Council Agenda Packet

Tuesday, January 23rd, 2024 | 7:00 p.m. | Council Chambers | In-Person



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Council Meeting

Tuesday, January 23rd, 2024 **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: December 19th, 2023
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Sweet Home Sanitation | Joshua Stanley
 - B. Canal Company Agreement Review
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administrator
 - D. Planning | Elizabeth Coleman
 - 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 2024.01:** Judges Pro-Tempore
 - B. **Resolution 2023.02:** Commitment to Safety Program
 - C. **Ordinance 804:** BMC 2.30.030 Camping Chapter (Second Reading)
 - D. **Proclamation:** Public Service Recognition | Brandie Simon



10) ACTION ITEMS:

- A. Calapooia Food Alliance | Memorandum of Agreement
- B. Facility Rental Schedule | Park Board Recommendation
- C. Approve TMDL Annual Report
- D. Parks & Open Space Advisory Board Advertisement
- E. Approve River's Edge Homeowners Association Annual Letter

11) DISCUSSION ITEMS:

- A. FY 2024.2025 Budget | Members, Meeting Schedule & Advertisements
- B. Council Retreat & Goals Review Session
- C. December 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 <u>www.ci.brownsville.or.us</u> for the meeting agenda, agenda packet and other City information.

December 19th, 2023

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

ABSENT: All members were present.

PUBLIC: Dan Murphy, Joshua Bloomfield, Tricia Thompson, Heidi Winklepleck, Matt Shoemaker, Don Lyon, Sergeant Steve Frambes (*LCSO*), and Tia Parrish (*The Times*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: None.

MINUTES: Councilor Winklepleck made a motion to approve the November 28th, 2023 meeting minutes as presented. Councilor Humphreys seconded the motion and the motion passed unanimously.

PUBLIC HEARING | PRESENTATIONS:

- 1. <u>Wade Long | Rally on the River.</u> Wade Long shared a video of the 2023 Rally. Long is busy making preparations for the 2024 event. A new website for the Rally is slated to be live after the first of the year. Long gave a preview of the National Spartan Trailer Rally that will be held in Pioneer Park in 2025. People will be coming to Brownsville from all over the country.
- 2. <u>Annual Audit Presentation.</u> Mr. McDowell shared numbers from the most recent audit completed by SingerLewak. The audit shows a healthy treasury. McDowell said that the City is completing two big ticket capital improvements this fiscal year, the Rec Center Renovation and the GR12 Well Waterline which Council is ready to award this evening. McDowell also explained that in 2019 the City Auditor required the City to move funds from the Cemetery Trust Fund to the General Fund. The City will be moving those funds back to the Cemetery Trust Fund as the funds should never have been moved based on the Brownsville Municipal Code. This year, the auditor agreed.

Councilor Humphreys made a motion to include the Cemetery Trust Fund transfer in the year end resolution so the adjustment can be accurately reflected in this current FY. The motion was seconded by Councilor Winklepleck and passed unanimously.

3. <u>Cybersecurity | CIS Required Review.</u> McDowell discussed cybercrime and its societal and organizational impacts. Cybercrime is equivalent to the World's third best economy, behind only the United States & China. The potential impact of Artificial Intelligence is vast, and experts are predicting cybercrime to double over the next two years.

DEPARTMENT REPORTS:

1. <u>Linn County Sheriff's Office (LCSO) Report.</u> Sergeant Frambes reviewed the stats for November highlighting several items that included 36 traffic stops. LCSO arrested a juvenile for the fire at Brownsville Mennonite Church. Frambes warned to not leave your car keys in your vehicle. Cars are being stolen all over the County, and in many cases the keys are left in the vehicles and the doors are unlocked. There have been cites for dogs at large that have led to fines.

- 2. <u>Public Works.</u> Public Works Superintendent Karl Frink reported that he is finishing up year-end reports for the State regulatory agencies including the Department of Environmental Quality (DEQ), Oregon Health Authority (OHA) & Oregon Water Resources Department (OWRD). Frink has filed the correction to OHA for the Water Treatment Plant Sanitary Survey. Frink & Kometz recently attended leak detection training. Public Works will be working on a leak detection program over the next two months to resolve issues found in the City's Water Management & Conservation Plan as required by OWRD. Several pieces of monitoring equipment have been replaced at the Water Treatment Plant.
- 3. <u>Administration</u>. Administrator Scott McDowell shared photos of the Rec Center Renovation project. The Rec Center Open House is planned for early 2024. Staff is working on event logistics; the community will be welcome to attend.

The City will be sending a letter to neighboring residents around the GR12 project soon.

River's Edge lighting project is complete, with several new streetlights installed by Pacific Power.

Recent changes to the parking ordinance will be posted on the City website before it is officially a part of the online Code. Staff will include a note in the synopsis going out this month.

McDowell reported that CIS has completed the new appraisal. Values have gone down initially, but the appraisal is at the actuary's now, so we shall see what the final changes will be. More information will be brought to Council when it is available.

Mrs. Deaver is working on year-end reporting for the State Mortuary Board. This reporting is required every two years.

Mayor Craven recently hosted Representative Jami Cate to discuss several local issues including the drawdown of Green Peter and the ensuing havoc it caused and the recreational immunity concern among others.

- 4. **Planning.** No comments.
- 5. **Library.** No comments.
- 6. Office. No comments.
- 7. **Court.** No comments.
- 8. <u>Council Comments.</u> Councilor Winklepleck reported that he and Mr. McDowell had recently attended the quarterly Linn County Sheriff's Office (LCSO) meeting. He stated that LCSO patrols 2,400 square miles. They have 53 officers including patrol, jail, waterway employees. LCSO, like many others, are struggling to find qualified hires. They are reaching out to other states, but Oregon drug laws are not helping (Measure 110). LCSO has also had a lot of retirements.

