



Council Meeting

Tuesday – November 27th, 2018
7:00 p.m. in Council Chambers

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CITY OF BROWNSVILLE

Council Meeting

Tuesday, November 27th, 2018

Location: City Hall in Council Chambers

AGENDA

Regular Session

7:00 p.m.

(Joint Session with Parks & Open Space Advisory Board)

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: October 23rd, 2018
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Brian White – Clean-up Day Review
 - B. Facilities Review Committee Recommendation
 - C. TMDL Presentation
 - D. Water Meters & Water Management
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Planning
 - D. Administration
 - E. Library
 - F. Court
 - G. Council

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.



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. **Resolution 2018.22: Certify 2018 General Election Results**

10) ACTION ITEMS:

- A. Appoint Gary Shepherd to the Budget Committee
- B. Appoint Jo Ann Neddeau to the Parks & Open Space Advisory Board
- C. Oregon Film Trail Project Support
- D. Legislative Session Advocacy Letters

11) DISCUSSION ITEMS:

- A. Crosswalks on Main Street
- B. Goals Setting Session
- C. Councilor Training & Review
- D. October Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

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



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October 23rd, 2018

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

PUBLIC: Kim Clayton, Chenoweth Roberts, Elizabeth Coleman, Allen Buzzard, Ed Petermen, Brian and Barbie Hendrickson, Corey Cook, David Hansen, Phil and Kaye Fox, Sheriff Jim Yon and Lt. Michelle Duncan (*LCSO*), and Jordan Parrish (*The Times*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell would like to add Board Committee openings under Action Items. There are no deletions tonight.

MINUTES: *Councilor Shepherd made a motion to approve the September 18th, 2018 meeting minutes as presented. Councilor Gerber seconded the motion, and it passed unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Chenoweth Robertson – Central Linn Community Foundation (CLCF).** Chenoweth Robertson was present representing the CLCF. She invited any questions Council may have for her. Mayor Ware stated that he would abstain from the issue as he is on the CLCF Board. Councilor Chambers inquired as to past recipients. Robertson stated that they have given to many local groups including the Gleaners, CFA, Linn County Museum, learning Tree Parents and Pals, Willamette Valley Quilts of Valor, CLRA, and Meals on Wheels among others. Councilor Gerber asked if anyone has been turned away? Robertson replied in the affirmative as some requests didn't meet the requirements. *Councilor Gerber made a motion to approve support funds of \$1,000 to the CLCF. Councilor Shepherd seconded the motion, and it was approved unanimously.*
2. **Ed Petermen and Allen Buzzard - Crosswalk.** Ed Petermen and Allen Buzzard were present to talk about making the crosswalk downtown safer. Mr. Buzzard provided documents and shared photos. Buzzard shared an enlarged photo of Mr. Petermen crossing Main Street relating the difficulties Mr. Petermen has had recently crossing in the downtown area. Mr. Petermen spoke next stating that the crossing on the north side of Spaulding Avenue by the antique shop, has an 8% grade which causes him great difficulty in crossing the street there. His recommendation would be to install a flashing light system to give people time to get across the street. Event days are also especially dangerous street crossing days for him. Petermen related to Council that he was struck by a vehicle during an event and broke his leg. Council indicated that they would look into the matter.

DEPARTMENT REPORTS:

1. **LCSO Sheriff's Report.** Sheriff Jim Yon and Lieutenant Michele Duncan were present. Duncan reported that in September there were 36 traffic citations, 43 warnings, and 48 hours for traffic enforcement. Lt. Duncan talked about several of the crimes and incidents from last month and stated that she had cited a marijuana sight violation into court. Councilor Shepherd stated that it would be



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appreciated if traffic patrol could focus on crosswalk safety, and especially illegal parking contributing to crosswalk and pedestrian visibility issues. Sherriff Yon spoke up and stated that speed and traffic are always an issue. Perhaps one idea is a traffic grant that would help purchase a warning device for downtown. As more and more cars are on the roadway, it is inevitable that there will be more incidents. Mr. McDowell shared that the City investigated those kinds of traffic control devices, and they are not inexpensive or effective without enforcement.

McDowell stated if you look at averaging citations from January to present, the City is at 16.5 per month, which is up significantly from the last few years. The City truly appreciates Deputy Mumey's efforts and your continued focus on traffic patrol. McDowell also related that it is important to remember that it doesn't matter how many officers you have, you will never catch everyone. Also, all LCSO contracts are limited to the number of hours that LCSO can provide. All incidents take quite a bit of time, and that must be considered when looking at the hours spent on each incident and on the cumulative report. The plight of law enforcement is trying to fit everything in.

McDowell asked Council if it would be helpful for them to hear some of the background hours used when they are fulfilling their contract to the City. Council concurred that this information could be helpful. Lt. Duncan stated that the marijuana citation alone cost her 7-8 hours, conservatively. She now also has a court date, as the defendant pled not guilty, and that will be hours spent on preparation and a court appearance for the case as an example. Sheriff Yon agreed that sharing the time involved with different kinds of complaints may be useful in better communicating the workload.

2. **Public Works.** Public Works Superintendent Karl Frink reported that the Robe Street project is nearly complete. Basically, all they need to do is clean up, the walk through today went well, with just a small punch list of items to address.

Public Works staff is working on the Water Treatment Plant scraping all three filters; two are done. This is quite an intensive project as no power equipment is used due to possible contamination factors. Each filter takes 2-3 weeks to complete. All the filter work needs to be completed before winter. Councilor Shepherd asked about the sand in the filters. Frink reported that they have scraped out about 9', roughly halfway done.

Frink reported that there are a few hazardous trees in town; one on Washburn and another up at the cemetery. The one in the cemetery is particularly dangerous and will be quite a lot of work to take down. There are lots of headstones near the tree, and each branch will need to be lowered down by ropes, which will entail all hand work. The stump will also have to be ground out, and all of this will take a lot of time. When working up in the cemetery cutting blackberry bushes a hunter was encountered coming out of the woods. It was an unnerving situation as the hunter stated that he didn't know there were people in the area!

Frink reported that as soon as the rain comes in, the streets will be graded. A new tree was planted in Remington Park for Arbor Day. The tree looks good and really compliments the area.

Public Works staff is desperately trying to pick up leaves while they are still nice and dry. Last Friday they were mowing them up and had a pile of dry leaves catch



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fire probably due to a muffler igniting the leaf pile. The pile was extinguished with no real damage.

3. **Administrator's Report.** Mr. McDowell congratulated Norman Simms and Councilor Gerber on completing their NIMS training. Also, he mentioned that Councilor Block has been delivering Council packets for more than a year, and he would like to pass that torch on to another Councilor. This week is audit week for the City. Everything seems to be going well; they are a very nice team to be working with. Judge Lemhouse retires in December. Please let McDowell know if you would like to RSVP to his retirement party.

The vineyard's wind machines located near Washburn Street have been kicking on for the past several mornings about 4:30 a.m. City Hall has received a lot of complaints about the noise generated by these machines. After extensive research, McDowell finally tracked down a contact. He was told that basically the turbines kick on at 40 degrees to move the air around the crop for frost protection. It would be difficult for the wind machines to be any less noisy than they are. The vineyard contact indicated that the harvest is done now, but that the wind machines will be kicking on for the next few weeks for routine maintenance. The machines will turn on again in April for maintenance and to protect the grape vines. The vineyard encompasses 394 acres, with about 20 acres in the City limits. For the most part all this land is considered EFU (Exclusive Farm Use), so noise limits and such do not apply as EFU is exempt from City ordinances or control.

McDowell reported that recently 19 abatement RFA (Request for Action) letters were sent before the Clean-up Day event reminding folks of the event and that they had items that needed to be addressed. After Clean-up Day, Staff found 13 properties still out of compliance. The properties were then posted for abatement.

McDowell reported that Norman Simms and Marilee Frasier hosted an EPC event downtown with the cooperation of the American Legion. The event was sparsely attended, but good conversations were had at that event. The group may start to make more of a regional effort to engage more folks.

McDowell reported that Collin McCandless, Calapooia Watershed Council, recently reported that an aquatic invasive plant known as *Ludwigia* had been found in the Calapooia River. It is the #1 invasive species right now. They have treated the river with the appropriate herbicide to eradicate it.

Just a reminder that the LCSO is holding a Drug Take Back event here at City Hall this Saturday from 12:30 p.m. – 1:30 p.m. in the front lobby area. This event is designed to keep extra unwanted, unused or partially used drugs out of the landfills and water sources.

There are several power poles in Pioneer Park that will be removed soon by Pacific Power.

Council will find on the desk tonight pictures of storage containers. McDowell has brought this subject up for Council consideration due to the current trend of placing these containers on properties as an accessory structure. Currently, the City must permit these as an accessory structure. McDowell contended that these storage containers are not accessory structures to a house, they are an accessory to a truck. However, City Attorney Ross Williamson indicated that without specific language the City could not limit the use of these storage containers. Does Council



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want to allow storage containers allowed in town? Predictions indicate that there will be many actual issues and annoyance complaints around these storage containers remaining on properties for a long-term basis. Council has been proactive in passing guidelines around things such as outlawing swine in the middle of town, passing sound and noise guidelines, among a myriad of other issues and concerns. Councilor Gerber indicated that she would like to see Staff move forward with getting more information and a possible ordinance for Council consideration. Councilor Chambers asked how an ordinance would affect pods. McDowell responded that in the language temporary pods can be an authorized use. *Councilor Gerber made a motion to authorize McDowell and a subcommittee to look into language about prohibiting storage containers. Councilor Neddeau seconded the motion.* Discussion was called for. Councilors Block and Thompson stated they were unsure just yet. Councilor Shepherd stated that he has two in his driveway right now due to a disaster inside his home. He thinks there is nothing wrong with them, and he is considering keeping them into the future due to the security of them. Councilor Neddeau stated that he would rather see one of these than garbage just piling up. Councilor Shepherd agreed that they are much nicer than trash all over. The vote was called for. *Councilors Neddeau, Gerber and Chambers voted in favor of the motion. Councilors Shepherd, Block, and Thompson, and Mayor Ware voted in opposition of the motion. The motion did not pass.* Mayor Ware stated that he would like Council to keep the issue in front of them, think about the implications some more, and perhaps gather more information.

4. **Library Report.** Mayor Ware stated that Mrs. Lemhouse is doing a fine job.
5. **Court Report.** No comments.
6. **Council Comments.** No comments.
7. **Citizen Comments.** No comments.

ACTION ITEMS:

1. **2019 Council Calendar.** Mayor Ware stated that he will be gone for the November 2018 Council meeting as he will be on vacation. *Councilor Block moved to approve the calendar as presented. Councilor Gerber seconded. A vote was called for and passed unanimously.*
2. **Advertisements for Board and Committee Openings.** McDowell reported that several current Board and Committee members have indicated interest in continuing to serve. *Councilor Gerber moved to reappoint Don Andrews, Pat MacDermott, and Mike McDaniels to their respective positions. Councilor Block seconded the motion, and it passed unanimously.* Advertisements will be generated for two (2) Park Board, three (3) Budget Committee, and possibly one (1) position on the Planning Commission pending the outcome of the election. Council can consider appointments at the December Council meeting.
3. **Cascade West Council of Governments Policy Statements.** The Cascade West Council of Governments asked for all public bodies to review the policy



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statements for the upcoming Legislative Session. Council had no comments or additions.

4. **Temporary Signage and Right of Way.** McDowell stated that interesting things have been happening around the temporary signs. By definition, temporary signs do not need a permit. Historical past practice has been extremely lenient. Temporary signs include things such as real estate signs, garage sales signs, political signs, directional signs, event signs such as Carriage Me Back, Bloomin' Barbeque etc. McDowell is asking if this is something that Council wants to review the ordinance and make certain call-outs for types of signage? He has had 2 calls in 12 years, one for a museum sign, and one political sign. The Brownsville Municipal Code is available on-line, and when reviewed by the general public, folks tend to get into semantics and what they think the law means in order to get around the Code requirements.

Staff must have force of law to enforce issues while considering past practice. Staff is constantly culling through the ordinances to get to Council those that need clarification. Councilor Block stated that he read the ordinance, and that it seems fairly straightforward; thirty (30) days before and seven (7) days after an election, five (5) feet from the right-of-way.

McDowell stated that the main "kerfuffle" is around past practice; for decades the City has not enforced this time frame or requirement. The City would need to notify folks that this ordinance will be in full force from a certain time forward. Council and Staff will certainly hear about these changes because of all the different kinds of signs that fall within this definition.

Councilor Gerber wondered about having a rollout time like we have done with nuisances and weeds, etc., letting people know that as of this date, the City will be enforcing this. Mayor Ware commented that he thought past practice should stand, and he doesn't think it has really been a problem, only during election times. McDowell also stated that there should be discussion around what the City Attorney has provided, concern about possible civil rights issues, etc. McDowell suggested looking at specific definitions and requirements to see if we can bolster what we have now, and what we may pass going forward. Councilor Gerber stated that she would like to have some further discussion, maybe repeal the ordinance on the books if we are not going to enforce it. Councilor Chambers stated that she didn't see the problem. We seem to only get these complaints during election time, and everyone has always been really good at picking up their signs. The City doesn't seem to have problems the rest of the year. Councilor Gerber stated that the signage on the sidewalks can cause trip hazards. Mayor Ware stated that at this point the situation seems complaint driven. Councilor Neddeau agreed that most folks will move their signs and comply with the ordinance in general. Councilor Gerber stated that she would like to have ordinance match our practice. *Councilor Gerber moved to investigate some options for changing the language to match our practice or what future practice would like to look like, also to repeal or replace the current ordinance to match the will of Council. Councilor Block seconded the motion.* Councilor Shepherd commented that he thought it should be



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equal and fair to all. Mayor Ware concurred. Councilor Thompson stated that she thinks it's a time burden to note when everyone puts up their signs and takes them down. The burden on City Hall needs to be considered. She feels that just letting things be works due to the short period of time of elections overall. *A vote was called for. The motion passed with all voting in favor with the exception of Councilor Chambers and Thompson. (Mayor Ware's vote was indeterminable from audio.) The motion passed.*

5. **Robe Street Project Decision.** Councilor Shepherd stated that last month Council made a decision and that Staff overruled them, and he doesn't understand why. Councilor Chambers stated that she doesn't feel overruled. It was a tough situation, and Staff had given their word, and that means something. Chambers stated that she would like it to never happen again; she would like to see some grace extended, and she is willing to give a warning that it not happen again. Councilor Shepherd stated that no one had a right to negotiate after Council's rule. Mr. McDowell stated there are extenuating circumstances, but he acknowledges that when Council makes a call, it needs to stand. Ideally, McDowell would have liked to have had an opportunity to make phones, get a quorum, or perhaps a special meeting could have been called around the decision reversal. Councilor Neddeau stated that most everyone has a cell phone, and it could have been handled differently. Council is here to support Staff, but he would like to have had more information about the situation, which could have had a different outcome. *Councilor Gerber made a motion to remind City Staff that if after a Council ruling different actions are required, the issue needs to come back before Council before further action is taken. Councilor Chambers seconded the motion.* Discussion was called for. Councilor Block stated that it is Council's duty to protect the Treasury and make policy. Superintendent of Public Works disregarded Council's wishes. Councilor Shepherd stated that he hasn't heard any reason that would have changed his vote. It all comes through the funnel, and that is the decision that is made. He feels like this situation is like standing on the street corner, and flipping Council the bird! Councilor Thompson stated that she feels there should be a consequence such as a written warning in his file, which is a significant thing. Councilor Shepherd stated that no one is out here hunting heads; he is still looking for the reason of why this happened. *The vote was called for with Councilors Chambers, Gerber, and Neddeau voting in favor and Councilors Shepherd, Block, Thompson and Mayor Ware voting against. The motion failed. Councilor Thompson made a motion to recommend a formal written reprimand be placed in employee's personnel file. Councilor Shepherd seconded the motion.* Discussion was called for. Councilor Gerber stated that she would vote against the motion as it is a city personnel action. This person does not report to us, so it is a personnel issue for which we do not have direct say over. McDowell affirmed this. Mayor Ware stated that this individual is an outstanding employee, has done marvelous things for the City, and has much value to us, in his opinion. *The vote was called for, with the motion passing, with all voting in favor except Councilors Gerber and Chambers. Mayor Ware did not vote.*

CITIZENS COMMENTS – No comments.



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COUNCIL COMMENTS – Mr. Frink stated that he would have liked a chance to address the situation, but no one gave him that opportunity before the motion was made. Comments now would be pointless.

Lastly, McDowell would like to clarify that Kirk Avenue is owned by the City, not Linn County. Linn County owns several roads that run through the City.

ADJOURNMENT: *Councilor Gerber moved to adjourn the Council meeting at 8:33 p.m. Councilor Block seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

November 27th, 2018

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

One liner of the month

Laugh at your problems; everybody else does.



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

“Gratitude is for us to see what is there
 instead of what isn’t.”
 ~ *Anonymous*

“I cannot and will not cut my conscience
 to fit this year’s fashions.”
 ~ *Lillian Hellman, Screenwriter*

“Every addition to true knowledge is an
 addition to human power.”
 ~ *Horace Mann, Education Reformer*



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

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Sweet Home Sanitation** – Brian White will be discussing Clean-up Day collection results from October.
- B. **Facilities Review Committee Recommendation (Joint Session)** – The Parks & Open Space Advisory Board will be on hand to hear the recommendation from the Facilities Review Committee. I have included their recommendation in the agenda packet for your review. Members from the Facilities Review Committee will be presenting the recommendation to Council.

There are a few new documents in the packet that I will be reviewing as a preface to the recommendation. The new documents include, 1) The Big Picture Dashboard, 2) Brownsville Taxes, 3) Capital Improvements Summary, and 4) Residential Water & Sewer Rates Comparison. These new documents are important to understand the financial & policy impacts that are at play every day for the City.



Happy Thanksgiving



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- C. **TMDL Review** – Public Works Superintendent Karl Frink and I will be discussing all things TMDL. The agenda packet will include the City's TMDL Plan for review and passage consideration of the changes depending on outcomes with the Department of Environmental Quality. Passage of the plan may not take place until the December meeting.
- D. **Water Meters & Water Management** – Public Works Superintendent Karl Frink and I will give a brief presentation on a new water meter option for the City's distribution system that is somewhat time sensitive. The Budget Committee and Council set aside funding for an upgrade for the City's water meter system this fiscal year.

9) LEGISLATIVE:

- A. **Resolution 2018.22: Certify 2018 General Election Results** – I have enclosed a placeholder resolution in the agenda packet that is self-explanatory. Council can only pass this legislation if the official abstract is received from the Linn County Clerk's Office. This item may be tabled.

10) ACTION ITEMS:

- A. **Appoint Gary Shepherd to the Budget Committee** – The City has multiple openings on the Budget Committee. Councilor Shepherd would like to continue his public service by serving on this Committee. Shepherd has the requisite knowledge and understanding necessary to serve the City well in this position.
- B. **Appoint Jo Ann Neddeau to the Parks & Open Space Advisory Board Budget Committee** – The City has multiple openings on the Park Board. Mrs. Neddeau served on the Board and is ready to continue her public service. Neddeau is familiar with the City's operations in the Park and worked on the Park Master Plan.
- C. **Oregon Film Trail Project** – The Oregon Film Office is rolling out a new program to promote tourism in Oregon. The idea is to install movie signs in cities and areas that are easy for the public to access. *Stand by Me*, of course, is one of the most iconic films in the State's history. The Film Office ranks Brownsville high on the list of movie locales for visitors. The State is making the movie signs available at a low cost. The signs will be 'hi-tech' with capabilities for a tie-in app in the future. The signs are also as vandal proof as possible and have a ten year warranty. The Oregon Film Office will be placing information at PDX and will soon be adding information to rest stops throughout the State. I have placed additional information about this project in the agenda packet.



Recently, the Museum met with Jane Ridley from the Oregon Film Office and the Museum is excited to initially place up to four signs around town highlighting different filming locations. Everyone likes the location just behind City Hall's front door; to the left of the door. The great thing about the location at City Hall are the multiple shots that took place near City Hall.

What is Council being asked to do?

Council is being asked for permission to locate a movie sign on City Hall just behind the front door. The City is being asked to pay for the sign and install it. The cost for the sign and



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installation will be about \$500. The City will enter into a maintenance agreement with the State for the sign.

- D. Legislative Session Advocacy Letters** – The League of Oregon Cities requests elected officials reach out to legislators for authorization of the Special Public Works Funding. Senator Lee Beyer sits on the Ways & Means Committee and is a key, influential member in determining the amount needed for public works projects. The League is recommending \$85M. The last budget cycle the number was reduced to \$25M; the State of Oregon operates on a biennial budget cycle. Many around the State are urgently concerned about adequate funding for needed infrastructure projects be available for this upcoming biennium.



