



CITY OF BROWNSVILLE

Council Meeting

Tuesday – June 28th, 2016

Regular Session 7:00 p.m.

Table of Contents

1	Agenda
3	<i>Minutes: June 28th, 2016</i>
TBD	<i>Minutes: April 26th, 2016 (Addendum)</i>
8	Administrator
19	Public Works
21	Planning
22	Sheriff
26	Court
27	Library
28	Council Goals (<i>June Update</i>)
32	Council Values
35	R 2016.17: Bond Refunding Authorization
52	R 2016.18: Calling an Election (<i>Marijuana Ban</i>)
56	R 2016.19: Calling an Election (<i>Marijuana Tax</i>)
63	Mr. Phil & Kaye Fox Request
64	General Elections Advertisement
65	Library Advisory Board Letters of Interest
71	Planning Commission Clarification EM
73	Ervin Request EM
74	Linn County Road Department Notice
75	FY 2015.2016 Master Things To Do List
91	Foreclosure Legislation Article
92	General Articles
98	Financials

August						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
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Phases of the Moon: 2:☉ 10:☾ 18:☽ 24:☾

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Phases of the Moon: 1:☉ 8:☽ 16:☽ 23:☽ 30:☉

Holidays and Observances: 3: [Labor Day](#)

October						
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Phases of the Moon: 9:☽ 16:☽ 22:☽ 30:☉

Holidays and Observances: 10: [Columbus Day](#) (Most regions), 31: [Halloween](#)



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, July 26th, 2016

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: June 28th, 2016
April 26th, 2016 (*Addendum*)
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Marc Nelson – Neighborhood Concerns
 - B. Steve LaCoste – Close Park Avenue
Kaye Street Request (*Potentially*)
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)

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 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:

- A. **Resolution 2016.17:** Refinance
- B. **Resolution 2016.18:** Calling an Election (*Marijuana Ban*)
- C. **Resolution 2016.19:** Calling an Election (*Marijuana Tax*)
- D. **Ordinance 762:** Reserved as part of Resolution 2016.18

10) ACTION ITEMS:

- A. Advertise November 8th, 2016 General Election
- B. Canal Company Outcome (*Possible Expenditure*)
- C. Central Linn School District Agreement
- D. Appoint Library Advisory Board Candidates

11) DISCUSSION ITEMS:

- A. Emergency Preparedness Committee Update
- B. Future Planning
- C. Economic Development Team
- D. June Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

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

June 28th, 2016

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

PUBLIC: Jannea Deaver, Elizabeth Coleman, Trisha Thompson, Marc Nelson, Sgt. Greg Klein (LCSO), Patty Linn, John Morrison, Sally Lockhart, Bryan Wyant, Boy Scouts Ashton Burgess, Cody Burgess, Karson Lafayette, and Gunner Kometz, Leaders Huff Meyr and Danny Bivens, Allen Buzzard, Linda McCormick, and Alex Paul (Democrat Herald).

The pledge of allegiance was recited. Mayor Ware welcomed everyone to the meeting, and asked that we have a respectful meeting.

ADDITIONS AND DELETIONS: McDowell informed Council that he will be adding Item 6) C., Linda McCormick and Stand By Me, and 10) F. Appoint Planning Commission members. Also on the desk you will find the Public Works Report and corrections on Resolution 2016.16. In addition, Mr. Allen Buzzard has submitted an application for the Planning Commission vacancy.

MINUTES: Councilor Gerber stated that the April 26th, 2016 addendum has not been done. Hopefully she will have this finished for next month. *Councilor Cole made a motion to approve the May 24th, 2016 meeting minutes as presented. Councilor Gerber seconded the motion, and it passed unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

FY 2016-2017 Budget Public Hearing – Mayor Don Ware opened the budget hearing and invited the public to speak. There were no comments and the hearing was closed.

Total Maximum Daily Load (TMDL) – TMDL has been an ongoing discussion. On January 26th, 2016 Staff met with DEQ who expressed some concerns with the numbers that the City had projected in relation to the possible future construction of a storm water system. It was noted that the City has been doing many capital projects over the last several years. McDowell made sure that this information was presented to the Budget Committee so that it has been reflected on the public record several times. McDowell is working on updating the Capital Improvements Plan (CIP). The DEQ representatives seemed interested in knowing the fact that we don't have a storm water collection system upholds the projected cost of implementing said program.

Stand By Me – Linda McCormick – Mrs. McCormick is projecting large turnout numbers for the SBM event on July 23rd, 2016 for the 30th anniversary celebration. McCormick reviewed several event details, planning is well underway.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Sgt. Klein reported that they have dedicated 29 hours to traffic patrol in June. Dog complaints have declined. Pioneer Picnic went well, with no incidents to report. There will be 2 deputies in town during the 4th of July festivities. They will also have extra patrols on Kirk Avenue during the WCMF weekend. Sgt. Klein expressed LCSO's appreciation to Mr. McDowell for participating in recent interviews for the Sheriff's Office Sergeant Oral Boards.



Council Minutes

Councilor Cole asked about the number of citations issued this month in comparison to last month. The numbers included 21 citations this month, and this increase is much appreciated. McDowell remarked that the City has had numerous complaints about illegal parking recently. It would be appreciated if LCSO would deal with those complaints more effectively. McDowell indicated that citing individuals who are ignoring yellow curbs and No Parking signs have already been warned.

2. **Public Works.** Mr. Frink reported that Public Works had no water leaks this month. Projects on Howe Street will happen this summer. Carters will be coming in soon to test backflow devices. If folks sign up with the City, they can get a discounted rate. The backflow testing keeps the water supply fully tested and safe for all. The millrace pumps have been turned on. It took about 9 days for the water to get to town. Substantial leaks have been found, Frink will investigate further. Councilor Shepherd spoke of places he knew were concerns. Millrace water rights start on May 15th, and run through October unless the City is directed to turn the pumps off early, which is quite common. There is a lot of tree work around town that will be happening soon. Pioneer Park caretakers Dave and Sharon Peterson are doing an excellent job for us. Summer hire Clint Taskinen is assisting them this year. All of downtown has been weeded and re-mulched for the season. This job takes a tremendous amount of Public Work man hours. The new service truck should arrive very soon. Councilor Gerber asked about advice on the hot topic of arsenic and lead in the water system. Frink said that testing is expensive – usually ranging from \$150 to \$200. The City tests every 3 years. He also suggested residents should let the water run a little before consumption. By flushing the pipes in this way, you eliminate most of the contaminants. Folks can also replace their water lines if they so choose. The materials used today are vastly different than materials used many years ago. The City also uses a ph control procedure to help stabilize any arsenic in the pipes. Arsenic is not just a local concern, it ranges country wide.

3. **Administrator's Report.** Mr. McDowell reported to Council that the Canal Company meeting is tentatively set for July 14th. He will report back to Council. Code enforcement for RV's was discussed last month. One factor that has not been established is how to interface enforcement with LCSO. Many folks have their RV's in the ROW, and don't have room to actually store their RV on their property. The City assumes a certain amount of liability for RV's remaining in the ROW. Mayor Don Ware stated that he felt we should apply the code as written. Councilor Cole felt like this is an important education piece for city residents. An article will be placed in the September newsletter informing citizens of the code, and enforcement will begin after that. Nuisance enforcement will kick off in July. The weed abatement program has been very successful this year. The City only had to post about 10 properties for non-compliance. The City has been receiving a lot of complaints lately about the cleanliness of the Rec Center. Marilyn Grimes got a group of friends together and they have spent several hours in the building cleaning windows, mopping floors, etc. The City would like to give a great big thank you to Marilyn Grimes and friends. Every year the city gets updated Natural Gas information in the form of maps provided to the City. Public safety information is available at City Hall. The COG has done a nice job of talking about their program. McDowell would like his contract to be reviewed in July this year. There have been two laws recently that include language that allows City personnel personally responsible, more information next month. The City currently carries a \$60,000 McDowell in the event he mishandles official duties of City Administrator. The City also carries a \$400,000 excess crime policy as required by the USDA. The



Council Minutes

marijuana issue will require a November election vote. McDowell will have the legislation and more information ready for next month.

4. **Library Report.** No comments.
5. **Court Report.** No comments.
6. **Council Comments.** Councilor Cole spoke with Ruth and Dan Christenson about utility bill relief for low income folks. This issue will be explored in the Fall.
7. **Citizen Comments.** Allen Buzzard, School Avenue, apologized for his late response for his application for the Planning Commission vacancy. He highlighted his qualification, and thanked Council for their consideration.

LEGISLATIVE:

1. **Resolution 2016.13: FY 2016-2017 Budget Appropriations (Annual)** – *Councilor Cole moved to pass R 2016.13. Councilor Gerber seconded the motion, and it passed unanimously.*
2. **Resolution 2016.14: Water Rates Adjustment (Annual)** – *Councilor Gerber moved to accept R 2016.14 as presented. Councilor Cole seconded the motion, and it passed unanimously.*
3. **Resolution 2016.15: Sewer Rates Adjustment (Annual)** – *Councilor Gerber moved to accept R 2016.15 as presented. Councilor Cole seconded the motion, and it passed unanimously.*
4. **Resolution 2016.16: Year End Transfers FY 2015-2016 (Annual)** – *Councilor Gerber moved to accept R 2016.16 as presented. Councilor Shepherd seconded the motion, and it passed unanimously.*
5. **Ordinance 761: Camping Rules Revision (Park Board - Emergency)** – *Councilor Gerber moved to read O761 by title only. Councilor Cole seconded the motion, and it passed unanimously. Councilor Van Sandt asked what the changes entailed. The City has had some issues lately with folks staying beyond the approved 10 days. McDowell has spoken with the City attorney, and this language strengthens the City's position for any liability issues surrounding that rule. It is important to remember, we are a park that offers camping, not a campground. As we are in the middle of camping season now, it would be best to adopt this ordinance as an emergency. Councilor Gerber moved to adopt O 761 as an emergency, effective immediately. Councilor Shepherd seconded the motion, and it passed unanimously.*

ACTION ITEMS:

1. **Park Board – Recreational Immunity and Public Parks** – Mr. Frink is in charge of operations and maintenance at City parks. He has developed a playground inspection form. Due to recreational immunity changes, some cities



Council Minutes

are choosing to simply shut down their parks. In an effort not to do that, the City has put together some policies, and designated some “free” areas. By invoking this discretionary immunity, should there be litigation, hopefully this language and these definitions will protect the City a little better. *Councilor Cole moved to adopt new Parks and Open Spaces Definitions and Language as recommended by Park Board as an emergency, effective immediately. Councilor Shepherd seconded the motion, and it passed unanimously.*

2. **Bonded Debt Options.** McDowell stated that per Matt Donahue, D.A. Davidson, associated refinancing costs will be nearly \$100,000. If the City should receive an ‘A’ rating, potential savings could be between \$45,000-\$62,000 per year with refinancing. McDowell also stated that cities the size of Brownsville typically do not have a bond rating. It will cost approximately \$13,500 to apply for this rating. So basically, the City is risking \$13,500 to save a possible \$1.6 million. Councilor Gerber inquired whether this refinancing would risk our ability to achieve future loans through USDA. Per Holly Halligan, USDA, there is no longer a penalty for refinancing as USDA has recently changed their policy on this. They are allowing refinancing due to the extremely low rates. Councilor Cole asked if the rate was an adjusting rate. McDowell indicated that the new rate will be a fixed rate. *Councilor Cole made a motion to authorize McDowell and the Mayor to move forward in obtaining this rating. Councilor Shepherd seconded the motion, and it passed unanimously.*
3. **Central Linn School District Agreement.** McDowell stated that the latest information he has is that Willamette Neighborhood Housing Services (WNHS) is moving forward in an attempt to secure the Blakely school property. Recently Mayor Ware met with Chairman Mark Penrod, CLSD, and exchanged information on this project. They will be meeting again in July to further discuss this issue. One of the City’s concerns is that this hot topic is not simply dropped in the Planning Commission’s lap to deal with. Penrod stated that WNHS should be holding some public hearings early in the process in an effort to address community concern, involvement, and information items. Administrative Assistant Elizabeth Coleman provided a written report for the agenda packet that details information from the June 13th, 2016 Central Linn School Board meeting.
4. **Central Linn Recreation Agreement.** Staff is recommending a one year agreement extension be passed. Application procedures are moving toward the City being more of a depot style intake system. Staff has put too much time in gathering necessary information on behalf of the Rec Center. Mr. Frasier has worked on this issue since February. CLRA is also working on setting up an intake system at CLES. Councilor Gerber stated that the possible intern will not be here this year, hopefully next year that program will come together. *Councilor Van Sandt made a motion to extend the agreement for one more year. Councilor Cole seconded the motion, and it passed unanimously.*
5. **Appoint Library Advisory Board Member.** McDowell recommended tabling this item until the July meeting. *Councilor Gerber made a motion to table this*



Council Minutes

item until next month. Councilor Cole seconded the motion, and it passed, unanimously.

6. **Planning Commission Vacancy.** Applicants for this position include Bryan Wyant, Doug Block, and Allen Buzzard. It was noted that a person cannot sit on Planning Commission and Council at the same time. Councilor Cole made a motion to appoint Bryan Wyant and Doug Block. Councilor Chambers seconded the motion, and it passed unanimously.

DISCUSSION ITEMS:

1. **Mini Council Retreat/Work Session.** McDowell stated the need to have a mini-work session soon, perhaps August or September. McDowell recommended that it would be prudent to make some policy decisions now while this veteran Council is still seated. The group agreed to meet on September 23rd from 3:30 – 5:00 p.m. for a work session. Reminders will be sent.
2. **May Financials.** Mayor Ware asked if there is a time when the reserve funds increase substantially? McDowell stated that the City has been working on a large number of self-funded capital improvement projects over the last several years. This next budget year we have only a minimal amount scheduled. By January or February, you may see some increases to the bottom line.

CITIZENS COMMENTS – Huff Meyr, Bishop Way, thanked the Council for their service. He stated that his local Boy Scout troop has been very active with raking and clearing debris in the park for the last several years. They continue to be willing to help the City, and would like to be a visible presence here. Councilor Cole suggested that there might be an opportunity for a partnership approach for an Arbor Day celebration this fall.

COUNCIL COMMENTS – Councilor Van Sandt commented that last month she had thanked the State for cleaning up the blackberries on Highway 228 next to her house. Her neighbor, John Manning, was actually the one who did the clearing and cleanup.

ADJOURNMENT: Councilor Shepherd moved to adjourn at 8:26 p.m. Councilor Van Sandt seconded the motion, and it passed unanimously.

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

July 26th, 2016

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

One liner of the month: 😊 Error detected. No Keyboard. Press F1 to continue... 😊

Note: The most important section is the first one 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 that it is part of Council Goals that are on the Council room wall or in the City budget. When you see this symbol ☒ by a topic, it means that I will talk more about it at the meeting.

“Strength does not come from physical capacity. It comes from an indomitable will.”

~ Mahatma Gandhi



“Intention without action is an insult to those who expect the best from you.”

~ Andy Andrews

“Striving for success without hard work is like trying to harvest where you haven’t planted.”

~ David Bly

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

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. Marc Nelson** – Mr. Nelson was experiencing a parking problem with a new neighbor in the cul-de-sac on Fields Court. I think that issue has been remedied. Administrative Assistant Tammi Morrow and I met with the new neighbor and explained that the cul-de-sac was a No Parking area for safety reasons. She explained that they had experienced a car break in recently that left them afraid to leave the car parked on Templeton Street. Public Works Superintendent Karl Frink was having the curb painted yellow to accentuate the existing No Parking sign. The new neighbor just moved in two months ago.

Mr. Nelson is not happy about the services being provided by the Linn County Sheriff’s Office. I think this will be the focus of his discussion.

- B. Steve LaCoste** – Mr. LaCoste is requesting the closure of Park Avenue on August 17th, 2016 between the hours of 8:00 a.m. & 5:00 p.m. He is hosting their annual tool event.



What is Council being asked to do?

Close Park Avenue as requested. Ask any questions or make any requirements you may deem necessary.



City Administrator Report

Mr. LaCoste may also be asking for a Local Improvements District (LID) be initiated for improvements to Kay Street. Many years ago, properties developed in this area of town with no outlet for storm water. The property owners were supposed to maintain that portion of the street as it was private property. The drainage has nowhere to go. There is a small chance that the drainage may be able to be directed to Putman Street but would require a few easements and infrastructure. The LID process is one of two options Council could consider.

Option A: Council may choose to move forward with creating a LID if Mr. LaCoste can secure the signatures. The City would have to pay the upfront costs of the entire improvement and the benefitting property owners would be assessed the associated costs. Concerns include that the City did not budget for this expense in this fiscal year, City Attorney Lauren Sommers indicated that actually getting the money from the property owners can sometimes be tricky and securing an easement can be expensive. The City is still collecting on sidewalk improvements that were completed in 1998.

Option B: The City could vacate the street since there is no chance of future connectivity.

The LID process would allow the City to go forward with an engineer report for the improvements that will also provide estimated costs for the project. The drainage issue is a problem, which may prove to not have a very good solution. The drainage problem is primarily localized to four properties with Mr. LaCoste's property being the lowest, hence the most effected.

What is Council being asked to do?

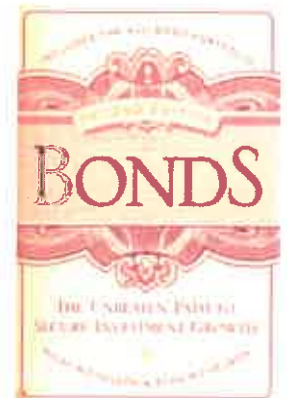
Consider both options and make a decision.

9) LEGISLATIVE:

- A. **Resolution 2016.17: Authorizing General Obligation Refunding Bonds** ☑ – Passing this resolution will allow the City to move forward through the process of refinancing the City's debt. Mayor Ware and I should both be authorized to sign the documents.

The City was able to retain Ms. Ann Sherman who served as bond counsel for the original issue of the wastewater debt. The City will also retain a paying agent, U.S. Bank, along with D.A. Davidson, the underwriter, in order to complete the transaction.

The City has run into a bit of problem. On July 13th, at our first conference call, I found out that the Oregon Economic and Community Development Department (OECDD) loan with a remaining balance of \$225,000 would not be able to be included in the refinancing without considerable expense. The concern is that this is the one with the highest interest rate coming in at 5.17%. These funds are on "full faith and credit" and cannot be done as part of a general obligation refinance, thereby requiring different set of paperwork.



I have asked Matt Donahue, D.A. Davidson, to supply the extra associated costs for refinancing this portion of the debt. Based on our initial conversation, my recommendation is to not include this portion in the refinancing.

I hope to have additional information for the meeting.



City Administrator Report

Step #2 will be drafting preliminary official statements (POS) for the prospectus overview.

Step #3 will be applying for a credit rating.

What is Council being asked to do?

Pass this resolution to move forward with the refinancing of the City's debt.
Consider whether or not to move forward with the OECDD loan portion.

- B.** **Resolution 2016.18: Calling an Election (Marijuana Ban)** – Council passed emergency Ordinance 757 in accordance with House Bill 3400 back on July 28th, 2015. It is time to move forward with following through on that initial legislation. The State Legislature required that the question be forwarded to the electors if a municipality should want to ban marijuana. Passing this resolution will call for an election and place the language on the ballot for the November 8th, 2016 election.

What is Council being asked to do?

Pass this resolution to officially place the question on a marijuana ban to the voters at the November 2016 election.

Active: Medical & Recreational Marijuana Discussion – *From 04.26.2016:* Staff has had conversation with legal representatives this month.

From 11.24.2015: The City will need to work on information for the March Newsletter regarding the November 2016 vote and pending ordinance.

From 09.22.15: Planning to address an explanation for the upcoming City Newsletter.

From July 2015 Meeting: The cost of the advisory question election was \$130.42.

- C.** **Resolution 2016.19: Calling an Election (Marijuana Tax)** – This resolution is directly related to the above resolution. Should the voters vote to allow marijuana facilities, the City would have the right to tax marijuana products and sales up to 3%. This is the enabling legislation necessary to collect a local tax. The City did pass a resolution last year about taxing marijuana, but it was nullified by House Bill 3400.

What is Council being asked to do?

Pass this resolution to officially place the question on marijuana to the voters at the November 2016 election.

- D.** **Ordinance 762: Reserved** – Ordinance 762 is reserved as part of Resolution 2016.18. Please refer to said resolution for more information.

What is Council being asked to do?

Reserve the number for the purpose discussed above.



City Administrator Report

10) ACTION ITEMS:

- A. Advertise the November 8th, 2016 General Election** – The City Charter requires Council to notify the public of a general election. Council Chambers, Van Sandt and Gerber are up for election in November. Please see the advertisement in the agenda packet for more information.



What is Council being asked to do?

Move to authorize the advertisement for the November 2016 General Election.

- B. Canal Company Outcome** ☒ – I will be meeting with their Committee on Monday, July 25th, 2016. Below are some of the passages from past agenda packets:

From 06.28.2016: I will be hosting a conversation with the Canal Company Committee in July. The Committee consists of John Holbrook, Gary Shepherd, Mandy Cole, Kaye Fox and Nathan Mickelwright. The discussion will include how the City and the Canal Company may work together toward collection of dues, implementing certain requirements and executing maintenance of the canal.

From 05.24.2016: The Canal Company met on May 9th, 2016 at 7:00 p.m. in Council Chambers. Mr. John Holbrook was re-elected as President. Mr. Gary Shepherd was re-elected as Vice-President and Ms. Cindy Clark was re-elected as Secretary/Treasurer. Mrs. Fox discussed the basic themes she shared with Council at the last meeting. I explained Council's position. The outcome of the conversation was that a committee of the Canal Company was formed to further investigate the concept that has been discussed for several years. The committee will be meeting initially in June. The Canal Company set a follow-up meeting to be held in September with everyone. The Canal Company went from an umbrella insurance policy of \$2 M to \$1 M due to costs.

From 04.26.2016: The annual meeting for the Canal Company is Monday, May 2nd, 2016 at 7:00 p.m. at City Hall. Council should consider the details for what a partnership with the Canal Company would look like. It has been discussed for nearly eight years but nothing has ever moved forward. The general idea is that Council would work toward an agreement that would generate revenue through user fees based on benefit from the Canal Company's drainage way.

After looking at options that included the formation of a special district, the general consensus was to form a partnership that would identify all properties benefitting from the canal and properties using the canal for water delivery. Some property have water rights on the Calapooia River for livestock and other purposes. Water rights originate at the source of the water, not the canal.

