th, 2017</i>
9	Administrator
23	Public Works
25	Planning
26	Sheriff
28	Court
30	Library
33	Ordinance 770: Home Grow Operations (<i>First Reading</i>)
40	Resolution 2018.01: Pro-Tempore Judge Appointment
41	Resolution 2018.02: Commitment to Safety Program
43	Resolution 2018.03: Distribute Transient Room Tax Funds
44	Resolution 2018.04: Secretary of State Audits Division – FY 2016-2017
52	Council Values
55	Council Goals (<i>January 2018 Update</i>)
59	Policy & Planning Considerations
63	Proposed Ordinance Reviews (<i>O 772 – O 774</i>)
80	Appointee Letters
83	Total Maximum Daily Load (TMDL) Report
88	Marijuana Related Materials (<i>Appeal Plus</i>)
100	OHA Water System Survey Report
118	New State Law
119	PSU Population Forecast Methodology
121	RV Article
124	RAIN Cooperative Effort
125	OPRD Resignation Acknowledgement
126	November & December Financials



CITY OF BROWNSVILLE

Council Meeting

Tuesday, January 23rd, 2018

Location: City Hall in 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: November 28th, 2017
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Brownsville Art Association Annual Report – Dr. Lori Garcy
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. 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:

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



- A. **Ordinance 770: Marijuana Home Grow Operations (*First Reading*)**
- B. **Resolution 2018.01: Pro-Tempore Judge Appointment**
- C. **Resolution 2018.02: Commitment to Safety Program**
- D. **Resolution 2018.03: Distribute Transient Room Tax Funds**
- E. **Resolution 2018.04: Secretary of State Audits Division – FY 2016-2017**

10) ACTION ITEMS:

- A. Board & Committee Appointments
- B. Internet System Development
- C. Regional Policy Advocacy Effort
- D. Approve TMDL Report

11) DISCUSSION ITEMS:

- A. Water Treatment Plant Sanitary Survey
- B. Buildable Land Inventory
- C. Ordinance Reviews (*Council Goals*)
- D. Budget Advertisements
- E. November & December 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

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



Council Minutes

November 28th, 2017

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Neddeau, Cole, Block, Shepherd, Chambers, and Gerber present. Administrative Assistant Tammi Morrow, Public Works Superintendent Karl Frink and City Administrator Scott McDowell were also present.

PUBLIC: Chenoweth Robertson, Elizabeth Coleman, Kim Clayton, Alex Paul (*Democrat Herald*), Greg Klein (*LCSSO*), Josh Metcalf & Scott Gagner (*Sweet Home Sanitation*), Norman Simms, Kneil Stucky, Marilee Frasier, and Jorden Parrish (*The Times*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: No additions or deletions tonight.

MINUTES: Councilor Cole made a motion to approve the October 24th, 2017 and November 14th, 2017 meeting minutes as presented. Councilor Chambers seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Sweet Home Sanitation.** Scott Gagner and Josh Metcalf were present from Sweet Home Sanitation to report on the fall cleanup day and field any questions concerning the franchise agreement. Gagner stated that Public Works was on hand to assist them throughout the day, and he felt there was a public great turnout. They received 19 tons of garbage, 4.3 tons of wood, 2 tons of yard debris, 40 appliances, 5 full boxes of metal, 5 tons of tires, and 4.5 tons of electronic recycling. SHS also had record turnout for the Household Hazardous Waste event. They collected a record number of pounds, and with constant traffic all day long.

Councilor Neddeau inquired about a second clean up event, hopefully in April each year as well. There are always several requests for it. Metcalf and Gagner replied that they would have to research a price for another such event. Their overall cost for such an event is approximately \$20,000 when considering staff, materials disposal, etc. A second cleanup day could cost the City as much as \$11,000, which may well be cost prohibitive. Mr. McDowell reminded Council that they reason for the switch to depot style as opposed to pick up at residences range from theft, illegal dumping, etc.

Councilor Chambers thanked SHS for being such a great community partner over the years; they have helped with several nuisance abatement and cleanup situations all over town. McDowell also reminded Council of the partnership with the removal of the mobile homes west of town several years back. Clean up day brings great value to the community.

The Franchise Agreement is reviewed every 3 years; this is a review year. Metcalf and Gagner stated they would be happy to field any questions. Councilor Shepherd also thanked SHS for their great service and support of the community. Councilor Chambers inquired about the recycling changes that might be coming. Metcalf stated that they have very good relationships with their processors, and he is confident in that continuing. Mr. Metcalf explained some of the challenges with China accepting recycled materials.



Council Minutes

2. **Emergency Preparedness Committee.** Norman Simms, Coordinator for EPC, Marilee Frasier, and Kneil Stucky were present to give an oral report to Council on EPC. He said the group has achieved all the goals they set for the year, including various public information opportunities including a picnic in Pioneer Park, elementary student outreach & education events, and Community Emergency Planning meetings at the American Legion. The group has also attended various training events such as the bi-monthly meetings in Albany, etc. Simms has also recently taken a class on disaster preparedness, and continues to serve as a CERT member.

He informed Council that there is a CERT class coming up that will be at the American Legion the last two weekends of January from 8 a.m. – 5 p.m. After successfully completing the course, you will be eligible to become a Linn County CERT member, or can serve as just a neighborhood team member. Cost is \$25. Contact Mr. Simms to sign up for the class, or for more information. McDowell stated that this group has been tremendous to work with. They are very cooperative and actively go to events and are always doing outreach activities for the community. The City is very grateful for their incredible energy around this issue. Councilor Cole echoed Council's appreciation for their service to the community.

3. **Central Linn Community Foundation.** Chenoweth Robertson was present to answer any questions Council may have around a donation request for the CLCF. Councilor Cole asked if they were looking for the same donation as last year? Robertson responded, they would appreciate anything Council could give. Last year they supported the Calapooia Food Alliance, the Gleaners, Calapooia Watershed Council, Sharing Hands, Pioneer Picnic Association, Meals on Wheels, and talk it up Tuesday at CLHS. *Councilor Cole made a motion to donate \$1,000 to CLCF. Councilor Neddeau seconded the motion, and it passed unanimously, with Mayor Don Ware abstaining.* Councilor Gerber stated that she likes the opportunity to give to the foundation as they support many groups that would be petitioning Council for funds. Robertson invited Council to attend their annual May event held in the Community Room.

4. **Bi-Annual TMDL Report.** Mr. McDowell and Mr. Frink put a tracking matrix report together for TMDL, found on pages 65-67 of the packet. McDowell and Frink have been through the process twice this year, and are confident that they are fulfilling all requirements as needed. The report will be coming to Council in January for approval. Frink and McDowell also attended the IDDE (Illicit Discharge Detection & Elimination) meeting in Salem recently. Most of those in attendance were from much larger organizations, with more staff and funding at their disposal. They seem to be overreaching a bit. Responding to incidents such as a dead fish, or a pop can in the ditch. Many larger cities also have incident response, which would be a hardship for our small city to bear. This used to be a voluntary program, but has been turned into a mandatory program.

Measures that the City has taken include containing runoff on site, and a slow return to offsite areas. The City will be putting "Do Not Dump" signs on the catch basins to hopefully keep contaminants out of the river and waterways. We are working on achieving public education now. This program is difficult for a town our size; we don't even have a storm drain system! Folks need to educate themselves and begin writing letters to our representatives around this issue and opposing these unfunded mandates that pose a serious threat to municipal treasuries and could pose an additional bond on taxpayers.



Council Minutes

DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Sergeant Klein reported that October had 11 traffic citations, 18 warnings, 80 complaints, and 60 hours dedicated to traffic enforcement; a total of 238 hours spent in Brownsville for the month. Councilor Shepherd commented that Council would still like to see the traffic citation numbers increase.
2. **Public Works.** Public Works Superintendent Karl Frink reported a relatively quiet month. The WTP influent valve is functioning properly. The sanitary survey for drinking water is complete, with just a few minor issues to address. In 2005 the State conducted a tracer study, which is basically a time measurement of how long it takes for chlorine to travel through the WTP. The City's is 83 minutes. This study was done when the plant was built. Now the State is saying that the tracer study is incorrect. Mr. Frink sent all the information to them, and all issues were resolved. McDowell commented that Analytical Labs does our water testing, all reports are coming back with the same, great results. Frink said that the average time to disinfect the water is 23 minutes.

All the City streets have been graded, which is rather hopeless this time of year with the amount of rain that has fallen. Public Works is still working on stop signs around town as well as trimming trees. The cemetery was mowed and weed eaten in preparation for Veteran's Day. A couple of leaning trees were removed down by the pumps in the infiltration gallery. A little fence repair will be needed there. We had an overloaded circuit in the Rec Center, that has been repaired. Minor repairs are being made to the Library cupola.

3. **Administrator's Report.** McDowell reported that he has been actively working on creating an advocacy representation/group for our regional small cities. He has made several presentations around the area to various groups garnering a lot of interest in the concept. The CWCOG is in a position to play a convener role where we would have a platform to build relationships with our legislators and express our needs and desires in a positive, effective manner. Ultimately the goal is that we would activate under the COG and we would present a more organized front when it comes to legislation.

McDowell reported that WNHS is going to be merging with Nedco soon; they are excited about the merger. They will now represent 6 counties, instead of 2. Linn County will be very interested to discern how we are getting our residents needs met. More information when it becomes available.

McDowell recently learned of the marijuana secrecy clause signed by the Oregon Department of Revenue. They are expecting cities to sign this agreement in some form as well. They are going through this process because they are accepting money from an illegal source. It is unknown how much revenue is to be gained. It is strange and somewhat unsettling.

McDowell recently met with Councilor Cole and Councilor Chambers talking about goals, policy pieces, etc. This information is in the packet every month. Some goals have met with difficulty, some have simply met with inactivity. It would be nice to get some forward motion on these issues. Issues that Council wants to discuss have been identified, Councilors should meet with Staff and try to engage around these policy pieces to move forward.



Council Minutes

4. **Library Report.** No comments.
5. **Court Report.** No comments.
6. **Council Comments.** Councilor Block reported that Blaine Cheney is now the President of CLRA, Sean Johnson is Vice president, and Betsy Ramshur is treasurer.

Citizen Comments. No comments.

LEGISLATIVE:

- A. O 770 – Marijuana Home Grow Operations (First Reading).** *Councilor Gerber moved to read O 770 by title only. Councilor Cole seconded the motion, and it passed unanimously.* Mayor Don Ware read by title only. Mr. McDowell indicated that he has had conversations around this issue for the last few months. He rewrote the ordinance around particulars that Council last indicated. Last month Councilor Cole inquired how indoor grow operations were working in Eagle Point. McDowell answered her question this month stating that Eagle Point leadership indicated that 4-5 citizens complained initially. Their Council has committed to their new ordinance, and it is effective there now. McDowell commented that the best way to deal with odor is to allow indoor grows only. Councilor Gerber stated that she felt it would be much easier to enforce only indoor grows as opposed to trying to regulate plant species, etc.; she would like to encourage legislation for indoor grows only.

Councilor Cole commented that she thought it was interesting to hear about Eagle Point, and that it seems to be working and mitigating the problem as best as possible. Councilor Block stated that there is no good way to do this, and he feels that indoor grows present certain safety concerns. McDowell commented that Eagle point has tried to set stringent requirements to do the best they can..

It is important to remember that the driving force behind this legislation is that these marijuana grows are causing health issues for neighbors, and this might be the best that Council can do to protect all of their citizenry. Councilor Gerber stated that she would like it to stop infringing on the neighbors. Councilor Block agrees, if it is safe, controllable, and enforceable. Mayor Don Ware stated that if it makes Staff's job easier, he is comfortable with that. Councilor Neddeau wondered about number of plants, etc., inside. McDowell stated that perhaps there would be a permit process, with any related costs paid by the permittee.

Council did a general consensus with Councilor Cole agreeing with Councilor Gerber and stating that of the two options, the indoor rather than outdoor grow is more definitive and easier to control. Councilor Chambers disagrees a bit, thinking that it may be unsafe. Cole stated that we can't protect people from themselves, we can only try to protect the neighbors. Councilor Shepherd is in favor of the Eagle Point legislation. Councilor Block stated that he is in, if that's what others want. *Councilor Shepherd moved to approve send Mr. McDowell forth to bring back legislation for Council review in January focusing on indoor marijuana grows only. Councilor Block seconded the motion, and it passed unanimously.*



Council Minutes

- B. **O 771 – Amending Brownsville Municipal Code Code Title 8 – Park Camping Rules (Emergency)**. Councilor Gerber moved to read by title only. Councilor Cole seconded the motion, and it passed unanimously. Mayor Don Ware read O 771 by title only. Councilor Shepherd moved to approve O 771 as an emergency, effective immediately. Councilor Block seconded the motion, and it passed unanimously.
- C. **R 2017.19 – Emergency Planning Commission – Community Partners**. Councilor Gerber moved to adopt R 21017.19. Councilor Chambers seconded the motion, and it passed unanimously.

ACTION ITEMS:

1. **Vintage Trailers Event**. Mr. McDowell informed Council of a vintage trailer event that would like to reserve the park this summer. They were here in conjunction with *Stand By Me* a few years ago, and had an overwhelmingly positive response. They will be using the prairie area in the park with an estimated 50-100 vintage trailers, maybe 600 folks involved. They will also utilize the restrooms at CLRC for showers. We have also had interest from a cycling group that would like the same weekend. McDowell proposes putting them over by the basketball court, or down by the well area. They will be here Friday night only. Councilor Gerber made a motion to authorize Mayor Don Ware and Mr. McDowell to enter into a contract with the vintage trailer event folks. Councilor Cole seconded the motion, and it was approved unanimously. McDowell indicated that he has talked with the SBM folks, but they are sticking to their original date of Monday, July 23rd for their event. More information to follow as details emerge.
2. **Recommend Appointees**. Mayor Don Ware stated that last month Councilor Cole made a motion to require everyone to reapply for positions on the City's volunteer boards. Ware has gotten feedback from the community and stated that several folks think it is insulting to them, and that they have expressed that they will not reapply. Councilor Gerber disagreed stating that she thinks it is showing that they still have valid interest in serving. Mayor Don Ware disagreed.

McDowell suggested perhaps rolling out this new process slowly and get folks engaged at that level; stating that there are great folks on the boards, but also some folks that should have been done after one term. Gerber stated that it is a point well taken, to be doing this so precipitously; having a fair and equitable system is important to her and she would like to see more than just retired people serving on these boards. Councilor Block stated that he thinks we should be focusing on those that are not serving well, instead of focusing on getting everyone to reapply.

Councilor Chambers agreed with Block, perhaps look at attendance, and have the folks served well? Mayor Don Ware stated that it is difficult to get folks to serve on these committees at best. We need to be gentle and helpful to get folks to apply and do the job they are applying for. Gerber wondered if this might be a conversation for Council retreat? Councilor Shepherd would like to reappoint this time, but perhaps make changes in the future. McDowell stated that institutional knowledge



Council Minutes

is very helpful in serving well, but fresh blood brings a lot of good, fresh energy. Mr. Gary Compton has served on the Planning Commission for many, many years and does a terrific job as Chair of the Commission. Others serving on boards are not really living up the requirements and needs of the committees. Councilor Cole stated that with regard to the motion, it was passed last meeting, and for process sake, motions should not be ignored. Ware responded that he just wanted Council to discuss the issue again given the feedback he was getting from constituents. *Councilor Gerber made a motion to withdraw the motion for reconsideration of appointees and to have it reconsidered at a later date. Councilor Cole seconded the motion, and it passed unanimously.* Councilor Block stated that if you look in the audience tonight, it is the same folks that are here. Vacancies can be hard to fill. *Councilor Cole moved to appoint the proposed appointees on page 18. Councilor Chambers seconded the motion, and it passed unanimously.*

3. **Set Town Hall Meeting.** The City is hiring Inspections Unlimited to perform an evaluation on aging city building including the Rec Center, park buildings, picture gallery, etc. Staff would like to encourage Council to hold a town hall meeting for the community to discuss the results, and get opinions for what is most important going forward. A tentative date for the meeting would be March 2018. *Councilor Gerber moved to go forward with the inspection contract, and set March as a tentative community hall meeting date. Councilor Chambers seconded, and it passed unanimously.*

DISCUSSION ITEMS:

1. **October Financials.** No comments.

Happy Birthday to Councilor Block today! Also, congratulations for celebrating 5 years of employment with the City of Brownsville goes to Tammi Morrow, Administrative Assistant!

ADJOURNMENT: *Councilor Cole moved to adjourn at 8:39 p.m. Councilor Block seconded the motion, and it passed unanimously.*

S. Scott McDowell
City Administrator

Don Ware
Mayor



City Administrator Report

January 23rd, 2018

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



One liner of the month

The TV can insult your intelligence, but nothing rubs it in like the computer.

Note: The first section of this report is important because it provides information and a brief overview of the topics to be discussed the night of Council. If an item title is **highlighted in green**, that indicates the item is part of Council Goals which are on the Council room wall or in the budget. When you see this symbol, ☒, it means I will provide more information at the meeting.

"It is often in the darkest skies that we see the brightest stars."
 ~ Richard Paul Evans

"Success is walking from failure to failure
 with no loss of enthusiasm."
 ~ Winston Churchill

"I wish I didn't know now what I didn't know then."
 ~ Bob Seger



Van Gogh's Starry Night

General Council Housekeeping – Staff has provided another calendar for your convenience. I will give you an update list of all City officials once the openings are filled. Don't forget your mailbox downstairs. Staff puts mail and miscellaneous items in there for your use. It would be great if we could get some consistent help with agenda packet pickup and delivery. Please see Scott if anyone is interested.

AGENDA ITEMS DISCUSSION – The following items follow the order of the Agenda

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Brownsville Art Association** – Dr. Lori Garcy will be providing an oral annual report for Council. President Cris Kostel may also be in attendance. I recently met with President Kostel & Vice-President Garcy to address a few concerns and talk over certain logistics.

9) LEGISLATIVE:

- A. **Ordinance 770: Marijuana Home Grow Operations (First Reading)** – This version of the ordinance is the third iteration based on Council discussions and other developments. Basically, Council started by looking at an ordinance suggested by Mr. Bryan Bradburn from Eagle Point, Oregon in October 2017. Council then decided to look at an outdoor mitigation ordinance that was prepared for the November 2017 Council meeting. After hearing public



City Administrator Report

comments at the Special Council Meeting held on November 14th, 2017, Council decided to ask Staff to look again at an indoor grow option.

This ordinance is the outcome of that discussion. The ordinance requires indoor grows and is a very basic nuisance ordinance. Most of the language was pulled from the League of Oregon Cities (LOC) model ordinances and part from Eagle Point. Please refer to the enclosed report for more information.

From 11.28.2017: Enclosed is a new proposal derived from the last Council meeting and vetted through City Attorney Ross Williamson. The gist of the ordinance allows outdoor grows through several mitigation processes are being implemented to minimize the associations problems with such a practice. A major concern will be the strain on City resources this kind of ordinance will require – a necessary ordinance due to the proliferation of marijuana.

Eagle Point City Manager Henry Lawrence reported that Eagle Point received some initial push back on requiring marijuana to be grown indoors, but once Council stood its ground, citizens wanting to grow marijuana at home complied with the ordinance. Mr. Lawrence said he couldn't imagine allowing marijuana to be grown outdoors due to the odor issues.

From 10.24.2017: Mr. Bryan Bradburn and others in the community have requested Council look into making rules about growing in residential areas of town. Residents are losing quality of life due to grows that are negatively effecting neighbors and property values. Council requested Staff go forward and develop language. The language here is modeled after Eagle Point. City Attorney Ross Williamson feels the legislation will cause too many problems.

What is Council being asked to do?

Consider and discuss the ordinance.

- B. **Resolution 2018.01: Pro-Tempore Judge Appointment** – Council passes this legislation annually to provide a substitute judge for Mr. Lemhouse as may be needed for a variety reasons such as vacations, personal emergencies, conflicts of interest, during of the year.

What is Council being asked to do?

Pass the resolution to provide coverage for Judge Lemhouse.

- C. **Resolution 2018.02: Commitment to Safety Program** – Council passes this annual legislation to recognize the importance and priority of the City's employee safety program.



What is Council being asked to do?

Pass the resolution to reaffirm the City's commitment to Staff safety.

- D. **Resolution 2018.03: Disburse Transient Room Tax** – The Budget Committee and Council appropriated the amount listed in the resolution for disbursement. Legislation is required to disburse these funds per the ordinance. Historically, Council has provided these funds to the Chamber of Commerce for marketing efforts that promote Brownsville.



- E. **Resolution 2018.04: Secretary of State – Audits Division** – The City received the annual audit from Boldt, Carlisle & Smith and the City needs to clarify some discrepancies for the official record. This resolution expresses the City's position on each issue discussed by the City Auditor.



City Administrator Report

What is Council being asked to do?

Consider the passage of Resolution 2018.04. The City is required by State Law to respond by passing legislation.

10) ACTION ITEMS:

- A. **Board & Committee Appointments** – Staff placed advertisements in *The Times* and on the City website to ask for volunteers for existing openings. The City has vacancies on the Planning Commission, Historic Review Board and the Parks & Open Space Advisory Board. I will have a proposed roster for the meeting Tuesday.



What is Council being asked to do?

Make appointments as necessary.

- B. **Internet System Development** – Several folks around town have expressed interest in pursuing an internet service provider (ISP) such as Alyrica to build a fiber optic system in Brownsville. Area businesses and people with home business operations really need better, more consistent internet. To that end, the City has met with Senator Ron Wyden's Office to explore funding opportunities and Staff has also met with Mr. Kevin Sullivan, who is the president of Alyrica, a local ISP from Philomath, Oregon.

Council is aware that this issue is of great importance for the future of the City. There are several hurdles that have to be addressed:

- 1) **Infrastructure Capital & Capacity** - Alyrica will have to make a substantial investment in the system due to the proximity of the main trunk line.
- 2) **Customer Base & Canvassing** - Alyrica would like assurances from people who will switch from their current service to Alyrica.
- 3) **Regulatory Uncertainty** - FCC's reversal of Net Neutrality could drive the monthly cost of service as service providers will be allowed to charge more based on their data capabilities. Telecom giant Comcast is currently doing a rate hike to take advantage of the deregulation recently announced by the FCC.



What are the next steps?

Council could consider making a motion to officially send Staff forward on the issue. Council could decide to fully engage Alyrica and assist with their efforts.

Concerns?

Having a robust internet service is vital to the future of Brownsville.

People being willing to switch to the new service could be troublesome. What are the exact financial numbers for building the system? How many users make such an investment viable? And a whole host of other questions should be explored with an interested ISP to really define what needs to be accomplished to make a fiber optic system a reality in Brownsville.

What is Council being asked to do?



City Administrator Report

Determine what the best next steps and consider authorizing the City Administrator to move forward.

C. Regional Policy Efforts – Below are initial concepts for the regional legislative approach:

1. Address Administrative ODOT Issues
2. Housing Affordability & Availability
3. Wetlands
4. Adverse Cost Impacts to Local Governments caused by the State Legislation
5. Disaster Resiliency Funding
6. Land Use Planning Reform

Cascade West Council of Governments & Policy Advocacy ☒ – The Cascade West Council of Governments Board gave unanimous approval for Executive Director



Fred Abousleman to move forward with the development of policy advocacy, legislature members convening and better coordination with the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC) for the legislative session. To that end, I have travelled to Depoe Bay to talk with the coastal managers and the Cascade West Council of Governments hosted a gathering in Philomath to set

direction and policy objectives. I will have more to report for the meeting.

From 07.25.2017: Mayor Ware and the Cascade West Council of Governments are looking to convene multiple agencies with key legislators to look at ways to advocate and implement needed legislative changes for local governments and hope to improve communications, general understanding and complex nuances with legislators.

What is Council being asked to do?

Approve the effort with a motion of Council.

- D. Approve TMDL Report** – Council reviewed this information at the November 28th, 2017. Staff is asking for Council to approve the report prior to it being forwarded to the State. The full report is available on request. I have placed the report in the agenda packet for your review.

What is Council being asked to do?

Approve the annual report.



11) DISCUSSION ITEMS:

- A. Water Treatment Plant Sanitary Survey** – The survey report is included for your review. Public Works Superintendent Karl Frink will give an overview of the process and the report.
- B. Buildable Lands Inventory** – Administrative Assistant Elizabeth Coleman and I met with Dave Kinney to begin the process of preparing a land use inventory study as approved in this year's budget. Mr. Kinney will begin talks with Linn County GIS as they will play a key role in analyzing and compiling data. Council must be ready to make some future decisions that could cause community controversy. Once some of the initial data is compiled, we will have Mr.



City Administrator Report

Kinney present the information to Council to determine course of action. I have included the current zoning map. The City is practically out of volume commercial and light industrial land. Staff feels that the State will allow the City to add these areas. Staff will also analyze the housing needs. The concern with housing, as previously discussed with Council, the City has many areas that are designated, but providing necessary utilities will be challenging and in some areas not financially feasible. The other issue with housing is the amount of open farm land around residential zones. Basically, the City seems to have ample land for housing developments on paper.



Mr. Kinney indicated that this entire process from start to finish will take about a year and half. Council will have several decisions to make along the way.

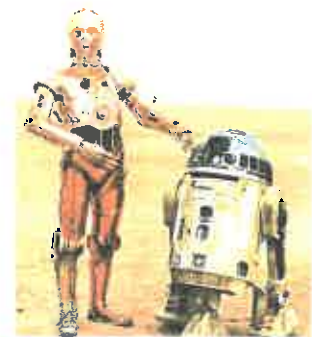
Discussing this issue with Staff, it became very clear that the south side of Brownsville is the most likely area for future housing development which highlights the concern over the proposed marijuana operation along Gap Road.

