

Council Agenda Packet

Tuesday, July 27th, 2021 | 7:00 p.m. | Council Chambers



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Council Meeting

Tuesday, July 27th, 2021

Location: City Hall in Council Chambers

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: June 22nd, 2021
June 24th, 2021
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Civic Partnership Agreements
 - B. Cyber Security Review
 - C. Council Housekeeping | Emails & Communications
- 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:



10) ACTION ITEMS:

- A. Downtown Sanitary Sewer Contract | Bid Acceptance
- B. Appoint Planning Commission Member
- C. Sharing Hands | Funding Request
- D. Senior Center Services Agreement
- E. Flower Club Services Agreement

11) DISCUSSION ITEMS:

- A. Annual Master Checklist Review
- B. June Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

Please visit www.ci.brownsville.or.us for the meeting agenda, agenda packet and other City information.



June 22nd, 2021

ROLL CALL: Mayor Don Ware called the meeting to order at 7:08 p.m. at the Stage Area in Pioneer Park Councilor Gerber, Councilor Thompson, Councilor Hansen, Councilor Neddeau, Councilor Humphreys, Councilor Craven, Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell present.

PUBLIC: Don Andrews, Cheryl Haworth, Danielle Myers, Jenna Stutzman, Dayna Hansen, Chenoweth Robertson, Linda McCormick, Mari Vanderstelt, Tia Parrish (*The Times*) Caren Crews, Marshall McManus, Marilee Frazier, Allen Buzzard, Katy Kallai, Sean Johnson (*President, CLRA*), John Claasen, Ira White, Don Lyon, Connie Bull, Eric Gerber, Annette Pamlin, Kris & Pamela Solberg, Katie Craven, Carissa Kinder, Andrew Kinder, Brian Neininger, Elizabeth Coleman, Bryan Wyant, Brye Lester, Karen Spurlin, Cindy Frink, Representative Marty Wilde, DJ & Dawnita Nealon, Kevin Moran, and Sally Lockhart.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: None tonight.

MINUTES: Councilor Hansen made a motion to approve the May 25th, 2021 minutes as presented. Councilor Gerber seconded the motion and it passed unanimously.

PUBLIC HEARING | PRESENTATIONS:

1. Town Hall | COVID 19 Lockdown Impacts.

Don Ware read a statement detailing how the Town Hall will be run. Everyone will be asked to step to the podium with the microphone in front to speak, state their name and address, and will have 3 minutes to state their business. He then invited the public to come forth.

Please see attachments for public testimony.

Mayor Ware ended the Town Hall public portion of the meeting at 8:19 p.m. A recess was called, and the regular Council meeting resumed at 8:30 p.m.

2. Central Linn Recreation Center | Sean Johnson, President. Mr. Johnson said that the CLRA has been pushing along through the pandemic. He said that they have just had the first season of baseball and softball since the lock down. Mr. Johnson said that the numbers have been super low, possibly due to Covid. They have been having trouble getting enough volunteers for coaching and the CLRA Board. It is hard to get folks to come to the meetings; however, it is starting to improve a little bit. The CLRA has been hit hard this year financially, without having building rental income or sports fees. We are likely to see a downturn in sports at the junior high and high school levels as well. Our top priority is to get the community's kids back to playing. Councilor Thompson stated that she is the liaison for the Rec Center, and they do a fabulous job for the community.

3. Budget Public Hearing | FY 2021-2022. Mayor Ware invited the public to speak if they wish. No comments were made, and the public hearing was ended. Mr. McDowell stated that this will be the last public budget hearing tonight. The Council



is expected to accept and approve the budget tonight, and then Staff will certify the budget and deliver it to Linn County. Project highlights include the Downtown Sanitary Sewer Project, the GR 12 waterline, and \$1 million set aside for the refurbishment of the CLRC and the Pioneer Park Pavilion.

DEPARTMENT REPORTS:

- 1. Linn County Sheriff's Office (LCSO) Sheriff's Report.** Lieutenant Brandon Fountain reported for the month including 40 citations, 15 warnings, 116 complaints and 208 patrol hours for the City. The City was down on thefts this month, which is a great trend. As the heat increases, domestic violence increases as well. Mayor Ware complimented him on the 40 citations. Lieutenant Fountain replied that Deputy Vanderhoof is doing very well with traffic. Councilor Hansen asked about the new radar guns being utilized here in town. Fountain replied that they are working well.
- 2. Public Works.** Superintendent Karl Frink gave a brief overview of the month. They are working on scraping the water treatment plant filters, an arduous process, but they got it back online today. They will be starting another filter next week.

A new pump was installed, and PW is working with Xylem to remedy issues. Instruments are all calibrated; a requirement of state law to do every 3 months.

Public Works has been short staffed for several months. With a full crew back, we are slowly starting to catch up. We are doing roadside weed abatement as time allows.

The River's Edge project is moving forward. There is a final walk through scheduled for Friday. Occupancy permits may be issued soon.

Linn County will be doing chip seal work on Main Street through town the first part of August. Also, dust control will be applied soon. The contractor is experiencing a shortage of material.

Frink has located a new paint striper, that project will get underway soon.

Frink has contracted with a state-approved licensed trapper to mitigate the ground squirrels in the park, They are a very invasive species.

Frink reported that the City Hall window project is ongoing. It is likely that the irrigation for City Hall will be turned on soon.

- 3. Administration.** Mr. McDowell thanked Mr. Frink for locating the licensed trapper; and being careful not to harm dogs or other animals in the trapping process.

Mr. McDowell talked about D-Prep. Brownsville has joined together with Sweet Home and Lebanon cities and their fire districts to talk about disaster preparations. The group is moving forward. We are leaning towards hiring a consultant, and working in phases. The plan includes bringing training to each community as needed.

Several of the City's other regional partnerships have stalled due to the Pandemic, but as the State opens up we will start moving forward again.

The Brownsville Fire District will be hosting fireworks in Pioneer Park this year. Fire Chief Rogers has indicated that they have the fireworks in hand. Neighboring communities are also planning on firework displays, including Harrisburg and



Coburg. The City has planned for additional lighting, garbage cans, barriers, but there will be no camping unless restrictions are lifted.

The 3% annual water and sewer rates will start in July. Mrs. Deaver will be working on that project soon.

McDowell stated that the City is part of the Federal drug and alcohol testing program. If an employee has a CDL (commercial driver's license), they are required to participate in random drug testing. Samaritan Health sent a notice that they are getting a lot positive marijuana tests. McDowell stated that some portion of a shortage in the work force could be correlated to an inability to pass required drug tests.

McDowell updated Council on the weeds and nuisances program. He and Mrs. Morrow posted about 13 notices this year, which was fewer than our usual 30. We will be calling the mowing contractor in soon.

The Chamber and the Brownsville Art Association have canceled their hosted office agreement. There is a sublet program outlined in the BAA/City contract. The Chamber will be housed down at the Senior Center /American legion for the present. McDowell reminded Council that the City left the subleasing portion of our agreements to the parties involved otherwise the City would be in between parties when things did not work out.

McDowell reported that recently adopted House Bill 3155 grants that cities below 10,000 statewide will not be required to conduct housing capacity analyses and housing production strategies unless they choose to do so. Brownsville and smaller cities very much appreciate this flexibility.

LOC & DEQ – climate change notice was included in the packet for Council's information and review. There is a big recycling push right now on with a innovative idea. They think that the people who generate the waste (mattresses, bottles, pfa's in the water) will be taxed on those products. Those policies are not going to work, because we, as the consumers, will ultimately be paying those costs.

TMDL Update. The City received a letter from DEQ threatening future TMDL violations and fines if we are found to be in noncompliance. Prince George's County in Maryland was recently penalized for a MS4 (TMDL) storm water runoff violation to the tune of \$475,000 as documented by ICMA.

The Stat Trak systems are in. Mr. Frink and Mr. McDowell will be meeting soon to get the units operational as soon as possible.

4. **Planning.** No comments.
5. **Library.** No comments.
6. **Court.** No comments.
7. **Citizen Comments.** Allen Buzzard spoke to Councilor Craven agreeing to disagree with his open points about R 2021.22. He thinks it would be misguided to push R 22 tonight. He stated that not all the businesses got an invitation to the Town Hall meeting. He would like Council to table this resolution until all businesses can be heard from. One more month couldn't hurt, he stated.



Veronica Christie, Kirk Avenue, stated that justice delayed is justice denied. She feels that one business that is lost due to delays, is one too many.

LEGISLATIVE:

- 1. Resolution 2021.18 – Adopting FY 2021.2022 Budget & Making Appropriations.** *Councilor Gerber made a motion to approve R 2021.18. Councilor Hansen seconded the motion and it passed unanimously.*
- 2. Resolution 2021.19 – Water Rates Annual Adjustments.** *Councilor Gerber made a motion to approve R 2021.19 as presented. Councilor Neddeau seconded the motion and it passed unanimously.*
- 3. Resolution 2021.20 – Sewer Rates Annual Adjustments.** *Councilor Gerber made a motion to approve R 2021.20 as presented. Councilor Hansen seconded the motion and it passed unanimously.*
- 4. Resolution 2021.21 – Fiscal Year End Transfers FY 2020.2021.** *Councilor Gerber made a motion to approve R 2021.21 as presented. Councilor Humphreys seconded the motion and it passed unanimously.*
- 5. Resolution 2021.22 – Covid-19 Lockdown Response.** *Councilor Gerber moved to table R 2021.22 for discussion. Councilor Humphreys seconded the motion. Discussion was called for.*

Councilor Thompson read a statement (see attached) summarizing why she would not support R 2021.22, also stating that she felt the City should stay in its lane.

Councilor Craven stated that he feels Council needs to uphold civil liberties of our businesses and citizens. If we can save one business from closing, then it is worth pushing back now. He further commented that Council is not doing anything out of our lane, we are pushing back against overreach. He strongly suggests that Council collectively stand behind our businesses and our citizens. At the last meeting Council showed unanimous support to move forward with this resolution.

Councilor Gerber commented that her concern with R 2021.22 is that it will actually have the opposite effect. She is afraid that this resolution will further divide folks. We need to find healing and common ground as we move forward, and doesn't believe R 2021.22 will affect any real change or make any real difference. She would like to table the issue tonight.

Councilor Thompson commented that she doesn't want to do the back and forth angry discussion thing. She stated that she thought we all wanted the same outcome, we just have very different approaches on how to get there.

Councilor Craven stated that we don't have to get angry, Council can debate. This is not a political issue; I am just trying to protect the freedoms and rights of our constituents.

Mayor Ware restated the motion. *A vote was called for, with Mayor Ware, Councilor Gerber, Councilor Thompson, and Councilor Humphreys voting for the motion, and Councilor Craven opposed. Councilor Hansen and Councilor Neddeau did not vote need to state their vote, and their reasons.*



Councilor Hansen stated that he understands the basic principles in Declaration of Independence and individual freedoms that are contained in the Constitution and in the Bill of Rights. He thinks that there is a broader picture here. It is a matter of overreach of the State. He voted to table the resolution for next month, but not to let it slip away. Councilor Hansen brought his Oath of Office tonight, stating that it has been one of his greatest honors he has ever had. He encouraged folks to read the Constitution and the Declaration of Independence. They are the supreme law of the land, and supersede anything the Governor can do. It is a matter of overreach by both the Federal and State governments.

Councilor Neddeau concurred with Councilor Hansen. He wondered if we pass this resolution, what are we accomplishing? He would like to wait and find out more about it as well.

