

Council Agenda Packet

Tuesday, November 28th, 2023 | 7:00 p.m. | Council Chambers | In-Person

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Council Meeting

Tuesday, November 28th, 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: October 24th, 2023
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Cascade West Council of Governments | *Executive Director Ryan Vogt*
 - B. Central Linn Community Foundation | *Chenoweth Robertson*
 - C. TMDL | *Semi-Annual Report*
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administrator
 - D. Planning
 - E. Library
 - F. Office
 - G. Council | *Mayor Craven*
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
 - A. **Resolution 2023.18:** Business Oregon ROI Grant [Final]
 - B. **Resolution 2023.19:** River's Edge Open Space Final Disbursement
 - C. **Ordinance 802:** Parking Modifications (*Second Reading*)



D. **Ordinance 803:** BMC 2.30.030 Removal From Office (*First Reading*)

10) ACTION ITEMS:

- A. Officials Handbook Update
- B. Authorize Rec Center Open House
- C. Pioneer Park Recommendations | *Sub-committee Options*

11) DISCUSSION ITEMS:

- A. Recreational Immunity Implications
- B. River's Edge Homeowner's Association
- C. Agreements | *Art Association & Recreation Association*
- D. October Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

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



October 24th, 2023

ROLL CALL: Mayor Craven called the meeting to order at 7:01 p.m. with Council President Chambers, Councilor Hansen, Councilor Solberg, Councilor Humphreys, and Councilor LaCoste present. Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell were also present.

ABSENT: Full Council in attendance.

PUBLIC: Rick Dominguez, Penny Rosenberg (*Democrat-Herald*), Pegge McGuire (*Community Services Consortium*), Don Lyon, Lori Garcy (*Brownsville Art Association*), Jenna Stutsman (*Brownsville Chamber of Commerce*), Tia Parrish (*The Times*), and Linn County Sheriff's Office Deputy Frambes (*LCSO*) were present.

The pledge of allegiance was recited. Councilor Winklepleck asked for a moment of silence to honor the innocent lives lost in the terrorist attack in Israel.

ADDITIONS AND DELETIONS: McDowell stated that he would like to table Item 11 B. as the final payment has not been received yet.

MINUTES: Councilor Chambers made a motion to approve the September 26th, 2023 meeting minutes as presented. Councilor Winklepleck seconded the motion and the motion passed unanimously.

PUBLIC HEARING | PRESENTATIONS:

1. **Pegge McGuire | Community Services Consortium.** Executive Director Pegge McGuire, Community Services Consortium (CSC), asked Council to pass a Continuum of Care resolution committing to a 'wrap around services' solution for homelessness in the mid-valley. Governor Kotek has declared the elimination of homelessness as a goal of her administration. The CSC is also interested in improving their overall rural 'scorecard' so they can be more competitive for the Federal HUD funding opportunities. In order to do this, CSC needs rural communities like Brownsville to pass a resolution of support. McGuire said that right now is the perfect time to execute this plan because nearly everyone is at the table. Discussion ensued with Council concerns highlighting the root causes of homelessness including drug addiction and mental illness, a path to repealing ineffective legislation, and ineffective or inefficient use of current program funding. Council thanked Ms. McGuire for her presentation for Council and her passion for the topic.

Councilor Chambers made a motion to deny Resolution 2023.18. Councilor LaCoste seconded the motion and it passed unanimously.

2. **Dr. Lori Garcy | Brownsville Art Association (BAA).** Dr. Lori Garcy gave a brief annual report stating that it has been a slow programming return after the pandemic closure. She is happy to report that public classes have started back and the Association stands at nearly full membership. Garcy wanted to thank the Chamber, the City, and the residents of Brownsville for their support. The Association is a labor of love for all involved and they are proud to call Brownsville home. Please visit <http://brownsvilleart.org/> for more information. Council expressed their appreciation to Dr. Garcy for her hard work and commitment to the BAA.
3. **Jenna Stutsman | Brownsville Chamber of Commerce.** President Jenna Stutsman gave a brief annual report and requested the closure of Spaulding Avenue for Home for the Holidays. Stutsman reported that Chamber events were bigger and better than ever this year. She highlighted



the City-wide Garage Sale's hottest day of the year and the amazing attendance at this year's Antique Faire. Estimated attendance for the Faire was over 5,000. *Trick or Treat Street* and *Home for the Holidays* is coming up fast. Please visit <https://www.historicbrownsville.com/> for more information.

DEPARTMENT REPORTS:

1. **Linn County Sheriff's Office (LCSO) Report.** Sergeant Frambes reviewed the stats for September, highlighting several items that included shoplifting calls and motorists operating without proper insurance. Frambes said the Sheriff's Office (LCSO) recovered the truck used in the NAPA burglaries. The LCSO learned that the truck had been used in multiple crimes all over from the mid-valley to the Coast. The investigation continues. Two separate crimes were committed against the Hair Care Salon on E. Bishop Way. The LCSO continues their investigation of these crimes which includes possible arson.
2. **Public Works.** Superintendent Karl Frink reported progress on the waterline installation at the Rec Center. Public Works encountered two large rocks that caused additional delay. The City received a favorable review of the City's Water Treatment Plant from the Oregon Health Authority (OHA). Frink is working on preparing for wastewater discharge this winter. Public Works will be closing the parks and winterizing the facilities on October 31st. He has also been busy marking plots and headstones at the Pioneer Cemetery.
3. **Administration.** Administrator Scott McDowell discussed details, logistics, and shared photos of the Central Linn Recreation Center Renovation project. The project schedule has been adjusted to be completed by November 2023 due to delay in the ADA/entry decking for three entrances. The City is in the process of making arrangements for gym space with Pioneer Christian Academy for the Central Linn Recreation Association's basketball program.

McDowell reported that the Small Municipalities Advocacy Coalition (SMAC) is working on logistics for the upcoming short session in Salem.

4. **Planning.** No Comments.
5. **Library.** Librarian Sherri Lemhouse provided a video report. Highlights included library displays which features books by color, and in February she puts together a "blind date with a book" program. The books are wrapped with brown paper and labeled by genre. It is an interesting way to encourage folks to read a new author or genre. Library bulleting boards are changed periodically by a local volunteer, and are always fun and engaging.
6. **Office.** No comments.
7. **Court.** No comments.
8. **Council Comments.** No comments.
9. **Citizen Comments.** No comments.

LEGISLATIVE:

1. **Ordinance 802 | Parking Modifications (First Reading).** *Councilor Chambers made a motion to read by title only. Councilor Humphreys seconded the motion and it passed unanimously.* Mayor Craven read the Ordinance by title only. Councilor Hansen asked what precipitated the Ordinance change. Sergeant Frambes, Linn County Sheriff's Office, stated that this



change which included correlating certain laws like parking, curfews, etc., will simplify enforcement with deputies able to enforce more uniformly over several counties.

ACTION ITEMS:

1. **Home for the Holidays Road Closure.** Council unanimously approved the closure of Spaulding Avenue for the tree lighting and Home for the Holidays event, provided the Chamber meets the necessary requirements. The Chamber will conduct a tree lighting ceremony on the evening of December 1st, 2023 at 6:00 p.m. General public is encouraged to attend. To see the entire list of offerings and events, please visit <https://www.historicbrownsville.com/home-for-the-holidays>.

Councilor Winklepleck moved to approve the Spaulding Avenue Street closure. Councilor LaCoste seconded the motion and the motion passed unanimously.

2. **Council Meeting Schedule.** McDowell stated that one thing to note is the August recess which Council has done for the last nine years due to vacations.

Councilor Winklepleck made a motion to approve the schedule as presented. Councilor Humphreys seconded the motion and the motion passed unanimously.

3. **Brownsville Art Association | Proposed Changes.** McDowell stated that the City has received the property tax bill for the Brownsville Art Association (BAA). Council had authorized Staff to open the agreement with the BAA. Proposed changes to the contract include eliminating subletting, and agreeing to cost share the tax bill for two years. The first year the City will pay the bill, the second year the City will pay half of the bill, and the third year and subsequent years, the BAA will need to be able to pay the bill themselves. By cost sharing, the City will help the BAA formulate a plan, or fundraise on how to continue to be self-sufficient. McDowell stated that the issue may be taken up by SMAC, or a stand-alone effort, to introduce legislation to change this policy that is not in the best interest of our community and art center.

Councilor Solberg moved to approve the proposed changes. Councilor Chambers seconded the motion and it passed unanimously.

4. **Central Linn Recreation Association (CLRA) Agreement | Proposed Changes.** Council authorized Staff to open the agreement with the CLRA. As the project is nearing completion, it is a good time to modify some logistical issues. Proposed changes include the handling of the rental fees and eliminating subletting. The City will issue the CLRA a lump sum for rental fees as part of the agreement. The CLRA will be financially responsible for normal wear and tear of the building. Routine maintenance, such as the hot water heater, will be the responsibility of the City. Keys will continue to be issued by the City.

Councilor Hansen moved to approve the proposed changes. Councilor LaCoste seconded the motion and it passed unanimously.

5. **Appointed Officials | Openings and Reappointments.** Council re-appointed the following officials, Wendy Toshitsune (*Budget Committee*), Jack Alsman, Rob Wingren & Steve Schilling (*Planning Commission*), Brandi Simon & Betsy Ramshur (*Parks & Open Space Advisory Board*), and Barbara DeRobertis & Jennifer Ashcraft (*Library Advisory Board*). The City will be posting openings for the Parks & Open Space Advisory Board and the Library Advisory Board.



6. **Legislative Advocacy & Policy Committee (LAPC) | Recommendations.** Council passed a unanimous motion to accept the policy statements recommended by the Legislative Advocacy & Policy Committee (LAPC). These statements will serve as guidelines for future policy discussions with State lawmakers. Council also adopted the Committee's recommendations for a new social media policy and modifications to Council meeting processes for Council members. Council will modify the Officials Handbook to incorporate these changes at their November meeting.

DISCUSSION ITEMS:

1. **SMAC Training Sessions.** McDowell said that the fourth Council training session has concluded. There will be future training sessions if any Councilor has not had a chance to attend the training. McDowell will be sharing the LAPC information with other communities in an effort to move forward with this effort. Sean Tate, the group's lobbyist, will be tracking bills that are of interest for our small rural communities. SMAC has had a lot of interest and positive feedback. Folks are excited for this effort. Sean Tate will be conducting more Council training sessions around the state. Mayor Craven remarked that he had been to the last training session in Harrisburg, and it was a great meeting.
2. **GR12 Waterline.** McDowell reported that the Linn County Commissioners will rule on the easement requested for the new GR 12 waterline. Last week a large portion of the Catalpa tree at the Moyer House fell. Linn County had to remove the rest of the tree for safety. As soon as the easement is received, the City engineer will put the project out to bid. Staff is hoping for a spring installation.
3. **September Financials.** No comments.

CITIZEN QUESTIONS & COMMENTS. None.

COUNCIL COMMENTS. Councilor Chambers stated that the Trunk or Treat event in Pioneer Park organized by Karmel Curtis was great! With over 1,400 people in attendance, it was a large event! Chambers stated that it was great fun, and encouraged folks to come out next year.

Mayor Craven thanked the presenters tonight. Their hard work for our community is much appreciated.

Councilor Humphreys stated that Public Works Superintendent Karl Frink does a fantastic job for the City, and he is much appreciated! Councilor Winklepleck stated that the water quality was a major factor in his recent move to the community.

ADJOURNMENT: *Councilor Chambers moved to adjourn at 8:51 p.m. Councilor LaCoste seconded the motion and it passed unanimously.*

City Administrator S. Scott McDowell

Mayor Adam Craven



City Administrator Report

November 28th, 2023

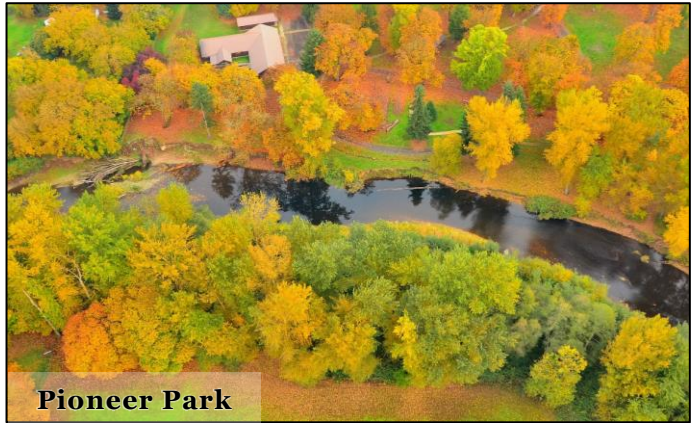
From: S. Scott McDowell
To: Mayor & Council
Re: General Business

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.

“Don’t worry aout what everybody else is doing. That’s not only not going to get you anywhere, but it’s also going to set you back.”
~ Carmen Gimenez, Poet, Editor

“At first, there is something you expect of life. Later, there is what life expects of you.”
~ Shirley Hazzard, Writer

“You love freedom until someone does something you don’t like.”
~ S. Scott McDowell, Brownsville Resident



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 provide an oral report on all things Council of Governments. Please review the information on the Cascade West Council of Governments website and on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.
- B. **Central Linn Community Foundation | Chenoweth Robertson** – Central Linn Community Foundation’s (CLCF) Chenoweth Robertson will be asking for the City’s continued support for their community grant program. Ms. Robertson’s information is included in the agenda packet for your review. Council has partnered with CLCF for several years with the function of using CLCF as a resource when groups ask the City for funding.



What is Council being asked to do?

Consider the Foundation’s proposal and make a decision.

- C. **Total Maximum Daily Load (TMDL) Bi-annual Report** – Twice a year the City is required to report on TMDL. The requirements stem from the Clean Water Act passed by the United States Congress. In Oregon, the Department of Environmental Quality (DEQ)



administers the program. The basic premise of TMDL contends that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in large quantities by humans. In March of 2021, the City was deemed a Designated Management Agency (DMA) by the DEQ which required the City to complete a new, more rigorous TMDL plan. DEQ approved the City’s plan earlier this year.



9) LEGISLATIVE:

- A. **Resolution 2023.18: Business Oregon ROI Grant [Final]** – The City has received the final payment from Business Oregon. This resolution shows the basic accounting history of the project.

What is Council being asked to do?

Adopt the resolution for accounting & auditing purposes.

- B. **Resolution 2023.19: River’s Edge Open Space Final Disbursement** – The City accepted a cashier’s check in the amount of \$102,742.20 from Chad E. Davis Homes on December 3rd, 2021, to be held in earnest for the completion of an open space area that was required by the Planning Commission as a condition of approval for the development. Earlier this month, all the conditions of the Planning Commission were met by the subcontractor. The City now needs to return the remaining funds to Chad E. Davis Homes. Staff budgeted the amount in the General Fund for this disbursement as detailed in the resolution.



What is Council being asked to do?

Adopt the resolution to disburse the funds owed to Chad E. Davis Homes.

- C. **Ordinance 802: Parking Modifications (Second Reading)** – Linn County Sheriff’s Office requested a modification to the City’s parking ordinance. Sergeant Frambes has been actively addressing parking issues around town and would appreciate better “tools” to make this job easier. The ordinance is patterned after the City of Harrisburg’s ordinance.

What is Council being asked to do?

Give the ordinance a second reading and consider adoption.

- D. **Ordinance 803: BMC 2.30.030 Removal From Office (First Reading)** – Several years ago, Council adopted a new annual meeting schedule for the Parks & Open Space Advisory Board, however, attendance requirements were not changed at the same time. This ordinance changes the language to match the other board and committee requirements as found in the Brownsville Municipal Code.



What is Council being asked to do?

Adopt a motion to read by title only. Review the ordinance, give it a first reading, and make any editing suggestions.

10) ACTION ITEMS:

- A. **Officials Handbook Update** – Council authorized the addition of a social media policy and modifications to the Council agenda process at the last meeting at the recommendations of the Legislative Advocacy & Policy Committee (LAPC). The two policies have been added to the



Officials Handbook under Section VI. Agenda, and Section XVI. Social Media. I have placed the Handbook on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents for your review.

What is Council being asked to do?

Review and approve the Officials Handbook. Council may make any suggestions, corrections, clarifications or otherwise.

- B. Authorize Rec Center Open House** – Staff and Council would like to host a community open house once the Rec Center Renovation project is completed. Staff suggests an open house for either March or April 2024. Exact date to be determined.

What is Council being asked to do?

Council is being asked to officially approve an open house for the Rec Center and authorizing Staff to proceed with planning.