- C. **Ordinance Reviews (Council Goals)** – For various reasons, it was best that Staff forward the proposed ordinances that originated from the Council goal setting session in March 2017. All of these ordinances are simply proposals. Please refer to each ordinance for more information. Council can decide to rewrite, edit, add or eliminate whatever they choose.
- D. **Budget Advertisements** – Staff is making Council aware that the advertisements required by State Law will be placed in *The Times* during the upcoming budget season.
- E. **November & December Financials**



NEW INFORMATION – Notable situations that have developed after the last Council meeting

- ▶ *Hosted a luncheon with regional managers to discuss administrative interface and improvements with the State of Oregon.*
- ▶ *Attended a series of meetings with neighboring cities to advance a common economic development agenda in association with the Go Team's RLED effort.*
- ▶ *Presented the policy advocacy concept at the Cascade West Council of Governments Board and received a unanimous vote to move forward. Councilor Neddeau was also in attendance.*
- ▶ *Mark Shepherd and I attended Coastal Managers Meeting to discuss the policy advocacy concept.*
- ▶ *Testified in Salem on behalf of the Bi-Mart Willamette Country Music Festival hearing for their potential move to Jefferson, Oregon.*
- ▶ *Attended the policy advocacy planning meeting in Philomath.*
- ▶ *Administrative Assistant Elizabeth Coleman and I met with Dave Kinney to discuss the process of the Land Inventory.*
- ▶ *Prepared all necessary documents for the Raschein Appeal Process.*
- ▶ *Chaired the most recent LCHRP & Willamette Neighborhood Housing Services Meeting in Sodaville. Major changes are coming with a potential merger on the table.*





City Administrator Report

- ▶ *Met with CLRA President Blaine Cheney to discuss Council's plans for a Town Hall style meeting to review Pioneer Park & Rec Center structures.*
- ▶ *Administrative Assistant Elizabeth Coleman met with the Parks & Open Space Advisory Board.*
- ▶ *Working with Karl Frink to move the Robe Street waterline project forward.*
- ▶ *Dollar General construction has been working on connecting utilities among many other components of their construction.*
- ▶ *Wade Long has shared many details about the trailer rally this Summer. The City is nearing completion on that agreement.*
- ▶ *Public Works Superintendent Karl Frink and I will be working on an estimate for the cemetery bridge. Jared McClain is aware of this effort.*
- ▶ *Melissa Bermel would like to potentially talk to Council about air guns.*
- ▶ *Registered for CIS Annual Conference.*
- ▶ *Finalized the agreement with Kenny Graham for some cycling events.*
- ▶ *Finalized an agreement with Mid-Valley Cycling for an event at the direction of Council.*
- ▶ *Served as judge for American Legion Oratorical Contest in Lebanon and Brownsville.*
- ▶ *Mayor Ware, Councilor Block and I attended the year end Chamber No Host Event at the Brownsville Saloon.*
- ▶ *Resigned from the ORPD Grant Advisory Board.*



HAPPENINGS

Buffer Zone & Patel/Raschein Marijuana Application – The City joined an appeal filed against this proposed marijuana grow operation due to the future impacts on residential growth in Brownsville. I have included a copy the letter that was sent to the Linn County Building Department and the Linn County Commissioners. I have the complete information packet available for your review should you be interested. The Linn County Building Department accepted the appeal and have forwarded the matter to the Linn County Commissioners Office. The hearing has already been rescheduled three times. Currently, the date of the hearing is TBD.

From 11.28.2017: The complete public record including draft minutes, signed petitions and Resolution 2017.18 requesting a three mile buffer zone from the November 14th, 2017 special session of Council was dropped off to the Linn County Planning & Building Department and the Linn County Board of Commissioner's Office on Friday, November 17th, 2017. I have included the letter Mayor Ware and I signed for your review.



BWCMF Marion County Hearing – I attended the Marion County Hearing to report on the Festival at the request of Ms. Anne Hankins. The Festival has decided to hold the 2018 event here in Brownsville at Reed & Robin Anderson's property. The Festival will be working on moving the event to Jefferson for 2019. Marion County has granted the Festival an extension as requested by Ms. Hankins so that additional information could be provided to the Marion County officials.

Central Linn Recreation Association – I met with President Blaine Cheney to discuss the future of Pioneer Park and the Rec Center. I explained that Council has entered into a contract with a



City Administrator Report

company to provide an in-depth review of all the above mentioned properties. Council would then invite all community partners who regularly utilize the facilities to engage in a dialogue about the future of those facilities. Mr. Cheney shared some very good ideas and supports the City's efforts to be ahead of these concerns. The City will forward a copy of the report once it is completed. Council set a meeting to be announced in March pending the completion of the report.



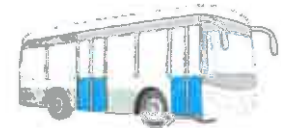
Sweet Home Sanitation Extra Clean-Up Day ☒ – The actual cost of the clean-up operation is \$30,000 for the day. If the City would like to pursue an additional clean-up day, it would mean a 15% rate hike to customers. I would like to briefly discuss this at the meeting.

Fred & Della Klinkebiel – The Klinkebiel's have had a very challenging time getting the surveyor out to finish work on their additional lot they are creating. Council agreed to modify the agreement this past summer, but the deadline is past. I intend to finish the agreement as directed by Council since the delay was beyond their control.

Inspections Unlimited – They are scheduled to review the building in the Park and the Rec Center on February 14th & 15th. I have checked with Central Linn and through all City files but can find no blue prints of the gym. We are trying to work out the logistics of the inspection.

Water Rights & Jon Erwin – The Oregon Water Resources Department (OWRD) has issued a few letters to the City recently that City Engineer Jon Erwin, Public Works Superintendent Karl Frink and I have reviewed. The City recently removed the hold we placed on one permit concerned the water curtailment issue. It appears that the State will continue that particular water right at the current rate which is vital for the City's water needs.

OPRD Resignation – Time commitments and scheduling would not allow me to finish my term this year.



City Under the Bus: Issues – But Wait?! That's Not a City Issue...

1. **Central Linn School Bond Measure** – The City has been indirectly involved in the effort by the School District to build new buildings through conversations and assumptions by the general public. The City has expressed concern about future capital improvements the City will be facing in the next five to ten years for the Water Distribution System & Water Treatment Plant. The City of Halsey has also expressed similar concerns. Halsey has also expressed concern about potentially losing the elementary school and the 'hole' that kind of decision would make on Halsey.

The decision is solely a decision for the School Board.

2. **Blakely Avenue School Property** – Council had been involved in obtaining information about the impacts of the gymnasium for nearly a year and half without any success. Council decided to inform the Board that the City was not interested in taking over the Blakely Avenue gymnasium. Again, the disposition of the property and the potential sale are the Board's responsibility. Recently, Willamette Neighborhood Housing Services chose not to move forward with a project on the site. If the Board should sell the property, the new owner would potentially have to go through the Planning Commission for a zoning change depending on the proposed use of the property of course.



City Administrator Report

The decision on the property is, again, solely a School Board decision.

3. *Marijuana* – Due to changes made to marijuana law by the State Legislature, the City has been caught between the State & Federal government over marijuana issue for nearly four years. The legislature has preempted local control and given little to no guidance for communities wishing to choose how to control associated impacts of allowing the growing of marijuana and associated marijuana businesses.
4. *Dollar General* – Dollar General decided several years ago to expand into Oregon. Brownsville was chosen along with dozens of other Oregon towns as a place for that expansion. The City did not have any say where the Dollar General located in town. They had actually looked at two other properties before settling on their current location. Market conditions and zoning limitations led to the purchase of their property just south of the Calapooia River. The store is located in a Volume Commercial zone which means their type of business is an outright, permitted use for Code purposes. The City has been blamed for this development and many negative things have been said. The City does not recruit business. The Dollar General has been very respectful of the City's process during their construction.
5. *Storage Units* – Property developed next to the old train depot. The City got rolled into that controversy that was between two private parties due to a property line dispute.

**DOLLAR
GENERAL**

Again, this is not a City issue.

6. *Bi-Mart Willamette Country Music Festival* – Council sent Staff to the Linn County Commissioners meetings for a number of years in effort to keep the Festival locally. Many area businesses benefit from having the Festival.
7. *Recreational Immunity* – Due to a poor decision of the Oregon Supreme Court, the recreational immunity law was threatened causing a legislative change to restore this important immunity. All Oregon municipalities were in limbo for nearly six months over this issue.
8. *McFarland Cascade's Noise* – McFarland had met and exceeded the limits agreed to with the City's Planning Commission, but that did not stop complaints about the noise for nearly a year afterwards. Fortunately for the City, McFarland proved to be a 'good neighbor' and spent considerable resources to reduce the noise.
9. *Grape Farm* – Mostly located in Linn County, people were concerned about the equipment installed for the farm.
10. *Water Curtailment* – Water Watch brought a lawsuit against the State which led to water curtailment on many water rights around the Willamette Valley. Brownsville spent considerable resources to restore and improve the City's water supply in response to the State's measures used to allay the stipulations involved in the lawsuit.



STATUS UPDATES – Projects, proposals and actions taken by Council



City Administrator Report

Active: Utility & General Ledger Software – Administrative Assistant Jannea Deaver is busy coordinating reviews.

From 09.26.2017: The arrangement with the Cascade West Council of Governments is canceled. The City will be canceling the contract with Accela. I will provide an oral report for Council Tuesday evening.



Active: Development Properties – **From 09.26.2017:** Staff has been busy working collectively on several current developments happening around town. Staff is working closely with City Engineer Jon Erwin, City Planning Consultant Dave Kinney and Linn County. Projects are in various states of approval and review. It has certainly taken a lot of time and effort.

Active: Weeds & Nuisance Abatement Program ☒ – **From 11.28.2017:** Staff is working on a few nuisance items. Council representatives still need to meet with Staff and work on new parameters that will give Staff the proper authority to do meaningful enforcement. Staff sent out twenty letters in advance of Clean-Up Day. Most residents complied with the RFA.

From 09.26.2017: Fire conditions have altered the way the City has delivered the weed abatement program this season. The City did have all of the identified lots mowed once. Staff has worked with a few severe nuisance situations, but is in need of policy corrections currently being reviewed by Council.

- ▶ **Kevin Keenan** – Kirk Avenue complaint which continues to highlight the need for Council to make changes to the Nuisance Abatement process.
- ▶ **517 Averill Street** – The occupant has been cited for theft of service. Someone at the location cut off the pad lock and used water from August 23rd, 2017 through October 19th, 2017. The Sheriff's Office issued a citation to the occupant. The charges were nearly \$500. The occupant will face additional charges in Municipal Court. The same address is also in violation of nuisances. The City will be physically abating those conditions on October 24th, 2017.
- ▶ **Shannon Cason** – Shannon reports that the cats are back in force down on Fields Court. She said the Heather Dillon is now breeding cats. Cason would like Council to pass an attractant ordinance that would prevent people from setting out food that encourages feral cats and other wildlife.

Active: Go Team Next Steps ☒ – Several cities are developing an executable checklist to be collectively active on economic development opportunities. This effort is based on the Go Team RLED effort. I will have an oral report for Council. Council authorized \$500 toward a regional study being completed by EcoNorthwest at the last regular session Council meeting.

From 09.26.2017: I attended a regional economic development discussion at LBCC with Go Team members Joann McQueary and John Morrison. Corvallis, Albany, Linn County, Oregon State University, Linn-Benton Community College, the Cascades West Council of Governments and the State of Oregon were all represented at the meeting. The Go Team recently met to talk about outcomes of this larger, regional approach. I will provide an oral report for Council Tuesday evening. See past reports for more information.

Pending: Set Town Hall Meeting – **From 11.28.2017:** The Pioneer Park & Central Linn Rec Center inspection report should be ready in January 2018. I recommend setting a time for a Town



City Administrator Report

Hall style meeting at the regular session on January 23rd, 2018 and invited the Central Linn Rec Board leadership, the Chamber of Commerce leadership and the Linn County Pioneer Picnic Association leadership to hear and review the report. I also think it will be a good idea to discuss next steps at that meeting.

Staff will send invitations along with the report. Basically, the purpose is to review the needs the City has with these two key community assets. Council would be seeking input and options for future consideration.

Active: Future Capital Improvements Planning ☑ – I will have an report for Council Tuesday evenings.

From 09.26.2017: Council will consider moving forward with official inspections as part of a personal services contract to review Pioneer Park and the Central Linn Recreation Center. The report will review all of the current conditions of all structures and provide estimates for repairs or maintenance that will ensure the future use of these structures.

From 07.25.2017: In September, Council will review a series of improvements to capital infrastructure in Pioneer Park and to the Central Linn Rec Center.

From 06.27.2017: Staff will go forth and review all of the structures in Pioneer Park for structural integrity. The Rec Center will also be thoroughly reviewed to determine future costs associated with making the structure viable for the next thirty years.

From 01.24.17: Public Works Superintendent Karl Frink and I shared the presentation we gave to Council in October with the Parks & Open Space Advisory Board. The Parks & Open Space Advisory Board and Staff are currently updating the Park Master Plan.

Active: Emergency Preparedness Committee (EPC) Meeting Update – The Committee will be holding their first meeting of the year on February 15th to outline goals for 2018.

Active: Vintage Trailers Event – Mr. Long continues to update the City on the progress he is making on the 'Rally by the River.' Last week he met with the American Legion to work out logistics for breakfast during the event.

From 11.28.2017: Mr. Wade Long is interested in bringing over fifty trailers to Pioneer Park July 19th through 22nd and has requested an agreement. Staff has ensured that the insurance requirements are met. Mr. Long has agreed to the charges in the agreement for the use of the park for the weekend. Central Linn Rec Center Vice-President Blaine Cheney indicated that the Board has allowed the use of the restrooms for this weekend.

City Hall is already receiving phone calls about this event. They would also like to work in conjunction with *Stand by Me* since their trailers are 1950's & 1960's era. Mr. Long's event at the 30th Anniversary party for *Stand by Me* was very well received. Trailer owners absolutely loved Brownsville and are all excited to make this one of the best trailer events in Oregon. I think this event will help soften the loss of the Eugene Kennel Club.

Active: Recreational Vehicles – **From 03.28.2017:** Councilor Block and Councilor Chambers will be meeting with Administrative Assistant Tammi Morrow and I to review the ordinance and consider improvements to allow the City proper enforcement and compliance. Council can expect to see language at the May or June Council meeting.



City Administrator Report

Completed: Cycling Event – Staff completed the agreement under the direction of Council.

From 11.28.2017: Ms. Eileen Marma of the Mid-Valley Bike Club is interested in using Pioneer Park as a major part of a cycling event on July 21st. Ms. Marma predicts about 50 people who will be camping in the park. I will be meeting with Ms. Marma and Ms. Hammer from the organization on November 30th, 2017. Due to the Vintage Trailer event, I am recommending an alternative place for this group to camp. I have already offered alternative dates, but they are too far along in their planning for that to work; though it has not been completely ruled out.



Defunct: Canal Company Conversations – **From 10.24.2017:** Received a copy of the resignations from Gary Shepherd & Cindy Clark who represented the Canal Company as Vice-President and Secretary/Treasurer respectively.

From 07.25.2017: The Canal Company has decided to continue insuring the canal as reported at the last meeting. Councilors Cole, Chambers and Neddeau will be taking an in-depth look at the Canal Company and the impacts on the City.

WNHS Update – Homeowners: You may be eligible for a no-payment 0% interest loan for home repairs. If your income is low or moderate, you have equity in your home and need home repairs, please contact Willamette Neighborhood Housing Services at 541-752-7220 ext. 300.

Willamette Neighborhood Housing Services will be embarking on a merger. I have included the e-mail in your materials for your review.

Please refer citizens to the following websites for more information:

<http://www.oregonhomeownersupport.gov> & <http://w-nhs.org>

WNHS provides many home rehabilitation services and counseling for those meeting certain program requirements.



New Year Brings Traffic Law Changes

As of January 1, several new traffic laws in Oregon went into effect. First, motorists are required to move over if they see any vehicle with hazard or flashing warning lights on the side of the roadway. If it is unsafe to change lanes, drivers must slow down. Previously, this requirement only applied to emergency vehicles but now applies to any vehicle employing warning lights.

Additionally, cities that utilize electronic red-light enforcement technology can now also issue electronic citations for speeding at those intersections. Prior to issuing both types of citations, a city is required to enact an ordinance establishing the authority to issue both citations, conduct a public information campaign and place signage at the intersection. For more information please see page 76 of the League's [2017 Bill Summary](#).

The enhanced distracted driving law, which clarified that using entertainment apps or programming of navigation devices while driving are unsafe driving behaviors, took effect on October 1, 2017.

Finally, businesses in Oregon's rural counties, which are defined as having 40,000 people or less, may now offer full-time self-service gasoline. Self-service was previously allowed in those counties, but only after dark.

Contact: Scott Winkels, Intergovernmental Relations Associate – swinkels@orcites.org



City Administrator Report

Governor Signs Recreational Immunity Bill

Governor Kate Brown signed SB 327 into law Monday, restoring full recreational immunity to cities in Oregon. At a signing ceremony, she recognized a coalition of city officials for their hard work in passing SB 327. Joining the governor at the signing ceremony were: Representative Rick Lewis (R-Silverton); Redmond Mayor George Endicott; Cottage Grove Councilor Jake Boone; former Sherwood Mayor Krisanna Clark-Endicott; and several county and district officials.

Oregon law provides land owners with immunity from civil liability if they allow free access to their property for recreational purposes. An adverse court ruling in 2016 stripped that immunity from employees and volunteers, resulting in the closure of 12 parks or park features and the shelving of 25 plans for parks among cities. All shuttered parks are now open!

Contact: Scott Winkels, Intergovernmental Relations Associate – swinkels@orcities.org

Attorney General's Memo Changes Federal Marijuana Guidance

On January 4, U.S. Attorney General Jeff Sessions issued a memorandum that immediately rescinded all previous federal guidance to U.S. attorneys regarding marijuana enforcement. Previously, the U.S. Department of Justice (DOJ) prioritized marijuana enforcement in states that allowed medical and recreational marijuana activities utilizing a set of criteria designed to prevent driving while drugged, youth consumption, organized crime involvement, violence and marijuana usage on federal property. Under the new guidance, U.S. attorneys are advised to treat marijuana offenses as they would any other case.

Session's memorandum does not distinguish between recreational and medical marijuana. Currently, an amendment to the federal budget, commonly referred to as the Rohrabacher-Farr Amendment, prohibits the DOJ from spending its money on prosecuting individuals who engage in conduct associated with the use, distribution, possession and cultivation of medical marijuana, provided the individual's conduct was specifically permitted by a state statute and the individual fully complied with the terms of said state statute. This amendment is included in the federal government's current funding extension, which expires on January 22. If the Rohrabacher-Farr Amendment is not a part of the federal government's next budget or the next funding extension, the memorandum issued yesterday by the attorney general may have implications for both recreational and medical marijuana.

It is unclear how the U.S. attorney's office in Oregon will respond to this new guidance.

Contact: Scott Winkels, Intergovernmental Relations Associate – swinkels@orcities.org

ITEMS PENDING – Tabled, On Hold, Stalled or Waiting

2016, 2017 & 2018

Stalled

- ▶ Haney Development Situation – The property behind Tim & Terry Marchbanks' project off of Blakely Avenue. The discussion was about the City's subdivision requirements. The potential developer was not happy about the requirements to upgrade streets, water lines and other utilities required to support a housing development.



City Administrator Report

- ▶ *O 759: Water Management & Conservation Plan* – Staff is looking into developing a water conservation plan in the event of a water emergency. Staff ran into challenges due to the retirement of the State Water Master and procuring requirement. Staff would like to procure the equipment and work with local groups to monitor river and water table levels to get a real handle on water shortages.
- ▶ Private property water runoff concern on S. Oak Street.
- ▶ *Kay Street Local Improvement Drainage Project* – A local property owner is looking to improve drainage on Kay Street. Council directed the owner as prescribed in Brownsville Municipal Code Chapter 3.15. The City has not heard back from the property owner as to any new developments.
- ▶ *Remington Park Draft Agreement* – A few years ago the City was approached by folks who were interested in pursuing a possible agreement with the City for the management of Remington Park.
- ▶ *Fence & Right-of-Way Infringements* – The City continues to experience problems and encroachments yet to be dealt with via a policy change.
- ▶ *Main Street Street Trees* – The City is still waiting to execute a project that would begin the replacement of the street trees on Main Street. Lack of funding and agreement have led to the delays.
- ▶ *Economic Development Ad Hoc Committee Conversation* – Nothing to report due to the groundwork being laid at the regional level.
- ▶ *Disinterment Policy - From 07.25.2017*: A citizen is asking to exhume a relative from the Brownsville Cemetery. Administrative Assistant Jannea Deaver has contact the State Mortuary Board to understand the process of disinterment. The process includes many administrative steps. The City does not have any policies for the cemetery...



PAST MEETINGS – Memory Information

Pending: Telecommunications Franchise – *From 02.28.2017*: I have contacted City Attorney Ross Williamson to begin planning for the renegotiation of this important franchise. The current agreement is set to expire in September 2017.

Defunct: Visit Linn Coalition (VLC) Update – *From 04.25.2017*: Many of the same members are working on one or more of the same projects: the Go Team effort, the joint cities contract and the regional software project. Not to mention putting together budgets and learning their duties as is the case with new administrators in partner cities.

Completed: Linn County Transportation System Plan – *From 07.25.2017*: Councilor Gerber and I attended a public meeting regarding the Linn County Transportation System Plan (TSP). Council may recall the County has hired a consulting firm to review possible capital improvements projects that fall within County responsibility. The County has also included State projects. The County is trying to ready themselves for current and future funding possibilities. One mention was the intersection of OR 20 and OR 226 which is the site of many fatal accidents.



City Administrator Report

Basically, the County has categorized projects into seven general categories: 1) Walking & Biking, 2) Bridges, 3) Corridor Improvements, 4) Rural Modernization, 5) Spot Improvements, 6) Future Sites, & 7) Systemic Safety Improvements. The County has criteria for improvements to assist in ranking priorities. Factors include use, safety, traffic fatalities, and overall impact to name a few.

In short, Kirk Avenue will only have a chance to be funded if the City and the residents decide to improve the street through the LID process or other funding mechanism **perhaps** in partnership with Linn County. Kirk Avenue is not a priority for Linn County transportation based on the developed criteria.

➤ **For the history of the Kirk Avenue project, please refer to the *City Administrator Report* found in Council records from April 2016 and prior.**

Coleman & Kinney – FEMA Implications –Pending.

From 09.27.2016: Here is the quick paragraph that will appear in the newsletter: Flood regulations are soon to be changing. The National Marine Fisheries Service (NMFS) found that the Federal Emergency Management Agency (FEMA) have been carrying out practices and policies have proven to be detrimental to endangered species. FEMA is scrambling to correct these findings. Flood premiums will be on the rise as will the regulations required to do construction anywhere in the floodplain. The National Flood Insurance Program (NFIP) is making changes to more adequately cover the losses incurred when flooding occurs around the United States which is why premiums are set to increase 25% over the next five to seven years.

Moody Court & Unenumerated Nuisance – The cat numbers have increased. The neighbor to the east is now starting to collect cats. Staff is watching the numbers.

From 11.25.2014: The City has paid out \$2,875 to have cats removed from the neighborhood...

Respectfully Submitted,

S. Scott McDowell



Public Works Report

January 10, 2018

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the months of December and January.
- *Distribution System* – Two water leaks in December. Public Works will soon be replacing the water line on Howe Street. The current line is an old steel 1 inch line serving two customers; the new line will be a two inch PVC line, which will balance the pressure for the two services much better.
- *Cross Connection Program*- All backflows have been tested for 2017.
- *Water Treatment Plant* –All instruments have been cleaned and calibrated to factory specifications.
- *Misc.* – Public Works will begin flushing fire hydrants as time allows.

Sewer:

- *North Lagoons* – The damaged pump has been repaired and put back into service. Unfortunately the same damage occurred to the second pump, and is in the process of being repaired.
- *South Lagoons*- Discharge from this facility began in early December and was completed prior to Christmas.
- *Collection System*- There were two sewer blockages both were customer blockages and did not effect the City sewer system.
- *Misc.* – Nothing additional to report.

Streets:

- *Mowing/Tree Maintenance* – Tree maintenance is under is complete. Public Works continues to trim branches as needed.
- *Asphalt/ Gravel Road Maintenance* –All gravel streets have been graded.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Street sign work continues as time allows. Many new locations require locates to be called in before we can bore holes to place sign posts.

Parks:

- *Pioneer Park* – Leaf clean up is under way at this time.
- *Blakely Park* – This park will be cleaned up once Pioneer Park is complete.
- *Kirk's Ferry Park* – This park will be cleaned up once Pioneer Park is complete.
- *Remington Park* –This park will be cleaned up once Pioneer park is complete.

Cemetery:

- *Grounds* – Nothing to report this month.

Library:

- *Grounds*- This area will be cleaned up once Pioneer Park is complete.
- *Buildings*- Nothing to report this month.

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed. We have been experiencing higher than normal amounts of vandalism at this facility.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Nothing to report this month.

City Hall:

- *Buildings*- Nothing to report this month.
- *Grounds* –The grass is mowed and maintained weekly, or as needed.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds*- The grass is mowed weekly or as needed.
- *Buildings*- The gym lights have been repaired or replaced as needed.

Public Works:

- *Grounds*- The grass is mowed weekly.
- *Buildings*- Cleaning and organizing continues as time allows.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.

K7-D



PLANNING AT A GLANCE

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

- | | |
|---|----------------------|
| • Structural (24 X 40 Pole Barn) | 600 Washburn Street |
| • Plumbing (DW, sink & waterline after the fact) | 119 Kirk Avenue |
| • Mechanical (ductless heat pump) | 124 Millhouse Street |
| • Plumbing (2 bathrooms, mop sink, etc.) | 178 S Main Street |
| • Structural (stairs & firewall) | 119 Kirk Avenue |
| • Mechanical (gas fireplace w/piping) | 403 Kirk Avenue |
| • Plumbing (install water, storm, building sewer) | 178 S Main Street |
| • Plumbing (install sink in kitchen) | 333 Main Street |
| • Mechanical (extend gas line to range 30') | 403 Moyer Street |
| • Mechanical (replace gas furnace) | 115 Fields Court |

Land Use Applications

- | | |
|------------------------------------|------------------|
| • Planned Unit Development Phase 4 | 900 Depot Avenue |
|------------------------------------|------------------|

Progressive Design Builders has submitted a tentative plan for Phase 4 of the Planned Unit Development located at 900 Depot Avenue. The Planning Commission approved Phases One through 3 at the September 25th, 2017 hearing. Phase Four required a separate hearing, as the plan for that portion of the property had not yet been submitted. A hearing will be set within the next 60 days.

Elizabeth E. Copwa

"There is some good in the worst of us and some evil in the best of us. When we discover this, we are less prone to hate our enemies." - Martin Luther King, Jr.