ADVOCACY TOOLS

As the session starts, the City will receive many requests for support on certain bills. Does Council want to select a few members to help draft and sign letters on behalf of Brownsville? How would you like to proceed?

What is Council being asked to do?

Write letters around specific issues identified by the League of Oregon Cities or the Cascade West Council of Governments and determine who may want to be involved in this process.

11) DISCUSSION ITEMS:

- A. Crosswalks on Main Street** – I've spoken with Mr. Darrin Lane, Linn County Road Department, about the crosswalk proposal presented by Mr. Allen Buzzard & Mr. Ed Petermen. Lane said Linn County would review any traffic control device as part of the right-of-way permitting process. He made it clear that Linn County would not be paying for any traffic control device, but that the County could assist with a review of a project. Lane shared a personal experience from an installation completed recently in Millersburg. He indicated that the cost was \$25,000 for one intersection to do a similar installation as the one proposed.

Thoughts

I have talked with several citizens and officials who contributed to the thoughts below. The points below are merely suggestions intended to generate discussion at the upcoming Council meeting.

1. Is adding such a traffic control device necessary?
 - a. What other options are available?
 - i. The City of Sisters uses self-guided flags for crossing Highway 20. Sisters is far busier than Main Street Brownsville. ODOT reports 14,500 daily trips on Highway 20 through Sisters versus between 700-800 trips on Main Street in Brownsville.
 - ii. Ask civic organizations to provide a crosswalk volunteer during events similar to what is done for *Carriage Me Back*.
 - iii. Ask LCSO to enforce parking in the downtown area.
 - iv. Ask Linn County to remove the crosswalk with the steep grade.
 - v. Suggest to Mr. Petermen that he add reflective materials and possible a flag for greater visibility.





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2. The City has many pressing infrastructure concerns including the Cemetery Bridge, the Downtown Sewer Project, the Central Linn Rec Center and the facilities in Pioneer Park. How many devices should be installed in all? If the City pursues Main Street that has just over 700 trips per day, then will the City have to pursue Bishop Way crosswalks which have over 10,000 trips per day?
3. Installing a traffic control device as proposed will severely mar, some may even say ruin, the ambience of Downtown Brownsville. If Council should choose to address this concern, there are other methods that would better honor the historic character of Brownsville.

What is Council being asked to do?

Review the information and consider approaches and options as may be warranted.

- B. Goals Setting Session** – Every two years, Council sets goals to provide organizational direction. It is time to start thinking about when the session should take place. I would recommend considering January 2019. Council has typically targeted February, however, the session usually doesn't take place until March and the outcomes are not generated until May. It would be nice to get an early start.



- C. Councilor Training & Review** – After each election, I provide Council elect members with necessary materials and guidelines to assist in discharging the duties of a Councilor. I also share a few PowerPoint presentations that are designed to bring them up to speed as quickly as possible on variety of City related business items and history. I have asked Councilor Neddeau and Councilor Thompson to be part of this process; not only will it be a good review, but they will be able to share their insights and experience.

D. October Financials

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

- ▶ *Finish CIS Open Enrollment.*
- ▶ *BCS finished the annual audit field work.*
- ▶ *Councilor Block and I attended the LOC Region III meeting in Creswell.*
- ▶ *Linn County Commissioners approved the City's 911 agreement two weeks ago.*
- ▶ *Reviewing and updating the TMDL Plan.*
- ▶ *Cemetery bridge news and developments.*
- ▶ *Arranging for the collection SDC fees for 1170 Linn Way.*
- ▶ *Preparing City Attorney Ross Williamson for the required changes based on the marijuana prohibition measure.*
- ▶ *Worked extensively on website content.*
- ▶ *Nuisance postings and follow-up discussion.*
- ▶ *Carwash and right-of-way discussion.*





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- ▶ *Water meter opportunity.*
- ▶ *State of Oregon's DOR & marijuana taxes, secrecy clause and disclosure requirements.*
- ▶ *Bulk Water Sales process and other issues addressed.*

Policy
(fyi) fyi fyi

Twenty-four (24) Hour Shut Off Door Hanger ☒ – The City processes water & sewer bills monthly. Once a customer is past due forty-five (45) days, a late letter is sent requesting payment of the amount owed within ten (10) days. If the customer doesn't pay, the Brownsville Municipal Code requires the City to physically post a door hanger on the property. The door hanger notice requires payment due within twenty-four (24) hours or water service is shutoff for non-payment.

Monthly, on average, Administrative Assistant Jannea Deaver reports the following:

- ▶ 40-50 Late Letters are generated
- ▶ 15-20 24 Hour Door Hangers are generated
- ▶ 2-5 Shutoffs actually occur

Staff has been hearing from upset customers who do not want this hanger on their residence or their business. I wanted to make Council aware of the process Staff follows as required by the Brownsville Municipal Code. All concerns about the door hanger can be avoided if the customer keeps their account current.

HAPPENINGS

Annual Audit ☒ – The BCS audit team finished their field work in three days. The City is awaiting the final report.



Linn County Sheriff's Office Contract – *From 10.23.2018:* Since January, the average number of citations is 16.5 per month. Linn County Counsel is still reviewing the marijuana nuisance ordinance. Lieutenant Duncan is monitoring the situation for the City. Duncan also cited the property for a sight issue that went to court last Wednesday. The property owner pled not guilty and a trial has been set for November.

LCSO Month-to-Month Comparison

Year	Month	Traffic Citations	Traffic Warnings	Total Hours
2018	October	9	25	218.5
2018	September	36	43	203.5
2018	August	24	30	201.5
2018	July	14	18	214
2018	June	8	9	213.75
2018	May	6	19	207
2018	April	14	21	203
2018	March	19	36	208.5
2018	February	5	14	201
2018	January	23	29	220



City Administrator Report

Robe Street Water Line Project ☒ – The team did a tremendous job on this project. It was very hard to tell the construction crew has even been in the area. Public Works Superintendent Karl Frink provided the on-site inspection for the project and did a tremendous job. Mr. Frink's ability to perform this service for the City saves the taxpayers considerable expense. Inspection services would've ranged between \$7,500 to \$11,000 for a project of this size & scope.

Kirk Avenue Rumors ☒ – I wanted to provide a quick review of where the City is with Kirk Avenue. Absolutely nothing has changed for years regarding Kirk Avenue. The facts are relatively simple to understand, but apparently easy to misconstrue.

It Started with a Question

Linn County does not own Kirk Avenue, the City does. Many years ago, the City approached the County to see if the County would be interested in making Kirk Avenue a part of their roadway system. The County was somewhat interested because Kirk Avenue would make a loop from Northern Drive to Main Street for the County's transportation system. The County Road Department was doing well financially at that time.



The Gateway Project

I began actively pursuing the project with Linn County in late 2007 at the request of Council. The County at that time indicated that they were still somewhat interested. The County knew that the City had applied for STIP (Statewide Transportation Improvement Program) for the Gateway project which improved drainage, added sidewalk & curbing, street lighting and street trees to the intersection of Main Street & Bishop Way. The project was in the design phase at that point in time. The County told Council that they wouldn't talk about the possible Kirk Avenue project until after the completion of the Gateway project which was constructed in 2010.

Financial Choices

The Linn County Commissioners had several difficult budgeting choices to make from 2008-2012. The United States Congress cut timber money to eligible counties with Linn County being dramatically affected by this policy shift. The Commissioners decided to use public funds for the Veterans Home in Lebanon along with shoring up the Sheriff's Office financial operating concerns. The Linn County Road Department reserves were used for these purposes taking Kirk Avenue along with many other road projects off the table for the County.



Project Details

Linn County projected an estimate of \$2.2 million to reconstruct Kirk Avenue from Main Street to Hunter Street in 2010. The scope of the project included the acquisition of additional right-of-way, the installation of drainage and lowering of the pavement. Public Works Superintendent and I provided an estimate of approximately \$250,000, several years ago, for Budget Committee that included the lowering of sanitary sewer manholes, sanitary collection line service connections, water distribution service connections and other appurtenances associated with this potential project scope.

Transportation Matrix

Linn County completed their transportation plan nearly two (2) years ago. Based on the criteria used in that plan, Kirk Avenue will never be funded by Linn County. The County has too many critical infrastructure needs including dangerous intersections and failing bridges to manage. Communities all over the County are asking for





City Administrator Report

financial assistance for road projects and related improvements. The County had to have a standardized way to deal with these requests, the transportation matrix.

What are the Options?

Council will consider options during its upcoming goal setting sessions. Basically, the City would have to do a Local Improvement & Special Assessments found in the Brownsville Municipal Code to make the improvements. Ultimately, the associated costs for this project would prove to be burdensome for citizens owning property along Kirk Avenue. The City could also do a simple pavement overlay, however, given the length of Kirk Avenue it would take five or six years to complete. Drainage, sidewalk conditions and other existing conditions would remain as concerns for the City.

Focus on Council Values – Check out what we wrote for Council values. It's pretty fantastic and sometimes hard to do. The organization has come along way over the last twelve years. A lot of improvements & accomplishments have been made, and we have many things to still improve and create. We are forever a work in progress!

Marijuana Tax Explanation ☒ – Included in the agenda packet is a slide showing how the State Legislature setup tax requirements and structure for marijuana. The City entered into an intergovernmental agreement (IGA) with the Department of Revenue for the collection of all marijuana taxes. Council was concerned about collecting taxes that were derived from a federally illegal



source. The Department of Revenues requires a Secrecy Clause to be signed by all employees who receive payments through this IGA. I was told by the State of Oregon recently that I could disclose the amount the City received as the initial apportionment from the State. The City has not received any revenue from the existing marijuana retailer because the local marijuana retailer did not start selling recreational marijuana until August. Medical marijuana is not taxed by the State. The City would not receive any tax revenue until December per the IGA; tax amounts are distributed quarterly.

Linn County Counsel Ruling ☒ – Linn County's Attorney decided to not allow the Sheriff's Office to enforce the marijuana nuisance ordinance the City had passed in the nuisance case impacting Mr. Bryan Bradburn. The ruling was a heated point of discussion at the September Council meeting. I have included City Attorney Ross Williamson's thoughts on the County's ruling and suggestions he has for Council moving forward. I had asked Williamson to review the IGA with the Sheriff's Office so that he had a complete picture of the City's possible options.

Cemetery Bridge Update ☒ – City Engineer Ryan Quigley has been researching options for the replacement of the Cemetery Bridge for the last several months. Quigley recently determined that the costs to install a culvert and a bridge are nearly identical due to the associated State regulatory costs and bureaucracy. The all-in cost for the replacement bridge will be between \$180,000 and \$200,000. Presently, Quigley is putting the finishing touches on the cost estimate. Council will have to address this during the upcoming budget cycle.

Related Aside

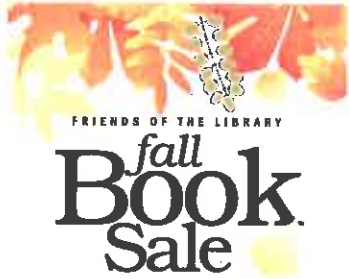
Neighboring property owner Jerad McClain is attempting to work with the Canal Company to install a temporary culvert across the Mill Race for him to make improvements to his property. The Brownsville Rural Fire District and Sweet Home Sanitation will not drive over the bridge to provide service to the McClain residence. Recently, there was a discussion between a few neighbors... Public Works Superintendent Karl Frink reminded McClain to not drive heavy loads over the bridge



City Administrator Report

because there could be a liability concern and the bridge could be damaged. Council Shepherd, concerned about the bridge integrity, requested Linn County be contacted for inspection. I have reached out to Linn County with that request.

Linn County Planning & Building Department Update – Administrative Assistant Elizabeth Coleman and I will be meeting with six other cities to discuss permitting improvements with Linn County the Monday after Thanksgiving. The City helped spearhead this regional effort that will attempt to standardize processes and improve communication between the County, the cities and the citizen(s)/permittee(s). The cities will be asking for the County to implement the State e-permitting system as soon as practical. Cities are also offering ways to help the County. All the cities have an intergovernmental agreement (IGA) with the County which will be redone as part of this regional effort.



Annual Library Book Sale – *From Sherri:* The annual Friends of the Brownsville Community Library Book Sale is scheduled for Saturday, December 1 through Saturday, December 8 during normal Library hours... We will be filling the Kirk Room once again! Book donations are graciously accepted all year long.

STATUS UPDATES – Projects, proposals and actions taken by Council

Active: Alyrica Franchise Agreement – I have requested an upgrade from Alyrica for City Hall. The cloud computing solutions we use for the website, general ledger and utility billing are just not working adequately. Alyrica will be in town to assess City Hall and determine what other options may be available.

From 09.18.2018: I have been working with City Attorney Mark Wolf and Alyrica president Kevin Sullivan to complete this agreement. Including your agenda packet is the final draft for your consideration. The City did make some concessions to get the internet service upgraded to a fiber-optic system. The City will receive Internet service at four locations in lieu of starting franchise fees immediately. The agreement will allow Alyrica to begin paying franchise fees three years after the system is completed. Mr. Sullivan indicated Alyrica would like to have the system built out by June 2019. Alyrica will be able to add about 100 customers a month so it may take several months before everyone is on the new system.



Alyrica is targeting the following pricing structure:

\$69.99 100 Mbps

\$99.99 1 Gbps

Pending: Linn County Commissioners & Buffer Zone ☒ – Once the election has been certified by Council, Mayor Ware and I should visit with Linn County Commissioners Chair Roger Nyquist to determine the next steps forward to prohibit marijuana uses in the Urban Growth Boundary (UGB) as allowed by the Linn County Code. As you may know, the results of the City's ballot measure currently stands as follows as of November 15th, 2018:

Unofficial Results



City Administrator Report

22-173 Brownsville - Prohibiting Marijuana Facilities (Vote for 1)

889 ballots (1 over voted ballots, 1 overvotes, 18 blank voted), 1261 registered voters, turnout 70.50%

Yes	524	60.23%
No	346	39.77%
Total	870	100.00%

From 09.18.2018: Awaiting ballot measure outcome.

From 09.18.2018: Mayor Ware has followed up with Commissioner Nyquist regarding the City's current position on this matter.

From 07.24.2018: I successfully delivered the information to Commissioner Nyquist. Enclosed in the packet is a letter from Commissioner Nyquist accompanied by Mayor Ware's request.

From April 26, 2018: Council decided at the last meeting to move forward preparing the necessary legislation to have marijuana zoning issues on the ballot in November. City Attorney Ross Williamson indicated Council has until the end of August to pass the necessary legislation. Due to the computer incident this month, I will be preparing the legislation for June or July. Mr. Dave Kinney and Staff are still working on the pieces needed for the Linn County Commissioners.

From 03.27.2018: Mayor Ware and I visited with Linn County Commissioner, Board Chair, Roger Nyquist at the direction of Council to determine what the City's options are regarding the buffer zone request. Linn County Building & Planning Director Robert Wheeldon also attended the meeting. Basically, Linn County took the opportunity to review and consider the buzzer zone concept as proposed by Council Resolution 2017.18. Commissioner Nyquist indicated that the buffer zone concept is not a viable option according to legal advice received by the Commissioners. The State Legislature allowed and required marijuana uses in EFU (Exclusive Farm Use) land which legally binds the County. They both indicated the State of Oregon has pre-empted efforts to properly regulate marijuana primarily due to this EFU requirement.

Commissioner Nyquist said that the County would consider pursuing an exemption if the City could show that the Urban Growth Boundary (UGB) was expanding. Mayor Ware shared that the City is in the process of looking at the UGB and land inventory right now. Administrative Assistant Elizabeth Coleman and I have talked with Planning Consultant Dave Kinney about providing the City with a proposed UGB expansion to the south for future housing. As explained at the last Council meeting, south Brownsville is the most logical, compatible and available land for future residential growth. Placing a light industrial application in the middle of a residential area is in direct conflict with the State's Land Use Compatibility Statement (LUCS) as required by State Law.



Nuisance Committee Outcomes – All properties met minimum compliance required. Some properties exceeded expectations.

From 10.23.2018: Staff sent out sixteen (16) Request For Action (RFA) letters in advance of Clean-up Day reminding folks about the free event. Only three people took advantage of Clean-up Day. Staff has posted the other properties that are in violation of the ordinance.



City Administrator Report

From 09.18.2018: Councilors Shepherd and Block met with Staff to discuss a plan of action for rolling out the new nuisance ordinances Council passed earlier this year. Councilor Chambers was unable to attend. Contractors have finished the cleanup of 382 Kirk Avenue. I have included pictures of the results for your review. Staff also worked toward the cleanup of 830 Ash Street. Staff will begin review of the weeds for the remainder of the season. Staff was on hold due to the Linn County fire ban.

Active: Land Inventory – Staff and Mr. Kinney continue working on background details.

From 01.23.2018: Administrative Assistant Elizabeth Coleman and I met with Dave Kinney to begin the process of preparing a land use inventory study as approved in this year's budget. Mr. Kinney will begin talks with Linn County GIS as they will play a key role in analyzing and compiling data. Council must be ready to make some future decisions that could cause community controversy. Once some of the initial data is compiled, we will have Mr. Kinney present the information to Council to determine course of action. I have included the current zoning map. The City is practically out of volume commercial and light industrial land. Staff feels that the State will allow the City to add these areas. Staff will also analyze the housing needs.



The concern with housing, as previously discussed with Council, the City has many areas that are designated, but providing necessary utilities will be challenging and, in some areas, not financially feasible. The other issue with housing is the amount of open farm land around residential zones. Basically, the City seems to have ample land for housing developments on paper.

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

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

Active: Website Update – I have been working on building back content and fixing problems on the website. It is taking forever due to the City's slow internet speeds. Connecting with the cloud service for the website while we are operational on the Harris cloud for general ledger & utility billing bottoms out the "speed" of the connection.

Office hours are jammed with citizens concerns and complaints that have taken a lot of time. I have not been working weekends which is about the only time that I can really make substantial progress on this project. I did sign an agreement with Jim Mullholand for specific pictures for the new website. It will be great when it's done!



*Thank you for
your patience*

From 10.23.2018: Unfortunately, I have not had time to fix the content issues with the website. There is a significant amount of time needed to bring the site back to its original usefulness.

From 09.18.2018: Staff is still working on the content and ease of use issue with the new website. I will have a lot of work and time into getting useful data back on the site for the general public.

Cascade West Council of Governments Regional Policy Efforts – I was unable to attend the latest meeting.



City Administrator Report

From 10.23.2018: The City is participating in changes to the wetland permitting process. I signed a letter on behalf of the City for Federal consideration.

Active: Go Team Next Steps – Enclosed in the packet are meeting notices for upcoming RAIN events. The full regional effort has stalled due primarily to the elections. It appears that many key elected officials retained their positions including Mayor Biff Traber from Corvallis and Mayor Sharon Konopa from Albany who are instrumental to this effort.

From 09.18.2018: The City hosted it’s first RAIN event at the Art Center. Mr. Attig talked about turning ideas into strategies that build future business for artists.

From 07.24.2018: Please check out this link https://www.youtube.com/watch?v=WkW_5Htocos for more information on Corey Wright. Plans are underway for an event on August 23rd, 2018.

From 06.26.2018: Cities are moving forward collectively with RAIN. Corey Wright was recently hired to work with the eight cities Brownsville has partnered with. The group is also working on the broader effort with all cities from the region, Linn & Benton counties.

From 04.24.2018: I have met with several Linn County cities who are ready to move forward with a collective economic development proposal. A meeting will be scheduled soon with the Cascade West Council of Governments for discussion. Brian Latta, Harrisburg City Manager, and I recently met with Melissa Murphy from Biz Oregon to discuss the regional approach cities are taking to accomplish specific economic development goals.

See past reports for historical information.

Active: Development Properties – Staff continues to work on a variety of projects around town. Fortunately, the economy is doing very well evidenced by the amount of projects being considered. Staff worked with Dave Kinney recently on a review for 368 Spaulding Avenue. Surveyors were around town working on the Stephan Smith development in north Brownsville.

From 09.18.2018: Staff continues to work on the Rivers Edge Development. Public Works Superintendent Karl Frink and Staff have been monitoring events on the extension of Depot Avenue closely. Many other projects are being pursued and are currently in process as well.

Active: Water Rights – **From 02.27.2018:** The Oregon Water Resources Department (OWRD) has issued a few letters to the City recently that City Engineer Jon Erwin, Public Works Superintendent Karl Frink and I have reviewed. The City recently removed the hold we placed on one permit concerned the water curtailment issue. It appears that the State will continue that particular water right at the current rate which is vital for the City’s water needs.