Mayor Craven reported that he and Mr. McDowell recently met with Representative Jami Cate at City Hall. One of Council's focuses/goals this past year has been on advocacy. Mayor Craven, Mr. McDowell, and Staff continue to work towards this effort. A high point of the discussion with Jami Cate was the recent drawdown of Green Peter Reservoir, and the resulting loss of hundreds of thousands of fish. The situation has been terrible for the City of Sweet Home and Lebanon. The extra chemicals needed to treat the water has been staggering. Mayor Craven, along with 19 other state and local elected officials, have signed a letter to Judge Marco Hernandez, expressing their urgent concerns regarding dam drawdowns in the Willamette Basin. Mayor Craven stated that it was a short, but effective, meeting. Mayor Craven said school funding remains a major concern due to the

Legislature continuing their aid of Portland area schools at the expense of all other school systems in the State. Measure 110 has become an issue that the Legislature will not address in a meaningful either. While the Measure continues to have negative impacts on cities and society, the State wants to now manage addiction. He intends to continue to seek out opportunities to speak with our representatives at the State level. Councilor Chambers expressed her appreciation for Mayor Craven doing advocacy work for the City and our community.

9. **Citizen Comments.** None.

LEGISLATIVE:

- 1. <u>Resolution 2023.20 | Audit Secretary of State Letter.</u> Councilor Winklepleck made a motion to approve R 2023.20, removing "Adjustments were to do so" under Section 2, City Response. Councilor Chambers seconded the motion and it passed unanimously.
- 2. <u>Resolution 2023.21 | GR12 Well Waterline Contract Award.</u> McDowell reported that City Engineer, Ryan Quigley, recommends awarding the contract to Jesse Rodriguez Construction LLC, out of Silverton. The contractor was the lowest bidder for the project at \$521,041.00.

Councilor Chambers moved to approve R 2023.21, and authorize Mr. McDowell and Mayor Craven to sign all necessary documents. Councilor Solberg seconded the motion and it passed unanimously.

3. Ordinance 803 | Brownsville Municipal Code 2.30.030 Removal From Office (Second Reading). Councilor Hansen moved to read by title only. Councilor Humphreys seconded the motion and it passed unanimously. Mayor Craven read O 802 by title only.

Councilor Solberg moved to approve O 803 as presented. Councilor Chambers seconded the motion and it passed unanimously.

4. Ordinance 804 | Brownsville Municipal Code 8.20.060 Camping Chapter (First Reading). McDowell reported that this ordinance will make several changes to general camping in Pioneer Park. General camping will be permitted from Memorial Day to Labor Day, Thursday through Sunday only. Other provisions allow camping on holidays and in September & October based on rental of Park facilities.

Councilor Chambers moved to read by title only. Councilor Winklepleck seconded the motion and it passed unanimously.

Mayor Craven read by title only. The ordinance will come before Council for the second reading in January.

ACTION ITEMS:

1. <u>Calapooia Food Alliance (CFA) | Proposal.</u> Mayor Craven stated the Council has had ample time to review. No further discussion ensued. Mayor Craven recommends authorizing Mr. McDowell with moving forward with an official proposal for Council consideration. Councilor Hansen suggested looking into a policy change. Mayor Craven suggested that that be discussed at the upcoming meeting.

Councilor Hansen moved to authorize Mr. McDowell to create a draft agreement with CFA for Council review. Councilor Winklepleck seconded the motion and it passed unanimously.

McDowell stated that he will run the draft agreement by CFA officials before Council review.



2. <u>Facility Rental Schedule Proposal.</u> McDowell provided the schedule for Council review as was promised at the last meeting. The process is a bit in reverse. McDowell indicated that the schedule should be reviewed by the Park Open Space Advisory Board's (POSAB) at their next meeting. The Board when then make a recommendation for the schedule for Council's consideration at the next Council meeting.

Councilor Winklepleck moved to present this to POSAB for recommendation. Councilor Humphreys seconded the motion and the motion passed unanimously.

3. <u>Library Advisory Board & Park Board Appointments.</u> McDowell reported that the City had received one application for both Boards.

Councilor Hanssen moved to appoint Nichole Solberg to Parks & Open Space Advisory Board, and Melissa Selby to Library Advisory Board. Councilor Chambers seconded the motion and it passed 6-0, with Councilor Solberg abstaining for relationship reasons.

DISCUSSION ITEMS:

- 1. <u>Emergency Preparedness Annual Report.</u> Mrs. Morrow reviewed the items completed this year. Morrow thanked Norman Simms and Marilee Frazier for their tireless effort in meeting the requirements of the Brownsville Municipal Code around the City's outreach and awareness efforts. Morrow said the group is planning to coordinate civic partnership to be available during the Rec Center Open House.
- 2. November Financials. No comments.

CITIZEN QUESTIONS & COMMENTS. None.

<u>COUNCIL COMMENTS.</u> Councilor Chambers wished Happy Holidays to everyone; Council concurred.

ADJOURNMENT: Councilor adjourned by consensus at 8:18 p.m.					
City Administrator S. Scott McDowell	Mayor Adam Craven				

January 23rd, 2024

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, \square , it means more information will be provided at the meeting.

"Peace requires us to surrender our illusions of control."

~ Jack Kornfield

"We can know only that we know nothing. And that is the highest degree of human wisdom."

~ Leo Tolstoy

"We can smile and relax. Everything we want is right here in the present moment."

~ Thich Nhat Hahn



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

6) PUBLIC HEARINGS OR PRESENTATIONS:

- **A.** <u>Sweet Home Sanitation | Joshua Stanley</u> Mr. Stanley requested time to present to Council. Exact content was not known at the time of publication. I will send details to Council as soon as I receive them.
- **B.** <u>Canal Company Agreement Review</u> McDowell will provide an overview of the proposed agreement that has been discussed for several years with Canal Company leadership. You can find the latest version of the agreement at https://www.ci.brownsville.or.us/citycouncil.

