

# Council Agenda Packet

Tuesday, September 26<sup>th</sup>, 2023 | 7:00 p.m. | Council Chambers | In-Person



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## Council Meeting

Tuesday, September 26<sup>th</sup>, 2023

**Location:** Council Chambers | In-person

### 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 27<sup>th</sup>, 2023  
June 27<sup>th</sup>, 2023 | Council Retreat
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. Cascade West Council of Governments | *Executive Director Ryan Vogt*
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administrator
  - D. Planning
  - E. Library
  - F. Office | *T. Morrow*
  - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
  - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
  - A. Arbor Day Proclamation
  - B. **Resolution 2023.16:** Designating Towing Hearings Officer
  - C. **Resolution 2023.17:** Planning Fees



10) ACTION ITEMS:

- A. Water Management Conservation Plan Items
- B. TMDL | Five-Year Report Highlights
- C. Brownsville Art Association Agreement

11) DISCUSSION ITEMS:

- A. SMAC Training Session
- B. GR12 Waterline Delay
- C. Park Camping Options
- D. Vineyard Wind Machines Warning
- E. July & August 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](http://www.ci.brownsville.or.us) for the meeting agenda, agenda packet and other City information.



# Council Minutes

July 25<sup>th</sup>, 2023

**ROLL CALL:** Mayor Craven called the meeting to order at 7:00 p.m. with Council President Chambers, Councilor Hansen, Councilor Solberg, Councilor Humphreys, and Councilor LaCoste present. Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell were also present.

**ABSENT:** Councilor Winklepleck was excused.

**PUBLIC:** Sherri Lemhouse. Mike and Betty Doren, Cheryl Haworth, Paul and Rosann Winther, Chenoweth Robertson, Dan Murphy, Penny Rosenberg (*Democrat-Herald*), Chris Seale, Lori Garcy, Lynlee Bischoff, Barbara Anderson, Jack Alsman, Wendy Toshitune, Patrick Starnes, Tia Parrish (*The Times*), Allen Buzzard, Rod Souza, and Deputy Frambes (*LCSO*) were present.

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** McDowell directed Council's attention to items on the desk added tonight, and also stated that Item 11B. ROI grant final report will be tabled until September.

**MINUTES:** Councilor Hansen made a motion to approve the June 27<sup>th</sup>, 2023 meeting minutes as presented. Councilor Chambers seconded the motion. The motion passed unanimously.

## **PUBLIC HEARING | PRESENTATIONS:**

1. **Cybersecurity.** McDowell provided a brief overview of cybersecurity issues facing everyone including the City. Twice year McDowell is required to review these issues for insurance policy purposes.
2. **Website Reviews.** McDowell provided an overview of the City's websites including <https://ci.brownsville.or.us> and <https://clcepc.org> highlighting some of the features of both sites. The City is a part of REAL, <https://www.ruraleconomicalliance.com>, along with 9 other cities, and the group will soon do a presentation for the Linn County Commissioners to further their cause.

## **DEPARTMENT REPORTS:**

1. **Linn County Sheriff's Office (LCSO) Report.** Sergeant Frambes reviewed the stats for June highlighting several calls that included many calls involving juveniles. Frambes reviewed a burglary, illegal campers in Pioneer Park and items stolen from a boat sitting in the right-of-way. LCSO hopes to recommit to traffic enforcement soon.
2. **Public Works.** Public Works Superintendent Karl Frink was excused tonight. McDowell will cover his report.
3. **Administration.** Administrator Scott McDowell discussed details, logistics, and shared photos of the Rec Center Renovation project. The project is on schedule and due to be completed by September 30<sup>th</sup>, 2023. The City is planning an Open House event when the project is complete.

SMAC (Small Municipalities Advocacy Coalition) continues to move forward, finalizing agreements and materials to reach out to other communities. Summertime vacations have slowed progress slightly.

McDowell has obtained gap financing for the CLRC Renovation project from Government Capital.

Fiscal year budget 2023-24 has been finalized and delivered to Linn County.



D-prep has stalled out at the moment. Nancy Brewer, Lebanon City Manager, has resigned her position as Lebanon City Manager. Ron Whitlock will be serving in an interim City Manager role.

McDowell reported that the Council approved upcoming event of the Antique Harvest Market has been cancelled for this year. There are a number of local events happening soon, including the annual Antique Faire, Hands on History, and Festival of Tents.

The annual audit will be happening the week of August 7<sup>th</sup>, 2023. Staff will set them up in Council chambers and be available to help. The team planned will be nearly all new members from SingerLewak.

Mr. McDowell and Mr. Frink will be working on the WMCP and TMDL soon, figuring out how to meet all requirements.

McDowell reported that the City is working with Pacific Power to get the streetlights in the new subdivision installed. There are several lights that need to be installed in Phase II and Phase III. McDowell is working with Stephan Smith too.

McDowell reported that Dyer Partnership, the City's Engineer, is working on the easement for the GR 12 waterline project.

McDowell reviewed waterline and sewer line responsibilities; from the meter box, or street, to the residence is the responsibility of the homeowner.

McDowell reminded Council of Council's August recess.

4. **Planning.** No Comments.
5. **Library.** Librarian Sherri Lemhouse provided an overview of Library programs and statistics. Lemhouse features a robust programming schedule for people of all ages to create community at the Library. Since January 2023, 1171 e-books and materials have been checked out. The City has had over 8,000 patrons visit since January and over the year nearly 20,000 items have been checked out. To learn more about programs and happenings at you community library, please visit <https://www.brownsvillecommunitylibrary.org>.
6. **Office.** No comments.
7. **Court.** No comments.
8. **Council Comments.** No comments.
9. **Citizen Comments.** Patrick Starnes stated that he appreciates Council's time and willingness to volunteer to perform City business. He had some questions about HB 3115 and the City's response. McDowell responded that the law requires the City to offer a space for folks to lay and rest. The City has deemed the area in front of City Hall (from the large tree to the sidewalk of the Brownsville Art Center) to be this space. Folks are allowed to be in this area from 9:00 p.m. to 7:00 a.m. Pioneer Park is a fee park for camping. McDowell reminded Council that Councilor LaCoste and Councilor Chambers will be meeting soon around this issue.

Betty Doren spoke next expressing concerns about drainage in her neighborhood. Doren shared frustrations about the implications and impact of the storm on her property and the lack of response, she felt, regarding this concern. A new home is under construction next door.



## **ACTION ITEMS:**

1. **Dyer Partnership Agreement.** McDowell stated that Dyer Partnership has been the City Engineer for five years and City Engineer Ryan Quigley has served in that capacity for nearly fifteen years. Staff is recommending continuing the engineering services with Dyer Partnership.

*Councilor Humphreys made a motion to approve a two-year engineering agreement with Dyer Partnership. Councilor Chambers seconded the motion and the motion passed unanimously.*

2. **Linn County Assessment & Taxation | City Hall Use.** McDowell referred to the letter received from the Linn County Assessment & Taxation office about the City's tax-exempt status due to the use/lease of the building by the Brownsville Art Association. McDowell shared the details from Linn County's Natalie Bauer, stating that last year's tax bill would have been \$1,350. Bauer stressed that the taxes will be different next year.

*Councilor Humphreys made a motion to allow Staff to appeal the decision as mentioned in the official letter received from the County. Councilor Chambers seconded the motion and the motion passed unanimously.*

## **DISCUSSION ITEMS:**

1. **SMAC Training Sessions.** McDowell said that training sessions will be held in August and September. Councilors are encouraged to attend one of the sessions at their convenience. McDowell will email the training sessions dates and locations when they are available. Please RSVP to McDowell as soon as you know your availability.
2. **June Financials.** No comments.

**CITIZEN QUESTIONS & COMMENTS.** None.

**COUNCIL COMMENTS.** Councilor Chambers stated that she had gone next door to the Muddy Creek Energy Park meeting and it appeared there is a lot of opposition to the project. She encouraged folks to do some research on the project and perhaps attend future sessions to learn more. Chambers stated that it might be a good project for SMAC to get behind.

**EXECUTIVE SESSION.** Council adjourned into executive session at 8:04 p.m.

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

Council returned to regular session at 8:13 p.m. No decision was rendered in Executive Session.



Mayor Craven stated that he feels that Council is not interested in purchasing private property at this time. Councilor Humphreys stated that perhaps Council should investigate creating a policy. McDowell stated that he would check the County policy and report back.

*Councilor Humphreys made a motion to develop a policy that the City not buy private property unless the City has a real need. Councilor Solberg seconded the motion and it passed unanimously.*

**ADJOURNMENT:** *Councilor Solberg moved to adjourn at 8:15 p.m. Councilor LaCoste seconded the motion and it passed unanimously.*

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City Administrator S. Scott McDowell

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Mayor Adam Craven



## Council Retreat Minutes

**July 25<sup>th</sup>, 2023**

Members of Council met July 25<sup>th</sup>, 2023 in Council Chambers for a retreat at City Hall, Brownsville, Oregon immediately following Council meeting.

**Present:** Mayor Craven, Council President Chambers, Councilor Solberg, Councilor Hansen, Council Humphreys, Councilor LaCoste and Administrative Assistant Tammi Morrow & City Administrator Scott McDowell.

**Absent:** Councilor Winklepleck

**Public:** No one was present.

Council talked about meeting conduct, logistics, and ways to improve the flow of public meetings. Shared insights on positive interactions and some constructive criticism on ways the group could improve. McDowell provided Council with a training review on key organizational development concepts. McDowell presented the slides attached to these minutes as reference. McDowell shared a few items were Council could improve their interactions with their audience and their Staff.

The City has been building solid relationships, being committed to success, sharing organizational values and principles to achieve positive outcomes for Brownsville. McDowell talked about the Council-Manager form of government. He shared risk models the City uses to make decisions. He talked about Councilor's roles in the organization as well as the community and highlighted a few ways to interact with others. McDowell reviewed the Process of Progress. He talked about the nature of complaints versus concerns and knowing how to handle each appropriately and effectively.

The meeting adjourned at 9:27 p.m.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Scott McDowell  
City Administrator

\_\_\_\_\_  
Adam Craven  
Mayor



# City Administrator Report

September 26<sup>th</sup>, 2023

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

**Note:** The first section of this report follows the Council meeting agenda and 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.

“Some things in life are out of your control.  
You can make it a party or a tragedy.”  
~ Nora Roberts, *Writer*

“I can’t ask for more out of life, and the more  
I learn the less I know.”  
~ Tony Bennett, *Singer*

“There was another life that I might have  
had, but I am having this one.”  
~ Kazuo Ishiguro, *Writer*



## AGENDA ITEMS DISCUSSION

The following items follow the order of the Agenda

### 6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Cascade West Council of Governments | Executive Director Ryan Vogt** – Ryan Vogt will give Council an overview of the services provided by the COG, highlight programmatic efforts and be available for any questions. Information provided by Mr. Vogt can be found on the City website at <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.



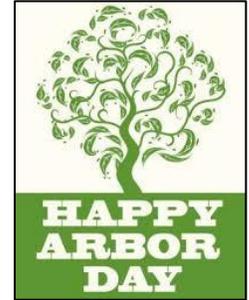
### 9) LEGISLATIVE:

- A. **Arbor Day Proclamation** – Mayor Craven has asked for the Arbor Day proclamation to set the 2023 Arbor Day Celebration for November 6<sup>th</sup>. Details of the event will be in the Fall Newsletter. The City hosts Arbor Day celebrations as part of the requirements of the national Tree City program.
- B. **Resolution 2023.16: Officially Designate Towing Hearings Officer** – The City is naming a towing hearings officer to satisfy the State requirement.

**What is Council being asked to do?**  
Make the designation by passing the resolution.



- C. **Resolution 2023.17: Planning Fees** – Staff and Council annually review fees associated with planning. The enclosed resolution modifies a few items. Please refer to Resolution 2022.22 if you would like to review the differences between the existing rates and proposed changes.



**What is Council being asked to do?**  
Make the designation by passing the resolution.

## 10) ACTION ITEMS:

- A. **Water Management Conservation Plan Items** ☒ – The City finally received the final requirements from the Oregon Water Resources Department for the City’s newly adopted Water Management & Conservation Plan (WMCP). Public Works Superintendent Karl Frink and I have reviewed the document and developed an implementation plan for Council’s consideration as promised at the July Council meeting. The plan can be found in its entirety on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.

This is an unfunded mandate.

**What is Council being asked to do?**  
Council is being asked to approve Staff’s implementation plan as presented.

- B. **TMDL Matrix & Plan** ☒ - The City finally received the final requirements from the Department of Environmental Quality (DEQ) on the DMA plan. Frink and McDowell have reviewed the plan and will continue to execute the required annual tasks. If any additional planning is needed, the management team will report to Council and request authorization as may be necessary.



**TMDL Five-Year Review:** The City is required to file a five-year report to the Department of Environmental Quality (DEQ) on the TMDL plan. I have placed the questionnaire on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.

Please review the report. Council will be asked to approve the report answers before submittal. The review is due to Department of Environmental Quality (DEQ) by September 30<sup>th</sup>, 2023.

This is an unfunded mandate.

**What is Council being asked to do?**  
Council is being asked to review and approve the five-year report.

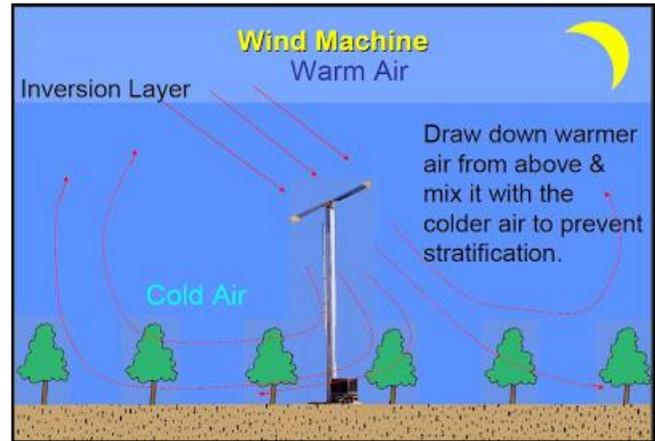
- C. **Brownsville Art Association Agreement** – Due to changes being imposed by the Linn County Assessor’s Office, Staff is requesting that the agreement with the Association be opened to determine possible solutions.



