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## Council Meeting

Tuesday, October 27<sup>th</sup>, 2020 | Teleconference



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## Council Meeting

Tuesday, October 27<sup>th</sup>, 2020

**Location:** Teleconference

See directions physically posted at City Hall or on-line at the City website.

### AGENDA

#### Regular Session

**7:00 p.m.**

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: September 22<sup>nd</sup>, 2020
- 6) PUBLIC HEARINGS OR PRESENTATIONS
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administration
  - D. Planning
  - E. Library
  - F. Court
  - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
  - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
  - A. **Ordinance 785:** Gese Alley Vacation

This Agenda is a specific list of the subjects to be discussed at the meeting. Should you need assistance, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You!



10) ACTION ITEMS:

- A. Street Sweeping Intergovernmental Agreement (IGA)
- B. Joint Emergency Coordinator Proposal (IGA)
- C. Approve 2020 Brownsville Employee Handbook
- D. Council Meeting Schedule for 2021

11) DISCUSSION ITEMS:

- A. Board & Commission Appointments
- B. RV Ordinance & the Zoning Code Amendment
- C. Surplus Sale Outcome
- D. September Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) EXECUTIVE SESSION

- Council will be discussing a real property transaction(s).
- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session.
- A final decision may be made after this Session.

15) ADJOURN

Please visit [www.ci.brownsville.or.us](http://www.ci.brownsville.or.us) for the meeting agenda, agenda packet and other City information.

This Agenda is a specific list of the subjects to be discussed at the meeting. Should you need assistance, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You!



**September 22<sup>nd</sup>, 2020**

**ROLL CALL:** Mayor Don Ware called the teleconference meeting to order at 7:00 p.m. with Councilors Block, Neddeau, Thompson, Gerber, Hansen, Administrative Assistants Tammi Morrow, Jannea Deaver, Elizabeth Coleman, and City Administrator Scott McDowell present. Councilor Chambers was excused.

**PUBLIC:** Sergeant Greg Klein (*Linn County Sheriff's Office*), James Furst, Allen Buzzard, Michael Humphreys, and Tia Parrish (*The Times*).

City Administrator McDowell reminded everyone of the ground rules for speaking and interacting during the teleconference. Mr. James Furst had asked to be put on the agenda, so he will have 5-7 minutes. Others speaking at the Citizen's Comments time will have 3 minutes each. Council motions will be done differently in order to efficiently vote on matters before Council. Anyone wishing to speak will need to select the raised hand icon or dial \*2 on their telephone or mobile telephone.

The pledge of allegiance was recited by Mayor Ware.

**ADDITIONS AND DELETIONS:** Mr. McDowell stated that he would like to add under Action Items, D. Advertise for a Surplus Sale.

**MINUTES:** *Councilor Gerber made a motion to approve the July 28<sup>th</sup>, 2020 meeting minutes as presented. Councilor Hansen seconded the motion, and it passed unanimously.*

## **PUBLIC HEARING | PRESENTATIONS:**

- 1. Utility Billing Procedures – Mr. James Furst.** Mr. James Furst was present and had asked to be placed on the agenda inquiring about utility billing procedures. Mr. Furst indicated that his concerns have been resolved. He stated that he has had good communication with all he has spoken with at City Hall. He stated that he would like to participate in Council meetings going forward.
- 2. Wildfire Information & Resources.** Mr. McDowell stated that the recent wildfires were the biggest emergency our area has experienced since the flood of 1996, causing lots of fear and anxiety. The City and Staff did an excellent job of providing as much current and accurate information on many different platforms ranging from the City's websites, Facebook postings, and by fielding calls and walk in customer concerns. McDowell expressed his appreciation for the Linn County Sheriff's Office and the Governor's Office for providing great information.

Senator Merkley forwarded a great resources page, and his aid in Oregon, Courtney Flathers, was helpful as well. Councilor Block and Kim Clayton provided a tip for the [airnow.gov](http://airnow.gov) website that provides air quality levels in real-time. The City got over 62,000 hits on their Facebook page during this wildfire event, the most ever! Councilor Gerber expressed appreciation for McDowell and Staff for the incredible job that they did for the community by providing so much information; you are all very valued by the community. Councilor Hansen echoed Councilor Gerber's comments, you are all much appreciated especially during this time of emergency.



## **DEPARTMENT REPORTS:**

- 1. Linn County Sheriff's Office (LCSO) Sheriff's Report.** Sergeant Greg Klein that at the beginning of the wildfire event, he was on vacation, elk hunting over in eastern Oregon. (No, he did not get an elk!) He said that he was impressed with the amount of community support and organizations working together for the greater good of all. When he did come back on shift, he was headquartered with Oregon Department of Forestry down in Eugene at Thurston. Deputy Klein's team oversaw the search for human remains. They had cadaver dogs from out of state helping in the search. They did not find any human remains.

In Linn County, on our side of the river, all folks are accounted for. Klein stated that he heard lots of compelling stories. He witnessed lots of homes that had been burned to the ground. For his monthly report, Klein reported that in the month of August there were 20 citations, 14 warnings, and 210 total hours spent for the City. Councilor Hansen reminded Klein that we are still concerned about citation numbers, but we appreciate all the LCSO efforts for the City. He mentioned that the traffic noise in the early morning hours is pretty big deal. Hansen suggested parking the patrol vehicles in front of City Hall instead of around back so that they would have more visibility and greater presence while in the town.

- 2. Public Works.** Mr. McDowell will deliver the Public Works Superintendent Report tonight.
- 3. Administrator's Report.** McDowell shared his screen and recapped several items. Corey Wright, RAIN, has done a great job for us. Mr. Wright has been accepted into a high-level Master's Program in Germany, and so will be moving soon. He will still do work for RAIN on a part-time bases, albeit from a distance. Executive Director Caroline Cumming has stated that they will be hiring a part-time person to fill in. She has assured us we will still be receiving the full measure of her team and resources to continue achieving the goals outlined in the agreement with the eight cities.

Councilor Block and Scott McDowell recently attended the quarterly LCSO meeting. With the fire emergency still raging, there are a lot of issues on the back burner for now.

McDowell reported that Alyrica has not been in town recently due to the wildfire emergency status.

In the Planning Department, McDowell reported that building projects have been on hiatus for a short time during this fire season. Planning is still very busy with several developments currently being built and others working toward fruition.

McDowell stated that the Cascade West Council of Governments (COG) is hoping to resume normal operations soon. They have been cancelling meetings due to Covid-19, but are ready to get back to some normalcy as soon as possible.

McDowell reported that the Linn County Pioneer Association (LCPA) were relatively pleased with their event. They dropped off a nice souvenir booklet for the City. It is downstairs if anyone would like to take a look.

McDowell thanked Staff for all the pre-audit work and compilation of information for Boldt, Carlisle, and Smith. They were only in house for 2 1/2 days! The only concern



that Cyrus Ward, Lead Auditor, expressed was the cemetery transfer from the year before to the General Fund. McDowell provided the resolution that Council enacted making this transfer at the request of the former Lead Auditor, Tasha Harrell. These funds may need to go back to the Cemetery Fund by journal entry depending on Mr. Ward's review.

Sharing Hands, Chandra Evans, and the CLRA are trying to make pre-school happen at the Rec Center. They will need to be following social distancing rules and guidelines issued by the Oregon Department of Education. McDowell recently had an opportunity to meet with CLRA President Sean Johnson, and they determined that sports will not be happening for the Fall season as there is no way to comply with the strict guidelines set forth by the State for Covid-19.

Municipal Court Judge Jessica Meyer and Court Clerk Carol Humphreys provided information regarding aged files within the court system. Mr. McDowell expects to see many more policy shifts coming after the next legislation session. The collection agency seems to be going very well.

McDowell reported that Mrs. Morrow will be undertaking the video inventory of supplies and items City-wide for insurance purposes.

McDowell reported that the City has received 3 reimbursement payments so far through the CARES Act. Mrs. Morrow has doing a great job managing that project. The City will have another submission on Friday for these grant funds.

McDowell recapped the weed ordinance program and season. Every year this season runs from June 1<sup>st</sup> to September 30<sup>th</sup>. The first abatement runs around the first week of June depending on weather conditions. In mid-August Staff assesses the possibility of a second round. Factors include daily temperatures, fire bans, and the severity of threat posed by lots.

Mr. Allen Buzzard recently submitted an email with photos to the City asking that folks be targeted for abatement mowing. All photos show the vegetation to be in compliance with the 12" rule. The City does not cite property owners for green vegetation or the dandelions that sprout up in late July.

McDowell and Fire Chief Rogers assessed the situation and concluded that the area shown falls within the guidelines established at this time. It is also important to note the deadline imposed by the ordinance and the posting requirements. When the City posts notices, folks have 10 days to comply. Perhaps Council would like to consider some legislation that could be based on extended deadlines and perhaps a quicker posting period during an emergency situation.

It is also important to know that the City has not been able to execute the second weed notices due to dry weather conditions that prompted fire bans. The recent fire emergency should underscore the important of the City's program.

McDowell thanked Carol Humphreys for the photo she took of City Hall with the orange sky from the wildfires in the background. He also publicly thanked all the First Responders out there on the fires. It was amazing to see the work that so many folks do for the good of everyone.



McDowell included an advocacy newspaper article from the *Democrat Herald* that spoke to the City's concerns with mandates coming down from the State and the implications special interest groups have in the process. The process leaves cities with no options for self-governance. After reading the article, it seems time is of the essence to begin very actively working on advocacy, perhaps suggesting the Cascade West Council of Governments hire a lobbyist for the protection of cities would be a good goal to pursue. Cities could also ban together and hire a lobbyist to protect Home Rule and other shared interests.

Clean-up Day is Saturday, October 3<sup>rd</sup>, 2020 from 7:30 a.m. to 3:00 p.m. at the Rec Center, depot style as normal. As folks have been home from the pandemic, the City may receive a record amount of stuff.

The vineyard wind machines may be kicking on soon with lower temperatures.

The Volunteer Appreciation Party is cancelled for this year. McDowell thanked Councilor Neddeau for doing the cooking for many of the past events. McDowell and Mayor Ware will be sending out thank you cards to acknowledge volunteers for their tremendous effort.

McDowell reported that there is a link on the website for the census. Folks can simply click on that link, and it will take you right to the website. He has heard reports that the census is going well in Brownsville.

McDowell reported on the Holbrook/Millrace issue. Mr. Holbrook granted the City an easement years ago for us to have access to the pumps. Holbrook has been experiencing a lot of trash and unruly behavior on the property recently. He would like to have a friend come out and stay for a while to caretake and protect the property. McDowell informed him that he would have to check with Pacific Power to have a separate meter put in for their use. The City has not heard back on the status of the situation.

McDowell stated that there are currently three vacancies on Council for the November election and three candidates.

Councilor Block stated that his statement on the top of page 12 in the agenda packet was not disputed. Lieutenant Duncan made no comment.

4. **Planning.** No comments.
5. **Library.** No comments.
6. **Court.** No comments.
7. **Council Comments.** Councilor Block proposed for Council consideration that we rename the Community Room in honor of Don Ware, perhaps the "Ware Room." Block stated that he felt it was a fitting honor for Mayor Ware as he has been Mayor of Brownsville for many years, owned and operated the local newspaper for more than 20 years, and volunteers for several local Boards and organizations. Councilor Hansen stated that he supports the idea; everyone appreciates Don's service in many areas to support our local community. Councilor Thompson stated that she certainly echoed these statements, but feels that we should sit on it and think about it. She stated that there are lots of other people that could and should be recognized, Joni Nelson and





Chenowith Robertson being two examples. She would like to compile a list of candidates and then narrow down the list. Councilor Hansen thinks that there are other ways to honor folks too, such as a plaque that could recognize volunteers and multiple folks. Hansen thinks this is something to pursue.

- 8. Citizen Comments.** Mr. Allen Buzzard, School Avenue, stated that he thought Councilor Block's suggestion was wonderful. Mr. Buzzard suggested that LCSO could make a better presence known by parking on Main Street when in town. He issued a thank you to Mr. McDowell for the roof cleaning done at the Central Linn Recreation Center and City Hall. Buzzard has some concern about spending \$33,120.00 for visual/audio equipment at City Hall. He thinks the price is too much money. Buzzard stated that that funding would be better spent on the chip seal program he has discussed with Mr. McDowell and Public Works Superintendent Frink. Mr. Buzzard stated that he wished to comment later on the proposed RV ordinance. Mr. McDowell indicated that the price for the equipment was for reference only. Council would like to begin meeting again in person, but with the restrictions it is not possible to meet all the requirements being imposed. McDowell said the price is high to supply and demand. Many schools and churches are trying to make arrangements to serve their people.