Councilor Hansen thinks this resolution is a way for us to express our frustration at the current situation.

Councilor Gerber commented that she would like to not lose track of the suggestions from the CLRA, Senior Center, Dr. Glenn, etc., that came forward tonight.

Mr. McDowell asked if Council would like to form a subcommittee to take a look? Councilor Thompson thinks that the whole Council should be involved, perhaps a work session would be more effective, and that Council needs to move together as a group, and that the end document would be more where we want it to be. Mayor Ware can call a special meeting by a Mayor's declaration.

The motion to table R 2021.22 passed, with Councilor Craven opposed.

ACTION ITEMS:

1. **Approve Delinquent Accounts.** Councilor Gerber made a motion to approve the delinquent accounts as presented. Councilor Thompson seconded the motion and it passed unanimously.
2. **804 N Main Street.** McDowell would like to issue a 48-hour notice for abatement mowing for 804 N Main Street. Councilor Neddeau moved to approve this notice. Councilor Gerber seconded the motion and it passed unanimously.

DISCUSSION ITEMS:

1. **Annual Master Checklist Review.** McDowell stated that we will discuss this next month since it is so late tonight.
2. **May Financials.** No comments.

CITIZEN QUESTIONS & COMMENTS.

Caren Crews, Brownsville Saloon, addressing Council and the audience, stated that one more month of restrictions will definitely hurt her business. If you think otherwise, you are so wrong!

COUNCIL COMMENTS.



Councilor Thompson responded that Council does understand that another month delay makes a difference. She said that it matters to the folks that come, how open everything is.

ADJOURNMENT: *Councilor Craven made a motion to adjourn at 9:31 p.m. Councilor Thompson seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell

Mayor Don Ware

Towne Hall Statement

I want to Thank all the business owners for showing up today, to provide us with their testimony as to how their businesses have been directly affected by Salem's unconstitutional lockdowns. I want to thank the Chamber of Commerce for helping provide this platform for these business owners. A huge thanks to the City Administration's staff for working their tails off to get all of this equipment set up, specifically for this Towne Hall Meeting. And of course, thanks to all of the citizens who showed up today to listen and gain a better understanding as to the health of our local businesses.

There is no doubt that Brownsville's businesses are struggling, which is evident by the testimonies that you have all heard today.

I have been a resident in the City of Brownsville for almost 37 years. Growing up here provided experiences that most youngsters would be envious of, by today's standards. Brownsville has always been a place that no matter what your age, you could roam freely and feel safe about doing so, regardless of the hour on the clock or the day of the week. The daily activities as a pre-teen, young man was very un-routine, but also remarkably similar in that risk assessment was involved in each activity. Whether it be crossing HWY 228 with no crosswalk stripes into 45 MPH traffic, exploring the river, riding the long-forgotten BMX track, or riding rural backroads to the Shedd market for a world class sandwich. And for those experiences, I feel very blessed to have grown up in this community with you as my long-time neighbors as well as those of you who are new to Brownsville's unique environment. It was through these activities we learned and experienced a lot about life, first and foremost, Freedom. We were free to engage in all these activities, due to the simple fact that Brownsville was a place where everyone was your neighbor, everyone was watching out for you, guiding you, but also holding you accountable for your actions when you had stepped out of line. Taking accountability for your actions feels like something that only once was.

Towne Hall Statement

In the words of my late father, when I was struggling as a young adult, he said to me, “Your life will reflect the decisions that you make, NOT anyone else.” Through these same experiences, as I looked back at a much older age, Fear is something that can only be taught or experienced, fear resonates in my mind much louder when it is experienced. We as humans learn best through experience using our ability to assess the risks of the activities we seek to engage in and decide whether to move forward with those activities. This process is what our individual civil liberty reflects. This is ingrained in the United States Constitution, specifically in the Bill of Rights with the passage of the 14th amendment. The teaching of fear only resonates on a frequency which reflects the teacher’s character and motives, with that brings a plethora of variables. When I am being taught to be fearful of something, only to observe the multiple speaker(s) doing the opposite, my assessment is instantly to question the curriculum. With a virus so dangerous, why would our so-called elected representatives believe its rules for thee but not for me? Why?

I have a close family member who is a Nurse in the Eugene/Springfield area who was being laid off at this time last year due to the Hospital being virtually empty. Some will say this is because all elective surgery was being cancelled or in other words denying health care. The hot spot for this state was only 15 miles from our city in Lebanon, neither city has case data nor deaths that reflects a pandemic.

We, all, have been drug through the mud in the last 14 months. We are told one thing, then another. Rules that are arbitrary is the hallmark of poor leadership. Opinions or projections unsupported by science or common-sense reasoning have led to mass confusion, frustration and to a lack of trust. We have been forced to peer into the unrecognizable eyes of our neighbors, not knowing what the future holds, like a plane that has just lost an engine. Again, blanket mandates and authoritarian rule in the name of protecting public health is not good enough. We

Towne Hall Statement

must demand more from our leaders and if we do not, we can expect more of the same. One thing I have certainly been reminded of is just how fragile or freedom truly is.

We have been advised by an Epidemiologist in Oregon who has never been board certified to perform in such a role. For the first time in the history of this country people were forced to quarantine without even being sick. It certainly feels like those in power are choosing to stomp on your individual rights to gain more power. Absolute power corrupts absolutely.

Information has come to light that has exposed many lies that were told to the American people. We see our institutions erode when they are caught deceiving the public. Truth is something in today's political climate that is extremely hard to find. Today's transparency and tolerance of opposing views is non-existent. Zombie like compliance with a monolithic line of thinking, is not freedom of thought and expression.

The people of this city have the right to choose the activities they wish to engage in, based on their own risk assessment of health, life and financial consequences, whether good or bad. If a business is open and you do not feel safe supporting that establishment, move on. Keep yourself safe, based on your own intuitions and risk assessments. Yes, do your research follow whatever source you feel most comfortable believing. By all means, exercise your personal freedom and get vaccinated if you feel safe and inclined to do so. But you shouldn't galivant around being self-righteous trying to impose your will on others, for that is not respectful, not neighborly and that is not Brownsville. The individual businesses have the right to choose based on their own risk assessment if they want to stay open, as they too are trying to provide for their families. By allowing freedom, this never even becomes a political issue. But, when the government interrupts

Towne Hall Statement

the life, liberty, and pursuit of happiness, then I have a problem. We all have a problem.

I'm here today to stand with all of the business owners in the City of Brownsville, who have had their financial health and livelihoods destroyed against their own will. I am standing with those that choose to push back and say NO! We are done subjecting ourselves to this State's misguided, authoritarian rule. We as an elected body need to honor our oath of office and uphold the laws protecting our human rights, which are detailed in the Oregon and United States Constitution's for they are living documents. The government is the vehicle, We the People are the ones that tell it where to go and how fast. We are not subjects, we are individuals, with rights. I learned at an incredibly young age to assess risk and make decisions accordingly. I don't need government to do that for me. And, in my opinion, you shouldn't want our government to do that for you either. Please stand with me in support of passing a resolution in Brownsville that loudly and symbolically says, we stand behind our citizens and business owner's individual civil liberties. Stand with me to not just say NO, but HELL NO to these continued infringements on our freedom!

Thank You All!

I very much understand the impact that Covid has had on small businesses.

Some of you may know that I own an airbnb rental here in Brownsville. This is a small business and like most small businesses, it is an important income stream. When the pandemic hit, my bookings disappeared. Upcoming guests cancelled their stays and no one was booking for future dates. This ~~was~~ a hardship for me.

has been

With all that said, I will not support Resolution 2021.22.

By passing this resolution the City is interpreting civil liberties and disregarding state mandates which were put into place to protect our community. This is not the work of the Council.

I will borrow a phrase from Scott who has often told Council we need to "Stay in our own lane". I firmly believe the most important work of Council consists of City Budgets, Community Development, Capitol Improvements Planning and Zoning, Emergency Preparedness. The purpose of the Council's work is to benefit our entire community.

Advocacy for local businesses is a Chamber function. Our Chamber's mission statement clearly states its purpose is to support our businesses through education, marketing and advocacy.

Another consideration is that the need for Resolution 2021.22 could well be a moot point by the end of this week or next. I think we all can agree the recovery has been slow - but it IS happening.

And an important note is that this resolution can always be revisited at a future date.

To quickly summarize, I ask the Council to not move this resolution forward for several reasons:

1. It is unnecessary due to timing,

2. It is the Chamber's role to advocate for local businesses.
3. Passage of this resolution will continue to divide our Community.

Thank You for your time and consideration.

Councilor Tricia Thompson



Council Minutes

June 24th, 2021

ROLL CALL: Mayor Don Ware called the special Council meeting to order at 7:06 p.m. in the Community Room with Councilor Gerber, Councilor Thompson, Councilor Hansen, Councilor Neddeau, Councilor Humphreys, Councilor Craven, Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell present. Public members in the room included Kathleen Swayze, Rick & Yolanda Tauzer, Steve Brenner, and Joshua & Gunner Kometz.

PUBLIC: In the listening room, Council Chambers, were Administrative Assistant Elizabeth Coleman serving as room monitor, Mari Vanderstelt, Linda McCormick, Michelle Micklewright, Joni Nelson, Mandy Cole, Rachel Lytle, Dawnita Nealon, Jeff Hetterle, Trapper & Nichole Solberg, Danny Holt, Courtney Isom, Jason Isom, Vince Capilla, Larry Thornton, Daryl & Pamela McClimans, Carl & Tomika Conner, John Claasen, Katie Craven, Stuart Short, Brian Neiningner, Mary Northern, Steve Davis, Cheryl Haworth, Sandy Salzter, Don Andrews, Wendy Toshitsune, Jack Alsman, Connie Bull, Don Lyon, Eric Gerber, Lou Kreutzer, Lyle & Marie Rust, Randy Ginn, Barbara Anderson and Pam & Kris Solberg.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: None.

Mayor Ware indicated that he directed Mr. McDowell to call this special Council meeting tonight to take action on the citizens comments and needs expressed at Tuesday night's Town Hall | Council meeting on June 22nd, 2021. For that meeting, Staff sent out Town Hall invitations to several local businesses, and the invitation was also published in *The Times* inviting everyone. It is also good to remember that Council is the 4th Tuesday of every month, and folks are always encouraged to come speak to Council.

Mayor Ware would like to un-table R 2021.22 in order to consider a simpler resolution (not more than 1 page) that he has drafted for Council's discussion and deliberation, hoping that we can get this issue addressed and finished tonight. The citizens have spoken, and now it is time for action.

Mr. McDowell reviewed the parameters of the meeting. Mayor Ware is the Chair of the meeting; all things will be run through Mayor Ware throughout the meeting. Councilors can call for recess or call for an objection. Please raise your hand to be recognized and given the floor to speak. The recorders in the room pick up a lot of background noise, so please only one person speaking at a time as folks in the listening room would like to hear what is being said.

COUNCIL DELIBERATIONS:

Mayor Ware stated that at the Town Hall Council overwhelming heard that folks want the Central Linn Recreation Center (CLRC) to open up again. It will help ease the emotional and mental hardships that have been imposed on us, especially the children, over the past year during the pandemic. So, tonight he would like Council to approve opening our public facilities.



Councilor Gerber felt that Council could all agree that opening the facilities is in the community's best interest; she would support that. However, there is some language in the resolution that she thinks creates legal liability. She thinks that not making a statement to do this in violation of any order would be better, and more in our best interest.