The general concept would be to enter into an agreement with the Canal Company that would allow the City to invoice all benefitting property owners annually for insurance and maintenance purposes. Monies collected would be used to pay for the insurance, defray the electric costs and allow for funds to be set aside for the future maintenance and upkeep of the canal. The City and the Canal Company would need to agree on these elements of course.

If an agreement looked probable, the City and the Canal Company could host a series of town hall style meetings that review the details of the plan. If this is something Council wishes to pursue this concept, the City should go forth at the upcoming meeting.



City Administrator Report

From 06.23.15: I was unable to attend the meeting due to scheduling confusion on the part of the officers. Officers for the upcoming year will be John Holbrook President, Gary Shepherd Vice-President and Cindy Clark Secretary-Treasurer. Udell Engineering wants \$3,000 to check the culvert in question that was installed in 2006. Udell wants to make sure they have the data they need to determine the impact. The Company decided to move forward with talking to the City about a joint agreement that would move the mission of the Company into a workable solution that could be beneficial for all who benefit from the Mill Race.

From 05.27.14: The City continues to be willing to work toward a quasi-governmental agreement that may assist the Canal Company by better serving those who benefit from the canal.

C. Central Linn School District Agreement – No new news.

From 06.28.2016: Council sent Mayor Ware to talk with Mr. Mark Penrod, Central Linn School Board Chair, in an attempt to get answers on the Board's plans for the Blakely Avenue property. Council also would like to see community conversations being held with the Central Linn School District about the plans for the property, otherwise the City Planning Commission could easily be placed in a difficult situation. Administrative Assistant Elizabeth Coleman attended the Central Linn School Board's meeting on June 13th, 2016. I have included her notes for your review as well.

From 05.24.2016: Included in the packet are the minutes from the Central Linn School Board meeting on April 11th, 2016 that show some discussion on this topic.

From 04.26.2016: Administrative Assistant Elizabeth Coleman, while attending a school related event, was recently handed a proposal for the City's review by Superintendent Gardner. The Superintendent may not have time to process the information from Willamette Neighborhood Housing Services prior to the Council meeting.



From 3.22.2016: Superintendent Brian Gardner indicated that he is awaiting a proposal from Willamette Neighborhood Housing Services (WNHS) for the Blakely Avenue property. Mr. Gardner indicated that several contingencies are included in the language put forth by the Central Linn School Board. Once he has the information, he will discuss the details with the City.

D. Library Advisory Board Candidate

The City is trying to fill two positions on the Library Advisory Board. Please review the letters of interest for discussion and decision.

11) DISCUSSION ITEMS:

A. EPC Update – Administrative Assistant Tammi Morrow and I met with Noman Simms, Kneil Stuckey and Marilee Frasier to discuss the recent ordinance changes, the volunteer coordinator position description and strategies that would allow a success way forward on this topic. The group will be meeting again in September and plans to have a plan for Council consideration by December 2016 which would meet Council's original deadline.

B. Future Planning – Council should discuss the future of the City's service and infrastructure surrounding the Cemetery, Parks, the Rec Center, the Picture Gallery and the Utilities.



City Administrator Report

- C. **Economic Development Team** – The City pulled together a group for an impromptu Ford Family Foundation meeting at the last minute. I recommend the formation of a standing committee for this purpose.



D. **June Financials**

McDowell Contract Opener – Due to the amount of work being required by the new fiscal year, completing the POS, general meetings, event planning, preparing for the upcoming audit, changing the City's bank accounts, updated insurance coverages and preparing the election information, to name a few things, I was unable to prepare discussion points. We will reboot and try this in the Fall. ☺

FY 2016.2017 Master Things To Do List ☒ – I have included this document for your review and perusal.

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

- ▶ *Administrative Assistant Jannea Deaver and I attended CIS Open Enrollment Seminar in Newport.*
- ▶ *Attended Ambassador meeting with the Chamber with Anne Hankins and Taelor Dunn in Eugene to prepare for the upcoming Festival.*
- ▶ *Conference Call on the refinance, bond refunding, piece; worked on the POS extensively.*
- ▶ *Luncheon with Administrative Assistant Elizabeth Coleman and Dave Kinney to discuss implications of NOAA & possible FEMA changes.*
- ▶ *Attended the Linn County Pioneer Picnic Debrief Meeting.*
- ▶ *I met with McFarland Cascade who generously donated services for the Stand by Me event.*
- ▶ *Signed up for the Local Government Personnel Institute Conference, August 17-18 in Salem.*
- ▶ *KeyBank Meeting to discuss account changes and credit card changes.*
- ▶ *I spoke with Mr. Chuck Knoll, Linn County Engineer, about conducting a traffic study for the WCMF and about conducting a speed study for Washburn & Gap Road at the request of Joe & Leann Ervin.*
- ▶ *Administrative Assistant Tammi Morrow and I entered the budget into Microfund.*
- ▶ *Spent extensive time preparing for the annual audit. The audit will be August 8th through the 12th.*
- ▶ *Administrative Assistant Tammi Morrow and I met with Norman Simms to discuss emergency preparedness matters.*



GENERAL HAPPENINGS

Coleman & Kinney – FEMA Implications ☒ – Administrative Assistant Elizabeth Coleman and I met with Dave Kinney, City planning consultant, to discuss a recent opinion from National Marine Fisheries Service (NMFS) that is blaming FEMA for causing damage to endangered species in certain river systems.



City Administrator Report

Basically, the Feds have included the worst parts of the failed, original Biggert-Water Act from 2010-2012.

Flood insurance will rise no more than 15% per year for properties in the floodplain. The Federal government is trying to get the premiums to actually match the exposure. Property owners may choose not to carry the insurance, but the consequence is not being eligible for any Federal relief in the event of a declared flood event.

FEMA is in the process of developing changes to the flood regulations that will come in the way of ordinance changes. Local jurisdiction will be help personally liable if the requirements are not followed and documented. No property owner can make any changes in the flood plain without a biological opinion as to the impact. The NMFS also is requiring all of the flood mapping to be redone. A barrier will be placed on each river system to protect endangered species which will have further implications that have not yet been outlined.



I will discuss some of the steps the City should complete in between getting the official changes from FEMA.

STATUS UPDATES – Projects, proposals and actions taken by Council

Active: Park Board Recommendation – The City recently entered into a contract with McGovern Maintenance for the completion of this project.

From 04.26.2016: Staff is working toward the removal of street trees on Spaulding Avenue from the east side of the Fitness Center porch to the end of the row before Menefee Trail. Staff is working with landscape experts to develop a street tree plan for Main Street between Kirk Avenue and Stanard Avenue.

From 09.22.15: Parks & Open Space Advisory Board is waiting on information from Staff regarding project possibilities for street trees downtown.

From July 2015 Meeting: The Park Board has discussed this issue for over five years. The chief problem is that the trees are part their useful life and have caused damage to the sidewalks. The Board originally looked at street tree grates as a solution but the option is costly. The Board asked the Staff to look into possible funding options for this kind of project.



Completed: Stand by Me Celebration ☑ – I had forwarded an e-mail to Council outlining the City's arrangements and responsibilities.

From last meeting: Staff met with Mrs. Linda McCormick regarding the items from last Council meeting. Those items included the following:

- ▶ Opening City Hall from 10:00 a.m. to 4:00 p.m. so folks can see the Castle Rock sign.
Outcome: Mrs. McCormick will be providing a volunteer to watch the foyer.



City Administrator Report

- ▶ Officially blocking off a section for the movie crew's truck around the east baseball diamond.
Outcome: Public Works Superintendent Karl Frink will move rocks to accommodate this request while keeping it open for the movie crew.
- ▶ Blocking people from parking on the east baseball diamond; people got through last Fourth of July. If that should happen, it would interfere with the showing of the movie.
Outcome: The City is working on a cost effective way to prevent this from happening.
- ▶ Allow the Park Caretakers to open the gate by the Stage for the band.
Outcome: The Caretakers will be able to allow access for the band as needed.
- ▶ Using Library Park as a bus stop.
Outcome: Mrs. McCormick has a plan for the bus stop. The City approved her use of the area she requested.



Active: Recreational Vehicles ☒ – No new news.

From 6.28.2016: Staff will have some information to share regarding RV placement and coordination efforts.

From 05.24.2016: Mayor Ware, Councilor Cole, Administrative Assistant Tammi Morrow and I met last Thursday to discuss recommendations or points for Council to consider.

Active: Visit Linn Coalition (VLC) Update – The City recently contributed \$500 to assist in continuing the VLC mission.

From 03.22.2016: VLC will be sending out fundraising letters soon. The group is working on a contract with Albany Visitors Association and an updated website.

ITEMS PENDING – Tabled or On Hold

Stalled: Economic Development – A conference call was held but summer activities have proven to be too difficult for team members to overcome.

From 6.28.2016: The Go Team is working on finalizing a proposal for public review. The Go Team is attempting to steady the effort after losing Craig Martin as the Sweet Home City Manager.

From 11.24.2015: Mayor Ware and I will be hosting a luncheon with Sweet Home and Lebanon to talk about the efforts of the Go Team, associated with the Ford Foundation, on November 20th, 2015. We will provide an oral report.

Pending: Goal Review Options

From 05.24.2016: Mayor Ware, Councilor Cole, Administrative Assistant Tammi Morrow and I met to discuss a few key points and policy decisions regarding Brownsville Municipal Code 15.105.030. I have included the language of the ordinance in the packet for your review. The outcome of our conversation was as follows:



City Administrator Report



- ▶ Understanding Enforcement Challenges
 - Review Common Complaints
 - Review Communications
- ▶ Reviewing Current Practices
 - Original Legislative Intent
 - Using thirty (30) days as a matter of practical application
 - Knowing the difference between RV maintenance and living situations
- ▶ Dealing with Repeat Offenders
 - Several Properties
 - Move to Enforcement
- ▶ Creating an Enforcement Procedure with Linn County Sheriff's Office
 - Create Procedure
 - Municipal Court's Role
- ▶ Begin Enforcing Right-of-Way Parking
 - Ordinance Exists
 - Incorporate 2016 Inspections
 - Millhouse Street Scenario

We would like to have a conversation around these ideas with the hope that an outcome will come forward from Council. We feel that we have the 'force of law' we just want to make sure that this is the direction Council is comfortable with pursuing.

From 03.22.2016:

Staff will give a brief presentation to review the options from the 2016 Retreat Report below:

'Section III. Future Considerations

Possible Brownsville Municipal Code (*ordinance*) modifications, changes or additions include:

- A. **Right-of-Way (ROW) Mowing** – Public Works spends a lot of time mowing ROW that citizens could take care of as it abuts their property.
- B. **ROW Storage** – Citizens are storing half-bed pickup trucks full of trash, junk vehicles, boats and recreational vehicles on the public right-of-way. Should some or all of these items should be stored on private property?
- C. **ROW Infringements** – Develop an ordinance that details existing private property such as sheds, garages, porches and landscaping that are infringing on the public ROW. Define a notification system which will communicate with infringing property owners about their responsibilities for these infringements. Private property cannot be rebuilt on the public ROW. Private property can be removed by the City for any reason; mainly involving a public project. The City is not responsible for replacing any of said property.
- D. **Nuisance Improvements** – Council has had several properties including 903 Ash Street and 108 E. Blakely that were cleaned up through the use of the Unenumerated section of the Brownsville Municipal Code. Council should consider addressing those kinds of similar situations so that there is a better, more efficient process. Other possible items include: a) consider changing noticing requirements, b) the use of tarps, c) defining junk in backyards, d) better define what



City Administrator Report

constitutes a nuisance, and e) specifically address greenhouse structures that are not being maintained or used for their intended purpose.

- E. **Weeds Improvements** – Acre lots and the mowing strip requirements.
- F. **Trash & Rubbish Nuisance** – Change notice requirements and define a better process.
- G. **Attractant Nuisance** – Develop a penalty for people randomly feeding wildlife, stray animals and pets.
- H. **Junk Vehicles** – Consider revamping the current ordinance.
- I. **Noise Mitigation** – Does Council wish to consider adopting rules for noise?
- J. **Animals** – Should the City Limit the number of chickens, prohibit swine, bovine and sheep?



Strategy – Council should consider policy development in these ten areas. Does Council want to address all ten? Part of the items? Are there other areas or items to include? Once that is determined, Council should create a time frame for identified ordinances to be developed and considered for adoption.'

Staff & Council would like to develop a strategy for future policy considerations.

Pending: Emergency Contractor Resolution Concept – *From 06.23.15:* Attempting to organize an effort has proven to be too difficult. The City needs a larger community buy-in to really tackle the public education piece.

From 11.25.2014: Staff is planning to host a meeting to discuss this and other concepts with a group of individuals who are interested in helping the City work in this effort. Staff is dealing with false comments that came out regarding the Brownsville Rural Fire District. The City seeks only to work with community stakeholders and partners on these issues in the future. Cooperation is the hallmark of this effort.

Pending: S. Oak Street Drainage – *From 10.27.2015:* The City will be forwarding a letter explaining the required tap again to the property owner once Public Works completes the extension.

Pending: Council Pictures Concept – *From 05.26.15:* I would like Council to consider photographs for the website.

Pending: Utility & General Ledger Software – *From 11.24.2015:* Staff is still exploring options. The overall costs for the software and impending data conversion is a major undertaking.

From 05.26.15: Staff needs to add a few more dollars to the budget to make this work properly and the timing for this project is off. I will be discussing this in the Budget Committee meeting.

PAST MEETINGS – Memory Information

Moody Court & Unenumerated Nuisance – The cat numbers continue to stay low.

From 11.25.2014: The City has paid out \$2,875 to have cats removed from the neighborhood. The City forwarded the letter that is part of the packet at the request of Council. Staff will have an oral report for the meeting.



City Administrator Report

Stalled: Garbage Language – *From past meetings:* Trash is starting to become a problem around town again. Below is the City of Albany's language that may be useful:

18.30.260 Accumulation of rubbish or garbage.

All exterior property and premises, and the interior of every structure, should be free from any accumulation of rubbish or garbage so as not to harbor insects and rodents, produce dangerous or offensive gases, odors and bacteria, or other unsanitary conditions, or create a fire hazard. (Ord. 5647 § 1 (Exh. C), 2006).

18.30.265 Disposal of rubbish.

Every occupant of a structure should dispose of all rubbish or garbage in a clean and sanitary manner by placing such rubbish or garbage in containers which are free from holes and covered with tight-fitting lids. (Ord. 5647 § 1 (Exh. C), 2006).

The City would also need to consider a time frame that is appropriate and a procedure to abate quickly. If this sounds better, Staff can proceed with further research.

Pending: Darrin Lane & Kirk Avenue – For the history of the Kirk Avenue project, please refer to the *City Administrator Report* found in Council records from April 2016 and prior.

The Budget Committee and Council have discussed the financial implications to the City. I have discussed the need for a Local Improvement District (LID) if this project should move forward. Depending on the design of the street improvements, the City could be spending hundreds of thousands of dollars on storm water drainage improvements, moving water line connections, moving sewer line connections, adjusting manholes and other utility appurtenances. Linn County has been doing major improvements throughout the County which have depleted their financial capability to assume Kirk Avenue as part of their roadway system.



Linn County Project Advisory Committee – *From 01.26.2015:* Linn County Transportation System Plan (TSP) Project Advisory Committee (PAC) had the first meeting in a series of six total meetings over the next two years to discuss regional transportation issues and develop similar policies and land use practices. I think this will be an important piece in attempting to leverage County improvements on Kirk Avenue.

From 11.24.2015: I will be participating in a series of meeting starting in January 2016 as part of this newly formed group.

WNHS Update – 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.

Respectfully Submitted,

S. Scott McDowell



Public Works Report July 20, 2016

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of June.
- *Distribution System* – No water leaks this month! 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 backflow devices were tested July 6-7 by Carter's Fire Sprinkler.
- *Water Treatment Plant* –Public Works will begin cleaning and scraping filters the week of August 1st.
- *Misc.* – Nothing further to report this month.

Sewer:

- *North Lagoons* – This facility has been mowed and weed eaten around buildings and structures.
- *South Lagoons*- This facility has been mowed and weed eaten around buildings and structures.
- *Collection System*- The sewer line was flushed, video inspected and located for the upcoming developments occurring at the end of this street. This was necessary to ensure the sewer was in suitable condition for the additional connections soon to be made. The sewer lines at Washington Ave. and Faust St. were cleaned due to excessive grease and debris build-up in the pipes.
- *Misc.* – Nothing additional to report this month.

Streets:

- *Mowing/Tree Maintenance* – The remaining trees on Spaulding and stumps will be removed and the tree wells will be filled in with concrete. The trees along Faust Street are scheduled to be trimmed and one dead tree removed. One dead pine tree along Spaulding Way is scheduled to be removed. A walnut tree along Hausman Avenue is scheduled to be trimmed and thinned to improve public safety. All tree work is scheduled to occur on July 27th.
- *Asphalt/ Gravel Road Maintenance* –Public Works hire Greg Tilley Trucking to apply dust control on all remaining gravel streets in town. Dust control is also applied to Kirk's Ferry Park parking lot because of excess dust that gets stirred up during use. All of the street painting and marking is scheduled to be repainted soon. This work includes City Hall and downtown parking lots.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* –Public works will be spraying out weeds in all of the flower beds soon to keep the beds clean. The millrace pump station continues to run with minimal maintenance this year.

Parks:

- *Pioneer Park* –We continue to perform general maintenance and grounds keeping in the park. The sewer lift station pumps in Pioneer Park have failed and will be replaced on July 21st and 22nd. The park hosts continue to water and mow the grass and maintain all facilities to keep them ready for use. The stage was vandalized with vulgar language and graffiti. Public Works is in the process of repainting the vandalized area.
- *Blakely Park* – Public Works mows and maintains this park weekly.
- *Kirk's Ferry Park* – The Park is mowed and maintained as needed.
- *Remington Park* – 4 white oak trees are scheduled for removal on July 27th.

Cemetery:

- **Grounds** – Very minimal activity in the cemetery this month. Public Works will be mowing the cemetery again in August.

Library:

- **Grounds**- Nothing to report this month.
- **Buildings**- A few minor building maintenance items have been repaired.

Downtown

- **Restrooms** – This facility is cleaned every Friday, or more often needed. The old bike rack in the flower bed was removed and will be delivered to Advanced Mechanical for overhaul. The plan is to place this bike rack in Pioneer Park once complete.
- **Garbage cans** – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- **Parking Lot** – Nothing to report this month.
- **Misc.** – Nothing additional to report this month.

City Hall:

- **Buildings**- Nothing to report this month.
- **Grounds** –The grass is mowed and maintained weekly. The irrigation has been turned on and is currently watering 7 days per week. We will be applying fertilizer the week of July 25th.
- **Community Center**- Nothing to report this month.

Rec. Center:

- **Grounds**- This facility is mowed and maintained weekly.
- **Buildings**- Nothing to report this month.

Public Works:

- **Grounds**- The grass is mowed as needed. The weeds will be sprayed soon.
- **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.
- The new service truck has arrived. Public Works is in the process of stocking the truck with tools and needed parts to put the truck in service.



Planning at a Glance

Permits Building, Plumbing, Mechanical, Fence, Etc.

- | | |
|---|-------------|
| • Bedroom to bathroom Conversion | Residential |
| • Garden Shelter | Commercial |
| • Mechanical Permit (HP) | Residential |
| • Mechanical Permit (Gas Furnace Replace) | Residential |

Land Use Permits

Two Conditional Use applications have been submitted this month; Residential and Volume Commercial.

New Floodplain Information

Mr. McDowell and I met with planning consultant Dave Kinney to discuss recent changes to floodplain regulations in regard to the National Flood Insurance Program (NFIP), FEMA, and the Endangered Species Act (ESA).

Recently, the National Marine Fisheries Services conducted a Biological Opinion stating the implementation of the NFIP in Oregon has a negative impact on the spawning and breeding habitat of 18 listed endangered species; along the Calapooia, those endangered species would be Chinook salmon and Winter Steelhead. FEMA, DLCD (Department of Land Conservation and Development) and communities in the floodplain are required to implement steps to protect these endangered species. To make a very long story short, local jurisdictions will be required to make several changes to their Floodplain Ordinances. These changes could have quite the impact on floodplain development in the City of Brownsville. FEMA will provide a list of interim measures to implement ways to reduce negative impact on the endangered species.

Possible changes could be Floodplain Permit reporting requirements where communities will have to modify how floodplain development activity is recorded, communitywide assessments of floodplain areas, ordinance changes to ensure high hazard areas will be avoided, minimized, to protect natural floodplain functions, riparian buffer zone changes, an increase in base flood elevation requirements (code currently requires a minimum of 1 foot above the BFE), etc. At this time, local jurisdictions are not required to make any drastic changes to the Municipal Code, but Mr. McDowell and I will continue to consult with Dave Kinney on future plans. Additionally, workshops are being coordinated with FEMA and that the DLCD to help keep local jurisdictions in the loop. More to come.

Elizabeth Coleman

A handwritten signature in cursive script that reads "Elizabeth E. Coleman".