## LEGISLATIVE ITEMS:

- 1. Resolution 2020.18 – Update Machinery, Materials, & Human Resources Fee Schedule.** McDowell reported that every year Staff reviews fees schedules. The current fee schedule was last updated in 2017. This update adjusts wages only. *Councilor Gerber made a motion to approve R 2020.18 as presented. Councilor Hansen seconded the motion, and it passed unanimously.*

## ACTION ITEMS:

- 1. Advertisements – Parks & Open Space Advisory Board Member, Planning Commission Member, & Surplus Sale.** *Councilor Gerber made a motion to approve the advertisements for Parks & Open Space Advisory Board Member, Planning Commission Member, and Surplus Sale. Councilor Hansen seconded the motion, and it passed unanimously.*
- 2. Arbor Day Proclamation.** Mayor Ware proclaimed October 2020 as Arbor Month in the City of Brownsville urging citizens to celebrate Arbor Month and to support the efforts to protect our trees and woodlands to plant and care for trees for future generations.

## DISCUSSION ITEMS:

- 1. Linn County Pioneer Association (LCPA).** McDowell gave a quick review on the proposed Pioneer Picture Gallery Lease Agreement included in the packet. Councilor Block, Councilor Thompson and McDowell have met with LCPA representatives and changed the agreement to include parts from other agreements such as the Chamber, Brownsville Art Association, to bring the agreement more into keeping with other City agreements. LCPA reviewed and approved the draft agreement, and would like to move forward year by year at present. The City cannot do a direct sale of the building





to Linn County Pioneer Association according to City Attorney Ross Williamson. The City would have to put the building for sale, and anyone could purchase the property.

A foundation assessment ten years ago determined the structure was incapable of being renovated. Councilor Hansen stated that he would really like to see the Picture Gallery open more, especially during events when folks are in town. Hansen realizes that volunteers can be hard to come by but would like to define some expectations.

Mayor Ware feels comfortable with the current proposal. Councilor Block is concerned that if the City makes stipulations and LCPA is unable to comply, what will the outcome then be? Councilor Gerber supports Councilor Block and Mayor Ware with moving forward with the agreement as proposed and thought that maybe we could verbally ask them to increase their open hours.

Councilor Gerber did ask about the City's liability with the building in poor condition. McDowell stated that the building is covered. McDowell stated that the City could get an structural engineering report, but thinks Council should have a plan going forward if the City should receive an unfavorable report. Councilor Thompson stated that she didn't feel that we could forgo an inspection just because we are afraid of the results, the City would be setting a precedent going forward. McDowell replied that the City is not setting a precedent, the City does not require structural reviews of other City buildings. Councilor Neddeau stated that he felt there are other buildings in the park that are going to need some major repair soon that benefit far more people than the picture gallery. *Councilor Hansen made a motion to move forward with the agreement as presented. Councilor Block seconded the motion and it passed unanimously.*

- 2. RV Ordinance Proposal.** McDowell stated that he recently met with Councilors Hansen, Thompson and Chambers along with Mrs. Morrow to discuss the proposed ordinance from City Attorney Ross Williamson. McDowell stated that three years ago Councilor Block and Councilor Chambers reviewed this issue. They discovered that Council was very limited on what the City could do. Due to an economic downturn in 2008, three dozen RV's were being rented out, which then turned into domestic violence and increased drug activity.

Council recognized the problem, and decided to go the legislation way, with no-cost permits being issued to address the problem. Initially, the ordinance worked, however, it soon became clear that it is hard to prove if people are living in RV's. The Sheriff's Office indicated that they are not interested in getting involved due mainly to time constraints.

McDowell shared a presentation showing several examples of RV's around town, some stored responsibly, others infringing on the Right of Way (ROW), and still others that are legally stored on private property yet the City has gotten complaints about them. The committee recommends addressing all recreational vehicles/items such as boats parked long-term on the ROW. McDowell further commented that folks are allowed to live in RV's in town during construction. McDowell stated that this is the update



Council requested and the recommendations from the committee appointed. Councilor Block stated that if this ordinance is enforceable, the City should move forward with it. Council agreed by consensus to send McDowell forth to prepare the ordinance with the recommendations from the committee and the City Attorney for further Council review.

3. **Council Retreat | Team Building.** McDowell thanked councilor-elect Michael Humphreys for joining the call tonight. McDowell would like to host a soiree in the Community Room and spend 1 – 2 hours together just getting to know each other, if Council is amenable. Councilor Block said order the cupcakes! McDowell will send out a doodle poll to determine time availability for all.
4. **July & August Financials.** No comments.

**CITIZEN COMMENTS:** No comments.

**COUNCIL COMMENTS:** No comments.

**ADJOURNMENT:** *Councilor Block moved to adjourn the Council meeting at 8:22 p.m. Councilor Hansen seconded the motion, and it passed unanimously.*

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City Administrator S. Scott McDowell

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Mayor Don Ware



# City Administrator Report

October 27<sup>th</sup>, 2020

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

### One liner of the month



I am what you call a “piece of work” in progress.  
~ Cyndi Lauper, Musician



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

“Everything comes at a cost. Just what are you willing to pay for it?”

~ *Serena Williams, Tennis Player*

“To live is the rarest thing in the world. Most people exist, that is all.”

~ *Oscar Wilde, Playwright*

“It’s funny in a certain light, how we all look the same...”

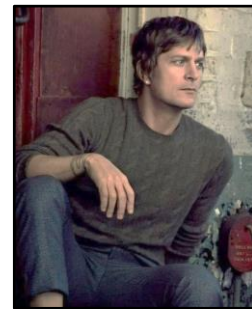
~ *Rob Thomas, Songwriter*

“We don’t know who we are until we see what we can do.”

~ *Martha Grimes, Writer*



Serena Williams



Rob Thomas

## AGENDA ITEMS DISCUSSION

**The following items follow the order of the Agenda**

### 6) PUBLIC HEARINGS OR PRESENTATIONS

### 9) LEGISLATIVE:

**A. Ordinance 785: Walnut Alley Vacation (First Reading)** – Administrative Assistant Elizabeth Coleman worked with Mr. Scott Gese to follow-up on the approval made earlier by Council. Council agreed to allow the vacation of an old livestock or “pig” alley south of Walnut Street. You will find the ordinance and the Staff report for the alley vacation in the packet.

*From 06.23.2020:* Mr. Scott Gese is requesting the City vacate an alley intersecting two of his properties. There is a six and a half foot (6.5’) easement dividing his two lots. Historically, “pig” alleys or livestock alleys were platted throughout town. Over the years, the City has eliminated these alleys when requested. The City has no utilities in this area and due to the steep nature of the terrain, the future ability of the City to make use of this alley is non-existent.

***What is Council being asked to do?***



# City Administrator Report

Give the ordinance a first reading.

## 10) ACTION ITEMS:

**A. Street Sweeping Agreement** – For over sixteen (16) years, the City of Lebanon has been sweeping streets for Brownsville. Brownsville has paid \$682.50 on a quarterly basis for at least the last fourteen (14) years. Recently, Lebanon Finance Director Matt Apken discovered that Lebanon has not been charging correctly. Lebanon sent over a new IGA and the cost for sweeping will be \$600 per month, if Council should decide to continue. Lebanon simply cannot cover the cost of their personnel, gas, maintenance and wear & tear on their machine for anything less.



Public Works Superintendent Karl Frink and I would recommend continuing the street sweeping program. Not only does it keep streets clean which lengthens the life of the pavement, but it also counts as a credited activity in the City's TMDL Plan.

### ***What is Council being asked to do?***

Consider whether or not to enter into this new agreement with the City of Lebanon.

**B. Emergency Management Concept** – The cities of Sweet Home and Lebanon invited Brownsville to a discussion about hiring a joint employee who would be responsible for emergency management issues. All the fire districts and cities would be working together to form an Intergovernmental Agreement (IGA) that would work out the details including office locations for the employee. The responsibilities would include staying abreast of FEMA regulations, setup training drills, and create emergency operations policies (EOP).

One thing learned during the Fire emergency was that Linn County Sheriff's Office personnel get stretched thin very quickly leaving gaps in response that could be costly to communities.

### ***What is Council being asked to do?***

Evaluate the concept. Consider authorizing the City Administrator to enter into an agreement to develop the IGA.

**C. City Handbook Update** – Hopefully, you have had a chance to visit the link I sent earlier last week. The link: <https://www.ci.brownsville.or.us/administration/page/brownsville-employee-handbook-2020-proposed-edition> takes you to the new version of the Brownsville Employee Handbook. There are several additions that were required by the State Legislature and City/County Insurance Services (CIS). All the necessary changes have been made along with modifications Council has made since 2015. I also left the CJIS policy and the Cybersecurity policy as appendices to this document so the document would not be cumbersome.

The Handbook is a vital tool for the City. It is often referred to and guides many policies and employment decisions.

**Side Note:** Some of the items required by law are over-the-top, and go too far, as a result of inappropriate actions that took place in the State Legislature. Yet another example of passing a law that has no impact on their behaviors that initiated the entire process. These policies apply to you as an elected official. They also apply to members of all City boards and commissions.





# City Administrator Report

### **What is Council being asked to do?**

Review the Handbook, ask questions and adopt the Handbook.

- D. **2021 Council Meeting Schedule** – Every year Council adopts the schedule for the upcoming year. I have included a schedule for Council meetings and Budget meetings.

### **What is Council being asked to do?**

Adopt the schedule for 2021.

## 11) DISCUSSION ITEMS:

- A. **Boards & Commissions** – The City advertised for a Planning Commissioner and a Park Board member and did not receive any letters of interest.

### **What is Council being asked to do?**

Determine next step for filling the positions.

- B. **RV Ordinance & the Zoning Code Amendment** – Administrative Assistant Elizabeth Coleman and Planning Consultant Dave Kinney have been working on a major amendment to Title 15 of the Brownsville Municipal Code. The proposed RV ordinance from last meeting falls within Title 15. City Attorney Ross Williamson said that any amendments to Title 15 will require a special process as it falls within the Measure 56 rule that requires two separate public hearings and a direct mailing to all effected property owners.



*From 09.22.2020:* Council appointed Councilors Thompson, Hansen and Chambers to review the RV Ordinance from City Attorney Ross Williamson with Staff. Enclosed in the agenda packet is a draft version of that ordinance for discussion. We will review the highlights prior to the discusison.

*From 07.28.2020:* City Attorney Ross Williamson developed the language for a revision and clarification on RV's. How would Council like to proceed? I would suggest a volunteer to work through the changes with Staff and bring those changes to Council for consideration at a future meeting.

- C. **Surplus Sale Outcome** – The City succesfully sold all items put up for auction. The auction included the following:

<i>Item(s)</i>	<i>Sale Price</i>
1987 GMC S-15 Pickup (1GTCT14R4H8524509)	\$650.00
Massey Ferguson 135 Tractor (9A89629)	\$450.00
John Deere 455 Diesel Lawn Mower	\$325.00
International Dump Truck	\$1,275.00
Hustler Mower #1 (12052494)	\$376.00
Hustler Mower #2 (12052495)	\$425.00
International Harvester 1440 Tractor	\$276.00
Ford New Holland Flail Mower	\$154.00
1947 Caterpillar Road Grader	\$101.00
1988 Dodge 1/2 Ton Pickup	\$353.00
(6) 4 Door Filing Cabinets	\$60.00





# City Administrator Report

2 Door Filing Cabinet

\$10.00

**Total \$4,455.00**

Several of the above items were included in the last surplus sale, but did not sell. All items have been removed from the City's insurance schedules.

I would like to thank Public Works Superintendent Karl Frink and Administrative Assistant Jannea Deaver for their help conducting this sale!

## D. September Financials

### INFORMATION & HAPPENINGS

**River's Edge Outcome** – Public Works Superintendent and I met with representatives from River's Edge subdivision and City Engineer Ryan Quigley to discuss the first course of asphalt on the new streets. Staff will evaluate the implications and make a determine on next steps. Basically, the contractor met all the compaction requirements for the base rock for the roads. The first course of asphalt has a couple of areas that did not pass compaction.

**Sanitary Survey** – Public Works Superintendent Karl Frink worked diligently to answer questions and suggestions raised by the Oregon Health Authority (OHA) Sanitary Survey. Every three years, OHA conducts an audit of the City's Water Treatment Plant. I have included Mr. Frink's letter in the agenda packet.

**Total Maximum Daily Load (TMDL) Data** – The City received a request for information regarding the City's wastewater effluent for the last six years. As reported earlier, Oregon's TMDL plan did not meet the requirements of the United States Environmental Protection Agency (EPA). Cities and counties can expect stricter regulations and requirements coming down from the Department of Environmental Quality (DEQ). Citizens can expect stormwater charges in the future. As reported for years, this 'voluntary' program will end up costing billions of dollars nationwide, millions of dollars locally.

Unfunded mandates such as these are detrimental to the long-term financial sustainability of cities.



**Clean-Up Day** – Staff met with Sweet Home Sanitation's Candi Vaughn and Brian White to discuss Clean-Up Day. Sweet Home did not take items they normally took in years past. The City asked for a communications plan for 2021. Sweet Home may also move the date back to April.

**Park Reservations** – Staff has decided to move forward with the annual mailing for Summer season rentals. No one is sure how long the pandemic restrictions will continue, but the City would rather return the required deposit than having to deal with an influx of people wanting to use the Park facilities. Staff will include a warning in the letter that the facilities may not be open due to continuing Coronavirus restrictions of course. There has been a lot speculation that June 2021 could be the targeted month for lifting restrictions.