ITEMS PENDING – Tabled, On Hold, Stalled or Waiting

Active/Pending: Canal Company Solvency – **From 09.18.2018:** Public Works Superintendent Karl Frink turned off water as directed by the State Water Master on August 13th, 2018.

From 06.26.2018: President John Holbrook phoned and indicated that the Canal Company is still in existence. Holbrook has filed the appropriate paperwork with the State of Oregon. The Company does not have any other officers and is attempting to setup a meeting. Holbrook provided a valid insurance certificate for the operation of the pumps. Public Works Superintendent Karl Frink turned on the pumps several weeks ago.



City Administrator Report

Pending: Coleman & Kinney – ***From 2016:*** FEMA Implications regarding insurance and flood impact technical reviews.

PAST MEETINGS – Memory Information

WNHS Update ☑ – See the information about the merger with NEDCO. Sweet Home will be applying for CDBG funding this funding cycle.

Please refer citizens to the following websites for more information:

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

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

Completed: Linn County Transportation System Plan – ***From 07.25.2017:*** Councilor Gerber and I attended a public meeting regarding the Linn County Transportation System Plan (TSP).

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

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

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

League of Oregon Cities Update

Coalition of Local Government Organizations File Comments in Opposition to Proposed FCC Rules

On Wednesday, the National Association of Telecommunications Officers and Advisors (NATOA), along with the National League of Cities and other local government organizations, filed comments with the Federal Communications Commission (FCC) in response to a notice of proposed rulemaking. In that notice, the FCC proposed issuing administrative rules under the Cable Act of 1984 that would severely limit local governments' ability to recover franchise fees from cable operators—effectively creating a favored class of right-of-way user.

Specifically, the proposed rules would allow cable operators to deduct the real market value of various franchise obligations, such as educational and government programming and other customer service obligations, from their franchise fee. The proposed rules would also declare that local governments have no authority to regulate a cable operator's use of the public right-of-way for non-cable purposes.

In its comments, NATOA argues that both proposals are contrary to Congress's intent in passing the Cable Act, the unambiguous language of the Cable Act, and would create a windfall for cable operators at the expense of local taxpayers. A copy of NATOA's comment is available [here](#). The LOC will continue to monitor this issue and provide any updates as they become available.

LOC Contact: Patty Mulvihill, General Counsel, pmulvihill@orcities.org



City Administrator Report

misinform 

Synonyms Examples Word Origin

verb (used with object)

- to give false or misleading information to.

disinformation **noun**

dis-in-for-ma-tion | \, (,)dis-, in-fər-'mā-shən

Definition of disinformation

: false information deliberately and often covertly spread (as by the planting of rumors) in order to influence public opinion or obscure the truth

The City has been the main subject of discussion during the last few months. Unfortunately, facts have been left out, distorted or simply not shared with citizens interested in knowing what is happening at City Hall. The Council packet, the City Prospectus, the Capital Improvements Plan, the Parks Master Plan, the Water Master Plan, the Drainage Plan, the Annual City Budget, the Annual Budget Message, and the Annual Audit

half-truth **noun**

ˈhæf-ˈtruːθ | 'hāfA

Definition of half-truth

- : a statement that is only partially true
- : a statement that mingles truth and falsehood with deliberate intent to deceive

are terrific sources for interested parties to review. Staff is always available to discuss any topic or matter happening in Brownsville. It is vitally important for everyone to know the foundational elements of why things are the way they are. The officials have worked diligently to

continue to provide the services and programs the citizens have come to take for granted. Of course, there are always more wants & demands which makes decisions difficult due to limited resources. The Federal government, State Legislature, the myriad of State agencies, Linn County all have a hand in shaping policy and what the City is required to do. The officials must juggle all these competing interests to ensure the City operates in a manner that is consistent with the laws of the land while attempting to provide for citizens.

RUMOR **noun**

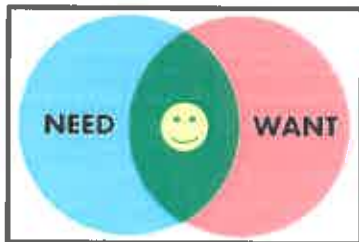
ˈrʊ-mər

Definition of rumor (Entry 1 of 2)

- : talk or opinion widely disseminated with no discernible source
- : a statement or report current without known authority for its truth

Respectfully Submitted,

S. Scott McDowell





Public Works Report November 20th, 2018

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of November.
- *Distribution System* – Five water leaks this month. One leak on Washburn was a broken tap saddle, the other four leaks were located at or near water meters. The Robe Street Project is complete. The contractor completed this project on October 23rd.
- *Cross Connection Program*- Two backflow devices failed and have not been repaired. We are in the process of getting those devices repaired to ensure our water system remains safe.
- *Water Treatment Plant* –Filter 1 has been power washed, scraped and raked. It is currently seasoning in and should be back in service by December 1st. The chlorine pump and soda ash pump have both been rebuilt and calibrated back to factory standards. The turbidimeters and pH probes are scheduled to be calibrated on November 20th. One of the turbidimeters failed, a used replacement unit was purchased and installed. The generator at this facility was recently load tested, inspected and serviced by Pacific Power Products.
- *Misc.* – Public Works will continue flushing fire hydrants as time allows

Sewer:

- *North Lagoons* – This facility is being prepared for winter discharge. The influent pH probe and influent flow meter have both been cleaned and recalibrated. The generator at this facility was recently load tested, inspected and serviced by Pacific Power Products.
- *South Lagoons*- Some of the fencing at this facility has been damaged from tree limbs, brush and general wear and tear. We have cleared tree limbs, brush and debris from the fence line and are currently repairing the fence where needed as time allows. The influent pH probe and influent flow meter have been cleaned and recalibrated. The generator at this facility was recently load tested, inspected and serviced by Pacific Power Products.
- *Collection System*- There are several new sewer connections pending with several new homes being constructed.
- *Misc.* – Nothing additional to report this month.

Streets:

- *Mowing/Tree Maintenance* –Public Works continues to trim branches as needed. A maple tree on Washburn St. has several hazardous branches and is slated to be trimmed soon, I have received two estimates for this service and waiting for one more estimate.
- *Asphalt/ Gravel Road Maintenance* –Public works will be grading and rocking gravel streets once the ground is damp enough to allow us to do so. Most of the street painting is complete for this year.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Street sign work continues as time allows. Many new locations require locates to be called in before we can bore holes to place sign posts. A sign at Kirk Putman has been replaced. We are currently working on replacing the existing bridge on the road to the cemetery. The current bridge is an un-engineered wood structure that has a limited weight capacity rating of 10 tons. The bridge is aged, signs of rot are appearing. The Christmas banners will be installed the week following Thanksgiving.

Parks:

- *Pioneer Park* – Pioneer Park was closed for the season on October 31. The restrooms and kitchen areas have been winterized, all of the picnic tables have been stowed away and many of the garbage cans have been put away for the winter. Public works has been mowing and maintaining the park as needed. We are currently bagging up as many leaves as we can while the leaves are dry and can be collected by machines.
- *Blakely Park* – This park has been cleaned up and mowed.
- *Kirk's Ferry Park* – This park has been cleaned up, mowed.
- *Remington Park* – This park has been cleaned and mowed. One new Ash tree was planted in this park for our Arbor Day celebration.

Cemetery:

- *Grounds* – There is a large fir tree in the back portion of the cemetery that is slated for removal. We have received two bids for this work and should be getting one more bid soon.

Library:

- *Grounds*- This facility has been mowed as needed.
- *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.* – Nothing to report this month.

City Hall:

- *Buildings*- The fire alarm system was inspected and tested this month by Omlid and Swinney Fire Protection and Security, Inc.
- *Grounds* – The grass is mowed and maintained weekly, or as needed.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds*- The grass is mowed weekly or as needed.
- *Buildings*- Nothing to report from this facility this month.

Public Works:

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

Respectfully Submitted,



Karl Frink, Public Works Superintendent



PLANNING AT A GLANCE

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

- | | |
|--|--------------------|
| • Mechanical (Commercial Bville Saloon) | 419 N Main St. |
| • Mechanical (Replace Furnace & A/C) | 459 N Main St. |
| • Mechanical (Install HP w/Air Handler & Ductwork) | 405 Kay Ave. |
| • Plumbing (Replace Sewer Line) | 817 N Main St. |
| • Mechanical (Install new gas line) | 221 Center Ave. |
| • Mechanical (Install free standing pellet stove) | 924 Ash St. |
| • Mechanical (Install gas furnace & new piping) | 723 N Main St. |
| • Mechanical (Install wood stove) | 500 Loucks Way #9 |
| • Accessory Structure (50X40 Pole Barn) | 444 Spaulding Ave. |
| • Accessory Structure (8x20 Cargo Container) | 374 Kirk Ave. |

Updates

River's Edge: Depot Avenue/Henshaw Drive

The developer for this project is still working with Linn County on floodplain & Henshaw Drive improvements.

Buildable Lands Inventory

Staff is working with Planning Consultant Dave Kinney on this project. The Linn County GIS Department will also be assisting.

Elizabeth E. Coplan

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

The biggest communication problem is we do not listen to understand, we listen to reply...



LINN COUNTY SHERIFF'S OFFICE

Jim Yon, Sheriff

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

Albany, OR. 97322

Phone: 541-967-3950

www.linnsheriff.org

2018

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

FOR THE MONTH OF:

October

TRAFFIC CITATIONS: -----	9	
TRAFFIC WARNINGS: -----	25	
TRAFFIC CRASHES: -----	0	
ADULTS CITED/VIOLATIONS: -----	3	
ADULTS ARRESTED : -----	5	
JUVENILES CITED/VIOLATIONS: -----	0	
JUVENILES ARRESTED: -----	0	
COMPLAINTS/INCIDENTS INVESTIGATED:-----	88	
TRAFFIC HOURS-----	24	
ADMINISTRATION HOURS-----	15.5	
TOTAL HOURS SPENT:	BROWNSVILLE	218.5

CONTRACT HOURS= 200 HOURS

**Jim Yon,
Sheriff, Linn County**

By: Sergeant Greg Klein

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR OCTOBER 2018**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	25	1	2	24	
Violations	73	16	16	73	
Contempt/Other	47	3	2	48	
TOTALS	145	20	20	145	

BALANCE SHEET FOR THE MONTH

Court Revenue

Total Deposits +	\$ 2,475.00
Total Bail Released +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ 165.00
Total NSF's -	\$ -
Cash Shortage -	\$ -

Court Payments

City	\$ 1,806.00
Restitution	\$ -
Oregon Dept Revenue	\$ 379.00
Linn County	\$ 125.00
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE	\$ 2,310.00	TOTAL COURT PAYMENTS	\$ 2,310.00
----------------------------	--------------------	-----------------------------	--------------------

Credit given for Community Service	\$ -
------------------------------------	------

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

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

CITY	\$ 1,806.00
STATE	\$ 379.00
COUNTY	\$ 125.00
*REFUND/RESTITUTION	\$ -
TOTAL:	\$ 2,310.00



Library Advisory Board

Librarian's Report

October 2018

Here are a few facts about our library the month of October 2018. We have received 29 new books for the library. Volunteers donated 186 hours to our library. There were 1,247 materials checked out. 533 adult fiction books; 146 adult non-fiction books; 124 audio books; 463 children's books; 264 junior books; 34 junior reference books and 54 large print books.

In October we held 12 children's programs with 236 participants. There were 7 programs for adults with 53 participants. I have finalized details with Ms. Thea to repeat Clayfest for Kids. This fun program for children over the age of 3 will be held the week after Christmas, January 2 – 4. I am developing a variety of programs for adults on a quarterly basis. My goal is to have one program the 3rd Thursday of each month. It is my goal to have a variety of programs that interest our community and bring them into the Library. Programing includes Lawyer in the Library (1/17/2019), Crafting @ Your Library (12/20/2018) and Family Health and Wellness (2/21/2019). We are also fortunate to have local patrons bringing in programs of their own, like Donald Lyon's popular World Cultures & Travel from September through March each year.

Our annual Friends of the Library Booksale is scheduled to run from Saturday, December 1 through Saturday, December 8 during normal Library hours. The Library will also be participating in the Festival of Trees. Sharing Hands director Debra Gruell and I agreed to have a Christmas Greeters Tag Tree in the Library this year.

Respectfully submitted,

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

Sherri Lemhouse
Librarian



2017-2018 Council Values

Council Vision Statement

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

A Vision for Brownsville

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

Tag line

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

Who we are?

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

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

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

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:



2017-2018 Council Values

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

Organizational Development

- 1. Elected & Appointed Officials.** People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
- 2. Staff.** People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
- 3. Organizational Axiom.** Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.

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

THE PROCESS OF PROGRESS

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



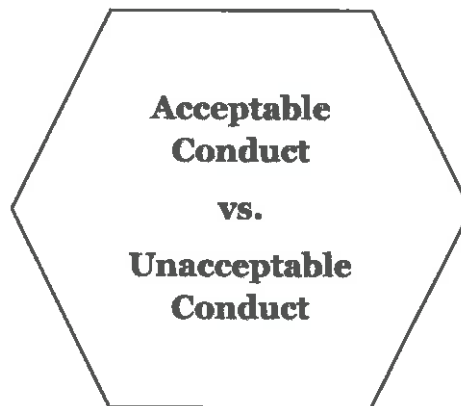
2017-2018 Council Values

LEXIPOL'S 10 FAMILIES OF RISK MODEL

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

How are expectations set in City Government?

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





2017-2018 Council Goals

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



GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

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

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

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



2017-2018 Council Goals

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

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

September 2018 Update: Brownsville is part of an eight-city collaboration that has brought RAIN into the region to specifically help entrepreneurs looking for assistance to launch businesses and business opportunities. Mr. Corey Wright is the Venture Catalyst for this eight-city collaboration. Mayor Ware is working with Linn County to assist the City with marijuana grows that are proposed inside the Urban Growth Boundary (UGB). Council has forwarded a ballot measure to support this effort. Councilor Block regularly attends League of Oregon Cities meetings with McDowell to stay abreast of regional and statewide issues. Councilor Gerber regularly attends the Cascade West Council of Governments Transportation Committee meetings. Councilor Neddeau attends Cascade West Council of Governments meetings along with Mayor Ware regularly. Mayor Ware, Councilor Shepherd, and Councilor Block alternate attending the Linn County Sheriff's Office quarterly meetings. Frink serves as a member of the regional 811 committee. McDowell continues to serve in many regional capacities including the Solid Waste Advisory Committee (SWAC).

McDowell is currently working with seven cities to address the intergovernmental agreement with Linn County Planning and Building Department. The group plans on providing solutions and opportunities to work more effectively and efficiently with Linn County through the project/building permit process.

Staff continues to administer the budget to execute the goals laid out by Council.

April 2018 Update: The Cascade West Council of Governments is actively working on a policy advocacy agenda for the upcoming session in 2019.

Council will be hosting a Town Hall meeting as part of a Council meeting to discuss the current condition of the structures in Pioneer Park and the Central Linn Recreation Center. Inspections Unlimited completed their report recently.

Staff is working on several administrative projects for the end of the fiscal year including a water line reconstruction project on Robe Street, website redevelopment, new general ledger and utility billing software among other projects.



2017-2018 Council Goals

McDowell continues to serve of the SWAC which recently worked on recycling issues. A meeting in late May will determine how the County decides to handle new restriction created by China.

Council is awaiting a response for the Brownsville Canal Company regarding the operation of the pumps for the Mill Race.

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

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

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

2. Water Rights.

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

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

September 2018 Update: The City has transitioned engineering services to City Engineer Ryan Quigley of Dyer Partnership. Staff will be attending a water rights seminar in the very near future. The City continues to contract with Schroeder Law Offices for critical water rights advice. The State of Oregon recently publicly notified municipalities about water conservation plans. Staff is cautious about the potential ramifications of this requirement.

April 2018 Update: Staff will be working with Mr. Erwin to transition to another City Engineer over the next few months. Mr. Erwin will retire soon. He has served the City for nearly twenty-five (25) years.

January 2018 Update: City Engineer Jon Erwin, Public Works Superintendent Karl Frink and City Administrator Scott McDowell have been working on various letters received from Oregon Water Resources Department. Staff has not had time to review the procurement of any upstream



2017-2018 Council Goals

water rights to date, but is still interested in pursuing any opportunities that may be there for the City.

3. Economic Development Plan.

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

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

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

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

September 2018 Update: The regional RAIN effort is described above. The City is also been involved with the relocation efforts of the Bi-Mart Willamette Country Music Festival. The area will certainly feel the economic impact over the next two years. Hopefully, the Festival will locate in Linn County, so Brownsville businesses and civic organizations can still benefit. The City is currently working on several development plans including a storage facility and a large subdivision on the north side of town. Council recently recognized the new Dollar General that opened in May. Several small businesses have also located in Brownsville over the last few months including Thor's Targets.

Dave Kinney continues to work on developing the Land Inventory.

April 2018 Update: Many meetings have been happening locally for a regional effort. The group will be meeting with the Cascade West Council of Governments soon to determine the COG's involvement with the group and how economic development will work in the future. The City is currently working on being included in an enterprise zone resolution which will provide certain tax incentives to possible job creators. Council should see this legislation in May.

Brownsville was part of a successful grant opportunity through the State of Oregon, which included Lebanon, Sweet Home, Halsey, Harrisburg, Adair Village, Philomath & Monroe. Policy Advocacy is moving at the Cascade West Council of Governments and developments are progressing on addressing bureaucratic responses from the State.

Dollar General has finished and are planning a Grand Opening. A few new businesses have opened this year and are doing well downtown. Several residential developments are in the planning and construction phase as the market continues to thrive.

January 2018 Update: City Administrator Scott McDowell has been working with regional partners to advance common economic development goals. The effort is from the Council supported Go Team/RLED effort as mentioned above. Staff is also working on the initial data for the buildable lands inventory. Council will have to budget over the next fiscal year to accomplish



2017-2018 Council Goals

this goal. The future of Brownsville depends on developable land. The City is nearly out of Volume Commercial and Light Industrial options for potential businesses. Council voted unanimously to move forward with a cooperative study by EcoNorthwest to possibly advance a regional approach.

4. Community Development Plan.

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

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

September 2018 Update: Council passed four ordinances this past May to address policy needs communitywide. Emergency Preparedness is working on a social event this fall under the guidance of Mr. Norman Simms who continues to serve as the volunteer coordinator. Marilee Frazier continues her multiple efforts to assist with this effort as well. Recently, Kneil Stucky decided to step away. Mr. Stucky has been very involved with this effort for the last eight years. His positive energy and ability to get things done will be missed.

April 2018 Update: Council is currently considering several ordinances that were identified in March of 2017. The Central Linn School District Board recently sold the Blakely Avenue property to a group interested in using the property as a Christian school.

The EPC continues their work toward the goals established by Council.

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

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

Councilor Shepherd, Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell met with the Central Linn School District Board to get approval and outright ownership of the Central Linn Rec Center. The Board voted unanimously to remove the revision clause from the deed language. Superintendent Gardiner facilitated nicely during this process. Council is currently in the process of reviewing all of the



2017-2018 Council Goals

structures to determine need at the Rec Center and Pioneer Park. Council will be meeting with community partners to make future plans for the facilities.

5. Capital Improvements Plan.

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

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

September 2018 Update: The Robe Street Waterline Replacement Project is underway and should be finished by the end of October. Council did not have the money to include the Main Street Waterline Replacement Project or to construct the downtown wastewater collection improvement project.

April 2018 Update: Council authorized a contract and agreement with The Dyer Partnership Engineers & Planners, Inc. to work on the Robe Street water line project. Staff is working on completing street improvements as well as looking at a solution for the bridge at the cemetery.

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

6. Organizational Development.

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

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

September 2018 Update: Council continues to address issues as they arise. Several Councilors have done great work covering regional meetings and local meetings as well.

April 2018 Update: Council discussed meeting conduct and operational ways to better handle situations as they arise during public meetings.

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



November 27th, 2018

To: Mayor & City Council
From: Facilities Review Committee

Re: Facilities Review Committee Recommendation

Timeline

October 2016

Public Works Superintendent Karl Frink & City Administrator Scott McDowell made a presentation on the condition of the Rec Center and the structures in Pioneer Park.

June 2017

The Budget Committee & Council include funds for a comprehensive building analysis in the City Budget for FY 2017.2018.

March 2018

Inspections Unlimited delivers the study to the City.

May 2018

A joint session of Council and the Park & Open Space Advisory Board held on May 22nd, 2018 to review a report completed by Inspections Unlimited regarding the condition of the Rec Center and the buildings in Pioneer Park.