## 11) DISCUSSION ITEMS:



- A. **SMAC Training Session** ☑ – Sean Tate will be holding the final training session October 19<sup>th</sup>, 2023 in Harrisburg.
- B. **GR12 Waterline Delay** – The City is working with the County to complete the easement. Please see notes below.
- C. **Park Camping Options** ☑ – Council President Lynda Chamber and Councilor Sean LaCoste will be reviewing camping options and requirements in Pioneer Park with Staff soon.
- D. **Vineyard Wind Machines Warning** – The machines may turn on soon depending on temperatures. Due to low overnight temperatures, the wind machines are used to prevent ‘cold injury’ to the grape vines. The wind machines are very noisy due to the engines used. Basically, the machines are programmed to turn on at certain temperature levels, generally around 36° F and can only be ran during certain wind speeds. The site has numerous wind machines, and they generate a very noticeable sound throughout town. The motors sound like an old farm tractor and the blades have a high-pitched sound. A low frequency hum can be heard throughout town when all the wind machines are operating.



## E. **July & August Financials**

### UPDATES, INFORMATION & HAPPENINGS

**Linn County Sheriff's Office Monthly Report | [G1]** – 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	Citations	Warnings	Hours
2023	August	17	12	210.5
2023	July	10	20	208.25
2023	June	7	11	202
2023	May	6	12	224.5
2023	April	6	19	200
2023	March	7	15	208.65
2023	February	13	16	204.25
2023	January	13	34	202
2022	December	12	18	209
2022	November	16	13	202
2022	October	4	10	219.95
2022	September	5	5	225.25
2022	August	14	21	200



2022 July	18	6	223
2022 June	11	16	176
2022 May	15	7	200
2022 April	40	18	231
2022 March	13	12	211.25
<i>Subtotal</i>	227	265	3757.6
<b>Total Average</b>	12.61	14.72	208.76

**LCSSO Quarterly Meeting** – Councilor Mike Winklepleck and I attended the quarterly meeting on September 7<sup>th</sup>, 2023 in Millersburg. Sheriff Duncan discussed personnel hiring gains and continuing challenges. Duncan asked cities to make sure they designate a hearings officer for towing. New changes in State Law require a hearings officer in the event of an appeal. Duncan was complimentary of County Emergency Management team led by Ric Lentz. Duncan reviewed the emergency tactical reports and how communications will roll out during fire emergencies. Cities discussed concerns about the way hours were being charged. McDowell will draft language to clarify and eliminate the concern. The next meeting is scheduled for December 14<sup>th</sup>, 2023 at 2:00 p.m. in Millersburg.

**Woodblock Architecture | Scheduling, Logistics & Choices** ☒ – The project continues to progress nicely. Staff continues to make decisions as needed on a daily/weekly basis. Public Works Superintendent Karl Frink is working directly with Project Superintendent Ken Shields on the installation of the water service for the building and the waterline for the new fire suppression system.



Administrative Assistant Elizabeth Coleman has been working on permitting. I have been working on change orders and detail decisions. It is a partnership that is working very smoothly, and it is exciting to see the changes that are happening at the Rec Center. I am

also keeping Central Linn Recreation Association President Katy Kallai, and the Park Board up-to-speed on the project’s progress.

**Rec Center Renovation Project** ☒ – Many great things are happening on the Rec Center project. The contract completion date has been pushed back to October 24<sup>th</sup>, 2023, mostly due to circumstances beyond anyone’s control. The windows made it to Oregon Monday, September 18<sup>th</sup>, 2023. Ken Shields, Construction Superintendent for J.E. John, said painters have been busy prepping and painting while the weather is conducive for such activities. A few utility issues have caused delays including Pacific Power, NW Natural Gas, and the City’s Public Works due to scheduling circumstances mostly. The City is waiting on parts from the City’s supplier who is still experiencing supply chain issues. Overall, everything is going well. Council did change the nomenclature for the playground line item so those funds could be used for the renovation project and first loan payment. The City did borrow \$600,000 for gap financing to ensure completion.

**Rec Center Open House** – The City will plan for an open house this late Fall to celebrate the completion of this major project.

*From 06.27.2023:* J.E. John Construction has had a very good start in terms of staying on schedule. The City has certainly faced a number of discoveries during demolition. Change orders were required due to asbestos discovered in the flooring of the kitchen and music room, redoing the sidewalks extending north to Park Avenue, and the alternate seismic improvements. The City has also incurred expenses hiring an inspection company as required by contract, pulling permits with Linn County and



# City Administrator Report

Pacific Power, and paying for bond counsel for the gap financing. Mayor Craven did everything he could in an attempt to salvage the gym floor. Ultimately, the floor was unable to be salvaged.

Special thanks goes out to our Public Works crew who did great things in preparation for the contractors, our civic organizations who moved their belongings out of the building in time, and to Jon Brockman for helping out with moving and storage of the piano from the music room.

**GR12 Waterline** ☒ – The City has forwarded the easement information to Linn County’s legal team to finalize and present to the Linn County Commissioner's Office. The City hopes to have this finalized as quickly as possible.

*Previously:* The City has been delayed by the survey crew. Dyer’s survey crew is backed up. Once the City receives the legal description and drawing for the easement the City needs to obtain from Linn County, I will begin discussions with Linn County’s Gene Karandy and the Commissioner’s Office. City Engineer Ryan Quigley hopes to have the project constructed over the winter months. Hopefully, the City can still afford to construct the project. Construction costs continue to climb.

*From 07.25.2023:* Dyer Partnership is working up the legal description for the necessary easement. Linn County Park’s Director Stacey Whaley approved the City moving forward after she received the arborist report a few weeks ago.

*From 06.27.2023:* Staff is working on answering questions and concerns on the easement request for the GR12 waterline. Concerns have been raised over the trees in the northeast corner of the Moyer House lawn. Public Works Superintendent Karl Frink, City Engineer Ryan Quigley, and I have been working on solutions and other possibilities. I hope to have more information Tuesday evening.

*From 03.28.2023:* The City hired Foundation Engineering to perform subsurface testing for the proposed path of the waterline. The City obtained permission for the testing from acting Linn County Park Director Brian Carroll since access to the Moyer House property was required.



**REAL Progress & the Linn County Commissioner's Office** – I accompanied Blair Larsen, Sweet Home, and Alysia Rodgers, Lebanon, to discuss the five-year strategic plan recently completed by REAL. A robust discussion ensued centering around advocacy efforts and land use challenges that accompany development especially as it relates to the State’s application and approach to wetlands.



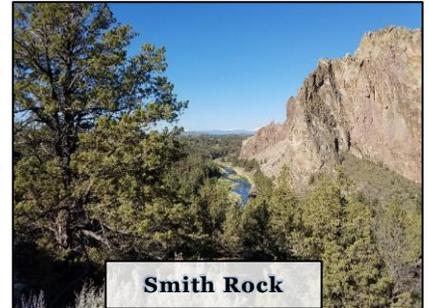
**Volunteer Cookout** – Staff did a fine job working together to create an appreciation cookout for the City’s volunteers. Mike Neddeau cooked hamburgers and hot dogs and made sure the toppings were cut and ready. Potluck items included pasta salad, potato salad, baked beans and brownies. Thanks to all who attended and for all you do for the City!

**Central Linn School District (CLSD)** – Frink and McDowell have been working with Central Linn’s new Athletic Director, Kevin Wise, to provide a place for the middle school soccer team. The City will be using the east baseball diamonds to accommodate the team. Unfortunately, there is no good way to irrigate the area. Mr. Wise understands that the field will be used as-is. The City will complete a simple agreement for the use of the field. Soccer season will end before the Park closes on October 31<sup>st</sup>.



**Purchasing Private Property Policy** – Council directed Staff to investigate a policy regarding the purchasing of private property. I checked in with Linn County officials and they do not have an official written policy on this subject. I would recommend evaluating opportunities as they arise from time to time with the understanding that adding private homes and land to the City’s inventory brings challenges and expenses that the City may find unsustainable.

**Park Fees Review** – Fees are reviewed annually for adjustments. The Board will review these fees later this year in coordination with the Central Linn Recreation Association. The Association is looking at fees for Rec Center uses. The City would like to propose a change in the way the Association fees have historically been applied and levied. Staff would like to propose a significant change in the way this is handled by the City in cooperation with the Central Linn Recreation Association.



**Park Board Meeting** – Administrative Assistant Elizabeth Coleman and City Administrator Scott McDowell attended the Park Board meeting on September 14<sup>th</sup>, 2023. The Board meets quarterly to advise Council on recreational issues. The Rec Center Renovation project is taking a majority of City’s capital infrastructure budget.

**D-Prep Effort** – The group is reconvening at the end of September to determine and agree on next steps.

**Brownsville Art Association & Taxation Ruling** – Dr. Lori Garcy and I are proposing to open the agreement for the use of City Hall to modify the language for Council’s review. Council members will recall the Linn County Assessor’s Office deemed that the use of City Hall by the Association required the Association to be taxed for such use since the Association has items for sale at the location. Garcy spent a lot of time researching solutions and discussing possibilities with Linn County’s Natalie Bauer. The end result is that the Association does not qualify for an exemption under State rules.

**Project Outlook 2024** ☒ – McDowell posted the projects identified by Council and the Budget Committee in the annual things to do list which can be found on-line. The plan can be found in its entirety on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.

## Small Municipalities Advocacy Coalition (SMAC)

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**Small Municipalities Advocacy Coalition (SMAC)** ☒ – Training and recruitments are happening. The last training session will be held October 19<sup>th</sup>, 2023 at 7:00 p.m. in Harrisburg. The group will be working on communication logistics and coordination for the upcoming legislative session very soon.

*From 07.25.2023:* I will provide an oral update Tuesday evening.

*From 06.27.2023:* Administrative Assistant Tammi Morrow, Mayor Craven and I have attended meetings with the group the last two Fridays.

*From 5.23.2023:* The original members of SMAC met in Halsey two weeks ago to work out logistical details and plan for the initial training sessions with Tate Public Affairs.



**Active: League of Oregon Cities** – Bills rolled out include a lot of spending for large communities and most around climate change initiatives. I attended the latest meeting in Oakridge in August. More information to follow as SMAC and the League of Oregon Cities prepare for the short-session.

*From 07.25.2023:* League Staff is coming back from vacation and we will see a flurry of activity soon as they prepare reports based on legal changes that will impact Oregon cities.

*From 06.27.2023:* The League continues to work through the long legislative session.



*From 5.23.2023:* I will provide a brief overview of the League of Oregon Cities new Strategic Plan Tuesday evening as Council reviews the Legislative Advocacy & Policy Committee (LAPC) recommendations.

▶ **Sean Tate Meetings** – The group continues working on logistics, details and outreach.

*From 5.23.2023:* Michele Eldridge, Harrisburg City Manager, and I have been working closely with Mr. Tate on a proposal that will greatly assist with Council’s advocacy goals.

*From 12.20.2022:* Council authorized sending a joint letter to the League of Oregon Cities which precipitated a meeting with League Staff this past week. Freshly appointed Executive Director Patty Mulvehill brought Lisa Trevino and Jim McAuley to listen and address concerns over legislative priorities, policy outcomes and ways to improve advocacy. The group of cities will continue to follow-up and help with issues. One of the biggest takeaways was the importance of the local elected officials developing working relationship with State representatives. Mulvehill spoke about recent League efforts around this effort.

*From 10.23.2022:* The five cities, Harrisburg, Halsey, Scio, Sodaville and Brownsville, have been in contact with Interim Executive Director Patty Mulvehill to discuss the parameters of the letter and how all small cities and the League could work together more effectively to create a better voice for small cities. The meeting is scheduled for December 12<sup>th</sup>, 2022.

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**Legislative Advocacy & Policy Committee (LAPC) Recommendations** – I have completed the necessary policies for the Committee’s consideration. Twenty (20) policy areas have been written, and will be reviewed by the Committee and then back to Council, as directed by Council earlier this year. Council also asked for the development of a new Social Media policy and modifications to the Council agenda that will require changes to the Officials Handbook. The Committee is planning on finalizing the recommendations for the October Council meeting.

*From 07.25.2023:* Staff will work with the Committee over the next few months to deliver information and policy directives for Council approval.

*From 06.27.2023:* Time did not allow for Staff to move forward on this issue. With the legislative session winding down, we will get to this as time allows this summer and early fall. Council directed Staff to work with the Committee to execute the recommendations from the Committee including a social media policy and policy positions on key issues facing the City. This work will be important to complete as efforts ramp up this fall in preparations for the short session of the State Legislative Assembly.



*From 5.23.2023:* The recommendations report from the LAPC is included in the agenda packet for your review. Council will have a discussion regarding these recommendations at Council meeting. I will provide a quick slide show of the recommendations as a point of reference for Council. I will also review the League of Oregon Cities Strategic Plan as it is currently being rolled out to the membership. I will also briefly talk about progress and next steps with the SMAC effort.

**Active: D-Prep Launch | [G4]** – The entities are working on getting through budget season and the end of the fiscal year. The next step is agreement development, setting goals for the the next few years, and working on details for creating a EOC between the six entities.

*From 5.23.2023:* I met with Joe Rodondi, Lebanon Fire Chief, and Nancy Brewer, Lebanon City Manager, two weeks ago to discuss next steps. The tentative plan is to work on developing the IGA and certain SOP’s over the remainder of this year. Budget constraints have slowed this project.

*From 03.28.2023:* The plan reveal was rescheduled for the second week of April. Work continues.

*From 12.20.2022:* Surveys and questionnaires have launched. Staff is working for a December 21<sup>st</sup>, 2022 deadline for the intial work to be completed.

**Active: REAL Meetings | [G3]** – The City is still awaiting the final ROI grant payment from Business Oregon.

*From 07.25.2023:* Staff worked on closing the ROI grant. The group is preparing a presentation for the Linn County Commissioners among other groups. They are also working on the implementation of their five-year strategic plan shared with Council at the last meeting.