LINN COUNTY SHERIFF'S OFFICE

Bruce W. Riley, Sheriff
 1115 S.E. Jackson Street
 Albany, OR 97322
 Phone: 541-967-3950
 www.linnsheriff.org

2017

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

FOR THE MONTH OF:	November	
TRAFFIC CITATIONS: -----		12
TRAFFIC WARNINGS: -----		24
TRAFFIC CRASHES: -----		1
ADULTS CITED / VIOLATIONS: -----		2
ADULTS ARRESTED: -----		5
JUVENILES CITED / VIOLATIONS: -----		0
JUVENILES ARRESTED: -----		0
COMPLAINTS/INCIDENTS INVESTIGATED: -----		85
TRAFFIC HOURS-----		44
ADMINISTRATION HOURS-----		3
TOTAL HOURS SPENT IN:	BROWNSVILLE	206

CONTRACT HOURS = 200 HOURS

**Bruce W. Riley,
 Sheriff, Linn County**

By: Sergeant Greg Klein

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR NOVEMBER 2017**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	32	0	0	32	
Violations	43	6	6	43	1
Contempt/Other	34	8	1	41	
TOTALS	109	14	7	116	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 950.00	City	\$ 874.00
Total Bail Released +	\$ -	Restitution	\$ -
Total Bail/Bank Fees -	\$ -	Oregon Dept Revenue	\$ 50.00
Total Bail Held -	\$ -	Linn County	\$ 26.00
* Total Refund/Rest	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 950.00</u>	TOTAL COURT PAYMENTS	<u>\$ 950.00</u>
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Credit given for Community Service	\$ -
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Other Credit Allowed Against Fines	\$ -
------------------------------------	------

TOTAL NON-REVENUE CREDIT ALLOWED	<u>\$ -</u>
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TOTAL CASH PAYMENTS TO:

CITY	\$ 874.00
STATE	\$ 50.00
COUNTY	\$ 26.00
*REFUND/RESTITUTION	\$ -
TOTAL:	<u>\$ 950.00</u>

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR DECEMBER 2017**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	32	3	0	35	
Violations	43	11	1	53	1
Contempt/Other	41	2	0	43	
TOTALS	116	16	1	131	

BALANCE SHEET FOR THE MONTH

Court Revenue

Total Deposits +	\$ 890.00
Total Bail Released +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ -
Total NSF's -	\$ -

Court Payments

City	\$ 838.15
Restitution	\$ -
Oregon Dept Revenue	\$ 35.85
Linn County	\$ 16.00
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE	\$ 890.00	TOTAL COURT PAYMENTS	\$ 890.00
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Credit given for Community Service	\$ -
------------------------------------	------

Other Credit Allowed Against Fines	\$ -
------------------------------------	------

TOTAL NON-REVENUE CREDIT ALLOWED	\$ -
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TOTAL CASH PAYMENTS TO:

CITY	\$ 838.15
STATE	\$ 35.85
COUNTY	\$ 16.00
*REFUND/RESTITUTION	\$ -
TOTAL:	\$ 890.00



November 2017

Here are a few facts about our library the month of November 2017. We have received 28 new books for the library. Volunteers donated 174.75 hours to our library. There were 1,529 materials checked out. 433 adult fiction books; 156 adult non-fiction books; 158 audio books; 522 children's books; 192 junior books; 37 junior reference books and 31 large print books.

During the month of November, we celebrated during Story Times the Veteran's Day and Thanksgiving Holidays. Stories and crafts corresponded with these themes. The final day of November, volunteers set up the annual book sale. The Friends of the Library raise funds to purchase 14 magazine subscriptions for our Library plus many other extras. This month, volunteer Claudia Douglass and I were able to conduct our first oral interview with a former local resident Carol Dougherty Rauch. I have just completed transcribing this 90-minute interview. My next task is to transfer it into a narrative form that will be more fun to read. These 'Next Generation Interviews' will be held in our History Room for generations to enjoy. I will also be sharing a copy of the transcript/narrative with the Linn County Historical Museum.

Respectfully submitted,

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

Sherri Lemhouse,
Librarian



December 2017

Here are a few facts about our library the month of December 2017. We have received 36 new books for the library. 25 Volunteers donated 149.25 hours to our library. There were 1,240 materials checked out. 400 adult fiction books; 121 adult non-fiction books; 137 audio books; 295 children's books; 231 junior books; 18 junior reference books and 38 large print books.

This past month I was able to purchase eight gift books in honor of local resident Linda Scronce-Johnson. Friends of Linda Scronce-Johnson donated \$120. Books purchased were garden related. There are a couple biographies and a couple others are hands-on gardening how to and a final is a book on developing good character (which gardening does).

The Library was given a donation of new LEGOs™ this month. With these I have started to put them out for play on Thursday afternoons. JUMP (Join Us and Make Projects) includes time with LEGOs™ and a craft. These are set up on Thursdays during Library hours from 1 -7 pm. This is one more way of bringing people together into the Library.

The Summer Reading Team is already planning for the July Friday activities. I am sorry to report that the Oregon College Savings Plan will not be providing a free performer this summer. This year's theme is 'Libraries Rock!' The four Friday's in July promise to be fun!

Respectfully submitted,

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

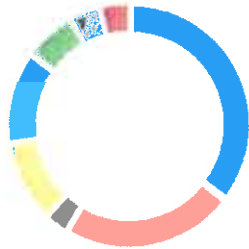
Sherri Lemhouse
Librarian



Brownsville Community Library

By the Numbers (unaudited) July 2017 – December 2017

Books in Collection



- Adult Fiction
- Adult Non-Fiction
- Audio
- Children's
- Junior Fiction
- Junior Reference
- Large Print
- Reference

You can find magic
wherever you look.
Sit back and relax,
all you need is a
book.

Computer Uses
2,213



34 Programs for Children
742 Attendees



55 Volunteers

994.75 Total Volunteer Hours



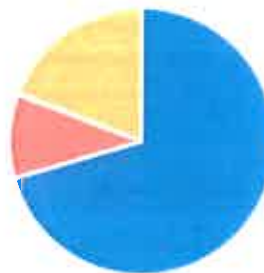
2,717

Library Visits



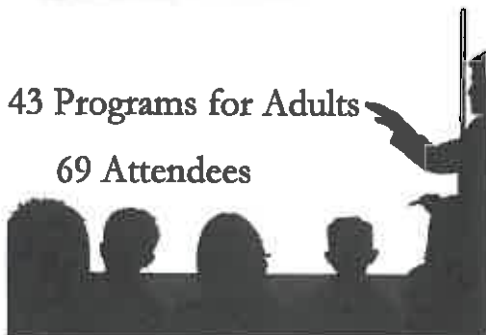
8,521 books checked out
42.8%
19,449 Total Books

Expenses



- Salaries
- Books/Processing
- Building Maintenance
- Office

43 Programs for Adults
69 Attendees





Date: January 18th, 2017

Ordinance #: 770

Summary: The current version of this ordinance requires indoor marijuana grows, contains language limiting the City from certain liability concerns and treats the odor issue as a nuisance with the violations being cited under Brownsville Municipal Code Chapter 1; General Provisions.

Purpose: Council has heard from many citizens about the concerns with open grows in neighborhood areas. Council has considered an indoor grow ordinance based off of Eagle Point, Oregon, then Council considered an outdoor grow ordinance that attempted to mitigate the associated odors. This ordinance, indoor grows with less regulation than Eagle Point's, will potentially have a first reading January 23rd, 2018.

Process: Since Council has been considering a version of this ordinance since October 2017, it has been placed on Legislative on the Council's upcoming agenda. Council may take any action deemed necessary on this matter.

Public: Since late 2016, the City has experienced an increase in marijuana odor complaints for fairly obvious reasons. The State of Oregon is not going to investigate odor complaints as reported at Council meeting in March of 2017. Folks growing marijuana prefer to open grow the marijuana for a variety of reasons. The State does have rules about growing outdoors, but they are not enforced and could change at the next legislative session.

Impact: Neighbors are being impacted by odor emanating from backyard grows. Folks are complaining about sinus & breathing problems, not being able to enjoy their property and nowhere to go to get away from the smell. The odor seeps into porous surfaces such as car seats and lingers. Neighbors are at odds with each other over the issue. Selling property next to an open grow creates potential financial loss for home owners.

Staff: Attempting to find a solution for this concern is not easy. Smell is a very subjective, unmeasurable human sense. Some people have a very acute sense of smell while others don't seem to mind even the sharpest of odors. You would hope that neighbors could work out situations among themselves, but sometimes it is not possible. The marijuana issue continues to be the source of controversy in a variety of ways, but the odor issue is a tangible issue that is happening now and will only increase in frequency. I expect there to be an increasing number of people growing cannabis at their residences. What happens when people decide to grow in a multi-family dwelling unit or other groups housing area? What kind of recourse should the City offer? Should this issue be left for neighbors to dispute among themselves? The purpose of ordinances is for the City to set a baseline limit for issues that impact the broader community.

Thoughts: Indoor grows have been happening in Brownsville for decades as mentioned by Councilor Gerber in November. For that matter, outdoor grows have



been happening in and around Brownsville for decades. Growing indoors is not ideal for a number of reasons, but it is the only solution that effectively mitigates the odor and attractant issues, if Council feels compelled to address these issues. This issue should be handled as a complaint driven issue. The City should not go out and be the “cannabis cops.” If a complaint is received from a neighboring property, the City would then investigate. Some people are not going to be concerned about the odor as previous discussed.

Impact: Without an ordinance in place, Staff does not have any answers for this complaint and there is nothing the City can do to keep the peace without a local law in place.

Rationale For: Attempting to keep the peace is an important part of developing public policy which is the reason for Council. People have more “legal” ways to get marijuana in Oregon than nearly anywhere else in the United States.

Rationale Against: People should be allowed to do whatever they want on their property without regard for their neighbors. If people are upset about these issues, let them sue their neighbor.

A handwritten signature in blue ink, appearing to be the initials "SM".



ORDINANCE NO. 770

AN ORDINANCE ADDING CHAPTER 8.60 TITLED HOMEGROWN AND MEDICAL MARIJUANA AND INCLUDING SECTION(S) 08.60.010 INTENT AND PURPOSE, 08.60.020 DEFINITIONS, 08.60.030 HOMEGROWN AND MEDICAL MARIJUANA SUBJECT TO REGULATION, 08.60.040 PUBLIC NUISANCE REMEDY, 08.60.050 VIOLATION, 08.60.060 CONFLICTS OF LAWS, AND 08.60.070 SEVERABILITY, TO THE MUNICIPAL CODE OF THE CITY OF BROWNSVILLE, OREGON;

WHEREAS, Title 8 of the Brownsville Municipal Code (BMC) defines Health & Safety relating to public order, and;

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, health and safety relating to homegrown marijuana within the City of Brownsville, and;

WHEREAS, Brownsville City Council desires to add Chapter 8.60 to the Brownsville Municipal Code to require indoor grows, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

Chapter 8.60 HOMEGROWN AND MEDICAL MARIJUANA

Sections:

8.60.010 Intent and purpose.

8.60.020 Definitions.

8.60.030 Homegrown and medical marijuana subject to regulation.

8.60.040 Public nuisance remedy.

8.60.050 Violation.

8.60.060 Conflict of laws.

8.60.070 Severability.

8.60.010 Intent and purpose.

The Brownsville City Council recognizes that citizens of the State of Oregon may engage in both recreational and medicinal use of marijuana in accordance with State law. However, Council also recognizes that cultivating, drying, producing, processing, keeping, or storing of marijuana,



without appropriate safeguards in place, can have a detrimental effect upon the public health, welfare and safety of neighboring citizens. The Council finds and declares that the health, safety, and welfare of its citizens are benefitted by requiring marijuana cultivators engaged in recreational or medicinal cultivation, drying, producing, processing, keeping, or storing of marijuana to ensure that the marijuana and related odors are properly mitigated, not accessible, or visible to other persons or property, or otherwise illegal under Oregon State law.

8.60.020 Definitions.

“Homegrown marijuana” means any marijuana cultivated, dried, produced, processed, kept or stored for personal recreational use by a person 21 years of age and older in accordance with State law.

“Homegrown marijuana grow site” means a location in which a person 21 years of age and older cultivates, dries, produces, processes, keeps or stores homegrown recreational marijuana in accordance with State law.

“Household” means a housing unit, and includes any indoor structure or accessory dwelling unit in or around the housing unit at which the occupants of the housing unit are cultivating, drying, producing, processing, keeping, or storing homegrown marijuana.

“Housing unit” means a house; a mobile home; a manufactured home; and/or a group of rooms, or a single room that is occupied as separate living quarters, in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall including an individual residential unit in an apartment, duplex, townhome, condominium, or senior living facility.

“Marijuana” has the meaning provided in ORS 475B.015 or ORS 475B.410. The term includes any and all homegrown marijuana, medical marijuana, non-medical marijuana, and marijuana products as defined in this section.

“Marijuana cultivator” means a medical marijuana grower, recreational marijuana home-grower, patient, and any landlord or property owner allowing marijuana to be cultivated, dried, produced, processed, kept or stored at a premises.

“Marijuana products” means products that contain marijuana or marijuana extracts and are intended for human consumption.

“Medical marijuana” means the marijuana cultivated, dried, produced, processed, kept or stored for medicinal use in accordance with the Oregon Medical Marijuana Act.

“Medical marijuana grow site” means a location registered pursuant to ORS 475B.420 where medical marijuana is produced for use by a patient and any related ORS amendments.



“Medical marijuana grower” means any person engaged in the cultivation, drying, production, processing, keeping or storage of medical marijuana in accordance with State law, and includes, but is not limited to, the meaning provided in OAR 333-008-0010 (11) and (21).

“Patient” means a person who has obtained a registry identification card under ORS 475B.415 from the Oregon Health Authority.

“Premises” means a household, medical marijuana grow site, homegrown marijuana grow site, and/or primary residence of a patient.

“Property” means any home, business or private land.

“Recreational marijuana homegrower” means a person 21 years of age and older engaged in the cultivation, drying, production, processing, keeping, or storage of homegrown marijuana in accordance with State law.

8.60.030 Homegrown and medical marijuana subject to regulation.

- A. The ordinance is intended to require indoor marijuana growing for health and safety reasons, not to provide authorizations.
- B. State law authorizes citizens to grow marijuana for medical and recreational marijuana purposes and provides those growers immunity from State criminal prosecution.
- C. Although the State of Oregon has passed legislation authorizing marijuana businesses and, allows homegrown plants, providing criminal immunity under State law, all of those operations remain illegal under Federal law.
- D. Brownsville City Council has home rule authority to decide whether, and under what conditions, certain marijuana related conduct should be regulated within the City and subject to the general and police powers of the City, except when local action has been clearly and unambiguously preempted by the State of Oregon.
- E. The City’s requirements shall not be construed to constitute an authorization to engage in any activity prohibited by law nor a waiver of any other license or regulatory requirement imposed by any other provisions of City ordinance or local, County, State or Federal law.
- F. It is expressly stated herein that any person or persons involved in the marijuana industry, related businesses and homegrown plants are still subject to possible Federal prosecution and remain in violation of Federal law.
- G. Public nuisance. Any premises, house, building, structure or place of any kind where marijuana is grown, processed, manufactured, sold, bartered, distributed or given away in violation of State law or this chapter, or any place where marijuana is kept or possessed for sale, barter, distribution or gift in violation of State law or this chapter, shall constitute a public nuisance.



H. Marijuana cultivators shall be allowed to cultivate, produce, and/or process homegrown marijuana and medical marijuana subject to the following conditions:

1. Cultivation, production, possession, and processing of marijuana must be in full compliance with all applicable provisions of ORS Chapter 475B and administrative rules adopted thereunder.
2. Cultivation, drying, curing, storage, production, or processing of marijuana shall only be grown indoors.
3. Cultivation, production, processing, or storage of marijuana shall be mitigated from the exterior of the household, housing unit, and/or indoor structure including but not limited to:
 - a. Odors, smells, and fragrances;
 - b. Light pollution, glare, or brightness that disturbs the repose of another;
 - c. Excessive noise that disturbs the repose of another in violation of BMC 9.10.040.
4. Cultivation, production, or processing of marijuana shall meet the requirements of all adopted water and sewer regulations promulgated by the City.
5. Disposal of any excess or unused marijuana, marijuana products, or other byproducts thereof, shall meet any and all local and state requirements for disposal, and shall be disposed of in a secure fashion so as to avoid access by children, visitors, casual passersby, vandals or anyone not licensed or authorized to possess medical or homegrown marijuana.
6. Cultivation, production, or processing of marijuana in multi-family housing unit shall be prohibited.

I. The City shall abate any homegrown marijuana that does not comply with this chapter or State law and levy all fines, abatements costs and any other associated costs with the abatement to the property owner of record and/or renter and/or other responsible party associated with the violation.

J. Licensed commercial grows, as defined in Measure 91, are prohibited in all residential zones.

8.60.040 Public nuisance remedy.

A. Any household, housing unit, premises, property, building, structure or place of any kind where medical or homegrown marijuana is grown, processed, manufactured, bartered, distributed or given away in violation of State law or this chapter, or any place where medical or homegrown marijuana is kept or possessed for sale, barter, distribution or gift in violation of State law or this chapter, is a public nuisance and may be abated as provided in BMC 8.30.150.



- B. In addition to the foregoing, three or more violations in a 30-day period shall constitute a nuisance subject to the provisions of BMC 8.30.190 and Brownsville Municipal Code 1.05.
- C. In addition to any remedies provided in BMC Title 8, the City may institute an action in municipal or circuit court in the name of the City to abate, and to temporarily and permanently enjoin, such nuisance. The court has the right to make temporary and final orders as in other injunction proceedings. The City shall not be required to give bond in such an action.

8.60.050 Violation.

In addition to treatment as a nuisance, all violations of this title are subject to punishment under the general penalty provisions in BMC 1.05.010. Each day in which a violation continues shall constitute a separate violation.

8.60.060 Conflict of laws.

In the event of any conflict between the provisions of this chapter and the provisions of any other applicable State or local law, the more restrictive provision shall control.

8.60.070 Severability.

The sections, subsections, paragraphs and clauses of this chapter are severable. The invalidity of one section, subsection, paragraph or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



RESOLUTION 2018.01

**A RESOLUTION APPOINTING PRO TEMPORE JUDGE(S)
FOR THE BROWNSVILLE MUNICIPAL COURT**

WHEREAS, Brownsville Municipal Code 2.55.030 allows the Council to appoint Municipal Judges Pro Tempore, to serve in the absence of the Municipal Judge; and,

WHEREAS, the term appointments of persons previously appointed to serve as Municipal Judges Pro Tempore have expired,

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Gerald Waite and Jessica K. Meyer are hereby appointed to serve as Municipal Judges Pro Tempore of the Brownsville Municipal Court for a term ending on the last day of December 2018.

Introduced and adopted this 23rd day of January 2018.

Don Ware, Mayor

S. Scott McDowell, City Administrator



RESOLUTION 2018.02

A RESOLUTION REAFFIRMING THE SAFETY POLICY AND LOSS PREVENTION PROGRAM FOR THE CITY OF BROWNSVILLE

WHEREAS, the City holds in high regard the safety, welfare and health of our employees; and

WHEREAS, the Council has a responsibility to make every reasonable effort to maintain a safe and healthful working environment;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Brownsville, State of Oregon does hereby reaffirm a strong commitment to employee and workplace safety as articulated below:

Introduction:

The City of Brownsville has always believed that our employees are our most important and valuable asset. We will always place a high priority on safe operations and the safety of employees. The City considers no phase of operation or administration more important than safety and health. We will provide and maintain safe and healthful working conditions, establish and insist on safe work methods and practices at all times. All members of management and all employees must make safety a part of their daily and hourly concern.

Goal/Purpose:

Our goal is “No Accidents” and we consider it a realistic goal. We want to make our safety efforts so successful that we make elimination of accidents and injuries not just a goal, but a way of life. Our goal is to involve both management and employees in safety planning, development and implementation.

Objectives:

- The City of Brownsville will work consistently to: Maintain safe and healthful work conditions; Observe Federal, State and City safety regulations; Ensure that no employee is assigned to a job without necessary training;
- Require safety orientation for new employees, timely and appropriate training, an employee safety committee, a self-inspection program, proper mechanical guards in adherence to safety standards, and a personal protective equipment program;
- Provide safety and fire inspections to identify potential hazards of operation, then developing necessary protective measures;



- Conduct accident investigations to determine the cause of accidents and the action required to prevent recurrences.

Responsibilities:

Management Personnel of the City are responsible for developing an effective Loss Prevention Program. The department heads and supervisors are responsible for preventing accidents in their departments. Each level of management must reflect and interest in the City’s safety objectives and set a good example by complying with safety rules. Management interest must be vocal, visible and continuous.

Employee Participation:

All employees are expected to follow safe working practices, obey rules and regulations, and to work in a way which maintains the high safety standards developed and sanctioned by the City.

All Employees are expected to give full support to safety and loss-prevention activities.

Every employee must observe established safety regulations and practices, including the use of personal protective equipment.

All employees are expected to take an active interest and participate in the safety and health program, and abide by the rules and regulations of the City.

All employees must recognize their responsibility to prevent injuries and illnesses and take necessary actions to do so. Their performance in this regard will be measured along with their overall performance.

Closing Statement:

By accepting mutual responsibility to operate safely, we will all contribute to the well-being of all involved with City operations. We must be so successful in our efforts that total elimination of accidents and injuries becomes not just an objective, but a standard practice.

PASSED by the Council and Approved by the Mayor on this 23rd day of January 2018.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION 2018.03

**A RESOLUTION DISBURSING THE AMOUNT OF \$ 3,040
FROM THE TRANSIENT ROOM TAX FUND TO THE
CHAMBER OF COMMERCE FOR MARKETING PURPOSES**

WHEREAS, the exact amount to be disbursed is \$3,040.00; and,

WHEREAS, the Chamber will promote Brownsville by marketing community events and a myriad of Chamber sponsored events; and,

WHEREAS, Council will disburse \$160 or 5% of the allocated funds from this account to the General Fund as allowed in Chapter 3.25.210; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, hereby disburses the amount of \$3,040 pursuant to Chapter 3.25 of the Brownsville Municipal Code to the Chamber of Commerce for the purpose of marketing.

PASSED AND ADOPTED by the Council of the City of Brownsville this 23rd day of January, 2018.

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION NO. 2018.04

**A RESOLUTION PLANNING CORRECTIVE MEASURES FOR THE
FY 2016-2017 AUDIT AND FUTURE FISCAL YEAR AUDITS FOR THE
SECRETARY OF STATE AUDITS DIVISION**

WHEREAS, Oregon Revised Statutes (ORS) 297.466 requires cities to provide a plan for taking corrective measures for any deficiencies noted by the accounting firm during a municipal audit; and,

WHEREAS, the City received notification from Boldt, Carlisle & Smith on January 10th, 2018 regarding FY 2016-2017 audit comments as filed by the City; and,

NOW, THEREFORE, BE IT RESOLVED, Council shall take the following measures to remedy the concerns with the financial statements and Local Budget Law issues:

Section 1. Audit Page 47:

- Expenditures in excess of appropriations occurred as follows:

<u>Fund / Appropriation category</u>	<u>Appropriation</u>	<u>Actual</u>	<u>Variance</u>
Transient Room Tax / Materials and services	\$ -	\$ 3,610	\$ (3,610)
Community Projects / Materials and services	-	7,901	(7,901)
Sewer Bond / Debt service	354,175	354,193	(18)

City Response: Attached as Exhibit A is Resolution 2016.13 passed by Council on June 28th, 2016. This annual resolution adopts the budget, makes necessary appropriations and imposes and categorizes taxes for any given fiscal year; this particular resolution was for FY 2016-2017.

Transient Room Tax Appropriation is clearly \$3,800:

TRANSIENT ROOM TAX	
Capital Outlay	\$ 3,800
Unappropriated	\$ 600
Fund Total	\$ 4,400

Included for further verification is Page #32 from the City Budget for FY 2016-2017 showing the appropriation in detail.

Community Projects Appropriation is clearly \$35,000:

COMMUNITY PROJECTS	
Capital Outlay	\$ 35,000
Unappropriated	\$ 121,500
Fund Total	\$ 156,500

Included for further verification is Page #35 from the City Budget for FY 2016-2017 showing the appropriation in detail.

Sewer Bond Appropriation:



SEWER BOND

Bond Payments	\$	354,175
Unappropriated	\$	<u>22,000</u>
Fund Total	\$	376,175

The \$18 difference in this account was due to the refunding of municipal bonds. The United States Department of Agriculture required a payment of \$354,193 in order for the entire refunding to go through. I found out about this at 3:30 p.m. and it had to be in their office by 5:00 p.m. I asked Administrative Assistant Tammi Morrow to run a check for the amount requested, made notes, ran the decision by Boldt, Carlisle & Smith's Bill Palmer.

Section 2. Audit Page 48:

- The 2017-18 budget document required by ORS 294.358 contained errors as follows:
 - The excess of actual revenues over actual expenditures in the second preceding year did not equal the beginning balance in first preceding year for the General Fund as follows:
 - Second preceding year revenues over expenditures were \$180,827, while the first preceding year beginning balance was \$625,961.

City Response: The historical data is taken directly from the annual audit. The 'Adopted Budget this Year' column under historical data is a guess with nearly four months of the fiscal year left to complete projects. In some fiscal years, the City is not able to complete projects as predicted which leads to a larger carry over than predicted. It is an estimate.

- The City is required by ORS 294.361 to prepare estimates of budget resources. However, estimates of the beginning cash balance resource in the 2017-18 budget were not reasonable as follows:
 - General Fund actual cash was \$1,171,658, while \$585,000 was budgeted.
 - Street Fund actual cash was \$296,569, while \$375,000 was budgeted.
 - Water Bond Fund actual cash was 129,243, while 22,751 was budgeted.
 - Sewer Bond Fund actual cash was \$513,086, while \$65,000 was budgeted.

City Response: Estimates of budget figures are always a "best guess" as stated by the Oregon Department of Revenue at multiple training sessions for budget officers. The City figures these estimates based on the audited numbers from the previous fiscal year, the actual cash balance of all funds through February of the current fiscal year and then surmises how much will be spent on capital improvements and general operating expenses through the end of the fiscal year which is typically three to four months of unknown data.

- The City's financial summary, LB-1 should agree with amounts on detail budget sheets per ORS 294.438. Actual numbers from 2015-16, and adopted budget numbers from 2016-17 did not agree to the LB-1.
- In the resolution adopting and appropriating the 2017-18 budget, the city did not properly appropriate the following items:
 - The appropriations resolution should not appropriate "unappropriated ending fund balance".
 - The appropriation for the Water Fund incorrectly included the Transfer (In) category. Revenues and Transfers (In) are not appropriated.
 - The Street fund appropriation did not foot.
 - The City's resolution making appropriations included the appropriation of amounts identified as contingency in various funds and departments within funds. Operating contingency should be appropriated separately from other appropriation categories and can only be accessed through an appropriation transfer during the budget year.



City Response: The Linn County Assessor's Office has requested that the City place the unappropriated balances in the resolution for calculation purposes. If the money is named 'unappropriated', then how can it be considered appropriated? The City fully understands the purpose of appropriations, but when the County, who will be levying the taxes, requests information, the City complies with that request. Staff will place an unappropriated total on the back of future resolutions as suggested by Boldt, Carlisle & Smith. The transfers were corrected with Linn County. The City's contingencies have always been done this way in accordance with the Department of Revenue. The City passes resolutions on all transfers as needed through the course of the fiscal year.