# City Administrator Report

**Jail Project** – Mayor Ware wrote copy to tell the story about the jail in Kirk’s Ferry Park. The City is working on signage for the building. The plaque will look similar to the Fire Bell plaque in front of City Hall.



**Downtown Sewer Progress** – Councilor Block and I are in the process of meeting with Downtown property owners. City Engineer Ryan Quigley is working on the storm sewer conflict concern with Karl Frink. The City hopes to go out for bid in February 2021. The construction phase is planned to begin in April or May depending on weather and possible financing concerns.

*From 09.22.2020:* City Engineer Ryan Quigley reported that the storm sewer is interfering with the path of the sanitary sewer line. The City will need to install a run of storm sewer in association with this project. Quigley is looking at alternatives and costs associated with this complication.

**Equity & Inclusion Discussion** – Councilor Gerber and I met to discuss the focus and scope of a potential committee. Councilor Gerber would like to bring this item to the Goal Setting session after the first of the year. More details to follow.

**Pandemic Regulations** – Oregon Health Authority (OHA) is expected to release regulations that impact all businesses and governmental agencies on November 1<sup>st</sup>, 2020. Sources have said that the regulations appear to include fines and other penalties.

**Pioneer Park: Camping, Events & Rentals** – *From 07.28.2020:* Mayor Ware, Councilor Block and I, after discussion with Council & Staff, and responding to an escalating situation surrounding COVID-19 cases, decided to prohibit camping and facility reservations until further notice. Governor Brown may follow the State of California’s lead and roll back communities that are in Phase II, or even roll back everyone back to baseline according to a League of Oregon Cities conference call on Friday, July 17<sup>th</sup>, 2020.

The City did not want to be responsible for jeopardizing the County’s Phase II status, and people really wanted to use the park for camping. Staff ordered signs that will be placed in the Park. The City website and Facebook have been updated to include these closures as well as many e-mails to concerned parties.

**Active: Park Signs and Public Communication Efforts** – Delayed by the Coronavirus Pandemic. Ms. MacQueen did finish Camping Full signs for use.

*From 05.26.2020:* The City is currently working with Ms. Jane MacQueen on signage. Administrative Assistant Jannea Deaver, Administrative Assistant Elizabeth Coleman and I are working on other communications.

**Active: Emergency Pandemic Community Outreach** – Volunteers are getting more difficult to come by as people head back to work and other activities. The need may increase depending on what Governor Brown elects to do with reverting counties back to Phase I or baseline status.

*From 05.26.2020:* Mayor Ware, Councilor Block and Councilor Hansen have been involved on the Emergency Response Ad Hoc Committee. So far, the City has been acting as a facilitator and organizer for coordination purposes. Administrative Assistant Tammi Morrow is providing much of the support and coordination.





# City Administrator Report

Policy

fyi

fyi

fyi

## Community Growth Commentary

I frequently hear from concerned citizens about growth in Brownsville. I understand their fears. Questions and statements like, “Does the City have enough water?” “The traffic is going to be terrible.” “The City cannot afford offer services expected by newcomers from out of the area.” “We don’t want to lose our small-town feel.” “I hate change!” “That property use doesn’t fit in Brownsville.”

Small town atmosphere and history are special. All of us love Brownsville for different reasons, but some of the most meaningful reasons revolve around people in our community serving others in our community. Many long-standing traditions like the Pioneer Picnic, Carriage Me Back, Antique Faire and the host of events that happen annually add greatly to depth and character of our town.



The City’s role in all of this is governed largely by State law. The Department of Development and Land Conservation (DLCD) set requirements that allows for private development to develop land. Cities have the right to pass legislation that ensures new developments meet public works standards, State building codes, County regulations and a host of other regulations and requirements. Developing property is no cheap which is one of the main reasons housing is so expensive. The zoning chapter in the Brownsville Municipal Code permits certain uses outright meaning the property owner does not need permission to build that particular use. Other developments can trigger other reviews and requirements.

Ultimately, property owners are free to develop their property in accordance with State law and the local zoning code. The City’s job is not to prevent development, but to ensure that the development meets code. The City also ensures that structures are placed on the right property and do not infringe on neighboring properties. The Planning Commission must review certain land use actions and determine if the new development meet Code requirements. The Commission listens to public testimony and makes their final ruling based on what is called the findings of fact.



In America, property owners still have the right to pursue the development of their property the way they see fit, within reason, and all cities must respect this fundamental right. Finally, a town is either growing & thriving or slowly dying.

## STATUS UPDATES – Projects, proposals and actions taken by Council

**Pending: Emergency Response | Ad Hoc Committee | COVID-19** – From 09.22.20: The Committee has cancelled due to the fact that there is nothing new to report. Sharing Hands continues to struggle with the volunteer effort. Sherri Lemhouse has been helping gather volunteers and Administrative Assistant Tammi Morrow continues to monitor the situation. The City is concerned about what the future may bring should the Governor close down businesses that have opened under Phase II guidance and requirements.



# City Administrator Report

**Audit Status** – Cyrus Ward is working on finalizing the audit, Council can expect the report in December of January 2021.

*From 09.22.2020:* Cyrus Ward and the BCS team made short work of the annual audit. The team came in with a well-thought out plan and executed that plan well. Ward thanked Staff for sending so much information to them prior to their arrival. Ward expressed concern about the Cemetery Trust Fund. I have included the resolution Council passed when the money was moved at the request of the auditors last year. The City should receive the final report by December. I would like to thank Administrative Assistant Jannea Deaver and Administrative Assistant Tammi Morrow for the work on this project.

**Linn County Sheriff's Office Numbers** – The City is under contract for 200 hours per month. The eighteen-month average looks like this:

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

Year	Traffic Month	Traffic Citations	Warnings	Hours
2020	September	18	12	208
2020	August	20	14	211
2020	July	7	13	211
2020	June	20	4	213
2020	May	4	6	214
2020	April	18	5	210
2020	March	13	5	239.5
2020	February	15	20	214.5
2020	January	15	25	204.5
2019	December	16	24	206.5
2019	November	11	10	205.5
2019	October	12	29	217.5
2019	September	20	10	202
2019	August	8	15	210.5
2019	June	31	32	221
2019	May	21	47	204
2019	April	4	14	205.5
2019	March	15	35	204
	<i>Subtotal</i>	268	320	3802
	<b>Total Average</b>	14.8889	17.778	211.22
		<i>Cites</i>	<i>Warnings</i>	<i>Hours</i>

**Active: Alyrica Franchise Agreement** – Alyrica is constructing the fiber optic system.

*From 09.25.19:* I met with Adam Skaer to discuss the possible location of a necessary cabinet on public property as described in the Franchise Agreement. Permits have been submitted to Pacific Power and they will soon be sending permits to the City and the County. They are attempting to get the main trunk line installed by the end of 2019.



# City Administrator Report

*Alyrica is targeting the following pricing structure:*

\$69.99 100 Mbps

\$99.99 1 Gbps

**Active: Go Team Meetings** – *From 09.22.2020:* Everyone continues to work toward accomplishing shared goals. Corey Wright was recently accepted into a Masters program in Germany. It is a tremendous opportunity for him. RAIN Executive Director Caroline Cummings indicated that their full staff would be picking up the slack as Corey will transition quickly to a part-time role. RAIN will be hiring another part-time person to help meet the obligations of the contract with the eight cities. Prior to the fire emergency, we were planning on engaging Scio and Tangent to consider joining the effort. Staff recently met with the group as described above.



*From 05.26.2020:* The group was unsuccessful in obtaining State funding. *From 01.28.2020:* The Mid-Valley Partnership (MVP) group has decided to apply for a Rural Initiatives (ROI) grant for asset mapping, branding and website development which were the three primary goals of the agreement. Kelly Hart of Lebanon, Hilary Norton of Halsey and I met with Carolyn Cummings and Corey Wright of RAIN to discuss our continued partnership with RAIN, impacts of applying for a ROI grant and funding avenues and options. Mayor Ware and I have signed a support letter for the ROI grant. Council may remember the IGA had a funding component that needed to be determined for the upcoming budget season. The group is currently working on determining what these levels will be for each city.

**Pending: Right-of-Ways & Storage Containers** – *From 12.17.19:* Council considered **two** ideas moving forward at the last meeting. Idea #1) consider permitting for temporary storage containers, and Idea #2) consider future requirements for storage containers as permitted living spaces.

*From 11.26.19:* Councilor Thompson, Councilor Neddeau, Administrative Assistant Tammi Morrow and I met to review right-of-way infringements, the ordinance and storage containers. Staff will share information with Council for possible next steps.

*From 10.26.19:* The LCSO is in the process of investigating a recreational vehicle that may be using city streets to illegally stay in town. The Sheriff's Office reported this phenomenon happens frequently in Harrisburg and other rural areas. A large semi size storage container has been placed on Blakely Avenue to help a homeowner make renovations to their property. Staff has made reasonable accommodation for this to be a temporary situation, however, Councilor Neddeau and Councilor Thompson will be reviewing this situation for possible further administrative/legislative action.

**Pending: Active: Land Inventory** – See above. *From 03.26.19:* Please review the letter from Planning Consultant Dave Kinney. I asked Mr. Kinney to provide this letter to show Council the process and the political will required for this important project.

See past reports for more information.

**Pending: ODOT & Highway 228: Traffic Calming Planters** – Received a message from Shawn Martin. I hope to have an update Tuesday evening.



*From 07.28.2020:* ODOT's Shawn Martin is working on Council's request. I will occasionally contact Mr. Martin to check on the status. I expect the removal to take a year or more to complete.





*From 05.26.2020:* The traffic calming planters have been the source of much discussion by area business owners along Highway 228. The result of these planters has been two to three accidents each year. Certain business owners have lobbied the Department of Transportation for safety markings to be increased.

Council has a few options:

- 1) Leave ODOT to install ten candlesticks on each planter.
- 2) Request the removal of the planters.
- 3) Request the installation of additional safety measures.

**Discussion** | The planters are difficult to maintain and are the responsibility of the City. ODOT spends time cleaning up accidents, repairing safety equipment like reflection devices and fielding complaints. Installing the candlesticks will ruin any aesthetic value the planters were partially designed to achieve. The devices were also designed to “calm” the traffic. The devices really have had little calming effect and have led to property damage.

**Pending: Oregon Water Resources Department (OWRD) and Wyatt Rolfe** – The City must complete this project this upcoming fiscal year to stay in compliance with the order from OWRD.

*From 06.25.19:* I have included money in the upcoming budget to address the Water Management & Conservation Plan [...required by the final order issued by OWRD.]

**Stalled: Linn County Planning & Building Department Meeting Outcome** – The group continues to wait on the County to upgrade and implement an e-permitting system. Future meetings will be required to continue to move this goal and other items forward.

*From 07.23.19:* Attended permit training conducted through the LCPBD. One direct result of this effort.

**Stalled: Facilities Review Committee Recommendation Outcomes** – *From 11.26.19:* The Ad Hoc Committee met to discuss the structural engineering report from VLMK and to discuss ideas, strategies, and options.

*From 9.17.19:* The City has received the Structural Engineering Report from VLMK, and it is currently under review.

**Stalled: Ad Hoc Committee Document** – *From 01.28.20:* Halsey City Administrator Hilary Norton and I met to discuss the plan of creating a document for the Ad Hoc Committee, Council and ultimately the general public that provides quick details and drawings of the future plans for the Central Linn Rec Center. Mrs. Norton will be providing illustrations for the document.



**Stalled: Canal Company & the Mill Race** – *From 04.28.20:* City Attorney Ross Williamson is currently working on this item.

**Stalled: Officials Handbook** – *From 01.28.20:* The newly adopted policies required by the new State law also apply to elected and appointed officials.

*From 12.17.19:* Staff is working on disseminating the handbook and collecting confirmations.



# City Administrator Report

*From 10.26.19:* This resolution would adopt the new Officials Handbook as presented at the last Council meeting. I have included an acknowledgment form for Council review as well. If Council adopts this resolution, the Officials Handbook would be sent to all elected and appointed officials for their review and reference.

**Stalled: Approve Mid-Valley Partnership Agreement** – *From 06.23.20:* The group was unable to obtain grant funding for this project. The City of Lebanon is in transition with hiring a new City Manager which has also caused pause. We are hoping to move forward post-pandemic.

**Pending: Step Up IT** – *From 03.26.19:* I recently met with this company out of Eugene to discuss cybersecurity and I.T. They are working with Sweet Home and with other governmental agencies. I met with them a year ago, but we were not ready. A lot has happened since last year, we are in the process of getting a fiber optic system in Brownsville, we are using cloud services for Utility Billing and General Ledger, and we have automated the water distribution system, to name a few. Security and expertise will be important for City computer systems moving forward. I have provided I.T. for several years for the City and will continue to be involved, but the City will need additional assistance with this important issue in the future.