- C. Pioneer Park Recommendations | Sub-committee Options** – Please see the report submitted by the subcommittee. The report is included in the agenda packet. This report will be the general basis for discussion.

What is Council being asked to do?

Consider the recommendations. Determine whether to act on any or all the recommendations.



11) DISCUSSION ITEMS:

- A. Recreational Immunity Implications** ☒ – Recently, CIS reported that recreational immunity had been threatened by a recent ruling in *Fields v. City of Newport*. I will provide an oral update Tuesday evening.
- B. River’s Edge Homeowner’s Association** ☒ – Administrative Assistant Elizabeth Coleman and I attended this month’s Association meeting to share important details and information about the River’s Edge subdivision. I will provide an oral report Tuesday evening.
- C. Agreements | Art Association & Recreation Association** – Staff completed the agreements as directed by Council. I will provide an oral update Tuesday evening.
- D. October Financials**



UPDATES, INFORMATION & HAPPENINGS

GR12 Waterline – City Engineer Ryan Quigley has put the project out for bid. The City will host a voluntary pre-bid walkthrough on December 5th. Bids will be due by December 13th. Quigley will have a recommendation of award to Council for the December 19th Council meeting. The construction contract will be ninety (90) days and will more than likely start in February.

From 10.24.2023: Linn County has authorized the easement requested by the City.



From 09.26.2023: 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.

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	October	26	33	210
2023	September	15	19	210.5
2023	August	17	12	208.25
2023	July	10	20	202
2023	June	7	11	224.5
2023	May	6	12	200
2023	April	6	19	208.65
2023	March	7	15	204.25
2023	February	13	16	202
2023	January	13	34	209
2022	December	12	18	202
2022	November	16	13	219.95
2022	October	4	10	225.25
2022	September	5	5	200
2022	August	14	21	223
2022	July	18	6	176
2022	June	11	16	200
2022	May	15	7	231
	Subtotal	215	287	3728.4
	Total Average	11.94	15.94	207.13

LCSO Quarterly Meeting – The upcoming is scheduled for December 14th, 2023 at 2:00 p.m. in Millersburg.

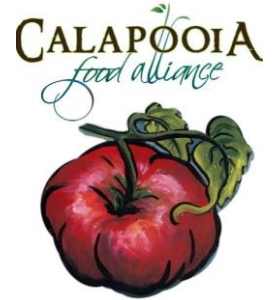
From 10.24.2023: Sergeant Frambes addressed several parking issues around town, focusing on River’s Edge. Frambes also recommended the proposed parking ordinance modifications that are included in the agenda packet.

From 09.26.2023: Councilor Mike Winklepleck and I attended the quarterly meeting on September 7th, 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.



City Administrator Report

Calapooia Food Alliance (CFA) Discussion – Administrative Assistant Elizabeth Coleman and I met with CFA President Patrick Starnes to review the history of agreements the City has entered into with the CFA. Highlights of the discussion are below:



- ▶ The City assisted the CFA in the creation of a community garden in 2007-2008. Council entered into an agreement with the Central Linn School District and the CFA for the use of school property on Blakely Avenue in March 2008. City Staff developed the agreement. Public Works was authorized to install water service for the garden location. A year later, the City added conditions for the use of City water. Council agreed to a provision in the contract to cover the cost of returning the garden back to the original condition if the District should choose to withdraw from the agreement. Further, Council allowed all the proceeds for renting garden spaces to go to the CFA.
- ▶ The City created and entered into an agreement for the use of the City's Red Barn along Park Avenue. At the City's expense, improvements were made to the Red Barn to enclose a space for CFA's storage and use.
- ▶ The CFA was forced to move from their Farmer's Market location across from Napa on Main Street due to the property owner's plans to develop the property at the end of 2020. The property owner had indicated for several years that she was planning on building on the site. The City was approached by the CFA for help with finding another location suitable for the Market. After discussing the issue with CFA leadership, eight locations were reviewed as potential sites. Ultimately, the CFA Board decided to request the use of Kirk's Ferry Park from the City. City Staff drew up an agreement for the Parks & Open Space Advisory Board to consider recommending to Council. The agreement had three key provisions, 1) it included a year-to-year option with an annual review for up to three years, 2) use of City property was a temporary, stop gap measure for the CFA, and 3) the City location of the Farmer's Market was to be used as-is.
- ▶ Council approved a consolidated agreement in November 2022 and an addendum in February 2023. The agreement included use of Library Park for the 2023 Farmer's Market season, allowed for the creation and waiver of City associated fees for the development of private property located at 185 Main Street for the use of a community garden, and continued the rental of the Red Barn on Park Avenue.
 - Council had repeatedly expressed that use of City property for the Farmer's Market was being done on a temporary basis. Council encouraged the CFA leadership to consider finding another more suitable location.
 - The City expressed concerns about the extended use of any public space. Council was concerned about the implications and possible precedence if the City should enter into a permanent arrangement. Council did not want to be forced to consider policy changes associated with prolonged use of public space.
 - Council waived associated fees, and extended water service to the new community garden location.

Starnes asked about potentially developing a longer agreement with the City as the CFA continues to evolve their organization. Starnes explained the Board is working on programming and continuing to improve on and to execute the mission of the CFA.



McDowell shared the following facts so that Starnes would know the intentions of the City.

- ▶ The City has fostered and developed a longstanding relationship with every non-profit in town.
- ▶ The City recognizes and appreciates volunteers who are critical to the operation of the City and for the community enrichment endeavors these groups pursue.
- ▶ The City enters into three-year agreements with groups to assist with provided citizens amenities that would not be possible otherwise. The term of each agreement is three years for administrative purposes.
- ▶ The City moved away from longer term agreements such as ten-year and twenty-five year agreements because they were not conducive to keeping good relations with our non-profit groups nor did they serve the City well.
- ▶ Any non-profit mission is solely their mission. Those missions are not the mission of the City.

McDowell offered to meet with the CFA Board along with Mayor Craven. The City views the use of City property for the purpose of the Farmer's Market as expired. Any future request for City involvement starts with Staff, as has always been the practice of the City.

Library Park Decision – Librarian Sherri Lemhouse and I met with Karmel Curtis of the Linn County Pioneer Association about the possibility of putting up solar holiday lights on the trunks of certain trees in the park. The two parties agreed on the parameters and requirements so that lights can be strung in the park for the holiday season. Lights will go up after Thanksgiving and be taken down after the first of the New Year.

Woodblock Architecture | Rec Center Renovation Project ☒ – Sidewalks were poured and completed the week of November 13th and the remaining sidewalks are to be completed before Thanksgiving. Roofing repairs are completed. Flashing all around the building was fixed. Siding repairs finished up the 17th. Carpet was laid in the Music Room, vinyl was finished in the kitchen and the custodian closet. The City is coordinating with Pacific Power and J.E. John for the new power connection. Treads on the interior staircases have been repaired. The crew finished up all insulation installations. The major issue is getting the new electrical service finalized. Once that is complete, heat can be turned on to acclimate the new gym floor for installation. There will be some minor repairs throughout and some touch up painting.



From 10.24.2023: Kyle Marsten of J.E. John has confirmed that the entry decking for the Rec Center is four (4) weeks out. It will take them two days to install the decking once it is received from the sub-contractor. Supply chain issues have struck us once again. I have discussed logistics with Central Linn Recreation Association President Katy Kallai. I will be contacting Pioneer Christian Academy to secure some gym time for basketball practices. We will do the best we can with the situation.

Karl & the Public Works team hit two significant rocks when attempting to install water for the Rec Center and the fire suppression system.

The flooring should be installed in the next two weeks. Significant progress is being made at the Rec Center.



From 09.26.2023: 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 – *From 10.24.2023:* Kitchen cabinets, countertops, bathroom tile & flooring, sound system, windows and sports equipment has been and is being installed. The space is really taking shape. I will provide pictures Tuesday night.

From 09.26.2023: Many great things are happening on the Rec Center project. The contract completion date has been pushed back to October 24th, 2023, mostly due to circumstances beyond anyone's control. The windows made it to Oregon Monday, September 18th, 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.



Tyler Miller

Open House – Staff is now recommending an open house for March 2024. The City hopes to gain use of the building before Christmas.

From 09.26.2023: The City will plan for an open house this late Fall to celebrate the completion of this major project.



Aryn Phillips

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 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.

REAL Progress – The next meeting is scheduled for November 30th, 2023. RAIN's long-time Executive Director Caroline Cummings will be taking on a different role with the organization starting in March 2024. The City received the final payment from the State for the ROI grant and will ask for the passage of a resolution to finalize these transactions.



From 10.24.2023: The group recently made a slight modification to the Strategic Plan to incorporate RAIN under Entrepreneurship. RAIN & REAL are applying for Business Oregon’s ROI grant funding for this upcoming cycle. REAL also entered into a new one year agreement with RAIN to continue entrepreneurship fostering. Both Linn and Benton counties also continued their relationship with RAIN. RAIN’s report to ROI can be found on the City website at: <https://www.ci.brownsville.or.us/citycouncil>.

D-Prep Effort – The group will meet soon.

From 09.26.2023: The group is reconvening at the end of September to determine and agree on next steps.

Linn County Housing Rehabilitation Program (LCHRP) – *From 10.24.2023:* The City works with the communities in Linn County to help low-income homeowners to make improvements to their houses using Federal money (HUD). The City has been a member of this organization for over forty years. Cities take turns being the lead recipient and DevNW manages the funds received. Brownsville had its turn a few years ago. Currently, the City of Lebanon is taking the lead on the current funding request.



Liza Newcomb

LCHRP uses DevNW to administer the program and the City Administrators and Managers sit on the governing board for this purpose. Just last week, the Board met to approve some policy changes that involved oversight review for construction and what kinds of items are eligible for reimbursement through the program. Soon, the City will again be sending out advertising on behalf of the program. To learn more about DevNW, please visit <https://devnw.org/>.



Small Municipalities Advocacy Coalition (SMAC)

Small Municipalities Advocacy Coalition (SMAC) ☒ – See above.

From 09.26.2023: Training and recruitments are happening. The last training session will be held October 19th, 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 | Region IV Meeting – I attended this meeting in Oakridge. I brought up the recreational immunity concern and asked for City leaders to contact their State representatives. I have attached follow-up correspondence from the League in the agenda packet.

From 09.26.2023: Bills rolled out include a lot of spending for large communities and most around climate change initiatives. I attended the latest meeting in



Patty Mulvihill



Oakridge in August. More information to follow as SMAC and the League of Oregon Cities prepare for the short-session.

Sean Tate Meetings – The group continues working on 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.

Legislative Advocacy & Policy Committee (LAPC) Recommendations – Statements have been sent to Sean Tate. The Official’s Handbook has been modified to include the recommendations.

From 10.24.2023: Members of the Committee met last week to finalize their recommendations to Council. Council heard from the Committee in May regarding the creation of policy statements on twenty issues that the City should monitor during legislative sessions of the State Assembly, adopting a new Social Media policy, and adopting Council rules for engaging on policy and political discussions. I am happy to report that the Committee unanimously approved the prefatory statements, the Social Media policy, and the proposed modifications to the Officials Handbook. The purpose of these guidelines is to direct the City’s response to Tate Affairs and interactions with our State and Federal representatives when advocating for City positions.

From 09.26.2023: 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.

ACTIVE, PENDING, STALLED & COMPLETED

Active: River’s Edge Outcome – See related items above; namely Resolution 2023.19.

From 10.24.2023: Administrative Assistant Elizabeth Coleman has been working with Rexus to finalize details for the Open Space. I have met with Ashlee Lobaugh who is serving on the Homeowner’s Association board. I have included a letter in the agenda packet clarifying the City’s position in relation to several issues. Progress has been made on the final payment for the streetlights. Once the City receives the payment, Staff will execute the necessary contracts for the installation.

From 09.26.2023: 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



City Administrator Report

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.

Active: TMDL Report | Dyer Partnership – *From 09.26.2023:* Staff submitted the required questionnaire prior to the State imposed deadline. Dyer Partnership’s Jesse McElwain updated the TMDL Plan to properly show the required reporting dates.

From 09.26.2023: 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 30th, 2023.

This is an unfunded mandate.

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 – *Delayed:* EPC is planning to be part of the Open House for the Rec Center this late Fall or early Winter. Norman Simms will file the annual report for the December Council meeting.

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

Agreements – the Brownsville Art Association and the Central Linn Recreation Association agreements have been finalized with both groups as directed by Council at the last meeting.

Pending: D-Prep Launch | [G4] – *Delayed:* 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.

Active: REAL Meetings | [G3] ☒ – *From 10.24.2023:* Accounting for the final ROI payment is in the agenda packet for your review.

From 09.26.2023: 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: The most recent meeting happened on June 22nd, 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: Central Linn Recreation Center Meeting – I recently attended their monthly meeting to provide an update on the renovation. I continue to play a support role for President Kallai and the Board.

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 09.26.2023:* Administrative Assistant Elizabeth Coleman received training recently on the new Accela platform. Linn County continues to work on implementing the electronic building permit platform. The City will be required to modify the way payments are processed due to the change.

From 04.25.2023: Administrative Assistant Elizabeth Coleman will be attended the April 27th meeting later this week.

Active: Water Management Conservation Plan – *From 10.24.2023:* Staff will begin implementing items as identified by Staff and approved by Council. Items include the adoption of a



water conservation ordinance, auditing the water distribution system, and the creation of water filling station.

From 09.26.2023: 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.

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.

Active: Climate Change Initiatives & IGA | Department of Land Conservation & Development (DCLD) – Administrative Assistant Elizabeth Coleman and I are attending a meeting at the time of this report. I will provide an oral update for Council Tuesday evening.

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

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

November 2023

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

- | | | |
|--------------|--|-------------------|
| • Mechanical | Commercial Plumbing | 107 W Bishop |
| • Plumbing | Re-pipe & Relocate Toilet/Lav/Shower | 926 Oak St. |
| • Mechanical | Install GL to cookstove 34' w/s/off & Future Tee | 601 Calapooia Ave |
| • Plumbing | Backflow Device | 839 NP Loop |
| • Mechanical | Install Tankless W/H | 166 Hausman Ave |
| • Fence | | 861 Maple St. |

Updates

Accela | State E-Permitting System, Linn County & Contract Cities

The Linn County Planning & Building Department & Contract Cities are still working through this new process. Staff will continue to monitor the interface between the City/County/PublicUser to ensure city compliance requirements are not compromised.

Other

Staff received an application for a Conditional Use to operate a Home Occupation in the High-Density Residential zone. The Planning Commission will hear this request on November 27th.

Elizabeth E. Coleman



Library Advisory Board

Librarian's Report

October 2023

Here are a few facts about our Library for the month of October 2023. We have received 45 new books for the Library. Volunteers donated 110.25 hours to our library. There were 1,165 materials checked out. 436 adult fiction books; 112 adult non-fiction books; 48 audio books; 345 children's books; 112 junior books; 24 junior reference books and 88 large print books.

There was a total of 176 electronic materials checked out. 135 adult fiction books; 16 adult non-fiction books; and 25 junior books. Of these 57 were eBooks and 119 were eAudiobooks.

In October, we held 12 children's programs with 103 participants. There were 7 programs for adults with 38 participants. The Library is looking for different collections to display in our Display Cabinets over the next year. On the card catalog files, our banned book display was very popular with patrons. We had many good conversations about why books are banned (violence, sex, politics, and religion to name a few) and where they have been banned (worldwide).

With the Holidays approaching, the Library will be observing Veteran's Day November 10 and 11; Thanksgiving November 23 – 25. The Friends of the Library Book Sale is scheduled to begin on Thursday, November 30 and run through Saturday, December 9 during normal Library hours. We have lots of books and it will be another fantastic book sale!

Respectfully submitted,

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

Sherri Lemhouse
Librarian



RESOLUTION NO. 2023.18

A RESOLUTION TRACKING BUSINESS OREGON RURAL OPPORTUNITY INITIATIVE (ROI) PASS THROUGH GRANT FUNDS & FINAL PAYMENT

WHEREAS, the City of Brownsville applied for a ROI grant on behalf of Mid-Valley Partnership (MVP) and was awarded **\$120,000** from Business Oregon in October of 2021; and,

WHEREAS, the funding will be spent as required per the grant contract with the Oregon Business Development Department (OBDD) which is **\$100,000** pass through to RAIN and **\$20,000** for marketing & website development through JayRay, a third-party vendor retained by MVP (Rural Economic Alliance, REAL); and,

WHEREAS, the State extended a supplemental funding to RAIN & REAL in the amount of **\$11,738.00** in March 2023 as an addendum to the original agreement; and,

WHEREAS, the funding breakdown included \$3,000 for RAIN and \$8,738 for REAL; and,

WHEREAS, the funding will be received in the *General Fund Grants*, 100.000.470, and expended from line item 100.010.675.000.00.00, *Economic Development*. These funds were not anticipated to be received at budget time; and,

WHEREAS, ORS 294.325 (3) provides that local budget law shall not apply to the expenditure in the year of receipt of grants, bequests or devises transferred to a municipal corporation in trust for specific purposes, and further provides that expenditure of such shall be lawful only after enactment by the governing body of the municipal corporation of appropriation ordinances or resolutions authorizing the expenditure; and,

NOW, THEREFORE BE IT RESOLVED, the City will expend these funds as described above and in accordance with the grant agreement as follows:

Section I.