Councilor Thompson is the liaison with the Rec Board. It will take a little while to get the facility up and running. If there was a fine in conjunction with opening the Rec Center, I think that would be more palpable for the community as we are trying to act in accordance with the overwhelming testimony we heard Tuesday night.

Councilor Craven stated that the time for sitting on our hands is severely past us. We are over a year past due for flattening the curve, which is ridiculous if you use common sense and look at the actual numbers and data. This data no longer supports being in a high-risk emergency state in his mind. This is what he heard Tuesday night from the citizens at the Town Hall. He likes the resolution the way it is. We, the people, control our lives. Councilor Craven stated that he learned at a very young age to assess the risk of the activities that he wished to engage in.

Mr. McDowell stated that the Town Hall notes included with the agenda were very draft, put together by Mrs. Morrow, in a very short time frame. There are also a few other things for Council to consider tonight. Basically, the Senior Center and the CLRA stated that they could use some financial assistance if it is available. McDowell reminded Council that at the beginning of the Pandemic they set aside funds to use as needed. Mrs. Morrow secured funds through the CARES Act that reimbursed City expenses related to the Pandemic. McDowell asked if Council wanted to discuss issuing some financial relief for our community partners. The City's fiscal year ends on June 30th, so time is of the essence if this is Council's desire. There are a lot of loans out there, but folks are hesitant to incur more debt right now.

Discussion followed. Council would like the funds to be shared equally, but not more than \$3,000 per entity, limiting the support to current community partners, and receive a request or submission of statement of need from the entity. Councilor Hansen clarified that these funds will be grants, not loans that will need to be repaid to the City. Councilor Craven also commented that we don't have to clear out the whole fund, just use funds for support as needed. Councilor Neddeau stated that we may have need of the funds later as well, in relation to fines for opening the public buildings. Mr. McDowell stated that there are a lot of things to discuss about that, should it happen. Council can choose to pay the fine, or challenge the fine. Essentially it might be wise to put a few funds aside for such a situation. Councilor Gerber stated that she really didn't think that there would be fines forthcoming for opening up our public buildings, as she states that things are going to be opening up in a matter of days.

Councilor Thompson made a motion to use the \$30,000 reserved funding (per Resolution 2020.17) to divide it equally among our nonprofit partners. Councilor Gerber seconded the motion. Discussion ensued. Councilor Thompson withdrew the motion.

Councilor Thompson made a motion to use the \$30,000 reserved funding (per R 2020.17) divide it equally among our non-profit community partners., pursuant to receiving a statement of need from the entity. Councilor Gerber seconded the motion and it passed unanimously.

LEGISLATIVE:

1. Resolution 2021.22 – COVID-19 Lockdown Response.



Discussion around R 2021.22 ensued.

Councilor Gerber asked Mayor Ware if he would be opposed to stripping the motion down to just the part about opening up the public buildings as of July 1st. The concern that Councilor Gerber has is that we are stating that we are willfully violating state orders. If she signed that, she would lose her licensure as a social worker as she would be willfully violating the law, and so she could no longer be on Council if we adopt this. If we could just agree to open all the public facilities, that would be better. Statements that people want to make toward the Governor, they could do that as individuals, or as Councilors, but that we adopt something that actually affects us here and moves us forward as a community. Councilor Hansen stated that he is not sure that it would address the larger issue. Councilor Craven likes the language in the resolution as it sends a message for future situations.

Councilor Hansen asked Mr. McDowell to talk about discretionary immunity. Discretionary immunity is a legislative body's right to make a decision and eliminate other possibilities. The doctrine of discretionary immunity is very important. Council utilized it just last meeting when they adopted the budget for the upcoming fiscal year, basically telling everyone that there is a plan in place, and Council will be moving forward with that plan. Council cannot fix everything or do every project, every year. Finances and priorities dictate what can be done. Hence, discretionary immunity protects the City officials from liability if an incident arises from something that wasn't addressed.

Council Hansen asked for the distinction between an ordinance and a resolution to be reviewed. An ordinance of course is the law of the City. A resolution is a statement by the legislative body that something is going to be done. The reason a resolution is needed tonight is because Council enacted Resolution 2020.07 Local Declaration of Emergency for the City of Brownsville on March 23rd, 2020. There were provisions in R 2020.07 for lifting that resolution; the Governor, President, or Linn County Commissioners relieve either emergency declaration, or other unknown, future provisions that may allow for this emergency declaration to be lifted.

So, Council has the full authority to do this. The City could potentially get fined if we fully open, and then the Governor, or others, decide to not open, or move the date from July 1st to a later date. Councilor Hansen said, basically, the City is saying that we are taking the responsibility of any fines that may come our way for opening public buildings and facilities, and we are doing this under our authority that we the people are in charge.

Councilor Craven asked Councilor Gerber what specific law she would be breaking, that could result in losing her licensure, if we pass this resolution tonight? Gerber answered that basically the text of the resolution declares that we do not recognize the Governor's ability to declare a State of Emergency, and that we believe that she has exceeded her power, so we are going to be acting in defiance of her declarations.

Councilor Gerber stated that she understands that some folks feel strongly that we need to do this, but she is asking that they do that outside of this resolution and do it in a separate letter. She doesn't believe that Brownsville has the ability to say whether or not the Governor has the future power to declare emergency actions without going before the Oregon House and Senate before implementation. The Council has no jurisdiction over that, and she is uncomfortable putting that in this resolution. She outlined the questions she has, and would like to go through those to try to find agreement.



Councilor Hansen still does not understand the distinction. If we vote to open the public facilities, how is that going against the Governor? Councilor Gerber stated that she does not believe that opening the public facilities will be in violation of the Governor's orders. She stated that we have been conservative in our interpretation of the order, and we probably could have opened certain places. Councilor Hansen asked how she would be in violation if Council passes this resolution declaring the opening of the public facilities and also declaring our frustration with how the situation has been handled. How are we passing from a lawful act to an unlawful act? Gerber stated that this resolution is not expressing frustration, it is saying that we believe this law is wrong, and that is why we are defying it. Mayor Ware commented that he is not sure that that is what the resolution is saying.

Mayor Ware suggested going through the resolution, line by line, and he read aloud the resolution. Councilor Thompson stated that she objects to the word arbitrary. Thompson stated that arbitrary is simply not true. Mayor Ware commented that actions of the State and Federal bureaucracies that will result in overly expensive regulations that could result in the dissolution of City government in his mind is very arbitrary. Councilor Thompson stated that the State of Oregon took a great deal of care when they chose to go with the regulations as stated.

Councilor Gerber wants to not declare a public crisis, she just wants a resolution that declares the end of the public emergency in Brownsville, and that we are opening the public facilities effective July 1st, 2021. Councilor Thompson suggested immediately opening public facilities, instead of the July 1st date. Councilor Craven stated that he does feel strongly that the word arbitrary is correct and justified. He further stated that it is a crisis, and people are struggling.

Councilor Gerber stated that she hoped that we can pass a resolution that we can all agree on. She hopes to come to something that lets us all leave here feeling that we can work together. Councilor Gerber suggested that each Councilor could write a letter individually to the Governor expressing themselves. Councilor Hansen stated that he did not think that a letter would have the same weight as a resolution because it is not a formal legislative action. Councilor Gerber suggested a separate resolution, that she would not vote for, that talks about the City's feeling that the Governor's actions have exceeded her limits by closing businesses, schools, and the right of assembly.

Gerber believes that by defying the State government she could be in jeopardy of losing her licensure. Council asked for clarification on how that could happen. Mayor Ware asked what the difference would be between one resolution or two, if she was going to cast a dissenting vote anyway. Councilor Gerber stated that she could not vote for this resolution because it seems to be defying the law, and that we are not recognizing the authority of the Governor, and that the orders have force of law. She believes the resolution should only be about the opening of public City facilities.

Councilor Humphreys stated that he was kind of in agreement with Councilor Gerber. He said the proposed resolution feels like a little bit of mudslinging, and blame does not need to be in there to make our point. He is concerned about the possibility of future funding that the City would not get due to the proposed resolution. The Governor did not cause Covid, and the CDC has set the boundaries. Councilor Humphreys stated that he would like the letter to clarify that we are trying to support our businesses and community.

Mr. McDowell suggested perhaps modifying the resolution as follows by what he is hearing Council say tonight. He offered this wording for the proposed resolution:



**RESOLUTION DECLARING AN END TO THE STATE OF EMERGENCY
IN THE CITY OF BROWNSVILLE IMMEDIATELY**

WHEREAS, the Governor’s crisis Covid management has resulted in the severe restriction of local businesses, loss of educational opportunities for our children and young people, and the adverse effect on the lives of all citizens; and,

WHEREAS, the Constitution of the United States and the Oregon State Constitution are the cornerstones of governance for the freedom and rights of our citizens and the grounds for legislative actions; and,

NOW, THEREFORE, BE IT RESOLVED BY, the City Council of Brownsville, Oregon, the following:

1. That all City of Brownsville facilities be open immediately for full public use, including the Central Linn Recreation Center as requested by our local citizens.
2. That any penalties imposed for this legislative action be accepted by the City as the cost of implementing the will of Brownsville citizens.

Councilor Gerber is concerned about any legal review, or lack thereof, and is worried about the liability regarding the penalties sentence. She does not think that this should be part of the resolution. Councilor Hansen doesn’t necessarily disagree with this assessment about the penalties. Generally, Council concurred.

Mr. McDowell read the entire proposed resolution again, deleting the #2 sentence regarding penalties.

Councilor Thompson disagrees with the first sentence stating “that the Governors’ crisis Covid management has resulted”. She objects to that. Councilor Thompson asked how the rest of the Council feels about it. Councilor Gerber agreed with Councilor Thompson’s assessment. Councilor Gerber stated that she would vote against this resolution with this wording in place. (Indistinct Council murmuring.) Mayor Ware would like to vote on this with the resolution modification, and then readjust the resolution as needed.

Councilor Hansen suggested putting back in the request that in the future if the emergency lasts more than 30 days that the Governor have to go to the legislature to extend the emergency order. He would like to leave this in the resolution. Councilor Thompson agreed to this. Councilor Hansen said that we are not trying to legislate the Governor, we are simply making a suggestion.

Councilor Humphreys questioned whether Council is talking about July 1st, or effective immediately. By consensus Council agreed to immediately.

Mr. McDowell was asked to read the entire revamped resolution before a vote is taken.

Councilor Neddeau made a motion to approve R 2021.22 with changes. Councilor Craven seconded the motion. All voted in favor, with Councilors Gerber and Thompson opposed. The motion passed.



ACTION ITEMS:

1. **Letter to the Governor.** Councilor Hansen would like to discuss the letter to the Governor from Council discussing the hardships that our community has suffered, and asking for a seat at the table and a voice for our citizens. There was a draft letter included in the agenda packet tonight. Councilor Gerber asked if there was a rush on the letter, or could we discuss this at the next Council meeting? Councilor Thompson suggested forming a subcommittee to work on this letter. Councilor Craven suggested taking a look tonight. He would like to move forward. Mayor Ware stated that he liked the letter, and he agreed with most all of it. Councilor Gerber thinks that it would have more weight if it was signed individually, it wouldn't need to come from the whole Council. Councilor Craven thought that it should be discussed by the full Council. Councilor Hansen asked why it needed to be revised. They asked Mr. McDowell to read the draft letter into the record for Council's review and so that folks in the listening room would know what Council is discussing.