*From 06.27.2023:* I will provide an oral update Tuesday evening. The most recent meeting happened on June 22<sup>nd</sup>, 2023. The group has been busy sharing the strategic plan with Councils and other stakeholders.

*From 03.28.2023:* Staff was successful in obtaining additional, supplemental grant funding from Business Oregon’s ROI for the strategic planning, marketing & website projects. RAIN will assist with an open house event this summer that will increase awareness for the effort, champion things that are happening and celebrating things that have already been accomplished.

## ACTIVE, PENDING, STALLED & COMPLETED

**Active: River’s Edge Outcome** – As discussed at the last meeting, Public Works Superintendent Karl Frink and City Engineer Ryan Quigley have been reviewing the final details and punch list items for Phase III. Elizabeth, Karl, and I have been working with Chad E. Davis Homes on the completion of the open space as required by the Planning Commission. The City is still holding funds for the successful completion of this project. I have also been working with Pacific Power on the installation of the remaining streetlights. We are simply waiting for the money due on the contract from the developer. Once that check is delivered, Pacific Power will complete the installation.



*From 5.23.2023:* Administrative Assistant Elizabeth Coleman and I have once again reviewed progress made on the Open Space portion of the project. Staff is currently working with Chad E. Davis Homes to complete the remaining punch list items.



# City Administrator Report

*From 04.25.2023:* Funds have been disbursed as directed by Staff and Council. Staff has made necessary adjustments to the FY 23.24 budget to accommodate the remaining reimbursement for the River's Edge Open Space once the work is performed to the satisfaction of the City. Construction on Phase III continues. Concerns over financing and responsibilities regarding the incorrectly installed sanitary sewer have been resolved. The City did not have to take any financial, engineering, or legal action regarding the matter.

*From 03.28.2023:* Staff has been engaged in addressing issues with the sanitary sewer lines that were installed by the developer for Phase III. The City is working out logistical requirements for the utility to effectively meet the Public Works Standards.

*From 05.24.2022:* Staff continues to work closely on inspections and permitting issues. Public Works Superintendent Karl Frink recently reported that the developer was planning on making the required improvements to the open space area in the subdivision. This open space area will be the responsibility of the homeowner's association. The City is holding \$102,946.95 for the completion of this project. Once the open space meets inspection, the City will refund those monies.

**Active: TMDL Report | Dyer Partnership** – Public Works Superintendent Frink and McDowell will start a tracking matrix to comply with the new requirements imposed by the Department of Environmental Quality (DEQ). Staff will provide a report on the details later this Fall.

*From 5.23.2023:* The State apologized briefly over the phone about threatening the City. I was told that the plan looks good as submitted and is in the process of being approved by the State. Later that week, the City received the approval letter which is on the City Council webpage.

*From 04.25.2023:* The proposed report being sent back to the State after the State's initial review is posted on the City Council webpage for your review. I will provide an oral presentation for this item.

**Active: EPC Meeting** – EPC is planning to be part of the Open House for the Rec Center this late Fall or early Winter.

*From 5.23.2023:* Administrative Assistant Tammi Morrow highlighted events that will be held by the group over the summer and fall.

**Active: Central Linn Recreation Center Meeting** ☑ – *From 06.27.2023:* Regular meetings continue as relationship building and coordination continues. I added their meeting Wednesday and reviewed several items included a report on the Rec Center Renovation project, the need for alternative scheduling for this year's volleyball and basketball season, the importance of creating policies & procedures along with other operational considerations.

*From 03.28.2023:* Rec Center Association meetings have resumed. Staff has been working with Katy Kallai to assist with programmatic efforts and the renovation project.

*From 11.22.2022:* Staff has been working with President Katy Kallai on a number of issues including bylaw changes, financial transition items, janitorial services and the renovation project to name a few. The Association has an exciting, young group of people working to bring programming to the youth of our Central Linn community.

**Active: Linn County Planning & Building (LCPB) | Quarterly Contract Cities** – *From 04.25.2023:* Administrative Assistant Elizabeth Coleman will be attended the April 27<sup>th</sup> meeting later this week.



# City Administrator Report

*From 07.26.2022:* Administrative Assistant Elizabeth Coleman and I attended the latest meeting with the County and contract cities. LCPB has made significant staffing changes. All cities were happy with the transition and the County's attentiveness to city needs. A few problems were addressed concerning fees and fee schedules. The County is still working on full implementation of their e-permitting system. The group will talk about the long awaited update to the Urban Growth Boundary (UGB) agreements the cities have with Linn County. Brownsville's has not be reviewed since 1978. Now we have development happening in the UGB which has caused a few problems we are still trying to work out.

**Active: Water Management Conservation Plan** ☒ – Please see the notes above. The City received the approved Water Management & Conservation Plan (WMCP) from the State. Public Works Superintendent Frink and I will review the matrix and create an implementation plan that we will share with Council early Fall. Council did approve funding for these items in this budget cycle.

*From 04.25.2023:* The City is still waiting for the final plan review. Tim Tice recently reported that the State has a backlog of plans to review and the City's plan is in the queue.

*From 11.22.2022:* The State has requested more information and clarification on certain sections of the report. Mr. Tim Tice is working on those revisions.

*From 10.25.2022:* The WMCP was filed August 15<sup>th</sup>, 2022 [...]

**Pending: Climate Change Initiatives & IGA | Department of Land Conservation & Development (DCLD)** – *From 12.20.2022:* Staff will continue to monitor this situation and report back to Council. The latest word from the State of Oregon is cities are not required to adopt an IGA, resolution to participate.

*From 10.25.2022:* The Federal Emergency Management Agency and DCLD are pushing climate change initiatives through required agreements through certain flood and fire plans.

Respectfully Submitted,

S. Scott McDowell  
City Administrator

## COUNCIL CORNER | GENERAL INTEREST

Please visit the City website at <https://www.ci.brownsville.or.us> for all kinds of information pertaining to the City's business & operations.

★ *Kirk Avenue History* ★ *Calapooia Riverbank* ★ *Plus much more*

# PLANNING AT A GLANCE

## September 2023

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

- Structural      Rec Center Fire Vault Install      145 Park Ave
- Plumbing      Site Civil W/L      305 N Main St
- Structural      Building Addition      107 W Bishop W
- Mechanical      Replace Gas Fireplace      420 Averill St
- Mechanical      Add A/C      713 Oak St
- Mechanical      Replace A/C      868 Maple St
- Mechanical      Add Heat Pump      600 Ash St
- Structural      Rec Center Install Ramps/Stairs/Landings      145 Park Ave
- Construction      Bathroom Remodel      1119 Kirk Ave
- Fence           308 Averill St
- Accessory St      8x18 Storage Shed      302 Averill St
- Fence           219 Stanard Ave
- Fence           714 Loucks Way
- Fence           821 & 825 NP Loop

### **Land Use | *Conditional Use Permit Application (Home Occupation)***

A Conditional Use Permit application was submitted to the City, requesting approval to operate within an overnight accommodation platform (Airbnb, VRBO, Homeaway, etc.) in a residential zone. The application has been approved.

### **Other | *Challenging Parcels***

There are some parcels that have created a lot of interest over the last few years. These parcels seem unique because they require longer distances of public utility extensions & street improvements than other areas in the city. They are either fully inside the Brownsville city limits or outside the city limits yet inside the Urban Growth Boundary (which requires communication between the City & Linn County due to our UGB Agreement).

Not so unique are the requirements called out in the Brownsville Standards for Public Improvements and the Brownsville Municipal Code, that state that it's the property owner's responsibility to "bring in" utilities & construct street improvements for their development & prepare for future development. These requirements are necessary, regardless, yet dependent on the type of development. At a minimum, development of these parcels can include, but is not limited to, extension of public water & sewer lines, storm sewer, drainage mitigation, future street/ROW dedications, city street access through private property, improvement of intersecting streets, and potential annexation agreements for development outside the city limits (access located inside the city limits).

Staff have heard numerous inquiries from potential property owners interested in several development options (i.e., 1 Single Family Dwelling w/shop, duplexes, manufactured home park, cottage cluster, etc.). The information is the same; the developer is responsible for installation of public city utilities (well & septic systems are not city utilities). Staff understands that sellers want to sell, and buyers want to buy, Brownsville is a wonderful place to live, and sometimes the gap between the dream property and the cost to develop it is...exponentially wide. It should also be understood that the city Standards & Codes were compiled & adopted to help support & protect the current & future infrastructure needs of the city and it is the responsibility of staff to require compliance with city codes.

*Elizabeth E. Geman*







## Library Advisory Board

*Librarian's Report*

August 2023

Here are a few facts about our Library the month of August 2023. We have received 40 new books for the Library. Volunteers donated 112.75 hours to our Library. There were 1,658 materials checked out. 371 adult fiction books; 175 adult non-fiction books; 118 audio books; 558 children's books; 260 junior books; 65 junior reference books and 81 large print books.

There was a total of 161 electronic materials checked out. 109 adult fiction books; 33 adult non-fiction books; and 33 junior books. Of these 70 were eBooks and were 91 eAudiobooks.

In August, we held 13 children's programs with 112 participants. There were 7 programs for adults with 49 participants. The State Statistics started asking for a count on 'passive programs.' These are activities that are self-guided. Most weeks I have been putting out a craft project for the children to work on. This allows for the parents to wander through the Library looking for a book for themselves. When they are done the parents usually sit at the table interacting with their children and help them complete the project. Many weeks I am only able to put out color sheets. Below are a couple examples of the finished projects.

Respectfully submitted,

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

Sherri Lemhouse  
Librarian





**PROCLAMATION**  
**ARBOR DAY 2023**

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

**WHEREAS**, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;

**WHEREAS**, Arbor Day is now observed throughout the Nation and the World, and;

**WHEREAS**, trees can reduce the erosion of precious topsoil by wind and water, lower heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide more habitat for wildlife, and;

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood based products, and;

**WHEREAS**, trees in our community increase property values, enhance the economic vitality of business areas and beautify our community, and;

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal;

**NOW THEREFORE I**, Mayor Adam R. Craven of the City of Brownsville, do hereby proclaim **November 6<sup>th</sup> 2023**, as **Arbor Day** in the City of Brownsville and I urge citizens to celebrate Arbor Day and to support the efforts to protect our trees and woodlands, to plant and care for trees for future generations.

**Dated this 26<sup>th</sup> day of September, 2023.**

**ATTEST:**

**APPROVED:**

S. Scott McDowell  
City Administrator

Adam R. Craven  
Mayor



## PROCLAMATION

### ARBOR DAY 2023

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

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**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood based products, and;

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**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal;

**NOW THEREFORE I**, Mayor Adam R. Craven of the City of Brownsville, do hereby proclaim **November 13<sup>th</sup> 2023**, as **Arbor Day** in the City of Brownsville and I urge citizens to celebrate Arbor Day and to support the efforts to protect our trees and woodlands, to plant and care for trees for future generations.

**Dated this 26<sup>th</sup> day of September, 2023.**

**ATTEST:**

**APPROVED:**

S. Scott McDowell  
City Administrator

Adam R. Craven  
Mayor

**ALTERNATE DATE**



**RESOLUTION NO. 2023.16**

**A RESOLUTION DESIGNATING A  
HEARINGS OFFICER FOR TOWED VEHICLES**

**WHEREAS**, Linn County Sheriff Michelle Duncan instructed cities to adopt a hearings officer for any towing appeals that may happen within city limits; and

**WHEREAS**, a recent change in State law requires an appeals process; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, that the hearings officer for the City of Brownsville shall be the City Administrator or official designee. Any appeal will be conducted in accordance with State law.

**PASSED AND ADOPTED** by the City Council of the City of Brownsville this 26<sup>th</sup> day of September 2023.

**APPROVED:**

\_\_\_\_\_  
Mayor Adam R. Craven

**ATTEST:**

\_\_\_\_\_  
S. Scott McDowell, City Administrator



## RESOLUTION NO. 2023.17

**A RESOLUTION MODIFYING FEES IN CONNECTION WITH LAND USE PERMITS AND APPLICATIONS; ESTABLISHING POLICIES RELATING TO SAID FEES; REPEALING ANY OTHER RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, costs associated with processing land use actions within the City of Brownsville have increased substantially and the fees charged shall be monitored by Council from time to time,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, as follows:

**Section 1:** The City of Brownsville establishes the following schedule of fees and procedures which are imposed outright for administrative, planning, engineering and publication costs associated with processing land use permits and applications. Additional engineering and professional consulting fees may be required depending on the complexity of the project.

### *Administrative Review*

Sign Permit	N/C
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**NOTE: Signage requested along Highway 228 is subject to Oregon Department of Transportation Regulations.**

RV Permit	N/C
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Garage Sale Permit	N/C
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Sidewalk Permit	N/C
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Change of Occupancy or Use**	N/C
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Manufactured Home Placement Permit	N/C
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Old Town Commercial (OTC) Exterior Alteration	N/C
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Drainage Ditch Improvement Permit & Review***	N/C
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Special Development Zone (SDZ) Forestry Permit**	\$ 250.00
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### *Site Plan Review*

New Construction Permit* ( <i>Primary, Accessory and/or Fence</i> )	\$ 30.00
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**RESOLUTION NO. 2023.17**

Floodplain Development Fill Permit	\$ 30.00
Special Flood Development Review	\$ 200.00
Residential Site Plan Review ( <i>Non-Subdivision</i> )	\$ 200.00
Commercial Site Plan Review	\$ 700.00
Industrial Site Plan Review	\$ 700.00
SDZ Simple Review**	\$ 300.00
Property Line Adjustment	\$ 300.00
Manufactured Home Park	\$ 1,200.00

Pre-Application Meeting Review Request (*Development*)  
*(Note: City Engineer review fees will be billed to the applicant.)*

- \* *Not charged when civil engineering site plan review is required.*
- \*\* *Indicates that these can be referred to the Planning Commission and additional costs may apply.*
- \*\*\* *Engineer will estimate applicable charges.*

**Planning Commission (Public Hearing)**

**Conditional Use Permits**

Aggregate Mineral Resource Development	Publishing Costs
Home Occupations	\$ 250.00
OTC Change of Use	\$ 250.00
OTC New Construction	\$ 700.00
OTC Secondary Residential	\$ 250.00
Planned Unit Development	\$ 1,200.00 + \$25.00 per lot
Listed Conditional Uses ( <i>Excluding Home Occupation &amp; OTC</i> )	\$ 750.00

***Alteration or Expansion of Conditional Use***

RESIDENTIAL	\$ 400.00
COMMERCIAL	\$ 800.00



**RESOLUTION NO. 2023.17**

***Alteration or Expansion of Non-Conforming Use***

RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00

SDZ Simple Development Review

RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00

**Variances – Public Hearing**

Residential Lots	\$	300.00 +
Commercial Lots	\$	800.00
Partitioning Standards	\$	800.00
Subdivision Standards	\$	800.00

**Partitioning or Subdividing of Land**

Land Partition	\$	1,000.00
Major Land Partition	\$	1,600.00
Subdivision	\$	1,800.00 + \$35.00 per lot

**Planning Commission & City Council (Two Hearings)**

Zone Change & Zoning Map Amendment	\$	1,500.00
Zoning Ordinance & Text Amendment	\$	1,500.00
Comprehensive Plan Map Amendment	\$	1,500.00
Comprehensive Plan Text Amendment	\$	1,500.00
Urban Growth Boundary Amendment	\$	1,800.00

**City Council**

Street Vacation	\$	350.00 +
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**RESOLUTION NO. 2023.17**

Alley/Easement Vacation	\$	350.00 +
Annexation	\$	1,000.00
Appeal		<sup>3</sup> / <sub>4</sub> of the Original Fee

**SECTION 2.** When more than one land-use action is requested, (such as a variance and a conditional use permit), a separate fee will be charged for each land-use action requested due to separate standards and/or criteria requirements.