- ★ **OBDD** Project Number is C2021627.
- ★ **Original Award** is \$120,000.00.
- ★ **Amended Award** is \$131,738.00.
- ★ **RAIN** to receive \$103,000.00
- ★ **MVP** to receive \$28,738.00

Section II.

- ★ **City received final payment** in the amount of \$24,435.00 on November 13th, 2023.
- ★ **Check Number** 126833774.
- ★ **RAIN** will receive \$18,697 for their portion of the total grant award.
- ★ **The City** will reimburse expenditures made from the City Treasury with



the remaining amount of the award which is \$5,738.00.

Section III.

- ★ **RAIN** underspent their portion of the award by \$5,303.
- ★ **The total final amended award paid by OBDD** was \$126,435.
- ★ **Council passed** Resolution 2022.07 & 2023.07 in favor of this grant award, agreement & execution.

This Resolution shall become effective immediately.

Passed and approved by Council on this 28th day of November, 2023.

Approved:

Attest:

Mayor Adam Craven

City Administrator S. Scott McDowell



RESOLUTION NO. 2023.19

A RESOLUTION AUTHORIZING AN SPECIAL EXPENDITURE WITHIN THE GENERAL FUND FOR THE FISCAL YEAR 2023-2024 BUDGET

WHEREAS, Council would like to maintain accurate expenditures for each and every fiscal year; and

WHEREAS, the City accepted a cashier’s check in the amount of \$102,742.20 from Chad E. Davis Homes on December 3rd, 2021 to be held in earnest for the completion of an open space area that was required by the Planning Commission as a condition of approval for said development; and,

WHEREAS, the City received a request for inspection of the open space area and Staff found that half of the work had been performed, and recommends refunding \$52,387.70; and,

WHEREAS, Council disbursed the amount of \$52,387.70 on April 5th, 2023, check number 029300, for this refund; and,

WHEREAS, Chad E. Davis Homes has met the obligations required by the Planning Commission; and,

WHEREAS, Council authorizes the amount of \$54,098.15 to be disbursed for this final refund; and,

WHEREAS, funds were budgeted in accordance with Oregon Local Budget Law; 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 following funds be expended from the following account:

General Fund – Operations

100.060.645.000.00.00 Refunds & Reimbursements	<u>\$54,098.15</u>
Total Amount	\$54,098.15

PASSED AND ADOPTED by the City Council of the City of Brownsville this 28th day of November 2023.

APPROVED:

Adam R. Craven

ATTEST:

S. Scott McDowell
City Administrator



ORDINANCE NO. 802

AN ORDINANCE MODIFYING SECTIONS 10.05.150 PROHIBITED PARKING OR STANDING OF TITLE 10, VEHICLES AND TRAFFIC, OF THE MUNICIPAL CODE OF THE CITY OF BROWNSVILLE, OREGON

WHEREAS, Title 10 of the Brownsville Municipal Code (BMC) defines offenses related to parking, and;

WHEREAS, Council wishes to strengthen public safety; and,

WHEREAS, Council wishes to provide law enforcement with the necessary tools to address situations as they arise;

NOW THEREFORE, the City of Brownsville ordains as follows:

Section 1. The following Section 10.05.150 is added to Title 10 of the Brownsville Municipal Code:

10.05.150 Prohibited parking or standing.

- C. A vehicle on a public street or other public property for the principle purpose of:
1. Displaying a vehicle for sale;
 2. Repairing or servicing the vehicle, except while making repairs necessitated by an emergency;
 3. Displaying temporary advertising from the vehicle; or
 4. Selling merchandise from the vehicle, except when authorized.
- D. A motor vehicle on a public street or on public property:
1. For more than 48 hours without moving at least two-tenths of a mile if it is not parked adjoining the address shown on the registration for the vehicle; or
 2. For more than 14 days without moving at least one mile if it is otherwise legally parked adjoining the address shown on the registration for the vehicle.
- E. An inoperable vehicle on a public street or public property for a period of more than 24 hours.
- F. A recreational vehicle or any kind of trailer on a public street or public property for a period of more than twenty-four (24) hours without moving a distance of at least two-tenths of a mile.
- G. A motor vehicle, recreational vehicle, or trailer for the purpose of sleeping or housekeeping purposes, except where provision is made for the removal of wastewater and it is parked:
1. Within an approved recreational vehicle park; or
 2. On the premises of a private residence and with the consent of the occupant of the residence and/or landlord; and



- 3. In accordance with Brownsville Municipal Code Chapter 15.105.030.
- H. A vehicle in front of and ten (10) feet on either side of a mailbox(es) during the hours of 8:00 a.m. and 5:00 p.m., except on Sundays and Federal holidays.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR,
this _____ day of _____, 2023.

Attest:

S. Scott McDowell

Mayor Adam R. Craven



ORDINANCE NO. 803

AN ORDINANCE MODIFYING SECTIONS 2.30.030 REMOVAL FROM OFFICE OF THE MUNICIPAL CODE OF THE CITY OF BROWNSVILLE, OREGON

WHEREAS, Title 2 of the Brownsville Municipal Code (BMC) defines Administration & Personnel requirements of office, and;

WHEREAS, Council wishes to clarify the removal of office process; and,

NOW THEREFORE, the City of Brownsville ordains as follows:

Section 1. The following Section 2.30.030 is modified added to Title 2 of the Brownsville Municipal Code:

Currently Reads:

2.30.030 Removal from office.

Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the City Council, after hearing, for misconduct or nonperformance of duty. A member who is absent for three consecutive, regular monthly meetings without the permission of the Board Chairperson is rebuttably presumed to be in nonperformance of duty, and the City Council shall declare the position vacant unless finding otherwise following the hearing. [Ord. 686A § 3, 2004.]

Modified to Read:

2.30.030 Removal from office.

Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the City Council, after a hearing, for misconduct or non-performance of duty. A member who is absent for two consecutive, regular meetings without the permission of the Board Chairperson or City Staff is rebuttably presumed to be in non-performance of duty, and the City Council shall declare the position vacant unless finding otherwise following the hearing.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR,
this _____ day of _____, 2023.

Attest:

S. Scott McDowell

Mayor Adam R. Craven



CENTRAL LINN
COMMUNITY FOUNDATION



P.O. Box 4
Brownsville, OR 97327

November 6, 2023

Mayor Adam Craven and
Brownsville City Council Members
P.O. Box 188
Brownsville, OR 97327

Dear Mayor and Councilors,

It's that time of year again when the Central Linn Community Foundation asks you for a donation so that we can continue giving grants to community organizations in the Central Linn area to promote the well being of this area. We very much appreciated your donation last year of \$1,000. This year's grants were awarded in May and totaled \$8,000. Grantees included the following:

- Central Linn Elementary School Parent Teacher Club – for playground equipment.
- Central Linn Recreation Center – for their baseball program..
- Brownsville Garden Club – for the flower barrels in downtown Brownsville.
- Sharing Hands – for a furnace.
- Calapooia Food Alliance – for their power of produce program.
- Central Linn Gleaners – for operating costs, fuel, and other expenses.
- Linn County Pioneer Association – for upgrades of their computer system.

We would appreciate any support your can donate. Funds will go toward the 2024 grants.

Thanks for your assistance.

Regards,

Chenoweth Robertson, Secretary



Camping & Alcohol in Pioneer Park

Considerations & Recommendations

Authority: Council appointed members to review camping & park policies during the June Council meeting at the request of the City Administrator.

Purpose: The subcommittee would review camping & park policies to determine if there would be any necessary changes for the proper governance and management of Pioneer Park.

Subcommittee Member: Council President Lynda Chambers, Councilor Sean LaCoste, Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver & City Administrator Scott McDowell.

Camping

Members reviewed operating guidelines and policies relating to camping in Pioneer Park. For many years, the City has allowed cyclists to camp outside the parameters of the ordinance due to the State of Oregon's efforts creating and promoting cycling tours. Brownsville serves as a camp site for the cycling tours in the mid-Willamette Valley that were created by the State as part of a tourism effort.

The City made changes in 2018 regarding camping, but the State ignored the City's request to change the camping parameters listed on the State's website. Ultimately, the City continued the policy in-line with the State's wishes because it was not worth the effort to force the change. Now the State has passed new laws and requirements that have led to a re-examination of the City's camping policy that could be interpreted negatively.

Current Policy

- ▶ Camping is allowed in Pioneer Park from April 1st through October 31st.
- ▶ Camping is allowed on Friday, Saturday, and Sunday nights only except for holidays.
- ▶ Park Caretakers are employed from the week before Memorial Day to the week after Labor Day.
- ▶ Public Works oversees camping during the final weeks of the open season.

The subcommittee developed the following recommendations with options.

- ★ The City would draft an ordinance that would allow camping in Pioneer Park to occur from the week before Memorial Day through the week after Labor Day.

Option A | Extend camping one more night, add Thursday. So, camping would be allowed Thursday through Sunday.

Option B | Extend camping two nights from Thursday to Monday.

Option C | No change to the allowed days.

- ★ The City could modify facility rentals to include a camping package. So, people renting the facilities, the Pavilion, or the Stage, could camp in Pioneer Park outside of the camping parameter listed above.



The City would make available a camping permit option when people rented either the Pavilion or the Stage. The City would redo the rental packages and fee schedule to accommodate the changes.

- ★ The City would forward the new ordinance along with a letter explaining the changes to the State of Oregon. Cyclists could no longer stay in Pioneer Park outside of these new parameters and rules.

Alcohol in the Park

Council allowed the Linn County Pioneer Association permission to host an event that allowed alcohol in the park. All OLCC requirements and rules were met. The City has received additional requests from other non-profit parties using the park for events which has raised the question, should the City consider a policy change?

Historically, the City banned alcohol in the park in 1993 due to undesirable conditions caused by allowing alcohol in the park.

Current Policy

- ▶ Alcohol is not allowed in the park.

After much discussion, the subcommittee developed the following recommendation:

Do not allow alcohol in Pioneer Park or on City property.

Respectfully Submitted,

S. Scott McDowell
On behalf of the sub-committee



Commissioners OK Crisis Receiving Center Study

ALBANY — Linn County will study the feasibility of developing a 24-hour Crisis Receiving Center Linn County Commissioners Roger Nyquist, Sherrie Sprenger and Will Tucker agreed Tuesday morning, but their approval did not come without hesitation and numerous concerns.

Linn County Health Services Administrator Todd Noble brought the issue to the board, asking for permission to use a \$75,000 grant from the Intercommunity Health Network for the study.

Linn County already provides mental health crisis services during customary business hours and has a crisis van for providing services in rural areas around the clock, Noble said. A Crisis Receiving Center would provide short-term assistance at a brick and mortar facility.

It would not include beds for long-term care. Noble said there would be chairs for clients and staff would assist them rather than those same people presenting at local hospital emergency rooms for help. If the person poses a threat, they would be transported to an emergency care center.

Board Chairman Nyquist said that the proposal will not work unless the state deals with the underlying issue that there has been a “woefully inadequate” lack of mental health beds statewide for years.

“They aren’t even close,” Nyquist said. “For the last 15 years we have been saying this isn’t working and that hasn’t even been acknowledged by the state.” Commissioner Sprenger said the issue gives her “heartburn” seeing how the state has fumbled this issue so far, but she said the county needs to “have a seat at the table” at this point.

She is also concerned this could turn into another “unfunded state mandate.” Commissioner Tucker noted that Sheriff Michelle Duncan recognizes the need for this type of service. “It’s a sad commentary about where we are, but it is needed,” Tucker said.

In other business, the commissioners:

- Were informed by Juvenile Director Torri Lynn that the Juvenile Department had 55 referrals last month and there are 190 young people on probation or pending court dates with 35 assessed as high-risk. The Intervention Specialist is working with 101 young people.
- Approved accepting a \$125,943 grant from the Greater Albany Public Schools to provide services to young people at Jackson Street Youth Services. Chairman Nyquist abstained from this issue because he also serves on the GAPS board of education.
- Approved an easement to allow the City of Brownsville to bore underground across the Historic Moyer House property to install a major water pipe.
- Reappointed the following members of the Board of Appeals to one-year terms: Ray Hilts, David Pautsch, Amy Price and Rex Watkins.
- Approved a 10-year lease agreement for a portion of the Collision Auto Body building at 500 SW Lyon Street to be developed into the Linn County Veterans Services office. County Administrator Darrin Lane said the building will provide much needed space for individual offices to enhance client privacy.
- Approved a wrecking license for G & R Wreckers doing business as Pick A Part.

Media contact: Alex Paul, Linn County Communications Officer, 541-409-8025 or email apaul@co.linn.or.us.

S. Scott McDowell

From: League of Oregon Cities <leagueoforegoncities@orcities.org>
Sent: Friday, November 3, 2023 11:48 AM
To: court@ci.brownsville.or.us
Subject: LOC Bulletin - November 3 Edition

[View this email in your browser](#)



The Bulletin

November 3, 2023

Publishing Note: The *LOC Bulletin* will not be produced next Friday, November 10, as the LOC office will be closed in observance of Veterans Day.



Elected Officials from Unrepresented Regions Sought for the 2024 LOC Board

An elected city official from Regions 8 or 12 who is interested in serving as a non-voting board member for 2024 may apply by **November 20**. [Read more](#)



Public Safety Coalition Releases Substance Abuse Framework

The Oregon District Attorneys Association, the Oregon Association of Chiefs of Police, the Oregon State Sheriffs Association, and the League of Oregon Cities have released an 11-point outline to reform Measure 110 by creating misdemeanor-level offenses for possession and public consumption of narcotics, while allowing defendants greater access to drug courts and diversion services. [Read more](#)



Public Comment Sought on Broadband Office Draft Digital Equity Plan

The draft plan outlines how Oregon will use federal funds to provide reliable, affordable, high-speed internet, computing devices, and digital skills training to people who need it most. Public comment is due by **December 16**. [Read more](#)



citycounty insurance services
cisoregon.org

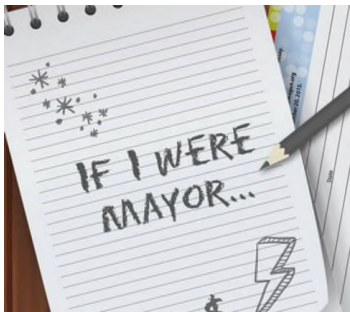
CIS Provides Guidance Following Recreational Immunity Ruling

On July 6, the Oregon Court of Appeals issued an opinion on [Fields v. City of Newport](#), effectively ending recreational immunity for improved trails. CIS has provided a summary of the case and next steps as cities plan, evaluate, and mitigate the heightened risk as a result of the ruling. [Read more](#)



Cities Asked to Complete State of the Cities Survey

Every two years, the LOC sends a survey to its member cities to ask them about their city's overall health and status. This includes questions asked repeatedly over the past several years, which allows the LOC to provide a historical trend on the state of cities. The survey is due by **5 p.m. on December 1**. [Read more](#)



OMA "If I Were Mayor..." Student Contest Now Underway

The contest can take place any time during the school year - as long as the winning entries reach the LOC by the **April 5, 2024** deadline. [Read more](#)



LOC Conference Handouts Now Available

Thank you to the more than 400 members that attended the 98th Annual LOC Conference in Eugene! Session materials, award recipients and photos are available on the [conference webpage](#).

Session videos will be added next week.