9) LEGISLATIVE:

A. Resolution 2024.01: Judges Pro-Tempore (Annual) – Council passes this legislation annually to provide a substitute judge(s) for Judge Jessica Meyer as may be needed for vacations, personal emergencies, conflicts of interest and such that could arise during the year.

What is Council being asked to do?

Pass the resolution to provide pro tempore coverage for Judge Meyer.

B. Resolution 2024.02: Commitment to Safety Program (Annual) – Council passes this annual legislation to recognize the importance and priority of the City's employee safety program as required by the State of Oregon and City/County Insurance Services (CIS). The



City has received the highest safety award from CIS for the last five years. CIS requires this resolution from all cities and counties to extend applicable insurance coverages.

What is Council being asked to do?

Pass the resolution to continue supporting employee safety.

C. Ordinance 804: BMC 2.30.030 Camping Chapter (Second Reading) — The ordinance is ready for passage.



From 12.19.2023: Council accepted recommendations from the ad hoc subcommittee that reviewed existing camping rules at the last Council meeting. Staff promised an ordinance for consideration at this meeting. By adopting this ordinance, the accepted recommendations will become part of the Brownsville Municipal Code.

What is Council being asked to do?

Adopt a motion to read by title only. Consider final passage of the ordinance.

D. <u>Proclamation | Brandie Simon Public Service Recognition</u> – Mayor Craven will be recognizing Brandie Simon's eighteen years of community service. Simon served on the Parks & Open Space Advisory Board since 2006 accomplishing many positive community improvements and being a part of policy recommendations that serve all Brownsville residents and visitors. She will be forever missed.



10) ACTION ITEMS:

A. Calapooia Food Alliance (CFA) | Memorandum of Agreement — Last month, Council accepted CFA's request to consider a one-year agreement for the use of Library Park & Park Avenue for the 2024 Farmers Market. Staff provided representatives of the CFA with the usage agreement for Park Avenue & the Library Park as directed by Council at the last meeting. Staff have not received any questions or comments on the agreement. The agreement is included in the agenda packet for your review. Council did not take any action on the request to review a policy change for non-profit use of public property on a weekly basis.

From 12.19.2023: The CFA Board charged Joshua Bloomfield and Peggy Purkerson with the responsibility of drafting a proposal for City Staff review. The CFA is requesting the use of Library Park & Park Avenue for hosting the Farmer's Market from April to October 2024. The CFA is also requesting that Council consider adopting policy or consider adopting an ordinance that would allow non-profit groups extended use of public property. [...]

What is Council being asked to do?

Consider the agreement.

B. Facility Rental Schedule | Park Board Recommendation - Park Board reviewed the schedules and rules as prepared for Council at the last meeting. The Board is recommending the adoption of the fee schedules as presented in the agenda packet. The only change from the schedule presented last month is an increase for the Rec Center meeting room from \$25 to \$35.

From 12.19.2023: Based on the recommendations Council accepted last meeting, Staff has made additions and changes to the facility rental schedule to match the recommendations.

What is Council being asked to do?

Council is being asked to officially adopt the fee schedule as recommended by the Parks & Open Space Advisory Board or make other modifications deemed necessary.

C. Approve TMDL Annual Report — Council reviews and approves the annual required submission to Department of Environmental Quality (DEQ). The letter is in the agenda packet while the report pages can be found on-line at https://www.ci.brownsville.or.us/citycouncil.

Additionally, DEQ has not approved the final version of the new 5-Year Plan so there may be more information to review as well. I will send out an email if I learn more prior to Tuesday's meeting. The issue may require additional Council approval.

What is Council being asked to do?

Review and approve the annual report for submittal to the State.

D. Park Board Opening Advertisement – The City has an opening on the Parks & Open Space Advisory Board.

What is Council being asked to do?

Authorize Staff to advertise for a member.

E. River's Edge Homeowners Association Annual Letter — Staff will be sending an annual letter to all residents of the River's Edge subdivision to clarify the responsibilities of the Association and those of the City. Staff has provided a draft copy of the letter for Council review and approval. The letter has been included in the agenda packet while the accompanying maps have been included at the following link to save paper: https://www.ci.brownsville.or.us/citycouncil.

From 11.28.2023: Administrative Assistant Elizabeth Coleman and I attended this month's Association meeting to share important details and information about the River's Edge subdivision. [...]

What is Council being asked to do?

Approve and authorize Staff to send the annual letter.

11) DISCUSSION ITEMS:

- **A.** FY 2024.2025 Budget | Members, Meeting Schedule & Advertisements McDowell will review the budgetary process and advertisement needs for the upcoming budget cycle.
- **B.** Council Retreat & Goals Review Session Annually, Council reviews Council goals and does a retreat. The City tries to hold this in early February so that priorities can be confirmed prior to budget season.
- C. December Financials

UPDATES, INFORMATION & HAPPENINGS

GR12 Waterline – Staff will send an informational letter about the project details to localized area residents closer to the start of the project. Staff is still awaiting details from the City Engineer.

From 12.19.2023: The City hosted a pre-bid walk on December 5th. Bids were opened on December 13th. City Engineer Ryan Quigley has prepared a bid tally and recommendation for Council's consideration. Please see Resolution 2023.21 for more information.

From 11.28.2023: 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.

Rec Center Open House □ – The City received Notice of Substantial completion on January 5th, 2024. McDowell authorized use of the gym for basketball practice with certain conditions. Due to the delay, Staff found it necessary to move the Open House to Thrusday, February 22nd, 2024. Plans are currently underway for the celebration.

From 12.19.2023: Council authorized Staff to plan for a January 2024 Open House for the Rec Center Renovation.

From 11.28.2023: 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.

is required for occupancy. The electrical subcontractor had a fair amount of outstanding items that proved to be the major holdup. Woodblock issued the initial punch list highlighting the critical items that need to be finished in order to meet substantial completion. Staff made



arrangements with Pioneer Christian Academy to extend the use of their gymnasium through the end of the year. Principal Chad Schrock and his Staff went above and beyond to accommodate the City's needs.