**SECTION 3.** Refunds for fees accompanying an application may be made when the application is withdrawn prior to any substantial review of the application and prior to the publication and issuance of any public notice. Refunds shall be made upon authorization of the City Administrator.

**SECTION 4.** All fees shall be due and payable at the time of application submittal. An application shall be stamped as “Received” when City staff has determined the application is complete and all fees have been paid.

**SECTION 5.** The fees provided for herein shall be effective starting immediately.

This Resolution shall become effective immediately upon being passed and approved by the City Council.

***Passed and approved by the City Council this 26<sup>th</sup> day of September, 2023.***

***Approved:***

***Attest:***

\_\_\_\_\_  
Mayor Adam R. Craven

\_\_\_\_\_  
City Administrator S. Scott McDowell



**RESOLUTION NO. 2022.22**

**A RESOLUTION MODIFYING FEES IN CONNECTION WITH LAND USE PERMITS AND APPLICATIONS; ESTABLISHING POLICIES RELATING TO SAID FEES; REPEALING ANY OTHER RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, costs associated with processing land use actions within the City of Brownsville have increased substantially and the fees charged shall be monitored by Council from time to time,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, as follows:

**Section 1:** The City of Brownsville establishes the following schedule of fees and procedures which are imposed outright for administrative, planning, engineering and publication costs associated with processing land use permits and applications. Additional engineering and professional consulting fees may be required depending on the complexity of the project.

**Administrative Review**

Sign Permit N/C

**NOTE: Signage requested along Highway 228 is subject to Oregon Department of Transportation Regulations.**

<del>Weapons Discharge Permit</del>	<del>N/C</del>
RV Permit	N/C
Garage Sale Permit	N/C
Sidewalk Permit	N/C
Change of Occupancy or Use**	N/C
Manufactured Home Placement Permit	N/C
Old Town Commercial (OTC) Exterior Alteration	N/C
Drainage Ditch Improvement Permit & Review***	N/C
Special Development Zone (SDZ) Forestry Permit**	\$ 250.00



**RESOLUTION NO. 2022.22**

**Site Plan Review**

New Construction Permit* ( <i>Primary, Accessory and/or Fence</i> )	\$ 30.00
Floodplain Development Fill Permit	\$ 30.00
Special Flood Development Review	\$ 200.00
Residential Site Plan Review ( <i>Non-Subdivision</i> )	\$ 200.00
Commercial Site Plan Review	\$ 700.00
Industrial Site Plan Review	\$ 700.00
SDZ Simple Review**	\$ 300.00
Property Line Adjustment	\$ 300.00
Manufactured Home Park	\$ 1,200.00

- \* *Not charged when civil engineering site plan review is required.*
- \*\* *Indicates that these can be referred to the Planning Commission and additional costs may apply.*
- \*\*\* *Engineer will estimate applicable charges for associated reviews.*

**Planning Commission (Public Hearing)**

**Conditional Use Permits**

Aggregate Mineral Resource Development	Publishing Costs
Home Occupations	\$ 250.00
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OTC New Construction	\$ 700.00
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Planned Unit Development	\$ 1,200.00 + \$25.00 per lot
Listed Conditional Uses ( <i>Excluding Home Occupation &amp; OTC</i> )	\$ 750.00



**RESOLUTION NO. 2022.22**

***Alteration or Expansion of Conditional Use***

RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00

***Alteration or Expansion of Non-Conforming Use***

RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00

SDZ Simple Development Review

RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00

***Variances – Public Hearing***

Residential Lots	\$	300.00 +
Commercial Lots	\$	800.00
Partitioning Standards	\$	800.00
Subdivision Standards	\$	800.00

***Partitioning or Subdividing of Land***

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Major Land Partition	\$	1,600.00
Subdivision	\$	1,800.00 + \$35.00 per lot

***Planning Commission & City Council (Two Hearings)***

Zone Change & Zoning Map Amendment	\$	1,500.00
Zoning Ordinance & Text Amendment	\$	1,500.00
Comprehensive Plan Map Amendment	\$	1,500.00
Comprehensive Plan Text Amendment	\$	1,500.00
Urban Growth Boundary Amendment	\$	1,800.00



**RESOLUTION NO. 2022.22**

**City Council**

Street Vacation	\$	350.00 +
Alley/Easement Vacation	\$	350.00 +
Annexation	\$	1,000.00
Appeal		3/4 of the Original Fee

**SECTION 2.** When more than one land-use action is requested, (such as a variance and a conditional use permit), a separate fee will be charged for each land-use action requested due to separate standards and/or criteria requirements.

**SECTION 3.** Refunds for fees accompanying an application may be made when the application is withdrawn prior to any substantial review of the application and prior to the publication and issuance of any public notice. Refunds shall be made upon authorization of the City Administrator.

**SECTION 4.** All fees shall be due and payable at the time of application submittal. An application shall be stamped as “Received” when City staff has determined the application is complete and all fees have been paid.

**SECTION 5.** The fees provided for herein shall be effective starting immediately.

This Resolution shall become effective immediately upon being passed and approved by the City Council.

***Passed and approved by the City Council this 27<sup>th</sup> day of September, 2022.***

**Approved:**

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

**Attest:**

\_\_\_\_\_  
City Administrator S. Scott McDowell



1400 Queen Ave SE • Suite 201 • Albany, OR 97322  
 (541) 967-8720 • FAX (541) 967-6123

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March 28, 2023

Dear Oregon Cascades West Council of Governments Board Member,

I am pleased to share the 2022 Annual Report for Oregon Cascades West Council of Governments (OCWCOG). As the Executive Director, I am excited to share with you the progress we have made over the past year and provide insight into our plans for the future.

This report provides a high-level overview of the services we offer and shares the impact OCWCOG had in the region over the last year. Whether it is delivering hot meals to those in need or orchestrating multi-million dollar transportation initiatives, our staff and volunteers work hard to make the region prosperous for years to come. New this year, we are providing each member with an annual report showing some of the impacts the agency had in each community over the course of the year. Our ability to pull data at the individual city level is extremely limited, but I wanted to give you some of the information about some of the work happening in your community. While this is simply a starting point of being able to report to the individual member level, I look forward to where this first step will lead us as we work make more data-informed actions in the future.

When I joined the agency, one of my top priorities was moving the organization forward with intention and focus, through clarity of vision, and with a strategic road map. In 2022, we developed a Strategic Plan for the agency that defines five clear Strategic Priorities that will be our focus for the next three years. These priorities create a clear path for enhancing and improving our core services while leaving plenty of room to explore how we can help the region in new and exciting ways. As we move forward, we remain committed to our mission to promote a thriving region through service, connectivity, and innovation. We will continue to invest in our people, processes, and

I invite you to review these reports and share any questions or feedback with us. I am available to meet with you or attend a meeting to present these reports and share a current update.

Keep Smiling,

Ryan Vogt  
 Executive Director

## ARTICLES OF AGREEMENT

### OREGON CASCADES WEST COUNCIL OF GOVERNMENTS

This Amended Intergovernmental Agreement is made and entered into on this 20<sup>th</sup> day of February 20, 2001, to supersede the original Articles of Agreement between the parties as has been amended, approved, and ratified since the initial execution of Articles of Agreement which established or provided for the governance of OREGON CASCADES WEST COUNCIL OF GOVERNMENTS and its predecessor agencies. This Agreement shall upon adoption supersede all previous Agreements which established or provided for the governance of the OREGON CASCADES WEST COUNCIL OF GOVERNMENTS and its predecessor agencies. The Council established by this Agreement shall assume all assets, liabilities, obligations, functions and authority heretofore vested in or assumed by the OREGON CASCADES WEST COUNCIL OF GOVERNMENTS. Nothing in this Agreement shall supersede agreements by any member or members to assume debt, responsibility or liabilities for specific obligations of the OREGON CASCADES WEST COUNCIL OF GOVERNMENTS.

#### **Article I.      Name**

The name of this organization shall be OREGON CASCADES WEST COUNCIL OF GOVERNMENTS, hereinafter referred to as the "OCWCOG".

#### **Article II.      Authorization**

The authorization for the establishment of this organization as an intergovernmental entity is set forth in the State of Oregon's Intergovernmental Cooperations Statutes (ORS 190.003 to 190.110 generally, and specifically ORS 190.010 (5), as currently existing and as amended hereafter) and by agreement of its members.

#### **Article III.      Purposes**

OCWCOG has been formed to:

- A. Investigate and present information on issues involving the region's physical and social condition;
- B. Facilitate regional communication on issues of mutual interest;
- C. Provide staff resources for multi-jurisdictional planning programs;
- D. Provide staff for multi-jurisdictional program operation;
- E. Offer staff resources to local governments to carry out programs or activities when such an arrangement would be beneficial; and,
- F. Conduct, on behalf of member governments, federal and state programs of a single or multi-jurisdictional nature and/or impact.

**Article IV. Powers, Duties and Functions of the OCWCOG:**

Consistent with this agreement and state law, OCWCOG may:

- A. Issue revenue bonds under ORS 288.802 to 288.945 to accomplish the public purposes of the parties to the Agreement if, after a public hearing, the governing body of each of the units of local government that are parties to the Agreement approves, by resolution or order, the issuance of the revenue bonds;
- B. Enter into any agreements with vendors, trustees or escrow agents for the installment, purchase or lease with option to purchase of real or personal property if the period of time allowed for payment under an agreement does not exceed 20 years;
- C. Provide for refinancing outstanding obligations of the OCWCOG, including refinancing the existing debt obligation(s) for real property;
- D. Provide for financing of capital improvements for real property of the OCWCOG. Adopt all rules necessary to carry out OCWCOG powers and duties under the Intergovernmental Agreement; and,
- E. Undertake any and all powers and duties authorized by ORS 190.080

**Article V. OCWCOG Governing Board Membership****A. OCWCOG Representatives:**

- 1. Each member shall be entitled to one representative selected by and from members of its elected governing board to serve on the OCWCOG governing board, hereinafter referred to as "Board";
- 2. Each member shall be entitled to one alternate to represent the member in the absence of the representative on the governing board and any board or committee of the OCWCOG;
- 3. The intent of the OCWCOG is to be a forum for elected representatives. However, if no elected official is available for a specific meeting, the representative or chief elected official in the absence of that representative of the member may assign a staff of that unit of local government to attend that meeting. Such appointed representative shall have all rights and responsibilities of the regular representative for that meeting. The delegation shall be made in writing for each meeting, and be presented to the Chair of the meeting; and,
- 4. Representatives and alternates shall hold office until their successors are appointed by the governing board of the member.

**B. The following entities shall be eligible for membership in the OCWCOG:**

- 1. Any general purpose local government within Benton, Lincoln or Linn Counties;

2. Any special function governmental unit (e.g. port districts, public utility districts.) within Benton, Lincoln or Linn Counties;
  3. Any public educational institution or district within Benton, Lincoln or Linn Counties; and,
  4. Any federally recognized Indian Tribe within Benton, Lincoln or Linn Counties.
- C. An eligible unit of local government may become a member of the OCWCOG by adopting an ordinance endorsing the Articles of Agreement.
- D. An eligible special function unit may become a member by:
1. Adopting an ordinance endorsing the Articles of Agreement; and,
  2. Receiving an affirmative vote of a majority of the Board present at a regular meeting, accepting their request for membership.
- E. Termination of Membership in the OCWCOG:
1. Membership in the OCWCOG may be terminated by written notice to the Board no later than May 1, prior to the beginning of the fiscal year in which termination is sought; and,
  2. If the annual assessment of a member is not paid by January 31, of the fiscal year for which it is due, the Board may either terminate the membership of that member or grant an extension to, but not beyond June 30, of the fiscal year for which the assessment is due.

**Article VI. Powers, Duties & Functions of the Board**

- A. Enter into agreements with the United States, the State of Oregon, members of the OCWCOG, public or private agencies, foundations or corporations, and individuals for the purpose of obtaining funding or payment to carry out the objectives, programs and purposes of the OCWCOG;
- B. Own or lease equipment and other property in its own name;
- C. Adopt a budget in compliance with ORS 294.900 to 294.930 indicating the receipts and expenditures of the OCWCOG;
- D. Establish the amount of dues, fees and/or contract rates to be paid by each member, and inform each member of the amount of dues that will be assessed for the following fiscal year no later than two (2) weeks after a dues rate has been established;
- E. Seek and accept grants, gifts, loans, and donations in the name of the OCWCOG, a member(s), or other public or quasi-public agencies to carry out purposes of the OCWCOG or activities directed by the entity for whom the financial assistance is being provided;

- F. Make, adopt, and amend Rules of Procedure and/or Bylaws consistent with this Agreement;
- G. Appoint an Executive Director;
- H. Establish advisory committees;
- I. Adopt and authorize all advocacy positions of the OCWCOG; and,
- J. Take such other actions as are necessary to enable the OCWCOG to carry out those purpose and functions which are consistent with this Agreement and state law.