Boldt, Carlisle & Smith Additional Letter

Issue #1

We consider the following deficiencies in the CITY OF BROWNSVILLE's internal control to be material weaknesses:

- The City maintains an operating bank account, as well as an account with the Oregon State Local Government Investment Pool (LGIP). Although the City is reconciling and recording the bank and LGIP activity, it does not accurately reconcile these two accounts to the amounts recorded in the general ledger cash and LGIP accounts by fund. Internal controls should include processes for accurately reconciling the bank accounts to the general ledger on a monthly basis. Without this reconciliation there is a significant risk of a material misstatement, caused by either error or fraud, occurring and not being detected or corrected in a timely manner.
- The City employees record journal entries as needed, and we were told they are reviewed and approved prior to posting. However we could not find any evidence of supervisory review or authorization of these journal entries. Internal controls should incorporate documenting supervisory review and approval of journal entries. There is a significant risk that employees could post unauthorized journal entries, caused by either error or fraud, and not be detected in a timely manner.

City Response: Administrative Assistant Tammi Morrow and City Administrator Scott McDowell review and enter all journal entries. The City hired Boldt, Carlisle & Smith to address this concern two years ago. Staff has been following their recommendations to correct this concern. The City will hire another auditor to review this internal process.

Issue #2

1. All employees share a cash drawer for receiving customer payments. This common drawer presents the possibility for theft to occur without the ability to determine which employee is responsible.
2. The utility billing process is performed by one individual with no monitoring of the transactions posted. This includes the invoicing of utility bills, the posting of cash receipts to customer accounts, posting of adjustments to customer accounts, and preparing and making bank deposits.

City Response: Utility billing transactions are posted to customer accounts by Administrative Assistant Jannea Deaver, Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell.



Utility billing adjustments are administered by Administrative Assistant Jannea Deaver and approved by City Administrator Scott McDowell.

Bank Deposits are prepared by Administrative Assistant Jannea Deaver, Administrative Assistant Elizabeth Coleman and Administrative Assistant Tammi Morrow daily and in some cases weekly. All transactions are balanced from the software system which the City uses to account for customer transactions.

Administrative Assistant Jannea Deaver prepares all customers billing and audits the system for errors based on her years of experience. Any anomalies or account concerns are reviewed with City Administrator Scott McDowell.

PASSED AND ADOPTED by the Council of the City of Brownsville this 23rd day of January, 2018.

Attest:

S. Scott McDowell
City Administrator/Recorder

Don Ware
Mayor

Exhibit A**RESOLUTION NO. 2016.13****RESOLUTION ADOPTING A BUDGET**

BE IT RESOLVED that the Council for the City of Brownsville hereby adopts the budget for Fiscal Year 2016-17 in the sum of \$4,641,609, including transfers totaling \$21,800, or \$4, 599,809; now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts for the fiscal year beginning July 1st, 2016 and for the purposes shown below are hereby appropriated:

GENERAL FUND		TRANSIENT ROOM TAX	
Administration	\$ 289,550	Capital Outlay	\$ 3,800
Parks & Cemetery	\$ 184,000	Unappropriated	\$ 600
Community Room	\$ 6,700	Fund Total	\$ 4,400
Library	\$ 139,510		
Law	\$ 235,065	COMMUNITY PROJECTS	
Operations	\$ 300,950	Capital Outlay	\$ 35,000
Transfers (Out)	\$ 0	Unappropriated	\$ 121,500
Unappropriated	\$ 41,490	Fund Total	\$ 156,500
Fund Total	\$ 1,197,265		
WATER FUND		SEWER BOND	
Administration	\$ 262,150	Bond Payments	\$ 354,175
Operations	\$ 351,600	Unappropriated	\$ 22,000
Transfers (In)	\$ 0	Fund Total	\$ 376,175
Unappropriated	\$ 34,600		
Fund Total	\$ 648,350	WATER BOND	
		Bond Payments	\$ 54,927
		Unappropriated	\$ 30,076
		Fund Total	\$ 85,003
SEWER FUND		CEMETERY TRUST	
Administration	\$ 228,325	Unappropriated	\$ 68,025
Operations	\$ 258,600	Fund Total	\$ 68,025
Transfers (Out)	\$ 20,000		
Unappropriated	\$ 99,225	LIBRARY TRUST	
Fund Total	\$ 606,150	Unappropriated	\$ 5,931
		Fund Total	\$ 5,931
STREET FUND		HOUSING REHABILITATION	
Personal Services	\$ 114,900	Unappropriated	\$ 199,875
Materials & Services	\$ 76,900	Fund Total	\$ 199,875
Capital Outlay	\$ 158,000		
Transfers (Out)	\$ 1,800	LAND ACQUISITION	
Unappropriated	\$ 32,000	Unappropriated	\$ 9,972
Fund Total	\$ 383,600	Fund Total	\$ 9,972
BUILDINGS & EQUIPMENT			
Capital Outlay	\$ 0		
Unappropriated	\$ 401,500		
Fund Total	\$ 401,500		

Exhibit A**RESOLUTION NO. 2016.13**

WATER SDC		Fund Total	\$	53,126
Unappropriated	\$ 74,145			
Fund Total	\$ 74,145	SEWER SDC		
		Capital Outlay	\$	100,000
WATER SYSTEM RESERVE		Unappropriated	\$	173,965
Unappropriated	\$ 59,229	Fund Total	\$	273,965
Fund Total	\$ 59,229			
		BIKEWAY/FOOTPATH		
STORMWATER SDC		Unappropriated	\$	38,398
Unappropriated	\$ 53,126	Fund Total	\$	38,398

Note: Funds above include unappropriated balances to eliminate confusion based on past experience.

RESOLUTION IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED that the Council for the City of Brownsville hereby imposes the taxes as provided in the adopted budget at the rate of \$6.9597 per \$1,000 of assessed value for operations; and in the amount of \$58,387 for Water Bond Debt Service; and in the amount of \$201,093 for Sewer Bond Debt Service; and that these taxes are hereby imposed and categorized for tax year 2016-2017 upon the assessed value of all taxable property within the district.

	Subject to the General Government Limitation	Excluded from the Limitation
GENERAL FUND	\$6.9597/\$1000	0
WATER BOND DEBT SERVICE FUND	0	\$ 58,387
SEWER BOND DEBT SERVICE FUND	0	\$ 201,093
DELINQUENT SEWER ASSESSMENT	0	\$ 5,862.90

Passed and adopted by the Council of the City of Brownsville this 28th day of June, 2016.

Attest:

S. Scott McDowell
Budget Officer/City Administrator

Don Ware
Mayor

32
FORM
LB-10

**SPECIAL FUND
RESOURCES AND REQUIREMENTS**
Transient Room Tax (875-000)

06/10/2016
City of Brownsville

	Actual		Adopted Budget This Year 2015-2016	DESCRIPTION RESOURCES AND REQUIREMENTS	Budget Year: 2016-2017					
	2013-2014	2014-2015			Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body			
1	\$2,305	\$3,481	\$1,356	RESOURCES						
2	\$1,164	\$1,434	\$500	411 BEGINNING CASH BALANCE	\$3,400	\$3,400	\$3,400	\$3,400	1	
3	\$12	\$0	\$0	415 TRANSIENT ROOM TAX	\$1,000	\$1,000	\$1,000	\$1,000	2	
5	\$0	\$0	\$0	414 INTEREST	\$0	\$0	\$0	\$0	3	
6	\$3,481	\$0	\$1,865	TRANSFERS FROM OTHER FUNDS	\$0	\$0	\$0	\$0	4	
9	\$3,481	\$4,915	\$1,865	Total Resources Except Taxes to be Levied	\$4,400	\$4,400	\$4,400	\$4,400	5	
10				TOTAL RESOURCES					6	
				REQUIREMENTS					7	
11				650 DISBURSEMENT [New 2017]	\$3,800	\$3,800	\$3,800	\$3,800	8	
12	\$0	\$0	\$1,365	TRANSFER	\$3,800	\$3,800	\$3,800	\$3,800	9	
13			\$500	TOTAL APPROPRIATED	\$600	\$600	\$600	\$600	10	
14	\$3,481	\$4,915	\$1,865	975 UNAPPROPRIATED ENDING FUND BALANCE	\$4,400	\$4,400	\$4,400	\$4,400	11	
				TOTAL REQUIREMENTS						

Exhibit B

FORM LB-10

SPECIAL FUND RESOURCES AND REQUIREMENTS

Community Projects Fund (916-000)

City of Brownsville

	Actual		Adopted Budget This Year 2015-2016	DESCRIPTION	Budget Year: 2016-2017			
	2013-2014	2014-2015			Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
1	\$124,417	\$163,168	\$128,000	411 BEGINNING CASH BALANCE	\$156,000	\$156,000	\$156,000	1
2	\$628	\$817	\$400	414 INTEREST	\$500	\$500	\$500	2
3				TRANSFERS FROM OTHER FUNDS				3
4	\$0	\$0	\$0	482 FROM WATER FUND	\$0	\$0	\$0	4
5	\$0	\$0	\$0	481 FROM SEWER	\$0	\$0	\$0	5
6	\$50,000	\$50,000	\$50,000	480 FROM GENERAL FUND	\$0	\$0	\$0	6
7	\$175,045	\$213,985	\$178,400	Total Resources Except Taxes to be Levied	\$156,500	\$156,500	\$156,500	7
8								8
9								9
10	\$175,045	\$427,970	\$178,400	TOTAL RESOURCES	\$156,500	\$156,500	\$156,500	10
11				REQUIREMENTS				11
12				Materials & Services				12
13	\$3,440	\$18,877	\$20,000	639 MISC. [2011: BEAUTIFICATION]	\$20,000	\$20,000	\$20,000	13
14				Capital Outlay				14
15	\$5,527	\$4,220	\$40,000	812 BUILDING REPAIR - CITY HALL	\$5,000	\$5,000	\$5,000	15
16	\$0	\$0	\$0	PIONEER PARK RESTROOM REPLACEMENT				16
17	\$110	\$0	\$25,000	806.002 TREE CITY USA SUPPORT	\$5,000	\$5,000	\$5,000	17
18	\$2,800	\$950	\$5,000	679 I.G. REQUESTS & CONTRIBUTIONS	\$5,000	\$5,000	\$5,000	18
19	\$0	\$0	\$0	831 SOFTWARE PACKAGE [2011: PARK EROSION]	\$0	\$0	\$0	19
21	\$55,000	\$90,000	\$90,000	TOTAL APPROPRIATED	\$35,000	\$35,000	\$35,000	21
22	\$163,168	\$189,938	\$88,400	975 UNAPPROPRIATED ENDING FUND BALANCE	\$121,500	\$121,500	\$121,500	22
23	\$218,168	\$279,938	\$178,400	TOTAL REQUIREMENTS (916.000)	\$156,500	\$156,500	\$156,500	23

Exhibit C



2017-2018 Council Values

Note: I have divided Council Values and Council Goals for the sake of convenience for the agenda packet.

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. Brownsvillians 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.



2017-2018 Council Values

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

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.
2. ***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.
3. ***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.

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



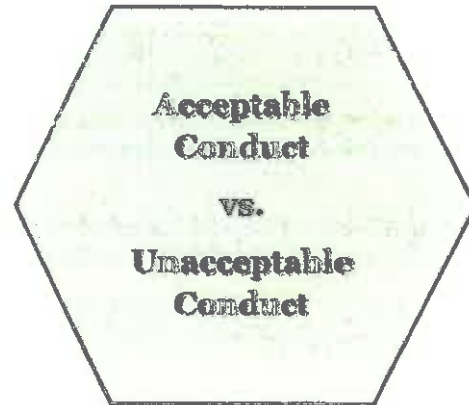
2017-2018 Council Values

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





2017-2018 Council Goals

- Focus on the Fundamentals.
 - *Protect & Manage Brownsville's Treasury.*
 - *Foster Cooperative & Productive Relationships in the community, with Linn County, State and Federal Agencies.*
- Water Rights.
 - *Explore Possible Water Source Options.*
 - *Continually work on perfecting Water Rights.*
- Economic Development Plan.
 - *Participate in Regional Efforts & Opportunities.*
 - *Work on Economic Analysis & Land Inventory.*
- Community Development Plan.
 - *Refine Zoning Rules & Requirements.*
 - *Consider & Adopt New Policies & Standards.*
 - *Emergency Preparedness Planning.*
 - *Support Youth Activities in Cooperation with CLRA.*
 - *Improve Partnerships with CLSD.*
- Capital Improvements Plan.
 - *Plan & Construct Waterline Improvement Projects.*
 - *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- Organizational Development.
 - *Continue Developing an Effective Working Relationship between Council & Staff.*
 - *Focus on Council Leadership Development.*



GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

- *Protect & Manage Brownsville's Treasury.*
- *Foster Cooperative & Productive Relationships in the community, with Linn County, State & Federal Agencies.*

Plan: Staff will continue to work diligently with the annually adopted budget to ensure financial and infrastructure vitality. Staff will honor the necessary parameters to keep rates as low as possible while providing services effectively. Staff will execute the planned projects found in the FY 2017-2018 budget as time and priority allow.

Staff will bid, construct and complete the Main Street and Robe Street Waterline Projects. Staff will plan for and execute the engineering for the redevelopment of sewer lines in Old Town Commercial and determine appropriate construction schedule depending on overall costs.



2017-2018 Council Goals

Staff will continue to strive for excellence in all relational aspects of service delivery. Mr. McDowell will complete his service on the State's OPRD Grant Advisory Committee in 2017. McDowell will continue to be involved with the Visit Linn Coalition (VLC), the Ford Foundation's Go Team Effort, the Solid Waste Advisory Committee (SWAC), the Linn County Sheriff's Office (LCSO) Joint Cities Coalition, City/County Insurance Services (CIS), International City Management Association (ICMA), Oregon City/County Management Association (OCCMA) and the League of Oregon Cities (LOC) as needed. Mr. Frink works with various groups including 811.

Staff is also very involved at a local level. McDowell serves on the Board of Directors for the Chamber of Commerce and attends other civic organization meetings as requested or required. Mayor Ware serves on the Central Linn Community Foundation and the Lions Club to name two. Administrative Assistant Elizabeth Coleman serves on the Sharing Hands Board. Councilor Chambers serves on the Linn County Pioneer Picnic Association Board. Councilor Shepherd serves on the Canal Company Board and several Councilors serve on various boards and committees for the City including the Central Linn Recreation Association (CLRA) and the Cascade West Council of Governments (COG).

January 2018 Update: Staff will be racing to June to complete several projects including a website redesign, new software selection & implementation and working on the land use inventory project and consider fiber optic internet options to name a few. Recent developments around marijuana still take a lot of time away from other priorities.

City Administrator S. Scott McDowell is involved in a regional policy advocacy movement with the Cascade West Council of Governments. Many positive things are happening around this effort. Mayor Ware & COG's Executive Director Fred Abousleman have been in communication with local, state representatives about this new approach and they are interested as well. McDowell is still working on regional economic development issues which are a part of the Go Team/RLED effort. Recently, McDowell resigned from the OPRD Grant Advisory Committee citing personal reasons. McDowell is also serving in an advisory role to the Chamber of Commerce's Board of Directors instead of being a director.

Council will be hosting a town hall style meeting to discuss the future of Pioneer Park and the Central Linn Rec Center. The structures are in need of attention if they are to last another 25 years. Council hopes, through a series of meetings and maybe a subcommittee, to develop a plan for lasting improvements. Staff has secured nearly all agreements from community partners for the upcoming event season in Pioneer Park.

2. Water Rights.

- *Explore Possible Water Source Options.*
- *Continually work on perfecting Water Rights.*

Plan: The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that exist in other areas around Brownsville. Staff will continue to work with City Engineer Jon Erwin and City Attorney Rolfe Wyatt on issues as they arise through the State Legislature and other agencies of the State. Council recognizes water as the City's most precious resource.



2017-2018 Council Goals

January 2018 Update: City Engineer Jon Erwin, Public Works Superintendent Karl Frink and City Administrator Scott McDowell have been working on various letters received from Oregon Water Resources Department. Staff has not had time to review the procurement of any upstream water rights to date, but is still interested in pursuing any opportunities that may be there for the City.

3. Economic Development Plan.

- *Participate in Regional Efforts & Opportunities.*
- *Work on Economic Analysis & Land Inventory.*

Plan: Continue working with Rural Linn communities and the Ford Foundation on economic development efforts. The Go Team continues to forward their proposal and spur conversations with other groups doing economic development in the County and the region. Continue working with the Brownsville Chamber of Commerce, Visit Linn Coalition and the Bi-Mart Willamette Country Music Festival to help drive opportunity for local businesses.

Definition: The two chief focuses of Economic Development are 1) retaining existing business and 2) attracting new business.

The City will budget for procedures required by the Department of Land Conservation & Development (DLCD) in order to possibly expand areas for commercial and light industrial development. The City will also be including additional residential land if possible.

January 2018 Update: City Administrator Scott McDowell has been working with regional partners to advance common economic development goals. The effort is from the Council supported Go Team/RLED effort as mentioned above. Staff is also working on the initial data for the buildable lands inventory. Council will have to budget over the next fiscal year to accomplish this goal. The future of Brownsville depends on developable land. The City is nearly out of Volume Commercial and Light Industrial options for potential businesses. Council voted unanimously to move forward with a cooperative study by EcoNorthwest to possibly advance a regional approach.

4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*
- *Emergency Preparedness Planning.*
- *Support Youth Activities in Cooperation with CLRA.*
- *Improve Partnership with CLSD.*

Plan: Council would like to explore ways to positively affect community livability. Council will take a look at strengthening certain policies such as nuisance abatement, junk vehicles and public use of the right-of-way and others to achieve this goal. The City Administrator formed an ad hoc volunteer committee that continues to work on community emergency preparedness issues as defined by the Brownsville Municipal Code. Council continues to support the efforts of the CLRA. Organizational development pieces will still be important over the next two years due to the recent infusion of new members. Continue to work with the CLRA to develop and strengthen youth activities as a vibrant community amenity. Continue attempts to develop effective working relationship with the Central Linn School District (CLSD).



2017-2018 Council Goals

January 2018 Update: Council will be reviewing several ordinances in January that were identified during the goal setting session last March. Council will make decisions on which items to move forward over the next few months.

The Emergency Preparedness Committee (EPC) exceeded their own expectations doing many things for community preparedness. Please refer to the report provided to Council in the November 28th, 2017 agenda packet. The EPC will be meeting in February to outline goals for 2018.

Councilor Shepherd, Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell met with the Central Linn School District Board to get approval and outright ownership of the Central Linn Rec Center. The Board voted unanimously to remove the revision clause from the deed language. Superintendent Gardiner facilitated nicely during this process. Council is currently in the process of reviewing all of the structures to determine need at the Rec Center and Pioneer Park. Council will be meeting with community partners to make future plans for the facilities.

5. Capital Improvements Plan.

- *Plan & Construct Waterline Improvement Projects.*
 - Plan & Construct Main Street Waterline Replacement.
 - Plan & Construct Robe Street Waterline Replacement.
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
 - Develop Plan for Collection System replacement.

Plan: Council will attempt to complete two waterline projects that were too expensive to complete as part of the 2015 Water System Improvements project. Council will be planning for the wastewater concerns in downtown Brownsville.

January 2018 Update: Public Works Superintendent Karl Frink and City Administrator Scott McDowell did not recommend the downtown sanitary sewer project due to the projected costs associated with the reconstruction. The City simply did not have the money. The Main Street waterline was also put off due to costs. The City has budgeted enough to possibly complete the Robe Street waterline project, but a few logistical issues are still presenting challenges.

6. Organizational Development.

- *Continue Developing an Effective Working Relationship between Council & Staff.*
- *Focus on Council Leadership Development.*

Plan: Council recognizes the need for additional training & development. Council will continue to improve in two ways, 1) collectively through regular group discussions and evaluations, and 2) executing their individual roles as community leaders. Council will look at new ways to work together to accomplish shared organizational goals and address community issues with Staff.

January 2018 Update: Council should consider holding a work session to discuss recent developments and plan for certain pressing issues that are putting a strain on City Hall. Council could discuss positive ways to impact the community on a number of issues and refocus a few of the goals. November will be a big election for the City and Council should be prepared.



Policy & Planning Considerations

Purpose: Council has identified several policy and planning items that need review and further discussion. Council will assign specific members to work with Staff to develop language for consideration by the full Council, if necessary.

Policy

Brownsville Municipal Code

Title 8 – Health & Safety

Nuisances

Junk

Weeds

Trash

Junk Vehicles

Council Assignment:

Councilor Cole & Councilor Gerber

Staff Assignment:

S. Scott McDowell & Tammi Morrow

Timeline:

September – 1st Council Discussion

October – Possible 1st Reading

November – Possible 2nd Reading

Overview:

The topics above, under Title 8, are being reviewed for proper definitions, notification requirements, enforcement timelines and making clarifications to procedure and enforcement.

Title 15 – Uniform Development Code

RV Uses & Parking

Council Assignment:

Councilor Block & Councilor Chambers

Staff Assignment:

S. Scott McDowell, Tammi Morrow & Elizabeth Coleman

Timeline:

September – 1st Council Discussion

October – Possible 1st Reading

November – Possible 2nd Reading

Overview:

To ensure that use of recreational vehicles is in keeping with zoning requirements and enforcement can be pursued in a meaningful way if the law is violated.



Noise Mitigation

Council Assignment: Carla Gerber & Lynda Chambers
Staff Assignment: S. Scott McDowell & Elizabeth Coleman
Timeline: July – 1st Discussion

Overview: To create guidelines for Commercial & Light Industrial noise levels.

Agriculture in Residential Areas (Animals & Uses)

Council Assignment: Lynda Chambers & Mandy Cole
Staff Assignment: S. Scott McDowell & Elizabeth Coleman
Timeline: September – 1st Discussion

Overview: To create guidelines for farm animals and uses in residential zones.

Public Works Standards & Infill

Staff Assignment: S. Scott McDowell, Elizabeth Coleman & Karl Frink
Timeline: October – 1st Council Discussion
 November – Possible 1st Reading
 December – Possible 2nd Reading

Overview: To modify the Public Works Standards so they will allow infill development in residential zones.

Title 6 – Animals

Farm Animals

Council Assignment: Lynda Chambers & Mandy Cole
Staff Assignment: S. Scott McDowell & Tammi Morrow
Timeline: November – 1st Council Discussion

Overview: To review the kinds and numbers of animals allowed within city limits.

Attractant

Council Assignment: Mike Neddeau & Lynda Chambers
Staff Assignment: S. Scott McDowell & Tammi Morrow
Timeline: December – 1st Council Discussion

Overview: To limit feeding of wild, feral animals in hopes of preventing overpopulation and spread of disease.



Title 12 – Streets and Sidewalks

Right-of-Way Infringements

Council Assignment: Carla Gerber & Mandy Cole
Staff Assignment: S. Scott McDowell, Tammi Morrow & Karl Frink
Timeline: December – 1st Council Discussion

Overview: To review the number and kinds of vehicles being stored in the right-of-way, landscaping, fences and other structures encroaching public land.

Title 13 – Utilities

Water Curtailment

Staff Assignment: S. Scott McDowell, Tammi Morrow & Karl Frink
Timeline: February – 1st Council Discussion

Overview: To implement water curtailment procedures in the event of a water shortage or emergency.

P l a n n i n g

- A. **Park Buildings** – Assess structures to determine next steps for rehabilitation.
- B. **Recreation Center** - Assess structure to determine next steps for rehabilitation. Last year, a subcommittee of Council reviewed costs that were in excess of \$750,000 for needed remodeling if the building is to last into the future.

Note: 05.23.2017 – (Items A & B) Next step is for a formal inspection of the property to be completed to determine the extent of the renovations needed.

- C. **Picture Gallery** – A conversation with the Linn County Pioneer Picnic Association (LCPPA) will happen in September to discuss the future of the Picture Gallery. Several years ago, the City was told that the foundation was not worth replacing due to the general condition of the structure. The City had a lease agreement with the LCPPA that expired in 2012. The City and the LCPPA have been going year to year. It is time to discuss the future of this structure.

Note: 05.23.2017 – Council will meet with the Linn County Pioneer Association in September or October of this year to discuss the future of the building.



- D. **Telecommunications Franchise** – Staff is working on language and will engage CenturyLink this Summer. The franchise is set to expire in September. The City is very interested in getting fiber optic internet for residents.

Note: 05.23.2017 – McDowell will begin work on the renegotiation toward the end of June.

- E. **Water Treatment Plant** – The City is hoping to stretch out a system replacement until 2025.

- F. **Water Reservoir** – The City needs to replace the 250,000 gallon water reservoir. Council decided that the replacement will need to wait for the WTP bond. Staff estimates the new 1,000,000 gallon reservoir to cost over a million dollars. The City is following the Water Master Plan that was completed in 2012.

Note: 05.23.2017 – (Items E & F) A major upgrade to the Water Treatment Plant and Distribution system will be required in 2024-2025.

- G. **History Plaques** – Mayor Ware would like to discuss infusing pieces of history throughout town and has a few ideas to run by Council.

- H. **City Shop** – Council has discussed location and the associated flooding concerns with this facility. Council should make a decision on this issue.

Note: 05.23.2017 – (Items G & H) Awareness items.



Date: January 18th, 2017

Ordinance #: 772

Summary: The proposed additions to the ordinance are highlighted for your convenience. The language changes will allow City Staff to quickly abate nuisances such as removal of animal carcasses and garbage. It will also allow Council time frame flexibility for other abatements as may be necessary. The appeal process has been changed from ten days to five days. Two significant changes include: 1) only allowing one inoperative vehicle instead of two vehicles, and 2) eliminating the use of tarps in the front areas of properties as an effort to substantiate the purpose of this ordinance.

Purpose: Council identified several Brownsville Municipal Code improvements that needed to be re-evaluated at their goal setting session March 11th, 2017. Council will review the proposed ordinance for possible adoption.

City Staff's efforts have been stymied by loopholes in the current ordinance language. Staff is unable to consistently enforce the ordinance due to citizens finding ways to avoid compliance. City Staff, at the request of residents, has asked for faster timelines to abate specific notices such as trash and waste which can be time-critical.

The ordinance without changes limits the City's ability to abate nuisances evenly city-wide which could lead to claims against the City.

Process: New or revised ordinances are placed under discussion on the Council's agenda. Once the ordinance is heard by Council under general discussion, Staff will be directed to make any approved changes to the language for consideration at the next regular session Council meeting or to remove the ordinance from the agenda. Council would do this by motion. Council may determine to pass an ordinance through the normal process or move an ordinance through by emergency, if so desired.