Recordings Available for PFAS Class Action

Litigation Webinars

The National Association of Clean Water Agencies (NACWA) has provided access to its two-part webinar series on “Class Action Litigation: What Clean Water Utilities Need to Know” and “Class Action Litigation: Proposed PFAS Settlements.” [Read more](#)



DEQ Hosting Webinar for Phase II General Permit

On Nov. 8, the Oregon Department of Environmental Quality (DEQ) will host a webinar on the process and rationale for renewal for the Phase II MS4 General Permit. [Read more](#)



NLC Launches Early Learning Nation Initiative

The initiative is connected to an emerging collaborative body of work happening across the country in early learning to leverage resources, increase coordination and build alignment in partnership with six other national organizations and key local leaders. [Read more](#)



[3rd Quarter Local Focus Magazine](#)



[Upcoming Small Cities Meetings](#)



Real-Time Risk



TIMELY NEWS AND TIPS TO HELP REDUCE RISK

November 2023

OREGON'S HIGHER COURTS END RECREATIONAL IMMUNITY FOR IMPROVED TRAILS

By Kirk Mylander, CIS General Counsel

On July 6, the Oregon Court of Appeals issued an opinion effectively ending recreational immunity for improved trails. Public and private landowners of improved trails are no longer protected from lawsuits. ([Fields v. City of Newport](#)).

Nicole Fields Falls While Walking With a Friend and their Dogs

In *Fields v. Newport* a woman was walking with her friend and their dogs on the beach. She walked away from the beach on an improved trail which was owned and maintained by the city of Newport. The woman came to a wooden footbridge that was wet. She slipped and fell, then filed a lawsuit against the City.

Ms. Fields' suit alleged the City was negligent in maintaining the bridge and not putting up warning signs. Newport responded that it was immune from suit because Fields was using the Ocean to Bay Trail for a recreational purpose, walking with a friend and their dogs while they talked and socialized.

Oregon's recreational immunity provided liability protection to landowners who open their property for recreational activities, shielding them from certain lawsuits and claims related to injuries or accidents that occur on their land.

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Real-Time Risk

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The Trial Court Applied Recreational Immunity, Protecting Newport

The trial court agreed with the City, ruling that recreational immunity protects landowners from a lawsuit when they open their property to the public for recreational purposes without a fee. Because of recreational immunity the trial court granted summary judgment, which ended the case early in favor of Newport .

The trial court determined “there are no genuine issues of material fact in dispute” and that under state law, the plaintiff was “using the trail for recreational purposes” by “walking her dog on a trail to the beach with a friend,” and thus the City was entitled to recreational immunity from any liability.

Plaintiff Fields appealed the trial court’s ruling, arguing that the trial court could not conclude that her “**principal purpose**” (as required under state law) in walking on the trail was recreational as long as she claimed that the subjective intent in her mind was something else.

The Oregon Court of Appeals Strikes Down Recreational Immunity

The Oregon Court of Appeals decided that there is a factual dispute between Plaintiff Fields and the City as to whether her use of the trail was recreational, or whether her primary purpose was instead for “accessing the beach.” In other words, the Court of Appeals held that the trial court needed to hold a jury trial to determine whether the plaintiff’s principal purpose on the trail was accessing the beach, or to recreate while using the trail with a friend and their dogs while they “socialized.”

Either way, recreational immunity no longer stops a case at the beginning (an “immunity” from suit), because any plaintiff can claim their “principal purpose” was not to recreate.

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Real-Time Risk

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Local Governments Requested that the Oregon Supreme Court Restore Recreational Immunity — But the Court Refused to Hear the Case

The City of Newport asked the Oregon Supreme Court to overrule the Court of Appeals and restore recreational immunity. Other members of the local government community in Oregon also asked the Oregon Supreme Court to review the *Fields* case and reverse the Court of Appeals. The City of Medford, the League of Oregon Cities, the Association of Oregon Counties, the Special Districts Association of Oregon, and the Oregon Recreation and Park Association all joined Newport in asking the Oregon Supreme Court to reverse the Court of Appeals:

“A decision from the Oregon Supreme Court is necessary here. The Court of Appeals created an exception that swallows the rule by finding a question of fact exists on whether socializing with a friend, walking dogs, and enjoying a scenic trail to access the beach is recreational or not.”

The City asked the Supreme Court to reverse the Court of Appeals because of the damage the Court of Appeals opinion will have on the public’s access to recreational land. If the Court of Appeals opinion were to stand, the City argued, then “Landowners must decide if making their land available for recreational purposes is worth the risk of effectively losing access to the immunity by having to litigate through trial whatever subjective beliefs an injured plaintiff asserts their principal purpose was.”

Unfortunately, that is where things stand today. On Oct. 5, 2023, the Oregon Supreme Court officially declined to review the Court of Appeals’ decision in *Fields*. This action, called “review denied” functions as a de facto endorsement by the Oregon Supreme Court of the Oregon Court of Appeals’ decision striking down recreational immunity.

At the heart of the dispute is whether a trial court can decide at the beginning of a case whether or not a plaintiff’s “primary purpose” when entering land was recreational or not recreational.

Subjective Intent is Too Subjective for Recreational Immunity to Function as the Legislature Intended

The Court of Appeals did not base its decision on what *Fields* was actually doing on the City of Newport’s trail. Instead, the Court of Appeals turned to a dictionary for assistance with the word “walking.”

The Court of Appeals found that walking with a dog could sometimes be a recreational activity, but was not necessarily always a recreational activity. The Court of Appeals said that even when walking and socializing, *Fields*’ “principal purpose” could have been “to go to and from the beach” which the Court did not consider to be recreational.



*The Oregon Supreme Court Building,
Gary Halvorson/Oregon State Archives*



Real-Time Risk

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If, the Court reasoned, Fields was thinking that her “principal purpose” was to “access” the beach where she would begin to “recreate” with her dog and her friend, then recreational immunity does not protect the City (or any landowner). The key, according to the Oregon Court of Appeals, is the plaintiff’s subjective intent *not her objective activities at the time*.

Unless the Legislature steps in, from now on when a person using the city’s path claims that their subjective intent was not primarily to recreate, then recreational immunity does not apply at the beginning of a suit. Instead, the municipality (or private landowner) will have to defend the lawsuit all the way through a jury trial, so the jury can decide what the plaintiff was thinking about their “primary intent.”

Legally, this transforms recreational “immunity” from a legal rule that stops a lawsuit at the outset, and turns it into a defense that a city, county, school district, or private landowner can only try to use at trial. Recreational immunity is no longer a true immunity.

Is Anything Left of Recreational Immunity?

The protection from lawsuits that landowners relied on in deciding to open their land to the public is now likely gone for all trails. It may be gone for any property that someone can claim they “were just passing through”.

The Oregon Court of Appeals and Oregon Supreme Court have repeatedly issued rulings that have the effect of striking down some, or all, of the Legislature’s recreational immunity statute. The good news, though, is that the Oregon Legislature has repeatedly stood behind Oregon’s policy of encouraging private and public landowners to open their property to the public for recreational activities like hiking, mountain biking, kayaking, hunting, fishing, rock climbing, and accessing the beautiful coastline.

Once again, the League of Oregon Cities and the Association of Oregon Counties are ready to bring a bill to the Legislature in 2024 to restore recreational immunity. But the support of individuals and local governments is needed. The people of Oregon who enjoy recreational access to a wide range of properties, especially including trails to access climbing areas, the coast, rivers, streams and lakes, need to contact their local legislator and their local city or county officials to express their desire to restore recreational immunity.

Your CIS risk management consultant is available to assist you as you plan, evaluate, and mitigate the heightened risk as a result of the *Fields v. City of Newport* ruling.

Visit CIS’ Recreational Immunity FAQ at cisoregon.org/Reclmmunity for more information.



Real-Time Risk

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RECOMMENDATIONS FOR CITIES AND COUNTIES

1. **Improved trails that are used to access a recreational area should be closed.** This especially includes trails, walkways and stairs used to access bodies of water, such as the ocean, lakes, rivers, streams and reservoirs.
2. **Consider closing unimproved trails,** because the subjective intent of the user can now nullify recreational immunity, which means if someone is injured on an unimproved trail, the city or county may find itself facing a costly jury trial to determine the injured person's intent in using the trail.
3. **Speak with your City Attorney or County Counsel** about how *Fields v. Newport* could negatively affect your other recreational offerings to the public. For instance, someone who trips in a park can now say their primary purpose in using the park was not recreation, but rather they were simply passing through the park to access some other area in your jurisdiction.
4. **Download and utilize this audit** for property you decide to leave open because it is not conducive to a claim from someone "just passing through", to ensure your facility is protected as much as possible from liability claims.
 - a. Consider requiring people to sign a form affirming they are using the property only for recreational purposes if your organization can afford to post someone at that location (at a skate park, for example).
5. **Contact your legislator** and any of the following organizations you are affiliated with: the League of Oregon Cities, the Association of Oregon Counties, the Special Districts Association of Oregon, or the Oregon Recreation and Park Association; express your desire to keep property free and open to everyone in Oregon for recreational activities.

If you have any questions, please contact your Risk Management Consultant:

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S. Scott McDowell

From: Patty Mulvihill
Sent: Wednesday, November 15, 2023 3:18 PM
To: undisclosed-recipients:
Subject: LOC Small Cities Meeting, Region 4 - Following Up on Concerns Raised During Meeting on November 8
Attachments: COMPREHENSIVE RECOMMENDATIONS - Addressing Severe Addiction Crisis and Community Harm (FINAL) 11-1-2023 (002).pdf

Thank you for attending LOC's Region 4 Small Cities meeting on November 8. The LOC staff who attended indicated that some in attendance expressed frustration with the LOC's actions, or perceived inactions, regarding Measure 110, the appellate courts' recent decisions impacting recreational immunity, infrastructure funding, and tolling. As the LOC Executive Director, I want to follow up directly with those who attended the meeting to clarify some potential misunderstandings, to explain where LOC stands on these issues, and once again reiterate my ongoing commitment to ensuring the LOC responds to its members' needs.

Measure 110

LOC members have expressed strong concerns about the impacts Measure 110 has had on their communities. Recognizing these concerns, LOC staff spent the summer and early fall working with the Oregon Association of Chiefs of Police, the Oregon District Attorneys Association, and the Oregon State Sheriff's Association to develop a comprehensive plan that goes well beyond the four corners of Measure 110 to address Oregon's ongoing substance abuse crisis.

While there are LOC members who strongly favor a full repeal of Measure 110, doing so will not add detox/stabilization services statewide, create intensive intervention after a Narcan treatment, extend medical holds to 72 hours, or address case law that impairs the ability of police and prosecutors to go after drug dealers. Moreover, straight repeal was not supported by police chiefs, sheriffs, or district attorneys. The plan crafted by our coalition partners and the LOC addresses the shortcomings of the Measure and the long-standing deficiencies in the state's approach to substance abuse.

For more information on the approach designed by the LOC, in cooperation with its three partners, please see the attached Flyer.

Recreational Immunity

The Court of Appeal's and Supreme Court's recent assault on recreational immunity was wholly unexpected, with the work of the Supreme Court happening in near record time. LOC and CityCounty Insurance (CIS) advised their members of the potentially devastating impact of the decisions within days of the decisions being released.

When the city of Newport was sued by the plaintiff in the case, it had no expectation that recreational immunity would not apply to its maintained pathway to Agate Beach, neither did CIS or LOC. In fact, the trial court issued an order recognizing that recreational immunity did apply.

On July 6, the Court of Appeals released its decision declaring that recreational immunity did not apply to the city of Newport and its maintained pathway to Agate Beach. Immediately upon the release of the decision, LOC attorneys and CIS attorneys began reviewing the case and consulting with one another so that we could properly

advise our members on the next steps. Within eight days of the decision being released, LOC attorneys had produced a summary of the case and published the same in the July 14 *Bulletin*.

The city of Newport filed an appeal with the Oregon Supreme Court, and LOC supported the city with an amicus brief encouraging the Supreme Court to review and reverse the decision. Shocking both LOC and CIS attorneys, the Oregon Supreme Court denied review on October 5. The denial of review was much quicker than what one would typically see from the Oregon Supreme Court. Again, LOC and CIS began to immediately identify next steps for members and an article in the *Bulletin* on this case was published one day later, on October 6.

CIS has created an advisory document available to cities and counties on how to proceed now that recreational immunity has been called into question. This document was distributed to cities directly by CIS and provided in the [November 3rd](#) *Bulletin*. Additionally, LOC attorneys, CIS attorneys, and the Government Law Section of the Oregon State Bar are all collaborating to provide Scott Winkels, the LOC lobbyist who manages recreational immunity for the organization, with proposed language to seek a statutory fix during the 2024 session. As soon as Scott has secured a bill number, LOC will seek the support of cities like yours to champion its passage so we can restore this vital protection for city facilities.

Infrastructure Funding

Infrastructure funding was and continues to be the LOC's number one priority in its legislative efforts.

During the 2021 legislative session the LOC and others were instrumental in securing over \$550 million for water-related infrastructure projects statewide. These projects were overwhelmingly focused on rural and frontier communities. The funding was passed through from ARPA recovery funds. I do not know of a time when LOC did not advocate for increased state funding for community infrastructure for water and wastewater or transportation projects. With the emergence of broadband and housing-related infrastructure needs, LOC's advocacy has pivoted over the last few full sessions to have a more comprehensive approach to infrastructure needs. Entering the 2023 session, infrastructure funding was and remains the LOC's top legislative priority. We are not always successful, but we keep the fight up.

As a result of LOC's continued push for state infrastructure investment, we now have momentum in advance of the 2024 short session. Legislators have reached out to LOC and asked for cities to provide their infrastructure needs that are limiting the development of new housing. Your city will have received an LOC Alert this past Monday regarding this issue, along with a request to fill out a form by November 21.

If your city has particular infrastructure needs, please let LOC staff know so that we can incorporate those needs into our messaging strategies.

Tolling

LOC's current position on tolling is that it is a necessary funding tool to assist in funding large transportation infrastructure projects and manage congestion. The position was developed by the LOC's Transportation Policy Committee (TPC) in May of 2020 in advance of the 2021 legislative session. The LOC's TPC members agreed to the following standard:

Tolling

Support the use of tolling for a combination of transportation management values including a role in financing of new, or capacity building facilities, maintenance, congestion relief important to urban centers expanding transportation options in their communities.

Prior to the 2021 session, LOC was on record supporting HB 2017, which included enabling language authorizing the Oregon Department of Transportation (ODOT) to develop tolling to pay for expanded lanes on I-205 and the Abernethy Bridge, also on I-205. HB 2017 has a 7-year rollout of revenue increases in the gas tax and licensing fees and LOC has remained supportive of all commitments made in 2017.

ODOT has seen a substantial decrease in its funding and ODOT's ability to maintain and improve existing highways and roads is at a crisis level. To stabilize ODOT's funding, which will impact the shared revenue formula and the share cities receive, all revenue options going into the 2025 legislative session will need to be explored. Tolling, along with a potential shift to a Vehicle Miles Traveled (VMT) system to replace the gas tax will be part of the conversation. Given several factors impacting transportation projects, including ODOT's funding challenges and its ability to complete the transportation projects in HB 2017, LOC's TPC will have some particularly important discussions in 2024.

While the members of the 2024 TPC have not yet been appointed, the Legislative Director and I are encouraging President Callaway to appoint LOC members from all regions of the state and cities of all sizes to make sure the committee has a wide spectrum of voices from across Oregon. We believe the desired makeup of the TPC will ensure all voices within Oregon's cities will be heard and respected on this important issue.

As always, I appreciate the work being done by the cities in Region 4. The LOC is an organization that prides itself on responding to the needs of members and being one that continuously improves upon its previous efforts. I hope the above information provides clarity on the work being done by the LOC on your cities' behaves.

If you have additional questions or concerns, Jim and I are always available to meet, be it virtually or in-person.

Thank you,
Patty



Patty Mulvihill, Executive Director
1201 Court St. NE, Suite 200, Salem, OR 97301-4194
www.orcities.org





A Comprehensive Approach to Addressing Oregon's Addiction and Community Livability Crisis

The following policy recommendations are designed to address Oregon's severe addiction crisis, the alarming rise in fentanyl overdose-related deaths, and the detrimental effects the crisis is having on community safety and quality of life across our state. While some of these solutions are specific to addressing certain provisions of Ballot Measure 110, the approach below is meant to be comprehensive.

As your partners in public safety, we believe that Ballot Measure 110 failed to recognize that drug addiction is both a public health and public safety crisis and requires solutions on both sides of the ledger. Success will require new tools and a significant allocation of resources along with an adaptable approach that recognizes the diverse needs and challenges of each Oregon community.