## COMPLETED

**Completed: MVP/RAIN Update & Support** – *From 07.28.20:* The Eight Cities group met to discuss the delays caused by the Coronavirus Pandemic to the MVP plan and to discuss how the group would meet the contractual obligation required of year two of the RAIN partnership. The City of Lebanon has pulled all financial support due to budgetary issues. I am recommending that the City authorize the amount of up to \$5,000 to meet the obligation for this year. The City has enough budgeted to cover this cost. Council has been committed to regional involvement, and the RAIN partnership has been a successful and positive part of that success.

***What is Council being asked to do?***

Consider additional money to continue the RAIN partnership with the eight cities per agreement.

## PAST MEETINGS – Memory Information

➤ **Kirk Avenue Project History**  
For the history and status of the Kirk Avenue project, please visit the City website at <https://www.ci.brownsville.or.us/currentevents>.

Respectfully Submitted,

S. Scott McDowell  
Administrator





# October 2020 **PLANNING AT A GLANCE**

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

- |              |                               |                   |
|--------------|-------------------------------|-------------------|
| • Mechanical | New Gas Line, Range & WH      | 1117 Pine Street  |
| • Mechanical | Gas Line for generator        | 115 Fields Court  |
| • Mechanical | Commercial Replace Furnace/AC | 430 N Main Street |
| • Fence      |                               | 619 Oak Street    |
| • Fence      |                               | 217 Kirk Avenue   |

## Updates

### **Buildable Lands Inventory**

Still in process.

### **Zoning Code Amendment**

In process.

*Elizabeth E. Coleman*



# 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

## 2020

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

**FOR THE MONTH OF: September**

<b>TRAFFIC CITATIONS: -----</b>	<b>18</b>
<b>TRAFFIC WARNINGS: -----</b>	<b>12</b>
<b>TRAFFIC CRASHES: -----</b>	<b>0</b>
<b>ADULTS CITED/VIOLATIONS: -----</b>	<b>3</b>
<b>ADULTS ARRESTED : -----</b>	<b>6</b>
<b>JUVENILES CITED/VIOLATIONS: -----</b>	<b>0</b>
<b>JUVENILES ARRESTED: -----</b>	<b>2</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED:-----</b>	<b>91</b>

**TOTAL HOURS SPENT: BROWNSVILLE 208**

**CONTRACT HOURS= 200 HOURS**

**Jim Yon,  
Sheriff, Linn County**

**By: Sergeant Greg Klein**

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT  
STATISTICAL REPORT FOR SEPTEMBER 2020**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	22	3	4	21	
Violations	75	24	19	80	
Contempt/Other	61	1	4	58	
<b>TOTALS</b>	<b>158</b>	<b>28</b>	<b>27</b>	<b>159</b>	<b>0</b>

**BALANCE SHEET FOR THE MONTH**

Court Revenue

Court Payments

Total Deposits +	\$ 4,005.41	City	\$ 3,016.41
Total Bail Released +	\$ -	Restitution	\$ -
Total Bail/Bank Fees -	\$ -	Oregon Dept Revenue	\$ 710.00
Total Bail Held -	\$ -	Linn County	\$ 279.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -
Cash Shortage -	\$ -	Misc Deposit	\$ -
Miscellaneous Income	\$ -		
<b>TOTAL COURT REVENUE</b>	<b><u>\$ 4,005.41</u></b>	<b>TOTAL COURT PAYMENTS</b>	<b><u>\$ 4,005.41</u></b>

Credit given for Community Service	\$ -
Other Credit Allowed Against Fines	\$ -
<b>TOTAL NON-REVENUE CREDIT ALLOWED</b>	<b><u>\$ -</u></b>

**TOTAL CASH PAYMENTS TO:**

CITY	\$ 3,016.41
STATE	\$ 710.00
COUNTY	\$ 279.00
*REFUND/RESTITUTION	\$ -
<b>TOTAL:</b>	<b><u>\$ 4,005.41</u></b>



## Library Advisory Board

*Librarian's Report*

September 2020

For the Summer Reading Program in July the Friends of the Library purchased 3 Playaway audio books for the junior section. Playaway is a preloaded audiobook that the patron need only plug in a pair of earphones/ear buds. These audiobooks have been in Constant circulation since day one. I decided that we needed more of these and went back to FirstBook Marketplace and purchased 10 more. I looked for classic stories for both children and elementary ages patrons. I am eagerly awaiting the arrival of these devices.

September was also my first professional presentation to a group of librarians. I presented 'Going Solo in the Library' for the Association of Rural and Small Libraries Virtual Conference. Along with tips and hints for librarians, I peppered this presentation with dorky Star Wars jokes. One of my favorites was 'Why do Jedi make the best doctors? Because they require patience.' It makes me laugh every time.

Here are a few facts about our library the month of September 2020. We have received 53 new books for the library. Volunteers donated 117.25 hours to our library. There were 1,080 materials checked out. 456 adult fiction books; 144 adult non-fiction books; 115 audio books; 185 children's books; 131 junior books; 16 junior reference books and 33 large print books. I recorded 4 virtual children's story times with 701 participants reached.

Thank you for your continued support of our community library.

Respectfully submitted,

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

Sherri Lemhouse  
Librarian



## ORDINANCE NO. 785

### AN ORDINANCE VACATING A CERTAIN PORTION OF AN ALLEY IN THE CITY OF BROWNSVILLE, LINN COUNTY, OREGON.

**WHEREAS**, Per ORS 271.130, the Brownsville City Council did initiate vacation proceedings at its June 23<sup>rd</sup>, 2020 regular Council meeting, and;

**WHEREAS**, Per ORS 271.110 (3), a sum sufficient to cover the cost of publishing the required notices was received from the benefitting property owner, and;

**WHEREAS**, Per ORS 271.110 (1), & 271.110 (2), a notice was published two consecutive weeks in a newspaper of local circulation and posted on the property, and;

**WHEREAS**, Per ORS 271.130, written consent from all adjacent property owners has been filed with the City Administrator, and;

**WHEREAS**, having held a public hearing on June 23<sup>rd</sup>, 2020, it is the determination of the City Council that the vacation of the portion of the alley described below, is in the public interest,

**NOW THEREFORE**, The City of Brownsville ordains as follows:

**Section 1.** The following described alley, located North of Holloway Heights in the City of Brownsville, abutting residential properties known as 113 Walnut & 119 Walnut Avenue, is hereby vacated:

(AFFECTING LOTS 1, 2, 3, AND 4, HOLLOWAY HEIGHTS)

ALL OF THAT PUBLIC ALLEY AN AREA OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, CITY OF BROWNSVILLE, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS:

ALL OF THAT PUBLIC ALLEY BEGINNING AT THE NORTHWEST CORNER OF LOT 1, HOLLOWAY HEIGHTS, CITY OF BROWNSVILLE, OREGON; THENCE NORTH 60°09'20" WEST 11.81 FEET TO THE SOUTH LINE OF LOT 4 OF SAID HOLLOWAY HEIGHTS; THENCE NORTH 89°19'14" EAST 180.00 FEET TO THE SOUTHEAST CORNER OF LOT 2, OF SAID HOLLOWAY HEIGHTS; THENCE SOUTH 1°28'16" WEST 6.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89°19'14" WEST 169.60 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS ± 1049 SQUARE FEET.  
LINN COUNTY SURVEY RECORD 26508 WAS USED AS REFERENCE.



**Section 2.** This ordinance, being necessary for public health, safety and welfare, shall take effect upon adoption.

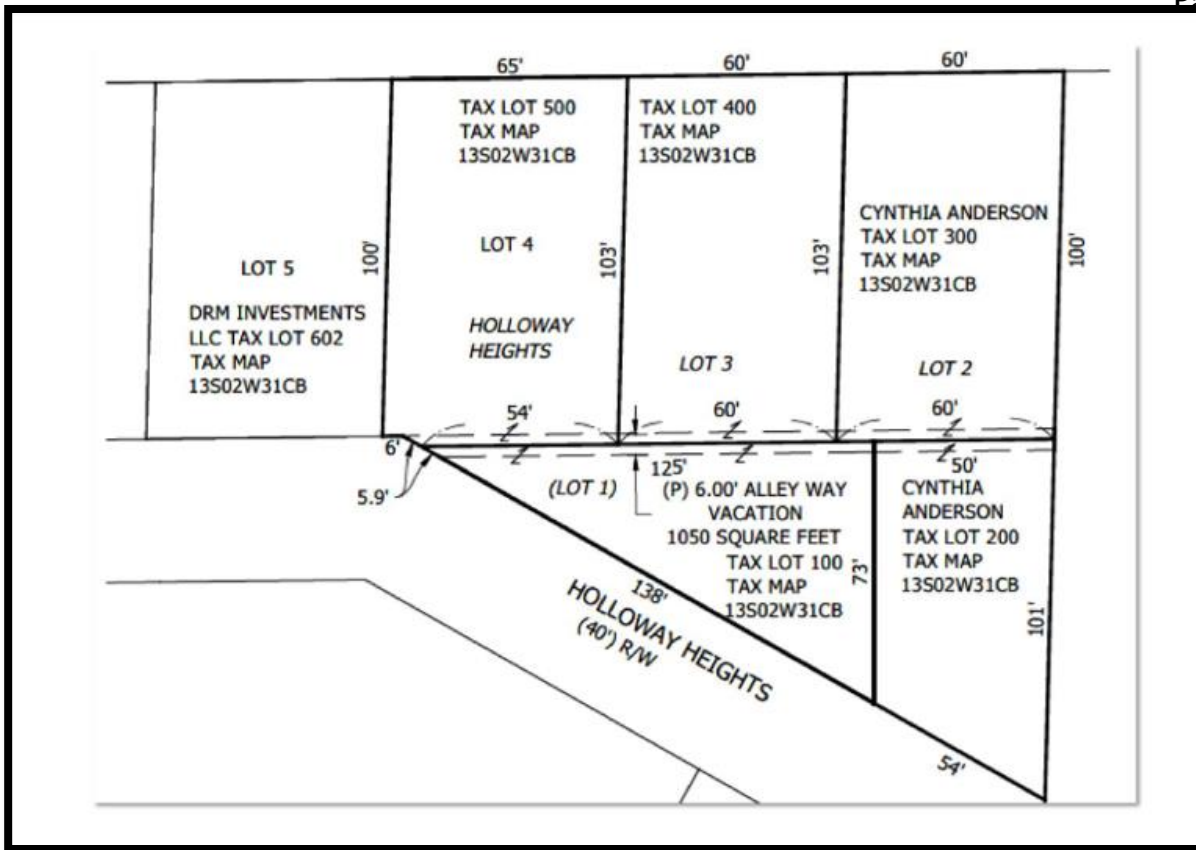
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR, this \_\_\_\_ day of \_\_\_\_\_, 2020.

**Attest:**

\_\_\_\_\_  
S. Scott McDowell

\_\_\_\_\_  
Mayor Don Ware







## 2019-2020 Council Values

### **Council Vision Statement**

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

### **A Vision for Brownsville**

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

### **Tag line**

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

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

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

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

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

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

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



## 2019-2020 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



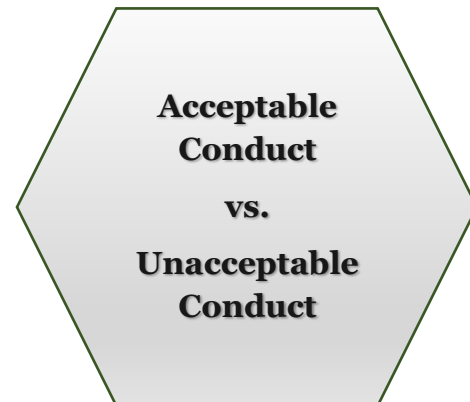
## 2019-2020 Council Values

### 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





**2019-2020 Council Goals**  
(Compilation Date: June 2020)

**Goals 2019-2020**

1. Focus on the Fundamentals.
  - *Protect and Manage Brownsville's Treasury.*
  - *Foster Cooperative and Productive Relationships in the community, with Linn County, State and Federal Agencies.*
  - *Develop Advocacy Plan.*
  
2. Water Rights.
  - *Explore Possible Water Source Options.*
  - *Continually work on perfecting Water Rights.*
  
3. Economic Development Plan.
  - *Participate in Regional Efforts and Opportunities.*
  - *Work on Economic Analysis, Land Inventory and Urban Growth Boundary.*
  
4. Community Development Plan.
  - *Refine Zoning Rules and Requirements.*
  - *Consider and Adopt Building Rules and Standards.*
  - *Emergency Preparedness Planning.*
  - *Support Improvements for Central Linn Rec Center.*
  - *Improve Partnership with CLSD.*
  - *Monitor Recreational Immunity.*
  - *Internet Service Provider.*
  
5. Capital Improvements Plan.
  - *Develop the Framework for a Sidewalk Program. (Suspended)*
  - *Plan and Construct Downtown Wastewater Improvements.*
  - *TMDL Exploration and Implementation Elements.*
  - *Explore Kirk Avenue Paving Options. (Suspended)*
  - *Pioneer Picture Gallery Discussion.*
  
6. Organizational Development.
  - *Continue Developing an Effective Working Relationship between Council and 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.*
- *Develop Advocacy Plan. (2)*

***Plan:*** Staff will continue working carefully with the annually adopted budget to ensure financial well-being. Staff will strive to keep rates as low as possible while providing services effectively and maintaining outstanding financial ratings. Staff will execute the planned projects found in the FY 2018-2019 and FY 2019-2020 budgets as time and priority allow.