September through November 2018

The Facilities Review Committee met four times, September 4th, October 4th, October 18th, & November 6th to consider and discuss the review Council requested.

Scope & Purpose

Council appointed several members from the membership of community partners, Council & Staff. Members included Rick Dominguez, Brandie Simon, Blaine Cheney, Katie Cheney, Lynda Chambers, Carla Gerber, Debie Wyne, Administrative Assistant Elizabeth Coleman, Public Works Superintendent Karl Frink, City Administrator Scott McDowell and Doug Block as an alternate.

The Facilities Review Committee would deliver a recommendation around three (3) primary issues, 1) building needs, 2) facility priority options, and 3) possible funding strategies.

Recommendation

After much discussion and contemplation, the recommendation is broken down into four categories for Council's consideration as follows:



1. Consider a Broader, Community Group Discussion (*Central Linn Rec Center*)
 - a. Scope & Funding
 - b. Central Linn School District
 - c. City of Halsey
 - d. Pioneer Christian School
2. Budget for Structural Engineering Review
 - a. Central Linn Recreation Center
 - b. Pavilion
3. After Structural Analysis
 - a. Reassess Options
 - i. Repair
 - ii. Replacement
 - iii. Locations & Placement
 - b. Associated Costs & Other Building Options
4. Funding Options
 - a. Bond Regionally
 - b. Bond Locally
 - c. General Fund Fee
 - d. State Grants
 - e. USDA Loans
 - f. Fundraising Campaign

Conclusion

The Facilities Review Committee concluded that reviewing regional funding options was in the best interest of any future project. Should Council decide to keep the discussion specifically to Brownsville, the Committee is willing to continue reviewing this important project.

We appreciate the opportunity to serve our community. Thank you!

Sincerely,



Blaine Cheney
Facilities Review Committee



City of Brownsville

Total Maximum Daily Load Plan

(TMDL)

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1. Introduction

1.1. Purpose and Scope

This TMDL Implementation Plan has been prepared in accordance with the Oregon Department of Environmental Quality (ODEQ) and the Oregon Administrative Rule (OAR) 340-042-0080(3).

The purpose of the plan is to minimize the discharge of pollutants to streams and waterways through existing treatment strategies, potential proposed methods for monitoring, education, and other implementation activities. The plan focuses on the minimization, or when possible the elimination of, heat, bacteria, and mercury contributions to surface waters influenced by the City of Brownsville.

2. Responsibilities

2.1. Mayor and City Council

The City Council shall ensure assignment of responsibility for implementing the contents of this TMDL Plan, its review, and any pertinent changes are made as required. Council shall receive an update from staff twice a year in May & November. Council shall review and approve any changes to this plan. Upon assignment, the assignee shall compile required evaluations and submit a summary as required to the Oregon Department of Environmental Quality (DEQ).

2.1.1. Funding

It is the responsibility of the Mayor and City Council to determine funding sources for this plan as funds are available within the general budget of the City of Brownsville. It is anticipated that any funding required will be taken out of associated areas of responsibility (e.g. parks, sewer, drainage, etc.), but will primarily come from the General Fund. The City of Brownsville has many funding priorities ahead of TMDL. Other federally mandated requirements for wastewater and water have led to \$8M in bonded debt on a very limited customer base. The bonded debt is in effect until 2038. The City is also looking at a major Water Treatment Plant renovation in 2024 which will require additional bonding. The City is responsible for over \$42M in assets with nearly 40% of the facilities & systems in poor or critical condition.

The City has many amenities supported by the General Fund including an extensive park system with many capital assets at the end of their useful life, a City Hall that was originally a church circa 1860's, a City Shop building circa 1950's, a Library circa 1970's and several other aged facilities. Budgetary carve outs for unfunded mandates such as TMDL are not a budgetary priority for the City of Brownsville.

2.2. City Administrator

The City Administrator is responsible for ensuring the Mayor and City Council are made aware of the assignment responsibilities, its requirements, and that review and reporting of this Plan is completed as required. The TMDL is reviewed in May & November of each calendar by City Staff and the Council.

2.3. Brownsville Residents

Brownsville residents are responsible for complying with any City ordinances put in place to meet TMDL requirements. In addition, residents are expected to comply with all state and federal regulations governing erosion and sediment control, pet and animal waste disposal control, and all other pertinent government ordinances and regulations. The Brownsville City Council requests on the behalf of residents that the State of Oregon require other major contributors that degrade the Calapooia River's water quality to the same standards as stated for Brownsville residents.

3. Plan Overview

3.1. City of Brownsville General Description

The City of Brownsville, Oregon is a small rural community located in the southern Mid-Willamette Valley. Brownsville was originally settled in the mid 1840's. The City was an important industrial center in the 19th Century after the development of the Brownsville Millrace which provided power to several local industries. Brownsville is located five miles east of Interstate 5 on State Highway 228 at the edge of the Cascades foothills.

A relatively small community (current population approximately 1700) it is located amongst the agricultural areas of the southern Willamette Valley, but few of the residents are directly involved in the agricultural industry. Due to its isolation from centers of employment most residents either commute to jobs in Eugene, Albany, Corvallis or Salem or are retired or self-employed.

Climate is typical of that of the southern Willamette Valley. The soils are usually moist and are saturated with water during the winter and spring. The mean annual soil temperature is 52 to 55 degrees F.

Approximately seventy-five percent (75%) of the City's area is essentially flat with slopes of less than 0.5 percent and are located at the eastern edge of the Willamette Valley. Approximately forty percent (40%) of the City's area lies within the 100-year floodplain of the Calapooia river, which runs through the middle of town. Approximately twenty-five percent (25%) of the City is on the Cascades foothill, ranging in slope up to thirty percent (30%). Existing Land Use is described in the City's Comprehensive Plan and includes residential, commercial, industrial and public lands.

3.2. Water Sources

3.2.1. Ground Water

The City of Brownsville operates a municipal drinking water system. The water source is described as groundwater under the influence of surface water. There are two sources of water, a series of four wells and an infiltration galley, both of which are located close to the Calapooia River and receive water from the Calapooia after it travels through the gravel layers under and adjacent to the river. These areas are both located in Pioneer Park on public property. The City protects these areas by carefully limiting or avoiding the use of any fertilizers / herbicides / pesticides in Pioneer Park, as well as by providing a network of pet waste collection stations throughout the park. Pioneer Park has a significant tree canopy as well and natural vegetation along the full run of the riparian area of the Calapooia River.

3.2.2. Ground Water Protection

The City has been flexible and progressive in dealing with proposed improvements both residential and commercial projects. The City requires the use of bio-swales and settling

ponds where possible to limit the impacts of storm runoff in Brownsville and intends to continue this practice.

3.2.3. Stormwater Conveyances

Stormwater conveyance through the City is achieved through a series of ditches with very little underground piping systems. [Eighty percent (80%) of the City's 'system' consists of open ditches.] The Brownsville Mill Race forms an important part of the City's stormwater system in the middle of the City. Stormwater drains to three general places out of the City of Brownsville. The drainage on the south end of Brownsville flow to Lake Creek, on the north end to Cochran Creek and all ultimately feed back into the Calapooia River. The City completed a Drainage Master Plan in 1997 as prepared by Lee Engineering, Inc. Consulting Engineering of Oregon City, Oregon. The Plan concludes by stating, "...most of the City of Brownsville's current storm system... (are) inadequate and do not exist."

For new developments, design standards are in place to ensure adequate stormwater detention and conveyance through piping, swales, and other detention systems. Strict adherence to the City's Public Works Standards is a requirement of all applicants. The Public Works Superintendent, City Administrator, Administrative Assistant in charge of Planning, the Planning Consultant and the City Engineer work in coordination to ensure regulations and requirements are met.

The major problem for Brownsville stormwater drainage is the State has no way of requiring farmland to maintain drainage ways. Due to the influence and power of the Agriculture Industry, this basically short-circuits an adequate drainage shed for Brownsville. All potential areas for stormwater to flow end in agricultural lands.

3.3. Description of City of Brownsville Sewage Treatment Permit and Facility

3.3.1. Permit Description

The City of Brownsville operates two separate wastewater treatment systems, one located north of town on Seven Mile Lane and the other located off Hwy. 228 at the western City Limits. This is due to a ridge which runs through the middle of the downtown area and splits the town into two drainages. The City holds a National Pollutant Discharge Elimination System (NPDES) Permit from the ODEQ pursuant to ORS 468B.050 and subsequently The Federal Clean Water Act. The permit covers the cities STEP Stabilization Lagoon for treated wastewater, and for potential reclaimed water reuse, or irrigation. The receiving stream is the Calapooia River in the Upper Willamette River sub-basin located in Linn County. Discharge only occurs during the winter months during periods of high flow.

Treated effluent parameters include BOD, TSS, E. coli Bacteria, pH, and Total Chlorine. Other details and specifications for this system are on file within the City office, the DEQ, and as required within NPDES permit applications.

3.3.2. Sewage Treatment Plant

Brownsville Municipal Code 13.05.150 requires all buildings located within two hundred (200) feet of a street which has or could have a municipal wastewater main to connect to the City sewer system. This requirement has been in place since 1964 and currently all residences within the City are connected to City sewer except for two homes located in a remote location at the northeast part of town where sewer service is not available now. The City has historically not had a cross connection problem due to the installation of the original wastewater system and policies in 1964.

The City sanitary sewage treatment plants are described as follows. As previously noted, there are two separate systems which have recently been interconnected. The original major sewer construction took place in 1964, with major additions being completed in 1978. The City completed an \$8.5 million upgrade to the sewer system which began in 2007. The North system consists of two lagoons, a primary and a secondary. The treated output of the secondary lagoon can be used to spray irrigate a hay field in the summer when there is agricultural demand. In the winter, the discharge is chlorinated and then pumped through a force main almost a mile south to the South Lagoons where it is combined with the output of that system and discharged in to the Calapooia River through a multi-port diffuser system.

The South Lagoon system consists of a three-cell lagoon system with a total of approximately thirty (30) acres. Effluent is chlorinated, then de-chlorinated and discharged to the Calapooia River per a hydrologic discharge schedule developed in accordance with DEQ. Discharge occurs only during the winter months when flows are high and temperatures low. The lagoons are shallow and maintain a temperature close to that of the Calapooia River. Effluent flows are low compared to the flows of the river at the time of discharge as required by the NPDES permit; the permit was updated in 2017.

The City completed an \$8.5 million project to upgrade both the lagoon treatment systems and the collection system. Collection system improvements are designed to reduce the amount of inflow and infiltration and improve system capacity to prevent accidental system surcharges which have occurred in the past during high flow conditions before 2008. Lagoon system improvements have enhanced the quality of the effluent and to add a de-chlorination phase to the project in addition to providing a winter discharge point for the North Lagoon system. The new facilities have been on-line since late February, 2008. The wastewater collection lines were completed July 2008. During construction, the City found only four illegal cross-connections which were taken care of during the construction phase.

The City completed a major repair to the Millhouse Sanitary Sewer collection line in 2014 which made significant improvements near the Mill Race. The City still has forty-five (45%) of the sanitary sewer lines that are at or beyond their useful life.

3.4. Potential Sources of Contaminants to Soil & Waters

Contaminants can enter the soils, storm water, and sanitary sewer system from the following potential and/or identified sources:

- Improperly applied pesticides, herbicides and fertilizers from both homeowners and agricultural applications.
- Leaking above and underground storage tanks.
- Chemical spills on highways, railways, and from business activity.
- Improperly installed or old domestic wells.
- Poorly maintained septic systems.
- Unpermitted or unauthorized waste disposal sites or dumping.

Entry from improperly installed or domestic wells can occur because of a couple of factors. Nitrates tend to stay on top of the aquifer. When a well begins pumping at a fast rate, it pulls down the top waters (containing nitrates) and pumps them for use. If the well is pumped at a slower rate, it will draw the waters from the lower portion of the well. Also, State requirements for well casing are to install to 18 feet, with an additional foot above the surface. Another method of entry is at the well top. If the well is not packed or backfilled correctly with concrete and/or the appropriate materials; contaminants can enter from the surface in and around the top of the casing.

The Calapooia River valley is home to both significant livestock populations and rural residential development along the river, both of which contribute coliform bacteria to the river. The headwaters of the Calapooia River begin forty-four (44) miles from Brownsville in the Tidbit Mountains of the Cascade Range. The BLM and agriculture lead to most of the 'contamination' of the Calapooia River.

3.5. TMDL Requirements

3.5.1. Performance Monitoring

Performance monitoring shall be tracked utilizing the TMDL Implementation Tracking Matrix included in this Plan. This matrix will be used to track the effectiveness of the City's efforts in reducing pollutant loads.

3.5.2. Review and Evaluation

A review of the TMDL Plan will be conducted as required under OAR 340-042-0080(3) (a) (C) and Water Quality Management Plan (WQMP) once every five years. Results of that review will be submitted to the DEQ. Modifications will be made in accordance with state requirements. The City Staff and Council review the plan as part of two (2) regular Council sessions in May and November of each year.

3.5.3. Reporting

As required, an annual report will be submitted to the DEQ describing the progress of the City's TMDL management strategies.

3.5.4. TMDL Pollutants and Potential Sources of Pollutants

The following pollutants will be addressed in the TMDL. They are temperature, bacterial, and mercury. Suspected sources of the pollutants are:

- **Warmer In-stream Temperatures:** Caused by historic removal of shade-producing vegetation along streams. Decreased summer flows are also most likely a result of logging activities throughout the upper watershed as well as long-term climatic changes. Channelization of the river and an increased gravel load have resulted in large areas of shallow riffles and a decrease in the number of deep holes, also contributing to higher summer temperatures.
- **Fecal Coliform:** Likely sources include domestic animal waste carried in stormwater runoff and resulting from livestock being allowed direct access to the river. In addition, septic systems, if leaking, are a source of contamination. The City does not allow septic systems inside the City limits.
- **Mercury:** Found in sediments; likely source is erosion from constructions sites not covered by DEQ permit (i.e., sites with disturbed ground surface area of less than 1 acre) as well as seasonal erosion and slides from adjoining soil banks during periods of high flow. Agricultural activities can also contribute sediments and most land around and through Brownsville is used for agricultural purposes. The Calapooia River is not listed as water quality limited regarding mercury.

4. Other

Brownsville City Council understands the programmatic efforts being imposed by the Environmental Protection Agency (EPA) through the DEQ under the Clean Water Act. Council is interested in promoting these programmatic efforts as local funding allows, at the sole discretion of Council. Public education is a major component of the City's TMDL Plan. The other major component of the plan is to ensure that new developments and re-developments implement stormwater best management practices to minimize the overall effect to the City's stormwater management concerns.

Council will not create a stormwater utility due to the major needs the City has for the existing water and sanitary systems. Council completed a Drainage Master Plan in 1997 in response to the flood of 1996. The outcome of the report was that the City did not have an adequate drainage system. The cost to implement a skeletal stormwater system was \$3 million plus. The system was design using the Rational Model and a 5-year storm event. Council has chosen to not fund storm water drainage due to the overall ineffectiveness of such a system. Council is aware of the huge financial burden it would place on citizens.

Council also has significant responsibilities to continue to provide for public safety including a municipal court, a full-service library, a road system, Public Works fleet management, an extensive park system including a recreation center, a cemetery, City Hall, the City Public Works Shop among other assets. Council must also have a qualified, competent Staff to carry out the responsibilities of the Brownsville Municipal Code and other programmatic efforts of other governments. The City has a significant investment in employees training, salary and benefits. Cities, especially small ones, are facing serious financial implications due to State laws that effect how cities in profound ways. The State of Oregon's tax structure permanently limits the amount of taxes cities can receive and limits the annual increase allotted to cities.

The Federal government, nor the State of Oregon have provided meaningful funding for stormwater capital infrastructure. Furthermore, in many cases, stormwater infrastructure is relatively limited in preventing major flooding problems for residents when major flooding events occur. Flooding events in Brownsville would not be significantly improved by installing stormwater infrastructure given the topography of the City and the dynamics of the Calapooia River. The benefit does not outweigh the financial burden.

Brownsville City Council has been extremely active attempting to keep up with vital capital infrastructure projects without going to the voters for additional bond debt. The City has completed nearly \$4 million of capital improvements since 2007; this demonstrates Council's attentiveness to the needs of the capital infrastructure, but clearly demonstrates a rational approach to financial burden of the citizens. Below is a list of some of the general improvements that have been made:

Projects Since 2007

Project Description		Total
WWTP (N & S)	\$	8,500,000
Stanard Culvert & Water Line	\$	380,000
WTP Filters	\$	180,000
WTP Computers/Telemetry	\$	30,000
Robe Street Water Line	\$	185,000
Calapooia River Crossing	\$	50,000
S. Oak Street Water Line	\$	190,000
Averill/GR 12 Water Line	\$	320,000
Washburn Water Line	\$	168,000
School Hill, Various	\$	65,000
Millhouse SS	\$	285,000
Pump Station	\$	42,000
Paving (Various Locations)	\$	360,000
Pioneer Park Restroom	\$	96,000
Backhoe	\$	93,000
Vehicles	\$	95,000
City Hall	\$	130,000
Rec Center	\$	150,000
Pioneer Park Various		
Improvements	\$	58,400
Signage (Various Locations)	\$	11,000
Library Various Improvements	\$	107,500
Sidewalks (Various Locations)	\$	32,000
Inspections	\$	16,800
Public Works Standards	\$	3,800
Red Barn	\$	6,200
Bishop Way Water Line	\$	312,000
TOTAL	\$	3,366,700

Local Funding Implications

The City receives just over \$600,000 in General Fund money annually. The City spends between \$1,750,000 to \$2,300,000 annually depending on what major capital improvement or pressing need Council must address. The City simply does not have adequate funding to keep pace with current infrastructure needs. The State of Oregon continue to pre-empt local control, pass new laws that are one-size-fits all, and continually change requirements through their myriad of agencies. Loan programs come with strings that make the actual implementation of State and Federal policies entirely too burdensome on the local taxpayer. Meanwhile, cities are treated poorly by State agency representatives

who continue to demand and promulgate their authority without understanding the priorities of the local government.

How does the Federal and State governments expect cities to keep pace with additional requirements? Unfunded mandates such as these have led to major concerns for cities across the United States. The City's current debt load could potentially have dire implications when the City prepares for the construction of a new water treatment plant and water distribution improvements in 2025. The City is also facing major capital improvement needs in other general areas as mentioned throughout this report. The government bends to special interests and takes advantage of the taxpayers through this kind of policy enforcement and implementation strategy.

5. Conclusion

The City of Brownsville, Oregon has chosen a variety of strategies we believe critical to the success of our TMDL Plan. Because of financial limitations, the City has chosen those strategies it believes can be easily integrated into design and development code within our existing processes and protocols for development. Many of our strategies focus around education and can be accomplished with assistance from agencies like the Department of Environmental Quality, Watershed Councils and resources such as Oregon State University. There are some strategies, however, that may require additional funding from outside sources (e.g. grants) due to the limited financial resources of the City. The Calapooia Watershed Council does a tremendous job in Brownsville with public education and plantings throughout the riparian areas of the Calapooia River.

The following TMDL Implementation Tracking Matrix will serve as the City's tracking tool, but is not limited to this matrix.

Please see corresponding foldout.

Thank you!

Implementation Tracking Matrix

POLLUTANT	SOURCE	STRATEGY (What we are doing and will do to reduce pollution from this source)	ACTIONS (Specific ways to implement strategies)	MEASURE (How we will track successful implementation or completion)	TIMELINE	STATUS	UPDATE
Bacteria	1. Pet & animal waste	Inform residents about potential bacterial water contamination animal waste.	Short term: Provide information in City Newsletter and provide dog waste bags in City parks.	Newsletter distributed. Resident feedback.	Completed	Short term: Heightened public awareness related to these issues	Annually: Waste bags ordered and stocked as needed; installed an additional site downtown.
		Install pet waste signs in public areas	Long term: Ongoing education to reinforce message.		Ongoing	Long term: Public awareness into the future.	See Above
	2. Stormwater BMP's	Continue to evaluate, design, and adopt stormwater best management practices for water quality when necessary for new development and re-development. Require extensive review by City Staff including the City Engineer, Planning and Public Works.	Continue existing practices and protocols. Keep Public Works Standards and necessary Municipal Code requirements in place.	Continue to utilize best management practices when developments occur.	Ongoing	2015: Completed the adoption of Public Works Standards.	Ongoing.
	3. Inflow & Infiltration	Keep infiltration and inflow of the City's sewer system to a minimum. <i>(This issue is related to mainly stormwater.)</i> Perform ditch maintenance as needed.	2007 WWTP Improvements significantly reduced infiltration problems. Public Works performs annual ditch maintenance.	Public Works Superintendent will track maintenance efforts.	Ongoing	Ongoing	Annually: Update maintenance inventory list.
	4. Erosion & Sedimentation	Current development code requires developers to adhere to ODEQ NPDES Permit requirements for erosion control for areas >1 acre.	Continue current practice of reviewing residential and commercial projects to ensure compliance.	Verification of 1200C compliance as needed.	Ongoing	Ensure Erosion Control requirements for developments.	Ongoing.
		Encourage smaller parcels to follow 1200C plan for project.	Revise building permit review process to include providing builder with a copy of the 1200C plan.	Staff reports plans have been included for builders.	Include on all individual lots.	Receive 1200-C plans from DEQ or builder.	Ongoing
		Provide information to builders about the 1200C Program.	Include fact sheet from DEQ with building permits.	Staff reports fact sheets have been included for builders.	Implemented September 2008		Ongoing
	5. Wastewater Treatment Plant Discharge	Ensure effluent quality meet and exceeds the requirements contained in the NPDES Permit.	The City spent \$8.5M to implement new technology and process improvements.	Verification of 1200C compliance as needed.	Ongoing	-	Ongoing.
		Daily testing & monitoring.	Monthly and Annual reporting is completed.	Staff reports daily.	Ongoing	-	Ongoing

Please see corresponding foldout.