RESTORING PUBLIC SAFETY SOLUTIONS:

Policy Proposal #1: Reclassify Possession of a Controlled Substance (PCS) from an E-Violation to an A-Misdemeanor

We can restore Possession of a Controlled Substance (PCS) to an A-Misdemeanor and present new post-BM 110 modifications that reflect the desire for treatment intervention. This should include diversion eligibility and dismissal of a charge upon successful completion of the one-year diversion and any required treatment (DUII approach). In addition, unlike DUII diversion, drug PCS related cases should be eligible for multiple diversion entrances. The current E-violation for possession of a controlled substance is ineffective and fails to connect persons struggling with severe addiction to the treatment they need. An A-Misdemeanor with diversion will compel those

struggling with addiction to enter treatment without turning to an approach that focuses on incarceration.

Policy Proposal #2: “Boyd/Hubbell Fix” - Modify the statutory definition of controlled substance “delivery” to include the “transfer” of drugs and the “possession with intent to transfer” drugs:

This fix focuses the policy solutions on the supply side of the equation with the dealer – not user – end of the drug crisis in Oregon. By restoring 34-years of state law that allowed the State to charge dealers when there is substantial evidence of the intent to deliver, like significant quantities of drugs, lists of sales, and cash. The proposed fix simply and clearly modifies the definition of “delivery” to include the “transfer” of drugs and the “possession with intent to transfer” drugs.

Policy Proposal #3: Modify the statutory pretrial hold language from SB 48 (2021 Legislative Session) to ensure that jails and judges have the flexibility to hold drug dealers charged with Distributing a Controlled Substance (DCS) and repeat offenders.

Senate Bill 48 (2021) required the Presiding Judge of each judicial district, following guidance from the Chief Justice and her Criminal Justice Advisory Council (CJAC), to enter a standing pretrial order specifying to the sheriff (or any other supervising entity) those persons and/or offenses that are subject to “Release on Own Recognizance” (ROR), subject to conditional release, or that are not eligible for release until arraignment. A modification in this law could make it clear that a pre-trial hold for dealers is a community priority.

Policy Proposal #4: Fund county probation departments to supervise misdemeanor theft and property crime cases where defendants are dealing with an addiction/substance abuse disorder.

Overall studies indicate that between 50% and 80% of property crimes committed in a community are committed by those suffering from severe addiction who steal to support that addiction. Currently county probation departments don’t supervise misdemeanor theft or property cases which means there is no opportunity for a drug/alcohol addiction screening and no requirement for drug treatment as part of their supervision package. This makes mitigating future harm almost impossible and fails to capture a population where there is significant overlap between persons committing property crimes and those possessing controlled substances. This solution doesn’t put additional pressure on the defense bar, as these individuals are already involved in the criminal justice system – and simply ensures they are screened and connected to mandatory treatment when needed.

Policy Proposal #5: Create a new A-Misdemeanor for “Public Use of a Controlled Substance” to align with current law prohibiting public use of alcohol and marijuana

Create a Class A Misdemeanor for public use of a controlled substance. Public use includes use in public and private buildings. The offense should be identified in statute as a “designated drug related misdemeanor” for the purposes of ORS 423.478(4)(b), which will allow for state funding of both treatment and supervision costs related to violations of the prohibition. This must be a

statewide law and not simply remove local preemption which will not allow for consistent application across local jurisdictions or the access to local county jails.

Policy Proposal #6: Create a new Class A Misdemeanor for “Use of a Controlled Substance in an Enclosed Public Space that Endangers another Person.” (Escalates to Class C Felony for Repeat Offenses)

Establishing a penalty for public use of a controlled substance must be accompanied with a penalty for use in an enclosed public space that endangers another person. The language would provide that “A person commits the crime of recklessly endangering another person if the person, while in an enclosed area, knowingly ingests, inhales, ignites, combusts or consumes a controlled substance in a manner that creates an immediate risk of ingestion, inhalation, or consumption by another person. For this purposes of this section, “enclosed area” is defined as a building or public transit vehicle or facility. It is an affirmative defense to this charge if all other persons placed at risk by the defendant’s conduct knowingly consent to the exposure. This crime would be punishable as a Class A Misdemeanor, escalating to a Class C Felony for repeat violations. This crime would be considered a “designated drug-related misdemeanor” for the purposes of ORS 423.478(4)(b).

TREATMENT & COMMUNITY FOCUSED SOLUTIONS:

Policy Proposal #7: Prioritize adequate and sustainable funding for Oregon’s Specialty Courts:

Inadequate state funding of Oregon’s specialty courts is the biggest threat to their long-term effectiveness and stability. In fact, Specialty Courts in several jurisdictions (including Multnomah, Deschutes and Benton County) are at risk of discontinuing their operations.

Specialty Courts combine accountability and supervision with a treatment-oriented approach that effectively addresses addiction and reduces recidivism rates among participants. Specialty Courts are designed to tailor treatment plans and support services to address the specific needs and challenges faced by participants. The approach has an established track record of success that addresses addiction and equips participants with the tools and support necessary to reintegrate into community life as productive citizens.

Policy Proposal #8: Establish authority to utilize welfare holds of up to 72 hours for intoxicated persons who pose a danger to self or others:

In many western states, law enforcement, EMTs and other first responders are able to utilize welfare holds of up to 72 hours where a person who is acutely intoxicated to a degree where they pose a danger to themselves or others can be held in a custodial environment and given supervised medical care. After 72 hours, the person is given the option to either leave on their own or stay and receive additional services. The states that have implemented these policies have seen a high level of engagement with aftercare and wrap-around services. This also gives

officers options other than jail or the emergency room for a person suffering from a severe substance use disorder (SUD).

Policy Proposal #9: Create adequate stabilization, detoxification and treatment capacity in jurisdictions throughout Oregon by making sustainable investments in sobering center/stabilization and treatment bed capacity for adults and juveniles.

Oregon's absence of dedicated sobering centers and stabilization facilities leaves communities helpless when dealing with severely addicted individuals who require detoxification and stabilization before they can successfully enter treatment. Detoxification is often the first step in the journey to recovery, as it helps individuals safely manage withdrawal symptoms and become physically stable before they can fully engage in addiction treatment programs. The lack of this capacity is a limiting factor in efforts to create an addiction to treatment pipeline. In addition, the Legislature should explore immediate grant funding for the expansion of existing juvenile and adult substance use disorder in-patient and outpatient treatment facilities.

Policy Proposal #10: Support the establishment of Opioid Overdose Quick Response Teams:

In response to increased opioid-related deaths, Ohio has created “Naloxone Plus” teams, also called Quick Response Teams (QRTs) that respond after a reported overdose and use of Narcan. In this model, a small team reaches out to an individual who is recovering from an overdose event and offers person-centered services. In Colerain Township, north of Cincinnati, the team has a police officer, firefighter/EMT, peer recovery mentor, or treatment professional. Between 2015 and 2019, the team responded to over 400 overdose follow ups and of the individuals contacted, 80% did an assessment and engaged in treatment. The goal of QRTs is to reach an individual in the time immediately after an overdose event, within 72 hours as best practice (but ideally much sooner than that) and to offer connections when the person may be ready to change due to the overdose event. The proposal would create grant funding for Quick Response Teams (QRT’s).

Policy Proposal #11: Support aligning the siting of residential and secure residential facilities with the requirements in the Fair Housing Act:

There is a significant need in our communities for residential – and secure residential – facilities for those experiencing mental health and substance abuse challenges across our State. This has become even more urgent given the recent federal court decision and the ongoing crisis taking place in our Oregon State Hospital. This is an urban and rural problem that is impacting communities throughout Oregon. Ensuring our land-use policies for siting secure facilities comply with federal requirements will expedite the desperately needed expansion of Oregon’s behavioral health residential treatment and supported housing capacity. All such facilities must meet the safety and security requirements currently existing in statute but would otherwise be treated and similarly situated housing.

Kevin Campbell, Oregon Association of Chiefs of Police
 Jason Myers, Oregon State Sheriffs’ Association
 Amanda Dalton, Oregon District Attorneys Association
 Scott Winkels, League of Oregon Cities



LOC News

DEQ Hosting Webinar for Phase II General Permit

On Nov. 8, the Oregon Department of Environmental Quality (DEQ) will host a webinar on the process and rationale for renewal for the Phase II MS4 General Permit. This invitation is open to all parties with an interest in the watersheds affected by the communities of Medford, Springfield, Corvallis, Albany, Keizer, Grants Pass, Ashland, Sherwood, Central Point, Troutdale, Eagle Point, Talent, Philomath, Phoenix, Wood Village, Millersburg, Rogue River, or Turner, or the urban areas of Lane County, Marion County, Jackson County, Linn County, Benton County, Josephine County or Polk County.

Phase II MS4 General Permit renewal is for current permittees only.

The Phase II General Permit Renewal is set to expire and may enter administrative extension on Feb. 29, 2024. DEQ is working on its renewal. The renewal of this permit will not include any new permit registrants. The permit will only impact current permit registrants. The renewal work is in the information gathering and solicitation of input stage. To receive information about the MS4 Phase II Permit Renewal and other MS4 notifications, please sign up for [GovDelivery notifications here](#).

Webinar Registration:

Meeting Date: Nov. 8, 2023

Meeting Time: 6:00 p.m.

S. Scott McDowell

From: DEQ Online Subscriptions <ordeq@public.govdelivery.com>
Sent: Tuesday, October 31, 2023 5:09 PM
To: admin@ci.brownsville.or.us
Subject: DEQ Rulemaking Title V Permanent Fees 2023 DEQ is asking for Public Comment on the Proposed Rules

DEQ Rulemaking – Title V Permanent Fees 2023 – DEQ is asking for Public Comment on the Proposed Rules

Summary

DEQ invites public input on proposed permanent rule amendments to chapter 340 of the Oregon Administrative Rules to increase Title V operating permit fees as authorized by House Bill 3229. The proposed fee increases are necessary for DEQ to provide essential services associated with Oregon's Title V permitting program. DEQ will propose the rules to the EQC in January 2024.

The fee increase effective for the 2023 invoice year is 43 percent for the period of July 2023 to August 2024. DEQ applied this increase to permit fees on the invoices DEQ issued in August 2023 for annual emissions during 2022 and the operating period Nov. 15, 2023 to Nov. 14, 2024.

The fee increase effective for the 2024 invoice year is an additional non-compounding 40 percent for the period of August 2024 to August 2025. DEQ will apply this CPI increase to permit fees on the invoices DEQ will issue in August 2024 for annual emissions during 2022 and the operating period Nov. 15, 2024 to Nov. 14, 2025.

Public Comment

DEQ is seeking public comment on the proposed rule amendments. More information on this rulemaking, including the draft rules, can be found on the [Title V Fee Increase 2023 Rulemaking web page](#).

How to comment: DEQ will accept comments by email, postal mail or verbally at the public hearing. Anyone can submit comments and questions about this rulemaking.

- **Email:** Send comments by email to TitleVCPI@deq.state.or.us
- **Postal mail:** Oregon DEQ, Attn: Graham Bates, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232-4100
- **At the public hearing:** 3 p.m., Thursday Nov. 30, 2023 (see below)

DEQ will only consider comments on the proposed rule amendments that DEQ receives by **4 p.m., on Dec. 1, 2023**.

Rulemaking Hearing: DEQ will hold a public hearing, with details below:

Date: Nov, 30 2023 **Start time:** 3 p.m. PT

[Join online via Zoom](#)

Join by phone:

Call-in number 888-475-4499 (toll-free in the U.S.)
Meeting ID: 895 4653 0556

Instructions for joining webinar or teleconference: [Instructions](#)

Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon’s public records law. If you are an Oregon public university or OHSU student, notify DEQ that you wish to keep your email address confidential.

Additional Information

To view copies of the notice documents, learn more about this rulemaking, and how to submit comments, you can view the rulemaking web page at: [Title V Fee Increase 2023 Rulemaking web page](#).

If you want to receive future email notices about this rulemaking, you must sign up at: [GovDelivery](#).



You can also obtain more information about this rulemaking by contacting:

Graham Bates

503-501-0138

graham.bates@deq.oregon.gov

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700 NE Multnomah St., Suite #600, Portland, OR 97232 · 503-229-5696



State of Oregon Department of Environmental Quality

Fiscal Impact Statement

Permanent Title V Permit Fees 2023

Advisory Committee Meeting

Fee Analysis

These proposed rules would increase existing fees. EQC authority to act on the proposed fees is ORS 468A.050.

Oregon's Title V program administers federal health standards, air toxic requirements and other regulations to reduce the number of unhealthy air days and health risks from air toxics. The program issues, renews or modifies permits to prevent or reduce air pollution through permit requirements. In addition, it ensures existing pollution sources comply with state and federal air emissions standards and new sources of air pollution install controls such as filtration equipment, combustion controls and vapor controls needed to protect air quality. Other essential services include emission inventories, technical assistance, inspections, enforcement, rule and policy development, data management and reporting to EPA.

Brief description of proposed fees

The Oregon Legislature established Oregon's Title V fees in three categories. The proposed rules would increase the annual base, emission fees and specific activity fees for Title V sources.

Reasons

The proposed fees would address increased program costs.

Fee proposal alternatives considered

Federal law requires DEQ to perform requisite program services to retain delegation of the Title V program. Federal law also requires DEQ to fund the permit program entirely by permit fees. DEQ could decline to administer the program, shifting the program from DEQ to EPA; however, DEQ has chosen not to pursue this alternative to maintain regulatory consistency for the regulated public and citizens of Oregon.

Fee payer

Title V permit holders include many of the largest industrial facilities in the state and are the largest point sources of air pollution in the state. These facilities are mainly large employers and produce items for local and regional consumption. Title V permit holders are an important part of the Oregon economy.

Affected party involvement in fee-setting process

HB 3229 increased the Title V base fee to \$12,504 in 2023 and \$16,002 in 2024, and the emissions fee to \$95 a ton in 2023 and \$121 in 2024, for the 2023 and 2024 invoicing cycles. The fees were adopted through the legislative process.

Summary of impacts

The proposed fee increase would affect the 104 facilities that currently have a Title V permit and any facility that applies for this type of permit in the future.

Fee payer agreement with fee proposal

HB 3229 was subject to several public hearings and involvement by multiple parties. The enrolled bill was a compromise staggered increase to stabilize the program over the next few years while trying to mitigate the impact on facilities.

How long will the current fee sustain the program?

2022 Fees	
Program revenue from fees	\$3,407,000
Effective date of fees	8/16/2022

2023 Fees	
Program revenue from fees	\$4,872,000
Effective date of fees	8/01/2023

2024 Fees	
Program revenue from fees	\$6,192,000
Anticipated effective date of fees	01/28/2023

Transactions and Revenue				
Fiscal Year	Number of transactions	Number of fee payers	Impact on revenue (+/-)	Total revenue (+/-)
FY2022-2023	239	108		\$3,407,000
FY2023-2024	253	108	\$1,424,000*	\$4,831,000

FY2024-2025	244	107	\$1,361,000*	\$6,192,000
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*

Fee schedule

The following table shows the amounts of the proposed fees.

Proposed Fees			
Fee category	2022 Fees	2023 Fees	Proposed 2024 Fees
Annual Title V Fees			
Emission Fee	\$66.10	\$95.00	\$121.00
Annual Base Fee	\$8,744	\$12,504	\$16,002
Specific Activity Fees			
Administrative Amendment	\$533	\$762	\$975
Simple Modification	\$2,133	\$3,049	\$3,903
Moderate Modification	\$15,995	\$22,872	\$29,276
Complex Modification	\$31,989	\$45,744	\$58,552
Air Monitoring Review	\$4,265	\$6,099	\$7,807

Statement of fiscal and economic impact

Fiscal and Economic Impact

The increase in Title V permit fees would affect approximately 104 permit holders directly and increase annual program revenue by approximately 43 percent in the 2023 invoice year and an additional non-compounding 40 percent in the 2024 invoice year.

The direct impact of the fee increase on permit holders is based on the assumption that emissions will remain the same in 2023 as they were in and 2022. It also reflects adjustments to Plant Site Emission Limit changes in recently amended and renewed Title V permits.

Title V permit holders are subject to Oregon's greenhouse gas reporting program and most of the permit holders are subject to the greenhouse gas reporting fees. The greenhouse gas reporting fee is equal to 15 percent of their Title V annual base and emission fees, up to a maximum greenhouse gas reporting fee cap of \$4,500. The proposed increase in Title V permit fees will result in an increase in greenhouse gas reporting fees for permit holders below the \$4,500 fee cap threshold.

