



CITY OF BROWNSVILLE

Council Meeting

Tuesday – June 25th, 2013

Regular Session 7:00 p.m.

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CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, June 25th, 2013

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: May 28th, 2013
- 6) PUBLIC HEARINGS OR PRESENTATIONS
 - A. Planning Commission Applicants
 - B. Anne Stein – Senior Produce Table
 - C. Budget Hearing
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ✦ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
 - A. R 710: Retirement Contribution Increase
 - B. R 711: Budget Appropriations FY 2013-2014

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.

- C. R 712: Water Rates
- D. R 713: Sewer Rates
- E. R 714: 2013 Transfers

10) ACTION ITEMS

- A. Temporary Permit (Construction)
- B. City Attorney Selection

11) DISCUSSION ITEMS:

- A. Water System, Towing & Wells Policy
- B. System Development Charges Review
- C. May 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) EXECUTIVE SESSION

- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

15) ADJOURN

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the 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.



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May 28th, 2013

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

PUBLIC: Elizabeth Coleman and Kaye Fox.

ADDITIONS AND DELETIONS: Mr. McDowell stated that he would like to postpone the Planning Commission presentations until the June meeting. He would like to add Legislative Item E: R 709 Clarifying Council Policy Regarding Contributions & Donations to the agenda.

MINUTES: Council reviewed the minutes of the April 23rd, 2013 meeting. *Councilor Gerber moved to approve the minutes with the correction of adding a "not" on page 3, Item 4, line 10 between did and want. The motion was seconded by Councilor Shepherd and was approved unanimously.* Council reviewed the minutes of the May 9th, 2013 Budget Committee meeting. *Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Budget Hearing: Mayor Ware opened the Budget Hearing and called for public input. No input was offered. Mayor Ware called for Council comment, none were offered. The Budget Hearing was closed.

Joe Ervin Request: Mr. Ervin is planning a running event in conjunction with the Linn County Pioneer Picnic as was done last year. The event proceeds this year will benefit the Central Linn Track refurbishment. He is planning a downtown loop with the hope that everyone will have completed the race by Parade time. *Councilor Shepherd moved to approve this event request. The motion was seconded by Councilor Van Sandt and approved unanimously.*

Jay Marsh Request: McDowell reported that Mr. Marsh, 382 Kirk Avenue, came into City Hall and requested that the City require that this property be cleaned up. He stated that it is looking like a train wreck. Mrs. Colleen Garrison has indicated that due to a recent death in the family she has not had time to keep up with the property issues. She also indicated that she would be making it a priority soon.

Linn County Pioneer Picnic Road Closures: Council annually approves the road closures necessary to conduct the Kiddie Parade on Friday and the Grand Parade on Saturday of Pioneer Picnic. The City has signed all necessary documents for the Oregon Department of Transportation. All requested closures are for the standard routes. *Councilor Shepherd made a motion to permit road closures as per usual. Councilor Van Sandt seconded the motion, and the motion passed unanimously.*



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DEPARTMENT REPORTS:

1. Sheriff's Report. Sergeant Brad Kelley reported that it has been very quiet in town.
2. Public Works. Mr. Frink reported that Public Works is going well. The water plant computer failed on May 14th. The new computer was scheduled for installation on May 20th so the installation was pushed forward a bit. They are currently about 50% finished with installation. Mr. Frink also reported that the sewer backed up on Millhouse. It was clogged with grease and roots, and will need to be replaced at some point. (McDowell talked about this issue at the Budget Committee meeting as well.) Mr. Frink reported that the Park Caretakers, Ann & Vern Moore, have returned for the summer season. They will have a seasonal helper this year, Chuck Brown. Another concern is the increased number of vandalism incidents happening in the Park. Public Works has addressed small maintenance items at City Hall this month as well. Councilor Chambers inquired about the lights on the bridge that are crooked. Mr. Frink reported that the poles are made out of a polycarbonate material, so they move quite a bit, and there is no real fix for the problem. Public Works waits until there are several to fix, and then has Norm's Electric come out and fix the group of lights. Councilor Boyanovsky commented that he had been up at the Cemetery this weekend for the Memorial Day Festivities and heard several comments on how great the Cemetery looked and what a good job Public Works has done there. He also had some folks ask if they could donate to the Cemetery Fund. Mr. McDowell indicated that all donations are gladly accepted and should be taken to City Hall to be properly accounted.
3. Administrator's Report. Mr. McDowell reported that Mr. Frink has been working with Jon Erwin to test the GR 12 well to determine the next steps. Mr. McDowell reported that he is currently working with the Brownsville Canal Company (BCC) to move forward with some type of model that would assist the organization with the collection of revenue in order to pay for insurance and future maintenance. They are in the process of hiring an attorney to assist on this important issue. What this means for Council is that around October or so Council in cooperation with the BCC will hold some town hall meetings, invite the public and hopefully determine some funding opportunities. Mr. McDowell reported that the Willamette Country Music Festival shuttle folks will be meeting tomorrow. The drop off locations will be Dari-Mart and the Senior Center this year. Mr. McDowell reported that he has been approached to have a much more active role in the planning stages of the WCMF next year, beginning in about October or so and mediating between the Linn County Commissioners, event managers, etc. Elizabeth Coleman and Mr. McDowell journeyed to Wilbur, Oregon to observe noise testing at a peeling mill similar to the operation McFarland Cascade is constructing in Brownsville. The same testing will be conducted when the Brownsville site is up and running for comparison purposes. The noise levels will be measured and be determined to be within legal acceptable levels in our community. Mr. McDowell reminded Council that he serves on the Oregon Parks and Recreation Department's Grant Advisory Board and has been reviewing grant applications for the past several weeks. He will travel to Sunriver next week to finish this process. Mr. McDowell reported to Council that Jannea Deaver and Tammi Morrow worked with City Auditor Josh Morrow last week to clear up



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some accounting issues and to begin to prepare for the annual audit. Mr. McDowell informed Council that two new mowers have been ordered from Linn Benton Tractor. The City received such a great price that Staff decided to add Bac-Vac systems to both machines. The Bac-Vac's will automate the grass collection system which will save Public Works considerable time and energy while conducting their duties. They should be arriving within the next week or two. Councilor Boyanovsky asked if there were specific fire pits in the Park. Mr. McDowell responded that the Park operates more on unspecified spots for camping and fire pits. Mr. Frink commented that this system has worked well in the past. Councilor Shepherd recounted that the City purchased some fire pits a few years ago and they were both stolen.

4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. Councilor Chambers stated that the Pioneer Picnic officials have invited the Council to be the pie judges this year for Pioneer Picnic. Also, Councilor Chambers requested that the Pioneer Picnic Association be allowed to sell firewood in the Park during Pioneer Picnic as a fundraiser for their Court. Mr. McDowell stated that since commerce is open during that weekend, in effect, vendors may rent booths and sell goods, that it would be considered the same sort of activity for that weekend. *Councilor Shepherd made a motion to allow the sale of firewood during Pioneer Picnic. The motion was seconded by Councilor Van Sandt and passed unanimously.* Reporting back from the Cascades of Governments meeting, Councilor Chambers and Councilor Boyanovsky reported that J.R. Tharp from the Halsey City Council stated that they like the way Brownsville Council conducts their business and will use the City of Brownsville as their model.
7. Citizen Comments. Kaye Fox commented that she has agreed to make her future reports in written format, and they will be submitted to Mr. McDowell and will go out in the Council packet each month. She will be available to answer questions at the meetings. Ms. Fox also reported that the Senior Center did very well during *Carriage Me Back* and will be open during Pioneer Picnic as well.

LEGISLATIVE:

1. O 739: Garage Sales (Second Reading). *A motion was made by Councilor Boyanovsky to read O 739 by title only. The motion was seconded by Councilor Chambers, and the motion passed unanimously.* Councilor Boyanovsky asked if Council should adopt this resolution as an emergency. Mr. McDowell stated that conventional wisdom says to give the public plenty of time to comment and in this case the City has certainly done that. *Councilor Boyanovsky made a motion to approve O 739. This Ordinance will be passed using Emergency status, thereby waiving the 30 day waiting time to be in force. Councilor Gerber seconded the motion, and it passed unanimously.*



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2. O 740: Trailer Homes and Recreational Vehicles (Second Reading). *A motion was made by Councilor Gerber to read O 740 by title only. The motion was seconded by Councilor Van Sandt, and the motion passed unanimously. Councilor Chambers questioned the “manufactured home” language in the Ordinance. Mr. McDowell commented that this language is defined by the Brownsville Municipal Code and that was why the Ordinance was stated that way.*
3. R 707: Electing to Receive SRS. *Councilor Gerber made a motion to elect to receive State Revenues for Fiscal Year 2013-14. The motion was seconded by Councilor Van Sandt, and passed unanimously.*
4. R 708: Awarding Calapooia Crossing Water Line Project. *Mr. McDowell reported that four bids were received for this project. Ryan Quigley from Erwin Engineering reviewed the bids and determined that Bill Booker Construction, Troutdale, Oregon is a 1st tier contractor and all bid amounts checked out. A motion was made by Councilor Gerber to adopt R 708 awarding Bill Booker Construction the Calapooia River Crossing Project. The motion was seconded by Councilor Shepherd, and the motion passed unanimously.*
5. R 709: Council Policy Regarding Contributions & Donations. *Mr. McDowell has consulted with League of Oregon Cities General Counsel Sean O'Day in regards to policies concerning contributions and donations. Mr. McDowell was told that the City can spend funds as the Council sees fit. However, the City was cautioned to be careful when deciding which contributions or donations are worthy. Mr. O'Day really liked the Council's current policy. Mr. McDowell drafted R 709 to help Council set some policy and some guidelines. A motion was made by Councilor Shepherd to adopt R 709: Council Policy Regarding Contributions & Donations. The motion was seconded by Councilor Boyanovsky, and the motion passed unanimously.*

ACTION ITEMS:

1. CAPS Request. *A motion was made by Councilor Shepherd to deny the CAPS funding request. The motion was seconded by Councilor Chambers, and the motion passed unanimously.*
2. Destination Brownsville Cruise In. *Event organizers have requested the use of the parking lots behind the medical center and by the public restrooms for weekly cruise in events through the summer months. A motion was made by Councilor Gerber to approve this request with the following conditions: maintenance needs will take priority, and local businesses will be consulted to ensure their support. The motion was seconded by Councilor Shepherd, and the motion passed unanimously.*
3. Vandalism Reward. *Public Works has initiated the idea of offering a reward for information leading to the apprehension and conviction of individuals inflicting public property damage at the Park. Council liked this idea. Councilor Shepherd would like the reward to be enough to be effective. A motion was made by Councilor Boyanovsky to allow the Administrator to offer rewards for damage*



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to City property on a case by case basis. (Linn County Sheriff's Office will be consulted as to proper procedure.) The motion was seconded by Councilor Chambers, and the motion passed unanimously.

DISCUSSION ITEMS:

1. Council Goals. Mr. McDowell commented that the Council Goals have already made the paper. The hard copy is at the print shop and will be placed on the wall in Council Chambers before the next meeting.
2. April Financials. Mr. McDowell explained that the balance for Total Debt is now reflecting both principal and interest and had just been reflecting the principal. It now more accurately reflects the true balance.

CITIZEN COMMENT: No comments at this time.

COUNCIL COMMENTS: No Council comments at this time.

EXECUTIVE SESSION: The Council adjourned to Executive Session at 8:09 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 8:29 p.m.

RETURN TO REGULAR SESSION: McDowell shared some information regarding the City's System Development Charges and the applicability to McFarland Cascade. McDowell has spoken with former City Planner Bill Sattler about the matter. McDowell asked permission to negotiate a memorandum of understanding with McFarland Cascade due to the proximity of the utilities and enormous costs that are involved. Council asked McDowell to negotiate with McFarland Cascade and bring back an agreement for Council review.

Council also asked McDowell to follow-up with any potential disputes regarding the Calapooia Crossing project with the City Attorney.

ADJOURNMENT: Councilor Shepherd moved to adjourn, with Councilor Chambers seconding the motion. The meeting was adjourned at 8:38 p.m.

City Administrator S. Scott McDowell

Mayor Don Ware



City Administrator Report

June 25th, 2013

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



Hope never abandons you, you abandon it." – George Weinberg, American Psychologist

"Quality is not an act, it is a habit." – Aristotle

"Shared joys make a friend, not shared sufferings." – Friedrich Nietzsche, German Philosopher

Planning Commission Applicants – Mr. Joe DeZurney and Mr. Richard Anderson have been invited to attend the Council meeting for the interview process. Below is a list of questions that should be asked to both candidates as a way of drawing a comparison:

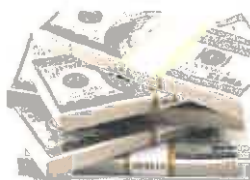
Please give a brief description of your:

1. Background
2. Qualifications
3. Interest in Brownsville
4. Interest in the Commission
5. Whatever else you feel is important

Council may certainly ask other questions however the same questions should be asked of each candidate.

Tabled from last meeting: Joe DeZurney and Richard Anderson will be attending Council meeting to interview for the Planning Commission opening. Kyle Smith removed himself from consideration due to other obligations.

Anne Stein Request – I am still trying to gather more information for this request. I believe it to be a request to use the sidewalk by the Fitness Center from the Calapooia Food Alliance. They are requesting this space to distribute food to senior citizens who are in need.



FY 2013 – 2014 Budget Hearing – New this year I have added another public input/Council discussion. Mayor Ware will open the floor for public comment. After that time, he will close public discussion. Mayor Ware will then ask Council if there any further discussion items for consideration regarding the budget. Council may then proceed with the official adoption of FY 2013 – 2014 Budget by taking action on Resolution 711.



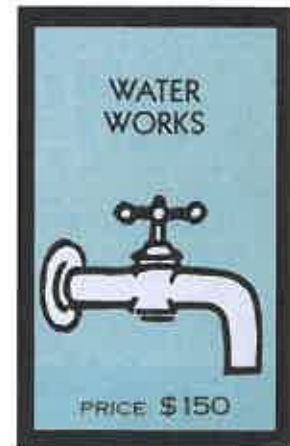
R 710: Retirement Contribution Increase – The City considered increasing the retirement contribution through the City's provider, ICMA-RC, for employees who have completed 10 years of service to the City. The contribution amount would be increase by 5% for a total of 20% for eligible employees as discussed at the Budget Committee Hearings.

What is being asked of Council?

If Council would like to increase the contribution as defined in the Resolution, then the resolution should be passed. Otherwise the contribution amounts will remain the same.

R 711: FY 2013-2014 Budget Adoption – Annually, Council passes this piece of legislation in order to officially adopt the budget for the upcoming fiscal year. This resolution does three things, 1) adopts the budget, 2) makes appropriations and 3) imposes and categorizes taxes for the permanent rate, all outstanding bonds and delinquent accounts.

R 712: Water Rate – Rates for the upcoming fiscal year will be the same as the previous fiscal year. The only change to this resolution is the addition of a water capital improvements fee of \$2.50. The \$2.50 increase represents an overall increase in utility rates of 3.125% based on the average bill which is \$80 per month. At the proposed rate, just over \$20,000 will be generated per year. Council is aware that there are several large capital improvements that are in need of being completed including a new water reservoir, a new water line on Main Street and this year's reconstruction of the Calapooia Crossing Water Line that is currently under contract for completion. Council will also be planning for a new water treatment plant starting in FY 2019 – 2020. The City will still be in the process of paying off remaining debt from the current facility, while also attending the fund the engineering for the new design. By placing this monthly fee on all utility bills, system users will be charged equally for future improvements or to relieve existing debt.



R 713: Sewer Rate – No proposed rate increase due to the creation of the Water Capital Improvements Fee as described above.