McDowell stated that this letter was penned by City of Harrisburg when they sent in their resolution that they recently adopted. Councilor Gerber stated that if we were to send a letter, we should perhaps do our own so that the letter does not look like a form letter and would have more meaning.

Mayor Ware asked if we proceed with the letter and let Councilors who want to sign it do so. Councilor Craven stated that if we are sending a letter, he feels that it should be signed by the Council to have more weight as a legislative body. Councilor Hansen concurred. *Councilor Craven made a motion to approve the proposed letter to be signed by Council of Brownsville. Councilor Hansen seconded the motion. Discussion was called for. Councilor Thompson stated that she liked the letter, and didn't have a problem with it at all. However, if there are Councilors that choose to not sign it, they should have that option. Mayor Ware stated that she may want to vote against the motion then. The vote was called for with all in favor except Councilor Gerber, Councilor Thompson, and Councilor Humphreys. The motion passed.*

Councilor Gerber stated that for the Town Hall on June 22nd, 2021, not all businesses were invited, for whatever reason. She wonders if we need to have another meeting where all folks could be heard. Mayor Ware stated that at each Council meeting there is always two Citizens Comments opportunities for folks to speak to Council. We could perhaps put an ad in the paper reminding folks that if they wish to speak to Council, there is opportunity for that at our regularly scheduled monthly meetings.

ADJOURNMENT: *Council adjourned by consensus at 8:15 p.m.*

City Administrator S. Scott McDowell

Mayor Don Ware



July 27th, 2021

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

One liner of the month



What do you call a boomerang that doesn't come back?
A stick.



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 the item is part of Council Goals. When you see this symbol, ☐, it means more information will be provided at the meeting.

“It is so easy to exist instead of live.
Unless you know there is a clock ticking.”
~ Anna Quindlen, Columnist

“Don't fear failure. Cancel all the noise
and keep going.”
~ Tina Craig, Fashion Influencer

“There are few people who truly, truly walk
the talk.”
~ Olympia Dukakis, Actor & Producer



AGENDA ITEMS DISCUSSION

The following items follow the order of the Agenda

6) PUBLIC HEARINGS OR PRESENTATIONS:

A. Civic Partnership Agreements – Council has agreements with many civic partners for various reasons. Each of those agreements are three year agreements or less so current Council members are aware of the details of those past agreements. It is done this way due to the overlapping terms of Council members. Any of the agreements are available for review upon request.

The City has an agreement with both the Senior Center and the Flower Club. It is time once again to review each of these agreements. At the time of this report, it was unclear if either organization would send a representative. Marilee Frazier is the President of the Senior Center and Sandra Saltzer is the President of the Flower Club. I have included a fresh copy of the agreement for your review and consideration.

What is Council being asked to do?

Review the agreements, ask questions, make suggestions and possibly approve the agreements.



- B. Cyber Security Review** – Annually, the City is required to review cyber security and related issues to the governing board as part of the required CIS Cyber Security Policy that Council adopted. I will provide a brief overview Tuesday night.
- C. Council Housekeeping** – Staff will review expense reports, City emails and other items of general interest for Council.

9) LEGISLATIVE:

10) ACTION ITEMS:

- A. Downtown Sanitary Sewer Contract | Bid Acceptance** – The City opened bids on Wednesday of last week. Public Works Superintendent Karl Frink, Administrative Assistant Elizabeth Coleman, and I attended with Dyer Partnership personnel included City Engineer Ryan Quigley. Four contractors submitted bids. All bids qualified for consideration, two had minor exceptions. Below are the results:

<u>Bid</u>	<u>Contractor</u>
\$518,986	Pacific Excavation, Inc.
\$599,000	North Santiam Paving Co.
\$629,000	Trench Line Excavating, Inc.
\$679,550	James W. Fowler Co.



What is Council being asked to do?

Accept the bids and award a contract to Pacific Excavation, Inc. in the amount of \$518,986 authorizing the Mayor and City Administrator to execute all necessary documents.

- B. Appoint Planning Commission Member** – The City Planning Commission has an opening. Letters of interest have been included in the agenda packet.
- C. Sharing Hands | Funding Request** – Sharing Hands Executive Director Deb Gruell filed a letter of request for funding. Please see her letter which is included in the agenda packet.

What is Council being asked to do?

Decide if the Council wants to fulfill her request or not.



Brownsville Senior
CENTER

- D. Senior Center Services Agreement** – Consider authorizing the agreement for another three years. The agreement is in the packet for your review.
- E. Flower Club Services Agreement** - Consider authorizing the agreement for another three years. The agreement is in the packet for your review.

11) DISCUSSION ITEMS:

- A. Annual Master Checklist Review** – The checklist is on the website for your review. I have also included two other documents, 1) the 2021 Annual Budget TTDL, and 2) the 2021



Reoccurring Legislation as complimentary documentation. All these documents and the final budget for FY 2021.2022 can be found at <https://www.ci.brownsville.or.us/citycouncil>.

B. **June Financials**

Policy

fyi

fyi

fyi

Top Five Complaints

Note: I am writing this passage for informational purposes. The top five complaints are not unique to Brownsville. These top five complaints are common among all small towns all throughout America.

1. **Speeding** – People complain about speeding and street safety. No matter how many resources cities put toward speeding, it continues to remain a complaint.

Brownsville's Equation | The City has a contract with the Sheriff's Office for 200 hours a month.

There are approximately 730.08 hours in a month. The average month has 30.42 days and each day has 24 hours.

The City requests 25 hours of active traffic patrol. The Sheriff's Office is also passively traffic patrolling too.

Result | Active patrol is about 3.4% of any given month. Even if all 200 hours were dedicated to writing tickets the percentage of time in a month would be 27.3%.

Speeding can happen at any given second in multiple locations all throughout town.

Solution | Encourage tickets to be given to increase compliance with speed limits.

2. Taxes

The City has millions of dollars of aging assets. The City has many community assets or ammenities for a town our size including a Library, a Rec Center and an amazing Park with many facilities, not to mention all the streets.

The City is only a portion of the annual tax bill, but many think the entire tax bill goes to the City.

The City is required by the State of Oregon to execute many statutory requirements that cost money to execute.

3. Utility Rates

Smaller cities certainly share this concern. Bigger cities do have it somewhat easier because they have more people to spread the costs over and they have more voters that can warrant the attention of the State Legislature.



City Administrator Report

Brownsville's Equation | The City has 740 utility users. The City incurs debt required by the State and Federal governments for water and sewer operations.

The City has \$8M in debt and 740 utility users.

Each user would have the equivalent of \$10,810.81 to retire that debt in any given year, however, the debt runs with the 'useful life' of the utility. The useful life of a wastewater facility is forty years and the useful life of a water treatment plant is about twenty-five years. This only means that debt can be released slowly over that associated time frame. None of this accounts for normal wear and tear on the facilities.

Example: You may have a thirty year mortgage on your home, but you still have repairs and improvements to do to protect your investment. Same thing for the City and the City's utilities.

4. Neighbor Complaints

- ▶ Junk
- ▶ Property Lines
- ▶ Weeds
- ▶ Disputes

Citizens lodge the majority of their complaints against each other. Someone has something the neighbor does not approve of which leads to conflict. Dogs, cats, chickens, roosters, pet waste, construction noise, loud music, trespass, shouting, disputes, tall grass, you name it – we hear it.

5. Permitting

Many protest the need for permits for any and every purpose.

UPDATES, INFORMATION & HAPPENINGS

Mid-Valley Partnership (MVP) ☑ – The group is in full swing once again. We are trying to put together a Request for Proposals on marketing, branding and building a comprehensive website for MVP as was the plan that was stalled by the Pandemic. I will have more information at the meeting Tuesday.

From 06.22.2021: Halsey City Administrator Hilary Norton moved forward on behalf of the group to apply for grant funding to start making progress on the agreement that Council signed with other regional partners at the beginning of 2020, end of 2019. I have included Mayor Ware's letter of support in the agenda packet for your review.



The City also extended the RAIN agreement for two years as previously authorized by Council.

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.

Downtown Sanitary Sewer Project ☒ – See Above Action Item Notes. Documents are included in the agenda packet for your review.

From 06.22.2021: City Engineer Ryan Quigley presented the following schedule for this project.

We are scheduling the advertisement of the Downtown Sewer project on Monday, June 14th, 2021.

We need a couple days prior to advertising to get the notices to the DJC and Brownsville Times.

I am looking at bid opening on our around July 14th at 2:00 p.m. The bid opening will be an online opening, so no need to setup a meeting room.

Pre-bid meeting on around June 30th.

From 05.25.2021: Public Works Superintendent Karl Frink and I met with City Engineer Ryan Quigley to walk the project and confirm final plans.



From 04.27.2021: City Engineer Ryan Quigley told Public Works Superintendent Karl Frink and I that they are on schedule to put the project out for bid June 1st, 2021. The City will need to budget for the project into the next fiscal year.

From 03.23.2021: Ryan Quigley is busy putting the final touches on the bid documents. The City has secured all the necessary easements in principle. We are planning to go to bid soon.

From 02.23.2021: Dyer Partnership is working on a change order for additional work that has been required for this project. Council should see a full report for the February 2021 Council meeting.

Budget to Linn County | Certification ☒ – Administrative Assistant Tammi Morrow and I put this

year's budget on file with Linn County. We also populated the General Ledger for the year. Linn County's Hiedi Tandy called to discuss the nuance with the bonds. Due to the City refinancing, the City did not have to put the water bond in effect this year because the City had already collected the necessary funds to meet the obligation for this fiscal year. Mrs. Tandy made a note and Council should be aware of this one year nuance. The bond will reappear next year when the City collects for future payments.



Neighborhood & Neighbor Disputes – Staff has been dealing with multiple issues all over town. These issues are very time consuming. Staff's goal is to try to bring compromise when we can. A few have gotten very nasty.

State Legislative Session – State House Bills are coming soon.



Audit Schedule – Cyrus Ward and his team from SingerLewak will be here to perform the annual audit the week of August 16th, 2021. Administrative Assistant Tammi Morrow, Administrative Assistant Jannea Deaver and I are gathering the required information in preparation of the visit.



Linn County Sheriff's Office Monthly 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	Month	Traffic Citations	Traffic Warnings	Hours
2021	June	9	9	184.25
2021	May	40	15	209
2021	April	14	13	210
2021	March	18	14	213.25
2021	February	28	11	208.4
2021	January	14	10	204
2020	December	14	12	226
2020	November	26	30	204
2020	October	16	18	202
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
	Subtotal	309	236	3786.4
Total Average		17.17	13.11	210.36
		Cites	Warnings	Hours

LCSO Quarterly Meeting – Please see email about the low report numbers for June as previously provided to Council. I have included the email in the agenda packet for your convenience. The next scheduled quarterly meeting with Sheriff Yon and his Staff is September 2nd, 2021.

From 06.22.2021: Harrisburg hosted the most recent meeting. Communities shared concerns and praises. Car break-ins are on the rise throughout the County. Please remind folks to lock their cars. Many of the break-ins are in unlocked cars. Theft is also on the rise throughout the County. Sheriff Yon reported that people are on edge which is making disputes among individuals more risky than usual.



City Administrator Report

Harrisburg & Brownsville discussed logistics around Fourth of July celebrations. Harrisburg was happy to hear that Brownsville would be holding a fireworks show too. They were a bit concerned about the number of people attending this show. Sheriff Yon said they would have extra deputies for both locations.