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 financial availability and the savings.

Staff will continue to strive for excellence in all relational aspects. McDowell will continue his involvement with the Solid Waste Advisory Committee (SWAC), the Linn County Sheriff's Office (LCSO) Joint Cities Coalition, the Linn County Planning and Building Department meetings, 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 as a liaison to 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, among others. Councilor Thompson serves as the liaison to the Central Linn Recreation Association (CLRA). Mayor Ware and Councilor Neddeau served on the Cascade West Council of Governments (COG) Board. Councilor Gerber serves on Cascade West Council of Government's Transportation Board.

Council may develop a local advocacy plan that would include, 1) specific legislative items being considered by the State of Oregon, 2) prepare policy statements on those items, and 3) form letter writing efforts to improve municipal authority as allowed by the Oregon Constitution.

- 
- ★ The LCSO agreement was agreed to in principle after two meetings attended by Councilor Block and McDowell. The City is awaiting the final document. The next scheduled quarterly meeting is March 5<sup>th</sup>, 2020.
  - ★ McDowell and Coleman continue to push the regional agenda forward working on improving the relationship with the LCPBD. Dave Kinney is in the process of gathering data for the cities as well. McDowell plans on issuing a letter at the beginning of the year calling for certain deadlines to be met by the LCPBD. Training has occurred and was well attended by the partner cities. Cities are waiting on the IGA/UGB update and the County to move to an e-permitting system.
  - ★ Public Works Superintendent Karl Frink and McDowell continue to monitor and attend TMDL meetings.
  - ★ McDowell is working with the transitional leadership at Cascade West Council of Governments to continue the regional advocacy piece started under the guidance of Executive Director Fred Abousleman who has taken another position. McDowell is working closely with the LOC as they



are also working on outreach, relationship building and advocacy to bolster municipalities home rule status under the Oregon Constitution.

- ★ The City's rating was upgraded by Standard & Poor's.
- ★ The Coronavirus Pandemic presented unknown challenges to the budgeting process. Staff took a conservative approach to revenues. Planned expenditures were continued for the Downtown Sanitary Sewer project and other important issues. Council is aware that changes to the budget may happen throughout the course of the upcoming fiscal year and beyond. So far, the unemployment rate is mirroring what happened during 2008 – 2014. The City's taxes are stable and not dependent on sales taxes. The most impacted revenue stream will be Transient Room Tax due to closures mandated by the State of Oregon. Typically, the City collects around \$3,000.
- ★ The Coronavirus Pandemic has completely changed regional interactions that are critical for advocacy. Council will need to take a much more active role in pushing items beneficial to Brownsville's local citizenry in this upcoming long session in 2021.
- ★ The relationship with State and Federal agencies increased due to the Coronavirus Pandemic. Daily and weekly communications with the Governor's Office became the norm and President Trump and Chief Advisors held weekly call with Governors that were made public. The Worldwide Pandemic changed many things and those changes are yet to be fully understood and, in some cases, even implemented. The City successfully applied for CARES Act funding to recuperate costs associated with the pandemic.

## 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 may exist areas around Brownsville. Staff will continue to work with City Engineer Ryan Quigley and City Attorney Rolfe Wyatt on issues as they arise through the State Legislature and other agencies of the State such as the Oregon Water Resources Department (OWRD). Council recognizes water as the City's most valuable resource.

- 
- ★ The City installed new, state-of-the-art meters in town.
  - ★ OWRD required the City to adopt a Water Conservation Plan. Council budgeted funding for this requirement. The new meters will also be a key tool in assisting the City toward this plan. The City has two years to submit.
  - ★ *City Water Rights Attorney Schroder Law continued an aggressive series on water rights.*

## 3. Economic Development Plan.

- *Participate in Regional Efforts and Opportunities.*
- *Work on Economic Analysis, Land Inventory and Urban Growth Boundary.*

**Plan:** Continue working with partners on regional economic development efforts.

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

**2019.2020 Goals (Final)**





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 also plans on including additional residential land.

- 
- ★ Council approved the IGA for the Mid-Valley Partnership. McDowell presented the IGA to several partner cities. The group will work together to develop a budget presentation based on the deliverables in the agreement.
  - ★ Planning Consultant Dave Kinney continues work on the buildable lands inventory and other requirements of DLCDC. Kinney has reported that adding residential land does not seem viable due to the existing residential inventory.
  - ★ The Coronavirus Pandemic halted all meetings and discussions. McDowell will begin scheduling face-to-face meetings soon. The City of Lebanon is already pulling back funding due to the pandemic. It will be challenging keeping the group together.

#### 4. Community Development Plan.

- *Refine Zoning Rules and Requirements.*
- *Consider and Adopt Building Rules and Standards.*
- *Emergency Preparedness Planning.*
- *Support Improvements for Central Linn Rec Center.*
- *Improve Partnership with CLSD.*
- *Monitor Recreational Immunity.*
- *Internet Service Provider.*

**Plan:** Council would like to explore ways to positively affect community livability. Council will explore building rules and standards to solidify the historic look and feel of Brownsville. The City continues working with ad hoc volunteer committee promoting community emergency preparedness efforts as defined by the Brownsville Municipal Code. Staff will work with the Brownsville Rural Fire District, Halsey-Shedd Rural Fire Protection District, the City of Halsey and the Central Linn School District to accomplish Council directives. Council will continue to explore options for the Central Linn Rec Center with various partners including the City of Halsey and the Central Linn School District. Council will continue to monitor attacks against recreational immunity through various sources such as the League of Oregon Cities (LOC) and CIS. Staff will continue to work with Alyrica to develop a new fiber optic system for Brownsville.

- 
- ★ Council has reviewed right-of-way infringements and storage containers. Council plans to review policy options over the course of the next few months. The Planning Commission shall be included on any changes. Councilors Block, Hansen, Thompson and Neddeau have assisted Staff with policy ideas and situational reviews.
  - ★ Council is actively updating the City's Public Works Standards.
  - ★ The Emergency Preparedness Committee has had a very good year achieving their goals. The fire districts, municipalities and the school are working together on shared goals. The Committee developed a stand-alone website and placed emergency trauma kits in all local schools. The Committee has a robust plan prepared for 2020.
  - ★ Council has received a positive structural engineering report on the Central Linn Rec Center. The report concluded that the building is in good enough shape to support a renovation. McDowell formed an Ad Hoc Committee to review options, create a vision and strategies to





work on the Rec Center and the Pioneer Park Pavilion. The Committee is actively working toward goals defined by the group. Councilors Gerber, Chambers and Block along with representatives from the Central Linn School District, the Rec Center, the Park Board and the City of Halsey are participants.

- ★ McDowell has been actively working with Public Works Superintendent Karl and Alyrica in creating a fiber optic network for Brownsville. Council recently authorized a lease agreement for the main point of connection for the new system.
- ★ Alyrica is actively building out the new fiber optic system for Brownsville.
- ★ The Coronavirus Pandemic has stalled all work on the renovation plans for the Central Linn Recreation Center and Pioneer Park Pavilion efforts.
- ★ Emergency planning efforts went into high gear as the City came alongside community partners to help Sharing Hands, the local food bank, meet high demand. The Faith Community, EPC, the American Legion, the Brownsville Senior Center, the Brownsville Rural Fire District, Sherri Lemhouse and Tammi Morrow played and continue to play prominent roles in this effort. Weekly meetings have happened since the third week of March to present.
- ★ The City has actively pushed information from the State, Feds and other reliable sources using the City website and Facebook page.
- ★ Council passed an ordinance on building security and Staff finalized the installation of cameras at City Hall.
- ★ The Coronavirus Pandemic required the City to take certain measures to protect City employees from exposure to the virus while also protecting citizens and reopened June 18<sup>th</sup>, 2020.

## 5. Capital Improvements Plan.

- *Develop the Framework for a Sidewalk Program.*
- *Plan and Construct Downtown Wastewater Improvements.*
- *Pioneer Picture Gallery Discussion.*
- *TMDL Exploration and Implementation Elements.*
- *Explore Kirk Avenue Paving Options.*

**Plan:** Council will explore the creation of a Sidewalk Program. Plan and save for the construction of a new wastewater collection system for downtown. Council will host a Town Hall in late 2019 to discuss the future of the Pioneer Picture Gallery building. Council will continue to monitor developments of DEQ's TMDL implementation strategy. Council explore funding and construction options for Kirk Avenue.

- 
- ★ Council recently moved forward the downtown sewer project by moving funds to complete the engineering work with Dyer Partnership. Council hopes to be prepared to go out for bids early in FY 2020.2021.
  - ★ Staff continues to work on TMDL related items. Staff is in the process of completing the annual report. Staff create a webpage and information was shared publicly via the City newsletter. Staff continues to attend DEQ session pertaining to the topic.
  - ★ Council appointed Mayor Ware and Councilor Block to join McDowell in leading a discussion with the Linn County Pioneer Picnic Association regarding the condition of the Pioneer Picture Gallery.



- ★ Council appointed Councilor Block and McDowell to approach Canal Company representatives to talk about exploring partnership options. The group is actively discussing options and thoughts for future operations.
- ★ Council decided at the January 28<sup>th</sup>, 2020 meeting to table or suspend the Sidewalk Program project. Council cited the explosion in concrete prices and the burden not only to the City but to the property owners. Sidewalks are the sole responsibility of the property owner. Council also cited upcoming capital infrastructure projects that are more important to accomplish and did not want to cause further strain to the budget or Staff.
- ★ Council decided at the January 28<sup>th</sup>, 2020 meeting to table or suspend the Kirk Avenue project exploration. Council is already aware that the project would be near \$750,000 to simply repave Kirk Avenue from Main Street to Hunter Street. If the City were to install storm drainage and reconstruct the street, the cost could be over \$2,000,000. The City does not have the funds to execute this project.
- ★ Council decided at the January 28<sup>th</sup>, 2020 meeting to table or suspend further exploration on the Calapooia Riverbank reparations. McDowell will reach out to Representative Wilde to show the need and the financial burden.
- ★ Staff continues work on the Downtown Sewer project.
- ★ Staff procured the budgeted equipment as planned.
- ★ Councilor Block and McDowell met with representatives from the Linn County Pioneer Association to discuss the future of the Picture Gallery. Discussions are continuing and are expected to be in front of Council as soon as July 2020.
- ★ The TMDL plan was approved by Council and approved by the State of Oregon. The City expects widescale changes to this program due to the United States EPA rejecting the State of Oregon's TMDL plan. Council is following these developments closely.

## 6. Organizational Development.

- *Continue Developing an Effective Working Relationship between Council and 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.

- 
- ★ Council adopted a new policy handbook for elected and appointed officials.
  - ★ Council has actively worked with Staff taking closer looks at several City related items as named above in this report and continues to actively participate in key regional and local meetings, assist with policy creation and monitor communications with the general public.
  - ★ Councilors have been vigilant to check in on happenings and have consistently attended all meetings of Council.
  - ★ Council has held follow-up work sessions to talk about develop and progress of themselves and of the Council's collective goals.
  - ★ Several recent developments have led to great conversations on areas to improve as individual councilors and to work on the vital relationship with Staff.



- ★ Councilor Block has taken on a major leadership role working with the Linn County Sheriff's Office on the regional law enforcement agreement. Block has worked with the Association on future options for the Picture Gallery and he has been instrumental in successful discussions with the Brownsville Canal Company.
- ★ Councilor Gerber has been integrally involved with the Facilities Review Committee and the Ad Hoc Committee working on Rec Center and Pavilion planning. Gerber also worked with Hansen on a neighborhood facilitation. Gerber provides key input and observances.
- ★ Council Hansen has increased his presence in City Hall and has provided much support and guidance on a variety of issues facing the City. Hansen continues to explore ways to build and solidify organizational culture and strength.
- ★ Councilor Thompson and Councilor Neddeau have worked on several specific policy reviews. Thompson and Neddeau both stay abreast of issues and have provided key insights on community issues. Thompson plans to work with McDowell on developing a plan to foster development and build capacity with Council.
- ★ Councilor Chambers has been a part of several discussions on community issues. Chambers continues to be a positive force for collaboration and cooperation between and among citizens.
- ★ Mayor Ware continues to be a daily presence at City Hall helping on every kind of issue. Ware's advice and guidance propel the City forward weekly. Ware has supported Staff by answering phones and greeting visitors not only at City Hall, but the Library as well. Ware serves as an ambassador to nearly all local non-profit organizations, and in most cases plays a key role in their operations such as the Chamber and the Central Linn Community Foundation. Ware's connections have been key in helping the City's effectiveness during the emergency response to the pandemic.