#### **Article VII. Officers**

The officers of the Board shall consist of a Chair, Vice-Chair, and Treasurer elected from among its members.

#### **Article VIII. Executive Committee**

- A. An Executive committee is hereby established, composed of the three officers of the OCWCOG and three at-large representatives;
- B. The Executive Committee shall act on administrative matters on behalf of the Board between meetings of the Board.
- C. Regular Executive Committee meetings shall be held every other month in the months a regular Board meeting is not to be held. A schedule of meetings for the year may be adopted at the first meeting of the Executive Committee in a calendar year. Special meetings may be called in accordance with the public meetings laws of the State of Oregon, as deemed necessary by the Chair or by any member of the Committee;

#### **Article IX. Organizational Procedures**

- A. The Board shall meet every other month. A calendar of meetings for the year shall be distributed in January of each year; and
- B. Executive Committee meetings shall be held every other month in the months a regular Board meeting is not scheduled to be held.

#### **Article X. Committees**

In order to carry out work of the Board, committees may be created by the Board. The purpose and scope of activity of each committee shall be outlined by and adopted by the Board.

#### **Article XI. Finance**

- A. Revenues of the OCWCOG shall be from member contributions, grants, gifts, donations, fees, contracts or other payment received for purposes consistent with OCWCOG

functions, work programs and budgets adopted by the Board and may be amended from time to time;

- B. Expenditures shall be to accomplish the purposes of the OCWCOG as described in the adopted work program consistent with the adopted budget;
- C. The fiscal year of the OCWCOG shall begin July 1, and end June 30, of the following year;
- D. A Finance Committee consisting of the Executive Committee and chairs of standing committees shall be responsible for financial matters of the OCWCOG;
- E. Each year, OCWCOG financial records shall be audited in accordance with state law, appropriate federal program guidelines, and generally accepted auditing standards;
- F. Pursuant to ORS 190.080(4) any party to this Agreement may, from time to time, assume responsibility for specific debts, liabilities or obligations of the OCWCOG. Nothing in this Agreement shall be construed as superceding prior agreements by any party to assume debts, responsibilities or obligations; and,
- G. From time to time the board may establish special funds for the purpose of accepting private grants, gifts, donations, or other payments, intended to support specific programs of the OCWCOG. Such special funds shall be administered as follows:
  - 1. Revenues earmarked for such funds are to be utilized solely for the operation of programs or its successor programs.
  - 2. In the event that the OCWCOG dissolves or discontinues the provision of the specific program, funds within these accounts shall pass to the successor agency(s) serving all or part of Linn, Benton and Lincoln Counties. In the event there is no successor agency, the funds will be transferred in three equal amounts to the agency deemed most appropriate by the Board to use the funds for purposes most consistent with the intent of the special program for which they were originally given.
  - 3. No amendment of this section of ARTICLE XI nor any change in the use of these separate funds shall be approved, except upon the approval of at least two-thirds of the Board representatives present at an official meeting of the entire Board.

**Article XII. Authority of Executive Director.**

In order to carry out the work of the OCWCOG as described in the adopted work program, the Executive Director is granted authority to employ staff, execute contracts, and take other actions as may be necessary to carry out the work, consistent with the Articles, Bylaws and the guidelines and directions of the Board.

### **Article XIII. Dissolution**

The OCWCOG may be dissolved at any time by a unanimous vote of all the parties to the Agreement.

- A. Upon dissolution of the OCWCOG, distribution of all assets of the OCWCOG shall be made to the current parties to the Agreement in the same proportion to the total dues assessment for the current fiscal years, as each party was individually assessed:
1. However, any proceeds from the sale of an asset, the purchase liability of which was assumed by one or more parties, in accordance with ORS 190.080 (4), shall accrue to the parties originally liable, in proportion to their combined dues for the current fiscal year; or,
  2. In the event the liability was assumed in some specific manner/amount, the distribution of proceeds from the sale of the asset shall be made in the same specific manner proportional to the amount of the total liability originally assumed and/or specified in a separate agreement.
- B. Upon dissolution of the OCWCOG, any outstanding indebtedness or other liabilities of the OCWCOG shall be assumed by the parties to the agreement in the same proportion to the total dues assessment for the current fiscal year, as each party was individually assessed:
1. However, any indebtedness or liability which was assumed by one or more parties, in accordance with ORS 190.080 (4), shall be borne by the parties so liable, in proportion to their combined dues; or,
  2. In the event the liability was assumed in some specific manner/amount, the remaining indebtedness or liability shall be borne in the same specific manner proportional to the amount of the total liability assumed.
- C. If during the course of operation a member government made some specific financial or asset contribution to the OCWCOG, for which the member was to be repaid or the asset returned, such repayment or return shall be made in full prior to the distribution of assets described in A above.

### **Article XIV. Amendments**

Amendments to the Articles of Agreement may be proposed at any meeting of the Board. A copy of the proposed amendment and the reasons for the amendment shall be presented to the Chair no less than sixty (60) days prior to the meeting at which the amendment is proposed to be adopted. The Chair shall provide a copy of the proposal to each representative at least thirty (30) calendar days prior to the meeting. Any amendment to the Articles of Agreement must be approved by a vote equal to one vote greater than a two-thirds majority of the representatives present and voting at a meeting of the OCWCOG, and then subsequently ratified by motion, resolution or ordinance approved individually by two-thirds plus one of the member agencies.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in the names of the respective member agencies by ordinance adopted by the governing bodies, signed by the Chief Executive, as appropriate, duly attested to by the respective clerk, recorder or secretary with the corporate seals of said member governments being duly attached thereto.<sup>1</sup>

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<sup>1</sup> As amended June 26, 1974; November 24-25, 1975; February 18, 1977; February 20, 1981; March 10, 1984; June 27, 1986; June 25, 1987; June 30, 1988; approved November 15, 1990, ratified February 16, 1991, amended May 16, 1991; amended November 12, 1992, ratified January 16, 1993; amended May 16, 1996, ratified August 21, 1996, amended September 21, 2000, ratified February 20, 2001.



# 2022 Brownsville Annual Report

## Senior & Disability Services

### ADULT FOSTER HOMES



#### ADULT FOSTER HOMES

Provided up to 10 residents housing

These unique homes provide individuals with necessary care in a home-like setting, allowing residents to function at the highest level of independence possible.

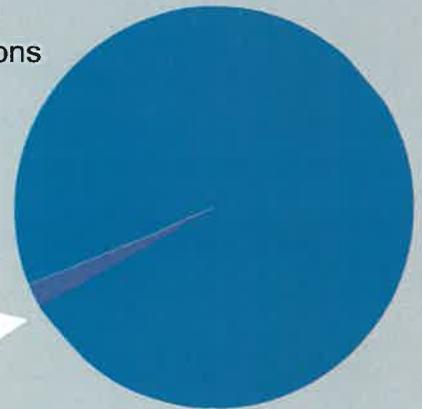
OCWCOG has **128 total** Senior and Disability staff members that support the City of Brownsville.

### ADULT PROTECTIVE SERVICES

**15** total Adult Protective Services (APS) investigations took place in 2022. This accounts for 2% of the total investigations in Linn County.

#### Brownsville APS Investigations

2% 





# Community Service Programs

## SENIOR HEALTH INSURANCE BENEFITS ASSISTANCE



**10** Brownsville residents received one-on-one counseling on their Medicare benefits through the Senior Health Insurance Benefits Assistance (SHIBA) program.

# 4

**MEDICARE 101 CLASSES** were available to residents via virtual learning sessions

Medicare 101 classes covered the basics of Medicare A, B, C, and D and were designed for anyone new to Medicare or those who would like a better understanding of benefits and options.

## MEALS ON WHEELS

The South Linn County Meals on Wheels (MOW) Meal Site in Brownsville served 518 clients during 2022.

**7,629 TOTAL MEALS SERVED**

**6,127 HOME DELIVERED MEALS**

**1,502 CONGREGATE DINING MEALS**

**\$2,081 IN COMMUNITY DONATIONS**



# Community & Economic Development



**RURAL COMMUNITY VISIT**  
With Cascades West Economic Development District

OCWCOG met to discuss future city projects and provided grant prospecting for the city.



**CASCADES WEST RIDE LINE**  
Provided 1,014 rides to Brownsville residents

Cascades West Ride Line coordinates transportation services for eligible Oregon Health Plan (OHP) and Medicaid clients traveling to and from covered non-emergency medical services.



**TECHNOLOGY SERVICES CONTRACT**

OCWCOG Tech Assistance

OCWCOG provided information technology managed services to the City of Brownsville. This included ongoing help desk support, maintenance of equipment, life cycle replacement management, network and security administration, monitoring of backups, office 365 account and email management, and a host of other technology services. OCWCOG Tech Services also has the ability to provide a statement of work for large infrastructure upgrades.



THE DYER PARTNERSHIP  
ENGINEERS & PLANNERS, INC.

September 1, 2023

S. Scott McDowell  
City of Brownsville  
P.O. Box 188  
Brownsville, OR 97327

RE: Wastewater Treatment Plant Dechlorination  
City of Brownsville

Dear Mr. McDowell:

The Dyer Partnership is working with the City to identify alternate dechlorination options at the City's Wastewater Treatment Plant (WWTP). The WWTP was designed for the use of Sulfur Dioxide gas to provide dechlorination of treated wastewater prior to discharge to the Calapooia River.

In our review of the WWTP facilities and alternate dechlorination chemicals, we have determined that a simple switch of dechlorination chemicals will not provide the City with a dechlorination system that will meet the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit and that physical upgrades to WWTP will be necessary. These upgrades will include the installation of a new chemical injection system and construction of facilities that will provide a longer contact time between the dechlorination chemical and the treated wastewater.

To achieve a system that will meet the WWTP NPDES permit requirements for dechlorination, the engineering design, Oregon DEQ review and approval, and construction periods will push the completion of this project beyond the start of the upcoming discharge season (November 1, 2023), requiring the City to continue to obtain and use Sulfur Dioxide to accomplish dechlorination.

Sincerely,

Ryan Quigley  
City Engineer



[www.ci.brownsville.or.us](http://www.ci.brownsville.or.us)

**City Hall**

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

August 7<sup>th</sup>, 2023

**Marlene Sloan**

36140 Northern Dr.  
Brownsville OR 97327  
(541) 466-3175

**Re: Cemetery Trust Fund Disposition**

Dear Marlene,

Administrative Assistant Tammi Morrow and I had a conversation with you on Monday, July 31<sup>st</sup>, 2023 regarding your inquiry about the Cemetery Trust Fund. Your question was where did the money from the Cemetery Trust Fund go? We explained that the City Auditor required Council to move the money from the Cemetery Trust Fund to the General Fund in the FY 2019.2020 budget. Attached is Resolution 2019.21 passed by Council due to the actions of the City Auditor.

The City has placed the money in the General Fund as required and will be talking about the disposition of these funds with the City Auditor, SingerLewak, this week as they are here for the annual audit. It is the City's intention to move the money from the General Fund back into the Cemetery Trust Fund in FY 2024.2025, the next budgetary cycle, provided the City is successful in arguing our case.

You also asked about the discrepancy in the amounts shown in the quarterly report totals you recently received from Administrative Assistant Jannea Deaver. Mrs. Deaver used numbers for those reports from a State report filed in 2017 which was before the monies were moved. The last three fiscal year's audits show the following balance, 1) FYE 2020 was \$8,226, 2) FYE 2021 was \$8,226, and 3) FYE 2022 was \$8,279. Currently, FYE 2023 is being audited.

In FY 2018.2019, the beginning cash balance for the Cemetery Trust Fund was \$78,778.00. The City was required to do an adjusting journal entry (AJE) in the amount of \$70,552 as shown in the enclosed resolution.

Staff also scoured the files for an agreement between the Cemetery Association and the City and were unable to find any document to that end. Since I know your record keeping is superlative, do you happen to have a copy of such an agreement? You also mentioned that you had a copy of the September 7<sup>th</sup>, 1979 letter that provided the original amount for the Cemetery Trust Fund to the City. The City would appreciate a copy of that letter for City records if possible.

We appreciate your consideration and we hope this clears up your inquiries.

Sincerely,

A handwritten signature in blue ink that reads "S. Scott McDowell". The signature is written in a cursive style with a large initial "S" and "M".

S. Scott McDowell  
City Administrator

c: Mayor & Council  
Staff  
File

*Enclosure* | R 2019.21



**RESOLUTION NO. 2019.21**

**A RESOLUTION CLARIFYING THE CEMETERY TRUST FUND**

**WHEREAS**, City Auditor Boldt, Carlisle & Smith determined certain funds in the Cemetery Trust Fund needed to be transferred to the General Fund based on language that created the Cemetery Trust Fund; and,

**WHEREAS**, Staff understood the transfer of funds was to be handled in the budgetary process for FY 2019.2020; and,

**WHEREAS**, Council adopted the FY 2019.2020 budget that includes the above referenced transfer from the Cemetery Trust Fund to the General Fund in the amount of \$70,550; and,

**WHEREAS**, City Auditor Boldt, Carlisle & Smith will perform an adjusting journal entry (AJE) to move the funds in the financial statements for FY 2018.2019 in the amount of \$70,552; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, acknowledges the transfer of funds adjusted by the City Auditor.

Introduced and adopted this 26<sup>th</sup> day of November 2019.

Don Ware, Mayor

**Attest:**

S. Scott McDowell, City Administrator  
City Administrator



[www.ci.brownsville.or.us](http://www.ci.brownsville.or.us)

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

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**September 20<sup>th</sup>, 2023**

**Betty & Michael Doren**

785 Butte Street  
Brownsville, Oregon 97327

**Re:** 725 Butte Street | Private Construction

Dear Betty & Michael,

Over the course of the last few months, you have had questions and concerns about the private home being built at 725 Butte Street. Below are some of the issues that have been raised, including how the City Staff has managed these issues regarding private construction:

1. **Drainage** | Every builder submits a drainage plan for construction so the City can evaluate whether it will be sufficient to meet the basic tenets of the State's drainage law. Builder Lazer Kalugin submitted the required drainage plan. The City's Public Works Superintendent reviews the design submitted by the builder to verify that the plans meet the requirements.