LINN COUNTY SHERIFF'S OFFICE

Bruce W. Riley, Sheriff

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

2016

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

FOR THE MONTH OF: June

TRAFFIC CITATIONS: -----	4
TRAFFIC WARNINGS: -----	4
TRAFFIC CRASHES: -----	1
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	0
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	59
TRAFFIC HOURS-----	3

TOTAL HOURS SPENT IN: BROWNSVILLE 222.75

CONTRACT HOURS= 202 HOURS

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

By: Sergeant Greg Klein

PATRL_RPT#2 City Incident Report

ENTRY DATE	ENTRY CALL TIME	DESCRIPTION	ADDRESS	CITY	DESCRIPTION
6/29/16	22:15:53	CUSTODIAL INTERF	TEMPLETON ST	Brownsville	No Additional Report Necessary
6/29/16	10:38:25	DISTB-DOMESTIC	OAK ST	Brownsville	No Additional Report Necessary
6/28/16	21:52:08	WARRANT SERV	W BISHOP WY	Brownsville	Contact Attempted/No Contact Made
6/27/16	14:34:20	TRESPASS	CALAPOOIA AV	Brownsville	No Additional Report Necessary
6/27/16	1:24:48	SUSP-PERSON	PARK AV	Brownsville	No Additional Report Necessary
6/27/16	1:15:37	SUSP-PERSON	SPAULDING AV	Brownsville	No Additional Report Necessary
6/25/16	4:11:11	SECURITY CHECK	SEVEN MILE LN	Brownsville	No Additional Report Necessary
6/24/16	13:24:48	HARASSMENT RPT	LOUCKS WY	Brownsville	No Additional Report Necessary
6/23/16	23:24:06	WELF CHECK	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/23/16	12:13:31	ASST-OUTSIDE AGENCY	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/23/16	9:48:18	ALARM - POLICE	SPAULDING AV	Brownsville	No Additional Report Necessary
6/22/16	7:38:57	TRAFF-OTHER VIOL	FIELDS CT	Brownsville	No Additional Report Necessary
6/21/16	22:04:37	JUV-COMPLAINT	WALNUT AV	Brownsville	No Additional Report Necessary
6/21/16	9:24:21	CHILD ABUSE REPORT	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/21/16	8:53:10	TRAFF-OTHER VIOL	E WASHINGTON AV	Brownsville	No Additional Report Necessary
6/21/16	6:57:54	Trf Equipment Viol	E BISHOP WY	Brownsville	Warning issued
6/21/16	6:31:01	SECURITY CHECK	W BISHOP WY	Brownsville	No Additional Report Necessary
6/20/16	22:43:01	SUSP-VEHICLE	PARK AV	Brownsville	No Additional Report Necessary
6/20/16	22:39:54	SUSP-CIRCUMSTANCES	N MAIN ST	Brownsville	No Additional Report Necessary
6/20/16	11:59:48	SUSP-PERSON	N MAIN ST	Brownsville	No Additional Report Necessary
6/20/16	10:59:08	EXTRA PATROL	PARK AV	Brownsville	No Additional Report Necessary
6/19/16	17:05:02	CIV DISP RPT	NORTHPOINT LOOP	Brownsville	No Additional Report Necessary
6/18/16	14:33:19	DISPUTE-NEIGHBOR	MOYER ST	Brownsville	No Additional Report Necessary
6/18/16	11:52:05	ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
6/17/16	11:25:15	EVENT - SPECIAL ASSIGN	PARK AV	Brownsville	MDT Narrative Update
6/17/16	8:20:21	SUSP-CIRCUMSTANCES	SPAULDING AV	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

6/17/16	8:14:05 Trf Citz Compl	S MAIN ST	Brownsville	No Additional Report Necessary
6/17/16	8:11:21 DOG COMPLAINT	W BISHOP WY	Brownsville	No Additional Report Necessary
6/16/16	19:32:08 FRAUD	ASH ST	Brownsville	Incident Report
6/16/16	17:59:57 FOUND DOG	S MAIN ST	Brownsville	CAD Report
6/16/16	15:13:21 UNAUTHORIZED ENTRY T	KIRK AV	Brownsville	Incident Report
6/16/16	13:11:52 TRESPASS	KIRK AV	Brownsville	No Additional Report Necessary
6/16/16	12:50:00 SUICIDAL-SUBJECT	PINE ST	Brownsville	No Additional Report Necessary
6/16/16	10:49:59 SUSP-VEHICLE	LOUCKS WY	Brownsville	No Additional Report Necessary
6/16/16	8:57:20 JUV-COMPLAINT	PARK AV	Brownsville	Incident Report
6/15/16	13:53:06 TRESPASS	MOODY CT	Brownsville	No Additional Report Necessary
6/15/16	9:04:05 Trf Speed Viol	WALNUT AV	Brownsville	CITE ISSUED - SPEEDING VIOLATION
6/15/16	8:40:13 Trf Seatbelt	N MAIN ST	Brownsville	WARNING - SEATBELT VIOLATION
6/15/16	8:24:05 Trf Speed Viol	N MAIN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
6/15/16	8:24:05 Trf Speed Viol	N MAIN ST	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
6/14/16	16:14:40 ASST-OUTSIDE AGENCY	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/14/16	16:12:30 JUV-COMPLAINT	PARK AV	Brownsville	No Additional Report Necessary
6/14/16	16:06:27 WELF CHECK	PARK AV	Brownsville	No Additional Report Necessary
6/13/16	7:32:17 PARK PATROL	PARK AV	Brownsville	No Additional Report Necessary
6/12/16	3:55:32 ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
6/11/16	15:15:37 DOG COMPLAINT	S MAIN ST	Brownsville	CAD Report
6/11/16	13:52:25 ASST-PERSON	S MAIN ST	Brownsville	No Additional Report Necessary
6/11/16	12:41:08 DOG BITE	E WASHINGTON AV	Brownsville	CAD Report
6/10/16	19:16:53 911 HANGUP	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/10/16	16:49:41 CHILD ABUSE REPORT	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/10/16	16:07:02 MENACING RPT	PARK AV	Brownsville	Incident Report
6/10/16	16:06:24 SUSP-CIRCUMSTANCES	KIRK AV	Brownsville	No Additional Report Necessary
6/10/16	13:35:51 NEGLECT	LOUCKS WY	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

6/10/16	11:44:10	ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
6/10/16	5:36:31	DISTB-DOMESTIC	MILLHOUSE ST	Brownsville	No Additional Report Necessary
6/09/16	8:18:10	CIV PROCESS-RESTRAINI	ASH ST	Brownsville	Civil process, service completed
6/08/16	19:17:14	FRAUD	W COOLEY AV	Brownsville	No Additional Report Necessary
6/08/16	17:44:22	JUV-COMPLAINT	ROBE ST	Brownsville	No Additional Report Necessary
6/08/16	11:52:52	EXTRA PATROL	PARK AV	Brownsville	No Additional Report Necessary
6/08/16	6:47:01	Trf Agressive Driver	W HWY 228	Brownsville	CITE ISSUED - AGRESSIVE DRIVER
6/07/16	15:17:01	ASST-OUTSIDE AGENCY	KIRK AV	Brownsville	Incident Report
6/07/16	13:04:48	DISTB-DOMESTIC	KAY AV	Brownsville	No Additional Report Necessary
6/06/16	15:46:58	CHILD ABUSE REPORT	OAK ST	Brownsville	No Additional Report Necessary
6/05/16	14:22:17	SUSP-CIRCUMSTANCES	KIRK AV	Brownsville	No Additional Report Necessary
6/05/16	2:27:03	ASST-OUTSIDE AGENCY	KIRK AV	Brownsville	No Additional Report Necessary
6/03/16	20:36:26	MVC-INJURY	SEVEN MILE LN	Brownsville	No Additional Report Necessary
6/02/16	16:27:59	DISTB-OTHER	W BISHOP WY	Brownsville	No Additional Report Necessary
6/02/16	16:23:41	Trf Cell Phone Use	W BISHOP WY	Brownsville	WARNING - CELL PHONE USE VIOLATION
6/02/16	16:07:33	Trf Cell Phone Use	N MAIN ST	Brownsville	WARNING - CELL PHONE USE VIOLATION

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR JUNE 2016**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	38	2	4	36	
Violations	24	7	13	18	
Contempt/Other	29	5	1	33	
TOTALS	91	14	18	87	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 2,923.00	City	\$ 1,903.00
Total Bail Forfeits +	\$ 680.00	Restitution	\$ 50.00
Total Bail/Bank Fees -	\$ (520.00)	Oregon Dept Revenue	\$ 515.00
Total Bail Held -	\$ (455.00)	Linn County	\$ 160.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -		DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 2,628.00</u>	TOTAL COURT PAYMENTS	<u>\$ 2,628.00</u>
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Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 1,903.00
STATE	\$ 515.00
COUNTY	\$ 160.00

*REFUND/RESTITUTION \$ 50.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 1,991.39
ENDING	\$ 2,633.00



Library Advisory Board
Librarian's Report

June 2016

Here are a few facts about our library the month of June 2016. We have received 47 new books for the library. Volunteers donated 158 hours to our library. There were 1,155 materials checked out. 290 adult fiction books; 136 adult non-fiction books; 87 audio books; 249 children's books; 313 junior books; 34 junior reference books and 46 large print books.

It has been a busy month at the Library. We wrapped up the Friday Story Times until August. During the month of July, we will be holding a Summer Reading Program for children birth to age 14 on Fridays of July from 11 am – Noon. There are many activities planned for two age groups including tie-dye, OSU Ag in the Classroom, Fitness Fun, a free to us Oregon College Savings Performer and so much more. I included information about Open eBooks in the packets handed out to participants. This is a free eBook service for children K-12 in our school district. It is driven by the publishers to increase reading in Title I areas. Response to this program by students has been positive!

The Library was closed for maintenance one week in June. During this time the carpet was cleaned throughout the building. It looks fantastic. The new circulation computer is running like a top! It is more than able to keep up with our busy front desk checkouts. This past month the junior circulation was increased by more than 1/3 more books than normal. After school got out they came to their local library and started enjoying all the new titles we have been purchasing for them.

Respectfully submitted,

Sherri Lemhouse
Librarian



2015-2016 Council Goals

Goals 2015-2016

1. Focus on the Fundamentals.
 - *Protect Brownsville's Treasury.*
 - *Active Capital Improvements Plan Implementation.*
 - *Foster Cooperative & Productive Relationships in the community and with County, State & Federal Agencies.*
2. Water Rights.
 - *Explore Possible Water Source Options.*
 - *Continually work on perfecting Water Rights.*
3. Economic Development Plan.
 - *Discuss Land Options with McFarland Cascade.*
 - *Participate in Regional Efforts & Opportunities.*
 - *Support Youth Activities in Cooperation with CLRA.*
4. Community Development Plan.
 - *Refine Zoning Rules & Requirements.*
 - *Consider & Adopt New Policies & Standards.*
 - *Finish & Implement a Sidewalk Program.*
 - *Improve Partnerships with CLSD.*
5. Capital Improvements Plan.
 - *Execute 2015 Water Improvements Project Contracts.*
 - *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
 - *Estimate City portion of Kirk Avenue Improvements.*
6. Organizational Development.
 - *Implement Accountability System for all Officials.*
 - *Focus on Council Development.*
7. Emergency Preparedness Plan.
 - *Compose a Written Emergency Plan.*
 - *Work with Area Partners on a continual Community Education Program.*
 - *Develop Agreements with Community Partners.*

GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

- *Protect Brownsville's Treasury.*
- *Active Capital Improvements Plan Implementation.*
- *Foster Cooperative & Productive Relationships in the community and with County, State & Federal Agencies.*



2015-2016 Council Goals

Plan: Staff will continue to strictly adhere to the annually adopted budget working within the necessary parameters to keep rates as low as possible while providing vital services effectively. Staff will execute the planned projects found in the FY 2015-2016 budget as time and priority allow.

Staff will bid, construct and complete the 2015 Waterline Project. Staff will plan for and execute the engineering for the redevelopment of sewer lines in Old Town Commercial for the next fiscal year.

Staff will continue to strive for excellence in all relational aspects of service delivery. McDowell serves on the State's OPRD Grant Advisory Committee, the Visit Linn Coalition, the Ford Foundation's Go Team Effort and works with CIS and the LOC as needed. Frink works with various groups including 811.

June 2016 Update: The 2015 Water System Improvements Project came in on budget but a little over time due to an issue with the GR 12 pump. Public Works Superintendent Karl Frink did an outstanding job providing inspection services for this important project.

Staff is executing at a very high level. Projects are executed with precision. Many members of the Staff participated in new ways to learn new skills and build overall capacity for the City.

Council does a great job navigating through tough decisions to honor the wishes of the Budget Committee and to honor the taxpayers while getting a lot of projects accomplished.

Staff continues to work on regional economic development plans with other municipalities as well as Linn County.

The Willamette Country Music Festival (WCMF) had a banner year and the cooperation with Linn County was nearly flawless.

2. Water Rights.

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

Plan: Currently working on the redevelopment of the GR12 well site east of the Main Street Bridge. Council has determined that this water source would double the current water capacity for the City. The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that exist in other areas of Brownsville.

June 2016 Update: City Engineer Jon Erwin and Staff continue to work on this important process. The completion of GR 12 aides greatly in this process. The City is in the process of exploring other water resource options.

3. Economic Development Plan.

- *Discuss Land Options with McFarland Cascade.*
- *Participate in Regional Efforts & Opportunities.*
- *Support Youth Activities in Cooperation with CLRA.*

Plan: Continue working with East Linn communities and the Ford Foundation. The Go Team proposal is gaining public exposure. Continue working with the Brownsville Chamber of Commerce, Visit Linn



2015-2016 Council Goals

Coalition and the Bi-Mart Willamette Country Music Festival to drive local financial viability of businesses. McFarland Cascade is currently using their entire property and looking to possibly add more. The land that has been thought of as a possible 'industrial park' has recently been purchased for the purpose of growing grapes. The new owner has the entire property planted.

Council needs to determine the next course of action as it relates to the CLRA organizational development agreement. Continue to work with the CLRA to develop and strengthen youth activities as a vital community amenity.

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

June 2016 Update: Staff directing private parties discuss land purchase & development options with McFarland Cascade. Staff has encountered a few problems with the continued implementation of services with the CLRA. Staff is overly involved with projects regionally; working on the Visit Linn Coalition, the Ford's Go Team, the East Linn Cohort through the Ford Foundation, working with the State and Linn County on opportunities. Administration changes in Sweet Home may delay some of the implementation efforts of the regional strategy. Staff has met with Cascade West Council of Governments leadership to discuss opportunities as well.

4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*
- *Finish & Implement a Sidewalk Program.*
- *Improve Partnerships with CLSD.*

Plan: Council would like to continue looking at ways to effect overall livability including right-of-way management. Install sidewalk into Pioneer Park from the Rec Center. Fully develop the City's sidewalk inventory plan getting the plan ready for approval by Council. Continue to try to develop an effective working relationship with the CLSD to assist with their community development plans.

June 2016 Update: Council needs to finish the action plan pertaining to this goal. The sidewalks have been extended into Pioneer Park from the Rec Center. City Hall sidewalks and improvements are completed. The overall City-wide sidewalk program is still pending. Council has been working with the Central Linn School Board on possible options for the Board's property on Blakely Avenue. The Central Linn School Superintendent and Board has not answered Council's questions about the property or any future agreement. Please see Council agenda packets for more detailed information. Mayor Ware was asked by Council to move forward with a meeting with Central Linn School District's Board President Mark Penrod to discuss the implications of the School's imminent deal with Willamette Neighborhood Housing Services for the Blakely Avenue property.

5. Capital Improvements Plan.

- *Execute 2015 Water Improvements Project Contracts.*
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- *Estimate City portion of Kirk Avenue Improvements.*
 - Wastewater Treatment & Collections



2015-2016 Council Goals

- Council has budgeted for a well for the South Plant.
- Council understands that nearly 45% of the collection lines are in need of replacement.
- Kirk Avenue Improvements
 - Council has determined that the first block of Kirk from Main Street to Averill Street will be fully reconstructed with sidewalks, curb and gutter improvements. The remainder of Kirk Avenue will be a grind and overlay project.
 - Council's only other alternative is to execute the project as a City project and assess all abutting property owners according to the project cost.

June 2016 Update: The 2015 Water System Improvements project is complete. Staff is exploring options with the storm water concern downtown; this particular project may be another year out in terms of funding for construction. Linn County is currently working on a Transportation System Plan (TSP) that will determine if Kirk Avenue will be funded or not. The TSP process will take over a year to complete and Council will want to attend certain meetings over the course of this year to advocate for Kirk Avenue. Kirk Avenue will cost the City a lot of money to improve even with the County doing a majority of the paving improvements. Depending on the design of the project, the City could be required to install additional storm water lines, adjust sanitary sewer manholes, adjust water services and sanitary sewer services.

6. Organizational Development.

- *Implement Accountability System for all Officials.*
- *Focus on Council Development.*

Plan: Council recognizes the need for additional training & development. Council will continue to improve individually in their role as community leaders working together to accomplish shared organizational goals with Staff. Council implement accountability aspects of all officials both elected and appointed. Proper training and execution of responsibilities is vital for the overall health of the organization.

June 2016 Update: Council may need to have a mini-retreat session this summer to regroup and refocus a few issues.

7. Emergency Preparedness Plan.

- *Compose a Written Emergency Plan.*
- *Work with Area Partners on a continual Community Education Program.*
- *Develop Agreements with Community Partners.*

Plan: A larger community effort is necessary for this task. Staff will work on the internal plan for the City.

June 2016 Update: Mr. Norman Simms has agreed to be the Volunteer Emergency Preparedness Coordinator. Mr. Simms will work with Staff to develop strategy and form a committee to assist implementation efforts as laid out by ordinance. Council has a plan in place for the active implementation of this goal through 2016.



2015-2016 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. Brownsvilleans 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.



2015-2016 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



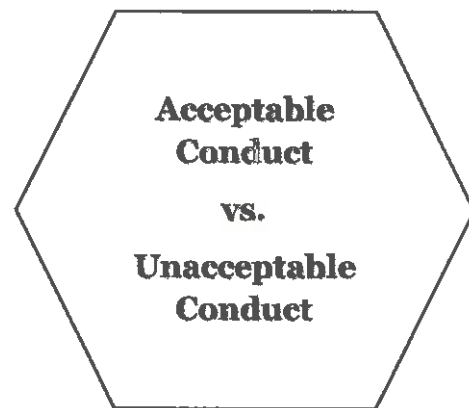
2015-2016 Council Values

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





RESOLUTION NO. 2016.17

A RESOLUTION OF CITY OF BROWNSVILLE, LINN COUNTY, OREGON AUTHORIZING THE ISSUANCE, NEGOTIATED SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS; DESIGNATING AN AUTHORIZED REPRESENTATIVE, BOND COUNSEL AND UNDERWRITER/PLACEMENT AGENT; DELEGATING THE NEGOTIATION AND APPROVAL OF FINANCIAL DOCUMENTS AND RELATED MATTERS.

THE CITY COUNCIL (THE "COUNCIL") OF THE CITY OF BROWNSVILLE, LINN COUNTY, OREGON (THE "CITY") finds:

SECTION 1. FINDINGS

- a. The City previously issued its General Obligation Bonds, Series 1998 (the "Series 1998 Bonds") and its General Obligation Bonds, Series 2008 (the "2008 Bonds") for capital construction and capital improvements, which were authorized by approving vote of the electors of the City; and
- b. The City is authorized pursuant to the Oregon Constitution and Oregon Revised Statutes Chapter 287A to issue refunding bonds for the refunding of all or a portion of its outstanding Series 1998 Bonds and Series 2008 Bonds (collectively "Refundable Bonds"); and
- c. The City has determined that it is in the best interest of the taxpayers of the City to refund all or a portion of the Refundable Bonds. The Authorized Representative shall select the portion of such Refundable Bonds to be refunded in accordance with Section 9 hereof; and
- d. The City adopts this resolution to provide the terms under which the refunding general obligation bonds may be issued.

SECTION 2. REFUNDING BONDS AUTHORIZED

The City hereby authorizes the issuance of General Obligation Refunding Bonds (the "Refunding Bonds") in an aggregate principal amount sufficient to refund all or a portion of the Refundable Bonds and to pay the costs related to the authorization, sale, issuance and delivery of the Refunding Bonds.

The Refunding Bonds may be subject to a book-entry only system of ownership and transfer as provided for in Section 7 hereof. The remaining terms of the Refunding Bonds shall be established as provided in Section 9 hereof.



SECTION 3. DESIGNATION OF AUTHORIZED REPRESENTATIVES

The Council designates the Mayor and City Administrator (each an “Authorized Representative”) or a designee of the Authorized Representative to act on behalf of the City as specified in Section 9 hereof.

SECTION 4. SECURITY

The Refunding Bonds are general obligations of the City. The full faith and credit of the City are pledged to the successive owners of each of the Refunding Bonds for the punctual payment of such obligations, when due. The City covenants with the Bondowners to levy annually a direct ad valorem tax upon all of the taxable property within the City in an amount without limitation as to rate or amount, and outside of the limitations of Sections 11 and 11b, Article XI of the Oregon Constitution, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes and other monies available for the payment of debt service on the Refunding Bonds, to pay interest, principal and premium, if any, on the Refunding Bonds promptly when and as they become due.

SECTION 5. FORM OF REFUNDING BONDS

The Refunding Bonds may be printed or typewritten, and may be issued as one or more temporary Refunding Bonds which shall be exchangeable for definitive Refunding Bonds when definitive Refunding Bonds are available.

SECTION 6. EXECUTION OF REFUNDING BONDS

The Refunding Bonds shall be executed on behalf of the City with the manual or facsimile signature of the Mayor and attested to by the manual or facsimile signature of the Authorized Representative. However, all signatures may be in facsimile form if the Refunding Bonds are authenticated by the manual signature of the Bond Registrar.

SECTION 7. BOOK-ENTRY SYSTEM

During any time that the Refunding Bonds are held in a book-entry only system (the “Book-Entry System”), the registered owner of all of the Refunding Bonds shall be The Depository Trust Company, New York, New York (“DTC”), and the Refunding Bonds shall be registered in the name of Cede & Co., as nominee for DTC. The City has entered into or shall enter into a Blanket Issuer Letter of Representations (the “Letter”) wherein the City represents that it will comply with the requirements stated in DTC’s Operational Arrangements as they may be amended from time to time.

SECTION 8. REDEMPTION

The Refunding Bonds may be subject to optional redemption or mandatory redemption prior to maturity as determined pursuant to Section 9 herein.



SECTION 9. DELEGATION FOR ESTABLISHMENT OF TERMS AND SALE OF THE REFUNDING BONDS

The Authorized Representative is hereby authorized, on behalf of the City and without further action of the Council, to:

- a. determine if the Refunding Bonds shall be placed with a bank or other financial institution or sold through the public markets;
- b. establish the principal and interest payment dates, principal amounts, interest rates, denominations, series designations and all other terms for the Refunding Bonds;
- c. negotiate the terms with D.A. Davidson & Co. under which the Refunding Bonds shall be sold; enter into a bond purchase agreement for the sale of the Refunding Bonds which incorporates those terms; and execute and deliver such bond purchase agreement or select a bank or other financial institution and proceed with a lender purchase of the Refunding Bonds;
- d. select the maturities of the Refundable Bonds to be refunded and cause notice of call and redemption to be given as required by law;
- e. appoint an escrow agent for the Refundable Bonds and enter into an escrow deposit agreement, if necessary;
- f. subscribe for and obtain eligible securities to be deposited in an escrow fund for the Refundable Bonds; to the extent that any such action has been taken prior to the date of this Resolution, such action is hereby ratified;
- g. appoint a registrar and paying agent for the Refunding Bonds;
- h. appoint a certified public accounting firm to act as verification agent to produce a report demonstrating the ability of the escrow account to meet all future debt service and related costs relative to the Refundable Bonds, if necessary;
- i. take such actions as are necessary to qualify the Refunding Bonds for the book-entry only system of The Depository Trust Company, if required;
- j. enter into covenants regarding the use of the proceeds of the Refunding Bonds and the projects refinanced with the proceeds of the Refunding Bonds and provide that the Refunding Bonds be issued as federally taxable or tax-exempt bonds;
- k. approve of and authorize the distribution of the preliminary and final official statements for the Refunding Bonds, if required;
- l. submit an advance refunding plan and related documents to the Oregon State Treasurer's office, if required to accomplish the refunding;



- m. obtain one or more ratings on the Refunding Bonds if determined by the Authorized Representative to be in the best interest of the City, and expend Refunding Bond proceeds to pay the costs of obtaining such rating;
- n. obtain municipal bond insurance on the Refunding Bonds if determined by the Authorized Representative to be in the best interest of the City, execute and deliver any agreement required in connection with such insurance, and expend Refunding Bond proceeds to pay any bond insurance premium;
- o. approve, execute and deliver a Continuing Disclosure Certificate pursuant to SEC Rule 15c2-12, as amended (17 CFR Part 240, § 240.15c2-12), if required;
- p. approve, execute and deliver the Refunding Bond closing documents and certificates;
- q. make any clarifying changes or additional covenants not inconsistent with this Resolution; and
- r. execute and deliver a certificate specifying the action taken by the Authorized Representative pursuant to this Section 9 and any other certificates, documents or agreements that the Authorized Representative determines are desirable to issue, sell and deliver the Refunding Bonds in accordance with this Resolution.