ACTIVE, PENDING & STALLED

Active: Joint Emergency Coordinator Proposal (IGA) ☑ – The City of Sweet Home is coordinating the Request for Proposals (RFQ) process for the group. I will have more detailed information for the meeting Tuesday evening.

From 06.22.2021: The group finalized the IGA and begins conversations with third-party vendors.

From 05.25.2021: Included in the agenda packet is the IGA for the Joint EMA Partnership that Staff has been working on for the last several months. The group has finalized the language for approval by all entities involved.



From 12.15.2020: Lebanon Fire Chief Joe Rodondi was excited to hear about Council's willingness to press forward with the exploration of a joint Emergency Coordinator. Legal is working on the IGA for future consideration. Chief Rodondi is working on setting up a meeting with the City of Albany to learn more about their emergency coordinator and how their interface with Linn County works. I expect this process to take a while as the holiday season is now up us.

Active: Oregon Association of Water Utilities (OAWU) – *From 06.22.2021:* Public Works Superintendent Karl Frink provided a tour of the City's facilities to Mr. Tim Tice.

From 05.25.2021: Council contracted with OAWU to work on the Water Conservation Management Plan (WCMP) as required by the Oregon Water Resources Department (OWRD). Staff has been gathering information for the study. Mr. Tim Tice is the lead representative from OAWU working on the project.

Oregon Water Resources Department (OWRD) and Wyatt Rolfe

From 05.25.2021: I contacted the State to make sure they were aware that the City is working with OAWU as required. Kerri Cope acknowledged the City's current project status.

From 04.27.2021: Mr. Rolfe has taken a position with a law firm in Washington State. The City will continue our representation through Schroeder Law.

From 03.23.2021: Staff has received an estimate from the Oregon Association of Water Utilities (OAWU) to complete the Water Management Plan required by the State. I will provide a resolution on Monday, January 25th, 2021.

From 12.15.2020: 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.]

Active: Cemetery Policy Committee – Still in process.



Active: River's Edge Outcome ☒ – Staff has spent considerable time on this project.

From 04.27.2021: The City is in the process of finalizing concerns with Pacific Power over streetlights. The Planning Commission is also hearing a proposal for Phase III of the subdivision. The City still will need to accept the water and sewer utilities and the streets once officially deemed complete by the City.

From 03.23.2021: The new sanitary sewer extension has been completed and has passed all necessary tests according to Public Works Superintendent Karl Frink.

From 02.23.2021: River's Edge has completed the physical construction of the sanitary sewer line from Henshaw Drive to Hausman Avenue. Public Works Superintendent Karl Frink reports that the required testing of the line has not yet been performed.

Active: TMDL & Designated Management Agency (DMA) Webinar – *From 05.25.2021:* Public Works Superintendent Karl Frink and I attended a webinar extolling the City's responsibilities as a DMA. Many folks on the call expressed sincere concern about these regulations, the validity of the process and the associated costs. Many were frustrated.

From 04.27.2021: The State Department of Environmental Quality requires this topic be placed on Council agenda twice a year. Staff will outline basic components of the City's TMDL plan. The City placed an article in the March Newsletter that was also a requirement of the plan. The basic premise of TMDL is that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in large quantities by humans. The City recently received a letter from the Department of Environmental Quality (DEQ) that now threatens findings and orders if cities are not compliant.

Active: LCSO Equipment Training – *From 05.25.2021:* Karl Frink and I attended training on the new traffic counters and speed devices. LCSO is set to deliver the units soon. We will have them operational ASAP.

Active: RV Ordinance & the Zoning Code Amendment – *From 10.27.2020:* 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 discussion.

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.

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.



City Administrator Report

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.



Active: Park Reservations ☑ – I will have an update for Council Tuesday evening.

From 03.23.2021: The City proceeded with the lottery and received only four entrants. The City continues to have the buildings off-line for rentals due to Governor Brown's orders.

Active: Linn County Road Department | Main Street Scrub Seal ☑ – *From 05.25.2021:* Linn County Road Department is planning maintenance on Bishop Way/OR 228 and Main Street/Brownsville Road this summer. Full details are included in the agenda packet for your review from Mr. Kevin Hamilton.

Active: Linn County Planning & Building Department Meeting Outcome ☑ – I met with the cities of Halsey, Harrisburg & Scio. We have scheduled a meeting for this upcoming Monday with Linn County Commissioner Sherrie Sprenger. Administrative Assistant Elizabeth Coleman will be attending an informational meeting with the Department regarding the implementation of the new software that will allow electronic filing of permits.

From 06.22.2021: The group meets to assess the situation next week.

From 05.25.2021: 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.



Active: Jail Project – Waiting for the bronze plaque to be delivered.

From 10.27.2020: 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.

Pending: Jane MacQueen Signs – *From 05.25.2021:* Ms. MacQueen has finished signs for Kirk's Ferry Park & Remington Park. Public Works will be installing the signs as time allows.



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.

COMPLETED

Completed: Community Room Carpet Replacement – Administrative Assistant Tammi Morrow and Public Works Superintendent Karl Frink coordinated the installation of new carpet.

From last meeting: Staff is moving forward with the carpet replacement in the Community Room. The carpet is showing a lot of wear and tear and is twenty-five years old. Now is a good time to change the carpet as the room is not being used by the public due to the pandemic.

Completed: City Hall Windows | First Floor – Julie Whalen of Willamette Window Restoration continues the restoration process. The City can expect the work to take about twelve weeks from start to finish.

Completed: Water Treatment Plant Fence – *From 05.25.2021: From last meeting:* Public Works Superintendent Karl Frink executed an agreement to have the fence repaired. The fence was damaged during a high wind event months ago.

Completed: Brownsville Art Association & Chamber – *From 06.22.20:* The organizations have dissolved their agreement for subletting the Art Center. The Chamber will be housed in the American Legion/Senior Center for the time being.



Completed: Linn County Housing Rehabilitation Program (LCHRP) Update – The group is working to obtain additional funding through the State for rental assistance and other eligible opportunities for housing.

From 05.25.2021: The Board reviewed policies on several key points. Most of the points centered around cutting red tape to ease the loan process. Additional decisions that hit small limits were forcing more bureaucracy and delaying positive outcomes.



Trailer homes repair, charging interest was among topics discussed.



Overall, progress has been slow due to C-19. Lumber prices basically tripled over the last month, so projects are being delayed due to increased associated costs.

Other Recent Items

- ✂ Submitted FY 2021.2022 Budget to Linn County. The FY 2021.2022 Budget can be found on the City website at <https://www.ci.brownsville.or.us/citycouncil>.
- ✂ Water & Sewer Rates were increased by 3% as authorized by Council.
- ✂ Year End Transfers were filed.
- ✂ The City Hall window renovation project was completed.
- ✂ Sent letter to Governor Brown as authorized by Council.

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>.

- Calapooia Riverbank & other information is also available.

Respectfully Submitted,

S. Scott McDowell, City Administrator



Public Works Report July 22, 2021

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of July.
- *Distribution System* – There was one water leak this month on Seven Mile Lane.
- *Cross Connection Program*- All backflow devices are scheduled to be tested July 29th-30th.
- *Water Treatment Plant* – The water plant is currently drawing all water from the Calapooia River. Filter 1 is scheduled to be cleaned and scraped soon. The new distribution pump issues have been resolved and the pump is working correctly.
- *Misc.* – Public Works will continue flushing fire hydrants as time allows. I am working with Elizabeth and Linn County GIS Department to electronically map out the City's water distribution system.

Sewer:

- *North Lagoons* – This facility has been mowed and weeds have been sprayed.
- *South Lagoons*- This facility has been mowed The weeds at this facility have been sprayed.
- *Collection System*- Nothing to report this month.
- *Misc.* – I am working with Elizabeth and Linn County GIS Department to electronically map out the City's sewer collection system.

Streets:

- *Mowing/Tree Maintenance* –Public Works continues to trim branches as needed. Public works also mows and maintains much of the unused portions of the right of ways.
- *Asphalt/ Gravel Road Maintenance* –The gravel streets have been graded in preparation for dust control to be applied. There was a shortage of dust control material at the beginning of July, we are now waiting for the contractor to apply the dust control.
- *Storm Drainage* – Some troubled/flooded areas have been identified and we are currently working on solutions to those problem areas.
- *Misc.* – Street sign work continues as time allows. Many new locations have new posts set and the new signs installed. All of the new signs have arrived and will be installed as time allows. We will be creating a map that indicates all the areas in town that public works mows and maintains. Public Works has hired a new contractor for street painting and striping. The contractor has started, but is having difficulty getting supplies.

Parks:

- *Pioneer Park* – The park caretakers mow, clean, operate and maintain the park as needed. Several picnic tables have been repaired, one completely rebuilt. All of the tables in the park will be painted soon. Watering of the park has begun.
- *Blakely Park* – This park is maintained as needed.
- *Kirk's Ferry Park* – This park is maintained as needed.
- *Remington Park* – This park is maintained as needed.

Cemetery:

- *Grounds* – The cemetery has been mowed and maintained as needed.

Library:

- *Grounds*- This facility is maintained as needed. The weeds in the flowerbeds have ben sprayed.
- *Buildings*- Nothing to report this month.

Downtown

- *Restrooms* – This facility is cleaned daily due to COVID.
- *Garbage cans* – Downtown garbage cans are emptied every Friday, or more frequently as needed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Nothing to report this month.

City Hall:

- *Buildings*- The work on City Hall windows continues. This process will take several months to complete.

- *Grounds* –The grass is mowed and maintained weekly, or as needed. The irrigation will be turned on once the rain passes. Irrigation will be turned on June 23rd.
- *Community Center*- Nothing to report from this facility this month.

Rec. Center:

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

Public Works:

- *Grounds*- The grass and field have been mowed and maintained as needed.
- *Buildings*- Cleaning and organizing continues as time allows. The office space for public works is currently under construction but near completion. We are currently considering some furniture options and some organizational needs.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All the equipment at public works has been repaired or in the process of being repaired to prepare for use.
- *Training*- No training to report this month.

River’s Edge Subdivision Updates:

Phase 1:

- All utilities have been installed and testing is complete.
- Street lights have not been installed.
- All curbing, paving and private parking lot has been installed.
- All street signs, curb painting and markings are complete.
- A retaining wall is currently under construction along the south side of Henshaw Lane.
- Punchlist items are near completion.

Phase 2:

- All utilities have been installed and testing is complete.
- Street lights have not been installed.
- Proof rolling of street base is complete, density testing will be complete prior to paving.
- Paving is scheduled to occur on Saturday, July 31st.
- Several sections of curb will be replaced prior to paving.
- Several items remain prior to any walk-through inspections.

Phase 3:

- Still in preliminary planning stages
- Current site plans/ utility plans are being reviewed to ensure all public works standards are met.
- Site preparation is under way to meet flood plain requirements

The above list are just a few highlights of the progress and various stages of this subdivision. The city continues to monitor and inspect all public infrastructure as it is being constructed to ensure all specifications per plans are met.

Calapooia Ave. Street Improvements:

Properties being developed on the east end of Calapooia Ave. required street improvements in order to develop the vacant lots along this street. Currently this development consists of 2 houses and street improvements to occur in 2 phases. Below is a list of improvements required for the first phase:

- Replace existing 2 inch waterline with a new 6 inch waterline. This includes new service lines to any existing water services within the improvement area.
- Install a drainage basin on north side of street to minimize flooding or ponding that may occur from the new improvements.
- The existing road base will be dug down 12 inches and new, compacted road base to be installed.
- 3 inches of new asphalt 18 feet wide to be installed to east end of construction site.
- All components of this project require testing per public works standards. The city will be inspecting all elements of the improvements to ensure all specifications are met.