R 714: 2013 Transfers – Council annually passes this ordinance to "clean-up" expenditures accounts for year-end purposes. This resolution will be e-mailed for review and also placed on Council desks prior to the meeting.

System Development Charges Review – I have enclosed the current SDC charges for your review. Below is the applicable sections of Brownsville Municipal Code for your convenience:



3.10.040 System development charge established.

A. Unless otherwise exempted by the provisions of this chapter or other local or state law, a system development charge, effective April 19, 2000, is hereby imposed upon all new development within the City and upon any structure inside or outside the boundary of the City that connects to or otherwise uses the sanitary sewer system, storm sewer system, or the potable water system of the City. The system development charge is imposed only to the extent a methodology has been adopted for a capital improvement system.

B. The systems development charge may be adjusted in accordance with the Engineering News Record Construction Cost Index, which adjusts the cost figures contained in the capital improvement plan. [Ord. 670 § 4, 2000; 1981 Compilation § 3-3.4.]

3.10.050 Methodology.

A. The methodology shall be adopted by, and may be amended by, resolution of the Council.

B. The methodology used to establish a reimbursement fee shall consider the cost of then-existing facilities, prior contributions by then-existing users, the value of unused capacity, rate-making principles employed to finance publicly owned capital improvements, and other relevant factors identified by the City Council. The methodology shall promote the objective that future systems users shall contribute no more than an equitable share of the cost of then-existing facilities.

C. The methodology used to establish an improvement fee shall consider the cost of projected capital improvements needed to increase the capacity of the systems to which the fee is related. [Ord. 670 § 5, 2000; 1981 Compilation § 3-3.5.]

3.10.060 Authorized expenditures.

A. Reimbursement fees shall be applied only to capital improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.

B. Improvement fees shall be spent only on capacity-increasing capital improvements, including expenditures relating to repayment of future debt for the improvements. An increase in system capacity occurs if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the capital improvements funded by improvement fees must be related to demands created by development. A capital improvement being funded wholly or in part from revenues derived from the improvement fee shall be included in the City's capital improvement plan.

C. Notwithstanding subsections (A) and (B) of this section, system development charge revenues may be expended on the direct costs of complying with the provisions of this chapter, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures. [Ord. 670 § 6, 2000; 1981 Compilation § 3-3.6.]

3.10.070 Expenditure restrictions.

A. System development charges shall not be expended for costs associated with the construction of administrative office facilities that are more than an incidental part of other capital improvements.

B. System development charges shall not be expended for costs of the operation or routine maintenance of capital improvements. [Ord. 670 § 7, 2000; 1981 Compilation § 3-3.7.]

Council should consider these charges in light of any potential development.

Water System, Towing & Wells Policy – Staff would like to consider adding a few concepts to the Brownsville Municipal Code around these policies. Public Works Superintendent Karl Frink and I will outline a few items at the meeting to determine if Council would like to proceed with legislation.

City Attorney Search – The City was officially notified by long-time City Attorney firm Harrang, Long, Gary and Rudnick that they will be no longer providing municipal services. Current acting City Attorney Jeffery Matthews stated that he would stay on through some of the pressing issues that Council is currently working on but





is strongly encouraging Council to search for another attorney. It certainly is the end of an era as Harrang has been the City Attorney for over thirty years. I mentioned this was coming several months ago (March 2013) when then City Attorney Shelby Rihala took another position. Mr. Matthews indicated that the City could hire a new attorney without going through a Request for Proposals (RFP) or a Request for Qualifications (RFQ) process based on Brownsville Municipal Code as stated below:

2.25.080 Solicitation methods for classes of contracts.

The following classes of public contracts and the method(s) that are approved for the award of each of the classes are hereby established by the City Council:

C. Personal Services Contracts.

4. *Personal Service Contracts Not Exceeding \$20,000 per Year.* Contracts for which the Purchasing Manager estimates that payments will not exceed \$20,000 in any fiscal year may be awarded under any method deemed in the City's best interest by the Purchasing Manager, including by direct appointment, subject, when appropriate, to approval by the City Council.

What is being asked of Council?

I am recommending that Council pass a motion that would acknowledge the City Administrator, Purchasing Manager, to secure Speer Hoyt LLC out of Eugene, Oregon for attorney services. Enclosed in the packet is a copy of their memorandum for your review.

CAUTION
AREA UNDER
CONSTRUCTION

Temporary Permit (Construction) – Staff has discussed the practical application of how to handle allowing a recreational vehicle (RV) during the active construction of a home. We would like to recommend that the permit be allowed for six months and then maybe month to month after that until the project is completed. We would like to have a discussion with Council about how this should exactly be crafted.

Destination Brownsville & Laura Meckle – Attached is the requested documentation from Mrs. Meckle.

2013-2014 Goals – Council Shepherd recently picked up our new board from ArtsPlus in Albany which will be on display in Council Chambers.

Computer Problems – We have been experiencing some quirky problems with our City Hall network. We have been able to get back up and running but it certainly has added a distraction.

Water Treatment Plant Computer System – Mr. Frink will be providing an update. *From last meeting:* Public Works Superintendent Karl Frink has been dealing with the fact that the computer system completely failed on May 13th, 2013. Staff was able to bring the computer system back online May 22nd, 2013. Mr. Frink is still working out the all of the details to ensure that our





contract with The Automation Group (TAG) is complete and correct.

LC Commissioners & WCMF Outcomes – It has been very quiet on this front recently. Anne Hankins & Don Leber attended the last Visit Linn Coalition meeting and are very interested in assisting the group. The VLC would like to increase tourism for all of Linn County. Ms. Hankins and Mr. Leber could prove to be tremendous assets in assisting with plan development and execution. The group will continue to meet to determine the most prudent course of action.

GR 12 Update – City Engineer Jon Erwin is preparing to have the water tested at this site so the City can determine our next steps.

McFarland Cascade Development – Staff is working with Fire Chief Kevin Rogers



to examine a foam fire suppression system. We are doing what we can to meet their utility needs. I will have an oral report for Council. *From last meeting:* Elizabeth Coleman and I took a tour of McFarland Cascade's Wilbur, Oregon peeling and stacking yard on May 7th, 2013. McFarland Cascade hired Vigilante out of Eugene, Oregon to perform decibel tests. The City will be

forwarded the results. Vigilante will also test the peeling operation once it is constructed here in Brownsville. The City used light industrial noise standards that were recently adopted in Richmond, California as the measure since the Department of Environmental Quality (DEQ) no longer supports this function. I will have an oral report for Council.

Planning Commission & Mixed Use Ordinance – New developments have come to light due to a recent variance hearing in front of the Planning Commission. *From last meeting:* Council asked Staff to proceed with developing some language regarding mixed-use in both the Volume Commercial Zone and the Old Town Commercial Zone at the request of the Planning Commission. I anticipate getting to this as early as next meeting, June, and as late as the July meeting.

Oregon Parks and Recreation Department (OPRD) Update – I have completed my third year on the Grant Advisory Committee for the State. I will have at least one more year with the option of serving another four year term. I have been invited to a follow-up planning session with the State later this year.



Annual OLCC Renewals – The City recently executed documents for Chevron.

Linn County Fair Banners – The City is waiting to receive the banners from Mrs. Jan Taylor from Fair & Expo.

Linn County Court Clerk Contract Update – The City is still waiting on the County for further instruction.



From last meeting: I am recommending modifying this contract so that the City can enter into an agreement with Mrs. Jan Henry for court clerk services. Mrs. Henry plans to retire in November 2013, but would still like to provide services to the City. Judge Lemhouse and I are currently reworking the contract with the County. By reworking the contract, the City will have possibility of returning to the IGA at any point in the future.

Staff Training – Karl, Jannea & I continue to bring along new personnel. Evaluations have been completed. I will have an oral update for Council.



Finance Outcomes – Staff continues to work with the City auditor to ensure the general ledger is correct and accurate. Staff spent considerable time last week working on reports for this purpose. The City is also considering making a shift to a different accounting process. Staff is still determining the pros and cons for such a move. *From last meeting:* On May 1st, 2013, City Auditor Joshua Morrow met with Administrative Assistants Jannea Deaver & Tammi Morrow to correct general ledger concerns from beginning of this current fiscal year. Mr. Morrow was pleased with the progress that was made and the efforts made by Staff. He indicated that he would be back around the second week of June to make sure that April and May were recorded correctly.

From a past meeting: The City is working on developing a proposal to hire Boldt, Carlisle & Smith to reconcile the general ledger for the current fiscal year. Staff spent the better part of the last weekend working on this important project. Staff is confident that with the appropriate support from BCS we should be able to get everything back in line.

Canal Company Update – The City will be meeting with Canal Company leadership later this year to determine a plan for action. *From last meeting:* The annual meeting of the Brownsville Canal Company happened on May 6th, 2013. I will have an oral report for Council.

From a past meeting: Canal Company Leadership is still working on legal representation, official tax status and setting a date for their annual meeting.

From a past meeting: As reported at last Council meeting, Canal Company Attorney Deb Dyson has stepped down as their attorney citing a change in her law practice. I am still waiting to hear from the Canal Company to determine who their new attorney will be and if they have remedied the issue regarding their IRS status.

Park Board Member Advertisement – The City has received no interest. Please talk to folks you know who may be interested.

Zoning Permits – *From a past meeting:* I recommend holding this issue to the Fall due primarily to time constraints.

Flower Baskets & Gateway – We have recently hit a snafu which we are attempting to overcome. *From last meeting:* The City got a terrific price from our contractor, Don



Sprague (Hubbard, OR), to custom build the flower basket brackets. The bracket have been picked up and are ready for Public Works to work their magic.

Darrin Lane & Kirk Avenue – *From last meeting:* I had an extensive conversation with Linn County Road Master Darrin Lane recently. Mr. Lane gave a brief history of the Kirk Avenue concept, to which I have added a little research, which is as follows:

March 5th, 2001: Kirk Avenue is initially discussed at Council meeting with Mr. Lane and the County Commissioners. County must determine how to a City street a County road in order to expend funds for the proposed improvements.

Spring 2002: The County indicates to the City that it is possible for the County to deem Kirk Avenue a County interest based on McKercher Road. The City starts planning for drainage projects.

October 2006: The City completes the Galbraith Street storm sewer project.

February 28th, 2008: Linn County Road Master Darrin Lane discusses the logistics of Kirk Avenue with Council. Survey crews are sent to town shortly thereafter to work on a rough design. There are several rules and requirements and multiple property issues that are cause for concern for any proposed construction project.

Meanwhile, County Staff is working on developing the Gateway project in conjunction with the Oregon Department of Transportation. City Staff is focusing on the multimillion dollar Wastewater project. The Economy starts falling apart. The Veterans Hospital is announced in Lebanon. Linn County Commissioners move a whopping \$19,000,000 out of the Road Department's funds to assist with the development. The Commissioners have also taken a \$2,000,000 from the Road Department to assist the Sheriff's Office funding issues. The Road Department is not as financially stable as it was in 2001 or even 2007 for that matter.

2009-2010: Several update conversations.

January 2011: Council asks for an update. The County indicates that they will not start a new project until the Gateway project is complete.

June 2012: Council decides to scale back the project to an overlay.

June 22nd, 2012: Staff meets with Mr. Lane who felt that the first block from Main to Averill could be done with curbs and sidewalks. The rest of Kirk Avenue could be an overlay. Mr. Lane projected the cost to be between 600,000 & \$800,000. Lane indicated that in the next year or two the County would probably be able to get this project. Lane also indicated at that time that the City would not need to financially participate, if we could be patient.

Mr. Lane indicated that his Department is currently overloaded with Federal bridge projects. The County is still interested in helping the City but timing is difficult.



Outcome

If the City is in a hurry to get the project completed, they can set up a local improvements district (LID) and assess the costs to the affected properties or the City can wait until it is budgeted in Linn County's budget.

What does Council want to see on Kirk Avenue? Overlay or reconstruction?

From the September 4th, 2012 meeting: Darrin Lane Stopped for a visit on August 7th and indicated that County Engineer Chuck Knoll is working on the subsurface investigations.

Central Linn Rec Center Fundraiser Update – *From last meeting:* President George Frasier and I met to discuss logistics of selling firewood, not fireworks as reported in *The Times*, in the Park this summer. There were a few liability concerns for the Rec Center and the best solution seems to be to have the wood sold at places like Chevron, Brownsville Body Shop & Dari Mart. By doing this, of course, it does not require City personnel nor storage of the material.

VLC Update – The VLC meeting will happen after the Council meeting this month.

From the last two meetings: The group has put together an RFP for tourism related services. They will be discussing the RFP at the next meeting will be on December 4th, 2012 in Lebanon. The Coalition is still working diligently on bolstering awareness for the Trails to Linn website (<http://trailstolinn.com>). The group is also very focused on developing a strategic plan for the next 3 to 5 years and is discussing the possibility of working with the Linn County Commissioners on tourism development issues. The group has met continuously for over four years.

Calapooia Watershed Council – *From a past meeting:* The Council recently reported that they have enough money for a sign in Pioneer Park. If the City is willing to install the sign, they are willing to have it constructed. The City should be receiving a proof of what the sign looks like in the near future.

Central Linn School Meetings – *From a past meeting:* Superintendent Brian Gardner is working toward getting this committee back together for discussions involving school related issues. Mayor Ware, Councilor Shepherd and Councilor Van Sandt represented Brownsville last year. The original idea was to bring members from Halsey, Brownsville and the School Board together to discuss common issues and identify ways to improve the School District.

Mill Race Historic Places – *From a past meeting:* I've included an e-mail string between Joni Nelson, Councilor Cole and myself about information as it could relate to the Canal Company and have financial implications for the City.

Linn County Flag Pole – *From the last several meetings:* Mr. Dominguez is working on the details.



WNHS Update – *From last meeting:* The Board recently passed a few changes to enable WNHS greater flexibility in helping clients. The City also features their information downstairs in the foyer and on the website. The group is asking Linn County to be the sponsor of the new grant application. I've enclosed some information for your review from the meeting last week. They would like to get the word out on a few programs that will help stave off foreclosures. Please refer citizens to the following websites for more information:

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

Several things are being discussed that will affect the future financial well-being of WNHS and the partnership with LCHRP (Linn County Housing Rehabilitation Program.) WNHS provides many home rehabilitation services and counseling for those in need.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be "SM", written over a faint circular stamp.

S. Scott McDowell



Public Works Report June 19th, 2013

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* – Two leaks and one service line repair this month We will begin flushing fire hydrants once the water plant is switched over to the river. This process has been delayed until the new SCADA system is up and running properly.
- *Cross Connection Program*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* –The emergency response plan and operations and maintenance manual are under construction. The computer SCADA system and PLC upgrades are installed and bugs being worked out. We are still in the process of fine tuning and adjusting the new system to work properly to our application.

Sewer:

- *North Lagoons* – This facility has been mowed and we will spray for weeds after Pioneer Picnic.
- *South Lagoons*- This facility has been mowed and we will spray weeds after Pioneer Picnic.
- *Collection System*- One sewer problem to report this month. A resident had a blocked sewer line and punched a hole in their line to allow it to drain. It appeared to have been draining on the ground for several days. The owners of the property were notified that repairs must happen immediately or citations may be issued. The problem was resolved the same day.
- *Misc.*- Nothing further to report at this time.

Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis. Work is under way to weed-eat and maintain all of the public right of ways in town.
- *Asphalt/ Gravel Road Maintenance* – We will be grading the city streets in early July prior to dust control being applied.
- *Storm Drainage* – All of the public right of way ditches are currently being weed-eated and maintained

Parks:

- *Pioneer Park* –The park has been mowed and maintained as needed. The stage seating has been repaired and new steps/door landings installed to the stage areas. The park has been sprayed for weeds, roads graded and a new sign installed at the park entrance. Fencing has also been installed along the river bank to minimize visitors from jumping off the bank into the river.
- *Blakely Park* – This facility is mowed every week.
- *Kirk's Ferry Park* – Mowing has begun. We will be installing the new basketball poles/hoops over the next few weeks.
- *Remington Park*- Mowing has begun at this park.