SECTION 10. DEFAULT AND REMEDIES.

The occurrence of one or more of the following shall constitute an Event of Default under this Resolution and the Refunding Bonds:

- a. Failure by the City to pay Refunding Bond principal, interest or premium when due (whether at maturity, or upon redemption after a Refunding Bond has been properly called for redemption);
- b. Failure by the City to observe and perform any covenant, condition or agreement on its part to be observed or performed for the benefit of Owners of Refunding Bonds, for a period of sixty (60) days after written notice to the City by the Owners of fifty-one (51%) percent or more of the principal amount of Refunding Bonds then Outstanding specifying such failure and requesting that it be remedied; provided however, that if the failure stated in the notice cannot be corrected within such sixty (60) day period, it shall not constitute an Event of Default so long as corrective action is instituted by the City within the sixty (60) day period and diligently pursued, and the default is corrected as promptly as practicable after the written notice referred to in this paragraph; or,
- c. The City is adjudged insolvent by a court of competent jurisdiction, admits in writing its inability to pay its debts generally as they become due, files a petition in bankruptcy, or consents to the appointment of a receiver for the payments.



The Owners of fifty-one (51%) percent or more of the principal amount of Refunding Bonds then Outstanding may waive any Event of Default and its consequences, except an Event of Default as described in (a) of this Section.

Upon the occurrence and continuance of any Event of Default hereunder the Owners of fifty-one (51%) percent or more of the principal amount of Refunding Bonds then Outstanding may take whatever action may appear necessary or desirable to enforce or to protect any of the rights of the Owners of Refunding Bonds, either at law or in equity or in bankruptcy or otherwise, whether for the specific enforcement of any covenant or agreement contained in this Resolution or the Refunding Bonds or in aid of the exercise of any power granted in this Resolution or in the Refunding Bonds or for the enforcement of any other legal or equitable right vested in the Owners of Refunding Bonds by the Resolution or the Refunding Bonds or by law. However, the Refunding Bonds shall not be subject to acceleration.

No remedy in the Resolution conferred upon or reserved to Owners of Refunding Bonds is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under the Resolution or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. To entitle the Owners of Refunding Bonds to exercise any remedy reserved to them, it shall not be necessary to give any notice other than such notice as may be required by this Resolution or by law.

SECTION 11. DEFEASANCE

The City may defease the Refunding Bonds by setting aside, with a duly appointed escrow agent, in a special escrow account irrevocably pledged to the payment of the Refunding Bonds to be defeased, cash or direct obligations of the United States in an amount which, in the opinion of an independent certified public accountant, is sufficient without reinvestment to pay all principal and interest on the defeased Refunding Bonds until their maturity date or any earlier redemption date. Refunding Bonds which have been defeased pursuant to this Section shall be deemed paid and no longer outstanding, and shall cease to be entitled to any lien, benefit or security under this Resolution except the right to receive payment from such special escrow account.

SECTION 12. DESIGNATION OF BOND COUNSEL AND UNDERWRITER/PLACEMENT AGENT

The City hereby designates Hawkins Delafield & Wood LLP as Bond Counsel for the Refunding Bonds and D.A. Davidson & Co. as Underwriter/Placement Agent for the Refunding Bonds.

SECTION 13. REDEMPTION OF REFUNDABLE BONDS

Contingent solely on the issuance of the Refunding Bonds and the deposit of the net proceeds with the Escrow Agent, the City hereby irrevocably calls for redemption the



Refundable Bonds which are to be refunded with the proceeds of the Refunding Bonds on the earliest date they are subject to redemption.

SECTION 14. APPROVAL OF POST ISSUANCE COMPLIANCE PROCEDURES

The Council hereby approves the post issuance compliance procedures in substantially the form attached hereto as Exhibit A with such modifications as deemed desirable by the Authorized Representative to assist in the compliance with federal tax and securities law.

SECTION 15. RESOLUTION TO CONSTITUTE CONTRACT

In consideration of the purchase and acceptance of any or all of the Refunding Bonds by those who shall own the Refunding Bonds from time to time (the "Owners"), the provisions of this Resolution shall be part of the contract of the City with the Owners and shall be deemed to be and shall constitute a contract between the City and the Owners. The covenants, pledges, representations and warranties contained in this Resolution or in the closing documents executed in connection with the Refunding Bonds, including without limitation the City's covenants and pledges contained in Section 44 hereof, and the other covenants and agreements herein set forth to be performed by or on behalf of the City shall be contracts for the equal benefit, protection and security of the Owners, all of which shall be of equal rank without preference, priority or distinction of any of such Refunding Bonds over any other thereof, except as expressly provided in or pursuant to this Resolution.

ADOPTED by the City Council of the City of Brownsville, in Linn County, Oregon this 26th day of July, 2016.

**CITY OF BROWNSVILLE,
LINN COUNTY, OREGON**

By: _____
Mayor

ATTEST:

By: _____
City Administrator

EXHIBIT A

CITY OF BROWNSVILLE
TAX-EXEMPT BOND POST-ISSUANCE COMPLIANCE POLICY
(adopted 07/26/16)

I.

PURPOSE.

The purpose of this Policy is to ensure that the City of Brownsville (the “Issuer”) complies with applicable requirements of federal tax and securities laws that apply to any tax-exempt obligations or other debt issued by the Issuer. This Policy is designed to set forth compliance procedures so that the Issuer utilizes the proceeds of all issues of bonds, certificates of participation, bond anticipation notes, bank loans, and tax and revenue anticipation notes (collectively referred to as “Bonds”) in accordance with applicable federal tax and securities law requirements with respect to outstanding Bonds.

The procedures described in II and III describe the federal tax laws and only apply to Bonds to the extent that they are issued as federally tax-exempt obligations. Such procedures do not apply to Bonds issued as federally taxable obligations. To comply with applicable federal tax requirements, the Issuer must confirm that the requirements are met at the time each Bond issue is issued and throughout the term of the Bonds (until maturity or redemption). Generally, compliance should include retention of records relating to the expenditure of the proceeds of each Bond issue, the investment of the proceeds of each Bond issue, and any allocations made with respect to the use of the proceeds of each Bond issue, sufficient to establish compliance with applicable federal tax requirements, including records related to periods before the Bonds are issued (*e.g.*, in the case of reimbursement of prior expenditures) until six (6) years after the final maturity or redemption date of any issue of Bonds.

The procedures described in IV describe the federal securities laws and only apply to Bonds to the extent that there is a disclosure document prepared in connection with a public offering or private placement of the Bonds. For example, they do not currently apply to bank loans or other debt for which an official statement or other disclosure document is not prepared. To comply with applicable federal securities requirements, the Issuer must comply with the anti-fraud rules at the time of issuance and must maintain continuous compliance with its continuing disclosure obligations until the final maturity or redemption of the applicable issue or Bonds.

II.

FEDERAL TAX PROCEDURES.

A. Responsible Official. The City Administrator of the Issuer will identify the officer or other employee(s) of the Issuer (the “Bond Compliance Officer”) who will be responsible for

each of the procedures listed below, notify the current holder of that office of the responsibilities, and provide that person a copy of these procedures. Upon employee transitions, the City Administrator of the Issuer will advise any newly-designated Bond Compliance Officer of his/her responsibilities under these procedures and will ensure the Bond Compliance Officer understands the importance of these procedures. If employee positions are restructured or eliminated, the City Administrator of the Issuer will reassign responsibilities as necessary.

B. Issuance of Bonds.

Bond Counsel. The Issuer will retain a nationally-recognized bond counsel law firm ("Bond Counsel") to assist the Issuer in issuing Bonds. In connection with any tax-exempt Bond issue, Bond Counsel will deliver a legal opinion which will be based in part on covenants and representations set forth in the Issuer's Tax Certificate (or other closing documents containing the tax representation) (the "Tax Certificate") and other certificates relating to the Bonds, including covenants and representations concerning compliance with post-issuance federal tax law requirements that must be satisfied to preserve the tax-exempt status of tax-exempt Bonds. As described more fully below, the Issuer will also consult with Bond Counsel and other legal counsel and advisors, as needed, following issuance of each Bond issue to ensure that applicable post-issuance requirements in fact are met, so that tax-exempt status of interest will be maintained for federal income tax purposes so long as any Bonds remain outstanding.

The Bond Compliance Officer and/or other designated Issuer personnel will consult with Bond Counsel and other legal counsel and advisors, as needed, throughout the Bond issuance process to identify requirements and to establish procedures necessary or appropriate so that tax-exempt status of interest will be maintained. Those requirements and procedures shall be documented in a Tax Certificate and other certificates and/or other documents finalized at or before issuance of the Bonds. If there is no document in the transcript titled "Tax Certificate," the Bond Compliance Officer and/or other designated Issuer personnel will consult with Bond Counsel prior to the closing of the financing to understand which document(s) in the transcript contain the tax representations and covenants. The requirements and procedures in the Tax Certificate shall include future compliance with applicable arbitrage rebate requirements and all other applicable post-issuance requirements of federal tax law throughout (and in some cases beyond) the term of the Bonds.

Documentation of Tax Requirements. The federal tax requirements relating to each Bond issue will be set forth in the Tax Certificate executed in connection with the Bond issue, which will be included in the closing transcript. The certifications, representations, expectations, covenants and factual statements in the Tax Certificate relate primarily to the restriction on use of the Bond-financed facilities by persons or entities other than the Issuer, changes in use of assets financed or refinanced with Bond proceeds, restrictions applicable to

the investment of Bond proceeds and other moneys relating to the Bonds, arbitrage rebate requirements, and economic life of the Bond-financed assets.

Information Reporting. The Bond Compliance Officer and/or other designated Issuer personnel will assure filing of information returns on IRS Form 8038-G no later than the 15th day of the second calendar month in the calendar quarter following the calendar quarter in which an issue of Bonds is issued. The Issuer will confirm that the IRS Form 8038-G is accurate and is filed in a timely manner with respect to all Bond issues, including any required schedules and attachments. The IRS Form 8038-G filed with the IRS, together with an acknowledgement copy (if available) or IRS Notice CP152, will be included as part of the closing transcript for each Bond issue, or kept in the records related to the appropriate issue of Bonds.

C. **Application of Bond Proceeds.**

Use of Bond Proceeds. The Bond Compliance Officer and/or other designated Issuer personnel shall:

- * monitor the use of Bond proceeds and the use of the Bond-financed assets (*e.g.*, facilities, furnishings or equipment) throughout the term of the Bonds (and in some cases beyond the term of the Bonds) to ensure compliance with covenants and restrictions set forth in the applicable Tax Certificate;
- * maintain records identifying the assets or portion of assets that were financed or refinanced with proceeds of each issue of Bonds;
- * consult with Bond Counsel and other legal counsel as needed in the review of any contracts or arrangements involving use of Bond-financed facilities to ensure compliance with all covenants and restrictions set forth in the applicable Tax Certificate;
- * maintain records for any contracts or arrangements involving the use of Bond-financed facilities as might be necessary or appropriate to document compliance with all covenants and restrictions set forth in the applicable Tax Certificate; and
- * communicate as necessary and appropriate with personnel responsible for the Bond-financed assets to identify and discuss any existing or planned use of the Bond-financed assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the applicable Tax Certificate.

Timely Expenditure of Bond Proceeds. At the time of issuance of any Bonds issued to fund original expenditures, the Issuer must reasonably expect to spend at least 85% of all

proceeds expected to be used to finance such expenditures (which proceeds would exclude proceeds in a reasonably required reserve fund) within three (3) years after issuance of such Bonds.¹ In addition, for such Bonds, the Issuer must have incurred or expect to incur within six months after issuance original expenditures of not less than 5% of such amount of proceeds, and must expect to complete the Bond-financed project (the “Project”) and allocate Bond proceeds to costs with due diligence.² Satisfaction of these requirements allows Project-related Bond proceeds to be invested at an unrestricted yield for three (3) years.³ Bonds issued to refinance outstanding obligations are subject to separate expenditure requirements, which shall be outlined in the Tax Certificate relating to such Bonds. The Issuer’s finance staff will monitor the appropriate capital project accounts (and, to the extent applicable, working capital expenditures and/or refunding escrow accounts) and ensure that Bond proceeds are spent within the applicable time period(s) required under federal tax law.

Capital Expenditures. In general, proceeds (including earnings on original sale proceeds) of Bonds issued to fund original expenditures, other than proceeds deposited in a reasonably required reserve fund or used to pay costs of issuance, should be spent on capital expenditures.⁴ For this purpose, capital expenditures generally mean costs to acquire, construct, or improve property (land, buildings and equipment), or to adapt the property to a new or different use. The property financed or refinanced must have a useful life longer than one (1) year. Capital Expenditures include design and planning costs related to the Project, and include architectural, engineering, surveying, soil testing, environmental, and other similar costs incurred in the process of acquiring, constructing, improving or adapting the property. Capital Expenditures do not include operating expenses of the Project or incidental or routine repair or maintenance of the Project, even if the repair or maintenance will have a useful life longer than one (1) year.

D. Use of Bond-Financed Assets.

Ownership and Use of Project. For the life of a Bond issue, the Project must be owned and operated by the Issuer (or another state or local governmental entity). At all times while the Bond issue is outstanding, no more than 10% (or \$15,000,000, if less) of the Bond proceeds or the Project may be used, directly or indirectly, in a trade or business carried on by a person other than a state or local governmental unit (“Private Use”).⁵ In addition, not more

¹ In the case of short-term working capital financings (e.g., TRANs), the Issuer’s actual maximum cumulative cash flow deficit as of the close of the six-month period commencing on the issue date must be at least equal to 100% of the issue price of the notes (under the six-month rebate exception, excluding the reasonable working capital reserve) or 90% of the issue price of the notes (under the statutory safe harbor exception) in order for the notes to be exempt from the rebate requirements.

² These requirements do not apply to short-term working capital financings (e.g., TRANs).

³ Proceeds of working capital financings (e.g., TRANs) may be invested at an unrestricted yield for thirteen (13) months.

⁴ Proceeds of working capital financings (e.g., TRANs) need not be spent for capital expenditures.

⁵ This 10% limitation is limited to 5% in cases in which the Private Use is either unrelated or disproportionate to the governmental use of the financed facility.

than 5% (or \$5 million, if less) of the proceeds of any Bond issue may be used, directly or indirectly, to make a loan to any person other than governmental persons. Generally, Private Use consists of any contract or other arrangement, including leases, management contracts, operating agreements, guarantee contracts, take or pay contracts, output contracts or research contracts, which provides for use by a person who is not a state or local government on a basis different than the general public. The Project may be used by any person or entity, including any person or entity carrying on any trade or business, if such use constitutes "General Public Use". General Public Use is any arrangement providing for use that is available to the general public at either no charge or on the basis of rates that are generally applicable and uniformly applied.

Management or Operating Agreements. Any management, operating or service contracts whereby a non-exempt entity is using assets financed or refinanced with Bond proceeds (such as bookstore, cafeteria or dining facility, externally-managed parking facilities, gift shops, etc.) must relate to portions of the Project that fit within the allowable private use limitations or the contracts must meet the IRS safe harbor for management contracts. Any replacements of or changes to such contracts relating to Bond-financed assets or facilities, or leases of such assets or facilities, should be reviewed by Bond Counsel. The Bond Compliance Officer shall contact Bond Counsel if there may be a lease, sale, disposition or other change in use of assets financed or refinanced with Bond proceeds.

Useful Life Limitation. The weighted average maturity of the Bond issue cannot exceed 120% of the weighted average economic life of the Bond-financed assets. In other words, the weighted average economic life of the Project must be at least 80% of the weighted average maturity of the Bond issue. Additional state law limitations may apply as well.

E. Investment Restrictions; Arbitrage Yield Calculations; Rebate.

Investment Restrictions. Investment restrictions relating to Bond proceeds and other moneys relating to the Bonds are set forth in the Tax Certificate. The Issuer's finance staff will monitor the investment of Bond proceeds to ensure compliance with applicable yield restriction rules.

Use and Control of Bond Proceeds. Unexpended Bond proceeds (including reserves) may be held directly by the Issuer or by the trustee for the Bond issue under an indenture or trust agreement. The investment of Bond proceeds shall be managed by the Issuer. The Issuer shall maintain appropriate records regarding investments and transactions involving Bond proceeds. The trustee, if appropriate, shall provide regular statements to the Issuer regarding investments and transactions involving Bond proceeds.

Arbitrage Yield Calculations. Investment earnings on Bond proceeds should be tracked and monitored to comply with applicable yield restrictions and/or rebate requirements. Any funds of the Issuer set aside or otherwise pledged or earmarked to pay debt service on Bonds should be analyzed to assure compliance with the tax law rules on arbitrage, invested sinking

funds, and pledged funds (including gifts or donations linked or earmarked to the Bond-financed assets.

Rebate. The Issuer is responsible for calculating (or causing the calculation of) rebate liability for each Bond issue, and for making any required rebate payments. Unless Bond Counsel has advised the Issuer that the Bonds are exempt from the rebate requirements described in this section, the Issuer will retain an arbitrage rebate consultant to perform rebate calculations that may be required to be made from time to time with respect to any Bond issue. The Issuer is responsible for providing the arbitrage rebate consultant with requested documents and information on a prompt basis, reviewing applicable rebate reports and other calculations and generally interacting with the arbitrage rebate consultant to ensure the timely preparation of rebate reports and payment of any rebate.

The reports and calculations provided by the arbitrage rebate consultant are intended to assure compliance with rebate requirements, which require the Issuer to make rebate payments, if any, no later than the fifth (5th) anniversary date and each fifth (5th) anniversary date thereafter through the final maturity or redemption date of a Bond issue. A final rebate payment must be made within sixty (60) days of the final maturity or redemption date of a Bond issue.

The Issuer will confer and consult with the arbitrage rebate consultant to determine whether any rebate spending exceptions may be met. Rebate spending exceptions are available for periods of 6 months, 18 months and 2 years. The Issuer will review the Tax Certificate and/or consult with the arbitrage rebate consultant or Bond Counsel for more details regarding the rebate spending exceptions.

In the case of short-term working capital financings, such as tax and revenue anticipation notes, if there is concern as to whether or not the Issuer has met its requisite maximum cumulative cash flow deficit with respect to its short-term working capital notes, the services of a rebate analyst should be engaged to determine whether either the six-month spending exception or the statutory safe harbor exception to the rebate rules is met (in which case no rebate would be owed) or whether the proceeds of the notes are subject, in whole or in part, to rebate.

Copies of all arbitrage rebate reports, related return filings with the IRS (*i.e.*, IRS Form 8038-T), copies of cancelled checks with respect to any rebate payments, and information statements must be retained as described below. The responsible official of the Issuer described in Subsection A of this Part II will follow the procedures set forth in the Tax Certificate entered into with respect to any Bond issue that relate to compliance with the rebate requirements.

F. Record Retention.

Allocation of Bond Proceeds to Expenditures. The Issuer shall allocate Bond proceeds to expenditures for assets, and shall trace and keep track of the use of Bond proceeds and property financed or refinanced therewith.

Record Keeping Requirements. Copies of all relevant documents and records sufficient to support an assertion that the tax requirements relating to a Bond issue have been satisfied will be maintained by the Issuer for the term of a Bond issue (including refunding Bonds, if any) plus six (6) years, including the following documents and records:

- Bond closing transcripts;
- Copies of records of investments, investment agreements, credit enhancement transactions, financial derivatives (*e.g.*, an interest rate swap), arbitrage reports and underlying documents, including trustee statements;
- Copies of material documents relating to capital expenditures financed or refinanced by Bond proceeds, including (without limitation) purchase orders, invoices, trustee requisitions and payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds;
- All contracts and arrangements involving private use, or changes in use, of the Bond-financed property;
- All reports and documents relating to the allocation of Bond proceeds and private use of Bond-financed property; and
- Itemization of property financed with Bond proceeds, including placed in service dates.
- In the case of short-term working capital financings, such as tax and revenue anticipation notes, information regarding the Issuer's revenue, expenditures and available balances sufficient to support the Issuer's maximum cumulative cash flow deficit.

III.

POST-ISSUANCE COMPLIANCE.

A. In General. The Issuer will conduct periodic reviews of compliance with these procedures to determine whether any violations have occurred so that such violations can be remedied through the "remedial action" regulations (Treas. Reg. Section 1.141-12) or the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance). If any changes or modifications to the terms or provisions of a Bond issue are contemplated, the Issuer will consult Bond Counsel. The Issuer recognizes and acknowledges that such modifications could result in a "reissuance" of the Bonds for federal tax purposes

(i.e., a deemed refunding) and thereby jeopardize the tax-exempt status of the Bonds after the modifications.

The Bond Compliance Officer and/or other designated Issuer personnel will consult with Bond Counsel and other legal counsel and advisors, as needed, following issuance of each issue of the Bonds to ensure that all applicable post-issuance requirements in fact are met, so that interest on the Bonds will be excluded from gross income for federal income tax purposes so long as any Bonds remain outstanding. This will include, without limitation, consultation in connection with future contracts with respect to the use of Bond-financed assets and future contracts with respect to the use of output or throughput of Bond-financed assets.

Whenever necessary or appropriate, the Issuer will engage an expert advisor as arbitrage rebate consultant to assist in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds.