On January 5th, 2024, the group met again with KCL in tow to review completed punch list items to determine if the building could be occupied. Fortunately, Woodblock found that they were able to issue the Notice of Substantial Completion. Woodblock issued a revised punch list with KCL's requirements



to J.E. John. Project Superintendent Ken Shields left for another project and Dan Young has remained to coordinate and complete the punch list items with the subcontractors.

McDowell and Frink worked together to prepare the building for basketball practice the week of January 8th, 2024. Staff made a logistics plan and continue to execute the plan as needed. Frink has made many necessary preparations for the space to be used by the Central Linn Recreation Association and the general public. McDowell met with basketball coaches on Sunday, January 7th, 2024 to discuss the parameters for using the space.

The Association plans for the first public basketball game to be held on Saturday, January 20th, 2024. Staff will have the building ready for that purpose, but it must be known that the building is not complete until the punch list items have all been fixed.



I expect that unloading the conex, coordinating the move in, the roll out of renting the space, preparing custodial services will take time over the next few weeks. I also expect that policy needs will manifest as the public begins to use the space again. We will meet the challenges and are excited for the public to use this amazing facility!

From 12.19.2023: Pacific Power set the power pole last Wednesday. The lines for the floor were painted last Friday. Painters are on site finishing up final touchups. The plumbing subcontractor finished their work Wednesday. Next week fire alarms and sprinkler system will go through all final testing. Appliances will be delivered at any moment. Staff has been working on accounting and final reviews. The punchlist walk is scheduled for December 20th, 2023.

<u>Canal Company</u> — President John Holbrook asked the City for a meeting to discuss details of the agreement the City drafted in 2022. I have included the latest version of the agreement on the City website for your review at https://www.ci.brownsville.or.us/citycouncil.

<u>Linn County Sheriff's Office Monthly Report | [G1]</u> – The City is under contract for 200 hours per month. The eighteen-month average looks like this:

LCSO Month-to-Month Comparison (18 months)

2000 Month to Month compartson (10 months)					itoittio <i>j</i>
	Year	Month	Citations	Warnings	Hours
	2023	December	11	20	218.25
	2023	November	11	25	221
	2023	October	26	33	210
	2023	September	15	19	203
	2023	August	17	12	210.5
	2023	July	10	20	208.25
	2023	June	7	11	202
	2023	May	6	12	224.5
	2023	April	6	19	200
	2023	March	7	15	208.65
	2023	February	13	16	204.25
	2023	January	13	34	202



2022	December	12	18	209
2022	November	16	13	202
2022	October	4	10	219.95
2022	September	5	5	225.25
2022	August	14	21	200
2022	July	18	6	223
	Subtotal	211	309	3791.6
	Total Average	11.72	17.1 7	210.6

LCSO Quarterly Meeting – Sergeant Frambes continues to work on multiple cases around town. LCSO is focused on traffic enforcement. Staff placed the new parking ordinance as an alert on the website. Frambes and the LC EMA accurately predicted the ice storm.

From 12.19.2023: Councilor Winklepleck will provide an oral report for Council about the most recent quarterly meeting.

From 11.28.2023: The upcoming is scheduled for December 14th, 2023 at 2:00 p.m. in Millersburg.

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 desginate 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.

Calapooia Food Alliance (CFA) Discussion – See related Action Items 10) A. above.

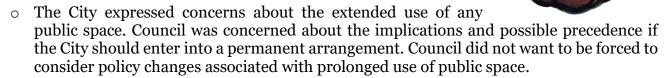
From 11.28.2023: Administrative Assistant Elizabeth Coleman and I met with CFA President Patrick Starnes to review the history of agreements the City has entered into with the CFA. Highlights of the discussion are below:

- ▶ 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.



o 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 amentities 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.

Rural Economic Alliance (REAL) Progress – The next meeting will be held on January 25th, 2024.



From 12.19.2023: Several items from the strategic plan are being worked on by the group. Pacific

Power presented a proposal to change out street lights from sodium to LED as required by State Law. Many questions were asked, and details are currently being sorted out. Sweet Home moved forward with Pacific Power already and is in the process of switching out streetlight heads in cooperation and through an agreement with Ameresco.

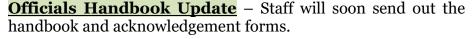


From 11.28.2023: The next meeting is scheduled for November 30th, 2023.

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 incoproate RAIN under Entreprenuership. 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 entrprenuership fostering. Both Linn and Benton counties also continued their relationship with RAIN. RAIN's report to ROI found can be on the City website at: https://www.ci.brownsville.or.us/citycouncil.



From 12.19.2023: Staff will send out the Officials Handbook after the first of the year to elected & appointed officials who can review the document and acknowledge receipt.



From 11.28.2023: 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.

Small Municipalities Advocacy Coalition (SMAC)

<u>Small Municipalities Advocacy Coalition (SMAC)</u> – Efforts continue. Opportunity to comment on TMDL is open! Below are links from DEQ's Priscilla Woolverton:

Public comment period for the <u>Willamette Subbasins Temperature TMDL</u> is open and ends at 4 p.m. on Feb. 23, 2024. Please see the email below that went out via GovDelivery, which includes information/ links on how to provide comment. I encourage you to review the TMDL and WQMP and provide feedback. If you're not already, please consider signing up for GovDelivery notices: <u>GovDelivery</u>

From 12.19.2023: Efforts continue to present the coalition to other cities as well as preparations for the upcoming State Legislative Assembly's short-session.

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.

Active: League of Oregon Cities | Region IV Meeting - From 11.28.2023: 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.

<u>Legislative Advocacy & Policy Committee (LAPC) Recommendations</u> – From 11.28.2023: 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.

ACTIVE, PENDING, STALLED & COMPLETED

<u>Active: River's Edge Subdivision</u> – See related Action Items 10) E. above. The City is still awaiting as-built drawings for the subdivision. Once the City receives those record drawings, Council will be asked to pass a resolution that will accept the public infrastructure as part of the City Capital Improvements Plan (CIP) and inventory.