Thank you!

POLLUTANT	SOURCE	STRATEGY (What we are doing and will do to reduce pollution from this source)	ACTIONS (Specific ways to implement strategies)	MEASURE (How we will track successful implementation or completion)	TIMELINE	STATUS	UPDATE
Mercury	1. Erosion and sedimentation	Erosion control required under ODEQ NPDES Permit Program for new and redevelopment.	Continue assuring that developers obtain permits when required.	Ongoing	Ongoing	Erosion Control requirements revised if needed and adopted by the City. Public Works Standards adopted 2015.	Ongoing
		Assist developers of individuals lots in larger developments to minimize erosion and runoff	Revise building permit review process to include providing builder with a copy of the 1200-C plan.	Staff reports plans have been included for builders.	Implemented 2008 & Ongoing	Receive 1200-C plans from DEQ or builder.	2016: Lepman & Associates
		Provide information to builders about the 1200-C Program.	Include fact sheet from DEQ with building permits.	Staff reports fact sheets have been included for builders.	Ongoing	Ongoing.	2016: Lepman, Dollar General, Wenger Construction.
		Consider implementation of ordinance language addressing development practices on steeper slopes	Review model ordinances and other ordinances for applicable provisions that could be adopted by the City.	Completed review of model and other ordinances.	Implemented 2010	Review completed, adoption of selected ordinance language / BMP	Completed
	2. Stormwater BMP's	Encourage building standards which encourage filtration through riparian's, swales, and other BMP's for building design.	Review model ordinances and existing ordinances from other cities to determine if any measures can be implemented with existing resources. Adopt by ordinance those measures deemed by Council to be applicable and within city's resources to implement.	Best management practices adopted and distributed to residents and developers to reduce Mercury pollutants.	Implemented 2012	Short Term: Review of existing practices by staff. Long Term: Adoption of BMP's where applicable.	Completed
		Inform residents of potential sources of mercury contamination to sewer systems.	Look for opportunities through ODEQ and other sources for educational materials available to share with residents regarding mercury reduction.	Distribute information to residents via semi-annual newsletter and website.	October 2008. Ongoing training.	Residents informed.	Ongoing. 2016: Council Newspaper Articles
Temperature	1. Riparian Vegetation	Protect existing riparian vegetation.	Ensure the mature tree canopy and vegetation is maintained as needed.	Inspection & routine, ongoing maintenance of the park abutting the Calapooia River.	Ongoing	Staff ensures the park is maintained at a very high level. Council has decided to maintain the 'wild' nature of the vegetation to help the river ecosystem.	Ongoing.
	2. Education	Inform residents of significance of riparian areas and measures they can take to improve water quality. Wetland workshops.	Provide information to residents via City Newsletter, make material available on City website. Partner with Calapooia Watershed Council to sponsor community meetings.	Newsletter developed, distributed, and available. Website updated.	2019: Build Meaningful Partnership with Calapooia Watershed Council.	Newsletter material distributed. Presentation created.	Preparing for 2019 Education Effort
	3. Wastewater Treatment Plant Monitoring	City discharges during cool temperature months of November - March only. Maintain low effluent temperatures.	Meet requirements of NPDES permit. Staff measure the pH & temperature of the Calapooia River and the City's effluent every day.	Discharge occurs under permit conditions only.	Ongoing.	Compliance ensures effluent does not harm the river.	Ongoing. 2017: New NPDES Implemented
	4. Tree City	Maintain the requirements of the Tree City USA designation by properly caring for and planting trees throughout the community with special focus on riparian areas.	Monitor tree health during regular system maintenance and monthly meter reading.	Continue to check tree health and plant necessary trees.	Ongoing.	Actively working.	Ongoing

Please see corresponding foldout.

Thank you!

(TMDL)

	5. Park Master Plan	The Parks & Open Space Advisory Board recently adopted a revised PMP.	Implement the plan as resources allow.	Plant trees and monitor tree canopy health Do not install engineered bank to prevent the riverbank erosion.	Ongoing.	Actively working.	Ongoing
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POLLUTANT	SOURCE	STRATEGY (What we are doing and will do to reduce pollution from this source)	ACTIONS (Specific ways to implement strategies)	MEASURE (How we will track successful implementation or completion)	TIMELINE	STATUS	UPDATE
Illicit Discharges	1. Intentional Dumping	Public education	Inform public of rules regarding disposal by including articles in City newsletter, material on City website, literature available at City Hall lobby.	Articles completed, website additions completed, handout material acquired.	Ongoing	Ongoing	2017: New Effort
		Enforcement	Educate public on how to report illicit dumping. Staff training on how to detect illicit dumping.	Staff training completed, public information campaign done.	Implemented 2010	Ongoing	2017: New Effort
	2. Accidental or Unintentional Dumping	Public education	Educational material provided at City Hall, through newsletter and website to inform public of how to avoid or report any accidental discharge.	Articles completed, website additions completed, handout material acquired.	Ongoing	Ongoing	2017: New Effort
		Identify Stormwater catch basins and label to educate public.	Label and stencil storm drain catch basins to identify them as Stormwater system and inform public that they drain to streams.	Labeling completed.	December 2017	All basins properly marked	2017: New Effort

Please see corresponding foldout.

Thank you!

POLLUTANT	SOURCE	STRATEGY (What we are doing and will do to reduce pollution from this source)	ACTIONS (Specific ways to implement strategies)	MEASURE (How we will track successful implementation or completion)	TIMELINE	STATUS	UPDATE
All Pollutants	1. Stormwater Education	Public education	Increase Website Effort.	Create Documents, Links and all things TMDL.	June 2019	In Progress	2018: New Effort City is working on content for the new, redeveloped website.
	2. Public Works Operations	Street Sweeping Pioneer Park Leaf Collection Leaf Burning	Continue contract for sweeping services. Continue Annual Park Clean-Up. Citizens Collect & Dispose of Leaves	Ensure monthly sweeping is carried out per contract. Annually clean-up Park. Fall Seasonal Work.	Ongoing Monthly Ongoing Annually Ongoing Annually	Actively Ongoing In Progress In Progress	Continuing Efforts
	3. Council Support	Keep Council abreast of the program and implications. Regularly review the Drainage Master Plan, the Water Master Plan, Park Master Plan, and the condition of the Calapooia River.	Bi-annual meetings specifically to TMDL. Monthly meetings focusing on the City Treasury. Implementations of Capital Improvements Plan while addressing pressing concerns with infrastructure.	Monitor progress through reporting as items are completed. Council has a goals board which is updated every four months as to progress made.	February 2019 through February 2021	Goal Setting Sessions are being planned	Continuing Effort
	4. Staff	Council requires Staff to continue work on TMDL and related topics.	Update plans as needed, forward necessary regulations as planned, continue implementation of applicable policies and strategies adopted by Council.	Reports from Staff monthly and through the year.	Ongoing	Tracked and scheduled as required.	Continuing Effort



RESOLUTION NO. 2018.22

A RESOLUTION CERTIFYING ELECTION RESULTS FROM THE LINN COUNTY CLERK FOR THE NOVEMBER 2018 ELECTION

WHEREAS, the General Election was held November 6th, 2018; and,

WHEREAS, the City of Brownsville had a Mayor position open for election; and,

WHEREAS, the City of Brownsville had three Council positions open for election; and,

WHEREAS, the City of Brownsville had a measure regarding the prohibition of marijuana; and,

WHEREAS, the Linn County Clerk, Steve Druckenmiller, has certified the following results for the open Mayor position, the three open Council positions and the measure concerning marijuana:

Mayor

City of Brownsville Mayor (Vote for 1)

889 ballots (0 over voted ballots, 0 overvotes, 289 blank voted), 1261 registered voters, turnout 70.50%

Donald D Ware	530	88.33%
Write-in	70	11.67%
Total	600	100.00%

City Council

City of Brownsville Council Members (Vote for 3)

889 ballots (4 over voted ballots, 12 overvotes, 780 undervotes), 1261 registered voters, turnout 70.50%

Tricia Thompson	497	26.51%
Allen L Buzzard	407	21.71%
Mike D Neddeau	510	27.20%
David K Hansen	436	23.25%
Write-in	21	1.12%
Write-in	4	0.21%
Write-in	0	0.00%
Total	1875	100.00%

Marijuana Measure

22-173 Brownsville - Prohibiting Marijuana Facilities (Vote for 1)

889 ballots (1 over voted ballots, 1 overvotes, 18 blank voted), 1261 registered voters, turnout 70.50%

Yes	524	60.23%
No	346	39.77%
Total	870	100.00%

*** *Results are from the final abstracts received from the Linn County Clerk's Office on November 26th, 2018.*

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Mike Neddeau, Tricia Thompson and Dave Hansen will fill the Council positions based on these election results and be sworn into office in January 2019. All recognized marijuana uses by the State of Oregon will be

R 2018.22



RESOLUTION NO. 2018.22

prohibited within the city limits of the City of Brownsville. The City of Brownsville shall have the full authority to tax marijuana sales as allowed by the State of Oregon for the business located at 221 West Bishop Way that is grandfathered in and not affected by these election results.

Introduced and adopted this 27th day of November 2018.

Don Ware, Mayor

S. Scott McDowell, City Administrator

Film History Trail

Proposal:

- To identify specific important and iconic filming locations around Oregon that will offer educational points of interest for tourists and film buffs alike. The intention is to strengthen the correlation between the film industry, economic development, and tourism.
- Attention will be given to locating signage in areas without damaging property, being sensitive to property boundaries, quality of life issues near sites, as well as safety.

Stage 1:

- Three Historic Film location sites have been already identified in Astoria - installation October 2018.
- One sign is being installed at Gleneden Beach State Rec. Area - installation September 2018.
- A custom "Oregon Made" styled sign suggestion has been designed (see attached) to mark each Historic Film site, which will visually serve to identify iconic film locations, and also provide some brief information describing each site.
- Portland International Airport is home to the new 160ft mural and film poster exhibit for at least the next 2-3 years. The exhibit further enhances the idea of Oregon locations.

Stage 2:

- An app design that will support the information on each sign and flesh out further information for interested tourists, as well as suggestions for other sites they can visit.
- Create a web page and social media platforms that will further support and encourage visiting Historic Film sites around the state.
- We would like to roll out to other cities and locations around the state to create a Historic Film site trail that also has potential to capitalize on film tourism events, tours, and related businesses around the state.

The Historic Oregon Film Trail:

Oregon Film, in partnership with the OregonMade Creative Foundation has recently created the “Historic Oregon Film Trail.” The Trail consists of specially designed signs located at strategic points around the state and will be rolled out one location at a time. The signs will serve to identify specific important, and iconic, filming locations and will offer production facts and anecdotes intended to appeal to tourists and film buffs alike. The creation of the Trail aims to strengthen the correlation between the film/TV industry, economic development, and tourism.





THE GOONIES

1985

Much of the story's premise revolves around this neighborhood as the adolescent friends seek pirate treasure to help save their homes.

Filming took place at several locations around Astoria and Cannon Beach.



DID YOU KNOW?

More than a dozen films have been made in Astoria, including 1909's *The Fisherman's Bride* which was Oregon's first movie.

Ray Linda McCormick

From: Jane Ridley [jane@oregonfilm.org]
Sent: Thursday, September 20, 2018 7:59 AM
To: Linda McCormick
Subject: Re: Proposal for Brownsville

Great news! Thank you, Linda!

Below is a link to a story on the first Historic Oregon Film Sign that we had installed at Gleneden Beach this week:

<http://oregonconfluence.com/2018/09/18/oregon-film-oregon-state-parks-plant-50-trees-in-celebration-of-50-years-of-oregon-film-office/>

You can eyeball the sign's size in the images attached and the dimensions are as follows:

Top Panel:

1/2" Exterior CHPL (Custom High Pressure Laminate)
24"w X 19"h

Bottom Panel:

1/2" Exterior CHPL
24"w X 1"h

either an upright, single post for mounting, or they can be wall mounted. In fact the mounting is very versatile depending on the site.

Depending on the mounting, one sign (which is two panels, as seen in the picture below) costs about \$258. The single post mount costs \$326.

Please let me know what other information you would need from me at this point.

We would love to get this rolling for Brownsville!

Best,

Jane

MAKING CROSSWALKS SAFER

N MAIN ST & STANARD AVE

N MAIN ST & SPAULDING AVE

BROWNSVILLE, OREGON



Recommendations

Prepared for: City of Brownsville Citizens, Council, Staff, Public Works

Prepared by: Allen Buzzard & Ed Petermen

October 23, 2018

Proposal number: 1.0



MAKING CROSSWALKS SAFER

N MAIN ST & SPAULDING AVE

N MAIN ST & STANARD AVE

BROWNSVILLE, OREGON

OVERVIEW



Objective

Offer suggestions to address two dangerous busy downtown crosswalks and solve visibility issues affecting both.

Goals

Describe progressively worsening dangers at North Main Street and Stanard Avenue intersections (near Carlson's Hardware, Early Dawn Bakery, & US Post Office) and North Main Street and Spaulding Avenue (citizens' voices of experience). Share excerpts from 2017-2018 Council Vision Statement, 2017-2018 Council Values, the Manual for Uniform Traffic Control Devices (MUTCD), and Oregon Revised Statutes regarding City of Brownsville's authority to implement "traffic calming" solutions and ODOT frequently asked questions.

Solutions

The solutions proposed for making crosswalks within Old Town Commercial zone of Brownsville, Oregon safer for pedestrians are merely recommendations. Solutions are listed from most intrusive, expensive, and safest to least intrusive, inexpensive, but most dangerous. Council could—in cooperation with the City of Brownsville and Linn County Roadmaster—take the lead and mutually adopt a solution that lessens dangers, problems, and risks at such busy intersections; especially for pedestrians with mobility impairments, the elderly, children, drivers, and visitors.

- Order a traffic engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of N Main Street, Spaulding Ave, Stanard Ave intersections to determine if Traffic Control Signals are warranted.
- Install a STOP Sign (R1-1) at three-way-intersection of N Main St and Stanard Ave with a STOP Bar before the USPO entrance and a STOP Sign (R1-1) with EXCEPT RIGHT TURN Plaque (R1-10P) on Stanard Ave behind the crosswalk between Carlson's Hardware and Early Dawn Bakery.
- Place solar-powered Rectangular Rapid Flashing Beacons (RRFB, a.k.a. LED Rapid-Flash System, Stutter Flash or LED Beacon) with Vehicular Traffic Warning Signs (i.e. W11-2, W11-9, W11-14) near the crosswalk between Brownsville Stitching Parlor and American Legion Post 184/Senior Center at N Main St and Spaulding Ave.
- Repaint Pavement and Curb Markings at T-intersection of N Main St and Spaulding Ave by centering Blue and White International Symbol of Accessibility Parking Space (*Fig 3B-22, p. 387) halfway between the two sets of Crosswalk Markings (at drinking fountain & water meter). Paint length of curb (45'06") with corresponding Blue (*Sec. 3A.05 Colors, p. 348). Extend by 25' the Yellow Curb in front of Post 184 to match length of Yellow Curb in front of Brownsville Stitching Parlor. Consider painting Diagonal White Stripes by dedicating last parking space before US Post Office entrance for Motorcycle Parking only to improve visibility.
- Do nothing and wait for more drivers, motorcyclists, pedestrians, and/or others to suffer further injury.



MAKING CROSSWALKS SAFER

N MAIN ST & SPAULDING AVE N MAIN ST & STANARD AVE BROWNSVILLE, OREGON

References

From Federal Highway Administration

RRFBs are a lower cost alternative to traffic signals . . . that are shown to increase driver yielding behavior at crosswalks significantly when supplementing standard pedestrian crossing warning signs and markings.†

From Oregon Department of Transportation

Speed Zoning FAQs (Frequently Asked Questions)

HOW DO WE GET VEHICLES TO SLOW DOWN?

The real question is: "How do we improve safety?" Often we get so focused on the question of reducing posted speeds that we lose sight of the real reason for slowing drivers. . . . ***Are pedestrians having a hard time finding safe gaps to cross the road? Besides road changes, the enforcement of posted speeds is essential. Many drivers will abide by posted speeds only if they know there will be consequences if they drive faster*** (bold italics added for emphasis).

<https://www.oregon.gov/ODOT/Engineering/TRSDocs/Speed-Zone-FAQ.pdf>

From 2017 Oregon Revised Statutes

ORS 810.010 Jurisdiction over highways:

. . . The following are the road authorities for the described roads:

(1) The Department of Transportation is the road authority for all state highways in this state including interstate highways.

(2) The county governing body is the road authority for all county roads outside the boundaries of an incorporated city.

(3) ***The governing body of an incorporated city is the road authority for all highways, roads, streets and alleys, other than state highways, within the boundaries of the incorporated city.*** (bold italic added for emphasis) . . . <https://www.oregonlaws.org/ors/810.010>

For more info, consult the 862-page **Manual on Uniform Traffic Control Devices for Streets and Highways 2009 Edition** (MUTCD) with revisions 1 & 2 dated May 2012.

<https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>



From 2017-2018 Council Vision Statement:

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and ***to create a high quality of life for our citizens*** (bold italics added for emphasis). [<https://www.ci.brownsville.or.us>]

From 2017-2018 Council Values:

6. Streets

<https://www.ci.brownsville.or.us>

† https://safety.fhwa.dot.gov/intersection/conventional/unsignalized/tech_sum/fhwasa09009/

The FHWA issued a new Interim Approval for the RRFB in March 2018. For more information, please consult:

- Interim Approval 21 memorandum at [\[HTML\]](#) or [\[PDF\]](#)
- Frequently Asked Questions at [\[HTML\]](#)
- Informational Brief on Alternative Treatments at [\[HTML\]](#) or [\[PDF\]](#)

Rectangular Rapid Flash Beacon (RRFB)

Purpose

According to the National Highway Traffic Safety Administration, there were a total of 14,340 pedestrian fatalities and 193,000 pedestrian injuries resulting from pedestrian-vehicle crashes nationwide during the 2004-2006 period. Rectangular Rapid Flash Beacons (RRFB) can enhance safety by reducing crashes between vehicles and pedestrians at unsignalized intersections and mid-block pedestrian crossings by increasing driver awareness of potential pedestrian conflicts.

Alternative Names

Light Emitting Diode (LED) Rapid-Flash System, Stutter Flash or LED Beacons.

Operation

- RRFBs are user-actuated amber LEDs that supplement warning signs at unsignalized intersections or mid-block crosswalks. They can be activated by pedestrians manually by a push button or passively by a pedestrian detection system.
- RRFBs use an irregular flash pattern that is similar to emergency flashers on police vehicles.
- RRFBs may be installed on either two-lane or multi-lane roadways.

Potential Benefits

- RRFBs are a lower cost alternative to traffic signals and hybrid signals that are shown to increase driver yielding behavior at crosswalks significantly when supplementing standard pedestrian crossing warning signs and markings.

An official FHWA-sponsored experimental implementation and evaluation conducted in St. Petersburg, Florida found that RRFBs at pedestrian crosswalks are dramatically more effective at increasing driver yielding rates to pedestrians than traditional overhead beacons.

- The novelty and unique nature of the stutter flash may elicit a greater response from drivers than traditional methods.