B. Monitoring Private or Other Use of Financed Assets. The Issuer will maintain records identifying the assets or portion of assets that are financed or refinanced with proceeds of a Bond issue, including the uses and the users thereof (including terms of use and type of use). Such records may be kept in any combination of paper or electronic form. In the event the use of Bond proceeds or the assets financed or refinanced with Bond proceeds is different from the covenants, representations or factual statements in the Tax Certificate, the Issuer will promptly contact and consult with Bond Counsel to ensure that there is no adverse effect on the tax-exempt status of the Bond issue and, where appropriate, will remedy any violations through the “remedial action” regulations (Treas. Reg. Section 1.141-12), the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance), or as otherwise prescribed by Bond Counsel.

C. Ongoing Training. Training shall be made available to the Bond Compliance Officer to support the Bond Compliance Officer’s understanding of the tax requirements applicable to the Bonds. Such training may include, but would not be limited to, attending training sessions at local conferences such as OGFOA, OASBO, and/or SDAO, participation in IRS teleconferences, reading technical guidance materials provided by educational organizations, the IRS, and/or Bond Counsel, and discussing questions and issues with the Issuer’s Bond Counsel and/or arbitrage rebate consultant.

D. Annual Checklist of Tax-Exempt Bond Compliance Checklist. The Bond Compliance Officer will complete the attached “Annual Tax-Exempt Bond Compliance Checklist” with respect to all outstanding Bonds on or before December 1 of each annual period. The Bond Compliance Officer will retain a copy of each completed and signed checklist in a file that is retained in accordance with the document retention requirements described in Section II.F., above.

IV.
FEDERAL SECURITIES LAW PROCEDURES.

A. Anti-Fraud Provisions.

Pursuant to the antifraud provisions of the Securities Act of 1933 and the Securities and Exchange Act of 1934, and accompanying regulations, applicable to securities such as the Bonds, if publicly offered, any material provided by the Issuer in connection with the offer or sale of the Bonds may not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading. This material may be in the form of an offering circular or offering memorandum for a private placement and, although it is unclear whether such rules apply to these materials, the Bond Compliance Officer should review them with the same standard in mind. For a publicly offered transaction, the disclosure document may be a preliminary official statement or a final official statement and any materials provided to the rating agencies or credit enhancement provider. Such material may also include information provided to a bank or institutional investor about the Issuer or the Bonds in connection with a bank loan or private placement. The antifraud provisions also apply to continuing disclosure discussed below. The Bond Compliance Officer will actively participate in the Bond issuance process to ensure that all information regarding the Issuer described in the official statement or other materials prepared in connection with the initial sale of publicly offered Bonds or bank placements do not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

B. Continuing Disclosure.

- In connection with an offering of the Bonds, the Issuer will execute a Continuing Disclosure Agreement, Continuing Disclosure Undertaking, Continuing Disclosure Certificate or such similarly titled document (herein referred to as the "Continuing Disclosure Agreement"). Pursuant to the Continuing Disclosure Agreement, the Issuer may be obligated to provide annual financial disclosure to the secondary market through the Municipal Rulemaking Securities Board's Electronic Municipal Market Access ("EMMA") system, as well as notices of certain material events listed in the Continuing Disclosure Agreement. In order to maintain compliance with the Issuer's obligations in the Continuing Disclosure Agreement, the Bond Compliance Officer will, if and as required by such Continuing Disclosure Agreement:
 - Assist in the preparation or review of annual reports ("Annual Reports") in the form required by the related Continuing Disclosure Agreements.
 - Maintain a calendar, with appropriate reminder notifications, listing the filing due dates relating to dissemination of Annual Reports, which annual due date is

generally expressed as a date within a certain number of days following the end of the Issuer's fiscal year (the "Annual Report Due Date"), as provided in the related Continuing Disclosure Agreement.

- Ensure timely dissemination of the Annual Report by the Annual Report Due Date, in the format and manner provided in the related Continuing Disclosure Agreements, which may include transmitting such filing to the Municipal Securities Rulemaking Board ("MSRB") through the Electronic Municipal Market Access ("EMMA") System at www.emma.msrb.org in the format prescribed by the MSRB.
- Monitor the occurrence of any "Material Event" (as defined in the Continuing Disclosure Agreement) and timely file notice of the occurrence of any such Material Event in the manner provided under the Continuing Disclosure Agreement. To be timely filed, such notice must be transmitted within 10 days (or such other time period as set forth in the Continuing Disclosure Agreement) of the occurrence of such Material Event.
- Ensure timely dissemination of notice of any failure to perform under a Continuing Disclosure Agreement, if and as required by the Continuing Disclosure Agreement.
- Respond to requests, or ensure that the Issuer contact responds to requests, for information under SEC Rule 15c2-12, as provided in the Continuing Disclosure Agreement.
- Monitor the performance of any dissemination agent(s) engaged by the Issuer to assist in the performance of any obligation under the Continuing Disclosure Agreement.

Form of Annual Tax-Exempt Bond Compliance Checklist

(to be completed by the "Bond Compliance Officer" as described in the Tax-Exempt
Bond Post-Issuance Compliance Policy)

Date Completed: _____

	Yes	No
Has there been a sale of all or any portion of a facility financed with tax-exempt bonds (a "Project")?		
Has there been a lease of all or any portion of a Project to any party other than a state or local government?		
Has the Issuer entered into a new, or amended an already existing, management or service contract related to a Project?		
Has the Issuer entered into a naming rights agreement relating to all or any portion of a Project?		
Has the Issuer entered into any other arrangement with an entity, other than a state or local government, that provided legal rights to that entity with respect to a Project?		
Will there be a rebate/yield restriction arbitrage computation date during the upcoming annual period?		
Is the Issuer out of compliance with the record retention requirements as described in Section IV of the Tax-Exempt Bond Compliance Procedures?		
Has the Issuer failed to make any required filings with EMMA as required by their Continuing Disclosure Agreements?		

If an answer to any question above is "Yes", or the answer is unclear, the Bond Compliance Officer shall consult with the Issuer's bond counsel to determine (i) if the event could adversely impact the tax-exemption of the Issuer's outstanding tax-exempt bonds and/or (ii) whether any action needs to be taken during the upcoming annual period to ensure compliance with the tax-exempt bond or securities law restrictions.

The undersigned is the "Bond Compliance Officer" as described in the Tax-Exempt Bond Compliance Procedures and has completed the above checklist to the best of the knowledge of the undersigned.

Signature of _____ - Bond Compliance Officer
(Print Name)



RESOLUTION NO. 2016.18

A RESOLUTION CALLING AN ELECTION ON NOVEMBER 8TH, 2016, TO REFER TO THE VOTERS OF THE CITY OF BROWNSVILLE, OREGON, A BAN ON MEDICAL MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS, AND RECREATIONAL MARIJUANA RETAILERS WITHIN THE CITY AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT

WHEREAS, ORS 475B.800 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of certain state-registered and state-licensed marijuana businesses in the area subject to the jurisdiction of the city; and

WHEREAS, on July 28th, 2015 the Brownsville City Council adopted Ordinance No. 757, which prohibits the establishment of marijuana processing sites, medical marijuana dispensaries, marijuana producers, marijuana processors, marijuana wholesalers, and marijuana retailers in the area subject to the jurisdiction of the city;

NOW, THEREFORE, be it resolved by the City of Brownsville:

Section 1. A city election is called for the purpose of submitting to the qualified electors of the City of Brownsville a ban on marijuana processing sites, medical marijuana dispensaries, marijuana producers, marijuana processors, marijuana wholesalers, and marijuana retailers within the City of Brownsville.

Section 2. If the measure is adopted by the voters of the City of Brownsville, the following proposed Brownsville Municipal Code Sections 5.25.010, 5.25.020 and 5.25.030, shall take effect on December 8th, 2016:

Chapter 5.25 – Prohibition on Marijuana Facilities.

5.25.010 Prohibition.

No person, business, or entity may establish, maintain, or operate a marijuana facility within the city limits of the City of Brownsville. The establishment, maintenance, or operation of a marijuana facility by any person, business, or other entity within the city limits of the City of Brownsville in violation of this chapter is declared to be a public nuisance.

5.25.020 Definitions.

For the purposes of this chapter and in accordance with section 134, chapter 614, Oregon Laws 2015 (House Bill 3400), a “marijuana facility” includes:

- A. Marijuana processing sites registered under section 85, chapter 614, Oregon Laws 2015;



- B. Medical marijuana dispensaries registered under ORS 475.314;
- C. Marijuana producers licensed under section 19, chapter 1, Oregon Laws 2015;
- D. Marijuana processors licensed under section 20, chapter 1, Oregon Laws 2015;
- E. Marijuana wholesalers licensed under section 21, chapter 1, Oregon Laws 2015;
and
- F. Marijuana retailers licensed under section 22, chapter 1, Oregon Laws 2015.

5.25.030 Violations and Enforcement.

The establishment, maintenance, or operation of a marijuana facility by person, business, or other entity within the City of Brownsville in violation of the requirements of this chapter will be subject to any and all enforcement remedies available to the city by law, including but not limited to penalties pursuant to Chapter 1.05 of the Brownsville Municipal Code, abatement pursuant to Chapter 8.30 of the Brownsville Municipal Code and the filing of an appropriate action and pursuit of an appropriate remedy including but not limited to declaratory or injunctive relief in a court of competent jurisdiction.

Section 3. The ballot title for this measure shall be as follows:

CAPTION: Prohibiting Certain Recreational and Medical Marijuana Facilities in Brownsville

QUESTION: Shall Brownsville prohibit medical marijuana dispensaries, medical marijuana processing sites, marijuana producers, marijuana processors, marijuana wholesalers and marijuana retailers?

SUMMARY: If adopted by the voters, this measure would prohibit the establishment and operation of medical marijuana dispensaries, medical marijuana processing sites, marijuana producers, marijuana processors, marijuana wholesalers and marijuana retailers within the City of Brownsville. This measure would not prohibit medical marijuana grows or personal recreational grows otherwise allowed by state law. This measure also would not prohibit possession of marijuana within the City if otherwise allowed by state law. If this measure is approved by the voters, the City of Brownsville would not be eligible to receive distributions of state marijuana tax revenues, or to adopt a city tax on recreational retail marijuana sales. If this measure is approved by the voters, the City will not have the authority to collect a local city tax on sales of recreational marijuana – even if the local tax is approved by the voters.

Section 4. The City Council orders this City election to be held in the City of Brownsville, Oregon, concurrently with the general election, on the 8th day of November, 2016, in accordance with the provisions of Chapter 254 of the Oregon Revised Statutes. The ballots shall be counted and tabulated and the results certified as provided by law.

Section 5. The election shall be conducted by Linn County. The County Clerk for Linn County is hereby instructed to prepare ballots and to take other actions necessary to conduct the election.



Section 6. If a majority of the legal voters of the City voting on this measure approve this measure, the language of Section 2 of this Resolution shall take effect December 8th, 2016.

Section 7. The explanatory statement for this measure attached as Exhibit A to this Resolution is hereby approved by the Council.

Section 8. This Resolution, including the proposed ballot title and explanatory statement shall be delivered to the City Recorder on the date of its adoption.

Section 9. The City Recorder shall give notice of this measure as required by law and take such other actions and otherwise proceed with the election as provided by law.

Section 10. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Brownsville this 26th day of June 2016.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator



Exhibit A

Explanatory Statement

If approved, this measure would prohibit the establishment of medical marijuana processing sites, medical marijuana dispensaries, recreational marijuana producers, recreational marijuana processors, recreational marijuana wholesalers, and recreational marijuana retailers within the City of Brownsville.

Approval of this measure would not prohibit medical marijuana grows allowed under the Oregon Medical Marijuana Act. Approval of this measure would not prohibit personal recreational marijuana grows (four plants per household) allowed by state law. This measure also would not prohibit possession of medical or recreational marijuana within the City if the possession is otherwise allowed by state law.

Approval of this measure would impact City revenues. Ten percent of state marijuana tax revenues will be distributed to cities to assist local law enforcement in performing their duties related to recreational marijuana. If approved, this measure would make the City of Brownsville ineligible to receive any distributions of state marijuana tax revenues.

In addition, approval of this measure would prevent the City of Brownsville from collecting a local city tax on recreational marijuana retail sales.

Medical marijuana processing sites compound or convert marijuana into concentrates, extracts, edible products, and other products intended for medical use. Medical marijuana dispensaries facilitate the transfer of marijuana and marijuana products between patients, caregivers, processors, and growers. Medical marijuana processing sites and medical marijuana dispensaries are regulated by the Oregon Health Authority.

Recreational marijuana producers manufacture, plant, cultivate, grow or harvest recreational marijuana. Recreational marijuana processors compound or convert marijuana into concentrates, extracts, edible products, and other products intended for recreational use. Recreational marijuana wholesalers purchase and resell marijuana to other licensed facilities. Recreational marijuana retailers sell recreational marijuana to consumers. Recreational marijuana producers, processors, wholesalers and retailers are regulated by the Oregon Liquor Control Commission.



RESOLUTION NO. 2016.19

A RESOLUTION CALLING AN ELECTION ON NOVEMBER 8TH, 2016, TO REFER TO THE VOTERS OF THE CITY OF BROWNSVILLE, OREGON, A TAX ON RETAIL SALES OF RECREATIONAL MARIJUANA IN THE CITY OF BROWNSVILLE AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT

WHEREAS, Section 4 of the Brownsville Charter of 1981 provides:

The city has all powers which the constitution, statutes, or common law of the United States or of this state expressly or impliedly grant or allow municipalities as fully as though this Charter specifically enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Brownsville to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at general election; and

WHEREAS, the Brownsville City Council desires to impose a tax of up to 3% on the sale of recreational marijuana items by marijuana retailers in the City;

**NOW, THEREFORE, THE CITY OF BROWNSVILLE
RESOLVES AS FOLLOWS:**

Section 1. A city election is called for the purpose of submitting to the qualified electors of the City of Brownsville an ordinance imposing a city tax of up to three percent (3%) on sales of marijuana items by licensed recreational marijuana retailers within the City of Brownsville, a copy of which is attached to this Resolution as Exhibit A and incorporated into this Resolution by reference.

Section 2. The ballot title for this measure shall be as follows:

CAPTION: City tax on recreational marijuana retailers' sale of marijuana items

QUESTION: Shall Brownsville impose a tax on sales of marijuana items by recreational marijuana retailers in the city?

SUMMARY: If adopted by the voters, this measure would impose a city tax on sales of marijuana items (including marijuana, marijuana products and marijuana extracts) by recreational marijuana retailers licensed by the Oregon Liquor Control Commission and located within the City of Brownsville. The City Council would have the authority to set the amount of the tax, but under no circumstances would the tax exceed three percent of the retail sales price of a marijuana item. The tax would be collected from consumers and remitted to the City by recreational marijuana retailers. The city tax would be imposed in addition to any state taxes on the sale of marijuana items. The city tax would not be imposed on medical marijuana sales. This measure will not take effect if the measure on the ballot that proposes to ban medical marijuana dispensaries, medical



marijuana processing facilities, recreational marijuana producers, recreational marijuana processors, recreational marijuana wholesalers and recreational marijuana retailers from the City of Brownsville is approved.

Section 3. The City Council orders this City election to be held in the City of Brownsville, Oregon, concurrently with the general election, on the 8th day of November, 2016, in accordance with the provisions of Chapter 254 of the Oregon Revised Statutes. The ballots shall be counted and tabulated and the results certified as provided by law.

Section 4. The election shall be conducted by Linn County. The County Clerk for Linn County is hereby instructed to prepare ballots and to take other actions necessary to conduct the election.

Section 5. If a majority of the legal voters of the City voting on this measure approve this measure, the ordinance attached as Exhibit A to this Resolution shall take effect on January 1, 2017. Notwithstanding the foregoing, if the measure referred to the voters of the City of Brownsville by Resolution No. 2016.18 is approved, the ordinance attached as Exhibit A to this Resolution shall not take effect.

Section 6. The explanatory statement for this measure attached as Exhibit B to this Resolution is hereby approved by the Council.

Section 7. This Resolution, including the proposed ballot title and explanatory statement, shall be delivered to the City Recorder on the calendar day following the date of its adoption.

Section 8. The City Recorder shall give notice of this measure as required by law and take such other actions and otherwise proceed with the election as provided by law and so as to carry out the purposes of this Resolution.

Section 9. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Brownsville this 26th day of June 2016.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator



Exhibit A

ORDINANCE NO. 762

WHEREAS, Section 4 of the Brownsville Charter of 1981 provides:

The city has all powers which the constitution, statutes, or common law of the United States or of this state expressly or impliedly grant or allow municipalities as fully as though this Charter specifically enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Brownsville to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at a general election; and

WHEREAS, the City of Brownsville desires to impose a tax on the sale of recreational marijuana items by marijuana retailers in the City;

NOW THEREFORE, THE CITY OF BROWNSVILLE ORDAINS AS FOLLOWS:

SECTION 1. DEFINITIONS.

The following words and phrases as used in this Ordinance shall have the following meanings:

- A. "City" means the City of Brownsville.
- B. "Tax Administrator" means the City Administrator of the City of Brownsville, the City Administrator's designee, and/or another individual or entity designated by the City to collect the tax on behalf of the City.
- C. "Consumer" means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.
- D. "Marijuana item" means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts as defined in ORS 475B.015.
- E. "Marijuana retailer" means a person licensed under ORS 475B.110 who sells marijuana items to a consumer in the State of Oregon.
- F. "Person" means individuals, corporations, associations, firms, partnerships, limited liability companies and joint stock companies.
- G. "Retail sale price" means the total consideration paid to a marijuana retailer for a marijuana item by or on behalf of a consumer, excluding any tax.



SECTION 2. TAX IMPOSED.

The City of Brownsville hereby imposes a tax on each marijuana item sold to a consumer within the City of Brownsville by a marijuana retailer. The Brownsville City Council shall set the tax rate by resolution; however, the tax rate adopted by the City Council shall not exceed three percent (3%) of the retail sale price for each marijuana item sold. The tax constitutes a debt owed by the consumer to the City and shall be extinguished only by payment to the marijuana retailer or to the City.

SECTION 3. COLLECTION.

The consumer shall pay the tax to the marijuana retailer at the time of the purchase or sale of the marijuana item. Every marijuana retailer shall collect the tax from the consumer at the time of the sale of a marijuana item. The tax collected by the marijuana retailer shall be held in trust by the marijuana retailer for payment to the City. The marijuana retailer shall remit the tax to the Tax Administrator. The Tax Administrator is authorized to exercise all supervisory and administrative powers with regard to the administration, collection and enforcement of the tax authorized by this Ordinance.

SECTION 4. ACCOUNTING AND RECORDS.

- A. Every marijuana retailer must keep and preserve, in a generally accepted accounting format used for reporting revenue and taxes due on business activity, detailed records of all sales made and all taxes collected. Every marijuana retailer must keep and preserve such records for a period of six (6) years. The Tax Administrator shall have the right to inspect all such records at reasonable times.
- B. For purposes of determining the accuracy of any tax return or for the purpose of an estimate of taxes due, the Tax Administrator may examine any books, papers, records, or memoranda bearing upon the marijuana retailer's tax returns, including copies of the marijuana retailer's state and federal income tax returns and copies of the marijuana retailer's state marijuana tax returns. All books, invoices and other records shall be made available within the City for examination by the Tax Administrator during regular business hours.

SECTION 5. PENALTIES AND INTEREST

- A. Any marijuana retailer who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Ordinance prior to delinquency shall pay a penalty of ten percent of the amount of the tax due in addition to the amount of the tax.



- B. Any marijuana retailer who has not been granted an extension of time for remittance of tax due, and who fails to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first becomes delinquent shall pay a second delinquency penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the ten percent penalty first imposed.
- C. If the Tax Administrator determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions of this Ordinance, a penalty of twenty-five percent of the amount of the tax shall be added the amount of the remittance due, in addition to the penalties stated in subsections A and B of this section.
- D. In addition to the penalties imposed, any marijuana retailer who fails to remit any tax imposed by this Ordinance shall pay interest at the rate of one-half of one percent per month or fraction thereof, without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first becomes delinquent, until paid.
- E. Every penalty imposed and any interest that accrues under the provisions of this Ordinance shall be merged with, and become a part of, the tax required to be paid.

SECTION 6. APPEAL

- A. Any person aggrieved by any decision of the Tax Administrator may appeal to the City Administrator by filing a notice of appeal with the Tax Administrator within ten days of the date the notice of the decision is served or mailed. The Tax Administrator shall fix a time and place for hearing the appeal and shall give the appellant ten days' written notice of the time and place of the hearing.
- B. Any person aggrieved by any decision of the City Administrator under subsection A of this Section may appeal to the Council by filing a notice of appeal with the Tax Administrator within ten days of the date the City Administrator's decision is served or mailed. The Tax Administrator shall transmit the notice, together with the file of the appealed matter, to the Council, who shall fix a time and place for hearing the appeal. The Council shall give the appellant not less than ten days written notice of the time and place of hearing the appeal.

SECTION 7. REFUND

Whenever the amount of any tax imposed under this Ordinance has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator, it may be refunded, provided a verified claim in writing therefor, stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. The claim shall be made on forms provided

R 2016.19



by the Tax Administrator. If the Tax Administrator approves the claim, the excess amount collected or paid may be refunded to, or may be credited on any amounts then due and payable from, the marijuana retailer from whom it was collected or by whom it was paid, and the balance may be refunded to the marijuana retailer or the marijuana retailer's administrators, executors or assignees.

SECTION 8. **SEVERABILITY.** Any provision of this Ordinance which proves to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance, and the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 9. **CODIFICATION.** If this Ordinance becomes effective as provided by Section 10 below, the City Recorder is hereby authorized and directed to codify Sections 1 through 8 of this ordinance in an appropriate Title of the Brownsville Municipal Code and to change the word "Ordinance" to "Chapter" as appropriate when codified.

SECTION 10. **EFFECTIVE DATE.** If approved by a majority of the voters of the City of Brownsville at the statewide general election held on Tuesday, November 8th, 2016, this ordinance shall take effect on January 1st, 2017. Notwithstanding the foregoing, if the measure referred to the voters of the City of Brownsville by Resolution No. 2016.18 is approved, this ordinance shall not take effect.



Exhibit B Explanatory Statement

If this measure is approved by the voters of the City of Brownsville, the City will impose a tax on sales of marijuana items (including marijuana flowers, marijuana concentrates, marijuana edibles and marijuana extracts) by recreational marijuana retailers licensed by the Oregon Liquor Control Commission (OLCC) and located within the City of Brownsville. The City Council would have the authority to set the amount of the city tax, but the city tax could not exceed three percent of the retail sales price of a marijuana item.

The city tax would be collected from consumers by the recreational marijuana retailer at the point of sale. The recreational marijuana retailer would then remit the tax to the City.