Cemetery:

- *Grounds* – The cemetery has been mowed.

Library:

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

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – The Gateway trees and traffic calming devices have been weeded and new bark applied.

City Hall:

- *Buildings* – Nothing to report at this time.
- *Grounds* – The area behind City Hall is mowed and maintained as needed.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds* - This facility is mowed weekly.
- *Buildings* - Public works will be painting the new gutters soon if weather allows. One window pane has been replaced. One pane is broken and will be repaired soon.

Public Works:

- *Grounds* - This facility is mowed every week.
- *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.
- Two new lawn mowers have arrived and are working very well.

LINN COUNTY SHERIFF'S OFFICE



Tim Mueller, Sheriff

1115 SE Jackson Street, Albany, OR 97322

Phone: (541) 967-3950

www.LinnSheriff.org

2013

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

FOR THE MONTH OF:

MAY

TRAFFIC CITATIONS: -----	3
TRAFFIC WARNINGS: -----	8
TRAFFIC CRASHES: -----	0
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	5
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	2
COMPLAINTS/INCIDENTS INVESTIGATED: -----	64

TOTAL HOURS SPENT IN:	BROWNSVILLE	261
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70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS

**Tim Mueller,
Sheriff, Linn County**

By: Sgt. Brad Kelley

PATRL_RPT#2 City Incident Report

CAD Call#	ENTR Y DATE	ENTRY TIME	CALL DESCRIPTION	STREET #	ADDRESS	CITY	DESCRIPTION
131500362	5/30/13	19:03:47	WARRANT SERV	811	N MAIN ST	Brownsville	No Additional Report Necessary
131500121	5/30/13	9:56:20	PHONE-HARASSMENT	133	SAGE ST	Brownsville	No Additional Report Necessary
131490096	5/29/13	9:07:23	THEFT-RPT	98	W BISHOP WY		Incident Report
131480341	5/28/13	20:29:49	SUSP-PERSON	100	NORTH AV	Brownsville	No Additional Report Necessary
131480313	5/28/13	18:03:40	SUSP-PERSON	1	PARK AV	Brownsville	No Additional Report Necessary
131480273	5/28/13	16:15:17	INFORMATION REQUEST	402	TEMPLETON ST	Brownsville	No Additional Report Necessary
131480248	5/28/13	15:12:45	THEFT-RPT	314	KIRK AV	Brownsville	No Additional Report Necessary
131480234	5/28/13	14:27:43	TRESPASS	806	W BISHOP WY	Brownsville	Incident Report
131480037	5/28/13	4:48:02	DISTB-NOISE	322	KIRK AV	Brownsville	No Additional Report Necessary
131470310	5/27/13	19:35:06	WELF CHECK	704	OAK ST	Brownsville	Incident Report
131470199	5/27/13	14:12:26	Trf Moving Viol	800	W BISHOP WY	Brownsville	WARNING - MOVING VIOLATION
131460279	5/26/13	19:08:12	ASST-PERSON	100	PARK AV	Brownsville	No Additional Report Necessary
131460226	5/26/13	16:28:26	TRAFF-OTHER VIOL	100	WALNUT AV	Brownsville	No Additional Report Necessary
131460076	5/26/13	6:59:57	ALARM - POLICE	419	N MAIN ST	Brownsville	No Additional Report Necessary
131460023	5/26/13	1:22:57	SUSP-PERSON	299	S MAIN ST	Brownsville	No Additional Report Necessary
131450322	5/25/13	19:55:46	MINOR IN POSSESSION//	118	E BLAKELY AV	Brownsville	Incident Report
131450294	5/25/13	18:40:29	DISTB-OTHER	220	S MAIN ST	Brownsville	No Additional Report Necessary
131450156	5/25/13	11:57:11	ALARM - POLICE	351	N MAIN ST	Brownsville	No Additional Report Necessary
131450056	5/25/13	4:22:12	PHONE-HARASSMENT	27899	SEVEN MILE LN	Brownsville	No Additional Report Necessary
131430188	5/23/13	15:10:53	WELF CHECK	219	WASHBURN ST	Brownsville	No Additional Report Necessary
131420232	5/22/13	16:19:26	WELF CHECK	1029	PINE ST	Brownsville	No Additional Report Necessary
131410389	5/21/13	23:43:09	SUSP-VEHICLE	220	S MAIN ST	Brownsville	MDT Narrative Update
131410279	5/21/13	18:05:27	HARASSMENT RPT	903	ASH ST	Brownsville	No Additional Report Necessary
131410252	5/21/13	16:48:17	911 HANGUP	410	WASHBURN ST	Brownsville	No Additional Report Necessary
131400402	5/20/13	23:41:22	ALARM - POLICE	400	HUME ST	Brownsville	No Additional Report Necessary
131400212	5/20/13	14:27:25	WELF CHECK	1029	PINE ST	Brownsville	No Additional Report Necessary
131400038	5/20/13	5:10:02	WELF CHECK	200	HAUSMAN AV	Brownsville	No Additional Report Necessary
131400032	5/20/13	3:38:24	Trf Equipment Viol	220	S MAIN ST	Brownsville	No Additional Report Necessary
131400028	5/20/13	3:38:24	SUSP-VEHICLE	515	FISHER ST	Brownsville	WARNING - EQUIPMENT VIOLATION
131390190	5/19/13	17:48:32	ALARM - POLICE	101	PARK AV	Brownsville	MDT Narrative Update
131390179	5/19/13	17:19:09	JUV-COMPLAINT	1019	OAK ST	Brownsville	No Additional Report Necessary
131390072	5/19/13	7:30:15	ALARM - POLICE	736	WEST VIEW ST	Brownsville	No Additional Report Necessary
131380255	5/18/13	18:48:02	ALARM - POLICE	736	WEST VIEW ST	Brownsville	No Additional Report Necessary
131370119	5/17/13	11:21:31	WARRANT SERV	701	WEBER AV	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

CAD Call#	ENTR Y DATE	ENTRY TIME	CALL DESCRIPTION	STREET #	ADDRESS	CITY	DESCRIPTION
131370052	5/17/13	6:10:08	SUSP-PERSON	925	OAK ST	Brownsville	No Additional Report Necessary
131360273	5/16/13	16:17:39	WELF CHECK	500	TEMPLETON ST	Brownsville	No Additional Report Necessary
131360245	5/16/13	15:01:00	SUSP-PERSON	27910	SEVEN MILE LN	Brownsville	MDT Narrative Update
131360017	5/16/13	1:21:47	Trf Cell Phone Use	100	STANARD AV	Brownsville	WARNING - CELL PHONE USE VIOLATION
131350190	5/15/13	13:45:24	ASST-OUTSIDE AGENCY	118	WORLEY ST	Brownsville	No Additional Report Necessary
131350125	5/15/13	10:35:54	HARASSMENT RPT	903	ASH ST	Brownsville	Incident Report
131340261	5/14/13	15:53:18	TRAFF-OTHER VIOL	990	WASHBURN ST	Brownsville	No Additional Report Necessary
131340087	5/14/13	8:47:37	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
131340078	5/14/13	8:17:14	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
131330305	5/13/13	18:24:41	Trf Equipment Viol	100	PARK AV	Brownsville	WARNING - EQUIPMENT VIOLATION
131330198	5/13/13	13:47:42	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
131330190	5/13/13	13:29:25	ALARM - POLICE	146	SPAULDING AV	Brownsville	No Additional Report Necessary
131320254	5/12/13	17:55:25	WARRANT SERV	200	E WASHINGTON A	Brownsville	No Additional Report Necessary
131320196	5/12/13	15:03:48	Trf Observe Susp Activity	299	S MAIN ST	Brownsville	Incident Report
131320196	5/12/13	15:03:48	Trf Observe Susp Activity	299	S MAIN ST	Brownsville	CITE ISSUED - DWS/NO ODL
131320148	5/12/13	12:22:23	WARRANT SERV	100	PARK AV	Brownsville	No Additional Report Necessary
131310381	5/11/13	23:03:21	DOG COMPLAINT	110	KISLING AV	Brownsville	No Additional Report Necessary
131310321	5/11/13	19:12:59	JUV-COMPLAINT	900	ASH ST	Brownsville	No Additional Report Necessary
131310088	5/11/13	6:50:13	Trf Speed Viol	100	E HWY 228	Brownsville	CITE ISSUED - AGRESSIVE DRIVER
131310083	5/11/13	6:11:43	Trf Speed Viol	100	E HWY 228	Brownsville	CITE ISSUED - SPEEDING VIOLATION
131310060	5/11/13	4:41:44	ALARM - POLICE	220	S MAIN ST	Brownsville	No Additional Report Necessary
131300193	5/10/13	12:38:50	WELF CHECK	219	WASHBURN ST	Brownsville	No Additional Report Necessary
131300141	5/10/13	10:36:55	TRAFF-OTHER VIOL	990	WASHBURN ST	Brownsville	No Additional Report Necessary
131300027	5/10/13	2:08:17	DISTB-DOMESTIC	400	SPAULDING AV	Brownsville	No Additional Report Necessary
131300016	5/10/13	1:14:27	DOG COMPLAINT	1001	KIRK AV	Brownsville	No Additional Report Necessary
131290397	5/09/13	22:04:51	DISTB-NOISE	149	SPAULDING WY	Brownsville	No Additional Report Necessary
131290282	5/09/13	16:50:33	TRESPASS	137	SPAULDING WY	Brownsville	Incident Report
131290195	5/09/13	13:48:14	TRAFF-OTHER VIOL	990	WASHBURN ST	Brownsville	No Additional Report Necessary
131290190	5/09/13	13:42:48	THEFT-RPT	714	LOUCKS WY	Brownsville	Incident Report
131280341	5/08/13	20:40:40	DISTB-NOISE	200	SAGE ST	Brownsville	No Additional Report Necessary
131280306	5/08/13	18:14:41	Trf Moving Viol	811	N MAIN ST	Brownsville	WARNING - MOVING VIOLATION
131270280	5/07/13	16:46:32	WELF CHECK	555	ASH ST	Brownsville	No Additional Report Necessary
131270157	5/07/13	11:21:32	THEFT-RPT	1140	OAK ST	Brownsville	Incident Report
131260320	5/06/13	18:41:25	DISTB-DOMESTIC	382	KIRK AV	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

CAD Call#	ENTR Y DATE	ENTRY TIME	CALL DESCRIPTION	STREET ##	ADDRESS	CITY	DESCRIPTION
131260299	5/06/13	17:30:51	FRAUD	255 N	MAIN ST	Brownsville	Incident Report
131240368	5/04/13	22:14:20	JUV-COMPLAINT	220 S	MAIN ST	Brownsville	No Additional Report Necessary
131230293	5/03/13	16:47:10	PROP-FOUND	130	SPAULDING AV	Brownsville	MDT Narrative Update
131220356	5/02/13	21:44:28	JUV-COMPLAINT	500	LOUCKS WY	Brownsville	No Additional Report Necessary
131220326	5/02/13	19:56:52	JUV-COMPLAINT	811 N	MAIN ST	Brownsville	No Additional Report Necessary
131210361	5/01/13	20:39:15	CRIM MISCHIEF	419 N	MAIN ST	Brownsville	Incident Report
131210276	5/01/13	16:09:55	ASSAULT REPORT	373	KIRK AV	Brownsville	No Additional Report Necessary



Library Advisory Board
Librarian's Report
May 2013

We are gearing up for summer at the Library. Plans are set and the advertising wheels are running for our Summer Reading Program. This year we will Dig Into Reading on Fridays beginning July 5. This program is made possible by our fine City and a Library Services Technology Act (LSTA) grant received from the State of Oregon Library. We are delighted to kick off our SRP with Magician, Jay Frasier at the Pioneer Picnic. The Oregon College Savings Plan is again donating a performer to our library program. This is the third year for their gift. The Friends of the Library will host the final Quilt and Fiber Arts Show here in the Library Friday and Saturday, June 14 and 15. Volunteers have been busy tidying the History Room materials. New binders have been purchased to bring loose records together and color-coordinate others. This will make research easier for staff and patrons. All the monies for purchasing books have been spent for the 2012/2013 fiscal year and patrons are looking for more books this last month. I would like to thank the budget committee for increasing the Library book budget for the first time in many, many years.

In May 2013 the Library has received 15 new books. Volunteers donated 142.25 hours to our library. There were 1370 materials checked out. 617 adult fiction books; 176 adult non-fiction books; 104 audio books; 179 children's books; 195 junior books; 17 junior reference books and 82 large print books.

Respectfully submitted,

Sherri Lemhouse
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR THE MONTH OF MAY 2013**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	34	2	1	35	
Violations	9	16	13	12	
Contempt/Other	32	0	2	30	
TOTALS	75	18	16	77	

BALANCE SHEET FOR THE MONTH OF MAY 2013

Court Revenue

Total Deposits +	\$ 3,243.60
Total Bail Forfeits +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ (190.50)
Total NSF's -	\$ -

Court Payments

City	\$ 2,565.10
Restitution	
Unitary Assessment	\$ 488.00
Linn County	\$ -
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE

\$ 3,053.10

TOTAL COURT PAYMENTS

\$3,053.10

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 2,565.10
STATE	\$ 488.00
COUNTY	\$ -

*REFUND/RESTITUTION \$ (190.50)

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 8,189.33
ENDING	\$ 10,701.43

**A RESOLUTION INCREASING THE EMPLOYER
CONTRIBUTION FOR EMPLOYEES WITH TEN (10)
COMPLETE YEARS OF SERVICE FROM 15% TO 20%**

WHEREAS, the City of Brownsville instituted a retirement plan through the International City/County Management Association Retirement Corporation (ICMA-RC) on June 18th of 2001 with Resolution 492, and provided a deferred compensation plan on July 16th of 2001 with Resolution 493; and,

WHEREAS, the City has employees rendering valuable services; and,

WHEREAS, the City provides the retirement plan to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the City has determined that an increase in the Employer contribution for employees with ten (10) complete years of service is in the best interest of the City beginning on July 1st, 2013; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, hereby authorizes the increase of five percent (5%) in Employer contribution to the ICMA Retirement Plan Account raising the total Employer contribution to twenty percent (20%) for employees who have completed ten (10) complete years of service effective July 1st, 2013.

PASSED AND ADOPTED by the Council of the City of Brownsville this 25th day of June, 2013.

S. Scott McDowell
City Administrator

Don Ware
Mayor

RESOLUTION NO. 711**RESOLUTION ADOPTING A BUDGET**

BE IT RESOLVED that the Council for the City of Brownsville hereby adopts the budget for Fiscal Year 2013-14 in the sum of \$5,528,898, including transfers totaling \$179,800, now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts for the fiscal year beginning July 1st, 2013 and for the purposes shown below are hereby appropriated:

GENERAL FUND

Administration	\$ 265,600
Parks & Cemetery	\$ 130,150
Community Room (Fire)	\$ 10,100
Library	\$ 114,875
Law	\$ 218,950
Operations	\$ 364,000
Transfers (Out)	\$ <u>58,000</u>
Fund Total	\$1,282,757

WATER FUND

Administration	\$ 259,100
Operations	\$ 916,900
Transfers (In)	\$ <u>100,000</u>
Fund Total	\$1,206,650

SEWER FUND

Administration	\$ 175,670
Operations	\$ 242,400
Transfers (Out)	\$ <u>120,000</u>
Fund Total	\$ 794,600

STREET FUND

Personal Services	\$ 94,800
Materials & Services	\$ 86,000
Capital Outlay	\$ 63,000
Transfers (Out)	\$ <u>1,800</u>
Fund Total	\$ 528,850

BUILDINGS & EQUIPMENT

Capital Outlay	\$ <u>248,000</u>
Fund Total	\$ 450,000

TRANSIENT ROOM TAX

Capital Outlay	\$ <u>1,800</u>
Fund Total	\$ 2,139

COMMUNITY PROJECTS

Capital Outlay	\$ <u>55,000</u>
Fund Total	\$ 121,470

SEWER BOND

Bond Payments	\$ <u>354,174</u>
Fund Total	\$ 435,700

WATER BOND

Bond Payments	\$ <u>54,928</u>
Fund Total	\$ 75,078

RESOLUTION IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED that the Council for the City of Brownsville hereby imposes the taxes as provided in the adopted budget at the rate of \$6.9597 per \$1,000 of assessed value for operations; and in the amount of \$58,663 for Water Bond Debt Service; and in the amount of \$267,000 for Sewer Bond Debt Service; and that these taxes are hereby imposed and categorized for tax year 2013-2014 upon the assessed value of all taxable property within the district.