**Council Meeting**  
Tuesday, October 27<sup>th</sup>, 2020  
**Location:** Teleconference

**Large Document for Council Consideration**

**New Brownsville Employee Handbook**

<https://www.ci.brownsville.or.us/administration/page/brownsville-employee-handbook-2020-proposed-edition>

**Water Treatment Plant Sanitary Survey**

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

**Oregon by the Numbers**

<https://www.tfff.org/select-books/book/oregon-numbers-o>

**Pipeline Newsletter**

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

Please contact City Hall and ask for Administrative Assistant Tammi Morrow or City Administrator Scott McDowell if you would like a physical copy of any of these documents.

## RIGHT-OF-WAY VACATION APPLICATION & FINDINGS OF FACT

### GENERAL INFORMATION

**NATURE OF REQUEST:** Vacation of a portion of undeveloped public right-of-way between Holloway Heights and Stanard Avenue; south of Lots 2-4 of the Holloway Heights subdivision.

Administrative amendment of the Zone and Comprehensive Plan Maps to apply adjacent designations to resultant land.

**APPLICANTS:**

Scott Gese	Cynthia Anderson
P.O. Box 204	P.O. Box 93
Brownsville, OR 97327	Brownsville, OR 97327
(541) 466-5062	
sgese9@gmail.com	

**OWNERS:** same as applicants

**REPRESENTATIVE:** Udell Engineering and Land Surveying, LLC  
 Kyle Latimer  
 63 East Ash Street  
 Lebanon, OR 97355  
 (541) 451-5125  
 kyle@udelleng.com

**ADDRESS/LOCATION:** unassigned; south of Lots 2-4 of the Holloway Heights subdivision; north of Lot 1 of the Holloway Heights

**MAP/TAX LOT:** None; Adjacent to Linn County Assessor's Map No. 13S-02W-31CB Tax Lots 100, 200, 300, 400, and 500.

**COMP. PLAN:** not designed; abuts Residential District

**ZONING:** not designed; abuts Special Development District

**CURRENT LAND USE:** unimproved 6-foot-wide alley

## Summary

The application is to vacate an undeveloped portion of right-of-way (i.e alley) and apply the zone and comprehensive map designations to the resultant property. The right-of-way proposed for vacation is located between Stanard Avenue and Holloway Heights, north of Lot 1 and south of Lots 2-4 of the Holloway Heights subdivision. The area proposed to be vacated is illustrated in Attachment A.

A right-of-way vacation extinguishes the public's interest in street right-of-way. When a street is vacated, land ownership is passed to the underlying fee owner, most often the abutting property owner but not always.

Right-of-way vacations are reviewed and decided by City Council by the authority of Oregon Revised Statute (ORS) 271 and acting as the City's "Governing Body" (ORS 221.005(1)). Right-of-way vacations can be initiated by petition or on the city's governing bodies own motion.

At the June 23, 2020, regularly scheduled City Council meeting, City Council voted in favor of initiating the vacation the unimproved right-of-way at the request of the abutting property owners Scott Gese and Cynthia Anderson.

The right-of-way vacation will result in disposition of property. The proposed use will be as private property yard for abutting property owners, Scott Gese and Cynthia Anderson.

The future use of the resultant property is based on the city's zone map and comprehensive plan map designations. Therefore, the applicants' request the application of adjoining the zone map and comprehensive plan map designation (i.e. Residential District comprehensive plan map designation and Special Development District zoning district designation) to the resultant property.

## Analysis of Review Criteria

According to ORS 271.130, city council may vacate right-of-way without a petition or consent of property owners upon a duly noticed public hearing, and upon consideration of the following three review criteria: 1) consent of the owners of the requisite area have been obtained; 2) notice was duly given; and 3) vacation is in the public interest. (ORS 271.110).

The ORS includes the following determinations by city council for hearing the petitions and objections of right-of-way vacations. Determinations are written in **bold** followed by findings and conclusions.

### **1. Whether the consent of the owners of the requisite area has been obtained;**

#### Findings of Fact

- 1.1 According to ORS 271.130, "*the city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners*" upon a duly notice public hearing, and as long as; 1) the owners of the majority of the area affected (computed on the bases provided on ORS 271.080) do not object in writing; and 2) city governing body paying damages to owners of the abutting property that do not consent to the vacation, if the vacation will substantially affect the market value of such property.
- 1.2 Owners of the majority of the area affected will be provided notice of the request and an opportunity to submit written objections in advance of and during the scheduled



public hearing. No such objections are known or anticipated with this proposal; therefore, this criterion is met.

## **2. Whether notice has been duly given; and**

### Findings of Fact

- 2.1 State law mandates notice requirements that are more stringent than the City quasi-judicial noticing requirements. Therefore, notice must be duly given in accordance with ORS 271.110 in addition to the mailed noticing requirements for a quasi-judicial review.
- 2.2 ORS 271.110(1) states that, “... *the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.*”
- 2.3 ORS 271.110(2) states that, “*Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, “Notice of Street Vacation,” “Notice of Plat Vacation” or “Notice of Plat and Street Vacation,” as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.*”
- 2.4 Additionally, public hearing notice is also required to be mailed to owners of property within 300 feet from the subject property at least 20 days before the first evidentiary public hearing, or if more than one hearing is allowed, 10 days before the first evidentiary public hearing.
- 2.5 The Planning Department staff will provide notice in accordance with local and state law; therefore, this criterion is met.

## **3. Whether the public interest will be prejudiced by the vacation.**

### Findings of Fact

- 3.1 The proposed right-of-way vacation would not land-lock or remove access to any existing parcels.
- 3.2 The proposed right-of-way vacation is not necessary for emergency vehicle access.
- 3.3 The proposed vacation will not change that traffic pattern. The parcels that adjoin the proposed vacation will continue to use the Walnut Avenue or Holloway Heights rights-of-way.
- 3.4 Vacation of the unimproved and unmaintained right-of-way will not adversely affect the City’s connectivity and street access goals.

- 3.5 Vacating the right-of-way will provide opportunities for abutting properties to develop and/or redevelop into the vacated right-of-way, potentially expanding the tax base.

### **Overall Conclusion**

As proposed, the right-of-way vacation request satisfies all applicable review criteria as outlined above.

### **Attachments**

- A. Tentative Property Line Adjustment Map

### **Acronyms**

ORS            Oregon Revised Statutes

# Council Meeting Calendar for Year 2021

January						
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Recess Month						

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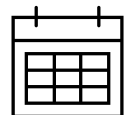
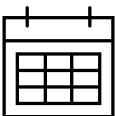
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**Regular Council Meeting**

- ★ Recess in August
- ★ September may be moved forward

**Budget Committee Meeting**

- ★ May 13 if needed



**S. Scott McDowell**

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**From:** Joleen Wallace <jwallace@cisoregon.org>  
**Sent:** Monday, October 12, 2020 8:27 AM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Congratulations, your city has won a Safety Award!  
**Attachments:** Brownsville.pdf

2020 has been a difficult year. With wildfire ravaging the state and COVID-19 still impacting both small and large communities, we stand together with you. But even with all the challenges, there are still things to celebrate. For CIS and the League of Oregon Cities (LOC), your winning of a 2020 CIS/LOC Annual Safety Award is one of them. Congratulations to you and your team for a job well done. Because of the coronavirus, we cannot provide your Safety Award in-person this year (see award-certificate attached). Still, we wanted to take the time to congratulate you. Your Safety Award represents your successful program to prevent on-the-job injuries with either no days lost or just a few. We congratulate you for fostering a safe workplace, while recognizing your hard work and excellent results!

Although we cannot replicate our normal Safety Award ceremony this year, like we've done in years past, we would like to invite you to attend a brief virtual Business Meeting where LOC Executive Director Mike Cully and I will briefly highlight the importance of prioritizing safety in the workplace. Again, congratulations on your important Safety Award – and remember, with so many challenges facing Oregon's cities and counties right now, please take care of yourself. Oregon needs you.

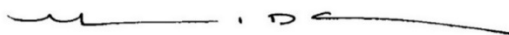
Thank you for your dedication to workplace safety.  
Patrick



**Joleen Wallace** | Administrative Support Manager  
CIS | 1212 Court St. NE | Salem, OR 97301  
p 503-763-3857 | 800-922-2684 x3857 | f 503-763-3900  
[www.cisoregon.org](http://www.cisoregon.org)

*We stand shoulder-to-shoulder with our members as they respond, recover and rebuild from the tremendous devastation from the wildfires. Visit [cisoregon.org/wildfires](http://cisoregon.org/wildfires) to access information on FEMA's Fire Management Assistance Grants, managing spontaneous volunteers, shelter field guide, tips for communicating in a crisis, and more. And, rest assured, our claims team stands ready to address the damage.*

**LEAGUE OF OREGON CITIES & CIS**  
**PROUDLY PRESENT THE**  
**GOLD SAFETY AWARD**  
**TO THE**  
**CITY OF BROWNSVILLE**  
**INJURY FREQUENCY RATE OF 0 IN FY 19-20 WITH**  
**15 FULL-TIME EMPLOYEES**



Mike Cully, Executive Director  
League of Oregon Cities



Patrick Priest, Executive Director  
CIS



citycounty insurance services  
cisoregon.org



# Real-Time Risk



*Photo by Nathan Parsons, Lionshead Fire*

## TIMELY NEWS AND TIPS TO HELP REDUCE RISK

September 2020

# After Devastating Wildfires, FEMA Responds

**By Katie Durfee, CIS Risk Management Supervisor**

The recent Oregon wildfires have devastated many of our communities across the state. In response to the disaster, President Trump has declared a state of emergency and ordered Federal assistance to supplement State, tribal, and local response efforts.

President Trump has authorized the Department of Homeland Security, Federal Emergency Management Agency (FEMA), to coordinate disaster relief efforts. FEMA intends to help alleviate the hardship and suffering caused by the emergency — and to lessen or avert the threat of a catastrophe in the counties of Clackamas, Douglas, Jackson, Jefferson, Klamath, Lane, Linn, Lincoln, Marion, Tillamook, and Washington. We wish to recognize those state and local emergency managers who are on the front lines of relief efforts.

The Federal response should also provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act. The purpose of the Act is to save lives and to protect property, and public health and safety.

## Oregon Disaster Declaration

In a news release issued on Sept. 15, President Donald J. Trump approved Oregon's disaster declaration.

[www.whitehouse.gov/briefings-statements/president-donald-j-trump-approves-oregon-emergency-declaration/](https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-approves-oregon-emergency-declaration/)

Residents who sustained losses in the designated counties can apply for assistance by registering online at [www.DisasterAssistance.gov](https://www.DisasterAssistance.gov).

Continued on next page





# Real-Time Risk

Continued from previous page



Photo above: Fire suppression truck from Elgin, OR on scene at the White River Fire. Image courtesy of U.S. Dept. of Interior.

Specifically, FEMA is authorized to identify, mobilize, and provide at its discretion, equipment and resources necessary to alleviate the impacts of the emergency.

FEMA provides 75% funding for some emergency protective measures and some community disaster assistance.

**IMPORTANT:** It's critical that you track 100% of costs related to responding to the wildfires. But be aware that not all costs will be eligible under the Public Assistance program. Oregon Emergency Management will provide more information in the coming days. Your designated county emergency manager will be your best point of contact for additional questions regarding the FEMA grant process.

## Best Practices During Times of Crisis

A best practice is to keep every piece of supporting documentation related to your emergency event.

- Take photos and video to document disaster and clean-up effort.
- Document expenses include food and supplies for staff on duty, gasoline, equipment rentals, mileage, and personnel time, particularly overtime pay, specifically dedicated to disaster response.
- Track memorandums of understanding, intergovernmental agreements, contracts, certificates of insurance, photos, receipts, and all supporting documents — along with a copy of the emergency declaration.
- Keep important documents in one place, such as a binder or an electronic file.

## CIS STANDS SHOULDER TO SHOULDER WITH YOU

At CIS, our members are like family. We stand with you as you respond, recover and rebuild from these devastating wildfires.

Please visit [cisoregon.org/wildfires](https://www.cisoregon.org/wildfires) to access information on FEMA's Fire Management Assistance Grants, managing spontaneous volunteers, shelter field guide, tips for communicating in a crisis, and more.



# Real-Time Risk

Continued from previous page



Photo above: Holiday Inn Fire courtesy of U.S. Dept. of Interior.

- Follow your public purchasing and contracting procedures. Collect certificates of insurance for any contract work associated with disaster assistance and to ensure proper limits of liability are covered.

## Additional CIS Resources Available

All CIS members that have CIS Property Coverage have access to Agility's recovery solutions of power, technology, space, and communications. Agility offers access to deployable assets like temporary modular units, power generators, and computers. If your entity is covered by CIS Property Coverage, your CIS claims adjustor or Risk Management Consultant can help you arrange Agility services. Below is the contact information for Agility. When contacting Agility, provide them with your entity's name and mention that you are part of the CIS program in Oregon.

### Devon Coronado

720-490-4531 ext. 4531

[devon.coronado@agilityrecovery.com](mailto:devon.coronado@agilityrecovery.com)

**Or contact the Agility Alert & Declare Hotline at 877-364-9393.**

If your entity has suffered a wildfire related loss, be sure to contact your agent to report it or report it on the CIS website.

Rest assured, along with your dedicated Risk Management Consultant, our CIS claims team stands ready to address the damage. Together, we will get through these challenging times.