From 10.24.2023: Administrative Assistant Elizabeth Coleman has been working with Rexius 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.

<u>Active: TMDL Report</u> – From 12.19.2023: The Department of Environmental Quality's (DEQ) Priscilla Woolverton has contacted the City about the most recent edition of the TMDL. We are awaiting further information.

From 11.28.2023: 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.

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.

Active: Semi-annual Bond Payment – Staff will make the semi-annual bond payment next week.

Active: Central Linn Recreation Center Meeting - From 12.19.2023: Staff will start talking about logistics for moving back into the Rec Center.

From 11.28.2023: 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 reviwed 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



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 plaform. 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.

Active: Water Management Conservation Plan - Public Works Superintendent Karl Frink is working on valve replacements and meter replacements at key points before doing system-wide leak detection project.

considerations.

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 implemenation plan that we will share with Council early Fall. Council did approve funding for these items in this budget cycle.

<u>Pending: Cemetery Audit</u> – Staff compelted the audit and is awaiting final word from OMCB.

From 12.19.2023: Administrative Assistant Jannea Deaver is working to complete the Oregon Mortuary & Cemetery Board request.

Active: Linn County Housing Rehabilitation Program (LCHRP) – From 10.24.2023: The City collaborates 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.

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/.

Active: Climate Change Initiatives & IGA | Department of Land Conservation & Development (DLCD) – From 12.19.2023: The planning for the Natural Hazards Mitigation Plan continues with the DLCD. Meetings will begin in early 2024.

From 11.28.2023: 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.

<u>Pending: Recreational Immunity Implications</u> – No new information to share at this time.



From 11.28.2023: Recently, CIS reported that recreational immunity had been threathened by a recent ruling in *Fields v. City of Newport*.

Stalled: 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.

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 January 2024

<u>Permits</u> Building, Plumbing, Mechanical, Fence, Etc.

_	Structural	New Single-Family Dwelling	300 Averill St.
•	Structural	New Single-Paining Dweiling	300 Averm St.
•	Plumbing	Add Shower & Pan & Sink Relocate	900 Ash St.
•	Mechanical	Remove Existing AH/HP Ins HP Flex	107 Bishop W
•	Mechanical	Ins 2T HP w/ind Wall Mt Ductless	107 Bishop W(WH)
•	Construction	Accessory Structure (carport under 200 sf)	301 Spaulding Ave

Updates

No Council updates at this time. Thank you.





LINN COUNTY SHERIFF'S OFFICE

Michelle Duncan, Sheriff

1115 S.E. Jackson Street, Albany, OR 97322 Albany, OR. 97322 Phone: 541-967-3950 www.linnsheriff.org

2023

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

FOR THE MONTH OF:	DECEMBER	
TRAFFIC CITATIONS:	12	1
TRAFFIC WARNINGS:	20	0
TRAFFIC CRASHES:		0
ARRESTS MADE:		3
COMPLAINTS/INCIDENTS INVEST	TIGATED: 83	8

TOTAL HOURS SPENT: BROWNSVILLE 218.25 hours

CONTRACT HOURS = 200 HOURS

Michelle Duncan, Sheriff, Linn County

By: Sgt. Steven Frambes



December 2023

Here are a few facts about our Library in the month of December 2023. We have received 32 new books for the library. Volunteers donated 118 hours to our Library. There were 1,075 materials checked out. 329 adult fiction books; 113 adult non-fiction books; 56 audio books; 322 children's books; 140 junior books; 44 junior reference books and 71 large print books.

There was a total of 187 electronic materials checked out. 140 adult fiction books; 17 adult non-fiction books; and 30 junior books. Of these 86were eBooks and 101 were eAudiobooks.

In December. we held 5 children's programs with 61 participants. There were 5 programs for adults with 13 participants. We held our first Santa Story Time this year. It was lots of fun. The Annual Book Sale was a big success. These funds are used to purchase magazine subscriptions, a genealogy subscription, and other items for the Library. The Brownsville Women's Study Club has purchased 29 large print books for the Library. We hold an average of 5 programs each month. There is something for all ages at our Library!

Below are a few fun facts about our Library.

Respectfully submitted,

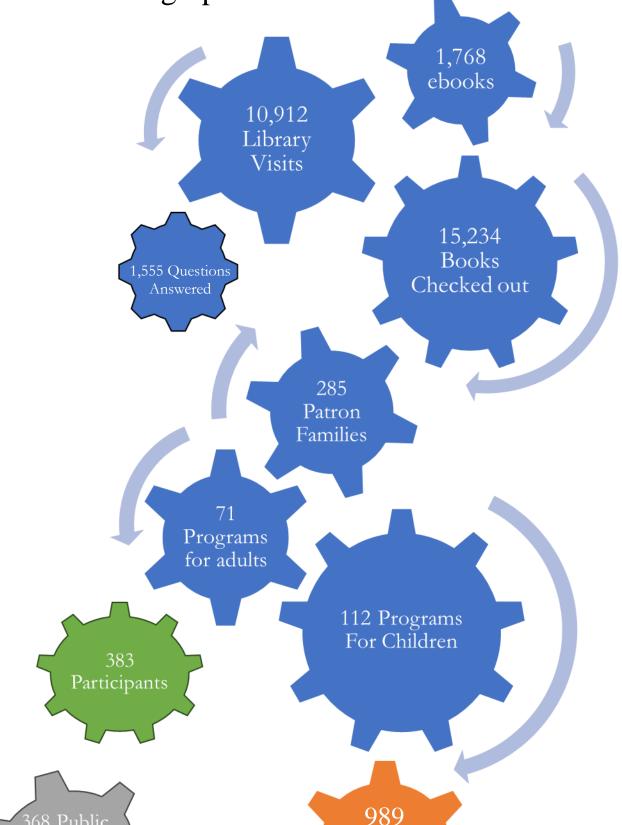
Stunhonol

Sherri Lemhouse

Librarian



Brownsville Community Library 2023 Infographic





RESOLUTION 2024.01

A RESOLUTION APPOINTING PRO TEMPORE JUDGE(S) FOR THE BROWNSVILLE MUNICIPAL COURT

WHEREAS, Brownsville Municipal Code 2.55.030 allows the Council to appoint Municipal Judge Pro Tempore, to serve in the absence of the Municipal Judge; and,

WHEREAS, the term appointments of persons previously appointed to serve as Municipal Judges Pro Tempore have expired,

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Tré Kennedy are hereby appointed to serve as Municipal Judge Pro Tempore of the Brownsville Municipal Court for a term ending on the last day of December 2024.