Respectfully Submitted,

Karl Frink, Public Works Superintendent



July 2021

PLANNING AT A GLANCE

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

• Plumbing	Backflow Device	River's Edge Lots 1-8, 32, 47-48, 38-46
• Structural	SFD	River's Edge Lots 12-22
• Plumbing	Backflow Device	River's Edge Lots 9-11, 24-31, 33-37
• Structural	SFD	859 Northpoint Loop
• Mechanical	Replace Furnace	147 Galbraith Street
• Structural	3200 Sq Ft. Shop	855 Linn Way
• Structural	Residential Addition	516 Washburn Street
• Structural	SFD	240 North Avenue
• Structural	SFD	214 Averill Street
• Mechanical	AC/ w/evap coil	600 Washburn Street
• Mechanical	Ductless HP w/WU	413 Hausman Avenue
• Plumbing	Backflow Device	Lots 12-22
• Mechanical	Replace HP	307 Spaulding Avenue
• Construction	36 x 84 Pole Bldg	855 Linn Way
• Construction	Master Bedroom Add	516 Washburn Street
• Fence		407 Faust Street
• Fence		814 Kirk Avenue
• Fence		Calapooia Avenue Tax Lot 2000
• Fence		232 Putman

Updates

Buildable Lands Inventory

In process.

Zoning Code Amendment

In process.

Elizabeth E. Geman

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR JUNE 2021**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	24	5	0	29	
Violations	110	26	16	120	
Contempt/Other	50	1	0	51	
TOTALS	184	32	16	200	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 4,314.75	City	\$ 3,400.76
Total Bail Released +	\$ -	Restitution	\$ -
PayGov Adjustment	\$ -	Oregon Dept Revenue	\$ 706.99
Total Bail Held -	\$ -	Linn County	\$ 207.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -
Cash Shortage -	\$ -	Misc Deposit	\$ -
Miscellaneous Income	\$ -		

TOTAL COURT REVENUE

\$ 4,314.75

TOTAL COURT PAYMENTS

\$ 4,314.75

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

TOTAL CASH PAYMENTS TO:

CITY	\$ 3,400.76
STATE	\$ 706.99
COUNTY	\$ 207.00
*REFUND RESTITUTION BAIL HELD	\$ -
TOTAL:	<u>\$ 4,314.75</u>



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

2021

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

FOR THE MONTH OF: June

TRAFFIC CITATIONS: -----	9
TRAFFIC WARNINGS: -----	9
TRAFFIC CRASHES: -----	0
ADULTS CITED/VIOLATIONS: -----	1
ADULTS ARRESTED: -----	3
JUVENILES CITED/VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED:-----	104

TOTAL HOURS SPENT: BROWNSVILLE 184.25

CONTRACT HOURS = 200 HOURS

**Jim Yon,
Sheriff, Linn County**

By: Sergeant Beth Miller



Library Advisory Board

Librarian's Report

June 2021

Here are a few facts about our library the month of June 2021. We have received 34 new books for the library. Volunteers donated 106 hours to our library. There were 1,074 materials checked out. 325 adult fiction books; 158 adult non-fiction books; 69 audio books; 293 children's books; 135 junior books; 41 junior reference books and 53 large print books. In June, we held 3 virtual children's programs with 238 participants. I am looking forward to adding programs for adults soon.

We all cheered when the City and State opened. It is a real pleasure to see patron and volunteer faces and their beautiful smiles. After taking down the plexiglass dividers, I remember thinking 'wow, this counter is so big!' Then thinking back that pre-pandemic it seemed small and was running out of room. Here in the Library, we are thankful that life is getting back to 'normal.'

One of the public computers crashed and wiped the hard drive earlier this month. After the scheduled maintenance week, I called Michael Pardee of Groovix. Groovix maintains the software and automatic updates for our three public computers. It was so nice to be able to call and have him walk me through reloading the program. All three public computers are up and running and available for use.

The ongoing book sale held in the Kirk Room was packed up by some great volunteers. Now we are collecting for the December week-long book sale. Volunteers also freed the tables and chairs from saran wrap and paper. With that done, McCallister's Carpet Cleaning came in and gave the library carpet a good scrub. It looks amazing.

Looking forward the Summer Reading Program begins on Thursday, July 1 from 4 – 5 PM. Story Time will pick back up Friday, July 2 at 11 AM followed by craft time with Ms. Thea. These programs will be in person at your Library.

Respectfully submitted

A handwritten signature in blue ink that reads "Sherri Lemhouse". The signature is written in a cursive, flowing style.

Sherri Lemhouse,
Librarian



2021-2022 Council Goals
(**Compilation Date:** March 2021)

Goals 2021-2022

1. Focus on the Fundamentals.

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

2. Water Rights.

- *Explore Possible Additional Water Source Options.*
- *Continually Work on Perfecting Water Rights.*
- *Complete Water Conservation Plan required by the State.*

3. Economic Development Plan.

- *Participate in Regional Efforts and Opportunities in Real-Time.*
- *Implement the Mid Valley Partnership Agreement.*
- *Finalize Economic Analysis, Land Inventory and Urban Growth Boundary.*

4. Community Development Plan.

- *Refine Brownsville Code Requirements & Public Works Standards.*
- *Adopt Building Rules and Standards to Preserve Historic Aesthetic.*
- *Emergency Preparedness Planning: Participate in Local and Regional Efforts to Expand Public Awareness and Readiness.*
- *Monitor Tort Limits, Recreational Immunity & Case Law impacting Local Amenities.*
- *Continue Promoting Youth Activities with Community Partners.*

5. Capital Improvements Plan.

- *Construct Downtown Wastewater Improvements.*
- *Plan for the GR 12 Waterline Extension.*
- *TMDL Review, Monitoring and Implementation Elements.*
- *Work toward Recreation Center Renovation & Construction of New Pavilion.*

6. Organizational Development.

- *Focus on Council Leadership Development & Training.*
- *Continue Positive and Effective Working Relationship between Council and Staff.*
- *Emphasis on Volunteer Training and Meeting Logistics & Procedures for All Boards & Committees.*

7. Advocacy Plan.

- *Develop a Standing Committee to develop an advocacy strategy, to write policy statements and stay abreast of legislative developments at the State & Federal level.*
- *Focus on Home Rule, the League of Oregon Cities, the Cascade West Council of Governments, and other regional efforts to strengthen the City's policy positions.*



Goals Progress Plan

1. Focus on the Fundamentals.

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

Plan: Council, the Budget Committee and Staff will continue working carefully with the annually adopted budget to ensure financial well-being and to complete the goals of the City. Staff will strive to provide services efficiently and effectively to maintain low costs. Staff will work to maintain the City's outstanding financial rating. Staff will execute the planned projects found in the FY 2020.2021 and FY 2021.2022 budgets, as time, priority and possible financial constraints allow.

Staff will continue to strive for excellence in all relational aspects locally and regionally. 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. Public Works Superintendent Frink works with various groups including 811. Administrative Assistant Elizabeth Coleman works with the Linn County Planning and Building Department and the Park Board.

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 serves on the Cascade West Council of Governments (COG) Board. Councilor Gerber serves on Cascade West Council of Government's Transportation Board. Councilor Humphreys will serve as the liaison to the Linn County Sheriff's Office (LCSO).

★ Updates to be listed here.

2. Water Rights.

- *Explore Possible Additional Water Source Options.*
- *Continually Work on Perfecting Water Rights.*
- *Complete Water Conservation Plan required by the State.*

Plan: Council recognizes water as the City's most valuable resource. 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). Staff will continually work on the Water Conservation Plan with Oregon Association of Water Utilities as hired in early 2021.

★ Updates to be listed here.

3. Economic Development Plan.



- *Participate in Regional Efforts and Opportunities in Real-Time.*
- *Implement the Mid Valley Partnership Agreement.*
- *Finalize 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.

The City will incorporate several new ideas from the Goal Setting session into the Land Inventory and Update.

★ Updates to be listed here.

4. Community Development Plan.

- *Refine Brownsville Code Requirements & Public Works Standards.*
- *Adopt Building Rules and Standards to Preserve Historic Aesthetic.*
- *Emergency Preparedness Planning: Participate in Local and Regional Efforts to Expand Public Awareness and Readiness.*
- *Monitor Tort Limits, Recreational Immunity & Case Law impacting Local Amenities.*
- *Continue Promoting Youth Activities with Community Partners.*

Plan: Council would like to continue 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 and the Pioneer Park Pavilion 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.

★ Updates will be listed here.

5. Capital Improvements Plan.

- *Construct Downtown Wastewater Improvements.*
- *Plan for the GR 12 Waterline Extension.*
- *TMDL Review, Monitoring and Implementation Elements.*
- *Work toward Recreation Center Renovation & Construction of New Pavilion.*
- *Move forward with Canal Company plans.*

Plan: Staff will continue to execute engineering and manage the construction of the old, sewer lines in Old Town Commercial. Staff will prepare for the design and installation of the GR 12 waterline. Staff and Council will work as required to cautiously move forward with TMDL requirements. Staff will continue working with the Ad Hoc Committee assigned to looking into the renovation of the Central Linn Rec Center and the relocation of the Pioneer Picnic Pavilion.

★ Update to be listed here.



6. Organizational Development.

- *Focus on Council Leadership Development & Training.*
- *Continue Positive and Effective Working Relationship between Council and Staff.*
- *Emphasis on Volunteer Training and Meeting Logistics & Procedures for All Boards & Committees.*

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 will work to ensure that all Boards and Committees are properly trained, and procedures are periodically reviewed. Council will take a more proactive role with volunteer support. Council will continue to check in with Staff and stay abreast of community happenings.

- ★ Updates to be listed here.

7. Advocacy Plan.

- *Develop a Standing Committee to develop an advocacy strategy, to write policy statements and stay abreast of legislative developments at the State & Federal level.*
- *Focus on Home Rule, the League of Oregon Cities, the Cascade West Council of Governments, and other regional efforts to strengthen the City's policy positions.*

Plan: Council recognizes the need for advocacy and would like to engage during the current legislative while exploring other ways to engage both regionally and locally. Actively working on protection of Home Rule, recreational immunity, keeping and supporting tort limits and monitoring other impositions by the State government into local affairs. 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.



2021-2022 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:



- | | |
|-------------------------|----------------------------|
| 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.
4. *Diversity, Equity, and Inclusion.* The City creates an environment of equal access to opportunities for all individuals in Brownsville. The City is committed to equal access through Federal and State laws, but also through local practice principled in the elimination of bias and barriers that may exist in the community and from developing in the City's organization. Council shall continue to consider implications of new and past policies that may create unnecessary barriers for members of minority groups, women, veterans and vulnerable populations.

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



2021-2022 Council Values

- 3. Strategize & Develop Action Steps
- 4. Implement & Execute
- 5. Review Outcomes

LEXIPOL’S 10 FAMILIES OF RISK MODEL

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

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





Memorandum of Understanding

BETWEEN: The City of Brownsville, an Oregon Municipal Corporation
(City)

AND: Brownsville Senior Center (Seniors)

DATE: July 2021

RECITALS

- I. The City of Brownsville wishes to provide financial assistance to further promote Senior services to residents of the community.
- II. The Brownsville Senior Center wishes to utilize the funds for general purposes.