## INDIVIDUAL ASSISTANCE

This activation of FEMA public assistance should also make available individual assistance (IA). This link offers an informational booklet on IA for impacted employee's and their families: [Help After A Disaster - FEMA Individual Assistance will Help You Recover](#). Public announcement will be forthcoming by the State as to how these funds will be coordinated for those impacted.

In the meantime, your employees should contact their private insurance company to report damage to their homes and request assistance initially.

The State of Oregon also has good information on their Wildfire Resource Page at [wildfire.oregon.gov](http://wildfire.oregon.gov).



# Resilience: leaning in to recovery after a disaster

## Communities, regions, state work collaboratively to mitigate fallout

It is Josh Bruce's job to plan for the worst. As program director of the Oregon Partnership for Disaster Resilience, Bruce and his University of Oregon team help communities all across Oregon prepare to respond to and recover from potential disasters. Earthquakes. Forest fires. Floods. His team even worked on an economic resiliency plan addressing the effects of a massive influx of tourists for 2018's eclipse. But a global pandemic? Not so much.

"We talk so often about the need to prepare for anything, but a global pandemic was not top of mind for me," Bruce says. "Now that it's happened, com-

**As bad as this is, we have the luxury of having power and water and transportation — all the critical infrastructure we are concerned about losing with some disaster scenarios.**

— Josh Bruce

munities are dealing with the ever-changing situation and its ramifications."

Without effective business-oriented recovery efforts, the impacts on businesses are sure to be devastating. According to the Federal Emergency Management Agency, more than 40% of businesses do not reopen after a disaster. Of those businesses that do reopen, roughly 25% fail within one year, and the Small Business Administration estimates that more than 90% fail within two years of a disaster event.

Despite the potential economic and social fallout, Bruce sees the current situation as a golden opportunity. "As bad as this is," he says, "we have the luxury of having power and water and transportation — all the critical infrastructure we are concerned about losing with some disaster scenarios."

"We have an opportunity to identify the gaps and work to fill them, so we are ready next time."

### The resiliency muscle

One area of opportunity, Bruce says, is in the need of addressing recovery in parallel with initial response. "Regardless of the disaster, best practices suggest that when you set up an emergency operations center to respond, you need to launch recovery efforts at the same time. That is the piece we haven't really seen happening."

For example, in this crisis, Bruce says, tracing and testing is actually a recovery strategy.



Josh Bruce

"Aligning these activities mean we can reopen sooner, which allows us to recover sooner." Bruce calls it "building the recovery muscle" and says it is imperative that communities stretch and exercise that muscle, even in the absence of an event.

Bruce points to the Mid-Columbia Economic Development District, working collaboratively with the state's Regional Solutions Center, as an example of an area that leaned early into recovery. The devastating Eagle Creek fire in 2017 meant area leaders already had built a little muscle around economic recovery.

MCEDD's close partnership with Regional Solutions, as well as a resiliency assessment plan funded by a grant through Business Oregon's Local Economic Opportunity Fund, helped the region get a running start when COVID-19 hit communities on both sides of the Columbia Gorge.

Throughout the crisis, the region has been a leader in

collaborating with partners from all sectors of the community, sharing information, and providing training to help businesses deal with the current environment.

Nate Stice, Gov. Kate Brown's Regional Solutions coordinator for the Columbia River area, worked with Jessica Metta, MCEDD's executive director, to quickly mobilize the Mid-Columbia Economic Resilience Team — a group of economic stakeholders from seven counties in Oregon and Washington. Stice is one of eight coordinators around the state, each of whom has stood up similar COVID-19 economic recovery teams in their regions. "The governor calls us her boots on the ground, and she quickly deployed us to provide capacity as needed during this crisis," Stice says.

### Trust, social capital

"The plan and MCEDD and Regional Solutions are all based on trust and social capital," says Metta. "Strong partners and well-cultivated relationships helped us to set a collaborative table."

Larger meetings share state guidance and identify coordination strategies, while a smaller leadership team meets weekly to do a deep dive into specific issues, such as broadband, school re-openings and the agricultural economy. As a direct result, MCEDD recently sponsored a training for businesses on preparing for workplace outbreaks (see page 10).

The team's work benefits

more than its immediate region. Information collected from the field is shared at the state level, and the team also compiles a daily digest of information, which is deployed across Oregon through Regional Solutions.

### RARE

Josh Bruce and his University of Oregon team are working with The Ford Family Foundation to increase the capacity of rural communities to respond to disasters such as COVID-19. Through the AmeriCorps Program, six Resource Assistance for Rural Environments (RARE) students are embedded in economic development districts across the state.

"There is a tremendous need in rural areas and we are trying to provide capacity through our RARE appointments," Bruce says. "All of these folks working together in a cohort will share lessons learned, leverage their relationships and elevate the successes we see in rural Oregon." ■

**This handout from the Mid-Columbia Economic Development District summarizes best practices for business preparedness.**



## Business Preparedness

Prepare your business before disaster strikes! Prioritizing efforts focused on prevention and recovery are vital in supporting business resiliency. Prevention and mitigation activities can reduce or eliminate risks before a disaster and lessen the potential impacts on business operations.

1. Identify hazards and potential disruptions to your operations and their consequences.
2. Identify and prioritize critical business functions.
3. Consider cyber security measures for important records.
4. Create a communications strategy, including a media toolkit to communicate with the public and/or key stakeholders.
5. Maintain an up-to-date emergency contact list for employees, vendors, suppliers, and other key stakeholders.
6. Take steps to mitigate risks to equipment, buildings, facilities, inventory, and employees.
7. Meet with an insurance agent to discuss what type of coverage your business needs.
8. Back up and store vital records and data so they can be accessed off-site.
9. Create an Emergency Preparedness Plan.
10. Exercise, test, and update your plan at least annually.

Find more resources on the MCEDD website: [mcedd.org/ready](https://mcedd.org/ready)





**Position Description:** 6-month (January - June 2021) contracted position to provide “Venture Catalyst” (VC) support on behalf of Oregon RAIN ([www.oregonrain.org](http://www.oregonrain.org)). Pending funding there is a potential to extend the position beyond June 2021.

**Regional Focus:** Linn and Benton Counties, with emphasis on the following 8 rural cities: *Adair Village, Brownsville, Halsey, Harrisburg, Lebanon, Monroe, Philomath, and Sweet Home*

**Location:** This is a remote position and work will be performed in the communities named under Regional Focus.

**Travel:** 50 - 70% of the position.

**Description:** Are you an entrepreneur who enjoys starting new things, being a part of something important, and making an impact in your community? Do you get excited about the idea of helping other entrepreneurs and innovators pursue their dreams? Have you ever been called a “connector” because you enjoy referring people to resources to help them advance and grow? Are you someone who can easily collaborate with multiple ecosystem partners and elevate a region’s entrepreneurial spirit?

If you can answer yes to these questions, Oregon RAIN wants to meet with you! Oregon RAIN is seeking a part-time Venture Catalyst to catalyze entrepreneurial efforts in the region and elevate the whole ecosystem.

**Responsibilities:**

- Host events to support the region’s entrepreneurs and innovators
- Be actively involved in the Linn-Benton entrepreneurial community and serve as a champion for Oregon’s entrepreneurial ecosystem and innovation economy
- Develop, lead, and grow programs to support entrepreneurs and innovators in the Linn-Benton region
- Identify and connect startups to needed resources: people (mentors/employees), programs (accelerators/workshops), physical assets (equipment, labs, office space), and funding (investment capital, grants, loans)
- Travel around Linn and Benton counties to meet with entrepreneurs and community partners
- Engage in fundraising
- Assist in activating and elevating pools of capital to advance the region’s ecosystem
- Update a list of the entrepreneurial assets in the Linn-Benton region, determine the gaps, make recommendations for closing those gaps, and collaborate with regional partners to help fill gaps.
- Identify, recruit, and educate potential angel investors
- Develop marketing, communications, and public relations campaigns to promote entrepreneurial activities in the region
- Work closely with partners to continue building a regional mentor network by identifying and training new mentors that can assist local startups
- Communicate regularly with Oregon RAIN’s Executive Director and other team members to continue building the entrepreneurial ecosystem in Linn and Benton Counties.
- Partner closely with entrepreneurship & innovation (E&I) ecosystem partners: (e.g., city and county leaders, Corvallis Benton Economic Development Organization, Business Oregon, The Foundry, Willamette Innovators Network, Oregon State University Advantage Accelerator, the Linn-Benton Small Business Development Center, Chambers of Commerce, etc.)
- Work with regional partners and Oregon RAIN to identify, prioritize, and develop strategies around key regional entrepreneurial needs
- Communicate with elected officials in the region about the economic impact of Oregon RAIN’s activities in the region, including bringing regional entrepreneurs, innovators, and partners to meetings to elevate messaging
- Track and report key metrics
- Navigate working with economic development organizations, municipalities, chambers of commerce, community colleges, elected officials and any other organizations who support entrepreneurs
- Attend City Council, County Commissioner, and other public meetings to provide program updates

- Enlist community members to serve as champions of the E&I ecosystem

**Qualifications:**

- Able to work remotely and remain highly organized
- Entrepreneurial background and network; priority given to individuals who were the primary founders of a new business
- Extreme bias toward action
- An excellent mentor and motivator of others
- Ability to confidently deliver workshops on topics related to early stage entrepreneurship
- Strong communication, facilitation, organizational, and interpersonal skills
- Experience running online meetings and workshops
- Self-starting ability; willing to innovate and adapt
- Strong leadership qualities
- Able to build bridges and turn difficult conversations into win-win outcomes
- An understanding of startup nomenclature and what it takes to start and grow a business in Oregon
- Ability to coach entrepreneurs on business pitches and make introductions to potential funders
- Self motivated and able to work collaboratively with individuals from various backgrounds
- Experience with Google Docs, Zoom, Slack, MailChimp, SurveyMonkey, and project management tools is a plus

**Estimated Start Date:** Week of December 7, 2020

**Compensation:** \$2,000 - \$3,000 per month

**To Apply:** Please provide a resume and cover letter explaining interest and fit for this position - and list 3 references. Send with the subject "Linn Benton Venture Catalyst Position" to: Caroline Cummings, Oregon RAIN's Executive Director | [caroline@oregonrain.org](mailto:caroline@oregonrain.org)

All responses due by October 30, 2020

**About Oregon RAIN:** Oregon RAIN (Regional Accelerator & Innovation Network) is 501(c)3 non-profit organization that is run by experienced entrepreneurs and angel investors and exists to reduce barriers to entrepreneurship and innovation. RAIN only enters communities who invite them in. Since 2015, Oregon RAIN has been invited to serve 21 cities across 5 counties in Oregon to help them build entrepreneurial ecosystems and innovation economies.

Oregon RAIN's mission is to partner with communities to catalyze entrepreneurial ecosystems, connect entrepreneurs to resources (including overlooked entrepreneurs), and contribute to the creation of prosperous economies.

Oregon RAIN's vision is that: communities support, value, and celebrate entrepreneurs; regional leaders recognize entrepreneurs are a primary creator of net new jobs; small and rural communities in Oregon have thriving economies; and a culture of possibilities is embraced.

Visit [www.oregonrain.org](http://www.oregonrain.org) to learn more.

**S. Scott McDowell**

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**From:** MARTIN Michele <Michele.MARTIN@state.or.us>  
**Sent:** Wednesday, September 30, 2020 3:22 PM  
**To:** TempTMDLdata  
**Subject:** DEQ Temperature TMDL Replacement Project - Data Solicitation Extension

Dear NPDES Permit Holder,

This email is a reminder that DEQ is collecting data for a project to update and replace multiple temperature TMDLs. You are receiving this email because you hold an NPDES permit in a watershed where DEQ is updating and replacing multiple temperature TMDLs that were issued by DEQ and approved by EPA between 2004 and 2010. DEQ is under a court order to update these temperature TMDLs to make them consistent with the current temperature standards. These TMDLs must be updated because they were based, in part, on the Natural Conditions Criterion, a section of the temperature standard that was subject to litigation and has since been disapproved by EPA. To support the replacement of these temperature TMDLs, DEQ is conducting a voluntary open data solicitation.

**The data solicitation has been extended. Submissions are now due by end of day Friday, October 30, 2020.**

During the solicitation period, the public may submit continuous stream temperature data to DEQ in the watersheds subject to the temperature TMDL replacements. DEQ is also seeking continuous effluent temperature and effluent flow data from NPDES permit holders from 2014-2020. Effluent grab data can be submitted if continuous data is not available.

We request NPDES permit holders consider submitting all their effluent data even if some of it has already been submitted through NetDMR.

Submitting data to DEQ for the data solicitation is voluntary; however, with limited effluent data or outdated effluent data DEQ may use discharge assumptions that could result in a more restrictive waste load allocation. DEQ is using the effluent data to characterize the effluent heat load discharged to a waterbody, and for some permit holders, to calculate and evaluate TMDL waste load allocations. DEQ plans to complete the replacement TMDLs as quickly as possible according to the schedule set by the Final Court Order and Judgment. This is your opportunity to share data with DEQ.