If any neighboring property owner has a concern or claims about drainage issues, according to Oregon Drainage Law, they would need to bring a lawsuit against the builder for harm to their property or properties. Once the City has approved the drainage plans for construction, the City monitors progress as necessary during construction. So far, Public Works Superintendent Karl Frink has not found anything that raises concern about the work performed to date.

2. **Nuisance** | The hours a contractor can work are from 7:00 a.m. to 6:00 p.m. The Linn County Sheriff's Office should be called for these types of ordinance violations. The City does allow contractors to work outside of these hours if they request reasonable times and have good reasons. So far, no such requests have been made.
3. **Property Lines** | Any issue dealing with property lines is between individual property owners.
4. **Behavior** | Any verbal altercations, threats or otherwise would be a matter for the Linn County Sheriff's Office to investigate.

5. **Franchise Utility** | You mentioned at Council meeting on July 25<sup>th</sup>, 2023, that water is draining through the conduit associated with the telephone pedestal at the corner of your property. According to Public Works Superintendent Frink, the telephone conduit appears to be conveying water to the corner of Butte Street and School Avenue. The City does not repair private utilities; however, the City can bring this to the attention of the appropriate utility franchise.

Administrative Assistant Elizabeth Coleman has explained the City's role, responsibilities, and what the City's processes are regarding private property development. Staff will continue to ensure that the City's requirements are met through the end of construction, causing corrections for any items the City has legal authority to correct. Certain verifications will have to be completed by Linn County and the City will monitor the elements of the project that impact City utilities and requirements.

Please let me know if you have any additional questions or concerns regarding this project.

Sincerely,



S. Scott McDowell  
City Administrator

c: Mayor & Council  
Staff  
File



825 NE Multnomah  
Portland, Oregon 97232

July 10, 2023

\*\*\*\*\*AUTO\*\*5-DIGIT 97336 1029 T4 PI

Brownsville City  
PO Box 188  
Brownsville, OR 97327-0188



RECEIVED  
City of Brownsville

JUL 20 2023

Clerk \_\_\_\_\_

Dear Brownsville City,

Due to elevated wildfire risk in your area, we are taking additional safety precautions. Among other measures, we may use protective devices on our lines with more sensitive settings that will de-energize power equipment when there is a short circuit detected.

A power outage is more likely to occur when these settings are utilized. For the 2023 wildfire season, based on elevated conditions in the region, we are using more sensitive protective settings in your area. As a result, if an outage occurs during the 2023 wildfire season, you may experience a longer-than-typical outage as our field personnel work to confirm that power can be safely turned back on. These measures are intended to promote public safety, and we appreciate your patience.

Our system is built to withstand extreme weather and other unforeseen issues; however outages can happen. It is important to:

- Plan ahead and be prepared year-round.
- Create a plan with your medical provider for appropriate backup power if you have medical devices that rely on electricity in your house.
- Set up an online account with your contact information, so we can reach you if necessary.
- If an outage does occur, find restoration information on our online outage map.

We appreciate your patience and understanding. Providing safe, reliable service is our highest priority at Pacific Power. If you have any questions, please call us anytime at 1-888-221-7070 or visit our website at **PacificPower.net/Ready** for emergency preparedness and wildfire safety information.

Sincerely,

Curtis Mansfield  
Senior Vice President, Power Delivery

**S. Scott McDowell**

**From:** Oregon Government Ethics Commission - OGEC <OGEC@public.govdelivery.com>  
**Sent:** Friday, September 8, 2023 10:20 AM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Ethics Matters: Public Meetings Law

[View as a webpage](#) / [Share](#)



# EthicsMatters

Volume 4, Issue 3 - Summer 2023

## Public Meetings Law



### Enforcement of Public Meetings Law

In the most recent session, the Legislative Assembly passed HB 2805, which gives the Oregon Government Ethics Commission (OGEC) the authority to enforce Oregon's Public

Meetings Law (ORS 192.610 to 192.690). Let's explore what these changes mean for public bodies and Oregon citizens.

## Public Meetings Advice

Beginning on September 24, 2023, OGEC will be able to provide verbal and written advice on Public Meetings Law, and OGEC will begin accepting complaints and opening cases for alleged Public Meetings Law violations.

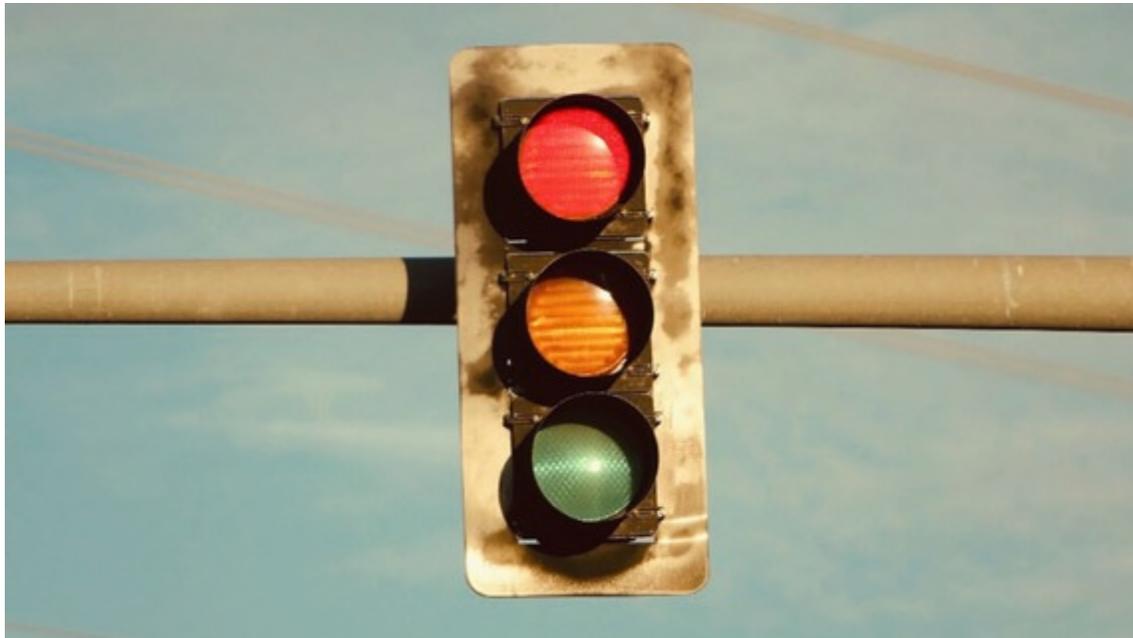
## Public Meetings Trainings

In January 2024, OGEC'S trainers will begin providing Public Meetings Law trainings and will be coordinating with agencies, other groups, and associations to ensure the availability of Public Meetings Law trainings throughout the state. OGEC will continue to offer trainings and webinars on the Executive Session provisions.

**Public Meetings Law**

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## Public Meeting Complaints



## Required Steps to File Complaints

HB 2805 creates some mandatory prerequisites for submitting Public Meetings Law complaints to OGE. These prerequisites will also apply to executive session provision complaints.

If you believe a Public Meetings Law violation has occurred:

1. You must submit a written grievance to the public body at issue, setting forth the facts and circumstances of the alleged violation. **This written grievance must be submitted to the public body within 30 days of the date the alleged violation occurred.**
2. **You must give the public body 21 days to respond to your written grievance.** The public body's written response should acknowledge receipt of the written grievance, and: admit or deny the facts and circumstances alleged in the grievance; admit or deny that those facts and circumstances amount to a violation of the Public Meetings Law; and if a violation is acknowledged, explain the steps the governing body will take to cure the violation.
3. When you submit your complaint to OGE, **you must include documentation that you satisfied these mandatory prerequisites.** This documentation would include your written grievance and the public body's written response (or affirmation that no response was received within the 21 days).

If you fail to satisfy these mandatory prerequisites before filing your complaint with OGE, your complaint will be dismissed.

## New Public Body Reporting Duties

HB 2805 creates new reporting duties for public bodies. In particular, when a public body receives a written grievance from a person alleging its governing body may have violated provisions in the Public Meetings Law, the public body must provide a written response to the person within 21 days. That written response should acknowledge receipt of the grievance and may:

- Deny the facts and circumstances alleged in the grievance; then describe the public body's version of the facts and circumstances and explain why they do not violate Public Meetings Law.
- Admit the facts and circumstances alleged in the grievance but deny that those facts and circumstances violate Public Meetings Law.
- Admit the facts and circumstances alleged in the grievance and admit those facts and circumstances violate Public Meetings Law. Then explain the steps the public body will take to cure the violation, such as:
- Rescinding the decision taken by the governing body that violated Public Meetings Law;
- Acknowledging (in a properly noticed and conducted public meeting held within 45 days of the original decision) that:
  - The original decision violated Public Meetings Law;
  - Good cause exists for the governing body not to rescind the decision; and
  - The governing body's practices will be modified to ensure future violations of Public Meetings Law do not occur.

Please note:

- The public body must send OGEC a copy of the written grievance, along with the public body's response, at the same time that it sends the written response to the person.
- These documents should be sent to OGEC via email.

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## Public Meetings Resources



### AG's Manual

The Department of Justice has created the Attorney General's Public Records and Meetings Manual 2019 to be a resource for public bodies on how to apply Public Records and Public Meetings Laws.

[AG's 2019 Manual](#)



### Need Advice

Beginning September 24, 2023, advice on Public Meetings Law can easily be requested on the phone, online, by email, or in person.

[Request Advice](#)

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## 2023 Passed Legislation

During the 2023 Legislative session, several bills were passed by the Legislative Assembly that impact OGEC's jurisdiction.

- [HB 2038](#) Changes to the Statement of Economic Interest filing questions
- [HB 2805](#) Public Meetings Law updates & OGEC jurisdiction
- [HB 2806](#) Executive session provision for cyber-security
- [SB 11](#) Public meetings recordings
- [SB 207](#) OGEC Own motion for executive sessions



OREGON  
SOS



OREGON  
AUDITS  
DIVISION

LaVonne Griffin-Valade Secretary of State  
Cheryl Myers Deputy Secretary of State, Tribal Liaison  
Kip Memmott Audits Director

August 1, 2023

BOARD OF DIRECTORS  
BROWNSVILLE  
PO BOX 188  
BROWNSVILLE, OR 97327

RECEIVED  
City of Brownsville

AUG 7 2023

Clerk \_\_\_\_\_

The May election is complete and some of you are new to your official positions. Welcome! And many more of you are returning officials who have been serving your local government for quite some time. Thank you.

We are providing this letter to remind you of your responsibilities as a fiduciary of your local government.

As a governing official, you are a trustee of the local government and must exercise due diligence and oversight to ensure the local government is well-managed and its financial situation remains sound. As a trustee, you also carry some responsibility to ensure compliance with certain laws, rules, and grant or loan covenants.

Municipal Audit Law provides instructions for reports local governments are required to submit annually to the Secretary of State. Annual reporting is important for ensuring local governments are transparent and accountable to the public.

Under Municipal Audit Law (ORS 297.405-297.990), financial reports **must be filed each year** with the Oregon Audits Division. These annual filings must be filed either 90 or 180 days after fiscal year end and require a response to any findings reported by the independent auditor within 30 days of filing. Failure to file annual reports could result in dissolution.

Other areas of responsibility include the following:

1. Government Ethics for Public Officials – ORS 244<sup>1</sup>
2. Public meetings and public records law – ORS 192
3. Local budget law – ORS 294
4. Procurement and contracting – ORS Chapters 279A-C
5. Deposit and Investment of public funds – ORS Chapters 294 and 295

<sup>1</sup> ORS – Oregon Revised Statutes

More information and resources to help you understand and comply with these statutes can be found on our website: [sos.oregon.gov/muniofficial](https://sos.oregon.gov/muniofficial)

Please contact our office if you have questions or wish to discuss any of the responsibilities or requirements outlined in this letter or on the linked site. Your role as a government official is an important one to ensure needed services are available and we appreciate your willingness to serve in this capacity.

A handwritten signature in black ink, appearing to read "Amy John", with a long horizontal flourish extending to the right.

Amy John, CPA  
Municipal Program Manager  
Oregon Audits Division



LaVonne Griffin-Valade Secretary of State  
 Cheryl Myers Deputy Secretary of State, Tribal Liaison  
 Kip Memmott Audits Director

### MUNICIPAL AUDIT LAW CHANGES effective January 1, 2024

You are receiving this letter because you are currently registered as a local government subject to Municipal Audit Law (ORS 297.405 - 297.990). Changes to Municipal Audit Law were enacted during the 2023 legislative session and impact all local governments.

House Bill 2110 A amended Municipal Audit Law; these changes **become effective January 1, 2024**. You can find more details on HB 2110 A online at

<https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB2110>. Key changes are listed below.

- Updated thresholds:** Audits are required for counties and school districts and are now required for entities spending more than \$1 million annually — an increase from \$500,000. All other entities may be eligible for an audit exemption. Entities spending less than \$250,000 may be eligible to file a self-prepared report in lieu of audit.

Report Type	Thresholds as of 1/1/24
Audit	> \$1,000,000
AUP	\$250,001 - \$1,000,000
Self-Prepared	≤ \$250,000

- Agreed Upon Procedures (AUP) reporting:** Replacing review reports, AUP reporting directs auditors to perform and report results of procedures specified in the Oregon Minimum Standards (OAR 162-040). The procedures will address certain components of financial reporting, operations, and compliance.
- Filing fees:** As determined by entity spending, increased fees will range from \$40 to \$500.