Public: Many residents have requested assistance from the City on several nuisance abatement situations, but Staff has not had the proper tools to remove certain nuisances. Generally, this ordinance will promote the greater good by ensuring that all residents meet the baseline rules for nuisances that the language defines. Brownsville has a very high tax rate due to the bonds so, in turn, citizens demand greater attention to these matters.

Impact. The overall impact to the City will be a higher quality of life for all citizens. Three current properties will be required to abate nuisances that they have been able to avoid due to loopholes in the current language. Right now, under the City's current ordinance, some neighbors feel helpless when the City cannot take action on obvious violation issues.

Staff: City Staff has been unable to assist residents with legitimate concerns regarding nuisances. Staff has been unable to proactively abate certain nuisances that would effectively prevent neighborhood and neighbor disputes which could promote a sense of peace. The City must have the proper force of law to execute these tasks. The position of Staff is not easy, but without the



proper language the City is at risk for a potential claim because Staff is unable to evenly enforce the current ordinance.

Impact. City Staff would like to be able to promote a proactive program that takes care of issues before they become a larger problem. Staff is continually met with criticism and complaints over the City's ineffectiveness in this area. The current situation reflects poorly on Council.

Rationale For: Providing City Staff and citizens with a proactive program that enforces nuisances abatement evenly across all areas of town promoting the health, safety and welfare of all citizens in Brownsville. The changes allows Staff to effectively deal with items that have been ignored for too long. The language will more effectively abate nuisances, promote a healthy tax base and serve all of the residents.

Rationale Against: The City's policing power should not be used in this way. Residents should be allowed to utilize their property however they determine regardless of the impact on their neighbors or neighborhood. Government intrusion on daily matters such as these is too far reaching and the City should mind their own business. The City should repeal the ordinance or remove sections to allow property owners more rights to do what they want on their property.

A handwritten signature in blue ink, appearing to be "SM", is located in the lower-left quadrant of the page.



ORDINANCE NO. 772

AN ORDINANCE AMENDING TITLE 8 OF THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 8, SECTIONS 8.30.020 (Animals), 8.30.060 (Noxious Vegetation), 8.30.070 (Scattering Rubbish), 8.30.120 (Junk), 8.30.130 (Discarded Vehicles), 8.30.150 (Abatement Procedure), 8.30.160 (Abatement by the Person Responsible), 8.30.180 (Abatement by City), 8.30.190 (Assessment of Costs), 8.30.200 (Summary Abatement), & 8.30.220 (Separate Violations)

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety, health and welfare of citizens, and:

WHEREAS, Title 8 of the Brownsville Municipal Code (BMC), Chapter 8.30 contains the language and laws that generally govern nuisances, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to include recommended language and to better define the law, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

8.30 Nuisances

PROPOSED LANGUAGE:

8.30.020 Animals – Removal of carcasses.

No person shall permit an animal carcass owned or controlled by him to remain upon public property, or to be exposed on private property, for a period of time longer than forty-eight (48) hours to remove or dispose of the carcass once reported to the City. [Ord. 772, 2017, Ord. 588 § 2, 1989; 1981 Compilation § 4-5.2.]

Notice. City shall personally serve the occupant of the property or physically post the property with a written notice. The City may also contact all responsible parties by phone or other electronic means.

8.30.060 Noxious vegetation.

A. The term “noxious vegetation” does not include vegetation that constitutes an agricultural crop, unless that vegetation is a health hazard or a fire or traffic hazard within the meaning of subsection (B) of this section.

B. The term “noxious vegetation” does include:

1. Weeds more than 12 inches high.
2. Grass more than 12 inches high.
3. Poison oak.



4. Blackberry bushes that extend into a public thoroughfare or across a property line, without the approval of the adjacent land owner.

5. Vegetation that is:

- a. A health hazard.
- b. A fire hazard because it is near other combustibles.
- c. A traffic hazard because it impairs the view of a public thoroughfare or otherwise makes use of the thoroughfare hazardous.

C. Between June 1st and September 30th of any year, no owner or persons in charge of real property shall cause or allow to remain standing on the property noxious vegetation anywhere within the City limits.

D. Lots and parcels more than one acre shall also be required to maintain property in the same manner as smaller parcels.

E. Owners and persons in charge of real property more than one acre shall have the option of baling the material from their land. Hay must be baled and removed no later than the last day of July. [Ord. 772, 2017, Ord. 741, 2013; Ord. 718, 2009; Ord. 589 § 1, 1989; Ord. 588 § 17, 1989; 1981 Compilation § 4-5.17.]

8.30.070 Scattering rubbish.

No person shall deposit upon public or private property any kind of rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling upon a public way. [Ord. 588 § 18, 1989; 1981 Compilation § 4-5.18.]

Notice. City shall personally serve the occupant of the property or physically post the property with a written notice. Written notice will require removal within forty-eight (48) hours. The City may also contact all responsible parties by phone or other electronic means.

8.30.120 Nuisances affecting public peace – Junk.

A. At a residence, no person shall store parts of vehicles, machinery or equipment; buckets, cans or bottles; household furniture and household furnishings manufactured, built or designed for inside use (out of the elements) and other personal property manufactured, built or designed for inside use or interior use (out of the elements); and personal property that is manufactured, built or designed for attachment to a structure as shutters, doors and windows, in front or street side yards at all, or interior side yards if a backyard is available for storage. “Yard,” for this subsection, shall include driveway.

B. At a residence, no person shall store an appliance (operable or inoperable) or plumbing fixture in view of a public street.

C. At a residence, no person shall leave a burn barrel exposed to public view in the front yard.



D. At a residence, no person shall store lumber, plywood or building materials in view of a public street unless each type of item is stacked neatly.

E. At a residence, no person shall leave oil, fuel, chemical barrels or similar containers exposed to public view from a public street for a period in excess of three days. This section does not prohibit barrels, containers or tanks attached to a residential unit and used as a reservoir for oil or fuel.

F. At a residence, no person shall leave accumulations of limbs, branches and/or brush on property for longer than one month that can be seen from the public street.

G. Using tarps or other materials to hide items listed above from public view shall only be permitted for a two week period or during a permitted garage sale on the premises.

H. Within 30 days of cleanup day, no person shall place items for pickup to the curbside or store items outdoors until seven days prior to the scheduled cleanup day. Items left at the curbside or on a property seven days after cleanup day may also be cited for immediate removal. If the City Administrator or designee notices a violation exists, he or she may post an abatement letter or hand-deliver a notice to the property owner. The property owner shall have twenty-four (24) hours to remove the materials. [Ord. 731 § 2, 2011; Ord. 725 § 1, 2010; Ord. 588 § 32, 1989; 1981 Compilation § 4-5.32.]

8.30.130 Discarded vehicles.

A. Definitions.

1. "Discarded vehicle" means any vehicle that does not have lawfully affixed thereto an unexpired license plate or is in one or more of the following conditions:

- a. Wrecked;
- b. Dismantled;
- c. Partially dismantled;
- d. Abandoned; or
- e. Junked.

A discarded vehicle includes major parts thereof, including, but not limited to, bodies, engines, transmissions and rear ends.

2. "Inoperative vehicle" means any vehicle which is incapable of being driven or operated in the manner in which it is intended to be used, but which is not a discarded vehicle as defined herein.

B. Discarded Vehicles Prohibited. It shall be unlawful to park, store or leave, or permit the parking or storing of any discarded vehicle upon any public or private property within the City, unless it is located where it is not visible from outside the owner's property, or unless it is in connection with a properly authorized business pursuant to the zoning laws of the City.



C. Inoperative Vehicles. It shall be unlawful to park, store or leave, or permit the parking or storing of, more than one inoperative vehicles upon any public or private property within the City, unless such vehicles are located where they are not visible from outside the owner's property, or unless it is in connection with a properly authorized business pursuant to the zoning laws of the City.

D. Owner Responsibility. The accumulation or storage of discarded vehicles or inoperative vehicles in violation of this chapter, on public or private property, shall constitute a nuisance. It shall be the duty of the registered owner of the vehicle, the owner of the private property, and the lessee or other person in possession of the private property upon which the vehicle is located, to remove it from the City, or to have it located where it will not be visible from a public street or other property.

E. Notice. It shall be the duty of the City Administrator to give written notice to such persons as described in subsection (D) of this section as may reasonably be determined. Such notice shall be given as provided in BMC [8.30.150](#).

F. Violation. Failure to remove a discarded or inoperative vehicle pursuant to the notice provided in subsection (E) of this section shall constitute a violation of this code and shall be subject to the penalties provided in BMC [8.30.210](#) and [8.30.220](#). Any or all of the responsible parties described in BMC [8.30.040](#) may be charged with such a violation or violations. [Ord. 682 § 1, 2002.]

8.30.150 Abatement procedure – Notice.

A. Upon determination by the City Administrator that a nuisance exists, the City Administrator shall cause a notice to be posted on the premises or at the site of the nuisance, directing that person responsible to abate the nuisance.

B. At the time of posting, the City Administrator shall cause a copy of the notice to be forwarded to the person responsible at the person's last known address or by electronic means. The City Administrator shall document methods of notice as part of the file.

C. The notice to abate shall contain:

1. A description of the real property, by street address or otherwise, on which the nuisance exists.
2. A direction to abate the nuisance within 10 days or other required time frame from the date of the notice.
3. A description of the nuisance.
4. A statement that, unless the nuisance is removed, the City may abate the nuisance and the cost of abatement will be charged to the person responsible.



5. A statement that failure to abate a nuisance may warrant imposition of a fine or jail sentence.

6. A statement that the person responsible may protest the order to abate by giving notice to the City Recorder within five (5) days from the date of the notice.

D. If the person responsible is not the owner, an additional notice shall be sent to the owner stating that the cost of abatement not paid by the person responsible may be assessed to and become a lien on the property.

E. Upon completion of the posting and mailing, the persons posting and mailing shall execute and file copies of the notice stating the date and place of the mailing and posting.

F. An error in the name or address of the person responsible shall not make the notice void, and in such case the posted notice shall be sufficient. [Ord. 588 § 46, 1989; 1981 Compilation § 4-5.46.]

8.30.160 Abatement by the person responsible.

A. Within 10 days or other time frame as may be required after the posting and mailing of notice as provided in BMC [8.30.150](#), the person responsible shall remove the nuisance or show that no nuisance exists.

B. A person responsible, protesting that no nuisance exists, shall file with the City Administrator a written statement which shall specify the basis for so protesting.

C. The statement shall be referred to the City Council as a part of its regular agenda at its next succeeding meeting. At the time set for consideration of the abatement, the person protesting may appear and be heard by the Council; and the Council shall determine whether or not a nuisance in fact exists; and the determination shall be entered in the official minutes of the Council. Council determination shall be required only in those cases where a written statement has been filed as provided.

D. If the Council determines that a nuisance does in fact exist, the person responsible shall, within forty-eight (48) hours after the Council determination, abate the nuisance. [Ord. 588 § 47, 1989; 1981 Compilation § 4-5.47.]

8.30.180 Abatement by the City.

A. If, within the time allowed, the nuisance has not been abated by the person responsible, the Council may cause the nuisance to be abated.

B. The officer charged with abatement of the nuisance shall have the right at reasonable times to enter into or upon property to investigate or cause the removal of a nuisance.



C. The City shall set by resolution an hourly rate for nuisance abatement performed by City personnel. The City Administrator shall keep an accurate record of the time spent by the City in physically abating the nuisance, and any and all expenses incurred, and any amounts spent for contracted services. A charge of \$20.00 or 20 percent of those expenses, whichever is the greater, will be included for administrative overhead. [Ord. 589 § 1, 1989; Ord. 588 § 49, 1989; 1981 Compilation § 4-5.49.]

8.30.190 Assessment of costs.

A. The City Recorder shall forward to the owner and the person responsible by ~~registered or certified~~ 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 (5) days from the date of the notice.

B. ~~No sooner than 10 days after the date of the notice,~~ the 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. 588 § 50, 1989; 1981 Compilation § 4-5.50.]

8.30.200 Summary abatement.

The procedure provided by this chapter is not exclusive but is in addition to procedures provided by other ordinances; and the City Administrator or any other City official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property including nuisances that may have a ten (10) day, forty-eight (48) hour or twenty-four (24) hour time frame for the nuisance. [Ord. 588 § 51, 1989; 1981 Compilation § 4-5.51.]



8.30.220 Separate violations.

A. Each day’s violation of a provision of this chapter constitutes a separate offense.

B. The abatement of a nuisance is not a penalty for violating this chapter, but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance; however, abatement of a nuisance within the required time frame allowed by ordinance of determination that a nuisance exists will relieve the person responsible from the imposition of any fine or imprisonment under BMC [8.30.210](#). [Ord. 588 § 53, 1989; 1981 Compilation § 4-5.53.]

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



Date: January 18th, 2017

Ordinance #: 773

Summary: The proposed ordinance defines attractants that lead to non-domesticated animals being present in City limits. Council dealt with an attractant issue three years ago that cost tax payers nearly \$3,000 to abate.

Purpose: Council identified several Brownsville Municipal Code improvements that needed to be considered at their goal setting session March 11th, 2017. Council will review the proposed ordinance for possible adoption.

Allowing citizens to report attractants will limit unwanted non-domesticated animals.

Process: New or revised ordinances are placed under discussion on the Council’s agenda. Once the ordinance is heard by Council under general discussion, Staff will be directed to make any approved changes to the language for consideration at the next regular session Council meeting or to remove the ordinance from the agenda. Council would do this by motion. Council may determine to pass an ordinance through the normal process or move an ordinance through by emergency, if so desired.

Public: Many residents have been concerned about various wildlife in city limits.

Impact. The overall impact would allow the City to potential prevent a future problem by having language in place that limits attractants. The City could more effectively eliminate a problem should one arise.

Staff: Currently the City has no way to deal with any concern that may by present.

Impact. City Staff would like to be able to deal with issues before they become a larger problem.

Rationale For: Dealing with turkeys, deer, feral cats and other non-domesticated animals can pose a threat to public safety. The ordinance would allow Staff to effectively deal with issues before they become a public nuisance.

Rationale Against: Council and Staff can simply deal with any associated problems as they arise.

A handwritten signature in blue ink, appearing to be "SM", is located in the lower-left quadrant of the page.



ORDINANCE NO. 773

AN ORDINANCE ADDING SECTION 6.10.050 (Attractants) TO TITLE 6 OF THE BROWNSVILLE MUNICIPAL CODE

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety, health and welfare of citizens, and:

WHEREAS, Title 6 of the Brownsville Municipal Code (BMC), Chapter 6.10 contains the language that generally governs offenses relating to animals, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to include recommended language and to better define the law, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

6.10.050 Feeding non-domesticated animals.

PURPOSE

The purpose of this ordinance is to protect the health and safety of residents in the City of Brownsville with respect to potential dangers and nuisances associated with non-domesticated animals by minimizing opportunities for such animals to obtain food from sources controlled or controllable by humans.

DEFINITIONS

- A. "Attractant" means any substance which could reasonably be expected to attract non-domesticated animals, including but not limited to, garbage, food products, pet food, carcasses, feed, and grain.
- B. "Feeding" means the leaving of food of any kind where it is accessible to non-domesticated animals.
- C. "Food" means all substances consumed by humans or animals for nourishment except grass and other vegetation, growing crops, and food that is canned or stored in sealed or closable containers.

PROHIBITIONS

- D. No person shall knowingly feed or in any manner provide an attractant to non-domesticated animals; provided that domestic pets are not attractants, and feeding pets outdoors does not create an attractant if the pet eats all the food immediately, or the remaining food is removed as soon as the pet stops eating, or the pet is fed in a secure cage or other enclosure.



- E. No person shall knowingly leave, store, or maintain any food or attractant in a manner, area, or location accessible to other non-domesticated animals.

EXCEPTIONS

- F. Food for birds or squirrels that is in a feeder located within 20 feet of a residence or property line.
- G. Outdoor feeding of farm animals, provided (1) animal food, when not being fed to animals, is stored in a building or a closed container; (2) excessive amounts of food, based on the animals' eating history, are not provided to the animals; (3) injured, old, feeble, or prey-sized animals are not left out unattended; and (4) all other reasonable efforts are made to reduce attractants to non-domesticated animals.

ENFORCEMENT

- H. This ordinance shall be enforced by the police and/or animal control officers of the City of Brownsville or the City Administrator or designee.
- I. A written notification may be issued by the City Administrator or designee requiring and directing the person in violation to remove the food or other attractant within two (2) days of notification. The City may post the property using normal procedures. The City may also contact the property owner or the person in charge of property as found in Brownsville Municipal Code 8.30.010 and hand deliver the notice.
- J. A person receiving a written notification under subsection B. of this section shall remove the food or other attractant as directed within two (2) days of notification. If the attractant is not removed, the City shall cite the responsible party into court by any means necessary.
- K. Violations of this ordinance are punishable by a civil penalty of not more than \$50 for each day of violation. Each day's violation shall constitute a separate offense.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



Date: January 18th, 2017

Ordinance #: 774

Summary: The proposed ordinance defines a process for sound testing.

Purpose: Council identified several Brownsville Municipal Code improvements that needed to be considered at their goal setting session March 11th, 2017. Council will review the proposed ordinance for possible adoption.

Developers would be responsible for proving their operations will meet acceptable decibel levels and would be responsible for the associated testing costs.

Process: New or revised ordinances are placed under discussion on the Council's agenda. Once the ordinance is heard by Council under general discussion, Staff will be directed to make any approved changes to the language for consideration at the next regular session Council meeting or to remove the ordinance from the agenda. Council would do this by motion. Council may determine to pass an ordinance through the normal process or move an ordinance through by emergency, if so desired.

Public: Many residents complained about the noise levels that were addressed by McFarland Cascade during their development. The City did not have any laws to enforce on this matter. McFarland Cascade proved to be a good neighbor and spent a considerable sum of money to further sound proof their operation.

Impact. The overall impact would allow the City to potential prevent a future problem by having language in place that defines noise limits. The City would have a system to address noise concerns.

Staff: Currently the City has no way to require noise testing.

Impact. City Staff would like to have a process that addresses noise.

Rationale For: Requiring a noise level ordinance protects the peace of neighborhoods. The ordinance would allow Staff to address adverse noise conditions to prevent a future public nuisance.

Rationale Against: The old mill was far louder than McFarland Cascade. No change needed.

A handwritten signature in blue ink, appearing to be "SM", is located at the bottom left of the page.



ORDINANCE NO. 774

**AN ORDINANCE AMENDING TITLE 15 OF THE
BROWNSVILLE MUNICIPAL CODE, ADDING
CHAPTER 15, SECTION 15.85.075
(Noise)**

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety and health of citizens, and:

WHEREAS, Title 15 of the Brownsville Municipal Code (BMC) contains the language that generally governs development in the City, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to adopt noise guidelines, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

15.85.075 Noise.

All proposed commercial and industrial uses shall be evaluated by the City Administrator or designee to determine if sound level mapping or equivalent study will be required for the development. Any necessary updates of any such study shall be the responsibility of the property owner creating the noise. The guide is below:

TABLE INSET:

	Maximum Noise Level in dBA (levels not to be exceeded more than 30 minutes in any hour)		Maximum Noise Level in dBA (level not to be exceeded more than 5 minutes in any hour)
Zoning District:	Measured at Property Line or District Boundary	Measured at Any Boundary of a Residential Zone	Between 10 pm and 7 am Measured at Any Boundary of a Residential Zone***
Low & Medium Density Residential	55		
Special Development	55		
High Density Residential	65		



Volume & Old Town Commercial	70	60	50 or ambient noise level
Light Industrial	70	60	50 or ambient noise level
Public	70	60	50 or ambient noise level

Notes: The measurement will be at property lines. When zoning districts are immediately adjacent the measurement will be at the boundary of the district. All dBA measurements shall be outside measurements.

*** Restricted hours may be modified through conditions of an approved conditional use permit. Sections of this Chapter also provide for additional restricted hours and the most restrictive hours shall apply.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



Date: January 18th, 2017

Ordinance #: 775

Summary: The proposed ordinance defines allowable farm animals within certain zones.

Purpose: Council identified several Brownsville Municipal Code improvements that needed to be considered at their goal setting session March 11th, 2017. Council will review the proposed ordinance for possible adoption.

The current language would allow many animal farming practices that could impose a nuisance for neighborhoods due to certain animals being raised.

Process: New or revised ordinances are placed under discussion on the Council's agenda. Once the ordinance is heard by Council under general discussion, Staff will be directed to make any approved changes to the language for consideration at the next regular session Council meeting or to remove the ordinance from the agenda. Council would do this by motion. Council may determine to pass an ordinance through the normal process or move an ordinance through by emergency, if so desired.

Public: Odor can be a very powerful sense to overcome. Residents could be faced with farm animals that could change the neighborhood. The City does not have any laws against certain farm animal uses.

Impact. The overall impact would allow the City to potential prevent a future problem by having language in place that defines what animals are allowed and what animals are prohibited.

Staff: Currently the City has no way of addressing this issue.

Impact. City Staff would like a process to address this issue.

Rationale For: Requiring a limitation on certain farm animal uses protects the peace of neighborhoods. The ordinance would allow Staff to address and potentially prevent a future public nuisance.

Rationale Against: People will not have swine or chicken farms in town. No change needed.



ORDINANCE NO. 775

**AN ORDINANCE ADDING SECTION 6.10.060 (Farm Animals)
TO TITLE 6 OF THE BROWNSVILLE MUNICIPAL CODE**

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety and health of citizens, and:

WHEREAS, Title 6 of the Brownsville Municipal Code (BMC), Chapter 6.10 contains the language that generally governs offenses relating to animals, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to include recommended language and to better define the law, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

6.10.060 Farm animals.

PERMITTED

- Fowl, poultry & rabbits must be properly penned and/or contained and are allowed within the city limits.
- Minimum acreage for farm animals shall be one (1) acre for each horse, mule, donkey, bovine, llama, alpaca or goat.
- Sheep shall be an administrative review.
- Bees shall be an administrative review.

PROHIBITIONS

- Roosters and peacocks are not permitted in city limits.
- Swine/pigs are not permitted in city limits.
- Exotic animals are not permitted outdoors in city limits.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of _____, 2018.

ATTEST:

Mayor

City Administrator

January 3, 2018

To Whom It May Concern:

I am a new resident of Brownsville and extremely excited about becoming involved in this wonderful community. With that in mind, I respectfully submit this letter of interest for the Brownsville Park & Open Space Advisory Board.

I have more than 30 years of experience in commercial landscape and irrigation construction. I have an extensive background in design/build projects such as golf courses, athletic fields and parks. I have served as construction manager, estimator and designer for a variety of large projects in California, Oregon, Arizona, Idaho, and Washington. Currently, I work in outside sales for HD Fowler Company as the Oregon representative in golf and commercial construction. I think my experience would be an asset to the Parks & Open Space Advisory Board and I look forward to the possibility of sharing my insights and ideas to help keep Brownsville thriving.

Sincerely,

Pat Cook
803 Kirk Ave.
Brownsville, OR
541-799-4811

Elizabeth Coleman

From: David Hansen <daveplaysdrums61@yahoo.com>
Sent: Monday, January 15, 2018 11:15 PM
To: assistant@ci.brownsville.or.us
Cc: The Times
Subject: request for appointment to board / commission

To whom it may concern,

I am responding to the request for members on the Park and Open Space / Historic Review Boards and the Planning Commission. Unfortunately, due to a scheduling conflict I am unavailable to serve on the Park and Open Space Board. I am, therefore, requesting appointment to either the Historic Review Board or, preferably, the Planning Commission.

Although I have no experience in government or bureaucracy, I have been a self employed securities broker specializing in retirement planning for 35 years. I have also been a property owner during that time and have bought and sold numerous properties and homes. As a business person and homeowner, I am sensitive to the needs, interests and priorities of small business and home owners but also understand the necessity of balancing the inherent rights of individuals with the interests of the community at large.

I feel very fortunate to live in Brownsville. It is a truly unique town. Within the confines of my limited time and resources, I want to help, in all ways possible, to preserve the historic atmosphere, peace and true sense of community that the residents of Brownsville enjoy.

On a personal note, I have been married to my lovely wife Dayna for 35 years and have two wonderful children. We moved to Brownsville from Harrisburg a little over a year ago when we 'downsized' and stay quite busy with family, church and work.

Please do not hesitate to contact me by email or phone with any questions you may have.

Sincerely,

David Hansen
151 N Main / PO Box 308
Brownsville, OR 97327
Cell phone: 541-954-0995

RECEIVED
City of Brownsville

JAN 18 2018

Clerk _____

To Whom It May Concern,

I would like to be considered for a spot on the following two committees:

Land Use Committee & Park Board

As a homeowner and business owner in the City of Brownsville I have a vested interested in the future development within the City, and the maintenance and development within the parks system.

Although I have no experience with either of these positions, I come with an ability to listen and a sincere desire to be involved in the decision-making in the City I now call home. I also bring to the table a different perspective than long time Brownsville residents – having come more recently from a larger city where I was directly affected by zoning changes and land use issues.

Sincerely,



Lynlee Bischoff
(541) 650-1932

107 Coshow Avenue
Brownsville, OR 97327



Annual TMDL Report

January 18th, 2018

Brownsville

RE: Annual Report

Purpose: The purpose of this report is detail the activities that occurred between January 1st, 2017 through December 31st, 2017 directly affecting the City's adopted TMDL Plan.

Timeline:

January 24 th , 2017	City Council adopted an update of the TMDL plan.
March 21 st , 2017	Submitted responses to questions about the 2016 Report
May 25 th , 2017	Council TMDL Review
October 18 th , 2017	TMDL & IDDE Meeting
November 28 th , 2017	Council TMDL Review

Matrix Section Answer/Response

Bacteria 1.

- ▶ Public Works continues to maintain pet waste stations in Pioneer Park and downtown. The cost to maintain the stations is about \$500;
- ▶ Pet Waste Stations promote themselves due to their conspicuous locations. Park Caretakers and Public Works Staff also remind folks to use the bags to properly dispose of their pet waste.

Bacteria 2.

- ▶ Staff attended a DMA meeting in October and carefully watches for opportunities to stay up with current regulations; Staff will stay abreast of new techniques and determine effectiveness and usefulness in Brownsville.

Bacteria 3.

- ▶ Public Works does mowing and debris removal;
- ▶ Annual costs ranges between \$7,000 - \$10,000.

Bacteria 4.

- ▶ Public Works is monitoring and working with the general contractor of the new Dollar General store that began construction in the Fall of 2017. The store plans to be completed by March 2018.
- ▶ Public Works is doing the same process with a storage unit facility



being constructed on the north side of Brownsville.

- ▶ A new, proposed housing development has been through all of the preliminary reviews with City Staff and the Planning Commission. Construction will not start until Spring 2018

Mercury 2.