RESOLUTION NO. 711

	Subject to the General Government Limitation	Excluded from the Limitation
GENERAL FUND	\$6.9597/\$1000	0
WATER BOND DEBT SERVICE FUND	0	\$ 58,663
SEWER BOND DEBT SERVICE FUND	0	\$267,000
DELINQUENT SEWER ASSESSMENT	0	\$6,939.72

Passed and adopted by the Council of the City of Brownsville this 25th day of June, 2013.

Attest:

Don Ware
Mayor

S. Scott McDowell
Budget Officer/City Administrator



City of Brownsville ■ 255 N. Main St. ■ Brownsville, OR 97327

Prepared – June 7th, 2013

Sewer Delinquent Accounts

<u>Tax Account #</u>	<u>Name & Address</u>	<u>Amount</u>
R 289765	Gretchen Clark-Scannell 278 Meadow Ln Creswell, OR 97426-9763	\$537.30
R 281929	Regnell Carman P.O. Box 461 Brownsville, OR 97327	\$537.30
895654	Michelle Jennings 181 Filbert Ct. Brownsville, OR 97327	\$633.03
281689	Kim Hoyer 12070 SW Fischer Rd Apt K201 Portland, OR 97224	\$737.60
876078	James Paschal P.O. Box 701 Hermiston, OR 97838	\$706.00
R 284857	Citi Mortgage P.O. Box 961247 Fort Worth, TX 76161-0247	\$537.30
867374	Dan Morse 137A Spaulding Way Brownsville, OR 97327	\$712.05
355103	Roland Dial 8808 N 106 th Ave. Peoria, AZ 85345	\$785.62
R 307260	Darlene Hobson 2482 Cove Pl. Discovery Bay, CA 94505-1306	\$633.80
R 307997	Linn County P.O. Box 100 Albany, OR 97321	\$467.10
308086	Lowell Foster P.O. Box 512 Jefferson, OR 97352	\$652.62

Total \$6,939.72

A RESOLUTION MAINTAINING RATES FOR FY '13-'14, INTRODUCING A CAPITAL IMPROVEMENTS FEE AND MAINTAINING OTHER FEES AS AUTHORIZED BY THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 13.05, ARTICLE II. WATER REGULATIONS (ORDINANCE NO. 534); AND REPEALING AND/OR SUPERCEEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Sections 4, 9, 10, 12, 13, 14, 17(1), and 17(2) of Ordinance No. 534 of the City of Brownsville, passed by the Council and approved by the Mayor on October 26th, 1981, and the Brownsville Municipal Code, Chapter 13.05, Article II. **Water Regulations** authorizes charges and fees to be set by Resolution of the Council and reviewed annually,

BE IT RESOLVED, that the rates and fees are set as follows:

WATER SERVICE CONNECTION FEE

The Water Service Connection Fee charged for ¾” residential service to offset connection plan review costs, service connection installation costs, administrative and other related costs shall be as follows:

Water Service Connection Fee	\$ 1,200.00
------------------------------	-------------

Larger services shall be charged based upon additional materials costs and reasonable installation charges.

MONTHLY SERVICE CHARGE

In-City

Base Rate	0 - 300 c.f.	\$ 21.94
Additional From	301 - 600 c.f.	\$ 1.44 per hundred c.f.
	601 - 1000 c.f.	\$ 1.60 per hundred c.f.
	1001 - 1500 c.f.	\$ 1.65 per hundred c.f.
	1501+ c.f.	\$ 1.75 per hundred c.f.

Out-of-City

Base Rate	0 - 300 c.f.	\$ 32.91
Additional From	301 - 600 c.f.	\$ 1.85 per hundred c.f.
	601 - 1000 c.f.	\$ 2.06 per hundred c.f.
	1001 - 1500 c.f.	\$ 2.27 per hundred c.f.
	1501+ c.f.	\$ 2.32 per hundred c.f.

Water Capital Improvement Fee	\$2.50
--------------------------------------	---------------

METER TEST FEE

Flow test deposit*	\$ 25.00
<i>* To be returned if meter registers more than 3% fast.</i>	

RESOLUTION NO. 712TURN-ON FEE

Customer Requested Turn-off	\$ 15.00
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ACCOUNT DEPOSIT

New Accounts	\$ 100.00
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RESTORATION CHARGE

City Initiated Turn-off	\$ 15.00
After Business Hours	\$ 30.00

DELINQUENT ACCOUNTS

Late fee for Delinquent Notice	\$ 7.50
Charge for Notice of Shutoff	\$ 10.00

RETURNED CHECK CHARGE

Each Check Returned by Bank	\$ 25.00
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BE IT FURTHER RESOLVED, that all prior Resolutions setting rates and fees authorized by Ordinance No. 534 and the Brownsville Municipal Code, Chapter 13.05, Article II. **Water Regulations** are hereby repealed.

This Resolution shall become effective July 1st, 2013 upon being passed and approved by the City Council.

Passed and approved by the City Council this 25th day of June, 2013.

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell

A RESOLUTION MAINTAINING RATES AND FEES AS AUTHORIZED BY THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 13.05, ARTICLE I. SEWER REGULATIONS (ORDINANCE NO. 489); AND REPEALING AND/OR SUPERCEEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Section 19 and Section 22 of Ordinance No. 489 of the City of Brownsville passed by the Council and approved by the Mayor on March 7, 1980, and amended by Ordinance No. 582, passed by the Council and approved by the Mayor on August 15, 1988, and the Brownsville Municipal Code, Chapter 13.05, Article I. **Sewer Regulations** authorizes charges and fees to be set by Resolution of the Council and reviewed annually,

WHEREAS, the City has undertaken major renovations to the sanitary treatment works and collection systems and,

WHEREAS, at the direction of financial advisors have set rates in accordance with projections of expenditures to retire debt incurred by said improvements to meet contact requirements with the Oregon Economic & Community Development Department (OECDD) and the United States Department of Agriculture – Rural Utilities Service (USDA-RUS),

BE IT RESOLVED that the rates and fees will be as follows:

SEWER SERVICE CHARGES

The City of Brownsville in order to ensure sufficient revenue is generated to pay the total operational and maintenance costs for the proper operation and maintenance of the treatment works and that proportional distribution of operational and maintenance costs among users and user classes is maintained determines that sewer service charges against every property served by the City sewer system shall be based on water usage. An average winter usage will be determined for each customer and that customer will be charged accordingly. Any sewer customers not connected to City water will have the choice of either installing a meter on their well and paying according to that meter reading or paying the rate which falls under the 600-800 cubic feet in the sewer rate structure.

The monthly rates shall be as follows:

In-City Sewer Charges:

Average Usage	=	0 - 300 c.f.	\$ 29.92
		400 - 500 c.f.	\$ 35.17
		600 - 800 c.f.	\$ 38.00
		900 + c.f.	\$ 41.97
Sewer Only			\$ 38.00
Out-of-City Sewer Charges			\$ 45.42
Sewer Debt Service (Monthly Flat Rate Charge)			\$ 15.00

APPLICATION, PERMIT & INSPECTION

The Sewer Service Connection Fee charged for connecting to the City Sewer System shall cover plan review, inspection and related administrative costs and shall be as follows:

Sewer Service Connection Fee \$ 100.00

RETURNED CHECK CHARGE

Each Check Returned by Bank \$ 25.00

BE IT FURTHER RESOLVED that all prior Resolutions setting rates and fees as authorized by Ordinance No. 489 and the Brownsville Municipal Code, Chapter 13.05, Article I. **Sewer Regulations** are hereby repealed.

This Resolution shall become effective July 1st, 2013.

Passed by the City Council on this 25th day of June 2013.

Mayor Don Ware

Attest:

City Administrator S. Scott McDowell

S. Scott McDowell

From: Kaye Fox [kfox003@centurytel.net]
Sent: Wednesday, June 19, 2013 5:50 PM
To: Scott McDowell
Subject: report - I am late - sorry

We have made it through Pioneer Picnic and last minute discovered it was reported in the Times on June 12th that the senior center would host the grand marshals and their heirs. If I am at the council meeting we did it with all the support of our seniors. I went through the sign in sheets since 01-01-2013 through 6-12-2013. We have had approximately 800 to 850 sign ins. That means visitors, guests, senior center members or attendees and those who have dual membership in the senior center/american legion/auxiliary, I find this amazing as to how many times someone walks through those doors.

We have those on vacation yet we are having great response from those who can come. I really feel our community needs a 12-15 passenger van with wheel chair access to make our center available for our seniors and those with disabilities. Getting out and being with others your age who experience the same aches and pains keeps them in touch and not alone with depression. We need to keep them as mobile as possible within their own limits and desire. I will continue to work toward this happening for our community. Remember to promote our senior center and visit it yourself from time to time. We serve our entire community and our there for everyone.

S. Scott McDowell

From: Mandy Cole [thetimes242@gmail.com]
Sent: Wednesday, June 19, 2013 1:51 PM
To: John Holbrook; admin@ci.brownsville.or.us
Subject: BCC Insurance etc

Follow Up Flag: Follow up
Flag Status: Completed

John, BCC now has 17 members and a balance of \$1469.95. Our 2013-14 insurance will come up in July. Barker-Uerlings asked for a Terrorism Coverage Rejection letter so assuming that Al-Qaida probably wouldn't attack the millrace, I sent the letter forthwith. Once they get the letter, they will determine our premium cost. No word from the IRS on our reinstatement of tax-exempt status.

S. Scott McDowell

From: Jeffery J. Matthews [Jeffery.J.Matthews@harrang.com]
Sent: Wednesday, June 12, 2013 10:49 AM
To: Scott McDowell
Subject: Personal Services Contracts

Follow Up Flag: Follow up
Flag Status: Flagged

Scott,

State law allows local contracting agencies to enter into personal services contracts without going through a competitive bidding, RFP or RFQ process unless the local contracting agency's own rules require one or another of these processes. Brownsville code would allow you to retain counsel without going through one of these processes if you, as Purchasing Manager, believe it is in the City's best interest to do so. City Code 2.25.080(C).

My thought is that you get Ross, Lauren and Speer Hoyt on board and then determine if it is in the best interest of the City to send out an RFQ or RFP.

Let me know what I can do to facilitate this transition. And, of course, contact me with any matter I can assist you with until you have new counsel on board.

Thanks,
Jeff



Jeffery J. Matthews, Attorney
Harrang Long Gary Rudnick P.C.
360 E. 10th Ave., Ste. 300
Eugene, OR 97401-3248
541-485-0220
541-686-6564 (fax)
e-mail: jeffery.j.matthews@harrang.com
website: <http://www.harrang.com>



This message is intended for the sole use of the individual and entity to whom it is addressed, and contains information that is privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the addressee, nor authorized to receive for the addressee, you may not use, copy, disclose, or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email at jeffery.j.matthews@harrang.com and delete this message.

**CITY OF BROWNSVILLE
SYSTEMS DEVELOPMENT CHARGE WORKSHEET**

The City of Brownsville has enacted System Development Charges (SDC's) on water and storm drainage. These charges are imposed on new construction within the City to create reasonable reserves to pay the public's share of service expansions as the need arises.

The Systems Development Charge is on the following described land in the City of Brownsville, Linn County, Oregon:

PARCEL NUMBER: Twp. _____ S, R. _____ W., Sec. _____, TL _____
 TAX ACCOUNT NO.: _____
 BUILDING PERMIT NO.: BR _____
 OWNER'S NAME: _____
 SITE ADDRESS: _____
 TYPE OF STRUCTURE: _____
 TOTAL SDC PAYABLE: _____

Signature of Applicant

Date

Storm Drainage SDC - \$1,968 per residential unit.

Meter Size	Water SDC	Sewer SDC	Meter Size	Water SDC	Sewer SDC
3/4"	\$2,093	\$5,160	2.5"	Not Available	Not Available
1"	\$5,233	\$12,899	3"	\$31,400	\$77,390
1.5"	\$10,466	\$25,796	4"	\$52,332	\$128,982
2"	\$16,746	\$41,274	6"	\$104,664	\$257,965

TOTAL SDC FEES PAID \$ _____

The City of Brownsville hereby acknowledges that the applicable SDC shown above has been paid in full, prior to issuance of the building permit.

City of Brownsville

Date

S. Scott McDowell

From: DAS TAX DISTRIBUTION DESK CITIES * DAS OPS
[DAS.Receivables@das.state.or.us]
Sent: Tuesday, June 11, 2013 4:30 PM
To: 'S. Scott McDowell'
Subject: RE: Brownsville, OR - State Revenue Sharing Legislation

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Scott,

I'm spending this afternoon catching up on my city certification processes. So, I wanted to let you know that I did receive your email and that I have logged everything in so that the City of Brownsville is certified to continue receiving tax revenues in the upcoming fiscal year.

Please feel free to contact me if you have any further questions, comments or concerns ... and thank you so much for your early submission!! It helps make my part in the process so much smoother ☺.

Thanks again,

Faye Stevenson
Disbursements Accountant
DAS, Shared Financial Services, Accounts Payable Unit
Phone 503-378-4869
<http://oregon.gov/DAS/OP/ActgPolicyProcedures.shtml>
Data Classification: Level 1 - Published

From: S. Scott McDowell [mailto:admin@ci.brownsville.or.us]
Sent: Wednesday, May 29, 2013 9:56 AM
To: Faye L. Stevenson
Cc: 'Tammi Morrow'
Subject: Brownsville, OR - State Revenue Sharing Legislation
Importance: High

Good Morning Faye:

I believe you are in receipt of Resolution 705 *Verifying Services* already but included it with Resolution 707 *Election to Receive State Revenue Sharing* just in case. Please let me know if you have received these documents and also if you need anything else. The City appreciates your help!



S. Scott McDowell
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327
541.466.5880
Fax 541.466.5118

CITY OF BROWNSVILLE

FACSIMILE TRANSMITTAL SHEET

To: Greg Tilley	From: S. Scott McDowell
FAX NUMBER: (541) 327-3929	Date: June 13, 2013
AGENCY/COMPANY:	TOTAL NO. OF PAGES INCLUDING COVER: 1
PHONE NUMBER:	Re: Dust Control Quote

URGENT FOR REVIEW PLEASE COMMENT
 PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Good Afternoon Greg:

Can you please give me a quote for the list below? Please let me know if you have any questions or concerns. Thanks for your help!