Spending over	Spending Not Over	Annual Fee
\$0	\$50,000	\$40
\$50,000	\$150,000	\$80
\$150,000	\$250,000	\$150
\$250,000	\$500,000	\$250
\$500,000	\$1,000,000	\$300
\$1,000,000	\$5,000,000	\$350
\$5,000,000	\$10,000,000	\$400
\$10,000,000	\$50,000,000	\$450
\$50,000,000	-	\$500

## Next Steps

The Oregon Administrative Rules and Minimum Standards for Audits and Reviews will be revised to reflect these changes in law. Specifically, the rules will be revised to (1) include a definition of expenditures that will be consistently used to determine the filing threshold and fee, and (2) replace review report guidance with AUP guidance.

Rules will be developed in cooperation with the municipalities, CPAs, and membership organizations. I encourage you to participate in the rulemaking process or provide feedback to our office directly.

## Effective January 1, 2024

Changes to Municipal Audit Law are effective for fiscal years ending on or after January 1, 2024. You'll want to plan and ensure you're prepared for these changes. You can find more information on our website at [sos.oregon.gov/hb2110](https://sos.oregon.gov/hb2110). For timely information and notices related to rulemaking and other Municipal Audit Law topics sent directly to your email, look for the "Stay Connected" heading on the right side of our web page.

Please contact our office at 503-986-2255 if you have questions about the changes or have suggestions for revising the rules.

Thank you,



Amy John

Municipal Audit Manager  
Secretary of State, Audits Division



 **(757) 593-5094**



**info@linncountyveteransdayparade.org**



**www.linncountyveteransdayparade.org**



**Box 106  
2532 Santiam Hwy., SE  
Albany, Oregon  
97322**

<https://www.linncountyveteransdayparade.org/parade-entry-form>  
<https://www.linncountyveteransdayparade.org/parade-entry-form> Hello City Managers and Fellow Elected Officials,

I write today as a member of the Linn County Veterans Day Parade Committee to ask your help in honoring our Veterans. We are asking your city's support in asking your city's military veteran employees to ride in the parade in or on a city rig. Proudly display you city name a logo, but maybe include the names of all city employees veterans or citizen who are veterans....you might do is up to you. We want to celebrate all who have served, and we want to honor your city and community. We would love to see all elected officials representing every city within the county be present as well.

We as a committee appreciate that we are tasked with the responsibility to educate, engage and honor our communities and our veterans. We do this by presenting the 72nd Annual Linn County Oregon Veterans Day Parade. This parade is one of the many countywide endeavors to unite our entire community with a mutually supported and joyous historic events. Others veteran events being the Linn County Veterans Memorial Association event held at Timber Linn Memorial Park the morning of the parade, or the Veteran of the Year Annual Banquet held the day before and your any city veteran events.

If your community has a Veterans Day Event, please tell us so we can include it on our website and in our parade magazine. We would like to help expand your veteran events.

This year's theme is "celebrating all who served" is a great opportunity for you be here with us. Attached is an entry form, it would be great if all regional veteran service groups were present, march, walk, ride or create a float. Please call with any questions and get your application in soon.

We would love to see every city represented. Linn County will have a rig in the parade, and we ask your city to join us. Fill out the application, there is no cost for a city entry.  
<https://www.linncountyveteransdayparade.org/parade-entry-form>

Sincerely, Will Tucker, Linn County Commissioner

## S. Scott McDowell

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**From:** Elizabeth Coleman <assistant@ci.brownsville.or.us>  
**Sent:** Thursday, September 7, 2023 10:21 AM  
**To:** S. Scott McDowell  
**Subject:** Accela | E-Permitting Changes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Morning Scott,

The LCPB meeting focused on the Accela upgrade and how it is proposed to affect permit/fees intake. Long conversation short:

As the County is considered the “Building Program” under the Building Codes Division, each city will set up a user account (I have a zoom meeting next week) and all applications/permit fees will be processed through the online Accela E-Permitting system (currently, the County system does not charge a debit/credit fee).

**NOTE:** As the system is online and considered under the County accounting system, cash & check payments must be submitted directly to the County. County permit fees will no longer pass through the City drawer or Paygov system.

Accounting Role Reversal: The County will now cut a check to the City for permits.

As we know, with all upgrades, glitches and issues will happen; Steve is heavily involved in this process and is focused on ensuring the County/City relationship is preserved.

**NOTE NOTE:** Cathy brought up the IGA Agreement (finally, it wasn't me this time): Per Steve, it's in the works. Matt Straite brought up the UGMA (again, wasn't me this time), it's in the works. I asked if it might be finalized before year end...discussion ensued.

Thanks and please let me know if you have any questions,



*Elizabeth E. Coleman*

[www.ci.brownsville.or.us](http://www.ci.brownsville.or.us)

PO Box 188 | 255 Main St.

Brownsville, OR 97327

P: 541.466.5880

F: 541.466.5118



## Commissioners praised for opposing solar energy project

ALBANY — Tuesday morning, Troy Jones and Arnie Kampfer, representing a grassroots group opposed to the development of a solar energy park on 1,500 acres of prime farmland near Harrisburg, thanked the Linn County Board of Commissioners for opposing the project.

The men are members of Friends of Gap Road and said the vast majority of their neighbors are opposed to the project, which would be constructed on land zoned Exclusive Farm Use and would have a life expectancy of 40 years. A company called Qcells, which has an office in California, but is based in South Korea, plans to lease the properties about eight miles south of Brownsville.

According to Oregon land use rules, solar panels can be placed on EFU lands. Developers say they also plan to allow sheep to graze on the property to reduce weed issues.

Alyssa Boles of the Linn County Planning & Building Department submitted a letter to the Oregon Department of Energy, detailing technical issues with the project and Board Chairman Roger Nyquist also submitted a letter opposing the project.

Nyquist's letter pointed out that the landowners who are involved with the project may find they owe 10 years of back taxes if the properties fall out of the Exclusive Farm Use designation.

Nyquist reemphasized his opposition Tuesday by saying this project highlights how Oregon's land use system is flawed, if not broken.

"This really isn't just about 1,500 acres, it is what the valley floor will look like from Eugene to Canby in a few years," Nyquist said. "It will affect what crops are grown here. We are already choking off two dams (Foster and Green Peter) by not producing electricity. Will we instead plant solar panels from Eugene to Wilsonville and replace trees with wind turbines?"

Nyquist was referring to the lowering of the water level in Green Peter Reservoir by more than 200 feet for fish passage issues, which has eliminated power generation capabilities of the dam. Foster Dam has cut off power generation at night.

"The consequences of this decision could have very regrettable impacts on mid-valley residents," Nyquist said. "I hope common sense wins out."

Nyquist added that whenever the mid-valley economy is struggling, it is farmers and agriculture that have given it a boost in the arm.

"Our farmers spend their money locally and they support causes such as the local Boys and Girls Club auctions," he said.

Commissioner Sprenger said she too opposed the project and encouraged the Friends of Gap Road to remain vocal and to show up for public hearings. There is strength in numbers, she said.

In other business, the commissioners:

- Approved First-Time Youth Wage Grant agreements with the Lebanon Aquatic District, Koos Seed Company and Schmizza Pizza House.

Announced the annual 9-11 Memorial ceremony will be held on the North side of the Courthouse on Monday, Sept. 11 and there will be a meeting of the Association of Oregon Counties that afternoon in Salem.

**Media contact:** Alex Paul, Linn County Communications Officer, 541-409-8025 or email [apaul@co.linn.or.us](mailto:apaul@co.linn.or.us).



## Apply to Serve on a LOC Policy Committee

The LOC is soliciting statements of interest to serve on its seven policy committees beginning in January 2024. Elected officials and city employees who are interested in serving on these committees must submit their Statements of Interest by **October 31**.

There are seven LOC policy committees, all of which serve as an advisor to the LOC Board of Directors, Executive Director and Legislative Director on matters related to state legislative initiatives championed by the organization. Each of the seven policy committees develop recommendations for the Board of Directors regarding specific legislative initiatives that serve as the basis for establishing LOC legislative priorities over a two-year period.

The seven policy committees include:

- Broadband, Cybersecurity & Telecommunications Policy Committee
- Community & Economic Development Policy Committee
- Energy & Environment Policy Committee
- Finance & Taxation Policy Committee
- General Government Policy Committee
- Transportation Policy Committee
- Water & Wastewater Policy Committee

Each policy committee is intended to be comprised of a range of perspectives. For the committees to be successful, they need to include technical experts, elected officials, and municipal officials who are generally interested in the subject matter. Committees are designed to be a balance between rural, suburban, and urban cities, while simultaneously, as much as reasonably possible, representing all regions of the state. **Anyone interested in serving on a policy committee is strongly encouraged to apply.**

[View the Statement of Interest form](#)



LOC News

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## **Save The Date: Oregon Summit on Wildfire Recovery – October 30-31**

Lane County is partnering with the School of Planning, Public Policy, and Management at the University of Oregon to hold a **2023 Oregon Summit on Wildfire Recovery, October 30-31 in Eugene.**

Communities in Marion, Lane, Linn, Klamath, Lincoln, Jackson, Clackamas, and Douglas counties have been devastated by wildfires and face several years of recovery work ahead. Each community has approached recovery differently, creating fertile ground for learning. Coming together now will provide an important opportunity to learn from each other, adjust current practices, and implement new practices that will better serve our communities.

The summit will invite participation from community-based organizations, recovery groups, Tribes, philanthropy, and city, county, state, and federal government.

Organizers will follow up in the coming weeks with additional information including how to register and where to stay.

Cities are asked to please share this announcement with others working on wildfire recovery in Oregon. Those interested in receiving future emails regarding the summit should [submit contact information online](#) to receive future updates.

**Contact:** Ariel Nelson, Lobbyist – [anelson@orcities.org](mailto:anelson@orcities.org)

*Last Update 9/8/23*

**S. Scott McDowell**

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**From:** Oregon Secretary of State <Oregon.SOS@public.govdelivery.com>  
**Sent:** Tuesday, August 8, 2023 1:02 PM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Legislators Disqualified Under Measure 113 Will Not Be Allowed to File to Run in 2024

**PRESS RELEASE**

**Oregon Secretary of State**  
LaVonne Griffin-Valade

FOR IMMEDIATE RELEASE

August 8, 2023

Contact: Ben Morris, ben.morris@sos.oregon.gov, 971-209-5521

**Legislators Disqualified Under Measure 113 Will Not Be Allowed to File to Run in 2024**

Salem, OR – Today, Secretary of State LaVonne Griffin-Valade directed the Oregon Elections Division to implement an administrative rule, providing guidance to candidates on Measure 113. The rule clarifies that Measure 113 disqualifies legislators with 10 or more unexcused absences during the 2023 legislative session from running for legislative seats in the 2024 election. This interpretation is consistent with legal advice provided to the Secretary of State by the Oregon Department of Justice.

**“It is clear voters intended Measure 113 to disqualify legislators from running for reelection if they had 10 or more unexcused absences in a legislative session,” said Secretary Griffin-Valade. “My decision honors the voters’ intent by enforcing the measure the way it was commonly understood when Oregonians added it to our state constitution.”**

Measure 113 states that 10 or more unexcused absences “shall disqualify the member from holding office as a Senator or Representative for the term following the election after the member’s current term is completed.” Some have suggested this language means a Senator who accumulated disqualifying absences in 2023 would be able to run in 2024 but be prohibited from running in 2028.

The courts, however, have emphasized that the text of adopted ballot measures must be interpreted in a way that is consistent with the voters’ intent. And voters

universally understood Measure 113 would prohibit legislators who accumulate 10 or more unexcused absences during a legislative session from holding office in the immediate next term.

There are numerous materials supporting this interpretation. For example, the explanatory statement for Measure 113 in the voters' pamphlet says the Measure disqualifies the legislator "from holding term of office after the legislator's current term ends." The Ballot Title states the Measure disqualifies the legislator from holding the "next term of office." The Result of a "Yes" vote statement similarly provides that the legislator is disqualified from holding the "term following current term of office."

Contemporaneous news reports are also consistent. For example, the Oregonian wrote on November 8, 2022 that legislators who run afoul of the measure "will be disallowed from serving in the Legislature during the subsequent term." Similarly, the Lebanon Local News wrote in all caps that the measure would "BAN LEGISLATORS WITH 10 UNEXCUSED ABSENCES FROM SERVING NEXT TERM." Arguments from the measure's proponents also support this reading.

The Secretary found no suggestion prior to enactment – in the voters' pamphlet, media, or otherwise – that the measure was understood or intended to allow absent legislators to serve an additional term after accumulating too many absences, and then be disqualified the term after that.

Voters intended the measure to prohibit legislators from holding the next term in office, and the Secretary has chosen to uphold the voters' intent and apply Measure 113 to the 2024 election.

###

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# PIPELINE RIGHT-OF-WAY

## FIVE COMMON QUESTIONS

A pipeline right-of-way is the land governed by an easement agreement between a pipeline operator and a landowner or government agency. The right-of-way allows the operator to access the pipeline for maintenance, emergency response and inspections.

### 1 What requirements are normally included in easement agreements?

Most easement agreements prohibit storing vehicles or flammable materials, require special procedures for digging and limit or prohibit building structures and planting trees on the right-of-way. Exceptions can be granted through a specific encroachment agreement with the pipeline operator.

### 2 Who maintains the pipeline right-of-way?

The pipeline operator is typically responsible for ensuring the right-of-way is visible from the air and easily accessible on the ground. Maintenance may include mowing, trimming trees or removing trees or structures.

### 3 How can I help protect people living and working near pipelines?

Planning/zoning officials, city engineers and other public officials can help prevent pipeline emergencies. Encourage builders and developers to consider the location of pipeline rights-of-way in their development plans and encourage property owners to contact 811 and notify pipeline operators before building or digging near the right-of-way.

The Pipeline Informed Planning Alliance (PIPA) provides information and resources for local officials at: [qrco.de/PIPA-Info](http://qrco.de/PIPA-Info)

### 4 How do I help protect important structures, foliage or animals on a right-of-way?

In most cases, issues related to existing structures, foliage or animals on or near the right-of-way are resolved before pipeline construction and addressed within the easement agreement. If not, landowners, permitting, planning, zoning and emergency management officials should contact the pipeline operator to discuss options. This could include relocating a structure, arranging to inspect the right-of-way at ground level, testing or other accommodations.