- ▶ Published Newsletter Article in September 2017.
- ▶ The Calapooia Watershed Council published information during the reporting period.

Temperature 1.

- ▶ The Calapooia Watershed Council would have the reports on plantings down around Brownsville.
- ▶ Continuing to formalize a partnership with the Calapooia Watershed Council.

Temperature 2.

- ▶ Continuing to working on formalizing the partnership with the Calapooia Watershed Council.
- ▶ Two City Council meetings; City newsletters, Boards & Committees.

Illicit Discharge 2.

- ▶ Public Works will be labeling a few catch basins for public education purposes.
- ▶ The City is in the process of redeveloping it's website.

Please let us know if you have any additional questions. Thank you!

Cordially,

A handwritten signature in blue ink, appearing to be "SM", representing S. Scott McDowell.

City Administrator S. Scott McDowell

A handwritten signature in blue ink, appearing to be "K.F.", representing Karl Frink.

Public Works Superintendent Karl Frink

c: Mayor & Council
File

Implementation Tracking Matrix

POLLUTANT	SOURCE	STRATEGY <i>(What we are doing and will do to reduce pollution from this source)</i>	ACTIONS <i>(Specific ways to implement strategies)</i>	MEASURE <i>(How we will track successful implementation of completion)</i>	TIMELINE	BENCHMARKS <i>(Intermediate Indicators)</i>	STATUS
Bacteria	1. Pet & animal waste	Inform residents about potential bacterial water contamination from pet and other animal waste including large animal deposits like horses, sheep and cows. Install pet waste signs in public areas	Short term: Provide information in City Newsletter and provide dog waste bags in City Parks.	Newsletter distributed. Resident feedback.	Completed	Short term: Heightened public awareness related to these issues	2016: Waste bags ordered and stocked as needed; installed an additional site downtown.
			Long term: Ongoing education to reinforce message.		Ongoing	Long term: Public awareness into the future.	2016: See Above
	2. Stormwater BMPs	Continue to evaluate, design, and adopt stormwater best management practices for water quality when necessary for new development and re-development. Develop building standards which encourage filtration through riparian, swale, and other BMP's for building design.	Review cities with existing practices, adopting protocols where practical for Brownsville.	Continue to utilize best management practices when developments occur.	Ongoing	2015: Completed the adoption of Public Works Standards	Ongoing- 2016: Personnel attended TMDL meetings to determine new approaches.
			Identification and correction of problems with stormwater management which allow inflow and infiltration. Public Works performs annual ditch maintenance.	Public Works Superintendent will track maintenance efforts.	Ongoing	Ongoing	Ongoing 2016: Updated maintenance inventory list.
	3. Inflow & Infiltration	Keep infiltration and inflow of the city's sewer system to a minimum. <i>(This issue is related to mainly stormwater.)</i> Perform ditch maintenance as needed.	Continue current practice of confirming that projects requiring 1200C permits obtain them and comply.	Verification of 1200C compliance as needed.	Ongoing	Ensure Erosion Control requirements for developments.	Ongoing- 2016: Wenger/Lynch
			Current development code requires developers to adhere to ODEQ NPDES Permit requirements for erosion control for areas > 1 acre. Encourage smaller parcels to follow 1200C plan for project.	Revise building permit review process to include providing builder with a copy of the 1200C plan.	Staff reports plans have been included for builders.	Include on all individual lots.	Receive 1200-C plans from DEQ or builder.
	4. Erosion & Sedimentation	Provide information to builders about the 1200C Program.	Include fact sheet from DEQ with building permits.	Staff reports fact sheets have been included for builders.	Implemented September 2008		Ongoing

POLLUTANT	SOURCE	STRAATEGY (What we are doing and will do to reduce pollution from this source)	ACTIONS (Specific ways to implement strategies)	MEASURE (How we will track successful implementation or completion)	TIMELINE	BENCHMARKS (Intermediate Indicators)	STATUS
Mercury	1. Erosion and sedimentation	Erosion control required under ODEQ NPDES Permit Program for new and redevelopment.	Continue assuring that developers obtain permits when required.	Ongoing	Ongoing	Erosion Control requirements revised if needed and adopted by the City. Public Works Standards adopted 2015.	Ongoing
		Assist developers of individual lots in larger developments to minimize erosion and runoff	Revise building permit review process to include providing builder with a copy of the 1200-C plan.	Staff reports plans have been included for builders.	Implemented 2008 & Ongoing	Receive 1200-C plans from DEQ or builder.	2016: Legman & Associates
Mercury	2. Stormwater BMP's	Provide information to builders about the 1200-C Program.	Include fact sheet from DEQ with building permits.	Staff reports fact sheets have been included for builders.	Ongoing	Ongoing.	2016: Legman, Dollar General, Wenger Construction.
		Consider implementation of ordinance language addressing development practices on steeper slopes	Review model ordinances and other ordinances for applicable provisions that could be adopted by the City.	Completed review of model and other ordinances.	Implemented 2010	Review completed, adoption of selected ordinance language / BMP	Completed
Mercury	1. Protection of Riparian Vegetation	Encourage building standards which encourage filtration through riparian's, swales, and other BMP's for building design.	Review model ordinances and existing ordinances from other cities to determine if any measures can be implemented with existing resources. Adopt by ordinance those measures deemed by Council to be applicable and within city's resources to implement.	Best management practices adopted and distributed to residents and developers to reduce Mercury pollutants.	Implemented 2012	Short Term: Review of existing practices by staff. Long Term: Adoption of BMP's where applicable.	Completed
		Inform residents of potential sources of mercury contamination to sewer systems.	Look for opportunities through ODEQ and other sources for educational materials available to share with residents regarding mercury reduction.	Distribute information to residents via semi-annual newsletter and website.	October 2008. Ongoing training.	Residents informed.	Ongoing. 2016: Council Newspaper Articles
Temperature	2. Education	Protect existing riparian vegetation.	Enact ordinance protecting riparian areas. Completed by the adoption of BMC 15.85.120.	Enact ordinance.	Completed	Ordinance enacted & planting trees and other native vegetation	Completed. 2016: Watershed Council Plantings
		Inform residents of significance of riparian areas and measures they can take to improve water quality. Wetland workshops.	Provide information to residents via City Newsletter, make material available on City website. Partner with Calapooia Watershed Council to sponsor community meetings.	Newsletter developed, distributed, and available. Website updated.	2017: Build Meaningful Partnership with Calapooia Watershed Council.	Newsletter material distributed. Presentation created.	Preparing for 2017 Education Effort
Temperature	3. Wastewater Treatment Plant Discharge	City discharges during cool temperature months of November - March only. Maintain low effluent temperatures.	Meet requirements of DEQ NPDES permit.	Discharge occurs under permit conditions only.	Ongoing.	Compliance ensures our effluent does not harm the river.	Ongoing. 2016: NPDES Permit Under Review
		Investigate with the Watershed Council on a sub-basin stream enhancement project potential on City property.	Apply for small grant with the help of the Watershed Council.	Stream enhancement project completed.	Several projects already completed, continue to pursue opportunities.	Grant application.	2013: Failed

POLLUTANT	SOURCE	STRATEGY <i>(What we are doing and will do to reduce pollution from this source)</i>	ACTIONS <i>(Specific ways to implement strategies)</i>	MEASURE <i>(How we will track successful implementation or completion)</i>	TIMELINE	BENCHMARKS <i>(Intermediate indicators)</i>	STATUS
Illicit Discharges	1. Intentional Dumping	Public education	Inform public of rules regarding disposal by including articles in City newsletter, material on City website, literature available at City Hall lobby.	Articles completed, website additions completed, handout material acquired.	Ongoing	Ongoing	2017: New Effort
		Enforcement	Educate public on how to report illicit dumping. Staff training on how to detect illicit dumping.	Staff training completed, public information campaign done.	Implemented 2010	Ongoing	2017: New Effort
	2. Accidental or Unintentional Dumping	Public education Identify Stormwater catch basins and label to educate public.	Educational material provided at City Hall, through newsletter and website to inform public of how to avoid or report any accidental discharge. Label and stencil storm drain catch basins to identify them as Stormwater system and inform public that they drain to streams.	Articles completed, website additions completed, handout material acquired. Labeling completed.	Ongoing December 2017	Ongoing	2017: New Effort



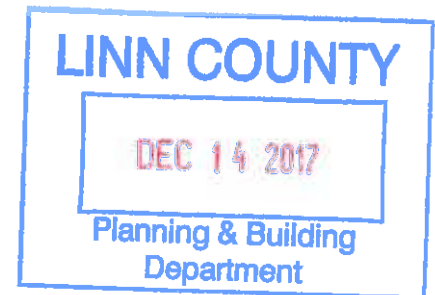
www.ci.brownsville.or.us

City Hall
 255 N. Main Street • P.O. Box 188
 Brownsville, OR 97327 • 541.466.5666
 Fax 541.466.5118 • TT/TDD 800.735.2900

December 15th, 2017

Linn County Planning & Building Department

Attn: Mr. Robert Wheeldon, Planning & Building Director
 300 SW 4th, Street
 P.O. Box 100
 Albany, Oregon 97321



RE: Linn County – Land Use Action
Applicant Name: Amin Patel & Randall Raschein
File Number: PD17-0287

Dear Mr. Wheeldon,

Brownsville City Council is in full support of the appeal being filed against the above referenced applicant. As you know, Council passed Resolution 2017.18 requesting a three (3) mile buffer zone around the corporation limits of Brownsville. The City is concerned about the potential, negative impacts to the City's services through intergovernmental agreements with the Linn County Building Department and the Linn County Sheriff's Office among other important issues. The resolution is enclosed for your convenience.

Primarily, the City does not feel that this application meets the requirements of the Land Use Compatibility Statement (LUCS) that is required by the State of Oregon. Enclosed is a zoning map from the City of Brownsville, Oregon. You will notice that the two major areas for residential development for the City are to the north and to the south. If the County approves this application, it will allow a major marijuana grow and processing facility will be in the middle of a residential zone. Allowing this will put undue burden on the City's ability to annex this land in the future and to market the land to potential developers to provide homes. Furthermore, allowing a major operation such as proposed is absolutely not consistent with the future zoning or the City's Comprehensive Plan.

It is the position of the City, that Oregon's Land Use Laws are not designed to permit an illegal activity. However, the State of Oregon is preempting all municipalities and county governments and placing us both on a path that is unprecedented in Oregon's history by completely ignoring Federal law. The State of Oregon has also violated its own

Constitution in the process. So, municipalities are being forced to follow State rules in direct violation of Federal law.

Future implications of such an operation includes:

- 1) possible Federal financial sanctions against Oregon for breaking Federal law,
- 2) creating unsafe conditions for citizens,
- 3) placing an undue strain on law enforcement,
- 4) creating an unreasonable demand on limited water supply resources,
- 5) creating a potential violation for storm water contamination through violation of the Department of Environmental Qualities Total Maximum Daily Load (TMDL) program as required by the Environmental Protection Agency (EPA),
- 6) massive implications for Linn County should the Waters of the United States (WOTUS) legislation ever pass as proposed amendments to the *Federal Register* were recommended by the U.S. EPA and the U.S. Army Corps of Engineers just a few years ago, and,
- 7) the Drug Enforcement Agency (DEA) started the National Take Back Initiative in late 2010 to properly dispose of pharmaceutical drugs that pose a threat to wastewater systems; at the time EPA & DEQ were concerned about levels of THC in the human waste stream due to the adverse ecological effects to Oregon's waterways.

The City could bear a major financial impact by future legislation around issue #7, above, by being required by EPA and DEQ to retrofit the wastewater treatment plants to properly treat wastewater for these chemicals. The City has enclosed a copy of the National Association of Counties (NACO) Policy Brief on the WOTUS issue for your convenience. The City's hopes the Planning Commission will understand the impacts of these concerns on a small, rural community. As always, the City appreciates your time and concern on this important matter.

Sincerely,



Don Ware
Mayor



S. Scott McDowell
City Administrator

c: Linn County Board of Commissioners
Brownsville Council



www.ci.brownsville.or.us



City Hall
 255 N. Main Street • P.O. Box 188
 Brownsville, OR 97327 • 541.466.5666
 Fax 541.466.5118 • TT/TDD 800.735.2900

December 15, 2017

Linn County Board of Commissioners

Attn: Chairman Roger Nyquist
 Linn County Courthouse, Room 201
 300 SW 4th, Street
 P.O. Box 100
 Albany, Oregon 97321

RE: Linn County – Land Use Action
Applicant Name: Amin Patel & Randall Raschein
File Number: PD17-0287

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Sincerely,



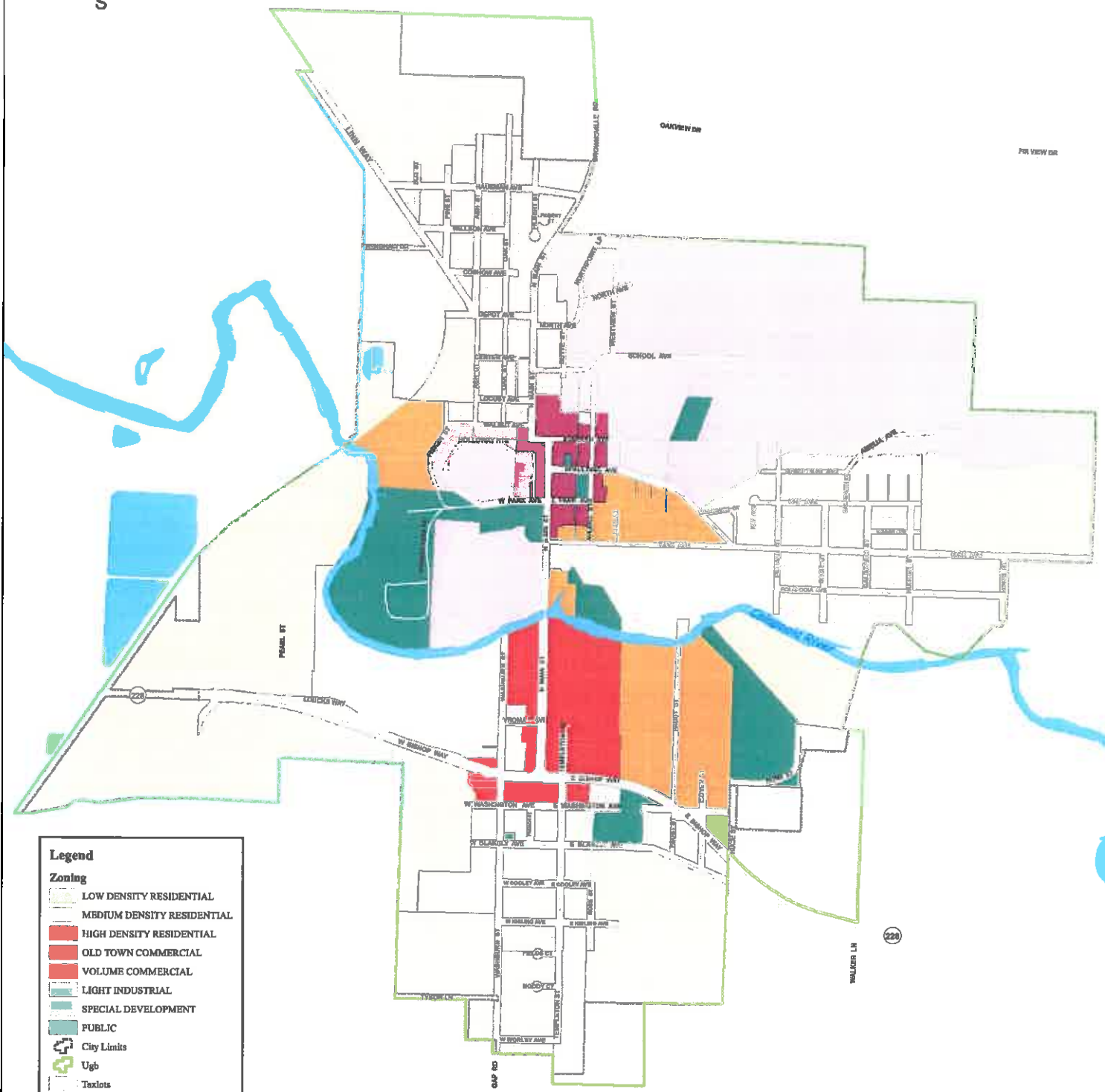
Don Ware
Mayor



S. Scott McDowell
City Administrator

c: Linn County Board of Commissioners
Brownsville Council

Zoning City of Brownsville, Oregon



Legend

Zoning

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- OLD TOWN COMMERCIAL
- VOLUME COMMERCIAL
- LIGHT INDUSTRIAL
- SPECIAL DEVELOPMENT
- PUBLIC
- City Limits
- Ugb
- Textlots
- Rivers, Lakes
- Streets, Road, Hwys



1 inch = 600 feet



The data contained in this map was designed for assessment and planning purposes only, and not for precise, engineering-level mapping. As such, it is subject to error and/or omission, and Linn County disclaims any liability as to the accuracy or completeness of the data.

S. Scott McDowell

From: Alice Tetamore <rnatetamore@centurytel.net>
Sent: Wednesday, January 10, 2018 3:55 PM
To: McDowell Scott
Subject: Statement on marijuana

Scott,

Here is a statement that I wrote after an interview with Patti Linn. Unfortunately I wan't able to get my feedback to her before publishing which was disappointing. If it will be helpful in your future City Council deliberations, you may use it.

Alice

We did not vote for state-wide legalization of marijuana in Oregon. To us in the context of an increasingly drug-dependent culture, legalizing marijuana was unhelpful. Unfortunately the State of Oregon did not have sufficient time for implementation to resolve some of the issues we are now confronting. However, since it has been legalized, we are concerned for mitigating the impact on our community for its safety and health, for protection of our youth and children, and for reasonable accommodation. One accommodation I appreciate is not allowing marijuana smoking in public venues. Colorado has had increased incidents of hospitalization of children eating marijuana laced food. So it is reasonable that packaging is not "an attractive nuisance" or has unknown contents. Children, in my experience as a former teacher, parent and grandparent, tend to copy or imitate the family especially if the use of a drug is made to appear fun. I wonder what affect breathing marijuana smoke in closed environments will have on children? These of course are parenting issues. Where marijuana can be grown is another concerning issue for the health, livability and safety of our community. In my view there needs to be a buffer zone near a city or town as a reasonable accommodation. Recreational marijuana is legal but we need to stand firm and have choices for how it is implemented. Every freedom needs boundaries.

Sincerely, Alice Tetamore

California's Booming Pot business Poisoning Spotted Owls, Research Shows Statesman Journal (part of USA Today Network)

Americans' appetite for marijuana is responsible for a burgeoning pot industry that's worth billions of dollars in California alone.

New research shows it's also harming northern spotted owls, one of the Golden State's most iconic creatures.

The research, published in the journal *Avian Conservation and Ecology*, is the first documented, scientific connection between rat poison black market marijuana growers use to protect their crops and widespread contamination of northern spotted owls, a state and federally threatened species.

Earlier research connected use of rat poison on grow sites to deaths of fishers, deer, bears, foxes and upland game birds.

"I live up here where it is the center of the pot growing world; it is out of control and this paper sort of documents that," said R.J. Gutiérrez, a bird biologist based in McKinleyville, Calif., who reviewed the paper for publication.

The research provides further evidence that even as the state has moved to legalize marijuana consumption, cultivation by some black market growers who flout environmental regulations remains a problem.

"Smoking marijuana is not necessarily benign, at least from an environmental perspective,"

R.J. Gutiérrez, bird biologist

"Smoking marijuana is not necessarily benign, at least from an environmental perspective," Gutiérrez said.

Even pro-pot advocates are calling for a legalization model that legitimizes and rewards environmentally responsible growers while punishing cultivators who harm wildlife.

"Growing cannabis shouldn't put you on the other side of the criminal justice system; poisoning owls should," said Hezekiah Allen, executive director of the California Growers Association.

Evidence of owl poisoning

The research tested owl tissue taken from 2009 through 2013 in Humboldt and Del Norte counties in northwestern California.

That's where researchers collected bodies of 94 owls. Ten of the birds were northern spotted owls and 84 were barred-owls, a species of owl that has been usurping northern spotted owl habitat.

Some black market growers use rat poison to prevent rodents from preying on their crops. The practice exposes owls who then prey on the rodents to the poison.

Researchers studied tissue from barred-owls collected as part of a prior, unrelated project. The northern spotted owls were collected opportunistically. Essentially, they were bodies of already-dead owls found during previous owl research.

In this Dec. 29, 2017, photo, marijuana plants are shown at the KindPeoples dispensary in Santa Cruz, Calif. Californians may awake on New Year's Day to a stronger-than-normal whiff of marijuana as America's cannabis king lights up to celebrate the state's first legal retail pot sales. (Photo: Marcio Jose Sanchez, AP)

The study area was on privately held, commercial timberland. The land is in large tracts with restricted access and bordered by public, private and tribal land.

"These removal efforts provide a rare opportunity to collect owl tissues in quantities not normally available, and that would typically take many years to accumulate," the paper stated.

The results were troubling.

Researchers found rat poison in 40 percent of the barred-owls and 70 percent of the northern spotted owls. Further, the rat poison was so-called "second generation," a type that's heavily regulated and not in legitimate use in the area where they collected owls.

Some growers use rat poison to prevent rodents from preying on their crops. The practice exposes owls who then prey on the rodents to the poison.

"It is now ubiquitous," Mourad Gabriel, lead author of the study and faculty member at the University of California, Davis Wildlife Health Center, said about the ecosystem contamination from marijuana cultivation. "There wasn't a specific area that led to the exposures. It was universally distributed throughout the landscape."

Mourad Gabriel, a research faculty member of UC Davis' Wildlife Health Center, led research connecting rat poison from unpermitted, private marijuana to the deaths of northern spotted owls and barred owls in northwest California. (Photo: Morgan Heim/Day's Edge Productions)

Another worrisome aspect of the research: the owls' habitat was privately owned and controlled timberland with little to no threat of trespass marijuana grows, the term for illegal growing on public land, a problem that plagues California.

Researchers' models predicted they would find lower contamination rates in owls collected on controlled, timber company land. That assumption held true with the earliest samples collected. But samples collected later showed higher rates.

Illicit marijuana grows decimate western wildlife

It led Gabriel to suspect growers converting adjacent forest land for marijuana cultivation, which is now legal under California law with state and local permits but illegal federally, is contributing to the scope of the problem.

Homer L

"Private land cultivation creates more edge habitat (for rodents)," Gabriel said. "If (growers) are using rodenticide, boom, that is where this additional risk is going to occur."

Although more research would be needed to document the link.

"However, the few private unpermitted grows I have visited near the study area have raised concerns," Gabriel said. "For example, if only a fraction of the grows were using rodenticides, then you would still have (thousands) of private grows near the study area (acting) as source points."

Legalization hasn't solved the problem

Although marijuana consumption and cultivation have grown more visible in California in recent years, it didn't become legal for recreational use under state law until Jan. 1. Medical marijuana has been legal in California since 1996.

Marijuana remains illegal under federal law, and U.S. Attorney General Jeff Sessions recently rescinded guidance by the administration of former President Barack Obama to minimize federal intrusion in states that permit it.

The move essentially puts discretion into the hands of federal law enforcement, which could lead to legal problems for growers and users even if they're following state law.

It doesn't, however, change the fact that there are tens of thousands of grow sites in California and only a small fraction of those growers registered with the state, which would put them under regulatory oversight.

In Humboldt County alone, there are an estimated 10,000 to 15,000 grows, according to an estimate from the county. Officials estimate permit applications only represent about 8 to 13 percent of total cultivation.

"That is very surprising and concerning and significant," he said. "Unfortunately, there is a pattern, people want to stay in the black market."

Federal prohibition is just one disincentive that prevents growers from stepping forward and participating in a transparent, regulated and legal marketplace.

Cannabis industry experts say California's own regulations provide another disincentive.

Complying with California regulations could cost growers tens of thousands of dollars or more. In addition to fees, any grower who steps under the regulatory spotlight is subject to land use and building code regulations.

It's a tough sell for growers who already have the connections and expertise to operate in the black market.

"They have been doing it on their own for 40 years," said Anthony Silvaggio, an environmental sociologist for the Humboldt Institute for Interdisciplinary Marijuana Research at Humboldt State University. "What happens is people don't even try to come into compliance, they are not even going to take that risk."

Monica L.

The state is still developing an online tracking system legal growers, sellers and buyers would use to trace the product from origin and ensure it's in legal compliance.

Cathy Mudge, spokesperson for Assemblyman Jim Wood, D-Healdsburg, said as the regulatory structure falls into place it will generate revenue from licensed production and sales and help focus the enforcement spotlight on illegal growing and associated environmental problems.

"Now that people are coming into the light, so to speak ... there will be fewer illegal growers and that will allow law enforcement to focus their effort on those folks," Mudge said.

Allen said he's hopeful California's regulators and regulated growers will learn from small, family marijuana operations that are already using drought- and environment-friendly practices to produce a crop that's safe for people and wildlife.

Responsible growers, Allen said, refuse to use harmful poisons.

"Using rodenticide is a worst practice," he said. "It is toxic, it kills your pets, it makes your kids sick. It is just not part of growing on a family farm."

The U.S. Fish and Wildlife Service Arcata and Yreka field offices funded the research.

The California Academy of Sciences and the California Animal Health and Food Safety Laboratory System, which is part of the UC Davis School of Veterinary Medicine, conducted necropsies for the study.

Co-authoring institutions included Green Diamond Resource Company, Hoopa Valley Tribe and Humboldt State University.

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BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

RANDY SIMPSON and GAYLE ASHFORD,
Petitioners,

vs.

01/15/18 PM 2:24 LUBA

CITY OF BROWNSVILLE,
Respondent.

LUBA No. 2017-097

FINAL OPINION
AND ORDER

Appeal from City of Brownsville.

Sean T. Malone, Eugene, and Brian Michaels, Eugene, represented petitioners.

Ross M. Williamson, Eugene, represented respondent.

RYAN, Board Chair; BASSHAM, Board Member; HOLSTUN, Board Member, participated in the decision.

DISMISSED

01/16/2018

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

Certificate of Mailing

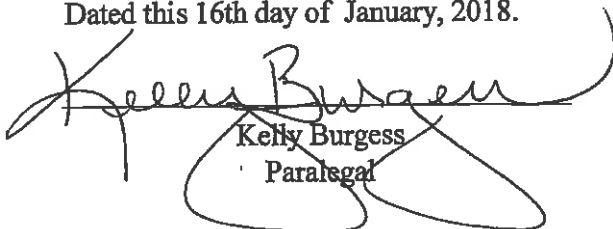
I hereby certify that I served the foregoing Final Opinion and Order for LUBA No. 2017-097 on January 16, 2018, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

Brian Michaels
Attorney at Law
259 E. Fifth Avenue Suite 300 D
Eugene, OR 97401

Ross M. Williamson
Speer Hoyt LLC
975 Oak Street Suite 700
Eugene, OR 97401

Sean T. Malone
Attorney at Law
259 E. 5th Avenue, Suite 200-C
Eugene, OR 97401

Dated this 16th day of January, 2018.