Statement of Cost of Compliance

State agencies

Direct Impacts: Oregon Health Sciences University is the only state agency that holds a Title V permit. It paid Title V permit fees of \$15,486 in 2022. The proposed rules would increase their permit fees by about \$6,803 for 2023 and an additional \$6,055 in 2024. OHSU is also subject to greenhouse gas reporting fees equal to 15 percent of its annual emission fee and base fee. OHSU paid \$2,323 in greenhouse gas reporting fees in 2022. Because of the proposed rules, OHSU's greenhouse gas reporting fees would increase by about \$1,020 in 2023 and an additional \$909 in 2024. No federal agencies hold Title V permits.

Indirect Impacts: Changes to fees could affect state and federal agencies indirectly if businesses holding Title V permits change the price of goods and services to offset any increased costs from paying a permit fee.

DEQ

Direct Impacts: DEQ has no facilities that require a Title V permit. The proposed fee increases would affect DEQ directly by providing funding necessary to perform requisite program services.

Indirect Impacts: Changes to fees could affect DEQ indirectly if businesses change the price of goods and services to offset any increased or decreased costs from paying a permit fee.

Local governments

Direct Impacts: Oregon requires county and city local governments to obtain a Title V major source permit for municipal waste landfills. Fees would increase for three landfills operated by local governments:

- Metropolitan Service District, St. Johns Landfill paid Title V annual permit fees of \$9,140 in 2022. The proposed rules would increase their 2023 fees by about \$3,934 and 2024 fees by an additional \$3,654. St. John's Landfill is subject to greenhouse gas reporting fees equal to 15 percent of their annual emission fee and base fee. This fee would increase by about \$590 in 2023 and an additional \$548 in 2024.
- Deschutes County Solid Waste Department, Knott Landfill paid Title V annual permit fees of \$12,577 in 2022. The proposed rules would increase their 2023 fees by about \$5,437 and 2024 fees by an additional \$5,066. Knott Landfill is subject to greenhouse gas reporting fees equal to 15 percent of their annual emission fee and base fee. This fee would increase by about \$815 in 2023 and an additional \$751 in 2024.
- Douglas County Public Works Department, Roseburg Landfill paid Title V annual permit fees of \$9,801 in 2022. The proposed rules would increase their 2023 fees by about \$4,223 and 2024 fees by an additional \$3,914. Knott Landfill is subject to greenhouse gas reporting fees equal to 15 percent of their annual emission fee and base fee. This fee would increase by about \$634 in 2023 and an additional in \$587 in 2024.

Indirect Impacts: Changes to fees could affect county and city local governments indirectly if businesses holding Title V permits change the price of goods and services to offset any increased costs from paying a permit fee.

Public

Direct Impacts: Air pollution creates public health problems that can have negative economic impacts. The proposed rules could affect the public directly and positively if the proposed fee increases provide adequate resources for compliance and technical assistance and help avoid public health costs associated with lower compliance and increased air pollution.

Indirect Impacts: Changes to fees could affect the public indirectly if businesses change the price of goods and services to offset any increased or decreased costs from paying a permit fee. DEQ expects any such price increases to be small and lacks available information upon which it could accurately estimate actual potential increases.

Large businesses - businesses with more than 50 employees

Direct Impacts: Approximately 91 large businesses hold Title V permits and a fee increase would affect these permit holders directly. Estimated impacts are based on the assumption that DEQ identified all facilities subject to the Title V program and that the number of Title V permits and facility emissions remain constant.

The proposed annual base fees and emission fees are provided in the following table. The annual base fee is small in comparison to the emission fees paid by most sources. The rulemaking would also increase specific activity fees. Specific activity fees contribute a small portion of Title V program revenue.

Proposed Title V Fees For 2023 and 2024					
Fee Category	2022 Fees	2023 Fees	Increase over 2022 Fees	2024 Fees	Increase over 2023 Fees
Annual Base Fee	\$8,744	\$12,504	\$3,760	\$16,002	\$3,498
Emission Fee	\$66.10	\$95.00	\$28.90	\$121.00	\$26.00

The requirement for a Title V permit is most often based on quantity of emissions from a facility. In general, lower emitting sources would experience a smaller annual dollar impact from the proposed fee increases. The table below shows the effect of the proposed fees on invoices issued to sources emitting 50, 250, 500 or 5,000 tons per year.

Emissions per calendar year	2022 Fees	2023 Fees	Increase in fees	2024 Fees	Increase in fees
50 tons/yr.	\$12,049	\$17,254	\$5,205	\$22,052	\$4,798
250 tons/yr.	\$25,269	\$36,254	\$10,985	\$46,252	\$9,998
500 tons/yr.	\$41,794	\$60,004	\$18,210	\$76,502	\$16,498
5,000 tons/yr.	\$339,244	\$487,504	\$148,260	\$621,002	\$133,498

Indirect Impacts: Changes to fees could affect businesses indirectly if other businesses change the price of goods and services to offset any increased or decreased costs from paying a permit fee.

Small businesses – businesses with 50 or fewer employees

Cost of Compliance for Small Businesses

Direct Impacts: Most Title V permit holders are large businesses. Approximately 11 small businesses are required to hold Title V permits because their potential emissions exceed Title V applicability thresholds or they fall under a federal category required to obtain a Title V permit. None of the small businesses holding Title V permits emit more than 250 tons per year in a typical year. Businesses emitting 250 tons per year would experience a fee increase of \$10,985 in 2023 over existing fees and an additional \$9,998 in 2024. None of the small businesses are subject to greenhouse gas reporting fees.

Indirect Impacts: Changes to fees could affect small businesses if other businesses holding Title V permits change the price of goods and services to offset any increased costs from paying a permit fee.

a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.

DEQ estimates that approximately 11 percent of Title V permit holders (about 11 businesses) are small businesses with 50 or fewer employees, such as fiberglass reinforced plastic facilities and smaller wood refinishing operations.

b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.

The proposed rule amendments do not establish any additional reporting, recordkeeping or other administrative activities.

c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.

The proposed rule amendments do not require any additional equipment, supplies, labor or increased administration.

d. Describe how DEQ involved small businesses in developing this proposed rule.

DEQ provided notice of the proposed rules to all Title V permit holders, including those that are small businesses. The rule advisory committee meeting held on October 27, 2023 included a representative of a small business to be a member on the committee.

Documents relied on for fiscal and economic impact

Document title	Document location
2023 House Bill 3229	Oregon Legislature Website
2023-2025 Legislatively approved budget	Oregon Legislature Website
Clean Air Act, including Clean Air Act Amendments of 1990	EPA Website
U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index	Bureau of Labor Statistics Website

Advisory committee fiscal review

DEQ appointed an advisory committee.

As ORS 183.33 requires, DEQ asked for the committee's recommendations on:

- Whether the proposed rules would have a fiscal impact,
- The extent of the impact, and
- Whether the proposed rules would have a significant adverse impact on small businesses; if so, then how DEQ can comply with ORS 183.540 reduce that impact.

Businesses and other interested parties were engaged throughout the legislative session to inform the legislatively approved fee increases in HB3229. The proposed Permanent Title V rulemaking allows DEQ to adopt the fee increases into rule and implement through our annual invoicing cycle and special activity fees.

The committee met on Oct. 27, 2023 and discussed fiscal and economic impacts on business. DEQ considers a small business as 50 or fewer employees. Committee members stated that it is difficult to determine if there will be a significant adverse impact based on DEQ's small business definition. Number of staff is not an accurate indicator of revenue or emissions.

Discussion also centered on the timing of the fee increase. While there was general agreement about the need for fee increases to restore the Title V program, the legislatively approved fees were passed and implemented within nine months. Business needs more time to budget and plan for fee increases. While there is a financial impact on all business, the committee identified the need for more communication, predictable fees, and smaller, incremental fees to avoid adverse impacts on small and large businesses in Oregon.

Housing cost

As ORS 183.534 requires, DEQ to evaluate whether the proposed rules would have an effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. It is possible that a permit holder could change the price of goods and services to pass on any fee changes to consumers, though any estimate of the possible impact would be speculative using information available at this time.

Racial Equity

ORS 183.335(2)(a)(F) requires state agencies to provide a statement identifying how adoption of this rule will affect racial equity in this state.

Adoption of the proposed rule would affect air quality permitting fees statewide - across various sectors, public and private. Since the fee increase will apply equally across all permit categories and tiers, and there are no expected changes to practical implementation of the permitting program activities because of this rule adoption. There is no expected impact on racial equity in the state. Increasing the fees, as proposed, will help maintain program services critical to protecting public health and the environment (such as permit compliance assurance, inspections and enforcement) which may be particularly important in BIPOC or historically underserved communities.

Environmental Justice Considerations

ORS 182.545 requires natural resource agencies to consider the effects of their actions on environmental justice issues.

Environmental justice communities are communities of color, communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth, and persons with disabilities.

The Title V permitting program is designed to regulate and reduce emissions from major sources in Oregon. Environmental justice communities are often fence-line communities near these major sources. Adopting the Title V fee rules provides the necessary funding for DEQ to regulate and inspect these facilities in traditionally overburdened communities.

S. Scott McDowell

From: Oregon DEQ News <ordeq@public.govdelivery.com>
Sent: Tuesday, October 31, 2023 5:18 PM
To: admin@ci.brownsville.or.us
Subject: DEQ, Port of Morrow settlement to provide \$1.9 million for safe drinking water in Lower Umatilla Basin



State of Oregon
Department of Environmental Quality

NEWS RELEASE

DEQ, Port of Morrow settlement to provide \$1.9 million for safe drinking water in Lower Umatilla Basin

Date: October 31, 2023

Boardman, Ore.—The Oregon Department of Environmental Quality and the Port of Morrow reached a settlement this week for wastewater permit and nitrate violations in northern Morrow and Umatilla counties. Under the settlement, the port will provide \$1,933,721 to support safe drinking water efforts in the area, including water testing, treatment and delivery, and pay a \$483,430 civil penalty to the state treasury.

Groundwater is used as a primary drinking water source in the area known as the Lower Umatilla Basin Groundwater Management Area (LUBGWMA), which spans Morrow and Umatilla counties, and some private wells have tested for elevated levels of nitrate. Sources of nitrate include agricultural fertilizers, animal manure, industrial wastewater such as from the Port of Morrow and other similar businesses, and septic systems. High levels of nitrate in drinking water is linked with [serious health concerns](#), particularly for infants and pregnant people.

“This settlement serves two purposes,” said DEQ Director Leah Feldon. “It provides funding for safe drinking water to those who need it, and it holds the Port of Morrow accountable for permit violations.”

Feldon went on to note that DEQ has worked closely with the port on ways to improve its wastewater treatment and reuse. “Our goal is to ensure that the Port of

Morrow complies with all water quality regulations and becomes part of the solution for improving groundwater throughout the area,” she said.

Oregon Health Authority is already offering residents with private wells in the Lower Umatilla Basin [free water quality testing, water treatment and water delivery](#). Funds from this settlement will supplement OHA’s existing efforts.

“This funding will help us continue our domestic well water awareness and testing campaign in the area,” said André Ourso, administrator for OHA’s Center for Health Protection. “There has been an incredibly intensive effort over the past six months to reach all well users with information about how and why to get their well water tested. The settlement between DEQ and Port of Morrow allows us to continue that effort.”

OHA recommends private well users in all parts of Oregon regularly test for bacteria, nitrate and arsenic, which are all common groundwater pollutants in the state.

The total settlement amount is \$2.4 million. Additionally, the port is required to follow a compliance plan as a condition of the settlement that contains additional restrictions aimed at reducing risk to groundwater contamination while it constructs additional storage and treatment capacity. Requirements include:

- Higher penalties for applying wastewater in winter months to fields near drinking water supplies (considered “high-risk” fields) in excess of permit limits. This is something the port has avoided since DEQ issued the penalty in 2022.
- No increase in net wastewater flow until the new treatment and storage systems are fully operational.
- Requirements to assess crops used at the land application areas and assess facility infrastructure to address leaks – including a specific requirement to fix a problematic line by May 2024.

In addition to these requirements, the port is working with state agencies on strategies to reduce the amount of wastewater it accepts and discharges during the next two growing seasons while the port builds the long-term wastewater infrastructure solution.

Under DEQ’s Supplemental Environmental Project policy, up to 80% of a penalty can go toward a project approved by DEQ—that’s the \$1.9 million for safe drinking water efforts. The remaining \$481,030 goes into the state’s general fund, which is allocated by the Oregon Legislature.

The Port of Morrow collects wastewater from food processors, storage facilities, a natural gas co-generation plant, and data centers in its industrial park outside Boardman. The port has a DEQ water quality permit that allows it to reuse the nitrogen-rich wastewater for irrigation on nearby farms, but the permit includes limits on how much nitrogen can be applied to the farmland and how much nitrate and moisture can be present in soil prior to applications in the winter seasons.

DEQ issued a permit modification for the Port of Morrow in November 2022 that includes significant changes to ensure the port's operations do not adversely affect groundwater. Changes include requirements and specific timelines for the port to reduce its nitrogen application during the winter season, additional wastewater treatment and storage construction, additional monitoring and reporting, and assessment and cleanup of groundwater contamination from current operations.

Well users in the LUBGWMA can schedule a free well water test appointment by calling 211. Well users also can apply for a voucher online, by email, or by phone to get a free well water testing voucher for nitrate. OHA is also paying on a one-time basis for other recommended domestic well contaminants (arsenic, bacteria, lead), as well as hardness, iron and manganese to inform treatment system decisions. OHA will pay for repeat testing of nitrate in the future as needed:

- Online: <https://testmywell.oregon.gov>
(Spanish: <https://pruebadepozo.Oregon.gov>)
- Email: Wells@odhsoha.oregon.gov
- Phone: 211 for help completing a voucher and setting an appointment for the state to collect a water sample and deliver it to the laboratory.

For more information, contact the OHA Domestic Well Safety Program at 971-673-0440 or Domestic.Wells@odhsoha.oregon.gov.

Media contact:

DEQ: Harry Esteve, 503-951-3856, harry.esteve@deq.oregon.gov OHA: Jonathan Modie, 971-246-9139, PHD.Communications@oha.oregon.gov

[Nuestros comunicados serán publicados aquí, en inglés y español.](#)

[English and Spanish versions of the news release will be online here.](#)

###

S. Scott McDowell

From: Oregon DEQ News <ordeq@public.govdelivery.com>
Sent: Thursday, October 26, 2023 11:07 AM
To: admin@ci.brownsville.or.us
Subject: CORRECTED: DEQ fines Winchester Water Control District and TerraFirma for water quality violations during Winchester Dam repairs



State of Oregon
Department of Environmental Quality

NEWS RELEASE

CORRECTED: DEQ fines Winchester Water Control District and TerraFirma for water quality violations during Winchester Dam repairs

Date: Oct. 26, 2023

Note: The initial news release referenced two enforcement cases, but it should have been enforcement orders. DEQ issued two enforcement orders to pay civil penalties.

Winchester, Ore.— The Oregon Department of Environmental Quality issued two enforcement orders on Thursday for water quality violations by the Winchester Water Control District and TerraFirma Foundation Repair Inc. during repairs on Winchester Dam late last summer near Roseburg.

DEQ is [fining the Winchester Water Control District](#) \$106,778 for violating at least 10 conditions of its 401 Water Quality Certification for repair work on the dam. The certification required certain conditions be met during the dam repair project to ensure protection of state water quality standards. The violations include discharging concrete into the river, putting down tire mats in the river, and failing to provide passage for migrating native fish. The Winchester Water Control District owns and operates Winchester Dam.

Additionally, DEQ is [fining TerraFirma](#) \$27,600 for causing pollution to waters of the state by discharging concrete into the North Umpqua River and placing mats made

of heavy truck tires into the river. TerraFirma is a Roseburg-based foundation repair company.

The Winchester Water Control District and TerraFirma must either pay the fines or file an appeal within 20 days of receiving notice of the penalty. They may be able to offset a portion of the fines by funding a [supplemental environmental project](#) that benefits Oregon's environment.

Winchester Dam is a 17-foot-tall dam built in 1890, making it one of the oldest in Oregon at 133 years old. It spans 450 feet across the North Umpqua River. Earlier this month, the Oregon Department of Fish and Wildlife filed a [\\$27 million claim](#) against the Winchester Water Control District, TerraFirma, and others for the loss of at least 550,000 juvenile Pacific lamprey during the same dam repair project.

Media contact:

Dylan Darling, DEQ Western Region public affairs specialist,
dylan.darling@deq.oregon.gov, 541-600-6119

[Read news release online here.](#)

###

S. Scott McDowell

From: Oregon DEQ News <ordeq@public.govdelivery.com>
Sent: Friday, October 27, 2023 12:22 PM
To: admin@ci.brownsville.or.us
Subject: DEQ issues nine penalties in September for environmental violations



State of Oregon
Department of Environmental Quality

NEWS RELEASE

DEQ issues nine penalties in September for environmental violations

Date: Oct. 27, 2023

The Oregon Department of Environmental Quality issued nine penalties totaling \$323,489 in September for various environmental violations. A detailed list of violations and resulting penalties is at <https://ordeq.org/enforcement>.