Introduced and adopted this 23rd, day of January 2024.

ATTEST:	APPROVED:	APPROVED:		
	Adam R. Craven			
S. Scott McDowell City Administrator	Mayor			

R 2024.01 Page | 1 of 1



RESOLUTION 2024.02

A RESOLUTION REAFFIRMING THE SAFETY POLICY AND LOSS PREVENTION PROGRAM FOR THE CITY OF BROWNSVILLE

WHEREAS, the City holds in high regard the safety, welfare and health of our employees; and,

WHEREAS, the Council has a responsibility to make every reasonable effort to maintain a safe and healthful working environment; and,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Brownsville, State of Oregon does hereby reaffirm a strong commitment to employee and workplace safety as articulated below:

Introduction:

The City of Brownsville has always believed that our employees are our most important and valuable asset. We will always place a high priority on safe operations and the safety of employees. The City considers no phase of operation or administration more important than safety and health. We will provide and maintain safe and healthful working conditions, establish and insist on safe work methods and practices at all times. All members of management and all employees must make safety a part of their daily and hourly concern.

Goal/Purpose:

Our goal is "No Accidents" and we consider it a realistic goal. We want to make our safety efforts so successful that we make elimination of accidents and injuries not just a goal, but a way of life. Our goal is to involve both management and employees in safety planning, development, and implementation.

Objectives:

- ★ The City of Brownsville will work consistently to: Maintain safe and healthful work conditions; Observe Federal, State and City safety regulations; Ensure that no employee is assigned to a job without necessary training;
- ★ Require safety orientation for new employees, timely and appropriate training, an employee safety committee, a self-inspection program, proper mechanical guards in adherence to safety standards, and a personal protective equipment program;
- ★ Provide safety and fire inspections to identify potential hazards of operation, then developing necessary protective measures;
- ★ Conduct accident investigations to determine the cause of accidents and the action required to prevent recurrences.

Page | 1 of 2



Responsibilities:

Management Personnel of the City are responsible for developing an effective Loss Prevention Program. The department heads and supervisors are responsible for preventing accidents in their departments. Each level of management must reflect and interest in the City's safety objectives and set a good example by complying with safety rules. Management interests must be vocal, visible and continuous.

Employee Participation:

All employees are expected to follow safe working practices, obey rules and regulations, and to work in a way which maintains the high safety standards developed and sanctioned by the City.

All Employees are expected to give full support to safety and loss-prevention activities.

Every employee must observe established safety regulations and practices, including the use of personal protective equipment.

All employees are expected to take an active interest and participate in the safety and health program and abide by the rules and regulations of the City.

All employees must recognize their responsibility to prevent injuries and illnesses and take necessary actions to do so. Their performance in this regard will be measured along with their overall performance.

Closing Statement:

By accepting mutual responsibility to operate safely, we will all contribute to the well-being of all involved with City operations. We must be so successful in our efforts that total elimination of accidents and injuries becomes not just an objective, but a standard practice.

PASSED by the Council and Approved by the Mayor on this 23rd day of January 2024.

ATTEST:	APPROVED:	
	Adam Craven	
S. Scott McDowell City Administrator	Mayor	

Page | 2 of 2



ORDINANCE NO. 804

AN ORDINANCE REVISING SECTION 8.20.060 OF THE BROWNSVILLE MUNICIPAL CODE, RELATED TO CAMPING PERMITS

WHEREAS, Section 8.20.060 of the Brownsville Municipal Code (BMC) sets out camping permit requirements;

WHEREAS, the Council wishes to revise the BMC; and

WHEREAS, to ensure an orderly, peaceful environment for permitted campers,

NOW THEREFORE, the City of Brownsville ordains as follows.

Section 1. BMC 8.20.060 is amended to read as follows:

8.20.060 Camping.

E. General public camping is allowed by permit from Memorial Day weekend through Labor Day weekend and only on Thursday, Friday, Saturday, and Sunday. General camping is also allowed around recognized holidays such as the Fourth of July. One day prior to the holiday, the day of the holiday and one day after the holiday will be allowed. Camping permits may be issued with the rental of the pavilion after Labor Day weekend through October 31st; certain rules and restrictions apply.

Section 2. This ordinance shall take effect on the thirtieth day after its adoption by the Council.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 23rd day of January, 2024.

	Approved:	
Attest:		
	Adam R. Craven Mayor	
S. Scott McDowell City Administrator		



PROCLAMATION

A PROCLAMATION THANKING BRANDIE SIMON

FOR HER SERVICE ON THE PARKS & OPEN SPACE ADVISORY BOARD

WHEREAS, the City of Brownsville depends on volunteers to provide many essential services for the community; and

WHEREAS, the Parks & Open Space Advisory Board performs an essential role in the community addressing issues involving City Parks and Open Space preservation; and

WHEREAS, Brandie Simon has served on the Parks & Open Space Advisory Board since 2006 and has brought her valuable insight, experience and wisdom to many successful community projects; and

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Brownsville, Oregon:

The City would like to thank the Simon family for your support of Brandie's countless hours of volunteer service to the City of Brownsville!