Kelly Burgess
Paralegal

Kristi Seyfried
Executive Support Specialist



PUBLIC HEALTH DIVISION
Center for Health Protection, Drinking Water Services
Kate Brown, Governor

Oregon
Health
Authority

800 NE Oregon Street, Suite #640
Portland, OR 97232-2162
(971) 673-0459
(971) 673-0694 – FAX
<http://healthoregon.org/dwp>

November 30, 2017

Karl Frink, Public Works
Superintendent
City of Brownsville
P.O. Box 188
Brownsville, OR 97237

Re: Water System Survey, City of Brownsville, PWS ID # 00152

Dear Mr. Frink:

Thank you for your time and assistance in conducting a **Water System Survey at the City of Brownsville on November 9, 2017**. The main purpose of the survey is to evaluate the entire water system in terms of supplying safe drinking water to the public. I have enclosed a copy of the report for your records. Please let me know if any corrections need to be made.

While I did not identify any significant deficiencies or rule violations at your water system, I do have the following comments and recommendations:

1. Drinking Water Services (DWS) has established criteria for determining whether a system should be considered to have “outstanding performance.” Systems that are designated outstanding performers may have their water system survey frequency reduced from every 3 years to every 5 years. Although your water system did not meet the established criteria, due to more than one monitoring and reporting violation during the past three years, please review the enclosed handout to see what steps you can take in the future towards receiving this designation.
2. Recent detections in the City of Salem’s water plant highlighted the risk that cyanobacteria (“blue green algae”) can grow in slow sand filters. Although the cyanobacteria level was low at Salem’s river intake, harmful bacteria were incubating in their slow sand filters. Based on observations during the survey, we strongly recommend that Brownsville conduct periodic monitoring both to identify any potentially toxic cyanobacteria that may be present in the slow sand filters, and to assure that no toxins are entering the finished water supply. DWS can currently cover all the costs of harmful algae bloom-HAB related monitoring for public water systems free of charge under the same contract with Lake Superior State

University (LSSU) that currently covers raw water analysis for cyanobacteria. Please contact us to take advantage of this service as there is no guarantee how many years the free service will be available.

- The first type of monitoring is called identification/enumeration testing. This type of testing: (a) identifies the types of algae/bacteria that are growing (to determine if toxin-producing species are present), and (b) enumerates the density (that is, how much is present). The ID/enumeration test is valuable when there is a physical change in appearance of color or type of algae growing the slow sand filters. First, however, we recommend that the City establish baseline information on the algae typically present there by conducting this testing in winter, spring, summer and fall for one year, then testing again whenever conditions appear to change to identify whether toxin producers are present. These would be grab samples collected from the water on top of each active slow sand filter during normal operations.
 - If toxin-producing cyanobacteria are ever detected in the ID/enumeration test, the second type of HAB monitoring would be to check for the presence of their associated toxins. Toxin samples can be collected from raw water, the top of filters or finished water. The four main toxins of concern are Mycrocytins, Cylindrospermopsins, Saxitoxins, and Anatoxin-a. Some species of cyanobacteria can produce all four of these toxins, and some only create one or two. I have attached DWS' algae best management practices for drinking water operators to this letter.
3. Report the maximum or peak hourly demand flow leaving the clearwell in the monthly surface water reports. DWS understands you are currently reporting the peak instantaneous demand flow, which lasts only a few minutes. It is understood that the peak hourly demand flow is consistent with the 415 gallons per minute simulated in the 2005 contact time tracer study.
 4. Continue to monitor the minimum volume in the disinfection contact time chamber (chlorine contact chamber and clear well). As you have noted and as described in the survey report, the City maintains a minimum contact time volume of at least 36,590 gallons, which was the volume simulated in the contact time tracer study.
 5. Because the addition of soda ash adjusts the alkalinity, DWS must establish a minimum alkalinity value to maintain optimal corrosion control as a requirement of the lead and copper rule, outlined in OAR 333-061-0036(2)(c)(F)(iii). Together with the minimum pH value already established, the alkalinity levels affect the ability of your chemical corrosion control treatment to prevent lead and copper release. DWS will provide written direction to collect alkalinity samples at both the entry point and in the distribution system ahead of lead and copper tap sampling next summer, so that the data may be reviewed and minimum alkalinity levels set by DWS at both the entry point and in the distribution system.
 6. Be sure to collect two rounds of pH samples at two sites in your distribution

- system, such as at coliform sampling sites, during your lead and copper tap sampling next summer. The City has an assigned minimum pH of 7.2 in the distribution system in addition to the 7.2 assigned at the entry point, to ensure the minimum pH is maintained throughout your distribution.
7. Remove all expired calibration standards and reagents.
 8. Correlate your first user continuous chlorine analyzer with weekly readings from your calibrated portable chlorine test kit.
 9. Continue to verify that the three Hach 1720E individual filter effluent turbidimeters' flow through is in the range of 200 to 750 milliliters per minute.
 10. Remember to notify each of the individual customers of their lead results with health effects and steps to reduce exposure within 30 days of receiving results. Certify to DWS in writing that this occurred by the end of the calendar year. See the certification form attached.
 11. Incorporate routine distribution tasks such as distribution system flushing and reservoir inspections into your operations and maintenance manual.
 12. You may find information on future classes and best management practices for slow sand filtration at DWS' slow sand information website. See www.healthoregon.org/swt, and look for **Slow Sand Filtration under Free Training Resources**.
 13. Remove the animal droppings from within the well houses.
 14. Fix the crack in the concrete floor of the house for well E.
 15. A summary of your monitoring requirements can be found on page 14. Please maintain a copy of this page and refer to it for future monitoring scheduling.

If you have any questions or concerns, or would like this in an alternate format, please contact either myself at (971) 673-0459, or james.b.nusrala@state.or.us, or Betsy Parry at (541) 726-2587 x 30, or betsy.l.parry@state.or.us. Your cooperation is appreciated.

Sincerely,



James Nusrala, P.E.

Regional Engineer

Drinking Water Services

Enclosures:

Outstanding performer criteria

Harmful algae bloom resources for drinking water operators

Lead consumer notification certification form

cc: Betsy Parry, DWS Springfield

Deficiency Summary

Surveyor: James Nusrala

Date Corrective Action Plan is due: Not applicable

County: Linn

Yes	No	Significant Deficiencies and Rule Violations:	Date to be corrected	Date corrected
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Source: <i>Well construction:</i> No significant deficiencies or rule violations noted.	N/A	
		<i>Spring/other source:</i> No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Treatment: <i>Surface water treatment:</i> No significant deficiencies or rule violations noted.	N/A	
		<i>Disinfection:</i> No significant deficiencies or rule violations noted.	N/A	
		<i>Other treatment:</i> No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Finished Water Storage: No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Distribution: No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Monitoring: No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Management & Operations: No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Operator Certification: No significant deficiencies or rule violations noted.	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Rule Violations: No significant deficiencies or rule violations noted.	N/A	

Comments:
See letter dated November 30, 2017 for comments and recommendations.



Source Deficiencies:

Well Construction Deficiencies:

- ⊕ Sanitary seal and casing not watertight
- ⊕ Does not meet setbacks from hazards
- ⊕ Wellhead not protected from flooding
- ⊕ No raw water sample tap
- ⊕ No treated sample tap (if applicable)
- ⊕ No screen on existing well vent

Spring Source Deficiencies:

- ⊕ Springbox not impervious durable material
- ⊕ No watertight access hatch/entry
- ⊕ No screened overflow
- ⊕ Does not meet setbacks from hazards
- ⊕ No raw water sample tap
- ⊕ No treated sample tap (if applicable)

Treatment Deficiencies/Violations:

Surface Water Treatment Deficiencies:

- + Turbidity standards not met - 0030(3)
- + Turbidimeters not calibrated per manufacturer or at least quarterly - 0036(5)(b)(A)(ii)
- ⊕ Incorrect location for compliance turbidity monitoring
- ⊕ If serving > 3,300 people no alarm or auto plant shut off for low chlorine residual
- ⊕ For conventional or direct filtration: No alarm or plant shut off for high turbidity
- ⊕ For conventional filtration: Settled water not measured daily
- ⊕ For conventional or direct filtration: Turbidity profile not conducted on individual filters at least quarterly
- ⊕ For cartridge filtration: No pressure gauges before and after cartridge filter
- ⊕ For cartridge filtration: Filters not changed according to manufacturer's recommended pressure differential
- ⊕ For diatomaceous earth filtration: Body feed not added with influent flow
- + For membrane filtration: Turbidimeter not present on each unit - 0050(4)(c)(G)
- + For membrane filtration: Direct integrity testing not done at least daily - 0036(5)(b)(F)

Disinfection Deficiencies/Violations:

- + DPD or EPA approved method not used - 0036(9)(d)
- + Free chlorine residual not maintained - 0032(3/5)
- + Chlorine not measured & recorded as required - 0036(9)
- + Minimum CT requirement not met all times - 0032(3/5)
- ⊕ No means to adequately determine flow rate on contact chamber effluent line

- + pH, Temperature, and chlorine residual not measured daily at first user - 0036(5)(a/b)
- ⊕ Failure to calculate CT values correctly
- ⊕ No means to adequately determine disinfection contact time under peak flow and minimum storage conditions

UV Disinfection Violations (OAR 333-0050(5)(k)):

- + Bypass around UV system
- + Lamp sleeve not cleaned
- + Lamp not replaced per manufacturer
- + No intensity sensor with alarm or shut-off

Other Treatment Violations:

- + Non-NSF approved chemicals - 0087(6)
- + Corrosion control parameters not met - 0034

Distribution System Violations:

- + System pressure < 20 psi - 0025(7)

Cross Connection (OAR 333-061-0070):

- + No ordinance or enabling authority (CWS)
- + Annual Summary Report not issued (CWS)
- + Testing records not current (CWS, NTNC, TNC)
- + No Cross Connection Control Specialist (CWS ≥ 300 connections)

Finished Water Storage Deficiencies:

- ⊕ Hatch not locked or adequately secured
- ⊕ Roof and access hatch not watertight
- ⊕ No flap valve, screen, or equivalent on drain
- ⊕ No screened vent

Monitoring Violations:

- + Monitoring not current - 0025(1)
- + Unaddressed MCL violations or LCR AL exceedances - 0030
- + No Coliform Sampling Plan - 0036(6)(a)(G)

Management & Operations Violations:

- + No operations and maintenance manual - 0065(4)
- + Emergency response plan not completed - 0064(1)
- + Major modifications not approved (plan review) - 0050
- + Master plan not current (≥ 300 con.) - 0060(5)
- + Annual CCR not submitted (CWS) - 0043(1)(a)
- + PNC or out of compliance with AO
- + Public notice not issued as required - 0042

Operator Certification Violations:

- + No certified operator at required level - 0065(2)
- + No protocol for under certified operator - 0225(2)

Other Rule Violations: _____

- ⊕ Significant deficiency per OAR 333-061-0076
- + Rule violation per OAR 333-061-XXX



City of Brownsville
Water System Survey
OHA Drinking Water Services

PWS ID: 41 00152
Survey Date: 11/9/17

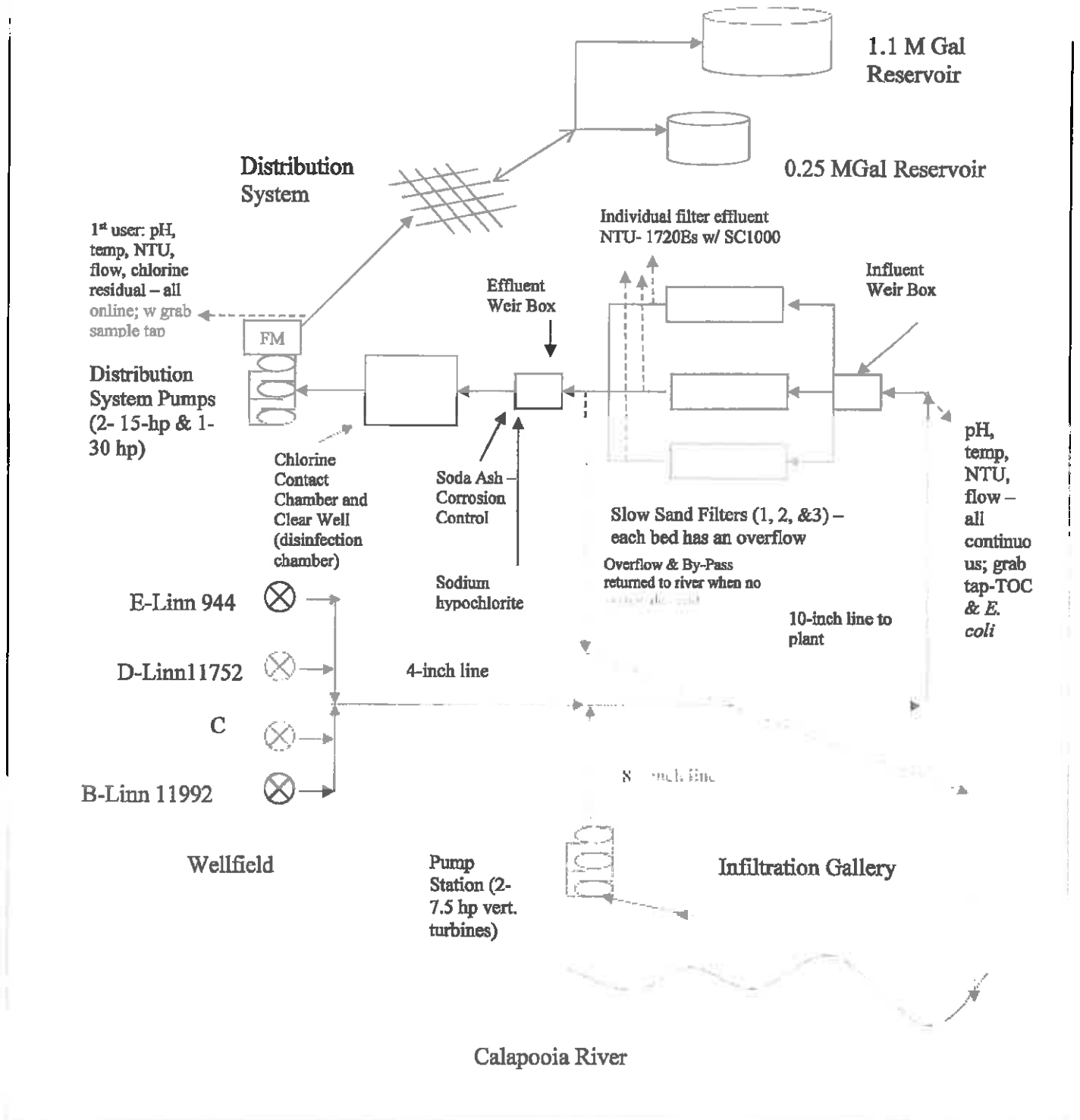
Page 3 of 15

Inventory and Narrative

<input type="checkbox"/> Outstanding Performer					
Type:	Community (C)	Status	Size	Season:	Year-round
License:	Not Licensed	Population:	1,670	Begins: (mm/dd)	/
Responsible Agency:	State	Connections:	720	Ends: (mm/dd)	/
Service Characteristics:	Residential: City or Town (MU)				
Ownership:	4 - Local Government				
Operator Certification Requirements:	WD: 2	WT: 1	FE <input type="checkbox"/> Small WS <input type="checkbox"/>		

Primary Administrative Contact (Mailing Address):					
Contact Name:	Karl Frink	Phone:	(541) 466-3381		
Title:	Public Works Superintendent	Cell:	(541) 409-3700		
Street Address:	P.O. Box 188	Emergency #:	(541) 409-3700		
City/State/Zip:	Brownsville, OR 97237	Email:	publicworks@ci.brownsville.or.us		
Legal/Owner Address:					
Contact Name:	S. Scott McDowell	Phone:	(541) 466-5880		
Title:	Administrator	Cell:	()		
Street Address:	255 North Main Street	Emergency #:	()		
City/State/Zip:	Brownsville, OR 97237	Email:	admin@brownsville.or.us		
System Physical Address:					
Contact Name:	Water Treatment Plant	Phone:	()		
Title:		Cell:	(541) 409-3700		
Street Address:	200 Park Avenue	Emergency #:	()		
City/State/Zip:	Brownsville, OR 97237	Email:			
Emergency Systems Available:					
Name:	NA	PWS ID#:	41		
Narrative:					
<p>This public water system serves the City of Brownsville, located approximately 20 miles S/SE of Albany, 4 miles East of I-5. The sources include an infiltration gallery in the Calapooia River and four shallow wells approximately 300-400 feet from the river. The infiltration gallery is primarily used during the summer and the wells primarily during the winter when the turbidity of the raw water from the infiltration gallery exceeds 1 NTU. Water from both sources are treated at the WTP. The treatment includes slow sand filtration (3 units), sodium hypochlorite for disinfection with contact time in a chlorine contact chamber and clearwell located after the plant, and soda ash for corrosion control. Treated water is pumped up to two storage reservoirs, one 1.1 MGal and one 0.25 MGal which gravity feed the distribution system.</p>					

Water System Schematic



Source Information

ID	Entry Points (Location where water enters distribution and is sampled)	Source Type	Availability (if seasonal, indicate begin/end dates)			
			Begin (M/D)	End (M/D)		
A	EP for SSF/WTP	GWUDI	Permanent			

ID	Sources (Contributing to Entry Point)	Land Use*	Capacity (GPM)	Source Type	Availability
AA	Calapooia River (Infiltration)	B,C,G,M	380	GWUDI	Permanent
AB	Well "B" (LINN 11992)	B,C,G,M	75	Ground	Permanent
AC	Well "C"	B,C,G,M	50	Ground	Permanent
AD	Well "D" (LINN 11752)	B,C,G,M	50	Ground	Permanent
AE	Well "E" (LINN 53471)	B,C,G,M	30	Ground	Permanent

*Land Use Codes: (A) Pristine Forest (B) Irrigated Crops (C) Non-Irrigated Crops (D) Pasture (E) Light Industry (F) Heavy Industry (G) Urban-Sewered Area (H) Rural On-Site Sewage Disposal (I) Urban On-Site Sewage Disposal (J) Rangeland (K) Managed Forest (L) Commercial (M) Recreational Use

Yes No

- Has the water system implemented strategies (e.g., posting source area signs, notifying residents of Haz Waste collection events, provide residents information about maintaining their septic systems, abandoning unused wells, etc.) to protect their drinking water sources?
- Is the water system interested in protecting their drinking water sources from contamination? If yes, contact regional geologist at 541-726-2587.

Comments:
Infiltration gallery used in summer months. Wells used in winter months when raw water in infiltration gallery is too high.

Well Information

Source ID#: SRC-	AB		AC		AD		AE			
Source Name:	Well "B"		Well "C"		Well "D"		Well "E"			
Well log available?*	Yes		No		Yes		Yes		Choose an item.	Choose an item.
Well log ID (e.g., COLU123, L12345)	LINN 11992		N/A		LINN 11752		LINN 53471			
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Well active?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pitless adaptor?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Sanitary seal & casing watertight?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Raw water sample tap?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Treated water sample tap? <input type="checkbox"/> N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● If vented, properly screened?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Wellhead protected from flooding?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concrete slab around casing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Casing height ≥12-in. above slab/grade?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flowmeter?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pressure gauge?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pump to waste piping?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Well meets setbacks from hazards?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If no, identify list of hazard(s) within the setback and the distance to the hazard.....										
HAZARD:										
DISTANCE (ft):										
Protective housing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, does it have:										
Heat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Light?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floor drain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well pump removal provision?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pump Type:	Submersible		Submersible		Submersible		Submersible		Choose an item.	Choose an item.
Bearing lubrication:	Water		Water		Water		Water		Choose an item.	Choose an item.
Pumping capacity (gpm):	75		50		50		30			

*If no well log available, record any known information regarding depth of well, depth of grout seal, year of installation, or casing diameter in the comments section below.

Comments:
Animal fecal matter observed near wells inside boxes. Recommend removing material.
Well E has crack in concrete floor up to well casing – recommend re-sealing crack. Well E off-line at the moment.
All wells are serviced at the beginning of the use season (fall). Depth levels recorded for WRD reporting.

Potential Sanitary Hazards
(From OAR 333-061-0050(2)(a)(E))

The following sanitary hazards are not allowed within 100 feet of a well or spring:

- Any existing or proposed pit privy
- Subsurface sewage disposal drain field
- Cesspool
- Solid Waste disposal site
- Pressure sewer line
- Buried fuel storage tank
- Animal yard, feedlot, or animal waste storage
- Untreated storm water or gray water disposal
- Chemical (including solvent, pesticides, and fertilizers) storage, usage, or application)
- Fuel transfer or storage
- Mineral resource extraction
- Vehicle or machinery maintenance or long term storage
- Junk / auto / scrap yard
- Cemetery
- Unapproved well
- Well that has not been properly abandoned or of unknown or suspect construction
- Source of pathogenic organisms
- Any other similar public health hazards

The following are not allowed within 50 feet of a well or spring:

- Gravity sewer line
- Septic Tank

Exemptions to these setbacks must be listed and documented within the plan approval letter and in an approved construction waiver standard.

If a surface water source is located within 500 feet of a well or spring, please note the water body name and the distance to the well or spring. All groundwater sources within 500 feet to a surface water source should be considered for potential surface water influence. Check the file for correspondence. If a review has been done indicate results in comment section. If not, contact the Springfield office 541-726-2587



City of Brownsville
Water System Survey
OHA Drinking Water Services

PWS ID: 41 00152
Survey Date: 11/9/17

Alternative Technology Treatment Plant Inspection

WTP inspection done with Water System Survey

WTP inspection only

WTP ID: 41 00152 WTP Name: TP for River & Wells
 Date of inspection: 11/9/17 Inspected by: James Nusrala
 Plant operator: Karl Frink
 Total points given: 0

Points	Visit Frequency	Check One
Low range (0-15)	With next survey	<input checked="" type="checkbox"/>
Mid range (16-25)	Annually	<input type="checkbox"/>
High range (26 or more)	Every 6 months	<input type="checkbox"/>

Comments:

The total 400 gpm flow can sometimes be distributed to only two of the slow sand beds, when one is off for scraping or cleaning. This still results in a 0.05 gpm/square foot loading rate. Beds measured at 42' x 100' each.

Source:

Describe Intake: Inf. Gallery perf. pipe in base of Calapooia River, flows to manhole, then gravity to pump station, which is pumped to plant
 Describe pumping facilities: Two 15- hp and One 30- hp pumps, periodic maintenance (lubricating of pump materials)
 Watershed control information (protection plan, security measures, etc): Mainly private farmers, some lumber activities, not much communication to City re: activities in watershed
 Factors affecting water quality (algal blooms, logging, etc.): First fall rains bring dark color to influent, heavy rains increase turbidity

Treatment:

Cartridge or bag filter make/model: _____
 Membrane filter make/model: _____
 Slow sand filter Diatomaceous earth Corrosion control
 Other treatment Describe: Soda Ash for corrosion control
 Peak plant production rate: (gpm): 400 Comments: Max daily water produced past yr- 0.574 MGD=400 gpm
 Log removal credit given: Giardia: 2.0 Crypto: 2.0 Date: 1998

Treatment Plant:

Yes	No		If no, check points
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is raw water turbidity data collected at least daily? <input checked="" type="checkbox"/> On-line <input type="checkbox"/> Bench-top Inf. Gallery ranges from 0.1 to 1.2 NTU seasonally, wells around 0.08 NTU	<input type="checkbox"/> 3 pts
<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Are turbidity compliance standards met? (<1 NTU 95% of time; all < 5 NTU)	<input type="checkbox"/> 10 pts
<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Is CFE monitoring location acceptable (prior to any storage)?-see below	<input type="checkbox"/> 5 pts
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can chart recorder document turbidity > 5.5 NTU?- records up to 20 NTU	
System does not have a CFE tap prior to clearwell storage, reports daily high of each of the 3 IFE NTUs.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Are turbidimeters calibrated according to factory specifications or at least quarterly?	<input type="checkbox"/> 5 pts
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are calibration standards valid (not expired)?	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is flow through turbidimeter within manufacturer's range?-measured at 500 mL/min in 11/9	
All 3 IFE 1720E's calibrated in October and June 2017 most recently on cal history			



City of Brownsville
Water System Survey
OHA Drinking Water Services

PWS ID: 41 00152
Survey Date: 11/9/17

Alternative Treatment Plant Continued:

WTP- A

If no, check points

Yes No

- Are CT's calculated correctly? 10 pts
- Is contact time based on tracer study or adequate alternative?
- pH, temperature and chlorine residual measured at or before 1st user?
- Is there a flow meter on effluent side of clearwell or adequate alternative (describe)?

- Is corrosion control practiced?
- Is it operated within parameters set by DWS? N/A 5 pts
Describe method of corrosion control used:
Soda ash to meet minimum pH of 7.2 at both entry point and distribution. Remember to sample pH in distribution at two sites (two rounds) with LCR tap sampling, starting next summer.

- Do all under-certified operators follow a written decision-making protocol as established by DRC? 5 pts

- Are standard plant operating procedures written and followed? 5 pts

- Are operators on site during all hours of plant operation?
- If no, is there an alarm for low chlorine residual? ● (>3300 Population only) N/A-see below 5 pts
 Low chlorine High turbidity Plant shutdown Auto-dial

Bag/Cartridge Filtration: N/A

Type of pre-filtration:

- Pressure gauges before/after filter(s)
- Are filters changed according to manufacturer (e.g., pressure differential (psid))?
At what psid/flow/etc.? 30 pts

Slow Sand: N/A

Scraping/cleaning/ripening protocol:

Approx. 0.3 to 0.5 feet of headloss initiates a hand scraping of approx. 1" of sand off top of bed (12 cu. Yds for 4,200 sq. foot bed). Bed's effluent is returned to river and bed not brought back on-line until IFE NTU is below 0.1 NTU. Generally works out to be once a year for each bed, all last cleaned in April – June 2017.

Membrane: N/A

- Post filtration turbidimeter on each unit? 10 pts
 - Direct integrity testing done at least daily? 30 pts
- Backwash initiated by: turbidity: _____ TMP: _____ time: _____

DE: N/A

- Pre-coat process used? Describe: _____ 30 pts
- Is body feed added with influent flow? _____ 10 pts
- Is DE discarded at end of filter run?