Fines ranged from \$1,500 to \$237,600. Alleged violations included a city discharging 400,000 gallons of wastewater to the Malheur River; a rock crusher operating without an air quality permit; and a truck company failed to clean up spilled diesel fuel in a timely manner.

DEQ issued civil penalties to the following organizations and individuals:

- Chris Dials Contracting LLC, Tillamook, \$2,674, Air quality
- City of Ontario, Ontario, \$11,200, Wastewater
- Daniel & Claudia Campean, Corbett, \$8,400, Stormwater
- Gedenberg, Michael, dba Mike Gedenberg Trucking, Astoria, \$39,090, Spills
- Mazda Motors of America, Inc., Irvine, \$237,600, Oregon Low Emission Vehicles
- River Country Transport Inc., McMinnville, \$1,800, Solid waste
- Sims Fiberglass Co., Albany, \$1,500, Air quality
- Vigor Industrial, LLC, Portland, \$15,300, Water quality
- Westport Service District STP, Westport, \$5,925, Wastewater

Organizations or individuals must either pay the fines to the state treasury or file an appeal within 20 days of receiving notice of the penalty. They may be able to offset a portion of a penalty by funding a supplemental environmental project that

improves Oregon's environment. Learn more about these projects at <https://ordeq.org/sep>.

Penalties may also include orders requiring specific tasks to prevent ongoing violations or additional environmental harm.

DEQ works with thousands of organizations and individuals to help them comply with laws that protect Oregon's air, land and water. DEQ uses education, technical assistance, warnings and penalties to change behavior and deter future violations.

Media contact: Lauren Wirtis, public affairs specialist, 503-568-3295, lauren.wirtis@deq.oregon.gov

###

Media contact:

[Read news release online here.](#)



Public invited to Community Wildfire Protection info meeting

SWEET HOME — The public is invited to learn more about the Community Wildfire Protection Plan at a meeting from 5:30-7:30 p.m. on Wednesday, Dec. 6 at the Sweet Home Fire Station 21, 1099 Long St. Linn County Assistant Planner Kate Bentz said numerous groups including Linn County, local fire departments and districts, the Oregon Department of Forestry, Oregon State University and Department of Land Conservation and Development and more, have been updating the 2007 wildfire plan and now want to hear from all members of the public.

The project's goal is to reduce wildland fire risk to Linn County communities and rural areas and protect the natural environment. Bentz said the "Linn County Wildfire Ready Night" event has three key components:

- Educate the public about what the Community Wildfire Protection Program is.
- Provide the public with information about how they protect their properties from wildfire.
- Receive feedback from the public about their priorities and concerns about wildfires.



"This is a multi-jurisdictional effort," Bentz said. "This is happening all over Oregon. The push is on so that every county in the state has a plan to assess risks and to identify projects and areas for those projects." Bentz said pizza will be provided. To learn more about the Community Wildfire Protection Plan, visit <https://www.linncountyor.gov/planningbuilding/page/community-wildfire-protection-plan> or call Bentz or County Planning Manager Alyssa Boles at 541-967-3816.

Alex Paul

Linn County Communications Officer

Media contact: Alex Paul, Linn County Communications Officer, 541-409-8025 or email apaul@co.linn.or.us.



LINN COUNTY WILDFIRE READY NIGHT

 **WEDNESDAY, DECEMBER 6TH**
5:30 PM – 7:30PM

PIZZA PROVIDED!

 **SWEET HOME
FIRE STATION 21**
1099 LONG ST
SWEET HOME, OR 97386

*We invite all Linn County
residents to attend!*

RSVP: <http://bit.ly/linncwpp>

Hear about the 2023
**Community Wildfire
Protection Plan**

Learn how to to
protect your home

Tell us your priorities
& concerns about wildfire
preparedness & response

QUESTIONS? CONTACT
KBENTZ@CO.LINN.OR.US



S. Scott McDowell

From: Oregon Department of Land Conservation and Development
<DLCD@public.govdelivery.com>
Sent: Monday, November 13, 2023 4:45 PM
To: admin@ci.brownsville.or.us
Subject: Climate-Friendly and Equitable Communities: Commission Adopts Amendments; Office Hours

Having trouble viewing this email? [View it as a Web page.](#)



Climate-Friendly and Equitable Communities

- **Commission Updates Rules**
- **Office Hours**

On November 2, the Land Conservation and Development Commission (LCDC or commission) adopted clarifications, corrections, and adjustments to the Climate-Friendly and Equitable Communities (CFEC) program rules. The amended rules took effect November 7, 2023, and are available on the Secretary of State's [web page](#).

The updates to the Transportation Planning Rules (Oregon Administrative Rules 660-012) include:

- Clarifications and corrections to rules the commission adopted in July 2022; and
- Further refinements to the adjustments the commission adopted as temporary rules in April 2023.

The commission adopted the [rule changes as recommended by staff](#), making a small adjustment to the bicycle parking requirements in [OAR 660-012-0630](#). With the change, multi-unit residences (5+ units) must provide 1 bicycle parking space for every two units, with limited exceptions.

The rule changes reflect feedback from many local partners and community members. We are grateful to all who participated in the process, and look

forward to continuing to work with local partners and community members to implement the program.

Upcoming Office Hours

The Oregon Department of Land Conservation and Development and the Oregon Department of Transportation host monthly CFEC office hours to answer questions. All are welcome to attend and ask questions. Upcoming office hours:

- December 12, 2023, 9 a.m. ([Zoom link](#))
- January 10, 2024, 9 a.m. ([Zoom link](#))
- February 12, 2024, 3 p.m. ([Zoom link](#))
- March 14, 2024, 11 a.m. ([Zoom link](#))

This announcement is part of a larger effort to support communities [implementing the Climate-Friendly and Equitable Communities \(CFEC\) program](#). The program aims to reduce climate pollution, provide more transportation and housing choices, and promote equitable land use planning outcomes.

[Implementation Web Page](#)

[Rulemaking Web Page](#)

Stay Connected with Oregon Department of Land Conservation and Development:

S. Scott McDowell

From: CEO, RAIN Catalyts <caroline@raincatalysts.org>
Sent: Monday, November 6, 2023 4:49 PM
To: mayor@ci.brownsville.or.us
Subject: My transition at RAIN Catalyts

Good Afternoon–

I have spent an amazing 8 ½ years at RAIN Catalyts and have enjoyed serving underrepresented entrepreneurs all over the globe. I am emailing to let you know I will soon be transitioning from my role as CEO to focus more on family and creative projects. I am excited to remain on the RAIN Catalyts team as a Special Projects Contractor supporting the following programs:

- **U.S. State Department - Embassy of Islamabad, Pakistan Project** (advancing women entrepreneurship and independence)
- **U.S. EDA Economic Recovery Corps Fellowship Project** (a nationwide partnership with the International Economic Development Council)
- **U.S. EDA Capital Challenge Project** (a partnership with Portland Seed Fund to increase access to capital for scalable tech companies in the Pacific Northwest, in particular those with women & BIPOC founders)

I will be taking a planned sabbatical from Nov 15 – Dec 15 and RAIN closes operations for the holiday season from Dec 15 – Jan 1. Anyone needing assistance during my absence can reach out to our incredible team at the email addresses included at the bottom of this message.

I will remain the CEO through March 2024 and I will work closely with RAIN Catalyts' Board of Directors and new Executive Director to ensure a smooth transition that ensures the organization will continue to thrive, evolve, and find new ways to help communities build inclusive entrepreneurial ecosystems. The spirit of innovation and resilience that is inherent in the RAIN Catalyts team

will continue to fuel new and exciting initiatives in the future.

When I was recruited to RAIN Catalyts in 2015 by Jim Coonan (*the founding Executive Director*) it was to serve as the organization's first Venture Catalyst and assist entrepreneurs in Lane, Linn, Benton, and Lincoln counties (in Oregon). The evolution of my roles with RAIN Catalyts and the expansion to become global, has been a joyous adventure—one I will always treasure.

Over the past several years, with the support of the Board of Directors, the contributions of an incredible team of entrepreneurs who have served our mission and vision, and our many funders (city, county, state, federal, and private), we have proudly helped reduce barriers to entrepreneurship for thousands of individuals who take the risk to start and grow businesses in their own communities.

During my tenure with RAIN Catalyts, we have been invited to serve 52 small and rural communities in Oregon and Washington and expanded nationally and internationally. We tripled our budget and quadrupled our staff size from pre-pandemic to today. We have secured partnerships with many organizations seeking to serve entrepreneurs and innovators in unique ways. It has been my privilege to lead RAIN Catalyts and I am most grateful to the board, the incredible RAIN Catalyts team, and the amazing funders, partners, and colleagues who have made this such a fulfilling experience.

I remain passionate about the issues I have championed during my time at RAIN Catalyts and throughout my career. Providing opportunities for underrepresented individuals and communities will always be my north star.

I look forward to staying in touch with you during and after this transition. I feel confident knowing we have a strong team and board carrying on the vision of RAIN Catalyts – *communities everywhere support, value, and celebrate all entrepreneurs; regional leaders recognize entrepreneurs are a primary creator*

of net new jobs; communities of any size have thriving economies, and a culture of possibilities is embraced.

With heartfelt gratitude and warm regards,



Caroline Cummings

Team Emails:

Board President: juan.barraza@vertuelab.org

Funding/Reporting/Partnerships: jennifer@raincatalysts.org

Billing: billing@raincatalysts.org

Pakistan Project: ana@raincatalysts.org

IEDC Economic Recovery Corps Program and RAINcap: (text me: 541-968-2982)

Entrepreneurial Support in:

Florence (OR): jade@raincatalysts.org

Veneta (OR): heather@raincatalysts.org

Creswell or Cottage Grove (OR): ellyn@raincatalysts.org

Oakridge, Lowell, or McKenzie River Valley (OR): melissa@raincatalysts.org

Linn & Benton Counties (OR): nate@raincatalysts.org

Grant County (OR): zach@raincatalysts.org

Skagit County (WA): jonathan@raincatalysts.org

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If you're receiving this quarterly newsletter, it means that you have a role in supporting RAIN Catalysts and we thought you'd be interested in hearing about the successes our programs are having on the entrepreneurial ecosystem in Lane, Linn, Benton, and Grant Counties (OR) + Skagit County (WA) + Pakistan. If you'd prefer not to receive these updates, you can easily unsubscribe at the bottom of this email.



Edmonton considers 7% property tax bump

Financial staff members in Edmonton, Alberta, have recommended that city officials increase municipal property taxes by 7.09% next year -- a sharp jump from the 4.96% increase approved in the four-year budget unveiled in December 2022. The economic effects of the pandemic, population increases and rising energy costs have made it challenging for the city to deliver on the previous version of the budget, officials say.

Full Story: [CTV News \(Canada\)](#) (10/26)



Homelessness threatens municipal budgets across the UK

Municipal councils across the UK are grappling with dramatic spikes in the need for emergency accommodations as the rising cost of living forces a growing number of families from their homes. "If the crisis in homelessness is not addressed, it could bankrupt very many district and unitary councils within two years," says Stephen Robinson, head of the Chelmsford City Council.

Full Story: [The Guardian \(London\)](#) (10/30)

Bowling Green, Ohio, debates site for dog park

City officials and dog owners in Bowling Green, Ohio, are struggling to find a site for a new dog park in the city. While the Citizens for BG Dog Parks Committee has agreed to several city stipulations, such as creating a nonprofit organization to lease land and maintain it, city officials are concerned about the lack of parkland and stretched staff to accommodate the proposed park.

Full Story: [BG Independent \(Bowling Green, Ohio\)](#) (10/27)



"Mansion tax" on ballot in Santa Fe, N.M.

Authorities in Santa Fe, N.M., are asking voters to decide whether or not to implement a 3% tax on the sale price of residential properties over \$1 million to help fund affordable housing efforts in the area. Officials estimate the tax, if approved, would bring in \$6 million annually.

Full Story: [The Associated Press](#) (11/3)





Okla. city bans feeding homeless people without permit

Authorities in Shawnee, Okla., have passed an ordinance that will require organizations that want to feed people experiencing homelessness to acquire a free city permit before taking action. City Manager Andrea Weckmueller-Behringer says the permit system will ensure officials can follow up with organizations that create unsanitary situations for the community.

Full Story: [KFOR-TV \(Oklahoma City\)](#) (11/2)



TIF district gets unanimous approval in Ridgefield, Wash.

The Ridgefield, Wash., City Council has voted unanimously in favor of creating a 25-year tax increment financing district that will direct taxes on new developments in the area toward infrastructure work. The district is expected to generate about \$50 million of the total \$98 million needed for nearly a dozen projects.

Full Story: [The Reflector \(Battle Ground, Wash.\)](#) (11/6)



LEADERSHIP AND MANAGEMENT

Millennials share leadership traits worth emulating



(Ezra Bailey/Getty Images)

Millennials who have stepped, or are about to step, into leadership roles tell consultant Alaina Love that those who manage other people need to remember that the younger generations are learning from them, and they outlined some traits they hope to emulate. One of those rising leaders, change strategist Marc Cugnon, writes about key leadership characteristics he has recognized, such as learning about and appreciating workers' different lived experiences and getting them into roles that feed their souls.

Full Story: [SmartBrief/Leadership](#) (10/23)



S. Scott McDowell

From: Linn Together <info@linntogether.org>
Sent: Monday, November 6, 2023 9:36 AM
To: planning@ci.brownsville.or.us
Subject: Do Linn County youth perceive substance use to be risky?



Do Linn County youth perceive substance use to be risky?

Almost half (48%) of Linn County 8th and 11th grade students think regular marijuana use is only slightly risky or not risky at all. When asked about the risk of drinking five or more drinks of alcohol once or twice a week, 43% of 6th and 8th grade students indicated only slight to no risk.

Why is youth perception of risk of harm important?

Children's perception of the risks associated with alcohol and other drug use is an important determinant of whether they engage in substance use. For example, youth who perceive cigarettes as having a high risk of harm are less likely to try them. Talk to kids regularly about the risks of alcohol and other drugs. Visit linntogether.org for drug risk facts and helpful conversation starters.

Sources: National Institutes of Health, [Oregon Student Health Survey 2022](#). The Oregon Student Health Survey is a school-based survey about health behaviors.

Linn County Youth Perception of Risk of Substance Use Oregon Student Health Survey 2022

Percent of students that agree that people are at moderate or great risk of harming themselves if they . . .	Grade 6	Grade 8	Grade 11
Have five or more drinks of an alcoholic beverage once or twice a week?	58%	58%	73%
Smoke one or more packs of cigarettes per day?	72%	74%	83%
Use e-cigarettes or other vaping products such as Juul?	63%	67%	77%
Use marijuana regularly (once or twice a week)?	61%	52%	52%
Use prescription drugs that are not prescribed to them?	73%	80%	87%



This message brought to you by [Linn Together](#). Linn Together provides substance use education, resources, and support to the community that promote the physical and emotional well-being of youth and their families.

Was this e-mail forwarded to you? Sign up for Linn Together's e-mail list [here](#)

Linn County Alcohol & Drug Program | P.O. Box 100, Albany, OR 97321

[Unsubscribe planning@ci.brownsville.or.us](mailto:unsubscribe_planning@ci.brownsville.or.us)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by info@linntogether.org powered by



S. Scott McDowell

From: Rep. Lori Chavez-DeRemer <replorichavez-deremer@mail8.housecommunications.gov>
Sent: Friday, October 6, 2023 2:54 PM
To: Scott McDowell
Subject: Lori's Letter: Working on Policies to Prevent and Treat Addiction

Follow Up Flag: Follow up
Flag Status: Flagged



Friend,

It's an honor to serve you in the U.S. House of Representatives. On day one, I promised to represent you with transparency, authenticity, and integrity, and I'm committed to upholding that promise. Every week, I'll be sending "Lori's Letter" to keep you updated on my work. If you know someone who would like to receive my regular updates, please have them visit [this link](#) to sign up today!

Continue reading this week's letter to learn more about the Addiction, Treatment, and Recovery Caucus, my thoughts on the next House Speaker, and more.