The City would be able to use the revenues generated by this tax for any city purpose.

If approved, this city tax would be imposed in addition to any state marijuana taxes. This city tax would not be imposed on medical marijuana sales.

Oregon law prohibits cities that ban marijuana facilities from collecting city marijuana taxes. Therefore, if the measure on the ballot that proposes to ban medical marijuana dispensaries, medical marijuana processing facilities, recreational marijuana producers, recreational marijuana processors, recreational marijuana wholesalers, and recreational marijuana retailers within the City of Brownsville is approved, this ballot measure will not take effect and the city tax will not be collected - even if the city tax is also approved by the voters.

July 19, 2016

To: Brownsville City Mayor and Councilors

We are asking the city to consider doing some repair on the sidewalk on Kirk in front of our home. We would also like to have a curb put there at the corner We would like to include having the sidewalk replaced on the Averill side of our property.

We have always had water coming into our garage. Depending on the force of the rain it goes from the edge of our drive on the west all the way through the garage to the east. We will be putting in a ribbon drain at the north end of our drive and installing a storm water pipe going from the drain along the north side of the garage east to the tail race.

We know the trucks are a way of life. We have big rigs that come onto the sidewalk when making there turns. We have regular cars and trucks turning from Kirk and driving onto the sidewalk and lawn. We would like to have this section done to define how the regular traffic turns coming up Kirk from the east.

Will be at the council meeting this coming month if you have further questions.

Sincerely,

Kaye & Phillip Fox
203 Kirk Avenue
Brownsville



City of Brownsville Council Positions

NOTICE IS HEREBY given, that three (3) positions on the Brownsville City Council will be filled at the November 8th, 2016 General Election.

Available Positions: (3) Council Seats. Council members serve four year terms beginning January 1st, 2017 and expiring December 31st 2020.

Candidates must be an Elector and must have resided within the City of Brownsville during twelve (12) months prior to being elected. Election paperwork and information for those interested in running for office may be obtained during regular business hours at City Hall, 255 N. Main Street, Brownsville, OR. Petitions must be filed with the City on or before 5:00 p.m. PST, Tuesday, August 29th, 2016.

S. Scott McDowell, Administrator

Please publish July 27th & August 10th, 2016.

Stacey Meneses
36116 Courtney Creek Drive
Brownsville, OR 97327
stacey.meneses@northwestfcs.com

June 23, 2016

To whom it may concern:

I was informed by Joey Running, that there is an open seat on the Brownsville Library Board. I am writing to you today to express my interest in the position.

My husband Dan and I moved to Brownsville in October of 2007 from northern California, where we were both raised on family farms. We own a small business, Farmers Blacksmith, which specializes in welding/fabrication and repairs for farms and ranches. We have three children, Weston (7), Tyge (5) and Dani (3).

My work, as a farm and ranch appraiser is what originally brought us to the area. I am currently a Senior Appraiser at Northwest Farm Credit Services, and have been an employee of the Farm Credit System since graduating from California Polytechnic University, San Luis Obispo nearly fourteen years ago. I am a licensed Certified General Appraiser in both Oregon and California, and in 2007, I received my Accredited Rural Appraiser designation from the ASFMRA.

A few years back I started attending both Parents and Pals and Friday Story Time at the Library. Over time I have become familiar with the activities held at the library and the importance of the library in our community.

I currently volunteer at CLES in both the classroom and PTC, as well as with organizations including Oregon Women for Agriculture, Oregon Society of Farm Mangers and Rural Appraisers, Mighty Oaks Children's Therapy Center and am Parish Council President at Holy Trinity Catholic Church. Becoming a member of a board or group located here in Brownsville seems to be the next logical step, as I am interested in becoming more active and involved right here in my own community. As both a professional and as a semi-stay at home mom of young children (I work primarily from home), I believe I can offer a unique perspective to the group.

Overall I believe that the Brownsville Community Library adds to the quality of life in Brownsville. I would like to be a part of ensuring that not only does the Library continue in its current capacity, but does not pass up an opportunity to become an even bigger asset to our community.

Please do not hesitate to contact me with any questions. I can be reached by email at stacey.meneses@northwestfcs.com or by phone at (541) 409-7882. Thank you for your consideration.

Sincerely,
Stacey Meneses, ARA

June 15, 2016

Received
City of Brownsville

JUN 15 2016

Clerk _____

To whom it may concern,
In reading The Times I noticed that there is an opening on the Library
Advisory Board. I would like to have my name considered for that vacancy.
I am a life long member of this community and believe it would be a good
way for me to serve the community that I love.
Thank-you for this consideration.

Gwen Landon
541-466-5260

Gwen Landon

S. Scott McDowell

From: Kathy <motherduck2@gmail.com>
Sent: Wednesday, June 22, 2016 4:13 PM
To: admin@ci.brownsville.or.us
Subject: Library Advisory Board

As a long time resident of the Brownsville area and a big fan of our local library, I would be interested in serving on the Library Board

Kathy Rogers
26366 Gap Rd
Brownsville

541-760-0833

S. Scott McDowell

From: Barbara <bderobertis@yahoo.com>
Sent: Thursday, June 16, 2016 11:00 AM
To: admin@ci.brownsville.or.us
Subject: Library Advisory Board open position

Dear City Of Brownsville,

I understand there is a current opening for a Board position on the City of Brownsville's Library Advisory Board. I would like to express my interest in serving on that Board. I have been a Brownsville resident and Brownsville library user since September, 2013.

I have been employed in the library business most of my working adult life, operating the Creslane Elementary School Library (in Creswell, OR) in all aspects from 1989 until 2000 when I was permanently hired by the City of Eugene/Eugene Public Library. I first worked at Eugene's Bethel Branch from 2000-2002 and then transferred to the downtown library, where I worked as a Reference Assistant in Youth Services until 2013, when I retired and moved to Brownsville.

I have also taken several graduate level courses in the Masters of Library Science Program through Emporia State University. Discourse in many of these classes centered around the global picture of libraries as ever-changing organizations and the importance of their role in communities.

I understand that I do not need library experience to be considered for this position, but would like to make my experience in the library world and its workings to be known.

The Brownsville Library is an essential part of our community. I would be honored to serve on the City of Brownsville's Library Advisory Board.

Thank you for your consideration.

Sincerely,
Barbara DeRobertis
336 E. Blakley Ave.
Brownsville, OR. 97327
541-466-3399

Sent from my iPad

S. Scott McDowell

From: S. Scott McDowell <admin@ci.brownsville.or.us>
Sent: Thursday, July 14, 2016 8:36 AM
To: 'jlperry2@centurytel.net'
Subject: RE: Library Advisory Board

Thank you Thea! There are five applications for two spots. Council will be making a decision at their July 26th meeting.



S. Scott McDowell
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327
541.466.5880
admin@ci.brownsville.or.us

From: jlperry2@centurytel.net [mailto:jlperry2@centurytel.net]
Sent: Monday, July 11, 2016 10:21 AM
To: admin@ci.brownsville.or.us
Subject: Library Advisory Board

To: Scott McDowell

From: Thea Madell

Date: July 11, 2016

Subj: Library Advisory Board Position

I would like to be considered for the vacant seat on the Brownsville Library Advisory Board for the 2016-2020 term.

I've been a Brownsville-area resident since 2006 and currently reside at 34722 Henshaw Drive, Brownsville. I also own a house at 224 Sage Street in Brownsville which is occupied by my daughter and grandson.

My educational and employment background is in nursing (Registered Nurse, now retired). I am a graduate of Delaware County College in Media, Pennsylvania. I ran a small ceramics business in New Mexico. I have no

formal training in business or accounting but life experiences have taught me fiscal responsibility and the value of organization.

I've been an active library volunteer for the past 3 ½ years doing Storytime on Fridays. I've also developed, coordinated and provided a crafts program for ½ hour weekly after Storytime. This provides art enrichment for attendees from preschool up to early teens. I've developed skills to be attentive to both large and small groups of various ages including encouraging parent-child interaction.

I love living in Brownsville. I grew up in Pennsylvania, spent 12 years in New Mexico, and now consider the Pacific Northwest and especially Brownsville to be my permanent home. It is the people and the strength of community that makes this town unique.

I believe an active library is the cornerstone of a strong community, not only as an information resource but also as a hub of community activities. The warmth and generosity I've experienced at the library is a reflection of the town's spirit. To be more involved with the library by serving on the Board would not only be rewarding but would be an honor. I want to be a strong, supportive member of this community. I believe I have the skills, commitment and drive to be an active, effective Board member.

Thank you for your consideration. If you need additional information I can be contacted at 541-466-5999.

S. Scott McDowell

From: S. Scott McDowell <admin@ci.brownsville.or.us>
Sent: Tuesday, July 12, 2016 4:51 PM
To: Bryan Wyant (bryanswoodshed@gmail.com); Don Andrews; Doug Block (dougblock2008@gmail.com); Gary & Sonja Compton (sonygary@msn.com); Josh Kometz (jkometz2@gmail.com); Rob Wingren (normselectric@centurytel.net); Trish Thompson (patriciakay@peak.org)
Cc: Don Ware (timeseditor@centurytel.net); Elizabeth Coleman (assistant@ci.brownsville.or.us)
Subject: Brownsville, OR - Ash Street Discussion
Attachments: 2015 Glenn MOU (Final).pdf; R 2015.25.pdf
Importance: High

Good Afternoon Everyone,

It seems that there is a bit of confusion about the flag lot off of Ash Street that needs to be cleared up. I hope to do that here. ☺ I apologize in advance for the length of this e-mail!! But it is important for the facts to be lined out. I have also included the final version of the agreement with the Glenn's, along with the authorizing Resolution as passed by Council in November 2015.

In 2007, the Planning Commission allowed, then owner, Don Pinnock to create the flag lot that was discussed last night. Shortly, thereafter, Dr. Glenn purchased the flag lot from Mr. Pinnock in late 2007, early 2008. Dr. Glenn then got caught up in preparing for his new office building and did not have the resources to develop the property as he had originally intended as a single family residence. The City's position, as is always the City's position, is that the developer shall cover all costs associated with any development; this has been the case for a long time although City Hall has not always had Public Works standards or guiding rules in all cases.

In 2012, the City entered into a discussion with Dr. Glenn about the development of said property including the sanitary sewer line and the water line. I went to the Budget Committee in 2013 to include money for the possibility of assisting with the water line from Hausman Avenue to the end of Ash Street. The rationale for this option, which is ultimately Council's decision, was that all 12 taps would need to be redone during this extension, the water line needed to be upsized and a fire hydrant needed to be installed because the City did not follow their own standards, which called for the installation of a minimum of 4" water line originally. The current water line on Ash Street is 1.5"; which is terribly undersized for the current users on the line.

Therefore, the City offered an agreement for the 12 taps, which run about \$1,000 per tap, and some additional costs for the right sizing of the water line and installation of a fire hydrant; not to exceed \$24,000. (The City Engineer projected the cost of the water line extension to be \$60,000; hence the 40% thereof...) It would not be right for the City to charge the taps to the property owners along Ash Street for water taps they already have, nor would it be the right thing to do for the full cost to be bore by the developer in this particular situation. I consulted with the City Attorney, the City Engineer and the Public Works Superintendent to develop the agreement under the direction of both the Budget Committee and Council. The City has agreed to the agreement for last fiscal year and, recently, the upcoming fiscal year, 2016-2017. To date, the City does not have an executed agreement for this extension with the new owner. Staff does have authorization and intends to extend this agreement for another fiscal year however. The developer of the lot shall extend the water line, the sewer line, pavement (as needed) and other utilities such as power and possibly gas.

This situation is different than Holloway Heights, Oak Street, Filbert Court, School Hill and some other recent developments. Holloway Heights never complied with any of the City guidelines when installing the street and the utilities. Any new improvements would call for the creation of a Local Improvement District; all property owners would share a portion of the costs associated with such improvements. Improvements to Holloway Heights would be very costly if water, sewer and pavement upgrades were to be considered. Oak Street was completed by the City because the City developed the water line originally, therefore, it was a part of the City's infrastructure. Filbert Court and School Hill among other new developments, were all new, original construction which were required to follow City guidelines; overall not done perfectly as the taxpayers of the City had to pay for modifications for the sewers on the hill in 2014 and Filbert Court was not compacted correctly causing the reverse speed bumps that are complained about weekly.

These are all strong reasons why the City adopted Public Works Standards in 2015. Mr. Joe Lynch and Mr. Tim Smith, among others, fell under the new standards with their recent developments, that again, required them to put public utilities into public standards.

I hope this helps clarify the situation. Please let me know if you have any more questions.
Thanks!



S. Scott McDowell
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327
541.466.5880
admin@ci.brownsville.or.us

July 2, 2016

Joe & LeAnne Ervin
985 Washburn St
PO Box 56
Brownsville, OR 97327

Scott McDowell, City Administrator
Brownsville, OR 97327

Dear Mr McDowell:

We would like to bring to your attention and that of the City Council the ongoing frustration that the residents on the southern end of Washburn St / Gap Road are experiencing in regard to the lack of respect and enforcement of the posted speed limits on our street. Additionally, the posted limits were established many years ago and no longer reflect the concentration of homes and citizens which now live along the southern end of Washburn Street.

The posted limit at the northern boundary of our lot is 30 miles per hour. At least 75 to 80 percent of the traffic passing this point have not slowed below 50 mph on entering town or have been accelerating after leaving Highway 228 headed South and have reached 45 to 50 mph or greater by the time they reach our address. The only signs posting the 30 mph limit are located at the northern boundary of our lot for those headed North and at the corner of highway 228 for those South bound. No other signs are posted to remind drivers of the posted limit. There are no sidewalks in this area for pedestrians. Many children, bicyclists, walkers, and runners who use Washburn Street / Gap Road daily. This makes the need for speed enforcement all the more urgent.

I would strongly recommend a traffic study to be done for Washburn Street focusing on the Southern area and the beginning of Gap Road. I believe that the current posted limits were placed many years ago. Since that time, several homes have been built along this section of the street including ours (1990). Additionally, several homes were added on Worley Street which feeds into Washburn just to the South of our home. The reduced speed limit on entering Brownsville should be moved further to the South along Gap Road ... **at least past the current city limit. Dropping the speed further out, would begin to slow traffic long before entering the more heavily populated area of Washburn Street.**

Not too long ago the Linn County Sheriff Deputies were working traffic patrol in this area. Their presence brought a great decrease in speeding issues. Unfortunately, more recently the presence of the Deputies and traffic control seem to be almost none existent.

Sincerely,

Joe & LeAnne Ervin

LINN COUNTY ROAD DEPARTMENT

3010 FERRY STREET SW, ALBANY, OREGON, 97322
TELEPHONE: (541) 967-3919 FAX: (541) 924-0202



Linn County Road Department will be performing chip seal operations on **Seven Mile Lane**, scheduled for **Tuesday, August 2nd** and **Wednesday, August 3rd**.

What is a chip seal?

Chip Sealing is the process of applying liquid asphalt over the road surface and then covering it with a thin layer of rock. On some roads the process is repeated to achieve a better wear surface. Some high volume roads will be fog sealed (a thin layer of diluted liquid asphalt applied to the surface of the road) upon completion of the chip seal to help retain the rock.

Why does my road need to be chip sealed?

Chip sealing is a cost effective treatment that seals the road so water cannot penetrate the surface, corrects minor irregularities, and extends the life of the road with a new wear surface.

What should I expect?

There will be traffic controls and flaggers put in place to direct you safely as you drive through the project. There may be short delays while equipment is maneuvered to do the chip seal. There will be dump trucks entering and leaving the area. The road may be dusty for a few hours and there will be loose rock. Soon after the chip seal process is complete the road will be swept. The road may then be fog sealed. The center stripe and/or fog lines will be repainted if the road had center striping and/or fog lines before the chip seal.

Will I be able to leave and enter my driveway?

Yes. There may be a short delay if the work is being done near your driveway but every effort will be made to get you in or out quickly.

Contact: Kevin Hamilton
Construction and Road Maintenance Supervisor
(541) 967-3919 ext. 2920 office
(541) 740-1787 cell



2015-2016 Project Outlook

PROJECT

NOTES:

1. Marijuana	
Time Frame: On Going (Please refer to 2014-2015 FY Annual Checklist)	
<input checked="" type="checkbox"/> Advisory Question Measure (Attorney)	02.25.2015
<input checked="" type="checkbox"/> Special Council Meeting Advisory Question Measure	03.03.2015
<input checked="" type="checkbox"/> Council Hearing (<i>Second Reading</i>)	03.24.2015
<input checked="" type="checkbox"/> Submit to DLCDC	03.26.2015
<input checked="" type="checkbox"/> Major Mailing Options	04.29.2015
<input checked="" type="checkbox"/> On-going Lawyer Conversations	On Going
<input checked="" type="checkbox"/> Certified Advisory Vote Result	06.04.2015
<input checked="" type="checkbox"/> Council Resolution 2015.19	06.23.2015
<input checked="" type="checkbox"/> Ordinance 756	07.28.2015
<input checked="" type="checkbox"/> Ordinance 757	07.28.2015
<input checked="" type="checkbox"/> Simpson's Conditional Use Application	09.22.2015
<input checked="" type="checkbox"/> Simpson's Business Registration Letter	09.30.2015
<input checked="" type="checkbox"/> Ordinance 751 Correction (Code & Sommers)	10.02.2015
<input type="checkbox"/> Policy Implementation (<i>Pending</i>)	On Going
<input checked="" type="checkbox"/> Lawsuit Threat	On Going
	10.26.2015
	10.27.2015
<input checked="" type="checkbox"/> Legal Avenue Exploration	On Going
	11.02.2015 (HLGR)
	10.27.2015 (Sommers)
<input checked="" type="checkbox"/> Meeting with Randy & Gayle	10.26.2015
<ul style="list-style-type: none"> ▪ Randy delivers HB 3400 ▪ Gayle pays for Conditional Use Application 	
<input checked="" type="checkbox"/> Council Hears Business Registration Appeal	10.27.2015
<ul style="list-style-type: none"> ▪ Randy threatens Council with lawsuit ▪ Randy bribes Council with Senior Center HVAC 	
<input checked="" type="checkbox"/> City forward Council Outcome Letter	10.30.2015
<input checked="" type="checkbox"/> City begins Conditional Use Process	10.28.2015
<input checked="" type="checkbox"/> Planning Commission Conditional Use Meeting	12.14.2015
<input checked="" type="checkbox"/> Council Meeting Request (Simpsons & 228)	12.15.2015
<input checked="" type="checkbox"/> Council Marijuana Timeline	01.15.16
<input checked="" type="checkbox"/> Council Meeting Request (Simpsons & 228)	01.27.16
(Council denies Simpson's request to allow them to open provisionally)	
<input checked="" type="checkbox"/> Shannon O'Fallon DOJ & OHA	03.31.16 or 04.01.16
<input type="checkbox"/> Tax & Ballot Measure Preparations (Sommers April)	July Council
<input type="checkbox"/> Law Enforcement Options	On Going
2. TMDL Five Year Review (McDowell & Frink)	
Time Frame: ASAP	
<input checked="" type="checkbox"/> Prepare & Review TMDL	11.24.15
	12.01.15



2015-2016 Project Outlook

PROJECT	NOTES:
<input checked="" type="checkbox"/> Forward State Report <input checked="" type="checkbox"/> Meet with State Officials <input checked="" type="checkbox"/> Council Review <input type="checkbox"/> Rewrite TMDL Plan	12.02.15 01.27.16 06.28.16 Summer
3. Remington Park Agreement (McDowell) Time Frame: 11.2015 - 01.2016 <input type="checkbox"/> Prepare Draft Agreement <input type="checkbox"/> Continue Negotiations	HOLD
4. Zoning Code Provisions Review ③ (Coleman, McDowell & Frink) Time Frame: 10.2015 – 02.2016 <input type="checkbox"/> Review Current Standards <input type="checkbox"/> Frink, Coleman & McDowell <input type="checkbox"/> Council Approval	<i>In Progress</i>
5. Central Linn Recreation Partnership ③⑥ <i>(Deaver, Morrow & McDowell)</i>	<i>In Progress</i>
Time Frame: 07.2015 – 06.2016 <input checked="" type="checkbox"/> Create Policy & Procedures <input type="checkbox"/> Administrative Policies <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Background Checks <input checked="" type="checkbox"/> Concussion Treatment <input checked="" type="checkbox"/> Medical Emergency <input checked="" type="checkbox"/> First Aid Administration <input type="checkbox"/> Operational Policies <input type="checkbox"/> Facility Management <input type="checkbox"/> Equipment Management <input type="checkbox"/> Capital Improvements Components <input type="checkbox"/> Management Policies <input checked="" type="checkbox"/> Sport Directors Handbook <input checked="" type="checkbox"/> Coaches Directors Handbook <input checked="" type="checkbox"/> Parents & Players Handbook <input type="checkbox"/> Develop Basic Position Descriptions <input type="checkbox"/> Develop Basic Things to Do Checklist <input type="checkbox"/> Develop Training Program <input type="checkbox"/> Fine Tune Programmatic Logistics <input checked="" type="checkbox"/> Facility Booking <input checked="" type="checkbox"/> Sports Scheduling <input checked="" type="checkbox"/> Website Updates & Support <input checked="" type="checkbox"/> Basic Janitorial Service <input type="checkbox"/> Develop General Maintenance Guidelines & Procedures <input type="checkbox"/> Develop New Partnerships <input type="checkbox"/> Create New Fee Structures <input type="checkbox"/> Create Fundraising Committee <input checked="" type="checkbox"/> Central Linn Recreation Board Meeting (Deaver)	02.29.2016