AGREEMENT

1. **TERM.** The term of this agreement shall commence upon execution hereof and shall continue for one (3) year. The agreement will expire on July 1st, 2024.
2. **CONDITIONS.** The City shall provide the Seniors with a check in the amount of \$600 each May. The Seniors may apply these funds for general purposes to support their mission and organization.
3. **MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any terms or conditions thereof be deemed a waiver of such terms or condition in the future, unless such change, modification or waiver shall be in writing signed by all parties.
4. **INTENT.** The intent of this agreement is to cooperatively work together to continue a productive working relationship that will be mutually beneficial.

CITY:

BROWNSVILLE SENIOR CENTER:

By: S. Scott McDowell
City Administrator

By: Marilee Frazier
President



MEMORANDUM OF UNDERSTANDING

BETWEEN: The City of Brownsville (City)
AND: Brownsville Garden Club (Club)
DATE: July 2021

RECITALS

- A. City owns several pieces of property including public right-of-ways through Brownsville.
- B. Club desires to plant and maintain flowers and other beautification efforts on property owned by the City.

FOR AND IN CONSIDERATION OF THE MUTUAL OBLIGATION HEREIN, THE PARTIES AGREE:

1. **PREMISES.** City allows the Club to improve and plant flowers in specified areas upon mutual agreement. The President of the Club and the City Administrator shall determine projects eligible under this agreement prior to planting or otherwise.
2. **TERM.** The term of this agreement shall be for three (3) years. Expires on June 30th, 2024.
3. **PAYMENT.** City agree to pay for the cost of plants and associated materials for the beautification of specified City projects. The City shall make checks payable to the Brownsville Senior Center care of the Club. The Club is under the general umbrella of the Brownsville Senior Center for non-profit status.
4. **INDEMNIFICATION.** To the extent legally possible, the Club agrees to indemnify, hold harmless and defend City from and against any and all claims, damages, losses and expenses, including attorney’s fees, made by or paid to others, arising from the Club's activities on any City owned property or from the Club's performance or failure to perform its obligations under this agreement.
5. **TERMINATION.** Either party may terminate this agreement without cause upon thirty (30) days written notice to the other sent First Class and Certified mail to the addresses listed. Upon termination, all rights extended under this Agreement are terminated.
6. **ATTORNEYS FEES AND LEGAL EXPENSES.** In the event any legal proceeding is commenced for the purpose of interpreting or enforcing any provision of this agreement or to collect any indebtedness hereunder, the prevailing party in such proceeding shall be entitled to recover reasonable attorney fees in the proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the



MEMORANDUM OF UNDERSTANDING

prevailing party in collecting any monetary judgment or award or otherwise enforcing any order, judgment, or decree entered in such suit or action. In addition, in the event of default by either party in performance of this agreement, the defaulting party agrees to pay all reasonable attorney fees and legal expenses incurred by the non-defaulting party in collecting any such sums due hereunder even though no litigation is filed.

- 7. **SUCCESSORS AND ASSIGNS.** The terms, provisions, covenants and conditions contained in this agreement shall apply to, bind and inure to the benefit of the heirs, personal representatives, administrators, legal representatives, successors and assigns of the City and the Club.
- 8. **ENTIRE AGREEMENT.** This agreement embodies the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties.
- 9. **MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.
- 10. **INTENT.** The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial.

CLUB:

CITY:

BROWNSVILLE GARDEN CLUB

CITY OF BROWNSVILLE

By: _____
President

By: _____
City Administrator

Address: 345 N. Main Street
Brownsville, OR 97327

Address: 255 N. Main Street
P.O. Box 188
Brownsville, OR 97327

S. Scott McDowell

From: sandra saltzer
Sent: Thursday, July 8, 2021 2:53 PM
To: S. Scott McDowell
Subject: Re: Brownsville, OR | Flower Club Agreement

Follow Up Flag: Follow up
Flag Status: Completed

Hi Scott,
Yes we absolutely want to renew this agreement. I will sign it and drop a copy at your office.
Sandy Saltzer

On Thu, Jul 8, 2021 at 11:00 AM S. Scott McDowell <admin@ci.brownsville.or.us> wrote:

Good Morning Sandy,

Attached is the agreement between the City and the Garden Club. Is the Club interested in continuing the agreement? Basically, it is setup so the City can reimburse the club for flowers and related expenses. Thanks!



S. Scott McDowell
City Administrator
255 N. Main Street
Brownsville, Oregon 97327
541.466.5880 | Ext. 103
541.466.5118 | Fax
www.ci.brownsville.or.us



THE DYER PARTNERSHIP
ENGINEERS & PLANNERS, INC.

July 15, 2021

S. Scott McDowell, City Administrator
City of Brownsville
255 N Main Street
Brownsville, Oregon 97327

RE: City of Brownsville
Downtown Sewer & Water Line Replacement
Project No. 201.03

Dear Mr. McDowell:

This letter is to recommend action by the City of Brownsville in response to the bids received on July 14, 2021 at 2:00 PM for the above referenced project. Four bids were received. All four bids were responsive and responsible. Two bids had minor irregularities by initialing where the state should be entered on the Bid Form. The bids were in the following amounts:

1. \$518,986.00 by Pacific Excavation, Inc.
2. \$599,000.00 by North Santiam Paving Co.
3. \$629,000.00 by Trench Line Excavation, Inc.
4. \$679,550.00 by James W. Fowler Co.

We recommend that the City of Brownsville take the following action:

1. Accept the bids.
2. Award a contract to Pacific Excavation, Inc. in the amount of \$518,986.00.

It is our opinion that Pacific Excavation, Inc. has sufficient experience and qualifications to satisfactorily construct the project.

Assuming the City of Brownsville and Council concurs with our recommendation; we have enclosed three copies of the Notice of Award. A representative for the City needs to sign all three copies after which they should be returned to our Coos Bay office. (*Please do not date the Notice of Award.*) We will date the Award following notification that the City of Brownsville accepts the bids and is determined to award the project.

Pursuant to ORS279C.835, the Oregon Bureau of Labor and Industries requires that Form WH-81 be filled out by the contracting agency and sent to them with a copy of the first-tier subcontractor form, if applicable (ORS 279C.370), within 30 days of issuing the Notice of Award. The form is available at:

<https://www.oregon.gov/boli/WHD/PWR/docs/wh81.pdf>

The Owner is also responsible for payment of a Public Works fee to the Bureau of Labor & Industries. This payment is accompanied by Form WH-39 which is available at:

<https://www.oregon.gov/boli/WHD/PWR/docs/wh39.pdf>

Sincerely,

Ryan Quigley, PE
Project Manager

**Section 00510
NOTICE OF AWARD****NOTICE OF AWARD**

Date of Issuance:

Owner:	City of Brownsville	Owner's Contract No.:	
Engineer:	The Dyer Partnership	Engineer's Project No.:	201.03
Project:	Downtown Sewer & Water Line Replacement	Contract Name:	Downtown Sewer & Water Line Replacement
Bidder:	Pacific Excavation, Inc.		
Bidder's Address:	79 N Danebo Avenue Eugene, Oregon 97402		

TO BIDDER:

You are notified that Owner has accepted your Bid dated July 14, 2021 for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

City of Brownsville – Downtown Sewer & Water Line Replacement.

The Contract Price of the awarded Contract is: \$ Five hundred eighteen thousand, nine hundred eighty-six dollars and zero cents (\$518,986.00)

Three copies of unexecuted counterparts of the Agreement accompany this Notice of Award.

Three sets of the Contract Documents will be delivered separately.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner three fully executed counterparts of the Agreement, fully executed by Bidder. **All dates on the Agreement shall be left blank and the Effective Date of the Agreement will be inserted by Owner when Owner executes the Agreement.**
2. Deliver with the executed Agreements the Contract security (*performance and payment bonds*) and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6 and related Supplementary conditions to those General Condition sections. **All dates on the bonds shall be left blank.** A letter shall be provided, signed by both Contractor and Bonding Company, or authorized agent of Bonding company, which authorized the Owner to insert the date on the Bonds which is the same date as the Effective Date of the Agreement.
3. Parties required to be listed as insured, additionally insured, or also insured shall all be listed on the Certificates of Insurance.
4. You must deliver with the executed Agreement, proof that an employee drug testing program is in place. Such proof may include a copy of the adopted policy or program for employee drug testing.
5. Also before you may start any Work at the site you must:
 - a. Submit a project work schedule.
 - b. Schedule a preconstruction conference with Engineer.
 - c. Receive a Notice to Proceed from the Engineer.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

ACCEPTANCE NOTICE

City of Brownsville
(OWNER)

By _____
(AUTHORIZED SIGNATURE)

(TITLE)

Receipt of the above NOTICE OF AWARD is hereby acknowledged by _____

_____ this the _____ day of _____, 20____.

By: _____

Title: _____

Employer I.D. No. _____

S. Scott McDowell

From: Trapper <trapper@beautybros.biz>
Sent: Thursday, July 15, 2021 10:48 AM
To: admin@ci.brownsville.or.us
Subject: Brownsville Planning Commission

Hello Scott this is Trapper Solberg. Im interested in the open seat for the planning commission. I have lived in this community my entire life. I'm a reasonable person with an open mind. I love my community and feel proud to live here, so donating some of my time to help further the greater good of this beautiful town would be a honor.



City of Brownsville
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327

Sharing Hands would like to request assistance for a new stationary outside storage unit at the Sharing Hands Thrift Store.

It is critical to protect all items that are generously donated to the store for resale. Rain, heat and cold is our enemy. Amazing dropped off items could be destroyed if they were not safely stored and protected.

For many years, the cure for this problem was a garage in a box style closure. Unfortunately, the weather has destroyed several of these hard to put up coverings. The solution is something much stronger to withstand wind, rain and our recent 114-degree temperatures.

Sharing Hands is requesting \$4,000.00 from the City of Brownsville to assist in this much needed project.

We thank you for your continued support and consideration of this request.

Warmest regards,

Debra Gruell
Executive Director

S. Scott McDowell

From: S. Scott McDowell <admin@ci.brownsville.or.us>
Sent: Tuesday, July 6, 2021 4:24 PM
To: Adam Craven; Carla Gerber; David Hansen; Don Ware
Michael Humphreys; Mike Neddeau; Tricia Thompson
Subject: Brownsville, OR | Monthly Narrative Report [June 2021]

Good Afternoon Everyone,

Attached is the Monthly Narrative Report from LCSO.

Sergeant Miller and Lieutenant Fountain called and stopped in today, respectively. To apologize because they did not register 200 hours in June. I pointed out that the LCSO has averaged over 211 hours per month for the last 18 months. I cannot remember one time this has happened over the last 14 plus years.

Both invited calls from Council if anyone wants to discuss this matter.

Thanks!