The addition of RRFB may also increase the safety effectiveness of other treatments, such as the use of advance yield markings with YIELD (or STOP) HERE FOR PEDESTRIANS signs. These signs and markings are used to reduce the incidence of multiple-threat crashes at crosswalks on multi-lane roads (i.e., crashes where a vehicle in one lane stops to allow a pedestrian to cross the street while a vehicle in an adjacent lane, traveling in the same direction, strikes the pedestrian), but alone they only have a small effect on overall driver yielding rates.



This summary is one in a series describing Innovative Intersection Safety Treatments. The summaries identify new technologies and techniques to improve intersection safety developed since NCHRP Report 500, Volumes 5 and 12, were published in 2003 and 2004, respectively. These treatments show promise for improving safety but comprehensive effectiveness evaluations are not yet available.



Figure 1: Activated, solar-powered RRFB on a center island at an unsignalized intersection—beacons flash using an irregular flash pattern that is similar to emergency flashers on police vehicles



Figure 2: Activated, solar-powered, roadside RRFB at a mid-block crosswalk



Figure 3: Combined roadside and median system of solar-powered RRFB

Learn More

Michael Frederick, St. Petersburg Neighborhood Transportation Manager

727.893.7843

michael.frederick@stpete.org

Ed Rice, Intersection Safety Team Leader
FHWA Office of Safety

202.366.9064

ed.rice@dot.gov

See Also:

http://mutcd.fhwa.dot.gov/resources/interim_approval/ia11/stpetersburgprv/intro.htm
http://www.stpete.org/pdf/ite_paper_07.pdf

Agency Experience

"An Analysis of the Effects of Stutter Flash LED Beacons to Increase Yielding to Pedestrians Using Multilane Crosswalks," along with "The Use of Stutter Flash LED Beacons to Increase Yielding to Pedestrians at Crosswalks," presented at the Transportation Research Board Annual Meeting in 2008, summarized the results of two studies on the effects of RRFBs when used to supplement standard pedestrian crossing warning signs at crosswalks¹.

The former found that going from a no-beacon arrangement to a two-beacon system, mounted on the supplementary warning sign on the right side of the crossing, increased yielding from 18 percent to 81 percent. There was a further increase in yielding behavior, with a four-beacon system (with two beacons on both the right and left side of the crossing) to 88 percent. "An Analysis of the Effects of Stutter Flash LED Beacons to Increase Yielding to Pedestrians Using Multilane Crosswalks" also evaluated the sites over a 1-year period, and found that there was little to no decrease in yielding behavior over time.

Implementation Considerations

- Including RRFBs on the roadside increases driver yielding behavior significantly. Including RRFBs on a center island or median as well can further increase driver yielding behavior, although with a lower marginal benefit than roadside beacons.
- RRFBs can use manual push-buttons or automated passive (e.g., video or infrared) pedestrian detection, and should be unlit when not activated.
- RRFBs typically receive power by standalone solar panel units, but may also be wired to a traditional power source.

Manual on Uniform Traffic Control Devices (MUTCD) Specifications

- The MUTCD gave interim approval to RRFBs for optional use in limited circumstances in July 2008. The interim approval allows for usage as a warning beacon to supplement standard pedestrian crossing warning signs and markings at either a pedestrian or school crossing; where the crosswalk approach is not controlled by a yield sign, stop sign, or traffic-control signal; or at a crosswalk at a roundabout.
- The MUTCD interim approval memo also contains other provisions for the implementation of the device and should be reviewed (http://mutcd.fhwa.dot.gov/resources/interim_approval/ia11/fhwamemo.htm).

Costs

- Cost is approximately \$10,000 to \$15,000 for purchase and installation of two units (one on either side of a street). This includes solar panels for powering the units, pad lighting, indication units (for both sides of street) with RRFBs in the back and front of each unit, signage on both approaches, all posts, and either passive infrared detection or push buttons with audio instructions.
- Costs would be proportionately higher for additional units placed on a median island, etc.

¹The two known studies of Stutter Flash were both conducted in Florida—one in Miami Beach and one in St. Petersburg. They are: Michael J. R. Van Houten, and S. Turner, "An Analysis of the Effects of Stutter Flash LED Beacons to Increase Yielding to Pedestrians Using Multilane Crosswalks" presented at the Transportation Research Board Annual Meeting, Washington, DC, 2008.

Van Houten, M. J. R., F. B. B. and S. Turner, "The Use of Stutter Flash LED Beacons to Increase Yielding to Pedestrians at Crosswalks," presented at the Transportation Research Board Annual Meeting, Washington, DC, 2008.



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- Ethics
- Roles and responsibilities of councilors, mayors, city managers and staff
- Achieving a high-functioning governing body
- Regional topics customized to each location

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November 28 – McMinnville
 November 29 – Tigard
 November 30 – Hood River
 December 5 – Manzanita
 December 6 – Waldport
 December 12 – Monroe
 December 12-13 – Hermiston
 (two evening sessions)

December 13 – Bandon
 December 13 – Klamath Falls
 December 14 – Grants Pass
 January 10 – Sisters
 January 18 – Baker City
 January 23 – Keizer

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www.orcities.org

S. Scott McDowell

From: Liza Newcomb <liza.newcomb@w-nhs.org>
Sent: Monday, October 29, 2018 4:41 PM
To: Brian Latta - City of Harrisburg (blatta@ci.harrisburg.or.us); Brittany May (bmay@co.linn.or.us); Catherine Nelson - Waterloo City Recorder; Georgia Edwards - City of Tangent (georgia@cityoftangent.org); Ginger Allen (ci.scio.v.allen@smt-net.com); Hilary Norton (hilary@cityofhalsey.com); Judy Smith - City of Sodaville (Sodaville@cityofsodaville.org); Matt Apken (mapken@ci.lebanon.or.us); Raymond Towry (rtowry@ci.sweet-home.or.us); Scott McDowell - City of Brownsville (admin@ci.brownsville.or.us)
Subject: Notice of Merger -- LCHRP board members
Attachments: WNHS-NEDCO merger description FINAL.PDF; WNHS NEDCO Fin Comparative Q3 2018 NWA Benchmark.pdf

Hi board members,

In November 2017, the Boards of Directors of Willamette Neighborhood Housing Services (WNHS) and Neighborhood Economic Development Corporation (NEDCO), decided to merge the two private nonprofit organizations in order to grow our collective, positive impact on the people and communities we exist to serve. NEDCO's affiliate nonprofit, Community LendingWorks, will remain a separate legal entity (as is the case now), but will be affiliated with the merged organization. The Boards' decision was made following a year-long process of evaluating the merger's pros and cons. Work is now underway to plan and implement the merger. Our goal is to complete the legal and financial steps required by the end of 2018, begin operating as a merged organization in January 2019, and complete other merger work – including the selection and roll-out of a new name and brand – by mid-2019.

Attached you will find more information about the merger titled WNHS-NEDCO Merger Description. As a Willamette Neighborhood Housing Services partner, funder, or mortgage holder we want to call your attention to the legal and financial form of the merger. WNHS and NEDCO have chosen to complete a “statutory merger” as provided by ORS 65.481 et. seq. in which NEDCO transfers all its assets, liabilities, and obligations to Corvallis Neighborhood Housing Services Inc. DBA Willamette Neighborhood Housing Services (WNHS), after which NEDCO completes a corporate dissolution. WNHS as a legal entity, along with all its obligations, will remain intact and there will be no change to any contracts or loan or investor agreements. As part of this process, NEDCO's affiliated Community Development Financial Institution, Community LendingWorks, will modify its bylaws and investor/loan agreements to have the same corporate and financial affiliation it currently has with NEDCO, but with WNHS.

Finally, attached is a financial profile for both Willamette Neighborhood Housing Services (WNHS) and Neighborhood Economic Development Corporation (NEDCO). The profile highlights the major components of a Statement of Financial Position and Statement of Activities and computes financial metrics relevant to our industry. The attached data represents financial results through year to-date September 30, 2018. This analysis includes a side by side comparative to a median NeighborWorks America Peer Organization. WNHS is a Chartered NeighborWorks America member and we regularly compare our data to peer organizations to highlight financial strengths or areas in need of strategic focus

Please let me know if you have any questions and we will discuss this as needed at the next board meeting on November 8th.

Thanks,

Liza Newcomb

Housing Rehabilitation Manager

Willamette Neighborhood Housing Services

257 SW Madison Avenue, Suite 113

Corvallis, OR 97333

541.752.7220 ext 314 | toll-free 800.403.0957 | fax 541.752.5037

liza.newcomb@w-nhs.org | www.w-nhs.org



About the Merger Between WNHS and NEDCO

Introduction

In November 2017, the Boards of Directors of Willamette Neighborhood Housing Services (WNHS) and Neighborhood Economic Development Corporation (NEDCO), decided to merge the two private nonprofit organizations in order to grow our collective, positive impact on the people and communities we exist to serve. NEDCO's affiliate nonprofit, Community LendingWorks, will remain a separate legal entity (as is the case now), but will be affiliated with the merged organization. The Boards' decision was made following a year-long process of evaluating the merger's pros and cons. Work is now underway to plan and implement the merger. Our goal is to complete the legal and financial steps required by the end of 2018, begin operating as a merged organization in January 2019, and complete other merger work – including the selection and roll-out of a new name and brand – by mid-2019.

A critical step in making the merger process and timeframe successful is contacting all of WNHS', NEDCO's, and Community LendingWorks' grantors, contractors, lenders, and investors. In some cases the purpose of the contact is simply to inform and answer questions because no change is required to the underlying agreement. In other cases we will need the stakeholder's consent and support to modify a contract or loan agreement. In these cases WNHS, NEDCO, and Community LendingWorks staff understand we have an obligation to complete whatever due diligence process is needed to secure approval of the modification. This document provides some background information about the merger in order to help start the process of working with stakeholders on next steps.

Why WNHS and NEDCO decided to merge

WNHS, NEDCO, and Community Lending Works are each strong, committed, healthy organizations. And it was precisely because of these strengths that we decided to ask questions often raised but rarely answered: What can we do to grow our positive impact? Could a merger help provide the capacity to accomplish much more? After a year-long process of diving deep into these questions and evaluating the risks and rewards, we concluded that growing our impact requires growing our scale; that a merger will help with scale; and that WNHS, NEDCO, and Community Lending Works are a great fit.

What does "growing our scale" mean and why does it matter? Helping families to build assets, improve neighborhoods, and create healthy communities are complex, multi-faceted endeavors intended to address significant, intractable social issues like wealth inequality, social justice, health disparities, and neighborhood and community conditions. Most small nonprofits only have the capacity to work on one piece of the problem; their impact is limited. With scale comes the opportunity to work more

comprehensively and more effectively on underlying social conditions. In the case of WNHS and NEDCO, “scale” means:

Increased organizational and financial capacity helps with:

- Geographic growth – Both organizations have an interest in expanding into new geographic markets and need additional resources to do so. Together we would have more of the financial and staff capacity needed to seed the growth of our impact and reach.
- Adaptability, and resiliency - An increase in flexible, unrestricted resources can increase adaptability, flexibility, effectiveness, and resiliency, and grow the geographic impact of our programs.
- Visibility and community relations - Both organizations would benefit from specialized and ongoing attention to resource development, community relations, marketing, and visibility, but struggle with developing these capacities, especially in communities that are newer to us.
- Resource development success – Growing our capacity to grow our impact and reach increases the likelihood of attracting new or additional resources from funders.
- Influence and “having a seat at the table” – Larger organizations tend to carry more influence, if only because “95% of success is showing up,” and larger organizations have the human capital needed to participate in advocacy.

Same or similar programs benefit from economies of scale, including:

- Specialization - When a program or service is provided by one person or a small number of people, they have to perform all the tasks associated with the program, whether it involves highly complex tasks or relatively simple ones. As programs grow, increased staffing allows for opportunities to specialize and use staff in more flexible ways.
- Cost-effectiveness – By growing a program and/or geographic service area, some efficiencies become possible. Human resources can be more flexibly deployed; the ability to employ specialists reduces the per-unit cost of service delivery; and productivity goes up while some costs remain fixed and/or involve only moderate increases.

Different but complementary services add value to the communities and people we each serve, thereby giving us:

- Comprehensive approaches that better address “whole problems” – Growing our capacity to work more effectively on social issues like wealth inequality, social justice, health disparities, and neighborhood and community conditions, requires more comprehensive, multifaceted approaches on the part of service providers. What does a “more comprehensive” approach look like? The service mix described below – a combination of services that is the reason for our merger – is a good example.

Programs to be offered by the merged organization

The service area for the merged organization will cover six counties, including Lane, Linn, Benton, Lincoln, Marion, and Clackamas Counties; and current offices will remain open in Springfield, Corvallis, Salem, and Oregon City. CLW will operate from the same locations, but will continue to lend in a wider geographic area. The merger will result in the following service mix:

- The development of quality, affordable homes for both renters and homeowners.
- Asset-building and preservation services, including financial literacy, first time homeownership, microenterprise development, matched savings programs, foreclosure prevention services, and home repair loans.
- Partnerships for healthy communities, including the Linn Benton Health Equity Alliance, health navigation and other services for tenants, and neighborhood organizing and planning.
- Community economic development services with a focus on improving neighborhood conditions, commercial development, and support for small businesses.
- Community development lending through Community LendingWorks, a certified Community Development Financial Institution (CDFI), including consumer, small business, and affordable housing loans.

The legal and financial form of the merger

Under Oregon nonprofit corporation law, a merger between two organizations can be accomplished in a number of ways. WNHS and NEDCO have chosen to complete a “statutory merger” as provided by ORS 65.481 et. seq. in which NEDCO transfers all its assets, liabilities, and obligations to WNHS, after which NEDCO completes a corporate dissolution. WNHS as a legal entity, along with all its obligations, will remain intact and there will be no change to any contracts or loan or investor agreements. As part of this process, NEDCO’s affiliated Community Development Financial Institution, Community LendingWorks, will modify its bylaws and investor/loan agreements to have the same corporate and financial affiliation it currently has with NEDCO, but with WNHS.

To be clear, the WNHS-NEDCO merger will not take the form commonly assumed when people hear the word “merger.” WNHS and NEDCO will not form a new, third organization; transfer all assets, liabilities, obligations to the new organization; and then dissolve the two original organizations. WNHS and NEDCO decided not use such a process because WNHS has significant real estate holdings, the ownership of which involve 16 corporate entities, all directly or indirectly connected to WNHS. Restructuring all these corporate and financial relationships would be unnecessarily complex when a much simpler process is available to us: keep WNHS intact (along with the entities involved with WNHS real estate holdings); and transfer NEDCO’s assets, liabilities, and obligations to WNHS. After this process is complete, we’ll adopt a new doing-business-as name and brand to signify completion of the merger and all the positive changes we’re working hard to achieve.

There are a number of tasks that must be completed prior to completing the statutory merger described above:

- WNHS and Community LendingWorks Bylaws and Articles of Incorporation will be updated as needed.
- WNHS, NEDCO, and CLW staff will contact all grantors, contractors, lenders, and investors to review our merger plans, answer questions, and complete any due diligence needed to secure required approvals.
- NEDCO's and Community LendingWorks' financial records will be transferred to the same accounting software used by WNHS and the system will be tested so that the eventual transfer of NEDCO's records to WNHS will be a smooth transition.
- Articles and a plan of merger will be filed with the Oregon Attorney General's office for their approval, and at a later date NEDCO articles of dissolution will be filed with the same office.

Note: WNHS and NEDCO are being assisted with all legal matters by the law firm of Harrang Long Gary Rudnick.

Leadership of the merged organization

Board of Directors: A Merger Governance Committee is currently meeting to work out changes to governance-related documents, policies, and practices. Some changes are required due to the merger (such as updating WNHS Bylaws to reflect the expansion of its service area). Others changes are due to both Boards' interest in using this time of change as an opportunity to improve Board governance. For instance, the Governance Committee has already decided that some current WNHS and NEDCO Board members will continue on the WNHS Board following the merger, thus supporting the need for continuity of leadership. In addition, some members from both Boards will either retire or serve on Board subcommittees. The retirements are needed for two reasons: to make sure the post-merger Board is a manageable size; and to create room for new Board members who can help the Board better represent the geographic, racial, and ethnic diversity of the communities and people we exist to serve.

Executive Director and senior leadership: One barrier organizations often face when considering a merger is the question of who becomes the chief executive. This is not an issue for WNHS and NEDCO because Jim Moorefield, WNHS' Executive Director, retired as Executive Director in early May of this year, and the two Boards of Directors have agreed that Emily Reiman, NEDCO's Executive Director, will become the new chief executive when the merger become effective on January 1, 2019. (Jim is continuing to work part-time to help with the merger transition and to provide continuity with real estate development projects WNHS has lined up in south Corvallis.) At that time the executive leadership team will also include Brigetta Olson, as WNHS' Deputy Director, and Cori Riley, as WNHS' Chief Financial Officer. Brigetta is currently serving as WNHS Interim Executive Director, and Cori is serving as CFO of both WNHS and NEDCO, a dual position that is maximizing our ability to coordinate and manage the complexities involved in merging NEDCO's books into WNHS' systems.

For more information contact:

Brigetta Olson, Interim Executive Director at WNHS
Brigetta.Olson@w-nhs.org 541.752.7220 ext. 304

Emily Reiman, Executive Director at NEDCO
Emily@nedcocdc.org (541) 345-7106 x201

More about NEDCO and WNHS

Neighborhood Economic Development Corporation (NEDCO) is a private nonprofit organization with a mission to build strong communities by helping low income individuals, families, and neighborhoods build long term financial stability and opportunity. For almost four decades, NEDCO has worked to revitalize communities, build affordable homes, and help people with lower incomes build and preserve long term assets. NEDCO serves Lane, Marion, and Clackamas Counties and offers four main programs:

- The development of rental and owner-occupied affordable housing.
- Asset-building services, including financial literacy, first time homeownership, microenterprise development, and matched savings programs.
- Community economic development with a focus on mitigating blight mitigation and developing local food economies.
- Community development lending through Community LendingWorks, a certified Community Development Financial Institution.

For more information about NEDCO, visit nedcocdc.org

Willamette Neighborhood Housing Services (WNHS) is a private nonprofit community development organization committed to improving lives and strengthening communities through quality affordable housing, homeownership, economic opportunity, and community partnerships. WNHS was formed in 1991, is a chartered member of the NeighborWorks Network, and currently serves Linn, Benton, Lincoln, Polk, and Marion Counties. Services include:

- the development of multifamily rental housing (382 homes at 19 urban and rural locations) and homes for purchase by first-time homebuyers (55 homes at four locations);
- health navigation and resident service programs for tenants;
- assistance to first-time homebuyers, including classes, individual coaching, and down payment assistance;
- financial education and a matched savings program;
- home repair loans; and
- the Linn Benton Health Equity Alliance, formed to address the social determinants of health through advocacy and policy/systems change in partnership with member individuals and organizations.

For more information about Willamette Neighborhood Housing Services, visit w-nhs.org

WNHS/NEDCO Merger
NeighborWorks America Financial Performance from Annual Audits
For the Comparative Nine Months Ending September 30, 2018

	YTD 9/30/18			2016	
	WNHS	NEDCO	Combined	NeighborWorks America Peer Median*	
Strmt of Financial Position					
Cash & Cash Equivalents	966,294	1,342,105	2,308,399	3,506,670	
Total Current Assets	1,309,580	2,616,361	3,925,941	6,853,442	
Total Fixed Assets	13,297,885	3,347,016	16,644,901	33,572,179	
Mortgages receivable (net of allow)	3,996,051		3,996,051	4,079,011	
Total Assets	26,303,247	9,154,646	35,457,894	42,210,951	
Note Payable					
Current portion of LT Debt	99,597	227,400	326,997	679,927	
Total Current Liabilities	465,669	597,258	1,062,927	2,507,936	
Mortgages Payable	4,271,070	3,607,497	7,878,567	18,002,217	
Total Non-Current Liabilities	4,271,070	3,607,497	7,878,567	22,386,003	
Unrestricted Net Assets	11,414,227	3,297,935	14,712,162	16,840,748	
Restricted Assets	1,544,121	264,211	1,808,332	2,052,000	
Total Net Assets	21,562,048	4,949,891	26,511,939	22,387,863	
Total Liab & Net Assets	26,303,247	9,154,646	35,453,433	42,210,951	
Balance Sheet Indicators:					
Cash/Cash Equivalents	1,522,954	1,342,105	2,865,059	3,506,670	
Unrestricted Cash	596,078	709,185	1,305,263	2,844,411	
Loan Assets (net)	95,068	3,191,270	3,286,338	4,079,011	
Fixed Assets	16,673,731	4,175,402	20,849,133	33,572,179	
Reserves Cash	556,660	184,894	741,554		
Current Assets	1,309,580	2,616,361	3,925,941	6,853,442	
Total Assets	26,303,247	9,154,646	35,457,893	42,210,951	
Current Liabilities	465,669	597,258	1,062,927	2,507,936	
Long-Term Debt	4,271,070	3,607,497	7,878,567	18,002,217	
Total Liabilities	4,736,739	4,204,755	8,941,494	22,386,003	
Total Net Assets	21,562,048	4,949,891	26,511,939	22,387,863	
Unrestricted Net Assets	11,414,227	3,297,935	14,712,162	16,840,748	
Liabilities/Net Assets	(4)	22%	85%	34%	86%
Unrest. NE/Net Assets		53%	67%	55%	71%
Current Liab/Net Assets	(5)	2%	12%	4%	14%
Activity Measures:					
	Nine Months Activity			Annual Data	
Total Revenue	3,478,362	1,683,569	5,161,931	6,992,509	
Total Expense	2,758,343	1,665,907	4,424,250	6,849,260	
Net Income	720,019	67,662	787,681	38,856	
Unrestricted Net Income	719,919	67,662	787,581	443,860	
Depreciation Expense	169,920	81,416	251,336	779,887	
Net Cash From Operations	77,070	414,910	491,980	721,597	
M&G Expense/Total	(6)	16.0%	15.6%	16.5%	7.5%
Liquidity Measures:					
Current Ratio	(1)	2.81	4.38	3.69	1.60
Quick/Cash Ratio	(2)	3.27	2.25	2.70	1.14
Total Days Cash	(3) Days	214.76	309.16	250.60	139.00
Unrestrict Curr Ratio		0.82	3.32	2.23	1.63
Unrest. Days Cash	Days	84.05	163.37	114.17	100.00
Defensive Int Ratio	Months	7.06	10.16	8.24	5.53

NeighborWorks America Peer Median:

*

WNHS is a chartered member of the NeighborWorks Network.