<i>Street</i>	<i>S.F.</i>
Washington Street	22,000
Holloway Heights	21,000
Hume Street	5,610
Howe Street	3,375
Center Street	3,800
Loucks Way	17,550

Sincerely,



S. Scott McDowell
Administrator

Not to exceed
\$4,685¹⁰



www.ci.brownsville.or.us

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

June 17, 2013

Ricky,

Please provide the City with an estimate for the following vegetation abatement:

Address:	Approximate Cost:	Notes / Comments:
240 North Avenue Go	\$175 ⁰⁰	
403 Kay Avenue Go	\$175 ⁰⁰	CL Returned - NO contact w/ owner - Do
718 Butte Street	\$250 Marla Moore	
215 School Avenue Go	\$180 ⁰⁰	
748 Westview X	\$200 ⁰⁰	TBD BY OWNER - Don
801 Northpoint	\$250 ⁰⁰	
803 Northpoint	\$150 ⁰⁰	
807 Northpoint	150 ⁰⁰	
808 Northpoint	\$250 ⁰⁰	
863 Northpoint	150 ⁰⁰	
870 Northpoint	170 ⁰⁰	
871 Northpoint	\$250 ⁰⁰	
1004 Pine Street	\$150 ⁰⁰	
336 Spaulding	\$250, tree \$60 ⁰⁰	these are areas of brush rains
Behind 510 Hausman	\$250 ⁰⁰	seem behind 500 Hausman
2 Lots on Walnut	\$500 ⁰⁰	

Thanks so much!

Tammi Morrow

Tammi Morrow, Administrative Assistant,
 City of Brownsville

6/20 - Don
 Andrews -
 He will go
 back to a:

S. Scott McDowell

From: Michael G. Hoyt [mike@barkeruerlings.com]
Sent: Thursday, May 30, 2013 5:29 PM
To: S. Scott McDowell
Subject: RE: Volunteers

Hi Scott –

No real hurry on a meeting, and no real surprises for this renewal. The property and auto premiums are up a little, and the general liability premium is down a little. Overall, the CIS premium on the package policy (liability, auto and property) is up around \$1,300. On the workers' compensation side, the annual premium is down almost \$500. Overall, a pretty good renewal for you -- and we are delivering plenty of news of higher premium to lots of other public entities this year.

Week after next is fine, and a conference call is also fine if that's your preference.

Mike

Michael G. Hoyt
Senior Account Executive
Barker-Uerlings Insurance
Telephone: 541 757-1321
Fax: 541 757-1328
Email: mike@barkeruerlings.com

From: S. Scott McDowell [mailto:admin@ci.brownsville.or.us]
Sent: Thursday, May 30, 2013 5:18 PM
To: Michael G. Hoyt
Subject: RE: Volunteers

Good Afternoon Mike:

Probably a phone conference would be easier for you in terms of traveling. I will be heading out Monday to discharge my duties as a member of the Oregon Parks & Recreation Department's Grant Advisory Committee, so it may be the week after next. Will that work? Thanks!



S. Scott McDowell
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327
541.466.5880
Fax 541.466.5118

From: Michael G. Hoyt [mailto:mike@barkeruerlings.com]
Sent: Wednesday, May 29, 2013 1:41 PM

Workers' Compensation 2013-2014 Renewal Invoice



citycounty insurance services

CIS Guaranteed Cost Plan

Named Member	Agent
City of Brownsville	Barker Uerlings Insurance
PO Box 188	PO Box 1378
Brownsville, OR 97327	Corvallis, OR 97339

Member Number	Invoice Date	Invoice Number
10024	5/23/2013	BRW-W2013-00

Class Code - Description	Est. Payroll	Member Rate*	Contribution
5506 - STREET/ROAD MAINTENANCE	\$37,800.00	10.2794	\$3,885.61
7520 - WATER	\$73,500.00	5.3457	\$3,929.09
7580 - SEWER	\$59,850.00	4.6144	\$2,761.72
8742V - VOLUNTEER BOARDS/COMMISSIONS/PUBLIC OFFICIALS	\$15,000.00	0.3502	\$52.53
8810 - CLERICAL	\$173,040.00	0.3502	\$605.99
8810V - VOLUNTEER CLERICAL/LIBRARY/911 OPERATORS	\$14,500.00	0.3502	\$50.78
8820 - ATTORNEYS/JUDGES/BAILIFFS/COURT CLERKS	\$32,000.00	0.1751	\$56.03
9015 - BUILDING MAINTENANCE & LIFEGUARDS	\$14,700.00	4.5629	\$670.75
9102 - PARKS MAINTENANCE	\$19,740.00	5.3869	\$1,063.37
9220 - CEMETERY	\$1,525.00	6.9834	\$106.50
Totals:	\$441,855.00		\$13,182.37

**Member Rate: Per \$100 of Est. Payroll. This is provided to assist members with their budgeting process. Rate includes applicable rating factors except calculations in the Invoice Detail box below. Due to rounding of decimal points on Member Rate, multiplying Est. Payroll by Member Rate may not equal Contribution exactly.*

Invoice Detail

Description	Amount
Estimated Manual Contribution**	\$13,182.37
Experience Rating Modification Factor x	0.91
Estimated Adjusted Contribution =	\$11,995.95
State Assessment (6.40% of Adjusted Contribution) +	\$767.74
Multi-Line Credit -	(\$899.70)
Risk Management Allowance -	(\$599.80)
Bonus Program Credit -	\$0.00

Quarterly Payment Option

Payment	Due Date	Amount Due
1	8/15/2013	\$2,816.05
2	10/1/2013	\$2,816.05
3	1/1/2014	\$2,816.05
4	4/1/2014	\$2,816.05

Amount Due = \$11,264.20	<i>Balances are due by 8/15/2013. Late fees will accrue thereafter.</i>
---------------------------------	---

****Final contribution will be determined by audited payroll**

Make Checks Payable To: CIS Trust / P.O. Box 4288, Portland, OR 97208-4288

ACH direct payment is available. Please request Authorization form and instructions from accounting@cisoregon.org, or from Lee Ann at 503-763-3837.



Property/Liability 2013-2014 Renewal Invoice

citycounty insurance services

Named Member

City of Brownsville
PO Box 188
Brownsville, OR 97327

Agent

Barker Uerlings Insurance
PO Box 1378
Corvallis, OR 97339

Member Number	Invoice Date	Invoice Number
10024	5/23/2013	BRW-I2013-00

Coverage	Description	Amount	Total Due
General Liability (Standard Plan)	Contribution	\$8,774.51	
	Multi-Line Credit	(\$658.09)	
	Risk Management Allowance	(\$877.45)	
	Bonus Program Credits (0)*	\$0.00	\$7,238.97
Auto Liability	Contribution	\$1,247.40	
	Multi-Line Credit	(\$93.56)	
	Risk Management Allowance	(\$124.74)	\$1,029.11
Auto Physical Damage	Contribution	\$856.44	
	Multi-Line Credit	(\$64.23)	
	Risk Management Allowance	(\$85.64)	\$706.56
Property	Contribution	\$22,427.23	
	Multi-Line Credit	(\$1,682.04)	
	Risk Management Allowance	(\$2,242.72)	\$18,502.46
Optional Excess Quake	Contribution	Not Purchased	\$0.00
Optional Excess Flood	Contribution	Not Purchased	\$0.00
Optional Excess Crime	Contribution	\$914.00	\$914.00
Optional Excess Cyber Liability	Contribution	Not Purchased	\$0.00
Difference In Conditions	Contribution	Not Purchased	\$0.00
Invoice Summary	Contribution	\$34,219.58	
	Multi-Line Credit	(\$2,497.92)	
	Risk Management Allowance	(\$3,330.55)	
	Bonus Program Credit	\$0.00	

* Each Bonus Program Credit equals 1% of GL Contribution, up to \$1,000.

Balances are due by 8/15/2013. Late fees will accrue thereafter.

Total Due: \$28,391.10

Make Checks Payable To: CIS Trust / P.O. Box 4288, Portland, OR 97208-4288

ACH direct payment is available. Please request Authorization form and instructions from accounting@cisoregon.org. or from Lee Ann at 503-763-3837.

TO Brownsville City Council

By signing below I accept the Destination Brownsville Weekly Cruise-In Event as welcome in the Spaulding parking lot located between the clinic and the public restrooms. This event is held every Saturday from 4 to 7 pm from 1 June 2013 through the summer and fall months. I support this event.

BUSINESS

DATE

Aimee Coleman
Wear Me Jewels

6/18/13

[Signature]
Calapooia Watershed

6/18/13

Brownsville Quilt Shop - Not Moved in Vet

D. Jensen
Brownsville Video & Spirits

6-18-13

Scott Smith
LB Productions

June 18, 2013

G. and D. [Signature]
Armondo's Mexican Restaurant

6/18/13

Max Phair-Worthing
Brownsville Fitness Center

June 18 2013

Jenni D. Kempf
Stitching Parlor

6-18-13

Pioneer Market Antiques
[Signature]

6-18-13

Mayzville

[Signature]
Looking Glass

6/18/13

[Signature]
Brownsville Medical Clinic

6/18/13

Paula Gardner
Isabella's Garden

6/18/13

40 (240)



NOTICE OF DECISION

PROPOSAL: Variance request for required setbacks, parking requirements, and land use in the Volume Commercial (VC) Zone.

LOCATION: T. 14S, R.2W, Sec. 06, Tax Lot 4206, located at 103 W Bishop Way

APPLICANT: Tim Smith
412 Faust Street
Brownsville, OR 97327

The City of Brownsville Planning Commission conducted a review and public hearing of the above referenced planning action on June 17th, 2013. Upon consideration of the record and testimony at the public hearing, the Planning Commission approved the proposed Variance based on the adopted Findings of Fact. The Planning Commission discussed the parking requirements for this property with the understanding that the applicant will come before the Planning Commission when the exact use of the commercial space has been determined.

The following motion was made in favor based on findings of fact by Mr. Wingren and seconded by Mr. Isenberg to allow Mixed Use in the Volume Commercial Zone and allow proposed setbacks with the conditions listed below:

1. *To allow the proposed rear setback of five feet (5'); with a privacy fence from the front of the building to the back of the building and along the rear property line. The East property line shall be varied to five feet (5') for the remaining twenty feet (20').*
2. *Each tenant will have storage space equal to a minimum of 100 sq. ft. located in the basement of the building.*
3. *The building design shall be based on the Front Elevation drawing submitted as public record for the hearing.*
4. *Relocate overhead power lines per Pacific Power Company.*

If you are an affected party and wish to appeal this decision, appeals must be filed in writing within fifteen (15) days from the date of decision with the City Administrator, along with the required fee of \$375. The following information must be included:

- A. Name and address of the appellant(s).
- B. A reference to the subject development.
- C. A statement of the specific grounds for appeal.
- D. A statement as to how you are an affected party.



Appeals will be accepted only when based upon identified inadequacies, omissions, or errors in the decision's findings and conclusions.

Appeals must be filed by 4:30 p.m. on the final day of the appeal period at City Hall, 255 N. Main, Brownsville, Oregon. When the final day of an appeal period falls on a weekend or holiday, the appeal period shall be extended to 1:00 p.m. on the subsequent work day. Brownsville City Hall is open Monday through Friday, 8:30 a.m. until 4:30 p.m.


Administrative Assistant


City Administrator

CONDITIONS OF APPROVAL

1. Applicant shall comply with all requirements of applicable laws, ordinances and development regulations.
2. Applicant shall be responsible for obtaining necessary information from DEQ, ODOT, or any other state agency regarding the property.
3. Planning Commission approval does not constitute engineering approval. All construction plans must be reviewed and approved by the City Engineer prior to construction.
4. All screening shall be kept in good condition.
5. All exterior lighting shall be designed to avoid glare to neighboring properties and to minimize light pollution.

FINDINGS OF FACT

1. The proposed use would substantially comply with the decision criteria for a conditional use, in that the proposal's benefit to the public outweighs any potential negative impacts.
2. This conclusion is based on the information provided by Applicant in the Variance application, site inspections, and information provided in personal communication with representatives of the Applicant, made a part of the record through this Staff Report.



3. The proposed use would have minimal adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.
4. The proposed use will not affect historical, archeological, natural, or scenic assets of significance to the community.
5. Parking requirements for this property will be reviewed by the Planning Commission when the exact use of the commercial space determined.

NOTE: Brownsville Municipal Code 15.130.040 states:

Time limit on permit for a variance:

Authorization of a variance shall be void after two years or such lesser time as the authorization may specify unless substantial construction has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one year on request. [Ord. 504 § 8.040, 1980; 1981 Compilation § 8-5:8.040.]

c: File
Spencer Costello

JAD LEMHOUSE
714 Loucks Way
Brownsville, OR 97327

June 10, 2013

Mr. S. Scott McDowell
City of Brownsville
P.O. Box 188
Brownsville, OR 97317

RE: Fence Installation

Dear Mr. McDowell:

Thank you for your letter regarding vegetation and fence installation. I am delighted to hear that Mrs. Erickson will take responsibility for removing vegetation encroaching across the property boundary. To do that she must trim back all vegetation to within her property. There are established corners from which string lines may be drawn to easily locate vegetation that should be removed.

I would be willing to assist in the process. If Mr. Frink has a metal detector and can meet me at the south end of the boundary about 8 AM on June 14, we could locate the corner pin at that location and I will erect one or more posts from which string lines can be drawn to assist in removal of vegetation. Once the fence is erected, any vegetation coming over the fence should be immediately removed.

Regarding the use of herbicides: I have used herbicides to control vegetation on my access road since 1973. I use herbicides that are registered for that use. I will continue to use such herbicides for that purpose as I determine appropriate consistent with labeled usage. I do not apply any pesticide to Mrs. Erickson's property and I am careful to avoid "spray drift" whenever I am close to the boundary between the road and Mrs. Erickson's property.

If I can be of further assistance, please contact me.

Yours truly,


Jad Lemhouse

c: Mayor. Don Ware
Mrs. Gail Erickson

JAD LEMHOUSE
714 Loucks Way
Brownsville, OR 97327

June 14, 2013

Received
City of Brownsville
JUN 17 2013

Clerk _____

Ms. Gail Erickson
806 W. Bishop Way
Brownsville, OR 97327

Mrs. Erickson:

As you are aware, this morning my sons and I marked out the boundary between our properties. We ran a string line from corner to corner and marked the boundary indicated by the string line with an orange fluorescent paint. We also set 3 T-posts near the boundary to assist you in locating the point beyond which vegetation should not be allowed to grow. These posts are not tightly set so that they may be easily removed and are intended to merely be used as a reference point.

The paint marking the boundary is reasonably close to the actual boundary and is adequate for guidance purposes. The string line was pushed slightly to the east by encroaching vegetation and by the fence that Mr. Randall Wood erected several years ago at the northern end of your property. We removed as much of the vegetation as we could without encroaching upon your property; there was nothing we could do about the fence.

Please remove all vegetation that encroaches on or over the boundary line. There are various forbs, grasses, limbs, stems and other plant materials that must be removed and kept contained within your property. If you have not removed the encroaching vegetation by July 7, 2013, then I shall remove it at my convenience as I have done repeatedly in the past.

Thank you for your attention to this matter.

Yours truly,

Jad Lemhouse

c: Mr. S. Scott McDowell

Heaven Bound Riders

Chapter 22 of the
Christian Motorcyclists
Association

Received
City of Brownsville
JUN 13 2013
Clerk _____

June 6, 2013

City of Brownsville
P.O. Box 188
Brownsville, Oregon 97327

Dear Sirs:

On behalf of Heaven Bound Riders and the Lane County Cancer Association, I would like to thank you for the gift donation of the use of your park which you so graciously donated for our "Mystery Ride for Cancer" event.

Your kindness and generosity contributed a large part in making our special event a success and we sincerely thank you.

Your gift is tax deductible. The American Cancer Society tax number is 84-1316555.

Sincerely,

HEAVEN BOUND RIDERS


Dave Laaksonen
Event Coordinator

S. Scott McDowell

From: Heather Matthews [hmatthews@cisoregon.org]
Sent: Tuesday, May 28, 2013 4:31 PM
To: Heather Matthews
Cc: Carolyn E. Van Dyke; John Dalen; Pamela Bowles; Melinda Lund; Jan Noland
Subject: CIS Benefits Announcement: Waiting Periods - ACTION REQUIRED

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

You are receiving this e-mail because our records indicate you currently have a waiting period before benefits become effective of 90-days or more for your medical or dental insurance. If that is not the case, please disregard this e-mail.