S. Scott McDowell
City Administrator
255 N. Main Street
Brownsville, Oregon 97327
541.466.5880 | Ext. 103
541.466.5118 | Fax
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U.S. 20 Landslide Repairs

Construction begins August 2021

About

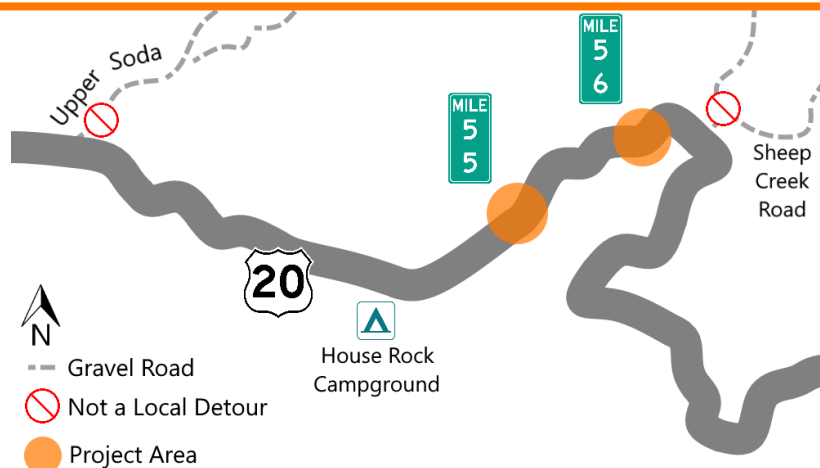
A construction project to make U.S. 20 safer is starting soon. We'll be building a retaining wall, realigning and reconstructing a portion of the road and repairing damage caused by landslides.

Work being done in 2021:

- Start installing a retaining wall from milepost 56 to milepost 56.2 to help slow the slide movement.

Work being done in 2022:

- Fixing the road surface from milepost 55.4 to milepost 55.6 and milepost 56 to milepost 56.2 to make it more level, creating a smoother ride and preventing water from pooling.
- Finish building the retaining wall and changing 1000 feet of road alignment in the slide area between milepost 56 to milepost 56.2.



Traffic & Construction Impacts

Beginning in early August and going through December 2021, expect 24 hour single lane closures. Traffic will be controlled by flaggers through the work zone. The travel lane will typically be 15 feet wide.

You can expect:

- Delays from lane closures.
- **From August 2 through August 13, 2021, the single lane road width will be 11 feet**, Monday through Friday. Wider loads can be accommodated within 20 minutes.
- Construction noise.
- Flaggers between milepost 54 and milepost 57.
- A **three day full road closure** in September 2021, after Labor Day weekend.

Plan ahead – there will be a **two week full road closure** in May 2022, before Memorial Day weekend.

The project is expected to be completed by the end of August 2022. Schedules are subject to change and exact dates for closures will be shared when available. It's wildfire season and that may impact this project – check for road closures at www.fs.usda.gov/willamette/.



Stay connected – sign up to receive project alerts on the project webpage!

Questions?

Julie GaNung | 541-726-2578

ODOT Project Manager

julie.e.ganung@odot.state.or.us

Angela Beers Seydel | 541-726-2442

Public Information Officer

angela.beers-seydel@odot.state.or.us

Learn more!

For more information about the project visit the webpage. To do this, visit www.oregon.gov/ODOT/projects and type **20807** into the search field to find the project webpage.

This [project](#) is managed by Federal Highway Administration, Western Federal Lands.

Use your camera to scan me to visit the project



Access for pedestrians and emergency vehicles will be available and identified through or around work zones.

S. Scott McDowell

From: Kevin Mannix <kevin@Commonsensefororegon.org>
Sent: Wednesday, June 23, 2021 11:23 AM
To: undisclosed-recipients:
Subject: More Local Control Over Emergencies
Attachments: Draft Const. Amendment Gov. Emergency Powers.pdf

Dear Mayors and City Council Members:

I am writing to you because Common Sense for Oregon is leading an effort to develop an amendment to the Oregon Constitution which will more clearly define the powers of the Governor, the Legislature, and County Commissioners in addressing emergencies. This helps your cities because you can get County Commissioners to “customize” the application of the emergency powers, in your communities, after 30 days (see below).

Here are key elements of the current draft:

1. It makes it clear that the only emergency powers held by the Governor are those which are specified in legislation passed by the Legislature. This prevents the Governor from expanding agency powers beyond those authorized by statute.
2. It clearly establishes that the House and Senate have the power to end declarations of emergency by a resolution passed in the House and Senate, not subject to approval by the Governor. In some states, legislatures have passed resolutions restricting emergency declarations and some governors have insisted they must approve these resolutions.
3. The Governor must specify which of the 36 counties are subject to the declaration of emergency. In each of those counties the declaration of emergency ends after 30 days unless the County Commissioners vote affirmatively to continue it. Should they vote to continue the emergency, this extension expires after 30 days. They may continue to vote for extensions to continue for 30 days, every 30 days. But if they do not vote in favor of an extension, the emergency is over for their county.
4. County Commissioners, after 30 days, may modify the extent to which emergency requirements apply in their county. This can include adjustments as to cities covered, the extent of coverage, etc.

This draft constitutional amendment is meant to redistribute emergency powers.

I have attached a copy of our current draft. I encourage you to share this with others. I welcome your comments. This is simply a discussion piece at this time.

Sincerely,

Kevin L. Mannix, President
Common Sense for Oregon
kevin@commonsensefororegon.org
2007 State St.
Salem, OR, 97306
503-480-0423

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Common Sense For Oregon – 2007 State Street, Salem, OR 97301**DRAFT CONSTITUTIONAL AMENDMENT**
EMERGENCY POWERS LIMITATIONS

The People of Oregon adopt the following new Section to be added to Article I of the Oregon Constitution:

- a. The Governor has no inherent power to declare an Emergency as to any matter, except where a statute specifically authorizes such a declaration.
- b. Any declaration of Emergency by the Governor shall specify the county or counties where the Emergency exists, so as to apply an Emergency declaration, and the reason or reasons for the declaration of Emergency.
- c. Any declaration of Emergency may implement or apply existing state powers and funding but shall not create or implement new powers or funding, and shall not expand the jurisdiction or authority of any government agency or institution.
- d. Any declaration of Emergency, and authority and actions thereunder, shall not exist for more than 30 days after the date of the declaration of Emergency, except as provided in subsection (e) below.
- e. In each county subject to a declaration of Emergency by the Governor, upon the expiration of the initial 30 days of Emergency, the county commissioners of the subject county, by majority vote, may extend the Emergency, for that county, by 30 calendar days. The Emergency declaration shall cease to have legal effect for that county after these 30 calendar days have passed, unless the county commissioners again vote to extend the Emergency for that county by another 30 calendar days. The county commissioners for a county subject to an Emergency declaration may vote to continue the Emergency declaration in successive 30-day extensions. The county commissioners, in voting to extend a declaration of Emergency, shall not expand the authority and powers under the original declaration of Emergency, but may choose to reduce the authority and powers as they apply to their county.
- f. The Governor shall not avoid the limitations of this Section of the Constitution by issuing any new declaration of Emergency, as to any matter or situation reasonably related to the original declaration of Emergency, until at least one year has passed after the original declaration of Emergency.
- g. The Legislative Assembly, by resolution passed by a majority vote of the House and a majority vote of the Senate, may terminate any declaration of Emergency by the Governor. Such resolution is effective without approval by the Governor. Upon passage of such resolution, the Governor shall not have the power to issue a new declaration of Emergency, as to any matter or situation reasonably related to the terminated declaration of Emergency, until at least one year has passed after the passage of the termination resolution by the Legislative Assembly.



America's Top States for Business

Start Over | 35 - 39 of 50



35. Oregon



36. Wyoming



37. New Hampshire

TOP STATES FOR BUSINESS

35. Oregon

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Getty Images



OREGON SCORE AND RANKING

CATEGORY	2021 SCORE	2021 RANK	2019 RANK	2021 GRADE
COST OF DOING BUSINESS	178	33	31	C
INFRASTRUCTURE	187	26	22	C
LIFE, HEALTH & INCLUSION	225	16	--	B-
WORKFORCE	191	19	19	C+
ECONOMY	136	29	7	C+
BUSINESS FRIENDLINESS	52	44	43	D-
ACCESS TO CAPITAL	76	28	23	D+
TECHNOLOGY & INNOVATION	119	10	12	B+
EDUCATION	74	31	36	C-
COST OF LIVING	6	47	45	F
OVERALL	1244	35	22	--

Economic Profile

Governor: Kate Brown, Democrat



Unemployment rate (May 2021): 5.9%

Top corporate tax rate: 7.6%

Top individual income tax rate: 9.9%

Gasoline tax: 38.83 cents/gallon

Bond rating (Moody's/S&P): Aa1, stable/AA+, stable

Major private employers: Intel Corp., Nike

Economic profile sources: U.S. Census Bureau, U.S. Bureau of Economic Analysis, U.S. Bureau of Labor Statistics, Federation of Tax Administrators, American Petroleum Institute (excluding 18.40 cent/gallon federal tax), Moody's Investor Service, S&P Global Market Intelligence



[America's Top States for Business 2021](#)

MONTH END FINANCIAL RECAP

	JUNE 2021		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 172,696.12	\$ 143,857.08	\$ 933,685.54	33.61%	\$ 1,844,408.46	1
2 WATER	\$ 51,890.25	\$ 33,600.20	\$ 324,153.23	37.97%	\$ 529,531.77	2
3 SEWER	\$ 33,846.18	\$ 28,349.60	\$ 318,261.60	33.39%	\$ 634,853.40	3
4 STREETS	\$ 16,627.55	\$ 18,778.82	\$ 201,223.32	58.01%	\$ 145,676.68	4
5 WATER BOND	\$ 78.10	\$ -	\$ 46,800.61	62.99%	\$ 27,501.39	5
6 SEWER BOND	\$ 194.28	\$ -	\$ 305,050.00	96.12%	\$ 12,300.00	6
7 SEWER DEBT FEE	\$ 11,371.41	\$ -	\$ 138,538.77	43.65%	\$ -	7
8 BUILDING & EQUIPMENT	\$ 113.56	\$ -	\$ -	0.00%	\$ 192,400.00	8
9 WATER RESERVE	\$ 1,933.18	\$ -	\$ -	0.00%	\$ 100,800.00	9
10 HOUSING REHAB	\$ 113.36	\$ -	\$ -	0.00%	\$ 215,271.00	10
11 WATER SDC	\$ 33,516.67	\$ -	\$ -	0.00%	\$ 44,600.00	11
12 SEWER SDC	\$ 82,790.11	\$ -	\$ 120,000.00	28.87%	\$ 295,675.00	12
13 STORMWATER SDC	\$ 31,547.63	\$ -	\$ -	0.00%	\$ 104,505.00	13
14 BIKEWAY/PATHS	\$ 153.91	\$ -	\$ -	0.00%	\$ 52,990.00	14
15 LIBRARY TRUST	\$ 3.91	\$ -	\$ -	0.00%	\$ 7,412.00	15
16 CEMETERY	\$ 4.29	\$ -	\$ -	0.00%	\$ 8,826.00	16
17 TRANSIENT ROOM TX	\$ 0.95	\$ -	\$ 2,496.50	80.02%	\$ 623.50	17
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19 LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,995.00	19
20 COMMUNITY PROJECTS	\$ 74.12	\$ 10,635.91	\$ 41,791.77	30.42%	\$ 95,583.23	20
	\$ 436,955.58	\$ 235,221.61	\$ 2,293,462.57			

Key Bank Account

General Checking \$ 361,430.49

Oregon State Treasury \$ 5,538,484.09

Community Improvements \$ 0.94

Project Escrow Holding \$ 0.02

TOTAL OST / LGIP \$ 5,538,485.05

Annual Bond Payment

Water \$ 45,167.05

Wastewater \$ 307,259.95

Total \$ 352,427.00

2020-2021

Appropriated \$ 6,616,415 34.66%

YTD

% of Total

Total Bonded Debt (Principal Only)

Water \$ 847,897.50

Wastewater \$ 5,126,135.50

\$ 5,974,033.00

Total Bonded Debt is \$9,157,976 (Principle & Interest)