JOINING A BIPARTISAN CAUCUS FOCUSED ON ADDICTION, TREATMENT, AND RECOVERY POLICY

This week, I was honored to join the bipartisan Addiction, Treatment, and Recovery Caucus as a vice co-chair. Composed of more than 50 members of Congress on both sides of the aisle, this caucus is dedicated to education and raising awareness among lawmakers about addiction – including through a strong focus on expanding access to prevention, treatment, and recovery services.

At a time when overdose deaths and substance use disorders are on the rise, Oregon unfortunately ranks almost last in access to addiction treatment. This is not a Republican issue or a Democrat issue – this is a public health emergency that rises above politics.

That's why the work of the Addiction, Treatment, and Recovery Caucus is so important. Together, we will continue working towards pragmatic policies that help prevent and treat addiction.

Learn more:



CHAVEZ-DEREMER JOINS BIPARTISAN CAUCUS FOCUSED ON ADDICTION, TREATMENT, AND RECOVERY POLICY

October 5, 2023

NEW COLUMN: EXPANDING STREET MEDICINE TO ADDRESS THE HOMELESSNESS CRISIS

One of the worst failures of Measure 110 has been its ability to support the treatment of individuals suffering from addiction. Since the measure weakened law enforcement's ability to penalize the trafficking, possession, and use of addictive illicit drugs, substance abuse has [exploded](#). But unfortunately, Oregon continues to [rank](#) near the bottom nationally in addiction treatment.

While I agree with the [majority](#) of Oregonians who support a complete repeal of Measure 110, it's clear we need to take action now to mitigate the fallout – particularly as it relates to the homelessness crisis. Federal data shows Oregon's homeless population is growing at one of the [fastest rates](#) in the nation, as the crisis also continues to rise across the United States at a [record-setting rate](#).

Too many people have fallen victim to a vicious cycle of substance abuse, mental illness, and poverty. Last year, approximately [one in three](#) homeless individuals in Oregon had either a substance abuse or mental health disorder. Despite making it easier to access and use dangerous drugs, the state has failed to follow through on providing adequate, accessible health care services to treat some of the most vulnerable people in our society.

While I recognize the importance of expanding affordable housing as one way to tackle the homelessness crisis, I believe this other critical component – treating addiction and mental illness – has been largely ignored for too long. As I explored ways to tackle this part of the crisis, my team and I began partnering with community organizations and street medicine professionals to write new legislation.

Read my full column in the [Portland Tribune](#) or by visiting my website [HERE](#).



Select the filters below and then choose a City/County.

Sort By:
Trade Name

Effective and Expiration Dates

All Licenses

Filter By: None

Enter partial licensee name or trade name or complete license number or premises zip code. ..

To select a specific license type or types, de-select , "All" and re-select the desired license type(s).

License Type
All

Select a specific government or governments or select "All" for all jurisdictions.

City/County
BROWNSVILLE

Download as Spreadsheet

For best PDF download results, select Include: Specific sheets from this dashboard..

Download PDF

OREGON LIQUOR & CANNABIS COMMISSION

Liquor Licensee List

YOU MUST SELECT A CITY/COUNTY BEFORE DATA WILL LOAD.

Report Date: November 1, 2023

City/County	County Name	Trade Name	License No.	Premises No.	License Type	License Type Desc
BROWNSVILLE	LINN	ARMANDOS FAMILY RESTAURANT	370056	46040	F-COM	FULL ON-PREMISE
BROWNSVILLE	LINN	BASKETS & BOWS	373092	65839	O	OFF-PREMISES SA
BROWNSVILLE	LINN	BROWNSVILLE VIDEO	367678	48307	O	OFF-PREMISES SA
BROWNSVILLE	LINN	DARI MART STORE #24	367400	4952	O	OFF-PREMISES SA
BROWNSVILLE	LINN	DOLLAR GENERAL STORE #18547	367452	58701	O	OFF-PREMISES SA
BROWNSVILLE	LINN	HARPERS WINE HOUSE	368977	55666	L	LIMITED ON-PREV
BROWNSVILLE	LINN	JERRY'S GAS & FOOD MART	367741	40133	O	OFF-PREMISES SA
BROWNSVILLE	LINN	KIRK'S FERRY TRADING POST	370059	49205	F-COM	FULL ON-PREMISE
BROWNSVILLE	LINN	THE BROWNSVILLE SALOON	369065	4951	F-COM	FULL ON-PREMISE

S. Scott McDowell

From: USDA Forest Service <no-reply@news.fs.usda.gov>
Sent: Monday, November 6, 2023 8:01 AM
To: admin@ci.brownsville.or.us
Subject: Conservation versus Preservation?

To view this email as a web page, click [here](#).



Conservation versus Preservation?



A portrait of Gifford Pinchot on a national forest. Pinchot was the first Chief of the US Forest Service which was founded in 1905. Photo credit: US Forest Service

Conservation versus Preservation?

Have you ever wondered why your favorite national park is surrounded by a national forest? Well, it didn't happen by accident or guesswork. The fact is, it was all started over 100 years ago by two men I like to refer to as the founding fathers of America's public lands.

Back at the turn of the 20th Century Gifford Pinchot and John Muir had radically contrasting views of how to manage America's wild lands and they worked tirelessly lobbying Congress and convincing Presidents to agree with them to start protecting open space.

Muir promoted preservation and Pinchot advocated for conservation.

[Read more...](#)

Forest Service's New Email System

You are receiving this email from the USDA Forest Service because we are excited to introduce our new email system, allowing us to provide you with valuable information directly. We believe that this system will keep you informed about the latest updates and initiatives from the Forest Service. However, if you ever wish to stop receiving emails from us, you can easily do so by clicking on the unsubscribe link provided in the email. We hope you find the information we share both beneficial and interesting. Thank you for your continued support and interest in our work.

Smokejumping: A quick commute

It's that time of year when wildfire activity is increasing across the country. Have you heard of the Bear Fire, Campbell Fire, or the Blakes Fire? Most likely not because the quick response by wildland firefighters relegated these fires to the historical bin — and one of the quickest responders is the Forest Service smokejumper.

[Read more...](#)

Traveling trees: Assisted migration for climate resilience

Traveling trees seem like whimsy from the science fiction or fantasy genres – like J.R.R. Tolkien's Ents or Groot from Marvel's Guardians of the Galaxy. But tree species really do migrate in their own way, although it may take decades or centuries.

[Read more...](#)

Finding relief in the shade: Expanding urban tree canopy for a cooler future

As temperatures continue to rise, the burning need to address harmful and often deadly heat waves is undeniable. One powerful and simple solution is to plant more trees.

Trees offer a natural respite from scorching temperatures and a range of environmental, social and economic benefits. With \$1 billion from the Inflation Reduction Act of 2022 (IRA), cities, towns and suburbs will soon be able to plant and maintain more trees, offering hope for a cooler and more sustainable future.

[Read more...](#)

S. Scott McDowell

From: Oregon Department of Transportation <odot@service.govdelivery.com>
Sent: Monday, October 30, 2023 2:36 PM
To: admin@ci.brownsville.or.us
Subject: Drive carefully, it's peak migration time for many animals

Having trouble viewing this email? [View it as a Web page.](#)



Oregon Department
of Transportation

News Release

Drive carefully, it's peak migration time for many animals



An elk walks along wildlife fencing on U.S. 97. The fencing helps direct animals to undercrossings, where they can safely pass under the highway.

Oct. 30, 2023

For more information contact

[Michelle Dennehy](#), Oregon Department of Fish and Wildlife, 503-931-2748

[Kacey Davey](#), Oregon Department of Transportation 541-280-2716

SALEM, Ore.—Vehicle collisions with deer and elk tend to peak in October and November, when migration and breeding puts them on the move, making them more likely to cross roads. Fewer daylight hours and rainy weather also reduce drivers' visibility.

Each year, Oregon Department of Transportation crews remove about 6,000 carcasses of deer struck and killed by vehicles near Oregon's public roadways, and many more die away from roads or on county, city or private roads.

Oregon Department of Fish and Wildlife research with GPS-collars shows mule deer faithfully follow their migratory route, no matter how many roads or other obstacles get put in the way. They often have no choice but to cross roads to get to food and shelter.

Some tips on avoiding wildlife collisions when driving:

- Animal crossings signs are placed in known crossing hotspots. Be on the lookout when you see one.
- Be alert in areas with dense vegetation along the road or while going around curves. Wildlife near the road may be hard to see.
- If you see one animal, stay alert because others are likely nearby.
- If you see an animal on or near the road, slow down and stay in your lane. Many serious crashes are the result of drivers losing control when they swerve.
- Always wear your seat belt. Even a minor collision could result in serious injuries.

This is also the time of year when the most road-killed deer and elk are salvaged for meat. If you hit a deer or elk (or see one that is struck) don't forget, you must fill out a free permit and turn the head in within five days so ODFW can test for Chronic Wasting Disease. More info can be found [here](#).

There are several areas in Oregon where you may see fewer animals crossing the highway, thanks to wildlife undercrossings. Keeping animals off highways creates safer environments for animals and safer roads for travelers.

Oregon's newest undercrossing was recently completed on U.S. 97 near Gilchrist. This was the first crossing that was paid for and built with help from many agencies, non-profits and volunteers. In recent years, the Oregon legislature has dedicated funds that support wildlife passage. Oregon Hunters Association, Oregon Wildlife Foundation, Oregon Department of Fish and Wildlife and many others have also been key partners in directly supporting wildlife passage projects. Projects like this wouldn't be possible without support from partners across the state. To learn about how everyone came together to make this project happen, watch [this video](#).

ODFW and ODOT are continuing work to reduce wildlife-vehicle collisions and preserve long-term habitat connectivity for Oregon's wildlife.

ODFW is working to finalize the state's [Wildlife Corridor Action Plan](#) and recently released the [Priority Wildlife Connectivity Areas](#) map. This map has GIS spatial modeling for 54 different wildlife species to show where Oregon can invest to provide the greatest overall benefit for wildlife movement.

If you want to support wildlife passage, consider the [Watch for Wildlife Oregon license plate](#). Proceeds from this plate fund wildlife passage and habitat connectivity projects statewide.



A cougar uses the newest wildlife undercrossing on U.S. 97 near Gilchrist.

Looking for a great job with a competitive salary and good benefits?
Want to help your community every day? Apply now at ODOTJobs.com.
Nothing quite fit? Check back often!

Oregon Department of Transportation

355 Capitol Street NE, MS 11
Salem, OR , 97301-3871 USA



Rural Opportunities Initiative (ROI) Grant

		RAIN	REAL
Initial Award	\$120,000	\$100,000	\$20,000
Supplemental Award	\$11,738	\$3,000	\$8,738
Total Award	\$131,738	\$103,000	\$28,738

Grant Payments & Pass Throughs

Date	Invoice/ Check #	Vendor	Amount	Paid By	Notes:
02.16.2022	# 126238105		\$60,000.00	ROI (Payment #1)	
02.16.2022	1146	RAIN	\$50,000.00	City of Brownsville	Pass through payment.
02.16.2022		REAL	\$10,000.00		Pass through payment reimbursement.
03.16.2023	126595560		\$36,000.00	ROI (Payment #2)	
04.19.2023	126639047		\$6,000.00	ROI (Payment #3)	
03.20.2023	29280	RAIN	\$26,000.00	City of Brownsville	Pass through payment.
03.20.2023		REAL	\$10,000.00		Pass through payment reimbursement.
05.22.2023		RAIN	\$3,000.00		
05.22.2023		REAL	\$3,000.00		
11.13.2023			\$24,435.00	ROI (Payment #4)	
		RAIN	\$18,697.00	City of Brownsville	Pass through payment.
		REAL	\$5,738.00		Pass through payment reimbursement.
ROI Payments TTD			\$126,435.00		
		RAIN	\$97,697.00	\$5,303.00	RAIN Underspent \$ (5,303.00)
		REAL	\$28,738.00	\$0.00	
ROI Remainder				\$0.00	



Rural Opportunities Initiative (ROI) Grant

Expenditures

Date	Invoice/ Check #	Vendor	Amount	Paid By	Notes:
11.15.2021	7447	JayRay	\$1,600.00	City of Halsey	CWEDD
12.14.2021	7468	JayRay	\$2,668.75	City of Halsey	CWEDD
01.05.2022	7500	JayRay	\$2,095.00	City of Halsey	CWEDD
02.15.2022	7537	JayRay	\$6,575.00	City of Halsey	CWEDD
		Subtotal	\$12,938.75	City of Halsey	
ROI					
03.17.2022	7571	JayRay	\$2,000.00	City of Brownsville	ROI
04.13.2022	7584	JayRay	\$600.00	City of Brownsville	ROI
03.30.2022	S-22-1	City of Halsey	\$2,938.75	City of Brownsville	Reimbursement.
05.13.2022	7620	JayRay	\$5,300.00	City of Brownsville	ROI
06.13.2022	7635	JayRay	\$3,890.00	City of Brownsville	ROI
08.11.2022	7694	JayRay	\$2,320.00	City of Brownsville	ROI
09.14.2022	7727	JayRay	\$2,448.75	City of Brownsville	ROI
10.14.2022	7775	JayRay	\$4,241.25	City of Brownsville	ROI
		ROI Total	\$23,738.75		
		Total JayRay	\$36,677.50		

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



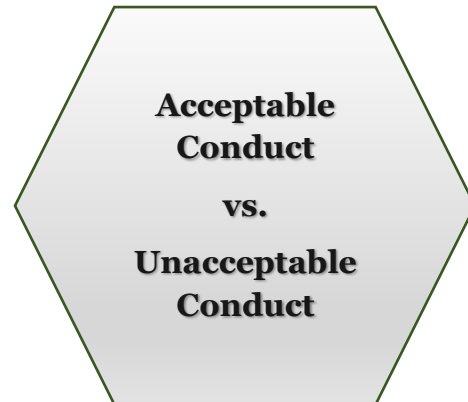
- 4. Implement & Execute
- 5. Review Outcomes

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

		OCTOBER 2023					
		REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 26,640.68	\$ 752,322.63	\$ 1,493,293.20	32.64%	\$ 3,081,713.80	1
2	WATER	\$ 54,472.19	\$ 76,154.74	\$ 231,665.08	16.36%	\$ 1,183,984.92	2
3	SEWER	\$ 40,941.57	\$ 39,553.00	\$ 130,777.13	13.66%	\$ 826,812.87	3
4	STREETS	\$ 20,901.08	\$ 20,836.72	\$ 77,071.27	22.07%	\$ 272,063.73	4
5	WATER BOND	\$ 425.91	\$ -	\$ 33,272.73	53.67%	\$ 28,717.27	5
6	SEWER BOND	\$ 893.47	\$ -	\$ 201,652.24	45.42%	\$ 242,347.76	6
7	SEWER DEBT FEE	\$ 12,029.68	\$ -	\$ 48,310.23	35.79%	\$ -	7
8	BUILDING & EQUIPMENT	\$ 724.37	\$ -	\$ -	0.00%	\$ 188,800.00	8
9	WATER RESERVE	\$ 2,600.11	\$ -	\$ -	0.00%	\$ 175,300.00	9
10	HOUSING REHAB	\$ 879.03	\$ -	\$ -	0.00%	\$ 222,000.00	10
11	WATER SDC	\$ 890.82	\$ -	\$ -	0.00%	\$ 241,960.00	11
12	SEWER SDC	\$ 2,934.27	\$ -	\$ -	0.00%	\$ 758,500.00	12
13	STORMWATER SDC	\$ 1,083.42	\$ -	\$ -	0.00%	\$ 277,575.00	13
14	BIKEWAY/PATHS	\$ 384.35	\$ -	\$ -	0.00%	\$ 63,730.00	14
15	LIBRARY TRUST	\$ 30.31	\$ -	\$ -	0.00%	\$ 7,650.00	15
16	CEMETERY	\$ 33.00	\$ -	\$ -	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	\$ 341.30	\$ -	\$ 9,023.00	11.99%	\$ 66,227.00	20
		\$ 166,205.56	\$ 888,867.09	\$ 2,176,754.65			

Key Bank Account	
<i>General Checking</i>	\$ 64,915.56
Oregon State Treasury	\$ 4,881,769.54
<i>Community Improvements</i>	\$ 175.82
<i>Project Escrow Holding</i>	\$ 75,940.41
<i>Project Holding Acct #2</i>	\$ 54,098.15
<i>CLRC Renovation Acct</i>	\$ 609,447.05
TOTAL OST / LGIP	\$ 5,621,430.97

2023-2024	YTD	% of Total
Appropriated	\$ 7,656,407.35	22.14%

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

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

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

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

Previous Month Court Revenue \$787.90