As you will see in the member update that comes out later this week, CIS is going to start a newsletter that outlines and explains the various provisions of the Affordable Care Act (ACA). One of the items we'll be discussing is the new 90-day limitation on waiting periods for medical and dental plans. Since this provision can affect your 2013-14 budget, I wanted to give you this heads up sooner rather than waiting for when it's addressed in the newsletter.

Effective 1/1/14, waiting periods before benefits become effective can no longer exceed 90 days. This means in order to be compliant members will be limited to waiting periods of no longer than "First After 2 Months". This ensures that the coverage is effective prior to the 90th day. When you complete your Request for Coverage (RFC) this year, CIS staff will be reviewing to ensure you have changed your waiting period. While the medical/dental waiting periods must be the same, life/disability can remain at 90 days (First After 3 Months) or longer. So, please be thinking about whether you want to make the waiting periods the same for all plans and all employee groups, or if there is a reason to keep them different.

Please let me know if you have any questions.



Heather Matthews | Assistant Benefits Representative
CIS | 1212 Court St. NE | Salem, OR 97301
p 503-763-3826 | 800-922-2684 x3826 | f 503-763-3926
www.cisoregon.org

*How confident are you in your ability to conduct an effective workplace investigation?
Learn more at CIS' Spring Supervisor Trainings during May. Click [here](#) for dates and locations.*

Mid-Session Legislative Update

continued from page 13

TOPIC	BILL NUMBER	DESCRIPTION
Annexation	HB 2028 HB 2617	<p>HB 2028 would prohibit cities from requiring a non-resident to sign a non-remonstrance agreement to receive urban services from the city if the services are provided because of an intergovernmental agreement. The League is working to provide a clearer understanding of the services the legislation is referencing and to incorporate a list of services subject to this restriction in the bill.</p> <p>HB 2617 would amend annexation voting requirements. Under this bill, island annexation of 100 acres could occur only if a majority of the residents of the city and a separate majority of the residents of the island vote in favor.</p>
Population Forecasting	HB 2253	<p>One of the League's top priorities for this session, HB 2253 would move population forecasting for land use planning to Portland State University. It passed out of the House Land Use Committee, chaired by Representative Brian Clem (D-Salem) on April 9. Due to the fiscal impacts on the state the bill was referred to the Joint Ways and Means Committee. However, the governor's budget currently has policy option packages included to cover part of the cost of the new program.</p>
Urban Growth Boundary (UGB) Expansion	HB 2254	<p>HB 2254 would streamline the UGB boundary expansion process. This bill will streamline the process for both small and large cities. The process allows for a more objective analysis of land need, current land inventories, and the amount of additional land necessary to accommodate further growth while maintaining urban densities and increasing land use efficiencies. HB 2254 passed out of the House Land Use Committee, chaired by Representative Brian Clem (D-Salem), on April 9. Due to the fiscal impacts on the state, the bill was referred to the Joint Ways and Means Committee. However, the governor's budget currently has policy option packages included to cover the cost of the new program.</p>
Industrial Lands Streamlining	HB 2255 SB 250	<p>HB 2255/SB 250 would create a new industrial reserves designation and develop a streamlined planning process for large industrial sites adjacent to a city's UGB, if certain guarantees are made by the potential property user. The League will continue to work to find solutions to industrial use planning and move this legislation through the Legislature.</p>
Oregon Water Resources Department (WRD) Transaction Fee	HB 2259	<p>HB 2259 would remove a 2013 sunset from the WRD's fee schedule. It also adjusts several fees that are not consistent with the rest of the fee schedule and adjusts fees to accommodate the increased cost of doing business during the 2013-15 biennium. This bill allows WRD to maintain current service levels and a cost recovery level of around 50 percent that was established by the 2009 Legislature. If the bill does not pass, the fees will revert back to the 2003 levels which would result in staff layoffs and reduced service to customers. The League is supportive of HB 2259 because cities are reliant on WRD to handle water right transactions in a timely manner. If the fees revert back to the 2003 level there would be an increase in backlogs and processing time, which has the potential to immediately and significantly impact Oregon's economy. This bill will be referred to the Joint Ways and Means Committee for further budget considerations.</p>



Population Forecasting

HB 2253

Description

HB 2253 would provide cities with population forecasts that would be updated every four years and be fully funded by state resources. These forecasts would be provided by the Population Research Center (PRC) at Portland State University, would not be considered a land use decision, and not subject to appeal at the Land Use Board of Appeals (LUBA).

Background

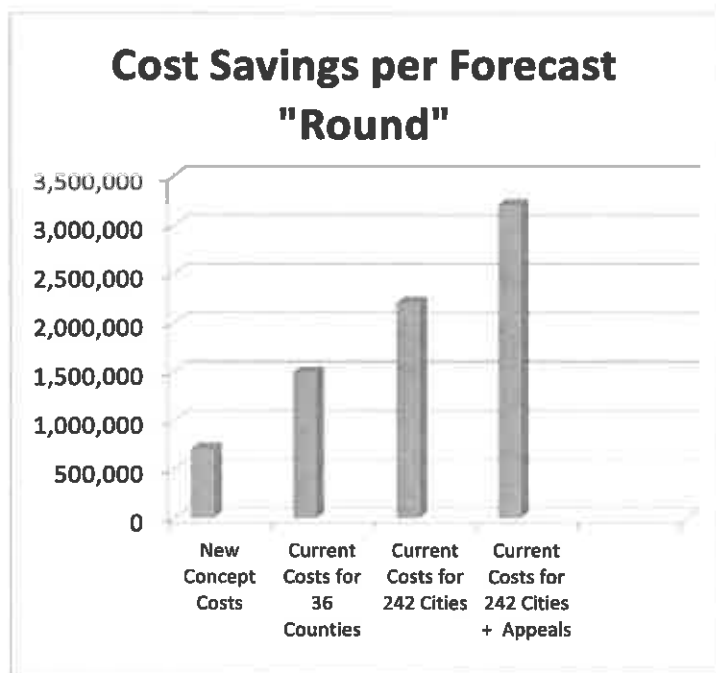
Under our current system, cities are mandated to use population forecasts to update their comprehensive plans. Current and future trends indicate that there are growing numbers of cities finding it necessary to begin UGB updates, requiring fresh forecasts. Counties are required by state law to issue, adopt and keep current forecasts for the urban and rural portions of their county (except Metro for its portion of the three-county region). For a variety of reasons, counties have had difficulty complying with the mandate to provide forecasts to cities—more than half the counties in the state have never provided their cities' forecasts, or the forecasts are more than 10 years old. Cities have also had difficulty obtaining timely county approval of forecasts generated by a city, resulting in lost opportunity costs. Additionally, the monetary costs of complying with the existing system are substantial. Adding to the costs has been the skyrocketing of litigation—many forecasts are being challenged initially or at a later date as part of a subsequent land use action.

Example

Take for example the city of Newberg, a fast-growing community of roughly 22,000 residents in Yamhill County. The city has experienced two fairly recent forecast efforts, resulting in a LUBA appeal, approximately \$30,000 in city expenses and several years of time. Newberg still does not have a coordinated population forecast number that has been adopted by the county. Additionally, there has also been associated county time and expense, significant private citizen time and expense, and delay of important growth and employment opportunities in the city.

Statewide Impacts

The new forecasting system will result in considerable cost savings and will provide forecasts on an on-going basis.



Concept Details

- Forecasts will not be a land use decision, and not appealable to LUBA.
- "First round" forecasts will be completed over a 4-year period. Forecasts will be issued for one-fourth of the state every year.
- 50-year forecast horizon; includes single-year increments.
- Includes a local process that allows multiple opportunities for input from cities, counties, citizens.
- A short 60-day challenge process if a city, county or citizen does not agree with the forecast.
- Cities may choose from several options as to when they begin using the new numbers.
- Metro retains responsibility for city/county forecasts in the Metro boundary, but must coordinate methodologies with PRC. PRC will produce forecasts for cities and counties in Multnomah/Clackamas/Washington County, outside of Metro.
- A peer review team comprised of experts in the field, and city and county representatives will review methodology, local data collection and provide peer review to PRC.
- Cities with a shared UGB or shared county boundaries will be coordinated and forecasted in the same "round."

House Bill 2254

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Land Conservation and Development)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Creates option for cities with population of less than 10,000 to project need, based on population growth, for inclusion of land within urban growth boundary. Establishes priority for selection of land for inclusion.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the urban growth boundary; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) For purposes of a periodic review pursuant to ORS 197.628 to 197.651 or any other legislative review of a comprehensive plan or the Metro regional framework plan that concerns the urban growth boundary included in the plan and requires the application of a statewide land use planning goal relating to urbanization, a city with a population of less than 10,000 may include land within its urban growth boundary based on the projected population growth of the city, or the population growth over the previous _____-year period, and the relationship between the population growth of the city and the rate of urbanization established by rule of the Land Conservation and Development Commission.

(2) A city may not increase the amount of land within the urban growth boundary under this section at a rate that exceeds the rate of population growth within the city.

(3) When considering land for inclusion within an urban growth boundary pursuant to this section, the city:

(a) Shall consider all contiguous land that is within a specified distance, established by rule of the commission, from the urban growth boundary.

(b) May exclude land from consideration because:

(A) The land does not meet the site characteristics or locational factors required by the particular industrial use for which the urban growth boundary is being expanded;

(B) Necessary public facilities or services cannot be provided practically, as practicality is determined by rule of the commission, taking regional factors into account; or

(C) The land is subject to significant development hazards, including risk of landslide, risk of flooding, due to a location that is either within the _____-year floodplain or subject to inundation during storm surges, and other hazards described by rule of the commission.

(4) When considering land for inclusion within an urban growth boundary pursuant to this section:

(a) First priority is land that:

(A) Is designated as an urban reserve under ORS 195.145, in a metropolitan service dis-

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in boldfaced type.

1 trict action plan or by rule of the commission;

2 (B) Is planned and zoned for nonresource use; or

3 (C) Does not require an exception under ORS 197.732.

4 (b) If land under paragraph (a) of this subsection is inadequate to accommodate the
5 amount of land needed, second priority is land in the county that is designated as marginal
6 land pursuant to ORS 197.247 (1991 Edition).

7 (c) If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate
8 the amount of land needed, third priority is land designated in an acknowledged comprehen-
9 sive plan for agriculture or forestry, or both.

10 (5) If appropriate and available land in a priority identified under subsection (4) of this
11 section exceeds the amount of land needed for inclusion within the urban growth boundary,
12 the city shall choose between land of the same priority based on factors identified by rule
13 of the commission.

14 SECTION 3. This 2013 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
16 on its passage.

17

Cascades West Area Commission on Transportation

Staffed by Oregon Cascades West Council of Governments

Notes from May 23, 2013 CWACT Meeting

1. 2015-2018 State Transportation Improvement Program (STIP)

As discussed at meetings during the past year, the Oregon Transportation Commission expects to continue to transition to a more multi-modal agency and identify and fund the best transportation projects solutions to address transportation needs.

An important part of this transition relates to the STIP funding allocation and project selection process. The first step of this OTC/ODOT revised STIP effort was to define projected revenue for the 2015-2018 STIP and develop a range of scenarios that places funds into either a “Fix It” category or an “Enhance” category.

- The “Fix-It” category includes all of the capital funding categories that maintain or fix ODOT’s portion of the transportation system. This includes operations; pavement preservation; state bridges; signs/signals; safety programs; rail crossings; culverts; and landslides.
- The “Enhance” category includes all of the various categories that add to or enhance the transportation system. This includes: highway modernization projects; the Bicycle and Pedestrian Program; the multimodal “Flex Funds” program; the Safe Routes to Schools Program; the Transportation Enhancement Program; the Transportation Demand Management Program; and the Transportation Growth Management Program.

ODOT received 22 2015-2018 STIP project applications in the CWACT area requesting a total of about \$17 million. The requests include highway, multi-use path, pedestrian/sidewalk and transit projects. Three of these projects and part of a fourth, totaling about \$1.6 million, have subsequently been funded from other sources.

The application for each proposed project is available at:

<http://www.ocwcog.org/Page.asp?NavID=410>

Each of the following 19 applicants provided a brief presentation about their project to CWACT members and answered questions.

<u>Applicant</u>	<u>Amount</u>	<u>Proposed Project</u>
Benton County	\$269,000	Special Transportation (bus replacement)
Benton County	\$1,072,000	Albany-Corvallis Multiuse Path

Corvallis	\$1,110,000	Transit (bus replacement)
Corvallis	\$584,000	Mary's River Multiuse Path
Corvallis	\$102,000	Pedestrian Crossing Facilities Walnut and 9 th
Corvallis	\$277,000	Sidewalk Infill Segments
Corvallis	\$532,000	Tunison Multiuse Path
Depoe Bay	\$678,000	US 101 Bike/Ped/Road
Halsey	\$448,000	OR 99E and OR 228 Sidewalk Improvements
Lincoln City	\$2,070,000	US 101 Multiuse Path North Lincoln City
Lincoln City	\$43,000	US 101 Bike/Ped Taft Community BayWalk
Linn County	\$951,000	Lebanon Bike/Ped/Road Cascade Drive
Newport	\$1,025,000	US 101 Road w/Bike/Ped 32 nd and 35 th
OCWCOG	\$76,000	Regional Park and Ride Study
ODOT	\$2,000,000	I-5 Highway Albany Area Design and ROW
ODOT	\$1,009,000	US 101 Lincoln City Bike/Ped 27 th – 29 th
Sweet Home	\$2,399,000	US 20 Multiuse Path Foster Lake Area
Sweet Home	\$541,000	US 20 Pedestrian Crossings and Sidewalks
Waldport	\$224,000	US 101 Bike/Ped/Road Seawall/Bridgeview Trail

Next steps:

- The CWACT Technical Advisory Committee met on May 9 to discuss the STIP review process and will meet on June 12 to review and prioritize the STIP applications.
- ODOT Region 2 staff, on May 30, will hold a SuperACT “pre-meeting” to discuss the Region’s STIP review process with the Chairs and Vice-Chairs of the four Area Commissions on Transportation in Region 2.
- The Oregon Transportation Commission will meet with the Chairs of ACTs and statewide advisory committees on July 17 to discuss the 2015-2018 STIP effort.
- CWACT, at its July 25 meeting, will review and prioritize the STIP applications.

- ODOT expects to hold a Region 2 SuperACT STIP review meeting in mid-September to establish a regional priority list of STIP projects.
- The OTC, in October and November, will review the recommended project lists from the five ODOT Regions and will also review the allocation of the 20% STIP discretionary funds. (The OTC allocated 80% of the Enhance funds to the five ODOT Regions and retained 20% for a future decision.)
- The OTC expects to release in December the Draft 2015-2018 STIP for public review. This process will take nearly a year, with the OTC final action on the 2015-2018 STIP is scheduled for November 2014.

2. ODOT Area Manager's Report

Amy Ramsdell reported that bids were received for the 2013 construction work on the Pioneer Mountain-Eddyville project which includes culverts, pipes, drainage and test fills. The low bid of less than \$14 million is under the ODOT estimate.

Ramsdell offered a tour of the construction site to CWACT members in June. Mark Volmert will contact members.