We have prepared a FAQ for NPDES permit holders and data submission guidelines [online](#) to assist with any questions you may have.

Please contact [tempTMDLdata@deq.state.or.us](mailto:tempTMDLdata@deq.state.or.us) with any additional questions about the data solicitation.

To learn about the project and the data solicitation please visit:

<https://www.oregon.gov/deq/wq/tmdls/Pages/tmdreplacement.aspx>

Thank you,  
DEQ, Temperature TMDL Replacement Project Team





Geotechnical &amp; Construction Services

**Field Density Test Results - ASTM D 6938**

**Client:** Mr. Stephan Smith  
Progressive Design Builders  
PO Box 727  
Albany, Oregon 97321

**Project:** Rivers Edge Subdivision  
Brownsville, Oregon

**Date:** 10-01-20  
**Project No.:** 2207019  
**Report No.:** E-51072  
**B.P. No.:** pending

**MOISTURE/DENSITY DATA: AASHTO T180** - Maximum Dry Density of 126.0 pcf, at 12.1% moisture, is from our sample no. 2492 dated 07-13-20 for 3/4"-0 crushed gravel (Slate Quarry).

Test No.	Approximate Location	Approx. Elev.	Wet Density (pcf)	Percent Moisture	Dry Density (pcf)	Percent Compaction	Compaction Requirement
1	Depot Ave.	FG	131.7	8.9	121.0	96	95
2	Dulong St.	FG	131.1	8.9	120.9	96	95
3	Dulong St.	FG	129.2	6.9	120.8	96	95
4	Dulong St.	FG	129.2	8.1	119.6	95	95
5	Avelma St.	FG	142.3	8.1	131.6	100+	95
6	Latham St.	FG	135.5	5.9	128.0	100+	95
7	Latham St.	FG	131.0	8.5	120.8	96	95
8	Latham St.	FG	138.0	6.0	130.2	100+	95
9	Latham St.	FG	129.6	5.3	123.0	98	95
10	Depot Ave.	FG	130.9	6.6	122.8	98	95
11	Depot Ave.	FG	130.2	7.8	120.8	96	95
12	Depot Ave.	FG	133.5	8.7	122.8	98	95
13	Henshaw Edge Park	FG	128.8	8.3	121.1	96	95
14	Henshaw Edge Park	FG	136.2	9.7	124.1	99	95
15	Henshaw Edge Park	FG	130.7	6.1	123.1	96	95

Tests performed at finished grade of base rock under asphalt paving  
See attached site plan for approximate test locations.

Remarks: Chris (MVG) was advised of test results.

Reviewed By:

Michael L. Meyer  
Technical Manager

C:

A&O Engineering – Kyle Morris (email)  
A&O Engineering – Austin Hocker (email)  
Mid-Valley Gravel – Ken Pellet (email)  
Dyer Partnership – Ryan Quigley (email)  
City of Brownsville – Karl Frink (email)

Attachment: site plan

MLM:sc

This report and/or enclosed test data is the confidential property of the client to whom it is addressed and pertains to the specific process and/or material evaluated. As such, information contained herein shall not be reproduced in part or full and/or any part thereof be disclosed without FEI Testing & Inspection, Inc.'s written authorization.



Geotechnical &amp; Construction Services

## Field Density Test Results - ASTM D 6938

**Client:** Mr. Stephan Smith  
Progressive Design Builders  
PO Box 727  
Albany, Oregon 97321

**Project:** Rivers Edge Subdivision  
Brownsville, Oregon

**Date:** 09-17-20  
**Project No.:** 2207019  
**Report No.:** E-51000  
**B.P. No.:** pending

**MOISTURE/DENSITY DATA: AASHTO T180** - Maximum Dry Density of 126.0 pcf, at 12.1% moisture, is from our sample no. 2492 dated 07-13-20 for 3/4"-0 crushed gravel (Slate Quarry).

Test No.	Approximate Location	Approx. Elev.	Wet Density (pcf)	Percent Moisture	Dry Density (pcf)	Percent Compaction	Compaction Requirement
1	Near lot 20	FG	134.6	5.0	128.3	100+	95
2	Near lot 34	FG	138.1	6.6	129.6	100+	95
3	Near lot 21	FG	131.4	7.6	122.1	97	95
4	Near lot 18	FG	130.8	6.5	122.8	98	95
5	Near lot 23	FG	128.0	6.0	120.7	96	95
6	Near lot 14	FG	129.1	6.5	121.2	96	95
7	Near lot 24	FG	129.0	6.0	121.7	97	95
8	Near lot 10	FG	129.6	5.5	122.8	98	95
9	Near lot 47	FG	127.6	6.0	120.3	96	95
10	Near lot 8	FG	129.3	6.0	122.0	97	95
11	Near lot 5	FG	128.5	6.3	120.9	96	95
12	Near lot 48	FG	129.0	6.9	120.7	96	95
13	Near lot 25	FG	130.6	6.5	122.6	97	95
14	Near lot 45	FG	130.5	6.6	122.4	97	95
15	Near lot 28	FG	128.0	6.9	119.7	95	95
16	Near lot 42	FG	128.2	6.7	120.0	95	95
17	Near lot 31	FG	137.2	8.7	126.2	100	95
18	Near lot 37	FG	139.1	8.0	128.8	100+	95
19	Near lot 39	FG	132.5	7.1	123.7	98	95
20	Near lot 40 at west end	FG	131.4	7.5	122.2	97	95

Tests performed at finished grade of base rock under curb and gutter.

Remarks: Chris (MVG) was advised of test results.

Reviewed By:

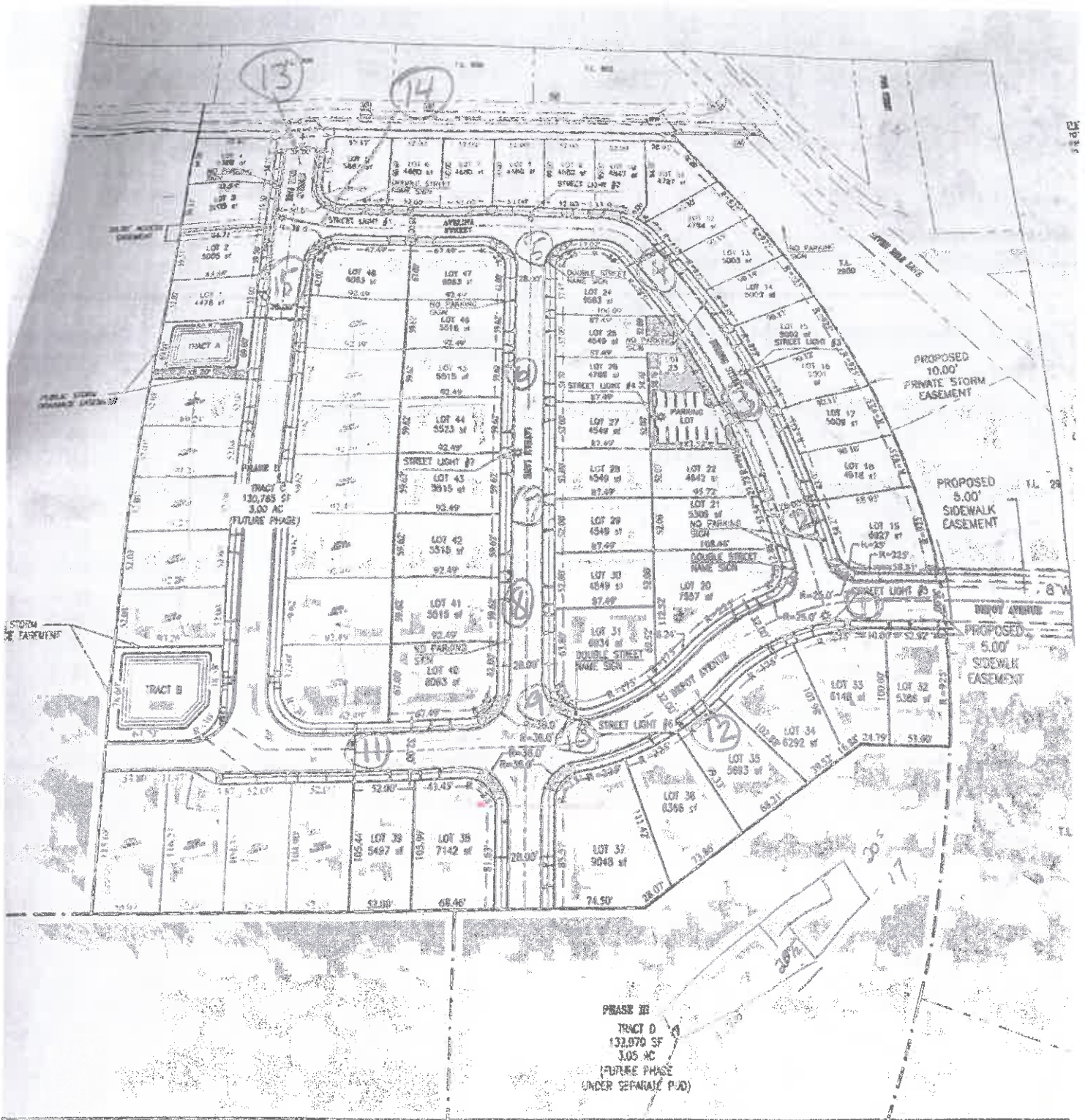
  
Michael L. Meyer  
Technical Manager

c:

A&O Engineering -- Kyle Morris (email)  
A&O Engineering -- Austin Hocker (email)  
Mid-Valley Gravel -- Ken Pellet (email)  
Dyer Partnership -- Ryan Quigley (email)  
City of Brownsville -- Karl Frink (email)

MLM:sc

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**MONTH END RECAP**

		<b>SEPTEMBER 2020</b>		<b>YTD</b>	<b>%</b>	<b>Unexpended</b>	
		<b>REVENUE</b>	<b>EXPENDITURES</b>				
1	GENERAL	\$ 117,676.37	\$ 110,722.11	\$ 250,622.56	9.02%	\$ 2,527,471.44	1
2	WATER	\$ 41,678.16	\$ 27,963.00	\$ 103,535.88	12.13%	\$ 750,149.12	2
3	SEWER	\$ 30,283.21	\$ 17,107.59	\$ 74,027.69	7.77%	\$ 879,087.31	3
4	STREETS	\$ 14,543.19	\$ 13,142.63	\$ 50,037.70	14.42%	\$ 296,862.30	4
5	WATER BOND	\$ 108.91	\$ -	\$ 32,690.31	44.00%	\$ 41,611.69	5
6	SEWER BOND	\$ 347.52	\$ -	\$ 198,158.45	62.44%	\$ 119,191.55	6
7	SEWER DEBT FEE	\$ 10,520.62	\$ -	\$ 34,518.82	10.88%	\$ -	7
8	BUILDING & EQUIPMENT	\$ 301.71	\$ -	\$ -	0.00%	\$ 192,400.00	8
9	WATER RESERVE	\$ 1,826.69	\$ -	\$ -	0.00%	\$ 100,800.00	9
10	HOUSING REHAB	\$ 164.84	\$ -	\$ -	0.00%	\$ 215,271.00	10
11	WATER SDC	\$ 2,154.50	\$ -	\$ -	0.00%	\$ 44,600.00	11
12	SEWER SDC	\$ 5,459.17	\$ -	\$ -	0.00%	\$ 415,675.00	12
13	STORMWATER SDC	\$ 2,041.21	\$ -	\$ -	0.00%	\$ 104,505.00	13
14	BIKEWAY/PATHS	\$ 137.05	\$ -	\$ -	0.00%	\$ 52,990.00	14
15	LIBRARY TRUST	\$ 5.68	\$ -	\$ -	0.00%	\$ 7,412.00	15
16	CEMETERY	\$ 6.37	\$ -	\$ -	0.00%	\$ 8,826.00	16
17	TRANSIENT ROOM TX	\$ 1.62	\$ -	\$ -	0.00%	\$ 3,120.00	17
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19	LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,995.00	19
20	COMMUNITY PROJECTS	\$ 126.27	\$ -	\$ 1,000.00	0.73%	\$ 136,375.00	20
		<b>\$ 227,383.09</b>	<b>\$ 168,935.33</b>	<b>\$ 710,072.59</b>			

**Key Bank Account**

*General Checking* \$ 186,395.69

**Oregon State Treasury** \$ 4,760,581.68

*Community Improvements* \$ 0.94

*Project Escrow Holding* \$ 0.02

**TOTAL OST / LGIP** \$ 4,760,582.64



<b>2020-2021</b>	<b>YTD</b>	<b>% of Total</b>
Appropriated	\$ 6,616,415	10.73%

**Annual Bond Payment**

	<b>Totals</b>
<i>Water</i>	\$ 45,167.05
<i>Wastewater</i>	\$ 307,259.95
	<b>\$ 352,427.00</b>

**Total Bonded Debt**

<i>Water</i>	\$ 855,840.92
<i>Wastewater</i>	\$ 5,390,581.09
	<b>\$ 6,246,422.01</b>