2015-2016 Project Outlook

PROJECT	NOTES:
<input checked="" type="checkbox"/> Host Progress Meeting (Morrow) <input checked="" type="checkbox"/> Council Authorizes One Year Option	04.05.2016 06.28.2016
6. Central Linn School District Facilities Discussions Time Frame: Pending/On Going <input checked="" type="checkbox"/> Monitor Developments <input checked="" type="checkbox"/> Initial Discussion <input checked="" type="checkbox"/> Prepare Discussion Points/Strategies/Tactics Report	09.22.15 10.06.15 10.22.15
<ul style="list-style-type: none"> ▪ Report Prepared for Council ▪ Property Issues & Linn County ▪ Tabled Until Central Linn School District Resolves Property Concern 	10.27.15
<input checked="" type="checkbox"/> Council Discussion <input checked="" type="checkbox"/> Special Committee Meeting (MC & GS) <input checked="" type="checkbox"/> Attended Special Meeting (MC, TM, EC & GS) <input checked="" type="checkbox"/> Reported To Council <input type="checkbox"/> Waiting to Hear From CLSD (Blakely) <input checked="" type="checkbox"/> Request to Support Bond Measure <input checked="" type="checkbox"/> CLRC Committee (MC, CG & MN) <input checked="" type="checkbox"/> Four Conversations with Gardner CFA, Bond, Maureen, Ellie & Lily, WNHS & Apology <input checked="" type="checkbox"/> Liz Coleman – Bond Measure Discussion <input checked="" type="checkbox"/> Dr. Glenn – Bond Measure Discussion <input checked="" type="checkbox"/> Blaine Cheney – Bond Measure Discussion <input checked="" type="checkbox"/> Council Discussion <input checked="" type="checkbox"/> Council Discussion <input checked="" type="checkbox"/> Mayor Ware & Mark Penrod <input checked="" type="checkbox"/> Council Discussion	11.24.15 12.02.15 12.16.15 01.27.16 ... 02.23.16 03.09.16 March & April 03.29.16 04.05.16 04.07.16 04.25.16 04.26.16 05.24.16 06.20.16 06.28.16
7. OPRD Grant Advisory Responsibilities ① (McDowell) Time Frame: 08.2015 – 06.2016 <input type="checkbox"/> Finish Report (See Notes) <input type="checkbox"/> Attend Debrief (Salem) <input type="checkbox"/> Review Grants & Requests <input type="checkbox"/> Salem Conference	
8. Red Barn Revamp ② (Frink & McDowell) Time Frame: 11.2015 – 03.2016 <input checked="" type="checkbox"/> Define Scope <input checked="" type="checkbox"/> Conceptual Historic Review Board <input type="checkbox"/> Construction <input type="checkbox"/> Public Works Roof Removal <input type="checkbox"/> Public Works Painting <input type="checkbox"/> Public Works Garage Doors <input type="checkbox"/> Public Works Electricity	01.05.16 04.27.16 In Progress



2015-2016 Project Outlook

PROJECT	NOTES:
<input type="checkbox"/> Punch List Items	
9. EPC Follow-Up (McDowell, Morrow & Van Sandt) Time Frame: 09.2015 – 06.2016	
<input checked="" type="checkbox"/> Council Considers New Model	09.22.15
<input checked="" type="checkbox"/> Staff Meeting	10.12.15
<ul style="list-style-type: none"> <input type="checkbox"/> Van Sandt – Ordinance Corrections <input type="checkbox"/> McDowell & Morrow – Job Description <input type="checkbox"/> New Timeline & Council Meeting 	10.27.15 10.27.15 10.27.15
<input checked="" type="checkbox"/> Ordinance Changes (First Reading)	11.24.15
<input checked="" type="checkbox"/> Ordinance Changes (Second Reading)	12.15.15
<input checked="" type="checkbox"/> Post Volunteer Position	01.05.16
<input checked="" type="checkbox"/> Interview Volunteers	03.17.16
<input checked="" type="checkbox"/> Appoint Norman Simms	03.22.16
<input checked="" type="checkbox"/> Planning Meeting #2 with Norman Simms	07.20.16
<input type="checkbox"/> Resolution & Agreements	
<input type="checkbox"/> Community Outreach <input type="checkbox"/> Emergency Plan <input type="checkbox"/> Continuity of Operations Plan	
10. Canal Company (McDowell) Time Frame: 08.2015 – 06.2016	
<input checked="" type="checkbox"/> Council Report	03.22 & 04.26.16
<input type="checkbox"/> Review Options (Water Attorney)	
<input checked="" type="checkbox"/> Reset with Holbrook & Shepherd	May 2016
<input checked="" type="checkbox"/> Develop Model	June 2016
<input type="checkbox"/> Review Model & Outcomes with Committee	07.25.2016
<input type="checkbox"/> Council Negotiations	
<input type="checkbox"/> Public Hearings	
<input type="checkbox"/> Finalize Agreement	
<input type="checkbox"/> Council Approval	
<input type="checkbox"/> Execute Contract Outcomes	
11. VLC Responsibilities (McDowell) Time Frame: On Going	
<input type="checkbox"/> Re-approach Commissioners	
<input checked="" type="checkbox"/> Re-imagine Website/Technology	
<input type="checkbox"/> Develop Linn County App	
12. Staff Prospectus (McDowell) Time Frame: On-going	
<input checked="" type="checkbox"/> Create Planning Strategies	
<input checked="" type="checkbox"/> Review Internal Processes & Policies	
<input checked="" type="checkbox"/> Continue to Define the New Era	
<input checked="" type="checkbox"/> Create Shared Expectations	
<input checked="" type="checkbox"/> Execute Debrief Sessions	



2015-2016 Project Outlook

PROJECT

NOTES:

Monitor Execution

13. **Park Projects (Frink, Coleman & McDowell)**

Time Frame: 09.2015 – 12.2015

Pioneer

- Install Signage 06.23
- Park Electric (*Phase II*) 06.30
- Buena Vista Tree Service (*Hazard Tree Removal*) 09.09
- Cleanout River Debris Summer
- Sandbox Eyelash Idea ...
- Paint Sidewalk Distance Indicators Summer
- Road Relocation OCTOBER 2016
- Playground Relocation
- Execute Contracts

Kirk's Ferry

- Install Fountain June 2015
- Fill Work
- Asphalt Quote

Remington Park

- Park Board Approval
- Council Approval
- Remove Equipment Pending
- Open Space Property

14. **Public Works ROW Maintenance Checklist (Frink)**

Time Frame: 11.2015 – 01.2016

- Create Photo Checklist
- Seasonal Employees Training Piece
- Demonstrate Workload
- Council Review

15. **Wastewater Collections Cleaning Checklist (Frink)**

Time Frame: 12.2015 – 05.2016

- Identify Areas
- Contact Inspection Service
- Review Findings
- Complete Recommendations
- Create Maintenance Checklist
- Implement Cleaning Process

16. **Shuttle to Town MOU (McDowell)**

Time Frame: 04.2016 – 07.2016

- Part of Shuttle to Town Committee 03.04.2016
- Create MOU 04.21.2016



2015-2016 Project Outlook

PROJECT	NOTES:
<input type="checkbox"/> Negotiate Contract with CLSD	04.21.2016 07.05.16
<input type="checkbox"/> Discuss details with outside parties	
<input type="checkbox"/> Solidify Details	
<input checked="" type="checkbox"/> Coordination with WCMF	07.13.16
<input type="checkbox"/> Finalize Contract	
<input type="checkbox"/> Debrief of Event	

17. Update Capital Improvements Plan [CUPSS Development]

Time Frame: 10.2015 – 03.2016

- Review Current CIP
- Make Changes
- Frink & McDowell Review
- Adopt New Plan
- Council Approval

18. Brownsville Municipal Code Review (McDowell & Coleman)

Time Frame: 08.2015 – 06.2016

- Review Code
- Make Recommendations
- Council Approval

19. Certified Local Government

Time Frame: On-going

- Watch Developments
- Historic Review Board
- Canal Company Implications
- Others Respect Process
- Council Decision

Agreements & Miscellaneous

Time Frame: Various

- ◆ Solid Waste: Sweet Home Sanitation [01.2016 Review] [01.22.2013]
- ◆ Central Linn Recreation Board [02.2017] [12.21.2013]
- ◆ Chamber of Commerce [09.2016] [12.21.2013]
- ◆ Central Linn School District (Community Gardens) [03.2016]
- ◆ Pioneer Picnic Association & the Picture Gallery [09.2016]
- ◆ City Administrator [06.2017] w/One (1) Year Option
(Opened 03.22.16 – JUNE)
- ◆ Municipal Court Administrator [Perpetual]
- ◆ Planning Consultant (Dave Kinney) [Rolling]
- ◆ Brownsville Art Association [2016]
- ◆ Senior Center Phone Agreement [2017]
- ◆ LCSO Agreement [Annual] January
- ◆ Sattler Planning & IT Agreement [Annual] December
- ◆ 729 N. Main Street Flower Agreement [01.2017]
- ◆ Calapooia Food Alliance (Kirk's Ferry) [Pending]



2015-2016 Project Outlook

PROJECT

- ◆ Monitor Kirk Avenue Project [Pending]
- ◆ Prepare Annual Park Agreements
 - State of Oregon (DAS) *Cancelled 2014*
 - Eugene Kennel Club
 - LC Picnic Association (Oregon Heritage)
 - Chamber of Commerce Addendum
 - Calapooia Food Alliance MOU [06.2015]
 - Willamette Agility Group
 - Festival of Tents
 - Central Linn Rec Assistance MOU [06.2015] *Option Exercised*
 - Miscellaneous Bicycle, Motorcycle & Running Events

NOTES:

Franchise Agreements

Time Frame: Various

- ◆ **Natural Gas:** Northwest Natural Gas 2026 (Expiration)
- ◆ **Electricity:** Pacific Power 2021 (Expiration)
- ◆ **Communications:** CenturyLink 2017 (Expiration)
- ◆ **Solid Waste:** Sweet Home Sanitation [01.22.2013]

Duties:

- | | |
|---|------------------------------------|
| ▶ Day to Day Operations | ▶ Resolutions & Ordinances |
| ▶ Website Maintenance | ▶ Council Packets |
| ▶ Weekly Deposits | ▶ Newsletters |
| ▶ Monthly Utility Billing | ▶ Consumer Confidence Report |
| ▶ Month End Financials | ▶ Utility Emergency Plans |
| ▶ Citizen Concerns & Complaints | ▶ Community Emergency Plans |
| ▶ Water & Wastewater Testing | ▶ Brownsville Handbook Update |
| ▶ Water & Wastewater Reports & Processing | ▶ Business Registration Program |
| ▶ Utility Emergencies | ▶ Zoning & Permits |
| ▶ Routine Maintenance | ▶ Computer Issues |
| ▶ Grounds Maintenance | ▶ Go Team |
| ▶ Vehicle Maintenance | ▶ VLC |
| ▶ State Law Changes | ▶ Executive Board (Chamber) |
| ▶ Programmatic Changes | ▶ Brownsville Community Foundation |
| ▶ Reporting | ▶ SWAC |
| ▶ Committees & Boards Developments | ▶ COG |
| ✖ Council | ▶ LOC & Region III |
| ✖ Planning Commission | |
| ✖ Park Board | |
| ✖ Library Advisory Board | |
| ✖ Historic Review Board | |



2015-2016 Project Outlook

PROJECT

NOTES:

Complete

20.	Budget Process (McDowell & Morrow) <i>Time Frame:</i> 07.2015	
	<input checked="" type="checkbox"/> Certify Budget	07.07.15
	<input checked="" type="checkbox"/> Budget Checklist Update	07.07.15
	<input checked="" type="checkbox"/> Complete Compilation	07.07.15
	<input checked="" type="checkbox"/> Microfund – Populate FY 2015-16	07.03.15
	<input checked="" type="checkbox"/> Budget Documents Forward '16	07.09.15
	<input checked="" type="checkbox"/> Schedule Forward '16	11.03.15
21.	City Hall Phones ● (Morrow & McDowell) <i>Time Frame:</i> 07.2015 – 09.2015	
	<input checked="" type="checkbox"/> Contact Valley Telephone	07.23.15
	<input checked="" type="checkbox"/> Execute New Quotes (Based on Old Quote)	07.30.15
	<input checked="" type="checkbox"/> Execute Contract	07.31.15
	<input checked="" type="checkbox"/> Pre-Construction Meeting	08.09.15
	<input checked="" type="checkbox"/> Punch List Items (Centurylink Nightmare)	09.04.15
	<input checked="" type="checkbox"/> Execute Final Check	08.31.15
	<input checked="" type="checkbox"/> Finalize Contract	10.30.15
22.	Weed Abatements ● (McDowell & Morrow) <i>Time Frame:</i> 07.2014 – 09.30.2014	
	<input checked="" type="checkbox"/> Complete Spreadsheets	06.01
	<input checked="" type="checkbox"/> Determine Contractor	06.01
	<input checked="" type="checkbox"/> Hold Harmless Clause	06.01
	<input checked="" type="checkbox"/> Contractor Property Review	06.12
	<input checked="" type="checkbox"/> Price Determinations	06.12
	<input checked="" type="checkbox"/> Pull Contractor PO (Phase I)	06.12
	<input checked="" type="checkbox"/> Review Work (Phase I)	06.30
	<input checked="" type="checkbox"/> Execute Spreadsheets (Phase I)	06.30
	<input checked="" type="checkbox"/> Execute Spreadsheets (Phase II)	08.10
	<input checked="" type="checkbox"/> Pull Contractor PO (Phase II)	08.17
	<input checked="" type="checkbox"/> Execute Necessary Paperwork	09.02
	<input checked="" type="checkbox"/> Execute Final Contract	09.02
	<input checked="" type="checkbox"/> Review Work (Phase II)	10.05
	<input checked="" type="checkbox"/> Pay Contractor(s)	NA
	<input checked="" type="checkbox"/> Send Invoices to Property Owners	Pending
23.	September Newsletter ● (Morrow) <i>Time Frame:</i> 7.2015 – 09.2015	
	<input checked="" type="checkbox"/> Call for Articles	08.10.15
	<input checked="" type="checkbox"/> Staff Write Necessary Articles	
	<input checked="" type="checkbox"/> Staff Assemble	



2015-2016 Project Outlook

PROJECT

NOTES:

- Edit Reviews
- Copy
- Prepare for Mailing including Out-of-Town copies
- Prepare Post Office (*Bulk Process*)
- Post to WS
- Send

24. **Employee Handbook & Job Descriptions Update** ● (McDowell)

Time Frame: 7.2015 – 09.2015

- Add Necessary Policy 10.20.15
- Revise Existing Policy to match practice 10.22.15
- CJIS - Add Necessary Policy** 09.02.15
- Make Necessary Changes 10.22.15
- Council Approval 09.22.15 *CJIS*
10.27.15 *Handbook*
- Send CJIS Info to State Police 09.24.15
- Receive State Confirmation 09.25.15
- Make Changes Per Council Authority 10.30.15
- Post New Handbook etal to WS 10.30.15
- Send All Employees New Version 10.30.15

25. **General Ledger & Utility Billing Software Upgrade** ● **HOLD Timing & \$\$**

(Deaver, Morrow & McDowell)

Time Frame: 08.2015 – 12.2015

- Create Specification Sheet 06.30.15
- Request & Obtain Quotes 08.03.15
- Research Caselle (Halsey & Harrisburg) 08.31.15
- Check ORPIN
- Review COG Options
- Execute All Quote
- Council Resolution of Acceptance
- Execute Contract
- Conversion & Training
- Punch List Items
- Finalize Contract
- Execute Final Check

26. **Arbor Day** ● (Coleman)

Time Frame: 07.2015 – 10.2015

- Contact Partners
- Contact the State
- Determine Planting Location
- Park Tree Planting: Discuss with Frink
- Park Board did Arbor Day Month (Library Assist) 10.21.15
- Event Day 11.04.15



2015-2016 Project Outlook

PROJECT

NOTES:

<p>27. Library HVAC Project ⑥ (Lemhouse & Frink) Time Frame: 08.2015 – 12.2015</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Create Specifications <input checked="" type="checkbox"/> Request & Obtain Quotes <input checked="" type="checkbox"/> Execute All Quote <input checked="" type="checkbox"/> Council Resolution of Acceptance <input checked="" type="checkbox"/> Execute Contract <input checked="" type="checkbox"/> Mobilization & Construction <input checked="" type="checkbox"/> Punch List Items <input checked="" type="checkbox"/> Finalize Contract <input checked="" type="checkbox"/> Execute Final Check 	<p>08.30 09.03 10.06 10.27 (Motion) 10.12.15 10.19 10.30.15 10.30.15</p>
<p>28. Boldt, Carlisle & Smith ⑥ (Deaver, Morrow & McDowell) Time Frame: 08.2015 – 12.2015</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Schedule Audit (09.02-09.05) <input checked="" type="checkbox"/> Pre-Audit Information Gathering <input checked="" type="checkbox"/> Complete Engagement Letter <input checked="" type="checkbox"/> Prepare Debt Confirmations <input checked="" type="checkbox"/> New GASB Statements <input checked="" type="checkbox"/> Prepare Information <input checked="" type="checkbox"/> Complete USDA Questions <input checked="" type="checkbox"/> Prepare Information <input checked="" type="checkbox"/> Execute Checklists <input checked="" type="checkbox"/> Review Audit <input checked="" type="checkbox"/> Provide M D & A Report <input checked="" type="checkbox"/> Answer Follow-Up Questions <input checked="" type="checkbox"/> Track Completion <input checked="" type="checkbox"/> File with Secretary of State <input checked="" type="checkbox"/> Finalize Contract 	<p>06.03 06.24 07.20 (Not this Year: Per Palmer) 08.03 08.03–8.06 08.14 07.20 07.25 10.14 10.16 10.16 ... 11.02 11.06</p>
<p>29. 2015 Linn County Commissioners & BWCMF (McDowell)</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> LCCO Public Hearing Continuation <input checked="" type="checkbox"/> Approve Traffic Plan <input checked="" type="checkbox"/> Monitor Progress & Outcomes <input checked="" type="checkbox"/> Conducting Traffic Counts (LCRD) 	<p>08.04.15 07.16.15 On Going 09.22.15</p>
<p>30. Evaluations ⑥ (McDowell & Frink) Time Frame: 10.2015 – 12.2015</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Vacation (November Payroll) <input checked="" type="checkbox"/> Perform Evaluations <input checked="" type="checkbox"/> Execute Personnel Meetings <input checked="" type="checkbox"/> Calculate Potential Increases <input checked="" type="checkbox"/> Prepare Benefits Letters <input checked="" type="checkbox"/> Prepare Payroll Changes 	<p>End of November 12.2015 12.2015 & 01.2016 End of November 01.22.16 01.06.16</p>



2015-2016 Project Outlook

PROJECT	NOTES:
<input checked="" type="checkbox"/> Send Payroll Changes to BCS	01.06.16
31. Christmas Decorations Ⓞ (Frink & McDowell) Time Frame: 11.2015 – 01.2016	
<input checked="" type="checkbox"/> Make Installation Arrangements	12.02.15
<input checked="" type="checkbox"/> Make Removal Arrangements	01.09.16
32. Council Goal Review Retreat (McDowell + All) Time Frame: 02.2016	
<input checked="" type="checkbox"/> Set a Date for Tour & Training	11.2015
<input checked="" type="checkbox"/> Prepare PowerPoint Presentation	02.03.16
<input checked="" type="checkbox"/> Obtain a Van	01.27.16
<input checked="" type="checkbox"/> Make Lunch Arrangements	01.13.16
<input checked="" type="checkbox"/> Staff & Council Retreat Meeting	02.06.16
33. 2015 Water Improvements Project Ⓞ (Frink, Erwin & McDowell) Time Frame: 07.2015 – 10.2015	
<input checked="" type="checkbox"/> Bid Deadline	07.01.15
<input checked="" type="checkbox"/> Execute Contracts (<i>Pre-authorized 05.26.2015</i>)	07.11.15
<input checked="" type="checkbox"/> Pre-Construction Meeting	07.31.15
<input checked="" type="checkbox"/> Letter to Residents	08.07.15
<input checked="" type="checkbox"/> Mobilization & Construction	08.14.15
<input checked="" type="checkbox"/> Water Line Conflict Problem	08.25.15
<input checked="" type="checkbox"/> Develop Engineering Estimate	08.26.15
<input checked="" type="checkbox"/> Contractor Price for Water Line Change Order	Done
<input checked="" type="checkbox"/> City Acceptance	Done
<input checked="" type="checkbox"/> Weekly Inspections	Karl to Perform
<input checked="" type="checkbox"/> Execute Mid-Point Check	09.30.2015
<input checked="" type="checkbox"/> Punch List Items	10.01.2015 (Averill)
<input checked="" type="checkbox"/> Installing Final Electric	11.03.2015
<input checked="" type="checkbox"/> Move Money to Escrow	11.02.2015
<input checked="" type="checkbox"/> Startup Meeting	12.08.2015
<i>Meeting #2</i>	02.02.2016
<input checked="" type="checkbox"/> Awaiting Change Orders	02.23.2016
<input checked="" type="checkbox"/> Execute Final Check	04.01.2016
<input checked="" type="checkbox"/> Finalize Contract	04.01.2016
34. City Hall Sidewalk Project (<i>Pioneer Park Sidewalk Project</i> ★) Ⓞ Ⓞ (Frink & McDowell) Time Frame: 08.2015 – 10.2015	
<input checked="" type="checkbox"/> Contact Concrete Contractor	09.03.15
<input checked="" type="checkbox"/> Contractor Visits	10.05 – 10.12.15
<input checked="" type="checkbox"/> Pick Contractor (<i>Briese Custom Concrete</i>)	11.10.15
<input checked="" type="checkbox"/> Construction	01.2016
<input checked="" type="checkbox"/> Public Works Concrete Removal	01.2016
<input checked="" type="checkbox"/> Public Works Drainage	03.07.2016



2015-2016 Project Outlook

PROJECT	NOTES:
<input checked="" type="checkbox"/> Public Works Irrigation <input checked="" type="checkbox"/> Public Works Install Grass <input checked="" type="checkbox"/> Punch List Items <input checked="" type="checkbox"/> Finalize Contract <input checked="" type="checkbox"/> Budget for Phase III (<i>Fire Pad</i>)	03.07.2016 04.06.2016 02.02.16 02.05.16
35. Pioneer Park Sidewalk Project (City Hall Project *) ● <i>(Frink, Coleman & McDowell)</i> Time Frame: 08.2015 – 10.2015	
<input checked="" type="checkbox"/> Public Works Landscaping Cleanup <input checked="" type="checkbox"/> Contact Sidewalk Contractor (<i>Briese Custom Concrete</i>) <input checked="" type="checkbox"/> Pick Contractor <input checked="" type="checkbox"/> Construction <input checked="" type="checkbox"/> Public Works General <input checked="" type="checkbox"/> Punch List Items <input checked="" type="checkbox"/> Finalize Contract	04.12.16 09.03.15 11.10.15 01.2016 04.12.16 02.02.16 02.05.16
36. Boldt, Carlisle & Smith ● (<i>Deaver, Morrow & McDowell</i>) Time Frame: 08.2015 – 12.2015	
<input checked="" type="checkbox"/> Prepare SOS Resolution <input checked="" type="checkbox"/> Council Passage of SOS Resolution <input checked="" type="checkbox"/> Engage BCS for Solutions <input checked="" type="checkbox"/> Luncheon Discussion <input checked="" type="checkbox"/> Sign Agreement <input checked="" type="checkbox"/> Execute Work	11.04.15 11.10.15 11.20.15 01.27.16 01.28.16 February & March '16
37. Judges Pro-Tempore (<i>McDowell</i>) Time Frame: 01.2016	
<input checked="" type="checkbox"/> Create Resolution <input checked="" type="checkbox"/> Council Approval	01.08.16 01.27.16
38. Hire Park Caretakers (<i>Frink, Morrow & McDowell</i>) Time Frame: 11.2015 – 04.2016	
<input checked="" type="checkbox"/> Prepare Advertisement <input checked="" type="checkbox"/> Prepare Questionnaire <input checked="" type="checkbox"/> Interviews <input checked="" type="checkbox"/> Negotiations <input checked="" type="checkbox"/> Prepare Contract <input checked="" type="checkbox"/> Execute Contract	Nov. '15 March '16 03.22.16 03.25.16 03.25.16 03.29.16
39. March Newsletter (<i>Morrow</i>) Time Frame: 1.2016 – 03.2016	
<input checked="" type="checkbox"/> Call for Articles <input checked="" type="checkbox"/> Staff Write Necessary Articles <input checked="" type="checkbox"/> Staff Assemble <input checked="" type="checkbox"/> Edit Reviews	February 2016 03.29.16 03.30.16 03.30.16