ATTEST: APPROVED:

S. Scott McDowell City Administrator Adam R. Craven Mayor





USE AGREEMENT

BETWEEN: The City of Brownsville (City)

AND: Calapooia Food Alliance (Alliance)

DATE: January 5th, 2024

RECITALS

- **A.** City is the owner of real property, Library Park, & Park Avenue in Brownsville, Oregon.
- **B.** Alliance desires to use public property for a weekly Farmers Market in 2024.
- **C.** City granted permission since 2021 for temporary use of public property for the purpose of the Alliance's Farmers Market.
- **D.** Alliance is seeking private property for this purpose.

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

- **1.** <u>USE.</u> Alliance is permitted to use the City property described above for operating and maintaining a Farmers Market each Thursday (1:30 p.m. to 7:30 p.m.) from April 18th, 2024, to October 24th, 2024, and for no other purpose or time without City's prior consent.
- **2. TERM.** The term of this agreement shall be for the 2024 Farmers Market season which begins April 18th, 2024, and ends October 24th, 2024.
- **3. TERMINATION.** Either party may terminate this use agreement without cause upon thirty (30) days written notice to the other by hand delivery or to send by First Class and Certified mail to the addresses listed. Upon termination, all rights extended under this Agreement are terminated.
- **4. CONDITIONS.** City grants permission to Alliance subject to the following conditions:
 - **a.** Alliance shall visit and notify all neighbors on Park Avenue to share their logistics and layout plan, provide contact information, and to address any concerns the neighbors may have.
 - **b.** Alliance shall put up the necessary road closed signs.
 - **c.** Require vendors to park off premises.





- **d.** Canopies cannot be left standing nor can any other private property items used by Alliance or participants.
- e. No improvements to public property are permitted. The property shall be used as-is.
- **f.** Alliance shall provide the City with an insurance certificate naming the City additionally insured at the level required by the City's insurance agent and City requirements.
- **g.** Any damages sustained to any Alliance property or appurtenances shall be the sole responsibility of Alliance. The City will not be responsible for any theft, vandalism or any other damages sustained by Alliance or any of their affiliates during their use of this site.
- **5. SIGNAGE.** Alliance may place temporary signage the day of the Market.
- **6.** <u>MAINTENANCE</u>. Alliance is responsible for cleaning up any debris left after each Farmers Market.
- 7. <u>INDEMNIFICATION</u>. To the extent legally possible, Alliance agrees to indemnify, hold harmless and defend City from and against any and all claims, damages, losses and expenses, including attorney fees, made by or paid to others, arising from Alliance's use of the Premises or from Alliance's performance or failure to perform its obligations under this agreement. Alliance agrees to pay for insurance to cover the period of their use of the property.
- **8.** ATTORNEY FEES AND LEGAL EXPENSES. In the event any legal proceeding is commenced for the purpose of interpreting or enforcing any provision of this agreement or to collect any indebtedness hereunder, the prevailing party in such proceeding shall be entitled to recover reasonable attorney fees in the proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the prevailing party in collecting any monetary judgment or award or otherwise enforcing any order, judgment, or decree entered in such suit or action. In addition, in the event of default by either party in performance of this agreement, the defaulting party agrees to pay all reasonable attorney fees and legal expenses incurred by the non-defaulting party in collecting any such sums due hereunder even though no litigation is filed.
- **9. SUCCESSORS AND ASSIGNS.** The terms, provisions, covenants, and conditions contained in this agreement shall apply to, bind and inure to the benefit of the heirs, personal representatives, administrators, legal representatives, successors and assigns of City and Alliance.
- **10. ENTIRE AGREEMENT.** This agreement embodies the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein. This agreement shall supersede all prior communications, representations, or agreements, either verbal or written, between the parties.
- **11. MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof





be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.

ALLIANC	Ľ:	CITY:		
CALAPOOIA FOOD ALLIANCE		CITY OF BROWNSVILLE		
By: Preside	ent Patrick Starnes	By:	Adam Craven	
Address:	P.O. Box 614 Brownsville, OR 97327	Address:	255 N. Main Street P.O. Box 188 Brownsville, OR 97327	

Effective Date: January 2024

CAMPING

General camping is allowed from Memorial Day to Labor Day, Thursday through Sunday. Camping availability is subject to change. Fees are per night as follows:

> \$ 15.00 per RV \$ 10.00 per tent

Special Event Camping – The City requires an agreement for camping in advance of any special event. Special permits may be issued for camping arrangements from Memorial Day through October 31st. Please contact City Hall to learn more.

RESERVATIONS FOR PARK FACILITIES

Reservations for Pioneer Park facilities are made through a lottery drawing. The reservation deadline is December 15th for the upcoming season. The lottery drawing is held on the first working day in January. Please contact City Hall at (541) 466-5666 between 8:30 a.m. – 4:30 p.m. Monday through Friday for more information.

RENTAL FEES AND DEPOSITS (Daily)

Standard Package – \$ 300 plus \$150 deposit *Includes:* Pavilion, Kitchen & Dance Hall

Deluxe Package – \$ 350 plus \$150 deposit *Includes:* Pavilion, Kitchen, Dance Hall & Community Arts Building

Wedding Package – \$ 400 plus \$150 deposit *Includes:* Pavilion, Kitchen, Dance Hall,

Community Arts Building &

Grandstand

Ball Fields Only – \$100 per field per day. Deposit varies depending on nature of proposed event.

Grandstand Only - \$50 plus \$100 deposit.

Fees for groups over 300 are as follows:

<u>Attendees:</u>	Rent:	Deposit:
300 +	\$400.00	\$200.00*

Deposits are refundable if the premises are left in good condition and free of damages.

* Large groups are required to provide extra portable toilets and may also require an agreement with the City.

City of Brownsville residents pay half of the facilities rental fees listed above.

MEETING ROOMS

The City has three rooms available for public use. City meetings are given precedence. Kirk Room at the Library, Fisher Hall & the Community Room at City Hall. Reservations can only be made on-line on the City's website at www.ci.brownsville.or.us.

Kirk Room is \$15.00 per meeting. *Fisher Hall* is \$10.00 per meeting.