Total Points

Comments:

0.2 mg/L low chlorine alarm at first user, 4.0 raw high NTU alarm, and 1.0 NTU high NTU alarm (after clearwell) – all instantaneously triggered with auto-dial to operators (no remote plant shut-down). Influent weirs on each bed are auto-controlled to spread out flows evenly to each bed.



Disinfection

No #	Disinfection Method*	Location	Disinfection Source Water	Residual Maintenance	Other Purpose	Proportional to Flow	Dosage Recorded
1	Sodium Hypochlorite	WTP-Effluent Weir Box	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Yes **No** Chlorine residuals N/A

- Is a DPD or other EPA approved method used? – CL-17
- NSF 60/61 certified (or equivalent)?
- Are entry point residuals recorded at least once per day (SWTR, GWR 4-log)? N/A
- Is entry point residual monitoring continuous if population > 3,300? N/A
- Are distribution residuals recorded at least twice weekly? – 4/day during week
- Are on-line chlorine analyzers verified weekly with DPD type or EPA approved test kit? N/A-quarterly

Yes <input type="checkbox"/> No <input type="checkbox"/>	Chlorine gas <input checked="" type="checkbox"/> N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>	
<input type="checkbox"/>	Separate room for gas storage and feeder?	<input type="checkbox"/>	Gas cylinders properly secured?
<input type="checkbox"/>	Fan with on/off switch outside?	<input type="checkbox"/>	Door that opens out?
<input type="checkbox"/>	Vent located next to the floor?	<input type="checkbox"/>	Self-contained breathing apparatus?
<input type="checkbox"/>	Door with a window?	<input type="checkbox"/>	Air scrubber system?

Yes **No** UV N/A

- Does all water contact UV (no bypass)?
- Is lamp sleeve cleaned?
- Is lamp replaced per manufacturer?
- Intensity sensor with alarm or shut-off?

Yes **No** CT Evaluation for disinfection N/A

- Is contact time based on a tracer study or adequate alternative? N/A -2005 study
Describe adequate alternative method for contact time: _____
- Is there a flow meter on effluent side of clearwell /contact chamber or adequate alternative?
Describe adequate alternative method for flow rate: _____
Tracer study demand flow (gpm): 415 gpm
- Have tracer study parameters changed? – see below
- (SW only) Are pH, temp, and chlorine residual measured daily before or at the first user? WTP is 1st user
- Are CT values being calculated correctly? – uses 1.0-log WA tables
- Are CT values met at all times (SWTR, GWR 4-log)?

Comments:
 2005 tracer study indicated 83 minutes at 415 gpm and 36,590 gallons in clearwell.
 System currently reporting instantaneous peak demand flow. For example, 660 gpm flow in Sept '17 was only for 5-6 minutes, then shot down below 415 gpm tracer-study flow. Recommend working with SCADA-programmer to report maximum peak hourly demand flow of the day.
 Minimum volume maintained in disinfection contact time chamber (chlorine contact chamber and clear well) is as follows:
 Chlorine contact chamber: 5' wide chamber and 207.5' of linear footage of serpentine paths with 4.36' min. depth: 4,523.5 ft³ or 33,836 gal
 Clearwell: 250 ft² x 1.5' min depth = 375 ft³ or 2,805 gal. Total minimum volume = 33,836 gal + 2,805 gal = 36,641 gal.
 CL-17 analyzer calibrated twice a year with current reagents
 Clearwell low level kicks on WTP and chemical injections ensuring flow proportionality
 Obtain current standards for Hach DR 2010, current ones expired in March 2016.
 Sodium hypochlorite mixed with water in day tank (1 to 1 ratio)
 Targets a 0.8 mg/L free chlorine residual at 1st user



Treatment

Code / Purpose / Process Used*	Chemical Added**	Location in System
P346 Particulate Removal (SWTR) Filtration, Slow Sand	N/A	WTP
D421 Disinfection for Surface Water/GWUDI Hypochlorination, Post	Sodium hypochlorite	Pre-clearwell
C502 Corrosion Control pH/Alkalinity Adjustment-Soda Ash	Soda ash	Pre-clearwell

*See "Treatment Plant Inspection" page for details on filtration. **See "Disinfection" page for details on disinfection equipment.

Yes No

- Has treatment changed?
 - Is lab equipment for on-site analysis appropriate?
 - Is equipment maintained properly?
 - Is redundant equipment available?
 - Are chemicals NSF Standard 60 certified or equivalent? (N/A - no chemicals are used)
 - Does system practice corrosion control?
 - Is corrosion control operated within parameters set by DWS? N/A
- Describe method of corrosion control (if applicable)

Remove expired reagents and standards.
Has redundant chlorine analyzer (Hach portable DR 2010), no portable turbidimeter. Continuous pH meter has current 4, 7 and 10 buffers. Remember to collect pH for minimum 7.2 compliance in distribution next summer at 2 taps (2 rounds) with LCR tap sampling. Preview alkalinity monitoring requirement – next summer 2 rounds at EP and 2 rounds (2 sites) in dist. Meets 7.2 at EP now.
Targets a 7.7 minimum pH at 1st user.

Records Kept:

Yes / No

- Dosages – only feed pump settings & tank levels
- Raw pH
- Raw temperature
- Raw turbidity and/or particle counts

Yes / No

- Flowrate
- Treated pH
- Treated temperature
- Treated turbidity

Comments:

Dry soda ash (Solvay) mixed with water in day tank (1 pound soda ash to 1 gallon water).
Adjusts chemical feed pump speed and sometimes stroke to target a 1st user pH of 7.7 and 0.8 mg/L free chlorine residual.
Rebuilds feed pumps once a year and has tubing replaced.

Storage and Pressure Tanks

Number	Name	Tank Type*	Tank Material	Year Built	Volume (gal.)
1	Clearwell	(G) Ground	Concrete	1998	unk
2	New Reservoir	(G) Ground	Concrete	1998	1.1 MG
3	Old Reservoir	(G) Ground	Concrete	1940	0.25 MG

Total Volume: 1.35 MGal

Reservoir Number:	1		2		3					
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Reservoir Features										
Fence/gate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Hatch secured (e.g. locked, bolted, etc)?.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● All tank access points watertight?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Screened vent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overflow?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
● Overflow protected (screen/ <u>flap/valve</u>)?	N/A		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drain to daylight?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water level gauge?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bypass piping?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alarm for high or low levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate inlet/outlet?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Approved interior coating?	N/A		N/A		N/A		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exterior in good condition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Annual interior/exterior inspection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cleaning schedule?	unknown		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Continuously disinfected? (● post '81 redwood)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pressure Tanks										
Accessible for maintenance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bypass piping?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drain?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pressure relief device?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air bladder/diaphragm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valve for adding air?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

A single outlet with a flap-valve protects the overflows and drains from both tanks 2 and 3. Recent 2017 photos documenting adequate screening on rooftop vents and locked watertight hatches for 2 and 3.
#2 – has a perimeter drain on hatch opening. Hatch drain opening is checked regularly to ensure adequate drainage away from hatch.
Inspects tanks once a year – rooftop hatches and screened vents. #2 and 3 cleaned every 5 years.



Distribution System Information

Service Area and Facility Map

Yes	No		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the system have a service area and facility map (indicate features on map):	
		<input checked="" type="checkbox"/> Water lines (including <u>size</u> and <u>material</u>)	<input checked="" type="checkbox"/> Sources-wells & withdrawal points
		<input checked="" type="checkbox"/> Treatment facilities	<input type="checkbox"/> Pressure zones – N/A
		<input checked="" type="checkbox"/> Storage facilities (reservoirs)	<input checked="" type="checkbox"/> Pressure regulating valves
		<input checked="" type="checkbox"/> Sampling points	<input type="checkbox"/> Booster pumps – N/A

Distribution Data

Yes	No		Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	● System pressure ≥ 20 psi?	<u>Field testing shoes from 29 to 90 psi, shoots for 70 psi</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water system leakage <10%?	<u>2012 MPlan & Karl indicate high value; 100% metered</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydrants or blowoffs on all dead ends? <input type="checkbox"/> N/A	<u>Both, 86 hydrants</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Routine flushing? (How often)	<u>Dead ends quarterly, all other lines once a year</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Adequate valving?	<u>Can isolate to within a few blocks, trying to loop more</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Routine valve turning? (How often)	<u>Most of them every 2 years</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the distribution system have asbestos cement (AC) pipe? <i>If yes, verify asbestos sampling is completed on Water Quality Monitoring Page (CWS, NTNC).</i>	<u>Mainly PVC-900, some ductile iron & AC</u>

Cross Connection Control (CWS, NTNC, and TNC)

Yes	No	N/A		Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	● Devices tested annually? (CWS, NTNC, TNC)	<u>See below</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	● Ordinance or enabling authority? (CWS)	<u>New ordinance allows shutting off service if no testing.</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	● Annual Summary Report submitted? (CWS)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	● Certified Cross Connection Control Specialist? (CWS ≥ 300 connections)	<u>Karl</u>

Comments:

City arranges for testing of all assemblies (City and homeowner ones), and bills the homeowner. Customer will reschedule a re-test for failed tests and pay for repair if necessary. City tracks tests/repairs in a spreadsheet.

Karl is on the plan review committee for new City permits to ensure new business have adequate cross connection control.

2016 ASR indicates all DCs and RPs tested. Has way more RPs than high hazards (fire suppression, chemical additives, and private homeowner booster pumps) – good!

2014 ordinance has annual testing and provision to disconnect service if no test



City of Brownsville
Water System Survey
OHA Drinking Water Services

PWS ID: 41 00152
Survey Date: 11/9/17

Page 15 of 15

Management & Operations

O&M Manual and Emergency Response Plan

Yes No

- Does system have an operation and maintenance manual?

- Does system have an emergency response plan?

Do any system components have auxiliary power?

If yes, describe: Back-up generator for WTP

Operator Certification

Yes No N/A

- Is the DRC identified and certified at the appropriate level?

If the DRC is a contract operator, how do they work with the system?

- Does system have written protocols for under-certified operators?

Plan Review/Master Plan

Yes No N/A

- Have all major modifications been approved by DWS?

- Does the system have a current (<20 yr. old) master plan? (Not required if < 300 connections)

What year was the plan completed? 2012

Compliance Status

Yes No N/A

- Is water system in compliance (all orders resolved and not a priority non-complier)?

- Does the system issue public notice as required?

- Are consumer confidence reports sent to users each year?

Comments:

Recommend adding distribution practices, tasks, such as distribution flushing, valve turning and tank inspection checklists, to operation and maintenance manual

Updated emergency response plan with DWS public health duty officer phone number

2016 CCR looks good – includes detects, health effects language.

Carol Humphreys

From: Leds, Helpdesk <helpdesk.leds@state.or.us>
Sent: Tuesday, November 21, 2017 4:45 PM
Cc: Muller, Amelia; Benson, Candace; Bowyer, Carol; Bell, Jeffrey; Raymond, Jim; Fawcett, Keelyn; Silbernagel, Kevin; Reid, Leahanna N; Lopez, Sonia; Long, Tracie
Subject: Information Update: Senate Bill 34 - Move Over or Slow Down Law



DMV has requested we share this information with our Law Enforcement Agencies, regarding the new Senate Bill 34, to begin January 1, 2018. Please disperse this to your agencies members.

Enjoy your day,

Candy Benson, Team Lead
 CJIS Specialist | Information Technology

Oregon State Police
 Email: Helpdesk.LEADS@state.or.us
 Phone: (503) 378-5565

To provide premier public safety services.

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Oregon State Police / LEADS

SB 34 – Includes all Vehicles in the Move Over or Slow Down Law

Effective: January 1, 2018

SB 34 amends provisions in ORS 811.147 for vehicles to move over or slow down when approaching any vehicle on the side of the road displaying warning lights, hazard lights, emergency flares or emergency signs.

The bill specifies that a person operating a motor vehicle and approaching another motor vehicle that is stopped and displaying warning lights must:

- **On a highway having two or more lanes for traffic in a single direction, make a lane change not adjacent to that of the stopped motor vehicle or slow down to at least five miles per hour under the speed limit established in ORS 811.111 or a designated speed posted under ORS 810.180.**
- **On a two directional, two-lane highway slow down to at least five miles per hour under the speed limit established in ORS 811.111 or a designated speed posted under ORS 810.180.**

The bill states a person is not in violation of the “move over” law if the stopped motor vehicle is in a designated parking area.

S. Scott McDowell

From: Population Research Center <loftus2@pdx.edu>
Sent: Friday, December 01, 2017 10:03 AM
To: mayor@ci.brownsville.or.us
Subject: Notice of Modified Forecast Methodology

Flag Status: Flagged



Oregon Population Forecast Program **Notice of Modified Forecast Methodology**

December 1, 2017

The Population Research Center, in consultation with the Oregon Department of Land Conservation and Development (DLCD), has identified cost savings associated with a modified methodology for the latter half of the 50-year forecast period (years 26 to 50). Based on feedback we have received, a 25-year forecast fulfills most requirements for local planning purposes and, in an effort to improve the cost effectiveness of the program; PRC will place more focus on years 1 through 25. Additionally, the cost savings from this move will allow DLCD to reserve resources for technical assistance grants. To clarify, Oregon cities and counties will still receive 50-year population number through the following methodology:

- For the initial 25 years of the forecast period (years 1-25), PRC will continue to forecast county and sub-area populations using cohort-component and housing unit methods.
- For the latter 25 years (years 26-50), PRC will project county populations using the annual growth rate from the 24th-25th year. For example, if a county is expected to grow .4% between the 24th and 25th year of the forecast, PRC will project the county population thereafter using a .4% AAGR.
- To allocate the projected county population to sub-areas, PRC will extrapolate the change in subarea shares of county population observed in the first 25 years of the forecast period. For example, if a sub-area's share of county population changes from 23% to 26% during the initial 25-year forecast periods, PRC will extrapolate the share thereafter, ending at roughly 28%.

The deliverables will remain consistent with the 2014-17 cycle with a few exceptions.

- Total population for counties and sub-areas for 50 years
- County forecasts broken down by 5-year age groups for the initial 25 year period
- Population pyramids for the county at years 1st, 10th, and 25th year.
- Forecast Report
- Population forecast interpolation template
- Document describing data and methods

If you have any questions, please email askPRC@pdx.edu or call Nick Chun at 503-725-5110.

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Oregon State University | Population Research Center, PO Box 751
Portland, OR | 97207-0751 US

This email was sent to mays@prc.oregonstate.edu
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http://democratherald.com/non-moving-violations/article_07d396f3-1974-5f7d-a6ae-20f25cb0e854.html

FEATURED

Non-moving violations

NEIL ZAWICKI Albany Democrat-Herald 2 hrs ago



Jay Wright, manager of AA Towing, tears apart a motor home at the operation's Queen Avenue location. [BUY NOW](#)

Mark Ylen photos, Democrat-Herald

Vann Beckner had 10 motor homes on his lot at AA Towing in Albany on Nov. 16. Each one of them was either abandoned, broken down, derelict or in violation of a parking order.

He said he has to foot the bill to tow, store, and dispose of each one, to the tune of \$800 to \$1,000 each.

"They're a total money pit," said Beckner, who contracts with the city to remove the offending machines whenever his services are needed. And according to Beckner, his services have been needed more and more recently.

Beckner's trouble is part of a growing problem that has made headlines in Portland, with reports of rows of un-permitted RVs lining some streets there, and police scrambling to keep up with enforcement efforts. Officials in that city have offered free RV drop-off and demolition in an attempt to alleviate the problem.

It's a growing problem nationwide for towing companies, according to Beckner.

"It's happening everywhere," said Beckner, citing articles in his towing trade magazines. "It's really hard to do business when it's poppin' us so much with these costs."

Beckner said most people don't understand what it takes to collect and then dispose of the RVs. He has to remove the tires, drain the toilets and mechanical fluids, and then have the RVs crushed. Because his contracts require him to tow any licensed vehicle, and because he is one of a few companies with the gear to tow the larger ones, his contractual towing fees don't come close to covering the cost of processing each one.

"Nobody thinks that it costs money to deal with these things," he said.

"Sometimes people offer them to me for free, and I have to tell them no."

Beckner said he believes the problem stems from motor homes and RVs that are more than 20 years old being given to younger family members or friends, who then use them until they stop running or they simply lose interest in them.

Albany public information officer Marilyn Smith said the RVs have become a concern.

"The problem for the city is that people live in them or abandon them," she said.

"And we don't allow people to park their motor homes on the street, period."

Smith said code enforcement officers work to contact and cite the offenders, but "they're never there when we can catch them."

"We'll ticket it, and then they'll move it, and then we'll ticket it again," said Smith.

Smith said when a motor home gets a notice of the violation, the owner has 10 days to move it or be towed. The only exception is with a temporary-use permit, which lets motor home owners park on a lot or other area if they have a legitimate reason to do so. And it's telling of the problem that Smith said she has seen more requests for such permits since June than she has in her entire 20 years with the city.

Of course, she allowed, the people with the problem motor homes don't necessarily bother to apply for the permit. To add to the trouble, Smith said the city simply doesn't have enough room in RV parks for everyone.

Smith said Portland has been "so generous with their accommodations" for displaced people that it has on one level contributed to the problem.

Asked whether the swell in offending RVs in Albany is an indication of things to come, and if it's a side effect of the growing housing crisis in Portland, Albany Police Sgt. Ronald Parker said it's different here, but he said many visitors he encounters are surprised to learn that lesson.

"They say, 'Can't you just give me a warning like in Portland?'" Parker said. "And I'll say, 'You're not in Portland, so here's your ticket and thank you very much.'"

Parker added, "Albany will not become Portland as long as I'm working here."

Contact reporter Neil Zawicki at 541-812-6099 or neil.zawicki@lee.net

Neil Zawicki

S. Scott McDowell

From: Caroline Cummings <carolineineugene@gmail.com>
Sent: Wednesday, December 20, 2017 7:26 PM
To: Gary Marks; Jerry Sorte; Brian Latta; Hilary Norton; S. Scott McDowell; Rick Hohnbaum; RJ Theofield; Councilor Cindy Canter; Mayor Paul Canter; Chris Workman; rocky.sloan@philomathoregon.gov; mayor@cityofhalsey.com; mayor@ci.brownsville.or.us; Raymond Towry; gmahler@ci.sweet-home.or.us; paziz@ci.lebanon.or.us
Cc: Marc Manley; Jennifer Damiani
Subject: 7 amazing cities banning together for their entrepreneurs!

Hello City Managers & Mayors for Lebanon, Halsey, Sweet Home, Philomath, Brownsville, Monroe and Harrisburg:

I've been reflecting on the last few weeks and I'm so inspired and impressed by the manner in which we've all banned together to submit your respective LOIs to Business Oregon.

As we enter the holiday season, I wanted to let you all know how much RAIN appreciates you and the time you each took with Jennifer to share information about your cities. I've learned so much about each of you from reading your LOIs and I'm impressed by what you've each recently achieved. You all seem sufficiently ready to unleash a high-growth entrepreneurial culture - and RAIN is honored to serve you and your communities.

I'm especially excited about the letter you all signed to show your support of working with a RAIN Venture Catalyst to support your local entrepreneurs, innovators to build a regional entrepreneurial ecosystem. Truly spectacular!

Below are the dates for us to have on our radar regarding the Business Oregon Rural Opportunities Initiative grant:

- 1/5: Semi-finalists notified and invited to submit full proposal
- 1/8 - 9: Conference call options for semi-finalist applicant Q & A
- 1/16: Work plan and budget due from existing communities
- 1/29: Proposals due by 5pm (for those selected)
- 2/16: Finalists notified and site visits scheduled
- 2/20-28: Site visits conducted
- 3/12: Awardees announced
- 3/28 - 30: Kick-off working conference for all communities awarded funding

Wishing you all the happiest of holidays! We look forward to working with each of you in the New Year...



Caroline Cummings
Venture Catalyst, Oregon RAIN
Venture Associate, Willamette Angels
 541-968-2982 | oregonrain.org





Oregon

Kate Brown, Governor

Parks and Recreation Department
 Headquarters - Administration
 725 Summer St NE Ste C
 Salem, OR 97301-1266
 (503) 986-0980
 Fax (503) 986-0794
www.oregonstateparks.org

January 2, 2018



Mr. Scott McDowell
 PO Box 188
 Brownsville, OR 97327

Dear Scott,

Thank you so much for your years of service on the Local Government Grant Program Advisory Committee.

We have certainly benefitted from your expertise and wisdom. You have helped us award Local Government Grant funds for projects benefitting community parks and their many users throughout our beautiful State.

We hope this has been a rewarding experience for you, as well. I'm sure you can take a certain degree of pride in the many Local Government Grant projects that have been developed during your time of service.

Thanks again for your volunteerism, Scott. Your commitment of time and effort serving on this committee is greatly appreciated. Your enthusiasm for outdoor recreation has been invaluable in making this grant program successful.

Sincerely,

Lisa Sumption
 Director

RECEIVED
 City of Brownsville

JAN 05 2018

Clerk _____



MONTH END RECAP

	NOVEMBER 2017			YTD	%	Unexpended	
	REVENUE	EXPENDITURES					
1 GENERAL	\$ 230,786.60	\$ 92,880.39	\$	333,170.23	25.81%	\$ 957,889.77	1
2 WATER	\$ 28,391.95	\$ 26,714.19	\$	129,946.08	16.72%	\$ 647,053.92	2
3 SEWER	\$ 27,921.10	\$ 15,268.09	\$	87,399.19	13.84%	\$ 544,275.81	3
4 STREETS	\$ 12,652.24	\$ 11,717.13	\$	66,077.20	12.60%	\$ 458,422.80	4
5 WATER BOND	\$ 94.00	\$ -	\$	-	0.00%	\$ 71,421.00	5
6 SEWER BOND	\$ 10,580.76	\$ 22,102.20	\$	247,371.10	74.94%	\$ 82,792.90	6
7 SEWER DEBT FEE	\$ 705.07	\$ -	\$	53,942.33	43.15%	\$ 615,200.00	7
8 BUILDING & EQUIPMENT	\$ 436.67	\$ -	\$	-	0.00%	\$ 79,340.00	8
9 WATER RESERVE	\$ 52.32	\$ -	\$	-	0.00%	\$ 201,210.00	9
10 HOUSING REHAB	\$ 266.47	\$ -	\$	-	0.00%	\$ 46,180.00	10
11 WATER SDC	\$ 156.96	\$ -	\$	-	0.00%	\$ 296,704.00	11
12 SEWER SDC	\$ 643.03	\$ -	\$	-	0.00%	\$ 61,461.00	12
13 STORMWATER SDC	\$ 176.68	\$ -	\$	-	0.00%	\$ 41,398.00	13
14 BIKEWAY/PATHS	\$ 137.38	\$ -	\$	-	0.00%	\$ 5,968.00	14
15 LIBRARY TRUST	\$ 7.94	\$ -	\$	-	0.00%	\$ 72,570.00	15
16 CEMETERY	\$ 95.98	\$ -	\$	-	0.00%	\$ 3,470.00	16
17 TRANSIENT ROOM TX	\$ 416.44	\$ -	\$	-	0.00%	\$ 9,972.00	17
18 SEWER CONSTRUCTION	\$ -	\$ -	\$	-	0.00%	\$ -	18
19 LAND ACQUISITION	\$ -	\$ -	\$	-	0.00%	\$ 195,891.50	19
20 COMMUNITY PROJECTS	\$ 288.56	\$ -	\$	4,858.50	2.42%	\$ -	20
	\$ 313,810.15	\$ 168,682.00	\$	868,822.30			

Key Bank Account
 General Checking \$ 104,974.33

Oregon State Treasury \$ 4,230,929.83
Community Improvements \$ 4,851.87

2017-2018 YTD \$ 5,260,043.00
 Appropriated \$ 5,260,043.00 % of Total 16.52%

DEBT Payments Totals
 Water \$ 45,327.00
 Wastewater \$ 486,663.00

Total Debt
 Water \$ 745,639.00
 Wastewater \$ 5,975,539.00
Total \$ 6,721,178.00

MONTH END RECAP

	DECEMBER 2017		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 609,396.64	\$ 46,492.17	\$ 379,662.40	29.41%	\$ 911,397.60	1
2 WATER	\$ 26,138.51	\$ 24,964.53	\$ 154,910.61	19.94%	\$ 622,089.39	2
3 SEWER	\$ 27,469.63	\$ 18,785.41	\$ 106,184.60	16.81%	\$ 525,490.40	3
4 STREETS	\$ 12,792.16	\$ 10,999.55	\$ 77,076.75	14.70%	\$ 447,423.25	4
5 WATER BOND	\$ 117.18	\$ -	\$ -	0.00%	\$ 71,421.00	5
6 SEWER BOND	\$ 10,419.83	\$ -	\$ 247,371.10	74.92%	\$ 82,792.90	6
7 SEWER DEBT FEE	\$ 878.96	\$ -	\$ 68,639.61	51.49%	\$ 615,200.00	7
8 BUILDING & EQUIPMENT	\$ 544.37	\$ -	\$ -	0.00%	\$ 79,340.00	8
9 WATER RESERVE	\$ 65.23	\$ -	\$ -	0.00%	\$ 201,210.00	9
10 HOUSING REHAB	\$ 332.19	\$ -	\$ -	0.00%	\$ 46,180.00	10
11 WATER SDC	\$ 65.21	\$ -	\$ -	0.00%	\$ 296,704.00	11
12 SEWER SDC	\$ 479.99	\$ -	\$ -	0.00%	\$ 61,461.00	12
13 STORMWATER SDC	\$ 97.59	\$ -	\$ -	0.00%	\$ 41,398.00	13
14 BIKEWAY/PATHS	\$ 147.36	\$ -	\$ -	0.00%	\$ 5,968.00	14
15 LIBRARY TRUST	\$ 1,009.89	\$ -	\$ -	0.00%	\$ 72,570.00	15
16 CEMETERY	\$ 119.66	\$ -	\$ -	0.00%	\$ 3,470.00	16
17 TRANSIENT ROOM TX	\$ 10.08	\$ -	\$ -	0.00%	\$ 9,972.00	17
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ 194,891.50	18
19 LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%		19
20 COMMUNITY PROJECTS	\$ 359.71	\$ 1,000.00	\$ 5,858.50	2.92%		20
	\$ \$690,444.19	\$ \$102,241.66	\$ 971,063.96			

Key Bank Account
 General Checking \$ 108,205.48
 Appropriated \$ 5,260,043.00
 YTD % of Total 18.46%

Oregon State Treasury \$ 4,833,778.53
Community Improvements \$ 4,858.54
TOTAL OST / LGIP \$4,838,637.07

DEBT Payments
 Water \$ 45,327.00
 Wastewater \$ 486,663.00
Totals

Total Debt
 Water \$ 745,639.00
 Wastewater \$ 5,975,539.00
Total \$ 6,721,178.00