3. CWACT Executive Committee Report

The following items were discussed at the April 25 Executive Committee meeting:

- 2015-2018 STIP review process
- May 30 Region 2 SuperACT meeting
- Interest in meeting with other Region 2 ACTs on a variety of mutual interests
- Coastal infrastructure discussion, including the November OTC meeting in Yachats
- Rail update including the April 24 higher speed rail meeting at LBCC
- ODOT/DHS Transportation-Human Services Coordination Study

4. Next meeting Dates

- June 27 (tentative) Executive Committee Meeting
- July 25 CWACT Meeting

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

Public Meeting Laws

What Every Elected Official Needs to Know

"Information is the currency of democracy." –
Thomas Jefferson

The following article provides a brief overview of Oregon's public meeting laws. Councilors are encouraged to familiarize themselves with these laws by following the four steps below as well as seeking the continued advice of their city attorney. Failure to do so could result in violations of the public meeting laws, which could have the consequences of voiding government decisions and/or personal liability in an enforcement action brought by the Oregon Government Ethics Commission.

Step 1: Understand the Purpose of Oregon's Public Meeting Laws

To understand your obligations related to Oregon's public meeting laws, it is important to first understand the purposes behind the laws. As explained in ORS 192.620:

The Oregon form of government requires an informed public, aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of [Oregon's public meeting laws] that decisions of governing bodies be arrived at openly.

Oregon's public meeting laws are intended to benefit both the public and government. The public benefits by gaining a better understanding of the reasoning behind decisions, which in turn leads to greater public trust in government and greater public involvement.

Step 2: Understand When You are Engaged in a Meeting Subject to Oregon's Public Meeting Laws

Knowing when the law applies is critical to avoiding violations. Oregon's public meeting laws apply only:

- To gatherings of a governing body;
- To gatherings for which a quorum is required; and
- When it is necessary to make a decision or to deliberate toward a decision on any matter.



Photo courtesy NewsLincolnCounty.cc

All three of those requirements must be met before the public meeting laws apply.

(1) **Governing Body Gatherings:** A governing body is defined by the public meeting laws as a deliberative body of the city that consists of two or more members who have the authority to make decisions or recommendations for the city. This includes all city councils, as well as planning commissions, budget committees, library boards, citizen advisory committees, council committees, and others, even if their functions are purely advisory. It does not include ad hoc committees of department heads or other city employees.

A gathering need not be in person. The public meeting law defines gathering to include "conference call" telephone meetings. If such meetings are held, arrangements must be made for the public to hear what is said, such as providing loud speakers attached to the telephone system (ORS 192.670(2)).

(2) **A Quorum:** It is crucial to remember that in order for the laws to apply, a "quorum" of the governing body must be present. For city councils, a quorum is generally defined in the city charter, or by council bylaws or rules of order. If local law is silent, a quorum is defined by state law as 50 percent of the members, plus one.

(3) **Decisions or Deliberations:** City councilors should keep in mind that the public meeting laws apply only to gatherings at which a quorum of a governing body is making a decision or deliberating toward a decision in any matter. For the purposes of the public meeting laws, a meeting solely to gather information that will serve as the basis for a subsequent decision or recommendation by the governing body constitutes deliberating toward a decision.

The discussions, however, must be about matters within the governing body's jurisdiction in order for the public meeting laws to apply. Thus, for example, purely social gatherings of the members of a governing body are not covered by the

law. In such situations, it is important to make sure that the members of the governing body avoid any discussions of official business.

Step 3: Understand the Procedural Requirements of the Law

In addition to the basic requirement that governing body meetings be open to the public, meetings may not be held at a place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. Further, meetings must be held at a place accessible to the disabled, and a good faith effort must be made to have an interpreter available for the hearing impaired when requested to do so. In general, meetings may not be held outside the city, although there are some exceptions to that rule. Smoking is prohibited at public meetings.

For a regular meeting, there must be reasonable notice to the public of the time and place of the meeting. The notice must include a list of the principal subjects to be discussed and must identify any matters to be taken up in executive session. The notice must be reasonably calculated to give actual notice to interested persons including news media that have requested notice. Some examples of how cities provide notice include: sending press releases; sending agendas to mailing lists; and placing agendas on notice boards and the Internet. Except in an emergency, all public meetings (including executive sessions) must be called with at least 24 hours prior notice.

Minutes of all meetings are required either in the form of sound, video or digital recording, or written minutes. Written minutes need not be a verbatim transcript of the meeting, but, at a minimum, minutes must contain:

- Members present;
- Motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- Results of all votes;
- The substance of any discussion on any matter; and
- A reference to any public document discussed at the meeting.

Step 4: Understand When a Meeting May be Held in Private

Public meeting laws permit governing bodies to meet in private in limited circumstances. Governing bodies must generally permit members of the media to attend an executive session.

The public meeting laws provide authority to a governing body to hold executive sessions for specific reasons set forth in state law including:

- Initial employment of public officials and employees;
- Dismissal or disciplining of an officer or hear charges or complaints against an officer or employee, unless the officer or employee requests an open meeting;

- Matters pertaining to the functions of a public hospital medical staff;
- Deliberations with persons designated to negotiate real property transactions;
- Deliberations with persons designated to conduct labor negotiations;
- Discussion of records that are exempt from public inspection, including written advice from your attorney;
- Negotiations involving matters of trade and commerce when the unit of government is in competition with other areas;
- Legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
- Review and evaluation of an executive officer, public officer, employee or staff member, unless an open hearing is requested by the person being reviewed;
- Negotiations regarding public investments; or
- To conduct labor negotiations, if requested by negotiators for both sides.

It's important to note that no final action or final decision can occur in an executive session. ORS 192.660(6). To hold a meeting that is an executive session only, notice must be given in advance, the same as for any other meeting, but the statutory authority for the executive session must be stated in the notice. An executive session may also be called during a regular, special or emergency meeting for which notice has already been given. The person presiding over the meeting must announce the statutory authority for the executive session before going into the session. ORS 192.660(1).

Failure to follow the rules regarding executive sessions, including holding a meeting in executive session on a topic not allowed by law, can be grounds for a complaint with the Oregon Government Ethics Commission. Should a complaint be filed and the Commission determine that the executive session laws were not followed, every member who participated in the executive session can be fined personally, unless the governing body first sought the advice of its city attorney. For those reasons, it's important that city officials consult with the city attorney before convening an executive session.

Editor's Note: This article is general due to the complexities of the law. This article is not intended to substitute for the advice of qualified legal counsel. City officials needing legal advice should seek counsel from their city attorney in accordance with their city's procedures for obtaining such advice. ■



Photo courtesy Northeast Oregon Now

Public Participation at Council Meetings

Oregon's public meeting laws require city councils to conduct business in noticed meetings open to the public. This permits the public to be aware of the deliberations and decisions of city councils and the information upon which such decisions are made. But to what extent does the law require a city council to permit public participation and comment at council meetings?

As a general rule, there is no legal requirement that the public be allowed to comment during a public meeting. As explained in the Oregon Attorney General's Public Meetings Manual, "the public meetings law is a public attendance law, not a public participation law." Accordingly, the manual advises that "[t]he right of public attendance guaranteed by the public meeting laws does not include the right to participate by public testimony or comment."

As with most laws, there are exceptions to this rule. The public meeting laws require public participation in two situations. First, the law requires an opportunity for "public comment" on the employment of a public officer. (ORS 192.660(7)(d)(C).) Second, the law requires an opportunity for "public comment" on standards to be used in hiring a chief executive officer. (ORS 192.660(7)(d)(D).) Other than these exceptions, the public meeting laws do not require a city to permit public participation or comment at council meetings. In addition to these exceptions, state statutes, city ordinances or council rules outside of the public meeting laws may require city councils to permit public participation and comment at their meetings.

Oregon statutes often require the council to hold public hearings on matters where the public is allowed to comment. For example, Oregon's land use laws require cities to hold public hearings on certain types of land use decisions. Similarly, Oregon local government budget law requires cities to hold public hearings and propose budgets where the public is allowed to comment on the budget before adoption. (See "Budgeting Basics," *Local Focus*, February 2013).

City ordinances or council rules can also require that a portion of a council agenda be set aside for public comment. For example, section 2.04.070 of the city of Ashland's municipal code provides all Ashland citizens with the right to speak on any item not on the council's agenda during a portion of the council meeting known as public forum. Likewise, sections 4.1 and 4.3 of the city of Gresham's council rules require a time period for public comment at most council meetings. Gresham's rules permit citizen comments on both agenda and non-agenda issues, and, as a general rule, each speaker is limited to a three-minute comment period. Under these rules, the Gresham City Council may in its discretion and by consensus terminate public comment or lengthen or shorten an individual's comment period. Section 7.2 of Keizer's council rules allows for any group of three or more persons sharing a common viewpoint on any subject to select a spokesperson to present the group's view to the council. The group presentation is allowed five minutes maximum unless additional time is granted by the presiding officer. In the absence of requirements such as these, a city council may conduct a meeting without public participation or comment.

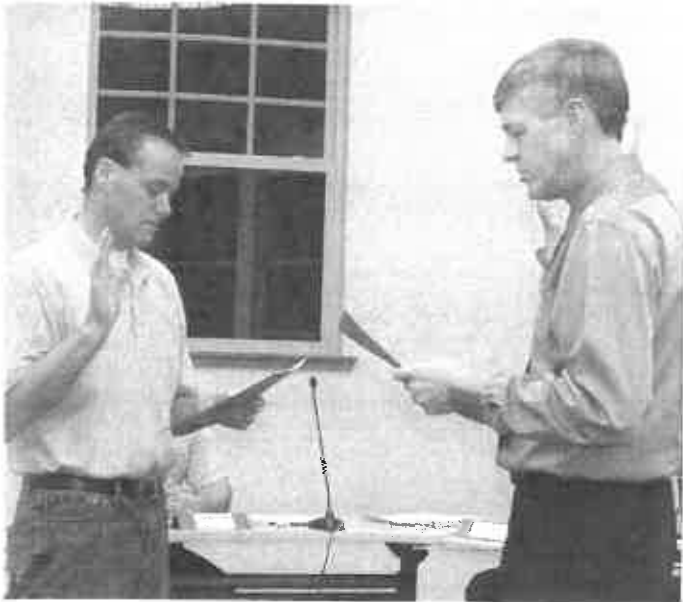


Photo courtesy City of Mt. Angel

Even if public comment is permitted, the city council, through its presiding officer, has the authority to keep order and to impose any reasonable restrictions necessary for the efficient and orderly conduct of a meeting. According to the attorney general, any person who fails to comply with reasonable rules of conduct, or who causes a disturbance, may be asked or required to leave and upon failure to do so, becomes a trespasser. The attorney general has advised, however, that it is questionable whether a city council may exclude a member of the public because the person engaged in misconduct at a previous meeting.

Editor's Note: This article is general due to the complexities of the law. This article is not intended to substitute for the advice of qualified legal counsel. City officials needing legal advice should seek counsel from their city attorney in accordance with their city's procedures for obtaining such advice. ■

Public Meeting vs. Public Hearing

What's the difference between a public meeting and a public hearing? In short, a public hearing is a type of public meeting. Generally speaking, the public does not have a right to comment at a public meeting. However, a public hearing is a procedure whereby the public and or certain parties are invited to comment on a matter pending before the city council. This distinction is important because rules, ordinance and statutes will often refer to both "public meetings" as well as "public hearings."

A large advertisement for Waste Management. At the top, the text reads "Waste Management Helping to Build a Sustainable Oregon". Below this is a photograph of a Waste Management garbage truck in a field. The side of the truck has a sign that says "Waste Management Our landfills provide over 17,000 acres of wildlife habitat." At the bottom right of the advertisement is the Waste Management logo, which consists of the letters "WM" in a stylized font, with "WASTE MANAGEMENT" written below it. Below the logo is the slogan "Think Green:". At the bottom left of the advertisement, the phone number "1-800-592-9995" and the website "www.wmnorthwest.com" are listed.

Waste Management
Helping to Build
a Sustainable
Oregon

WM
WASTE MANAGEMENT
Our landfills provide
over 17,000 acres
of wildlife habitat.

WM
WASTE MANAGEMENT
Think Green:

1-800-592-9995
www.wmnorthwest.com

Ten Tips to Tame Unruly Behavior at Council Meetings

By Chad Jacobs



Photo courtesy KATU-7

On the best nights, council meetings run smoothly, the council's work is completed efficiently and everyone goes home early and happy.

Such nights are not guaranteed, and, more often than we desire, controversial issues and unruly behavior derail an otherwise well-planned council meeting. Even the most experienced presiding officer will admit that he or she loses control of a meeting from time to time. So what can an elected official do to help keep meetings under control? The following are 10 tips to keep in mind to tame unruly behavior at council meetings.

1. Understand the Law. State law, the city charter, city ordinances, council rules and even the United States and Oregon constitutions all play a role in how councils conduct their meetings. For example, although Oregon's public meeting laws require you to allow the public to observe council meetings, these statutes do not require you to permit public participation. Conversely, other state statutes, such as the land use hearing procedures in Chapter 197, require you to permit public participation during your meetings. In addition, your city charter, ordinances and/or council rules may require you to permit public participation during your meeting on various topics. Understanding when public participation is required is the first step in being able to effectively control council meetings.

If public participation is part of your council meeting, the Oregon attorney general has advised that "the presiding officer may regulate the order and length of appearances and limit appearances to presentations of relevant points." (See *Oregon Attorney General Public Records and Meetings Manual*.) The attorney general has further explained that "[a]ny person who fails to comply with reasonable rules of conduct or who causes a disturbance may be asked or required to leave and upon failure to do so becomes a trespasser." (*Id.*) Based on recent judicial decisions, however, cities should not eject an individual from a council meeting or otherwise prohibit free speech related activities unless those actions actually disrupt the meeting. (See *Norse v. City of Santa Cruz*, 629 F3d 966, 976 (9th Cir. 2010); *Acosta v. City of Costa Mesa*, _ F3d _ (9th Cir. 2013)).

Whether public participation is permitted or not, courts have explained that the free speech provisions of the United States and Oregon constitutions protect the behavior of citizens at council meetings. For example, the Ninth Circuit of the U.S. Court of Appeals has expressly stated that the free speech rights of audience members continue to exist even when the public comment portion of the meeting has ended. Thus, in *Norse*, the city had to prove to a jury that a Nazi salute made by a member of the audience actually disrupted a meeting in order to justify the ejection of that audience member. Understanding when and how these free speech rights apply to public participation is another step in being able to effectively control council meetings.

2. Have Rules and Procedures in Place. Making sure that you have rules in place that clearly define the behavior expected at council meetings is also an important step in being able to effectively control council meetings. In order to avoid being overly broad, and therefore violate the free speech provisions of the Oregon and United States constitutions, such rules should prohibit only actual disruptive behavior. (See, e.g., *Acosta*, _ F3d _.) In addition, cities should publicize the rules and procedures and make them widely available to the public. You should work closely with your city attorney to develop such rules.

3. Use Speaker Cards or Sign-Up Sheets. Requiring speaker cards or sign-up sheets permits the presiding officer to know how many people wish to speak on a particular topic and create a plan for handling the public comment. For example, knowing how many people wish to speak on a topic permits the presiding officer to limit the amount of time that each person receives, if necessary, before the public comment period begins. Likewise, these tools prevent groups of individuals fighting for position to be the next in line to address the council, which thereby limits tension in the audience as everyone can remain seated comfortably until they are called upon to speak. The use of speaker cards or sign-up sheets also permits the presiding officer to call groups to the podium together and request, if the group is amenable, to have a spokesperson speak on behalf of the group. Finally, using speaker cards and sign-up sheets is an easy policy to rely upon to request that members of the public refrain from making statements or outbursts from their seats.

4. Explain Your Procedures. Take the time at the beginning of a meeting and/or before a heated agenda item to explain your procedures. Nothing derails an otherwise effective meeting better than confusion. Explaining to the public what the council will be doing, when it will take public comment, how people will be called upon to provide comment, and how long each individual will have to speak will help to keep confusion at a minimum and keep the meeting on track.