Peer Group Characteristics = Diverse Production, Assets = \$24.3 M and Above

Current Ratio:	(1)	How quickly an agency can convert its short-term assets into cash to pay its short-term liabilities. Important to watch for large decreases in this number over time. Confirm assets listed as current are collectible. The higher the ratio, the more liquid the organization. Generally, a "health" organization will have a current ratio of at least 1.
Quick/Cash Ratio:	(2)	The quick ratio is an indicator of a company's short-term liquidity. This ratio measures an organization's ability to meet its short term obligations with its most liquid assets. A ratio of 1.5 means that a company has \$1.50 of liquid assets available to cover \$1.00 of current liabilities.
Cash on hand (days):	(3)	How long, in days, the organization could meet operating expenses without receiving new income. Organizations typically strive to maintain at least 90-180 days cash on hand.
Debt Ratio:	(4)	The debt to total assets ratio is an indicator of financial leverage. It tells you the percentage of total assets that were financed by creditors, liabilities, debt.
Current Liabilities to Net Assets	(5)	A measure of the extent to which the organization is using creditor funds versus owned investments to finance the entity. A ratio of 50% or higher may indicate inadequate owned investment or an extended accounts payable period.
Management & General Exp:	(6)	Costs related to administering the day-to-day activities, organizations try to minimize these as much as possible.

Hi Scott,

We did hear back from county counsel about the Brownsville Marijuana Ordinance. He had the same concerns I did as whether this ordinance is permissible under the state law. He also confirmed that we could be opening our office to liability if we did enforce it.

He even found another ORS that addresses this:
ORS 475B.477.

- (2) A city or county may not adopt an ordinance, by referral or otherwise, that prohibits or otherwise limits:
 - (a) The privileges described in ORS 475B.301[.]

475B.301 include privileges to produce and store homegrown marijuana.

I am sure you already have drawn this conclusion, but our office will not be citing or enforcing on this ordinance.

Lt. Michelle Duncan
Linn County Sheriff's Office
(541) 967-3950
mduncan@linnsheiff.org

S. Scott McDowell

From: Ross Williamson <ross@localgovtlaw.com>
Sent: Monday, November 5, 2018 9:39 AM
To: S. Scott McDowell
Subject: RE: Brownsville, OR | FW: Brownsville City Ordinance

Hi, Scott.

I doubt we are going to argue our way to convincing the County here. It looks like they don't want to act, and are finding justifications for their position.

I think the IGA would have the City indemnifying the County for code enforcement here, because it is the City that adopted the local MJ regulations. If someone complains that the County is issuing citations for the City MJ regulations, that is a complaint about the MJ regulations that the City adopted. We could also agree with the County that the enforcement is being taken at the City's direction, and that would seem to solidify the City's indemnity obligation.

I also think the statutory argument the County is making is not nearly as clear as they think. Yes, ORS 475B.477 says that the City should not enact a regulation that "prohibits or otherwise limits" the "privileges" of being able to grow four MJ plants for home use. But, I would say that the City is not prohibiting the growing of four plants. I would also say that the City is not "otherwise limiting" the growing of four plants. Nowhere does the City's regulations restrict the number of plants that someone may grow for home use. The City's regulations simply employ nuisance regulations to require that the growing of your four plants be done in a manner that does not impact your neighbors adversely. If your plants get too stinky, then you can move them inside and cure the problem. So, I do not see that the City is limiting the privilege of growing four plants. Everyone can grow their four plants in Brownsville, they just need to be good neighbors about it.

Obviously, the County disagrees and thinks that the City cannot impose any regulations on homegrown MJ. I don't see us being able to convince them otherwise, since it seems they are digging in their heels here.

The solution for the City is to separate itself from having to use the County to issue citations here. The solution would be to amend BMC Chapter 1.05 to define the City Administrator as an "enforcement officer" as that term is used in ORS 153.005. While you are at it, I would also do away with the possible jail time penalty under BMC 1.04.010. The inclusion of possible jail time for general code violations has the potential of converting any citation into a criminal citation and thereby forcing the City to provide defense counsel for any indigent defendant. It also creates the possibility of requiring jury trials for any code violations.

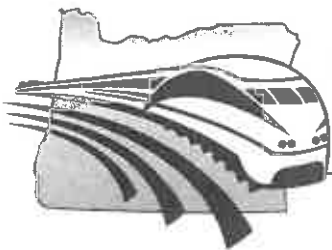
Those are my thoughts.

-Ross

From: S. Scott McDowell [mailto:admin@ci.brownsville.or.us]
Sent: Wednesday, October 31, 2018 3:20 PM
To: Ross Williamson <ross@localgovtlaw.com>
Subject: RE: Brownsville, OR | FW: Brownsville City Ordinance

Good Afternoon Ross,

Attached is IGA with LCSO. Thanks!



Oregon Passenger Rail Eugene - Portland



CHOOSING A PATH FORWARD

October 2018 Newsletter

Draft Environmental Impact Statement Released

For several years, ODOT has studied ways to improve inter-city passenger rail service between the Portland urban area and the Eugene-Springfield urban area.

We have reached an important milestone with the release of the Draft Environmental Impact Statement (DEIS) on Oct. 19, 2018. You can find the DEIS and learn about ways to review it at: www.OregonPassengerRail.org.

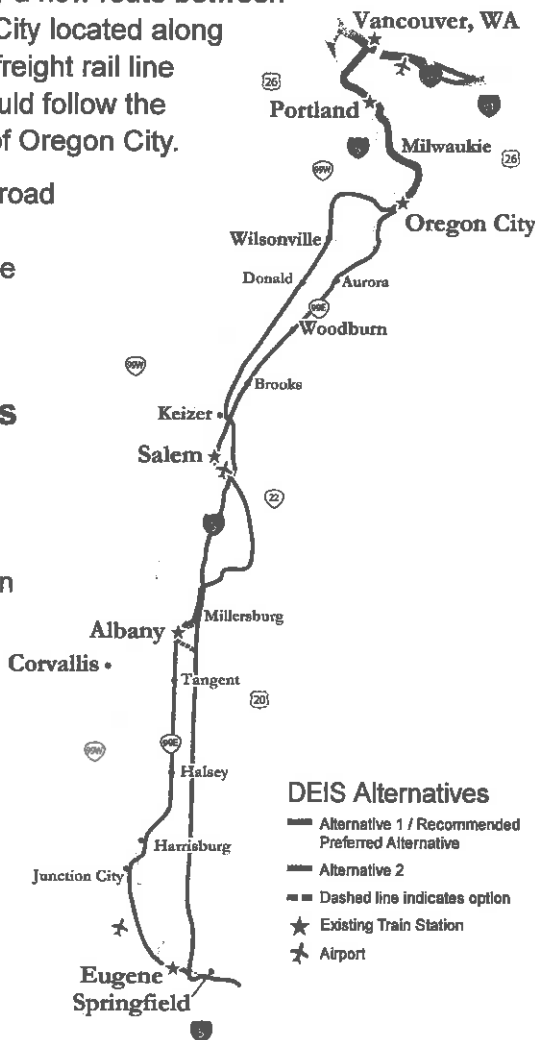
The DEIS describes why the project is being proposed and the project's alternatives. It examines the potential social, economic and environmental impacts of those alternatives. The "build" alternatives in the DEIS would accommodate increased passenger rail service.

- **Alternative 1** follows the existing Amtrak Cascades passenger rail route. It proposes track, signal and communication improvements.
- **Alternative 2** is primarily a new route between Springfield and Oregon City located along Interstate 5, an existing freight rail line and Interstate 205. It would follow the existing rail route north of Oregon City.

ODOT and the Federal Railroad Administration (FRA) have identified Alternative 1 as the Preferred Alternative.

You're invited! Project Open Houses and Public Hearings

The DEIS is completed and ready for public comment. ODOT is hosting public open houses and public hearings throughout the project area in late November and early December. Join us to comment on the DEIS before the FRA selects a Final Preferred Alternative. Comments must be received by Dec. 18, 2018 to be considered in the Final EIS.



Open Houses and Public Hearings Dates and Locations

Portland
Nov. 28, 2018, 5-7 p.m.
ODOT Region 1 Office
123 NW Flanders St., Portland, OR 97209


Oregon City
Nov. 29, 2018, 4:30-6:30 p.m.
Pioneer Community Center
615 Fifth St., Oregon City, OR 97045

Albany
Dec. 4, 2018, 5-7 p.m.
Linn-Benton Community College
Fireside Room
6500 Pacific Blvd. SW, Albany, OR 97321

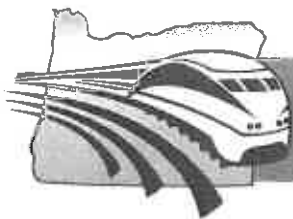
Salem
Dec. 5, 2018, 5-7 p.m.
Pringle Hall
606 Church St. SE, Salem, OR 97301

Eugene
Dec. 6, 2018, 5-7 p.m.
Main Public Library
100 W 10th Ave., Eugene, OR 97401

Accommodation information for people with disabilities

 Information is available in alternative formats upon request. Accommodations will be provided to persons with disabilities.

To request an accommodation to participate in meetings, please call Jill Pearson at (503) 986-3313 or statewide relay 7-1-1 at least 48 hours prior to the meeting.



Oregon Passenger Rail Draft Environmental Impact Statement Released

Now Accepting Comments

There are many ways to comment on the DEIS:



Attend an open house or public hearing



Participate in our online open house at www.OregonPassengerRail.org between Nov. 28 and Dec. 18



Submit a comment form at www.OregonPassengerRail.org



Email us: info@oregonpassengerrail.org



Contact Jennifer Sellers, ODOT Passenger Rail Program Manager at (503) 480-5556 or info@oregonpassengerrail.org

See inside for dates and locations of open houses and public hearings

Next Steps

Public Review of DEIS

Oct. 19-Dec. 18, 2018

Public Hearings, Open Houses and Online Open House about DEIS

Nov. 28-Dec. 18, 2018

Review and Consider Public Comment — 2018

Select Final Preferred Alternative — 2019

Complete Final EIS and Respond to Public Comment — 2019



Oregon

Kate Brown, Governor

Department of Environmental Quality

Agency Headquarters

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5696

FAX (503) 229-6124

TTY 711

October 31, 2018

RECEIVED
City of Brownsville

NOV 5 2018

Clerk _____

BROWNSVILLE STP
S. Scott McDowell
PO Box 188
Brownsville OR 97327-0188

Subject: Update with Deadlines to Electronically Report DMRs for <Common Name> (DEQ Permit No. 102206, EPA NPDES No. OR0020079)

Dear S. Scott McDowell,

The Oregon DEQ Water Quality Permitting Program sent your facility the NetDMR Outreach Package earlier this year to comply with EPA's Electronic Reporting Rule (E-Rule) for National Pollution Discharge Elimination System permits according to 40 CFR Part 127. The NetDMR Outreach Package has steps to assist your facility with registration, testing, and reporting of Discharge Monitoring Reports (DMRs) to DEQ via NetDMR production.

Although your facility may have already registered, began testing, or progressed to the NetDMR production step (while still concurrently submitting paper DMRs to the DEQ Regional office), this letter is intended to communicate the E-Rule implementation deadlines required for electronic reporting of DMRs via EPA's NetDMR tool.

NetDMR Implementation Deadlines

To meet DEQ's implementation goal for electronic reporting of DMRs, your facility must:

- Register and begin submitting DMRs in NetDMR test by April 1, 2019.
- Register and submit DMRs in NetDMR production by September 1, 2019.

Please adhere to these deadlines to ensure permit compliance. DEQ may take enforcement action if your facility does not submit the August 2019 DMR data electronically via NetDMR production by September 15, 2019.

Additional Information

DEQ's NPDES Electronic Reporting Rule web page (<https://www.oregon.gov/deq/wq/wqpermits/Pages/NPDES-E-Reporting.aspx>) has details.

Contact for Questions

If you have questions regarding compliance with NPDES reporting requirements under the federal E-Rule, contact DEQ's NetDMR Support Team by telephone at 503-229-6400, or email at NetDMRSupport@deq.state.or.us.

Sincerely,

Ron Doughten
Water Quality Permit Program Manager

Marijuana Taxation



All cities allowed to tax up to three percent (3%)



The State Legislature created a formula separate from the State Revenue Sharing model for redistributing marijuana revenues.



To be eligible to receive revenue, a city must allow all four types of marijuana businesses:

- 1) Retailer, 2) Distributor, 3) Wholesaler & 4) Processor

State Redistribution formula is 17% of total revenue sent back to communities based on population, not the amount of shops & facilities in the community.

All cities in Oregon received a portion of the initial tax revenue received from the creation of marijuana establishments. The City of Brownsville received \$6,029.93.

Please see corresponding foldout.

Thank you!

The Big Picture Dashboard

Finance

1. A+ Rating from Standard & Poor's
2. Debt Limitation (\$2.4M)
3. Current Obligations (2049)
4. Loan Futures (Rate Audits)
5. Legacy Decisions
 - a. Not Assessing Sewer Collection Lines
 - b. Not Assessing Water Distribution Lines
 - c. Street Construction Implications
6. Franchise Fee Authority
 - a. Currently in jeopardy...
7. State Revenue Sharing
 - a. Continues to Dwindle...

State Legislature Priorities

1. Housing Crisis Impacts
2. Homelessness
3. Healthcare
4. Mental Health Investment
5. Environmental Regulations
 - a. TMDL
 - b. Wetlands
 - c. Mercury Standards
 - d. NPDES Implications
 - e. WOTUS
 - f. FEMA & Flood Requirements
6. Land-Use Regulations
 - a. Accessory Dwelling Units
 - b. Camping & Ninth Circuit Court Ruling
 - c. Third-Party Building Inspections
7. Recycling Crisis
8. Preemption of Local Control

2024

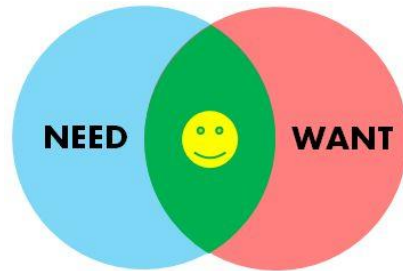
1. Water Treatment Plant Improvements (\$4M - \$6M)
 - a. Distribution System Improvements
 - b. New Water Reservoir
 - c. New Water Treatment Plant
 - i. Two (2) Filters
 - ii. UV Disinfection System
 - iii. All New Controls

Capital Improvements Plan

1. At-a-glance Summary
2. Huge Liability
 - a. Total Assets = \$42M
 - b. Assets in Need = \$17M

Pipeline

1. TMDL
2. Water Regulations
3. Wastewater Compliance Issues
4. Wellhead Protection
5. WOTUS Implications
6. FEMA Rule Changes
7. Infill Impacts
 - a. Parking
 - b. Utilities
7. Comprehensive Plan Update Implications
8. Utility Infill & Extension Implications



Economic & Community Development

1. McFarland Cascade
2. Azalea Rojo Vineyard
3. Dollar General
4. Housing Developments
5. Storage Units Facility

- ▶ Understanding Private Development
- ▶ RAIN & the Entrepreneurial Role
- ▶ Civic Organizations & Agreements
- ▶ Code Development
- ▶ Public Works Standards

In the Works

1. Downtown Sewers (\$600K)
2. Cemetery Bridge (\$180K+)
3. Rec Center (\$800K)
4. Pavilion (\$600K)
5. Other Facilities (\$80K+)
6. Water Meters (\$180K+)
7. Cyber Security (\$15K)
8. Land Inventory (\$30K+)

Citizen Wants

1. Kirk Avenue Improvements (\$600K-\$2.4M)
2. Skate Park (\$380K+)
3. Dog Park (\$20K+)
4. Community Kitchen (\$35K+)
5. Crime Deterrent Cameras (\$15K+)
6. Water Feature (\$125K+)
7. Free Wi-Fi Downtown
8. Community Theater
9. Senior Housing
10. Transport Vehicle

more



Residential Water & Sewer Rates Comparison

November 2018

Summary: Below you will see the water & sewer rates from several communities in the Willamette Valley. The cities range in size and have different characteristics, amenities and circumstances. This comparison is based on an average use of 800 cubic feet (c.f.) or nearly 6,000 gallons of water per month. There are many nuances that make this comparison difficult, but all things being equal, the comparison generally bears out. Some communities charge the amount of water used to compute the sewer charge for the month while other communities use a flat rate tiered system to compute the charge. The comparison is based on a standard, residential 3/4" or 5/8" water meter.

Philomath

Water Monthly Base Charge	\$14.00	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 4.40	\$35.20
Sewer Monthly Base Charge	\$25.00	
Volume Charge per Unit Consumed	\$ 5.25	\$42.00
Total Average Bill	\$116.20	

Average Use being 800 c.f. (= 8 Units)

Harrisburg

Water Monthly Base Charge	\$20.88	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 1.70	\$13.60
Sewer Monthly Base Charge	\$20.36	
Volume Charge per Unit Consumed	\$ 7.38	\$59.04
Total Average Bill	\$113.88	

Average Use being 800 c.f. (= 8 Units)

Halsey

Water Monthly Base Charge	\$42.00	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 1.25	\$ 7.50
Sewer Monthly Base Charge	\$40.00	
Volume Charge per Unit Consumed	\$ -	
Total Average Bill	\$89.50	

Base Rate Includes the equivalent of 400 c.f.
 City charges a base rate for sewer consumption
 Average Use being 800 c.f. (= 6 Units)



Sweet Home

Water Monthly Base Charge	\$26.58	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 6.50	\$26.00
Sewer Monthly Base Charge	\$40.87	
Volume Charge per Unit Consumed	\$ 9.78	\$48.90

Sewer flat tiered rate May to October
Sewer Base Rate Includes 300 c.f.