### 5 What special procedures may be needed to build roads or install utilities on an existing right-of-way?

Construction plans may require hydro excavation to confirm the location of existing pipelines before installing new roads or utilities. Pipeline operators may request to be onsite during construction activity. Always contact 811 before beginning a project near an existing pipeline right-of-way even if your agency is typically exempt from state One Call requirements.



## E-mail Safety Best Practices

The leading cause of cyberattacks and data breaches around the world is employee error. Many of these errors occur in response to tactics used by hackers to manipulate people into providing access or supplying information via e-mail.



Below are some e-mail safety best practices that can help educate your staff on how to respond to or handle suspicious e-mails:

- ▶ **Never open e-mails from someone you do not know or that you are not expecting.** If the e-mail is unexpected or seems fishy, it likely is. Delete the e-mail and report it to your IT department.
- ▶ **Never open an attachment or click on a link in an e-mail from someone you do not know or that you are not expecting.** Attachments and suspicious links sent via phishing e-mails often contain viruses or ransomware, which can provide unauthorized access to protected information.
- ▶ **Avoid sending confidential information through e-mail.** Sensitive information such as passwords, bank account numbers, and social security numbers are prime targets for hackers and should never be sent via e-mail.
- ▶ **Always remember to properly log out of your e-mail when not in use.** This is a quick and easy way to help protect your account from unwanted trespassers.
- ▶ **Use multi-factor authentication when possible.** Multi-factor authentication provides an additional layer of security by requiring a second form of verification when signing into your e-mail account.



## ***Biden's Marijuana Move***



**The Topline:** Last week, the Biden administration urged the DEA to loosen federal regulations on marijuana, paving the way for the most significant shift in federal drug policy in decades.

### **Reclassified Grass**

Last week, President Biden's Department of Health and Human Services (HHS) recommended that the DEA enact more lax regulations on marijuana at the federal level.

The White House is calling for the agency to reclassify marijuana as a Schedule III substance under the Controlled Substances Act. Cannabis is currently classified as Schedule I, which the DEA considers "substances or chemicals ... with no currently accepted medical use and a high potential for abuse."

Context: Other Schedule I drugs include heroin, LSD, and meth, while cocaine and fentanyl are classified as Schedule II (which means the government considers them to have legitimate medical uses in some circumstances, although the risk of abuse is still high).

Proponents of legalization have long said marijuana's Schedule I classification is outdated and out of step with common sense, and called for it to be reclassified. The White House seems to agree.

In a letter to the DEA, HHS Assistant Secretary Rachel Levine said the FDA had completed a "comprehensive scientific evaluation" of marijuana at the president's directive and concluded its federal classification should be amended. The DEA will now conduct its own review and likely make a final ruling in the coming year.

A move to Schedule III would put marijuana in the same category as substances like testosterone and codeine, which the DEA considers to have a "moderate to low potential for physical and psychological dependence."

Remember: President Biden campaigned on decriminalizing marijuana at the federal level.



Last fall, Biden offered blanket pardons for those convicted on federal charges of simple marijuana possession.

But...This latest action would be a much larger step toward federal decriminalization.

If the DEA complies with the administration's recommendation, it would have an immediate impact on marijuana businesses operating in the 23 states where cannabis possession is legal.

Even though many states have legalized it, because marijuana is a Schedule I substance, the businesses selling it are currently restricted from most tax exemptions for expenses like salaries and benefits.

A Schedule III classification would allow them to immediately begin paying far less in federal taxes. As a result, cannabis-linked stocks exploded on Wall Street last week, with the largest marijuana exchange-traded fund jumping 19% the day the news came out.

And...Reclassification would also open the door for more research on the drug, which has been difficult from a legal perspective because of its technical status as a dangerous narcotic.

### **High Approval**

Throughout the last few decades, the majority of Americans opposed legalization, but that's started to change rapidly – the latest polling from Gallup shows that 6 in 10 Americans support legalization for recreational use, while nearly 9 in 10 Americans say it should be legal for medical use.

That support is strongest among young people and registered Democrats, but even among Republicans, just 15% say it should be totally illegal, while a plurality support legalization for recreational use.

That shift in public support comes at a time when weed use is more common than at any point on record. Recent polling shows that half of Americans have tried marijuana at some point in their lives, while one in six Americans use it regularly – that's double the rate we saw a decade ago.

However...A significant minority still opposes the legalization and normalization of marijuana.

While it's essentially impossible to overdose on marijuana, critics say that doesn't mean it's harmless. Today's weed is far more potent than what was out there in decades past, and those high levels of THC – the psychoactive component in weed – can have detrimental impacts on human health.



A number of studies have shown that regular marijuana use increases rates of psychosis and anxiety and exacerbates other existing mental health disorders, especially among young people, who are among the fastest-growing demographics for weed use.

Critics also say there's a misconception that marijuana is non-addictive and point to a slew of studies that show the harm caused by THC dependence and withdrawal symptoms.

## Goals 2023-2024



1. Focus on the Fundamentals.
  - ★ *Protect & manage Brownsville's treasury.*
  - ★ *Foster cooperative and productive relationships both internally & externally.*
  
2. Advocacy Plan.
  - ★ *Create an advocacy committee charged with developing an advocacy strategy complete with written policy statements as an effort to participate in the State legislative process and in the Federal legislative process when appropriate.*
  - ★ *Focus on home rule with other stakeholders, partnerships, and other regional efforts to strengthen City policy positions.*
  - ★ *Monitor new laws, tort limits, and recreational immunity protections for local amenities.*
  
3. Capital Improvements Plan.
  - ★ *Complete Rec Center Renovation project.*
  - ★ *Complete the GR 12 Waterline extension.*
  - ★ *Plan for new sewer lagoon along with operational improvements.*
  - ★ *Plan for construction of new pavilion and relocation of the playground.*
  - ★ *Analyze new TMDL plan.*
  
4. Community Development Plan.
  - ★ *Refine Brownsville Municipal Code to better reflect actual practice.*
  - ★ *Adopt building rules and standards to preserve and promote the historic aesthetic.*
  - ★ *Continue the local & regional emergency preparedness efforts.*
  - ★ *Support youth activities with community partners.*
  
5. Economic Development Plan.
  - ★ *Participate in regional efforts and opportunities with partner cities.*
  - ★ *Support and implement the Rural Economic Alliance's 5-year strategic plan.*
  - ★ *Complete and implement the Land Use inventory.*
  
6. Water Rights.
  - ★ *Explore possible additional water source options.*
  - ★ *Continually work on monitoring and perfecting City water rights.*
  - ★ *Implement the State required Water Management & Conservation Plan.*
  
7. Organizational Development.
  - ★ *Review Council rules and policies.*
  - ★ *Focus on Council leadership development & training.*
  - ★ *Foster positive and effective working relations between Council and Staff.*
  - ★ *Maximizing social media efforts to promote City projects and events.*
  - ★ *Focus on recognizing volunteers, meeting training and procedures for all official boards & committees.*



## 2023-2024 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

- 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.
- 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.
- 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.
- Civil Rights Act of 1964.* 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
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



**Decision Making**

- |                      |                            |
|----------------------|----------------------------|
| 1. General Liability | 6. Need or Want            |
| 2. Legal Implication | 7. Political Lift or Will  |
| 3. Legality          | 8. Support or Lack of      |
| 4. Precedence        | 9. Resource Management     |
| 5. Staff Capacity    | 10. Community Implications |

**MONTH END FINANCIAL RECAP**

		JULY 2023					
		REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 22,270.60	\$ 304,290.67	\$ 304,290.67	6.65%	\$ 4,270,716.33	1
2	WATER	\$ 49,586.26	\$ 82,492.11	\$ 82,492.11	5.83%	\$ 1,333,157.89	2
3	SEWER	\$ 39,634.09	\$ 50,818.93	\$ 50,818.93	5.31%	\$ 906,771.07	3
4	STREETS	\$ 19,522.74	\$ 15,344.39	\$ 15,344.39	4.39%	\$ 333,790.61	4
5	WATER BOND	\$ 426.37	\$ 33,272.73	\$ 33,272.73	53.67%	\$ 28,717.27	5
6	SEWER BOND	\$ 894.43	\$ 201,652.24	\$ 201,652.24	45.42%	\$ 242,347.76	6
7	SEWER DEBT FEE	\$ 12,127.92	\$ -	\$ 12,127.92	8.98%	\$ -	7
8	BUILDING & EQUIPMENT	\$ 725.15	\$ -	\$ -	0.00%	\$ 188,800.00	8
9	WATER RESERVE	\$ 2,623.07	\$ -	\$ -	0.00%	\$ 175,300.00	9
10	HOUSING REHAB	\$ 879.97	\$ -	\$ -	0.00%	\$ 222,000.00	10
11	WATER SDC	\$ 891.77	\$ -	\$ -	0.00%	\$ 241,960.00	11
12	SEWER SDC	\$ 2,937.42	\$ -	\$ -	0.00%	\$ 758,500.00	12
13	STORMWATER SDC	\$ 1,084.58	\$ -	\$ -	0.00%	\$ 277,575.00	13
14	BIKEWAY/PATHS	\$ 379.42	\$ -	\$ -	0.00%	\$ 63,730.00	14
15	LIBRARY TRUST	\$ 30.35	\$ -	\$ -	0.00%	\$ 7,650.00	15
16	CEMETERY	\$ 33.04	\$ -	\$ -	0.00%	\$ 9,040.00	16
17	TRANSIENT ROOM TX	\$ -	\$ -	\$ -	0.00%	\$ -	17
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19	LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,985.00	19
20	COMMUNITY PROJECTS	\$ 341.66	\$ 5,050.00	\$ 5,050.00	6.71%	\$ 70,200.00	20
		\$ 154,388.84	\$ 692,921.07	\$ 692,921.07			

Key Bank Account	
General Checking	\$ 97,799.75
Oregon State Treasury	\$ 5,877,709.46
Community Improvements	\$ 173.78
Project Escrow Holding	\$ 28,844.91
Project Holding Acct #2	\$ 53,469.04
CLRC Renovation Acct	\$ 602,359.77
<b>TOTAL OST / LGIP</b>	<b>\$ 6,562,556.96</b>

2022-2023	YTD	% of Total
Appropriated	\$ 9,140,240.93	7.05%

Total Bonded Debt (Principal Only)
\$ 172,298.00
<b>\$ 5,520,000.00</b>
\$ 5,692,298.00

Total Bonded Debt is \$8,438,044 (Principle & Interest)

Annual Bond Payment	
Water	\$ 45,167.05
Wastewater	\$ 307,259.95
<b>Total</b>	<b>\$ 352,427.00</b>

ARPA Funds   SLFRP	\$404,801.67	Total Funds Received
(American Rescue Plan Act)	\$202,457.75	Funds Disbursed

Previous Month Court Revenue **\$296.35**

**MONTH END FINANCIAL RECAP**

		AUGUST 2023					
		REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 33,921.83	\$ 90,594.34	\$ 394,885.01	8.63%	\$ 4,180,121.99	1
2	WATER	\$ 55,638.40	\$ 33,897.97	\$ 116,390.08	8.22%	\$ 1,299,259.92	2
3	SEWER	\$ 42,905.19	\$ 20,157.59	\$ 70,976.52	7.41%	\$ 886,613.48	3
4	STREETS	\$ 14,259.19	\$ 22,383.58	\$ 37,727.97	10.81%	\$ 311,407.03	4
5	WATER BOND	\$ 430.23	\$ -	\$ 33,272.73	53.67%	\$ 28,717.27	5
6	SEWER BOND	\$ 902.51	\$ -	\$ 201,652.24	45.42%	\$ 242,347.76	6
7	SEWER DEBT FEE	\$ 12,602.04	\$ -	\$ 24,729.96	18.32%	\$ -	7
8	BUILDING & EQUIPMENT	\$ 731.70	\$ -	\$ -	0.00%	\$ 188,800.00	8
9	WATER RESERVE	\$ 2,685.18	\$ -	\$ -	0.00%	\$ 175,300.00	9
10	HOUSING REHAB	\$ 887.93	\$ -	\$ -	0.00%	\$ 222,000.00	10
11	WATER SDC	\$ 899.83	\$ -	\$ -	0.00%	\$ 241,960.00	11
12	SEWER SDC	\$ 2,963.97	\$ -	\$ -	0.00%	\$ 758,500.00	12
13	STORMWATER SDC	\$ 1,094.39	\$ -	\$ -	0.00%	\$ 277,575.00	13
14	BIKEWAY/PATHS	\$ 327.43	\$ -	\$ -	0.00%	\$ 63,730.00	14
15	LIBRARY TRUST	\$ 30.62	\$ -	\$ -	0.00%	\$ 7,650.00	15
16	CEMETERY	\$ 33.34	\$ -	\$ -	0.00%	\$ 9,040.00	16
17	TRANSIENT ROOM TX	\$ -	\$ -	\$ -	0.00%	\$ -	17
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19	LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,985.00	19
20	COMMUNITY PROJECTS	\$ 344.76	\$ -	\$ 5,050.00	6.71%	\$ 70,200.00	20
		\$ 170,658.54	\$ 167,033.48	\$ 859,954.55			

Key Bank Account	
General Checking	\$ 69,522.68
Oregon State Treasury	\$ 5,907,031.69
Community Improvements	\$ 174.43
Project Escrow Holding	\$ 28,953.10
Project Holding Acct #2	\$ 53,669.59
CLRC Renovation Acct	\$ 604,619.03
<b>TOTAL OST / LGIP</b>	<b>\$ 6,594,447.84</b>

2023-2024	YTD	% of Total
Appropriated	\$ 8,973,207.45	8.75%

Total Bonded Debt (Principal Only)
\$ 172,298.00
<b>\$ 5,520,000.00</b>
\$ 5,692,298.00

**Total Bonded Debt is \$8,438,044 (Principle & Interest)**

Annual Bond Payment	
Water	\$ 45,167.05
Wastewater	\$ 307,259.95
<b>Total</b>	<b>\$ 352,427.00</b>

ARPA Funds   SLFRP	\$404,801.67	Total Funds Received
(American Rescue Plan Act)	\$202,457.75	Funds Disbursed

**Previous Month Court Revenue \$296.35**