5. Be Consistent. Whatever rules or procedures you establish, you need to make sure to enforce them consistently and uniformly. Not only will an inconsistent application of your rules create potential legal liability for your city, it will cause the public to question your motives and integrity, which will undoubtedly lead to unruly behavior.

Nothing derails an otherwise effective meeting better than confusion.

6. Be Respectful and Pay Attention. Citizens who attend council meetings, like you, are taking time away from their families, work or other endeavors to participate in the governing process of their city. Whether you agree with an individual's position or not, being respectful by listening to what the individual has to say and paying attention while they are speaking is important. Members of the public often feel as if they have wasted their time and that their thoughts and ideas have fallen on deaf ears when members of the council check email, engage in side conversations or otherwise preoccupy themselves during public comment. The level of frustration that emerges when this occurs often results in unruly behavior and disruptions to council meetings.

It is also important to remain respectful even when members of the public are not. As an elected official you have likely developed some tough skin, and there is no better time to rely on that attribute than during council meetings. If you permit yourself to be drawn into arguments by responding to personal attacks, you will become a major contributor to the unruly behavior that causes the disruption of meetings. Rather than debating these issues, it is better to let the presiding officer or another member of the council respond by informing the public that personal attacks are not welcomed, appreciated or helpful. In addition, when confronted with such situations, it is better to focus on the behavior, not the person. By explaining to the audience the type of behavior you desire rather than attacking the individual who is being disrespectful, you will likely be able to diffuse an otherwise contentious situation.

7. Wait to Ask or Answer Questions or Debate Points. Public comment is usually limited to a set amount of time. You can easily contribute to unruly behavior when you interrupt an individual providing public comment before that time has expired in order to ask or answer a question or to debate

a point that the individual has made. For example, members of the public rightly feel that the time taken to answer your question or the time you took speaking should not count against their allotted time. Because of this, the presiding officer must attempt to determine how much additional time to give the speaker, and when individuals disagree with the presiding officer's determination, unruly behavior often results. You avoid this issue entirely by waiting until the speaker's time has expired to ask or answer questions or to make a counterpoint to what was just said.

Furthermore, you should keep in mind that public comment is just that—an opportunity for the public to share their opinions with the council. It is not a designated time for the council to answer the public's questions. Allowing the presiding officer to explain this to the audience and asking staff to respond to the questions at a later time will avoid the unruly behavior that often results when the council engages in debates with members of the public.

8. Lead by Example. We often forget that sitting in front of an audience means that we are constantly on display. How you act during a meeting while you are on display indicates to the audience how you expect them to act. If you are constantly interrupting or talking over your fellow councilors, raising your voice unnecessarily or otherwise demonstrating disrespectful behavior, you are encouraging such behavior from the audience.

9. Take Breaks. We see it in sporting activities all the time. Just as one team gains momentum and the game appears to be slipping away, the other team calls a time-out. Quite often, the short time-out permits the other team to regroup and get back into the game. This same philosophy works well at council meetings. There is nothing wrong with taking a five minute break to let people cool down and to allow the council to regroup. In addition, during the break, you will have an opportunity to work with your staff, including your city recorder, city manager, city attorney or police chief to determine the best manner to keep the meeting under control.

10. Attend Training Opportunities. The more experience you have, the easier it is to resolve and avoid situations that create unruly behavior. The League of Oregon Cities has many opportunities for you to gain experience through their Oregon Local Leadership Institute (OLLI) classes. In addition, your city staff is likely able and ready to provide the council with training about these issues. A great tool you might want to use in such trainings is the council bloopers video the League recently distributed to all members.

As the saying goes, an ounce of prevention is worth a pound of cure. Following the tips above and taking other steps to run an organized meeting will stop most unruly behavior before it even starts.

Editor's Note: Mr. Jacobs is an associate with Beery, Elsner & Hammond, LLP. ■

Leading an Effective Meeting

Insights from Local Mayors



Mayor Shirley Kalkhoven

The steady guidance of a seasoned leadership can be the most important component of a productive public meeting. We asked two experienced mayors, Nehalem's Shirley Kalkhoven and Newberg's Bob Andrews, for their insights.

In your experience, what are the essential skills that a council president or presiding officer needs to run an effective meeting?

Mayor Kalkhoven: The first things that come to mind are:

Fairness. We all have known the person who tends to dominate a meeting or discussion. There often are people who tend to stay silent, unwilling to share their ideas or thoughts in the face of this dominance. Your job as the leader is to make certain that everybody gets a fair share of "air time" in a discussion. Find ways to tactfully let the perennial talker know that it's time to relinquish the floor and let others have a chance. Learn techniques to encourage the silent ones to offer their thoughts and opinions.

I recently sat through a two-hour meeting where fully 50 percent of the time was occupied by one speaker who tended to think out loud. The meeting presider did nothing; just let it happen. Afterward I made my frustration known to the presider and then found that two people had spoken about this to the offending person who later met me and apologized. Profusely. His performance in subsequent settings has improved 100 percent!

Patience. There is that old adage 'all good things come to those who wai, and that can apply here. Be careful about rushing things. Sometimes an idea or project has to sit and simmer or cook for a while before it is ready to be moved into action. The same is true when council members are considering an idea or option. It takes time for some folks to think through the pros and cons, and being heavy-handed and insisting on forced decisions won't gain anything in the long run.

Willingness to listen. I found years ago that I actually don't have all the answers! There are a lot of other folks who have good ideas to share and many times they will be something you never, ever thought about. Shared

decision-making can bring out the best of all worlds if a group is willing to bring forth ideas, do some form of brain-storming and be willing to look at proposed solutions without criticizing the proposer.

I chair a group that is appointed by our county commissioners. One member is up for possible reappointment but with the caveat that he is away in sunny Arizona three months every winter, which is our busiest time. I quizzed the other members as to how they felt about this sort of part-time member participation. In return, five or six excellent suggestions about ways that he could still participate and be a useful council member were provided. We will use some of these suggestions to keep him in the group and be able to value his contribution.

Being open-minded. This is somewhat akin to being willing to listen. We all have known the person who absolutely under no circumstances would ever consider something or other. I have found that it is possible to get folks of this persuasion to stop a minute and just let that closed door in their minds open enough to let in some light from another direction. It's very hard to admit you might be wrong, and a fair amount of diplomacy and tact is useful in getting someone to admit a change of mind, but it can be done.

Years ago, as a Beaverton School Board member, we as a board were in the forefront of what we called "sex education." We had an advisory committee with members from throughout the district, and programs were available in our schools. There was one gentleman who was an extremely persistent, vehement critic of our actions. Our superintendent, Boyd Applegarth, got him to agree to joining the advisory committee. Within a few months, that man had swung around 180 degrees and became a program supporter. It can happen!



Mayor Bob Andrews

Mayor Andrews: My initial response to running an effective meeting(s) are the following and not necessarily in order of importance since failing any of the following will jeopardize the efficiency and effectiveness of a meeting:

Listen, Listen, Listen. This means having an open mind and being open to considering and discussing

opinions without being judgmental. If you aren't listening you can actually shut down a good, open discussion. Listening is about gathering information. It allows for informed, qualified decisions. It means giving up your personal judgment for a collective judgment.

Patience and Self-Control. You can't predict what's going to happen during a meeting, and you can be tested by personal attacks, either from the audience or within the council. You have to be very patient and not get caught up in the moment. You have to step out of the issue and re-direct the situation wherever possible. We recently had a member of the audience who wasn't abiding by council rules, and I simply had to cut them off. Rules are rules. The audience is limited to a set amount of time and I didn't get bogged down in the content. Sometimes you just have to manage the process.

Fairness and Respect. This is for council members and those coming before the council. Let's say someone comes in with an absolute opposite position to the council, and their way of presenting is confrontational. Rather than getting into a shouting match, it's our job to be fair, understanding and not judgmental. It's important to give that person the credit for coming before you with a position. As a council, you don't discount the person. By being fair and respectful as a council, you might arrive at a kernel of truth.

Avoid Distractions or Irrelevant Issues. This happens particularly among councilors and long-term residents. The discussion can get sidetracked into extraneous history: "I remember when so-and-so did such-and-such...and you did this back then." This gets you into side issues. For example, a discussion about doing street work can get sidetracked into sidewalks and landscaping. You need to bring the discussion back to the relevant. Sometimes it requires interruption. Using humor or poking fun at myself often works well when I have to interject.

Do Your Homework. This means studying the agenda and the items to be discussed. Know the background and issues thoroughly before trying to lead a discussion. Sometimes a member of the council can be too busy in their other life and not be up to speed. They come to the meeting and are way off base. It takes time to bring them up to speed. In the end, this is time consuming and can be an embarrassment to the council. It says to the public that the council isn't ready for this particular issue or question.

Ask Probing Questions and Understand the Response. This will encourage good discussion, which is essential in reaching a satisfactory conclusion to issues. If a council member isn't asking probing questions, it's probably because their mind is made up. My style is not to pontificate if I can avoid it. I'd rather ask a question opposite of what I'm thinking to provoke discussion. Good discussion means offering a point rather than arguing.

Know the Limits of Your Authority or Power. You need to know and respect the prerogatives you have as presiding officer, but also realize that you are not omnipotent. You may make a judgment on something, but you should also know you can be challenged. We mayors don't know everything about everything. Even though your role is to facilitate—it's not to dominate. A mayor is not citizen activist. He or she is a facilitator. My idea of leadership is based on servitude. I'm elected to serve, and I'm a servant. ■

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2013 Council Goals

Who we are?

Brownsville is a City that is proud of its past while constantly improving for 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. Transparency is the focus of Council as is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute the goals and 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 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 to a new, participatory approach throughout the community.

What do we want for Brownsville?

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

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

GOALS

Securing Water & Water Rights

- 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.
 - Council is determining the quality of the water.
 - Council is developing cost estimates for the most viable options.
 - Council is exploring the Federal & State requirements for this water source.



2013 Council Goals

- Exploring Additional Resources
 - Options include exploring the procurement of upstream water rights and other possibilities that exist in other areas of Brownsville.

Economic Development Plan

- The two chief focuses of Economic Development is 1) retaining existing business and 2) attracting new business.
- Land Purchase
 - Council is researching legal requirements for purchasing & selling land.
 - Council is examining the implications of purchasing land.
 - Council is considering possible civil engineering needs.
- Community Amenities
 - Council would like to encourage and facilitate a Senior Living Facility to be developed in Brownsville.
 - Council would like to encourage and facilitate Youth Activities by continuing to work in partnership with the Central Linn Recreation Association and by fostering a better partnership with the Central School District.

Community Development Plan

- Adopting a Brownsville Development Plan
 - Council is actively auditing City zoning rules and requirements.
 - Council is implementing new policies regarding issues including, but not limited to, mixed-use options, garage sales, recreational vehicles use, zoning permits and other administrative processes.
 - Council is reviewing requirements toward adopting a comprehensive model for proper growth and development.
 - Council is developing Public Works standards.
- Sidewalk Inventory
 - Council is actively working on developing a sidewalk program.
 - Council will determine action steps once the inventory is complete.

Capital Improvements Plan

- Water Plant & Distribution
 - Council has contracted for the repair of the Water Treatment Plant (WTP) computer system.
 - Council has budgeted for a new emergency generator for the WTP.
 - Council understands that the City is in need of a new 1.1 million gallon reservoir.
 - Council understands there are a few critical water lines that need to be replaced including the Main Street waterline.



2013 Council Goals

- Council is currently repairing the Calapooia Crossing waterline this upcoming fiscal year.
- Wastewater Treatment & Collections
 - Council has budgeted for a well for the South Plant.
 - Council understands that nearly 45% of the collection lines are need of replacement.
 - Council is aware that the Millhouse line will be a priority in FY 2014-2015.
 - Council is conducting visual inspections of the collection system to determine priorities.
- 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 determined that Linn County will put the improvement on their capital improvements list which will hopefully be no later than FY 2014-2015.
 - 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.

Staff & Organizational Development

- Titles Changes
 - City Hall Staff recently revamped job descriptions along with organizational responsibilities to better reflect duties.
 - The goal is to cross-train all City Hall Staff in all responsibilities. Having job descriptions such as Utility Billing Clerk and Planner limit the scope of the employee which has historically caused job dissatisfaction and lack of cooperation toward executing proper cross-training.
 - Council encourages Staff to continually develop their professional skills and capacities as employees.
- Council Development
 - Council recognizes Council's need for additional training & development. Council will continue to improve individually in their role as community leaders working together to accomplished shared organizational goals.
 - Council will be working on a resolution that articulates the accountability of all officials both elected and appointed. Proper training and execution of responsibilities is vital for the overall health of the organization.

Emergency Preparedness Effort

- Community Awareness & Education
 - Council would like to execute several goals pertaining to on-going community education in the area of emergency preparedness.



2013 Council Goals

- Council would like to have an on-going partnership and dialogue with the Brownsville Rural Fire District and the Central Linn School District to assist getting the message to the extended community.
- Agreements
 - Council would like to execute agreements for specialized services and for designated mass gathering areas throughout the community.

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 two of those models:

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

**Acceptable
Conduct**
vs.
**Unacceptable
Conduct**

THE PROCESS OF PROGRESS

1. Recognize/Identify
2. Accept/Agree
3. Strategize/Develop Action Steps
4. Implement/Execute
5. Review Outcomes

Lexipol's 10 Families of Risk Model

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

MONTH END RECAP

	May 2013		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 6,468.38	\$ 41,871.65	\$ 721,397.54	56.99%	\$ 544,505.46	1
2 WATER	\$ 19,452.27	\$ 36,549.96	\$ 271,902.56	23.68%	\$ 876,547.44	2
3 SEWER	\$ 24,446.86	\$ 5,308.06	\$ 324,879.90	34.21%	\$ 624,720.10	3
4 STREETS	\$ 11,184.87	\$ 2,788.99	\$ 81,038.95	15.98%	\$ 426,061.05	4
5 WATER BOND	\$ -	\$ -	\$ -		\$ -	5
6 SEWER BOND	\$ -	\$ -	\$ 332,072.00	79.41%	\$ 86,102.00	6
7 SEWER DEBT FEE	\$ 10,428.08	\$ -	\$ 119,018.22		\$ -	7
8 BUILDING & EQUIPMENT	\$ -	\$ 20,000.00	\$ -		\$ -	8
9 WATER RESERVE	\$ -	\$ -	\$ -		\$ -	9
10 HOUSING REHAB	\$ -	\$ -	\$ -		\$ -	10
11 WATER SDC	\$ -	\$ -	\$ -		\$ -	11
12 SEWER SDC	\$ -	\$ -	\$ -		\$ -	12
13 STORMWATER SDC	\$ -	\$ -	\$ -		\$ -	13
14 BIKEWAY/PATHS	\$ 69.67	\$ -	\$ -		\$ -	14
15 LIBRARY TRUST	\$ -	\$ -	\$ -		\$ -	15
16 CEMETERY	\$ 250.00	\$ -	\$ -		\$ -	16
17 TRANSIENT ROOM TX	\$ -	\$ -	\$ -		\$ -	17
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -		\$ -	18
19 LAND ACQUISITION	\$ -	\$ -	\$ -		\$ -	19
20 COMMUNITY PROJECTS	\$ -	\$ -	\$ -		\$ -	20
	\$ 72,300.13	\$ 106,518.66	\$ 71,345.79	29.06%	\$ 174,154.21	

KeyBank Accounts

General	\$ 60,610.05
Utility	\$ 16,650.75
Park	\$ 5,587.50
Court	\$ 10,701.43

Oregon State Treasury \$ 4,352,634.55

Community Improvements \$ -

2012-2013 **YTD** **% of Total**
 Appropriated \$ 2,136,146.74 37.59%

DEBT Payments

Water	\$ 54,927.00
Wastewater	\$ 411,115.00

Total Debt

Water	\$ 1,404,153.00
Wastewater	\$ 12,725,784.00
Total	\$ 14,129,937.00