Total Average Bill \$142.35

Base Rate Includes 400 c.f.
Average Use being 800 c.f. (= 5 Units)

Lebanon

Water Monthly Base Charge	\$20.62	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 4.79	\$38.32
Sewer Monthly Base Charge	\$23.69	
Volume Charge per Unit Consumed	\$ 6.77	\$54.16

Total Average Bill \$136.79

Average Use being 800 c.f. (= 8 Units)

Brownsville

Water Monthly Base Charge	\$25.43	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 1.84	\$ 9.20
Sewer Monthly Base Charge	\$44.05	
Volume Charge per Unit Consumed	\$ -	

Water C.I. Fee	\$ 2.50
Sewer Debt Fee	\$15.00

Total Average Bill \$ 96.18

Base Rate Includes 300 c.f.
City charges a base rate for sewer consumption
Average Use being 800 c.f. (= 8 Units)

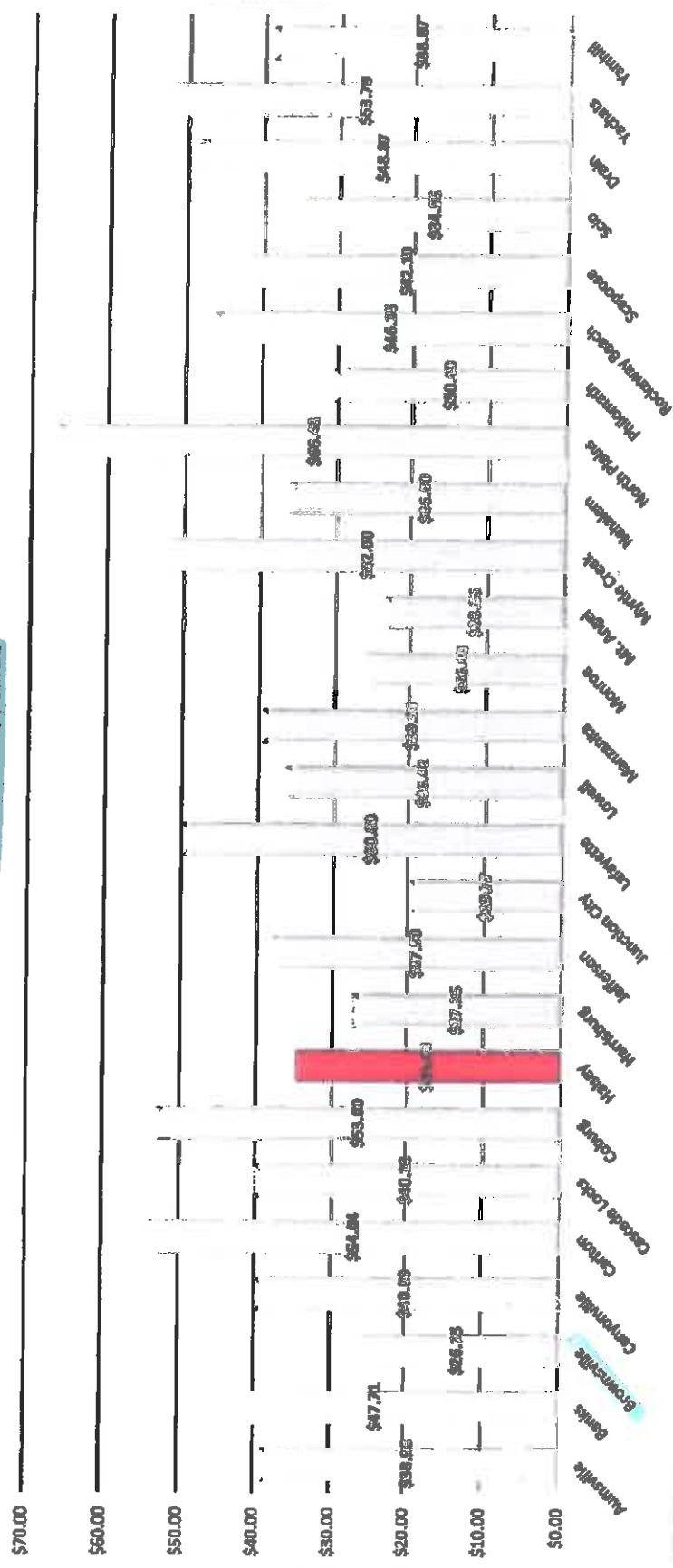
Informal Water Rates Survey 2018

(1 cubic foot = 7.48 gallons)

City	Population	Base Charge	Gallons included	Usage Charge (if base rate includes less than 3,000 gallons)	Total
Aumsville	3,895	\$38.98	7,000	\$0.00	\$38.98
Banks	1,987	\$47.71	2,992	\$0.00	\$47.71
Brownsville	1,700	\$24.69	2,244	\$1.56	\$26.25
Canyonville	1,925	\$40.00	8,976	\$0.00	\$40.00
Carlton	2,190	\$43.00	0	\$11.04	\$54.04
Cascade Locks	1,255	\$32.63	0	\$7.50	\$40.13
Coburg	1,080	\$53.00	5,236	\$0.00	\$53.00
Halsey	942	\$35.00	3,000	\$0.00	\$35.00
Harrisburg	3,650	\$20.57	0	\$6.68	\$27.25
Jefferson	3,098	\$34.45	2,500	\$3.45	\$37.90
Junction City	5,651	\$10.09	0	\$9.68	\$19.77
Lafayette	3,975	\$48.50	2,244	\$1.50	\$50.00
Lowell	1,045	\$22.74	0	\$13.68	\$36.42
Manzanita	598	\$39.50	4,000	\$0.00	\$39.50
Monroe	616	\$26.48	3,750	\$0.00	\$26.48
Mt. Angel	3,405	\$13.72	0	\$9.64	\$23.36
Myrtle Creek	3,425	\$52.00	2,992	\$0.00	\$52.00
Nehalem	1,400	\$36.60	4,000	\$0.00	\$36.60
North Plains	1,947	\$49.99	0	\$16.44	\$66.43
Philomath	4,665	\$13.00	0	\$17.40	\$30.40
Rockaway Beach	1,376	\$46.25	5,984		\$46.25
Scapoose	6,802	\$30.70	0	\$11.40	\$42.10
Scio	850	\$34.95	3,000	\$0.00	\$34.95
Drain	1,151	\$45.00	2,500	\$3.87	\$48.87
Yachats	703	\$44.05	1,496	\$9.74	\$53.79
Yamhill	1,020	\$38.87	4,000	\$0.00	\$38.87

Average	\$40.23
High	\$66.43
Low	\$19.77

WATER RATE SCHEDULE 2018



Average	\$40.23
High	\$66.43
Low	\$19.77
Hayes	\$35.00

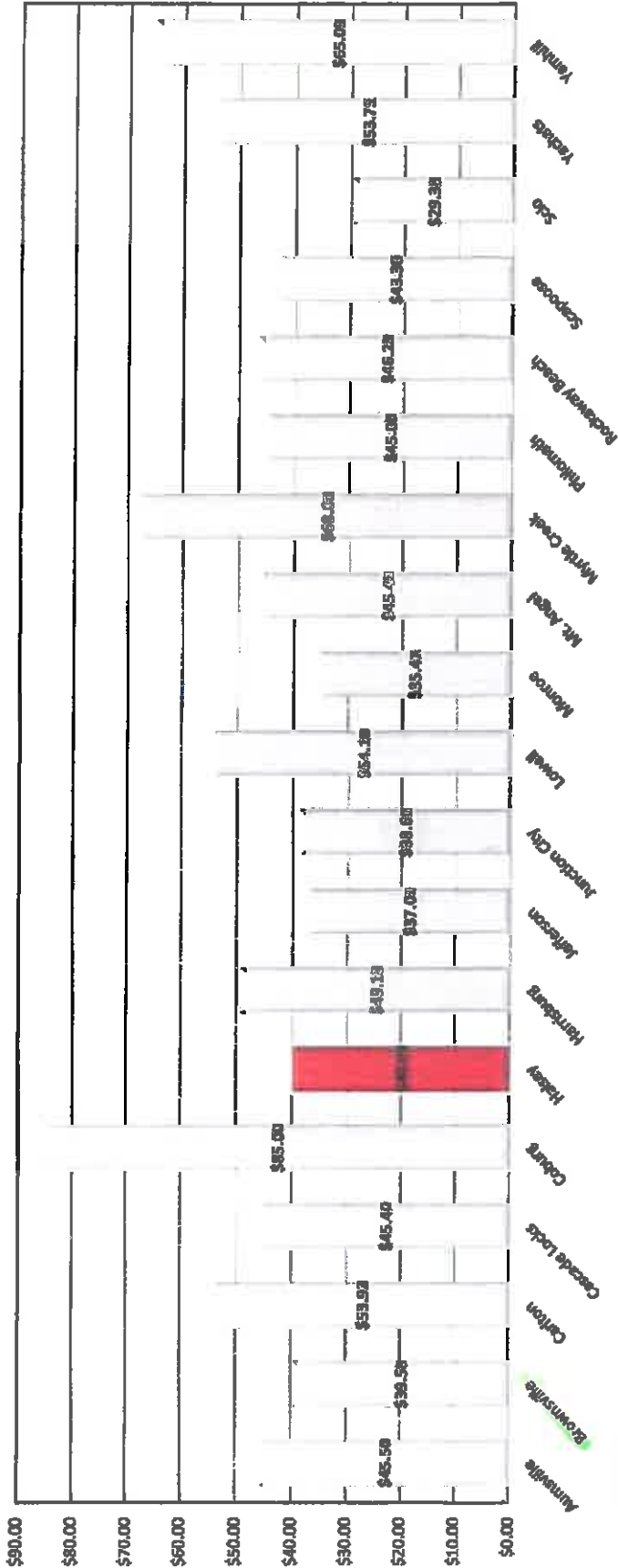
Informal Sewer Rates Survey 2018

(1 cubic foot = 7.48 gallons)

City	Population	Base Charge	Gallons included	Usage Fee (excludes to 3,000 gallons usage)	Total
Aumsville	3,895	\$45.50	Flat Fee	\$0.00	\$45.50
Brownsville	1,700	\$39.58	2,992	\$0.00	\$39.58
Carlton	2,190	\$53.92	flat fee	\$0.00	\$53.92
Cascade Locks	1,255	\$45.40	10,000	\$0.00	\$45.40
Coburg	1,080	\$85.00	flat fee	\$0.00	\$85.00
Halsey	942	\$40.00	3,000	\$0.00	\$40.00
Harrisburg	3,650	\$20.05	0	\$29.08	\$49.13
Jefferson	3,098	\$29.15	0	\$7.86	\$37.01
Junction City	5,651	\$38.60	flat fee	\$0.00	\$38.60
Lowell	1,045	\$54.10	Flat Fee	\$0.00	\$54.10
Monroe	631	\$35.47	3,750	\$0.00	\$35.47
Mt. Angel	3,405	\$45.48	flat fee	\$0.00	\$45.48
Myrtle Creek	3,425	\$68.00	flat fee	\$0.00	\$68.00
Philomath	4,665	\$25.00	0	\$20.00	\$45.00
Rockaway Beach	1,376	\$46.25	5,984	\$0.00	\$46.25
Scapoose	6,802	\$43.30	4,000	\$0.00	\$43.30
Scio	850	\$23.47	2,500	\$5.91	\$29.38
Yachats	703	\$43.03	1,496	\$10.76	\$53.79
Yamhill	1,020	\$65.09	Flat Fee	\$0.00	\$65.09

Average	\$48.42
High	\$85.00
Low	\$29.38

Sewer Rate Survey 2018



Average	\$48.42
High	\$85.00
Low	\$29.38
Halsey	\$40.00



“In this world nothing can be said to be certain, except death and taxes.” ~ Benjamin Franklin

Brownsville Taxes

Tax Invoice Review

ESD LINN-3TN-LINC	1.47%	\$35.01
LBCC	2.42%	\$57.63
CENTRAL LINN #552	22.24%	\$530.27
EDUCATION TOTAL:	26.12%	\$622.91
LINN COUNTY	6.13%	\$146.25
LINN COUNTY LOC OP	13.63%	\$324.97
LINN COUNTY LOC OP II	0.92%	\$21.82
BROWNVILLE CITY	33.51%	\$799.18
BROWNVILLE RFD	5.77%	\$137.62
4H EXTENSION DISTRICT	0.34%	\$8.04
GENERAL GOVT TOTAL:	60.30%	\$1,437.58

Tax Invoice Review

ESD LINN-3TN-LINC	1.47%	\$46.23
LBCC	2.42%	\$79.39
CENTRAL LINN #552	22.24%	\$730.16
EDUCATION TOTAL:	26.12%	\$855.78
LINN COUNTY	6.13%	\$204.56
LINN COUNTY LOC OP	13.63%	\$447.05
LINN COUNTY LOC OP II	0.94%	\$20.05
BROWNVILLE CITY	33.51%	\$1,190.89
BROWNVILLE RFD	5.77%	\$158.55
4H EXTENSION DISTRICT	0.34%	\$11.37
GENERAL GOVT TOTAL:	60.30%	\$1,983.70

Tax Invoice Review

ESD LINN-3TN-LINC	1.47%	\$76.83
LBCC	2.42%	\$226.47
CENTRAL LINN #552	22.24%	\$1,163.66
EDUCATION TOTAL:	26.12%	\$1,366.96
LINN COUNTY	6.13%	\$320.93
LINN COUNTY LOC OP	13.62%	\$723.33
LINN COUNTY LOC OP II	0.91%	\$47.88
BROWNVILLE CITY	33.51%	\$1,753.77
BROWNVILLE RFD	5.77%	\$302.01
4H EXTENSION DISTRICT	0.34%	\$7.64
GENERAL GOVT TOTAL:	60.30%	\$3,453.36

LBCC BND	0.82%	\$19.62
BROWNVILLE CT BND 2	5.60%	\$133.62
BROWNVILLE CT BND	2.20%	\$52.55
BROWNVILLE RFD BOND	4.95%	\$118.00
BONDS - OTHER TOTAL:	13.58%	\$323.79
100.00%		\$2,354.56

LBCC BND	0.82%	\$27.03
BROWNVILLE CT BND 2	5.60%	\$184.06
BROWNVILLE CT BND	2.20%	\$72.38
BROWNVILLE RFD BOND	4.95%	\$162.55
BONDS - OTHER TOTAL:	13.58%	\$446.02
100.00%		\$3,264.60

LBCC BND	0.82%	\$43.07
BROWNVILLE CT BND 2	5.60%	\$293.22
BROWNVILLE CT BND	2.20%	\$115.31
BROWNVILLE RFD BOND	4.95%	\$236.94
BONDS - OTHER TOTAL:	13.58%	\$710.54
100.00%		\$5,232.86

Home circa 1900

City Total: 41.32%

Home circa 1970

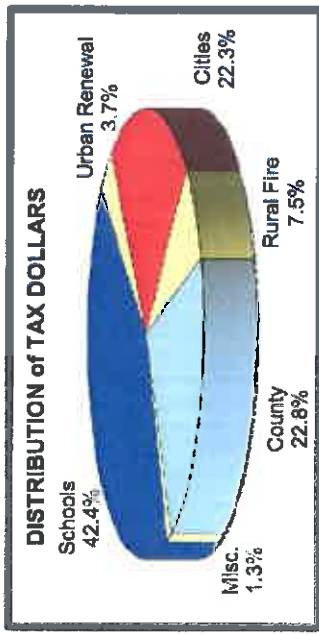
City Total: 41.32%

Home circa 2000

City Total: 41.32%

Linn County Tax Summary 2017-2018

COUNTY	Real Market Value	Taxable Value	Less Urban Renewal	Total Value to Compute Tax Rate	Maximum Tax Rate	Taxes Imposed
COUNTY	14,532,083,578	8,600,176,308	418,129,558	9,384,046,740	4.2866	37,745,811.40
CITIES						
Albany	4,032,117,742	3,228,853,081	219,174,791	3,015,878,280	7.4655	23,517,389.67
Brownsville	146,897,585	103,756,352		103,756,352	6.7822	908,142.55
Gales	5,712,754	3,532,781		3,532,781	0.2624	1,075.04
Halsey	71,733,571	35,711,832		35,711,832	8.4679	302,008.57
Harrisburg	285,419,849	213,244,216	23,845,411	189,398,805	3.1149	673,578.03
Idanha	6,259,371	4,093,808		4,093,808	2.5025	10,171.32
Lebanon	1,457,463,881	1,152,059,205	174,000,258	978,058,947	3.2608	5,521,176.74
Lyns	115,944,358	84,328,584		84,328,584	1.8928	159,878.84
Mill City	95,190,542	73,856,857		73,856,857	4.1878	305,959.58
Millersburg	559,465,273	489,857,755		489,857,755	1.7007	797,266.96
Scio	35,260,573	30,730,968		30,730,968	4.5057	248,870.80
Sodaville	22,582,370	18,337,543		18,337,543	0.4552	7,567.25
Sweet Home	507,335,053	464,011,686		464,011,686	10.4887	3,433,730.39
Tangent	158,433,029	5,721,350		5,721,350	0.0000	0.00
Waterloo	14,751,022	10,354,349		10,354,349	0.0000	0.00
TOTAL						38,983,016.65



City of Brownsville

SUMMARY

November 5, 2018



Infrastructure Component	Replacement Cost	Total Units	Units/Physical Condition					
			Excellent	Good	Fair	Poor	Critical	Unknown
Roads	\$7,652,699	Center Line Linear Feet 49,090	2,760	17,240	11,310	16,920		
Bridges	\$74,828	Number of Bridges 1				X		
Water Supply Systems	\$2,993,111	Number of Facilities 1		X				
Water Distribution	\$6,485,074	Linear Feet (Thousands) 60,442		X				
Wastewater Systems	\$5,237,945	Number of Facilities 2	X					
Wastewater Collection	\$9,808,924	Linear Feet (Thousands) 56,180	23,764			32,416		
Stormwater Collection	\$3,529,377	Linear Feet (Thousands) 17,010			X			X
Facilities	\$6,307,608				X			
Totals	\$42,089,566							

Socio-Economic Characteristics

Current		2010 Census Information			
Population	1,762	Population	1,668	% LMI	49.4%
Total Households	720	Total Households	685	% Poverty	8.8%
% Unemployment	2.9%	MHI	\$35,486	% Unemploy	7.1%

* Inflation Calculator:
www.bls.gov

Population: 1,762 (2018) vs 1,668 (2010) Population change since 2010: +116 (8%)

Gender: Males 751 (42.4%), Females 542 (30.6%)

Median resident age: 39.4 years (Oregon median age: 38.2 years)

Zip codes: 97327

Estimated median household income in 2016: \$52,555 (it was \$35,486 in 2010)

Brownsville: \$52,555
OR: \$37,532

Estimated per capita income in 2016: \$28,152 (it was \$15,272 in 2010)

Brownsville city income, earnings, and wages data

Estimated median house or condo value in 2016: \$175,867 (it was \$117,500 in 2010)

Brownsville: \$175,867
OR: \$237,400

Mean prices in 2016: All housing units: \$165,688; Detached houses: \$217,268; Mobile homes: \$75,575

Median gross rent in 2016: \$335

MONTH END RECAP

		OCTOBER 2018					
		REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 17,543.89	\$ 57,097.08	\$ 254,763.32	18.67%	\$ 1,109,526.68	1
2	WATER	\$ 38,894.23	\$ 113,322.86	\$ 235,215.39	25.92%	\$ 672,133.61	2
3	SEWER	\$ 31,376.99	\$ 16,434.72	\$ 83,133.69	13.00%	\$ 556,211.31	3
4	STREETS	\$ 16,626.69	\$ 12,682.08	\$ 90,028.89	18.75%	\$ 390,171.11	4
5	WATER BOND	\$ 169.11	\$ -	\$ 32,509.79	45.05%	\$ 39,657.21	5
6	SEWER BOND	\$ 1,268.48	\$ -	\$ 197,088.49	60.59%	\$ 128,171.51	6
7	SEWER DEBT FEE	\$ 11,331.98	\$ -	\$ 48,643.41	15.83%	\$ -	7
8	BUILDING & EQUIPMENT	\$ 785.61	\$ -	\$ -	0.00%	\$ 355,000.00	8
9	WATER RESERVE	\$ 1,938.07	\$ -	\$ -	0.00%	\$ 264,601.00	9
10	HOUSING REHAB	\$ 479.41	\$ -	\$ -	0.00%	\$ 204,519.00	10
11	WATER SDC	\$ 94.11	\$ -	\$ -	0.00%	\$ 81,040.00	11
12	SEWER SDC	\$ 692.70	\$ -	\$ -	0.00%	\$ 367,753.00	12
13	STORMWATER SDC	\$ 140.84	\$ -	\$ -	0.00%	\$ 87,027.00	13
14	BIKEWAY/PATHS	\$ 208.67	\$ -	\$ -	0.00%	\$ 44,646.00	14
15	LIBRARY TRUST	\$ 14.28	\$ -	\$ -	0.00%	\$ 6,057.00	15
16	CEMETERY	\$ 172.68	\$ -	\$ -	0.00%	\$ 81,578.00	16
17	TRANSIENT ROOM TX	\$ 269.06	\$ -	\$ -	87.61%	\$ 5,402.00	17
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19	LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,972.00	19
20	COMMUNITY PROJECTS	\$ 519.09	\$ 2,175.00	\$ 21,828.00	8.86%	\$ 224,672.00	20
		\$ 122,525.89	\$ 201,711.74	\$ 914,567.57			

Key Bank Account	2018-2019	YTD	% of Total
General Checking	\$ 27,488.94	\$ 5,542,706.00	16.50%

Oregon State Treasury	DEBT Payments	Totals
Community Improvements	Water	\$ 45,327.00
Project Escrow Holding	Wastewater	\$ 486,663.00
TOTAL OST / LGIP		

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