2015-2016 Project Outlook

PROJECT	NOTES:
<input checked="" type="checkbox"/> Copy <input checked="" type="checkbox"/> Prepare for Mailing including Out-of-Town copies <input checked="" type="checkbox"/> Prepare Post Office (<i>Bulk Process</i>) <input checked="" type="checkbox"/> Post to WS <input checked="" type="checkbox"/> Send	03.31.16 04.01.16 04.04.16 04.04.16 04.04.16
40. Internal Controls Project ⑥ <i>Time Frame:</i> 01.2016 – 02.2016 <input type="checkbox"/> BCS Quote for Services <input type="checkbox"/> Develop Written Standards <input type="checkbox"/> Implement Policy Recommendations <input type="checkbox"/> Provide Council Drafts <input type="checkbox"/> Council Approval <input type="checkbox"/> Incorporate New Procedures	Out of Time & \$\$\$
41. South Wastewater Plant Well (Frink) <i>Time Frame:</i> 10.2015 – 04.2016 <input checked="" type="checkbox"/> Well Driller Recommendations <input checked="" type="checkbox"/> Prepare Documents <input checked="" type="checkbox"/> Obtain Quotes <input checked="" type="checkbox"/> Council Acceptance (Line v. Well) <input checked="" type="checkbox"/> Execute Contract (Boring) <input checked="" type="checkbox"/> Punch List Items <input checked="" type="checkbox"/> Finalize Contract <input checked="" type="checkbox"/> Execute Final Check	12.2015 12.22.15 01.2016 03.22.16 04.07.16 04.25.16
42. Street Paving & Rehabilitation Projects ③ (Frink & McDowell) <i>Time Frame:</i> 08.2015 – 12.2015 <input checked="" type="checkbox"/> Create Specifications <input checked="" type="checkbox"/> Request & Obtain Quotes <input checked="" type="checkbox"/> Execute All Quote <input checked="" type="checkbox"/> Council Resolution of Acceptance <input checked="" type="checkbox"/> Execute Contract <input checked="" type="checkbox"/> Mobilization & Construction <input checked="" type="checkbox"/> Execute Contract Addition <input checked="" type="checkbox"/> Execute BOLI Paperwork <input checked="" type="checkbox"/> Finalize Contract <input checked="" type="checkbox"/> Execute Final Check	February 2016 03.07.2016 04.21.2016 Not Required 06.2016 06.2016 06.2016 06.2016 06.28.2016 06.28.2016
43. Library Lighting Project ③ (McDowell & Frink) <i>Time Frame:</i> 08.2015 – 12.2015 <input checked="" type="checkbox"/> Discovery of Illegal Lighting Concern <input checked="" type="checkbox"/> Norm's Electric Quote <input checked="" type="checkbox"/> Council Special Meeting Acceptance <input checked="" type="checkbox"/> Pull PO with Instruction <input checked="" type="checkbox"/> Forward Contract etc.	10.21.15 11.04.15 11.10.15 11.11.15 11.11.15



2015-2016 Project Outlook

PROJECT	NOTES:
<input checked="" type="checkbox"/> Waiting for Contract <input checked="" type="checkbox"/> Punchlist Items <input checked="" type="checkbox"/> Complete Contract <input checked="" type="checkbox"/> Final Check <input checked="" type="checkbox"/> Wingren Concern & Council <input checked="" type="checkbox"/> Energy Trust Reimbursement	01.05.16 01.27.16 01.28.16 March 2016 05.2016 04.18.2016
44. Event Agreement Negotiations (McDowell) Time Frame: 12.2015 – 02.2016 <input checked="" type="checkbox"/> Chamber of Commerce <i>(Process – Street Closures, freezer, storage, receipt books etc.)</i> <input checked="" type="checkbox"/> Pioneer Picnic (New) <input checked="" type="checkbox"/> Willamette Valley Cycling Tour <input checked="" type="checkbox"/> Willamette Agility Group <input type="checkbox"/> Festival of Tents <input checked="" type="checkbox"/> Eugene Kennel Club ▪ Council Meeting	In Progress 04.26.16 In Progress REDO – In Progress In Progress 11.24.15
45. Emergency Electricity (Frink) Time Frame: 12.2015 – 05.2016 <input checked="" type="checkbox"/> Erwin & Norms Discussion <input checked="" type="checkbox"/> Obtain Quotes <input type="checkbox"/> Mobilization & Construction <input type="checkbox"/> Finalize Contract	HOLD - \$\$\$\$ In the Works In the Works Not Enough \$\$\$
46. Sidewalk Program (McDowell, Erwin & Frink) Time Frame: 02.2016 <input type="checkbox"/> Discuss Funding the Program (BCM) <input type="checkbox"/> Prepare Specifications <input type="checkbox"/> Council Approval	HOLD - \$\$\$
47. 2015 Utility Line Improvements (McDowell, Erwin & Frink) Time Frame: 08.2015 -- 06.2016 <input type="checkbox"/> Start Engineering Downtown Sanitary Sewers <input type="checkbox"/> Video Inspections & Maintenance <input type="checkbox"/> Shelf Main Street Water Line <input type="checkbox"/> Prepare Documents <input type="checkbox"/> Council Resolution of Acceptance	HOLD - \$\$\$
48. ICMA – RC DeLana Hansen Time Frame: 01.2016 <input type="checkbox"/> Setup Meeting <input type="checkbox"/> Retirement Review	



2015-2016 Project Outlook

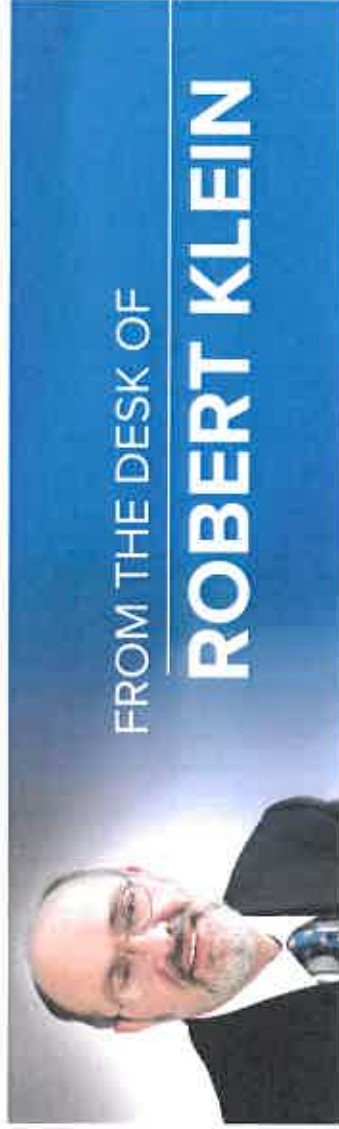
PROJECT	NOTES:
<p>49. CIS/Barker-Uerlings (McDowell) Time Frame: 01.2016 – 07.2016</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Annual Survey <input checked="" type="checkbox"/> Attend Annual Conference <input checked="" type="checkbox"/> Pass Workers Compensation Resolution <input checked="" type="checkbox"/> Review Workers Compensation Figures <input checked="" type="checkbox"/> Review General Liability Coverage <input checked="" type="checkbox"/> Review Flood Insurance <input checked="" type="checkbox"/> Mobile Equipment List <input checked="" type="checkbox"/> Property Coverage Review <input checked="" type="checkbox"/> Open Enrollment 	<p>January 2016 02.24 – 02.26.2016 03.22.16 May 2016 June 2016 July 2016</p>
<p>50. Hire Seasonal Public Works (Frink, Morrow & McDowell) Time Frame: 02.2016 – 04.2016</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Rehire Clint Taskinen <input checked="" type="checkbox"/> Prepare Advertisement <input checked="" type="checkbox"/> Prepare Questionnaire <input checked="" type="checkbox"/> Interviews <input checked="" type="checkbox"/> Negotiations <input checked="" type="checkbox"/> Prepare Contract <input type="checkbox"/> Execute Contract 	<p>04.05.16 03.21.16 03.21.16 04.19.16 04.29.16 04.29.16 Failed for PW Paul Tyree Other Agencies Temps</p>
<p>51. Records Project (Deaver, Coleman, Morrow & McDowell) Time Frame: 01.2015 – 06.2016</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Line Out Filing Cabinets <input checked="" type="checkbox"/> Organize E-Files (Ordinances & Resolutions) <input checked="" type="checkbox"/> Create Easement File <input checked="" type="checkbox"/> Create Contracts File <input checked="" type="checkbox"/> Budget Fireproof Filing Cabinets <input checked="" type="checkbox"/> Order Shelving for Upstairs <input type="checkbox"/> Saturday Upstairs Preparation Plus 	<p>In Progress In Progress In Progress In Progress In Progress 04.23.16 Done</p>
<p>52. Update Safety Manual (Tammi & Jannea) Time Frame: On-going</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Review Manuals <input checked="" type="checkbox"/> Make Changes <input checked="" type="checkbox"/> CIS Review <input checked="" type="checkbox"/> Adopt New Manual <input checked="" type="checkbox"/> Council Approval 	
<p>53. Budget Process (Morrow & McDowell) Time Frame: 02.2016</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Prepare & Review Checklists 	<p>02.25.2016</p>

S. Scott McDowell

From: Robert Klein <robert.klein=communityblightsolutions.com@mail177.wdc02.mcdlv.net> on behalf of Robert Klein <robert.klein@communityblightsolutions.com>
Sent: Thursday, June 30, 2016 12:42 PM
To: Ohio HB 390 Fast Track Foreclosure Signed by Gov. John Kasich
Subject: Ohio HB 390 Fast Track Foreclosure Signed by Gov. John Kasich

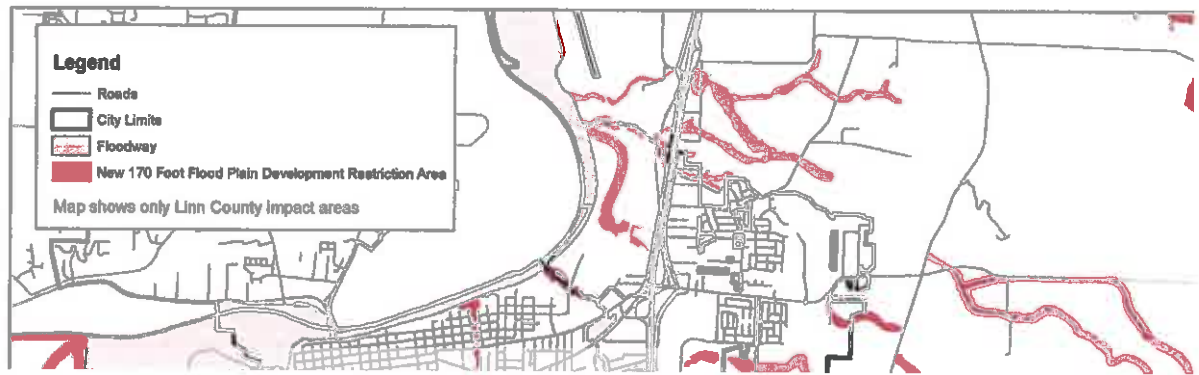
Robert Klein, founder and chairman of Community Blight Solutions, comments on passing of groundbreaking legislation that will fast-track foreclosure laws in Ohio

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'FAST-TRACK' FORECLOSURE LAW PUTS OHIO AHEAD OF NATIONAL CURVE, SAYS ADVOCATE

CLEVELAND – June 29, 2016 – Groundbreaking legislation that will help Ohio communities fight and prevent blight was hailed yesterday by one of the measure's leading advocates. Robert Klein, founder and chairman of Cleveland-based Community Blight Solutions, had urged lawmakers for nearly three years to enact a "fast-track" process for mortgage foreclosures on vacant and abandoned residential property.



Construction projects on more than 32,000 acres of land in Linn County could be significantly restricted unless the Federal Emergency Management Agency and the National Marine Fisheries Service can come to terms with issues surrounding implementation of the Endangered Species Act.

At this point, communities are being advised to stop all development in areas that are at risk of flooding once every 100 years, beginning in 2018. In Linn County, that could affect more than 5,300 tax lots.

“This could be a \$3 billion problem,” Linn County Commissioner Roger Nyquist said. “In many years, buildable property could be worth \$100,000 per acre. If we put 32,000 acres off limit to construction, that’s more than \$3 billion.”

In 2009, FEMA was sued in U.S. District Court for failing to ensure that the National Flood Insurance Program — on which more than 271 Oregon communities rely — complies with the Endangered Species Act.

In a settlement agreement, FEMA is required to consult with the National Marine Fisheries Service and propose changes to the program through Reasonable and Prudent Alternatives (RPA).

Nyquist said the proposal is so new, federal agencies are “making stuff up as they go along.”

At this time, FEMA is saying that the non-buildable area is 170 feet from the normal high water line if the property lies within the 100-year floodplain.

“And to our knowledge, there isn’t anything being done in terms of mitigation for harm caused by this ruling,” Nyquist said.

Linn County and FEMA have had a contentious relationship for several years, in part because Board of Commissioners believe FEMA does not use the most accurate methods to determine flood plains.

Linn County uses an advanced laser-based system that can calculate elevations within inches and believes that is the standard by which FEMA should work.

“To say the least, we are very concerned about the financial consequences to many Linn County residents,” Nyquist said.

Last week, Oregon’s congressional delegation sent a letter to FEMA administrator Craig Fugate urging him to implement changes to the National Flood Insurance Program.

Drafted by Rep. Peter DeFazio, it was signed by Senators Ron Wyden and Jeff Merkley and Representatives Earl Blumenauer, Kurt Schrader and Suzanne Bonamici.

The letter states, “In Oregon, 271 communities depend on the National Flood Insurance Program to provide flood insurance. The many waterways that contribute to Oregon’s natural beauty and robust economy also make our state prone to flooding.

“Given the reach and importance of the NFIP in Oregon, it is essential that it is administered with the utmost transparency and clarity. With some of the strongest land use laws in the country, Oregonians deserve a collaborative process with FEMA on National Flood Insurance Program Reasonable and Prudent Alternatives implementation — one that addresses protection of salmon and steelhead habitat, but is also economically and socially feasible.”

The letter also points out that the Reasonable and Prudent Alternatives would force FEMA to regulate land use, “which is beyond FEMA’s legal authority related to floodplain management.

According to the letter, communities are to be given two options: Voluntarily impose a temporary moratorium on all floodplain development that adversely impacts Endangered Species Act listed species or their habitat; or voluntarily implement the interim measures for

in RPA element.

“Communities cannot be expected to implement these or any other measures without their guidance and consultation with FEMA,” the letter continued.

Oregon is not the only state affected by the court ruling. Other lawsuits have been filed in regions throughout the country.

The Oregon Department of Land Conservation and Development has notified communities it will hold a series of workshops and presentations that focus on the issue.

It also will offer guidance, model local ordinances, grants and technical assistance.

Contact Linn County reporter Alex Paul at 541-812-6114.

ALEX PAUL {EMP}

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Life

HOME > WATER > SUPPLY > REPORT SHOWS OVER 5,000 WATER SYSTEMS VIOLATE FEDERAL LAW



Report shows over 5,000 water systems violate federal law

Jason Axelrod | American City and County

Jul 5, 2016



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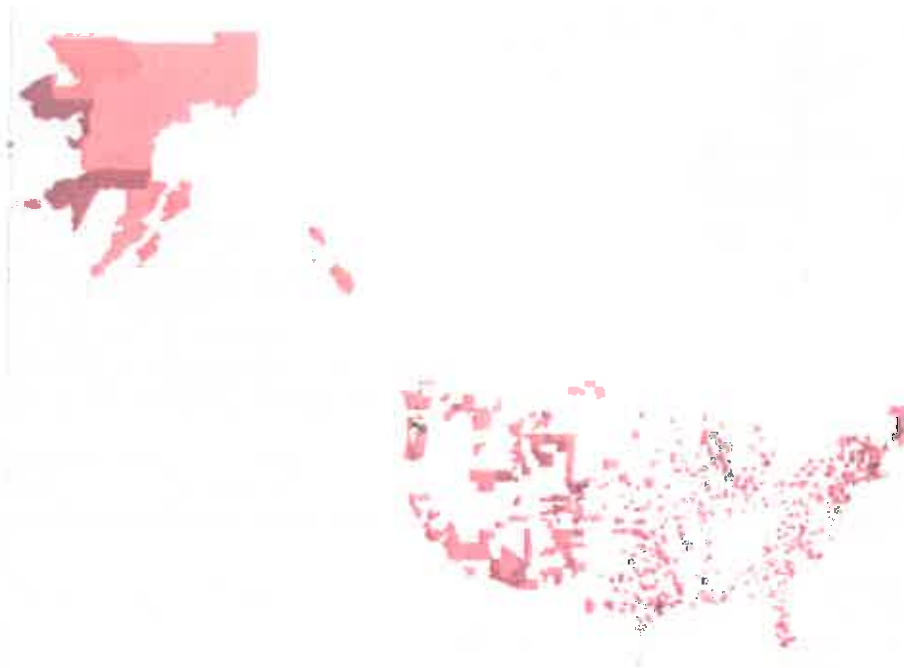
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A screenshot of the interactive map in the NRDC's What's in Your Water? Flint and Beyond report. [View It](#)

here.

A new report from environmental action group National Resources Defense Council (NRDC) has shown that over 5,000 water systems that serve 18 million Americans are in violation of the law.

The report, issued in June, shows 5,363 U.S. community water systems violated the federal Lead and Copper Rule, which requires monitoring for lead and copper levels in water, according to CNN and Vox. The report, which pulled from numerous Environmental Protection Agency records, shows that while the EPA knew of such violations, it hasn't done much to stop them.

"Imagine a cop sitting, watching people run stop signs, and speed at 90 miles per hour in small communities and still doing absolutely nothing about it -- knowing the people who are violating the law. And doing nothing. That's unfortunately what we have now," Erik Olson, health program director at Natural Resources Defense Council, told CNN.

Tampa Bay area counties are among the 5,300 that violated such rules, Florida TV station WFLA reports. Hillsborough, Polk and Sarasota counties had more than 10 percent of their samples containing over the EPA's 15 parts per billion action level. The water systems in the Ohio counties of Butler, Dearborn and Highland also contained excessive levels of lead exceeding the 15 ppb action level, according to Ohio TV station WXIX.

Out of the 100 largest water systems with lead and copper levels that violated the federal law, 48 of the systems were located in Texas, according to the Lubbock Avalanche-Journal. Five Texas systems were in the top 10, with Houston being the largest.

Not all cities have slacked with their water systems. Olson tells NBC News that Lansing, Mich. replaced all of their lead water service lines without being required to do so.

"Other cities, like Madison, Wisconsin have done the same thing," Olson told NBC News. They are pulling all of their lead pipes out of the ground and making the water safer for their customers. So, they're our solutions to this problem, and they are doable. We just have to have the will to do them."



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MONTH END RECAP

		JUNE 2016			
	REVENUE	EXPENDITURES	YTD	%	Unexpended
1 GENERAL	\$ 43,480.98	\$ 45,609.43	\$ 689,922.31	59.46%	\$ 548,601.69
2 WATER	\$ 26,419.03	\$ 26,171.76	\$ 594,156.38	58.33%	\$ 426,293.62
3 SEWER	\$ 27,713.92	\$ 20,861.64	\$ 226,084.27	49.40%	\$ 355,915.73
4 STREETS	\$ 11,898.60	\$ 109,489.57	\$ 261,822.88	53.52%	\$ 227,377.12
5 WATER BOND	\$ 46.62	\$ 54,927.00	\$ 54,927.00	70.71%	\$ 77,678.00
6 SEWER BOND	\$ -	\$ -	\$ 332,072.00	83.51%	\$ 65,582.00
7 SEWER DEBT FEE	\$ 11,357.72	\$ -	\$ 130,740.55	104.59%	\$ -
8 BUILDING & EQUIPMENT	\$ 248.67	\$ 40,000.00	\$ 40,000.00	5.88%	\$ 396,500.00
9 WATER RESERVE	\$ 0.78	\$ -	\$ -		
10 HOUSING REHAB	\$ 136.77	\$ -	\$ -		
11 WATER SDC	\$ 2,139.22	\$ -	\$ -		
12 SEWER SDC	\$ 5,343.36	\$ -	\$ -		
13 STORMWATER SDC	\$ 2,002.74	\$ -	\$ -		
14 BIKEWAY/PATHS	\$ 103.72	\$ -	\$ -		
15 LIBRARY TRUST	\$ 4.07	\$ -	\$ -		
16 CEMETERY	\$ 671.45	\$ -	\$ -		
17 TRANSIENT ROOM TX	\$ 3.38	\$ -	\$ -		
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -		
19 LAND ACQUISITION	\$ -	\$ -	\$ -		
20 COMMUNITY PROJECTS	\$ 130.44	\$ 2,826.44	\$ 24,163.24	13.54%	\$ 154,236.76
	\$ \$131,701.47	\$299,885.84	\$		\$

KeyBank Accounts

General	\$ 18,861.43	2015-2016	YTD	% of Total
Utility	\$ 20,319.86	Appropriated	\$ 2,223,148.08	43.06%
Park	\$ 6,162.50	DEBT Payments		Totals
Court	\$ 2,633.00	Water	\$ 54,928.00	
		Wastewater	\$ 397,654.00	
Oregon State Treasury	\$ 3,931,595.24	Total Debt		
Community Improvements	\$ -	Water	\$ 784,574.00	
		Wastewater	\$ 6,145,365.00	
		Total	\$ 6,929,939.00	