Community Room is \$35.00 per meeting and requires a \$50 deposit.

All rental fees and applicable deposits are payable in advance. Keys are to be picked up and returned to City Hall.

Reservations for these facilities are made exclusively online.

PARK HOURS

The park is open to the public from 7:00 a.m. to dusk.

FIRES

Fires are allowed in designated areas only. Pioneer Park is subject to fire restrictions enacted by the State, Linn County & the Brownsville Rural Fire District.

PETS & HORSES

Please keep your pet(s) under control at all times, on a leash, confined to a vehicle, or in the designated off-leash area. Please clean up after your animals. Keep horses on the roads or designated areas. Horses are not permitted on the ball diamond, picnic area or overnight areas.

PICNIC AREAS AND TABLES

All picnic areas and tables are on a first-come, first-serve basis. The pavilion, kitchen, dance hall and their adjacent areas must be reserved in advance. Reservations for these facilities are made exclusively on-line.

VEHICLES

Vehicles must observe a 5 m.p.h. speed limit.

POLICE

Police protection is handled by the Linn County Sheriff's Department. Call 911 for emergency response. Call (541) 967-3911 for non-emergency concerns.

EMERGENCY

POLICE, MEDICAL OR FIRE

911



Central Linn Recreation Center Rental Application

Print Name:					
Address:					
Telephone:			Cell Ph	one:	
Activity/Event:	ctivity/Event: Estimated Attendees:				
Failure to follow	the rental responsibi	lities may resi	ult in fines and forfe	eiture of future us	e of the Building.
The Renter (responsible party) shall indemnify, defend, and hold the City of Brownsville, their officers, agents, and volunteers, harmless from any and all claims, actions, liabilities, or costs including, but not limited to, attorney fees, and other costs of defense, arising out of or in any way related to the rental and activities performed by The Renter or any other persons allowed on the premises, under this agreement, and arising from the sole or joint negligence of the Renter. Only those 18 years or older can sign this contract and/or check out a key. Renter's Signature: Date:					
		BUILDING	RENTAL FEES		
		8 Hours	All Day (7 a.m. – 11 p.m.)	Deposit	
	Gymnasium	\$50	\$100	\$100	
	Kitchen	\$50	\$100	\$150	
	Meeting Room	\$35	\$50	\$50	
	Equipment	Tables Chairs	\$3 each \$10 for up to 25	\$20 \$40	
		Staff (Use Only		
Payment Date:	Paid Amou				
□ Cash □ Check #: Received by:					

CLRC Rental Agreement Revised 01/03/2024



Thank you for being respectful & considerate of our beloved building and equipment.

Gym Renter's Responsibilities

- 1. Leave the floor clean when finished, wet mop spills and dry mop whole floor if needed.
- 2. Clean up all garbage including the stage and bleachers. All garbage should be emptied into the dumpster. Use liners for garbage cans.
- 3. Return all tables, chairs, and any other equipment to the storage rooms.
- 4. No food should be left anywhere in the building.
- 5. Nothing is allowed to be attached to any surface in the building, including but not limited to, the floor, walls or ceilings.
- 6. Do not lower basketball hoops.
- 7. Before leaving check the bathrooms, leave them clean.
- 8. Please report any leaks or other plumbing problems to the City of Brownsville (541) 466-5880.
- 9. For heat use only the timer.
- 10. No smoking or use of tobacco products, alcohol, or drug use is allowed on or in these premises.
- 11. Please check that ALL doors are locked and secured before leaving.
- 12. Please turn off ALL lights when leaving.
- 13. All doors must be closed and locked when leaving or be subject to a fine.

Kitchen Use

- 1. Remember all the above apply also.
- 2. Leave the kitchen clean. Floor mopped, counters clean, all dishes washed and put away.
- 3. Please remove all food items, especially remember to check the refrigerator and freezer.
- 4. Use liners for garbage cans and put garbage in outside dumpster.

Tables and Chairs Rental

- 1. Please return the tables and chairs clean and in good condition.
- 2. Return them to the proper areas from where you picked them up.
- 3. Label and report any problems or damage to Brownsville City Hall (541) 466-5880. Do not put damaged items in the same stacks as the others.

CLRC Rental Agreement Revised 01/03/2024



January 25th, 2024

Department of Environmental Quality

Attn: Priscilla Woolverton, *Upper Willamette TMDL Basin Coordinator* 165 E. 7th Ave., Ste. 100 Eugene, OR 97401-3049 541.687.7347

RE: 2023 TMDL Annual Report

Dear Ms. Woolverton,

Enclosed you will find the Brownsville's Implementation Tracking Matrix updated with accomplishments from 2023 as part of the City's Annual Reporting requirement. Below is the list of items that were agreed upon between the City and DEQ in the 2019 plan update:

Newsletter Articles

- Pet Waste Stations
- o General Overview
- o Illegal Dumping Number & Website

Track Permits

- River's Edge Subdivision, Phase II & III | Ongoing Reviews
 - a. 1200 C
- Required Storm Engineering

Public Works

Ditch Maintenance

- Stock Pet Waste Stations
- Wastewater Treatment Logs
- o Riparian Vegetation Maintenance
- o NPDES Discharge Requirements
- o Tree Health & Tree City Designation
- Illegal & Dumping Complaints
- Catch Basin Markings
- Sweeping Contract Monthly
- o Annual Park Clean-up January

Council Engagement

January, April & November

The City has also spent considerable time and resources continuing to report on TMDL activities and to meet the new Designated Management Agency (DMA) requirements.

Sincerely,

City Administrator S. Scott McDowell

Public Works Superintendent Karl Frink

c: Mayor & Council File

February 1st, 2024

River's Edge Homeowner's Association

RE: River's Edge Subdivision/PUD Details

Dear Resident,

The City would like to share some background information so that everyone who resides in the River's Edge subdivision is aware of the Homeowners Association's and the City's present and future responsibilities.

The City's Planning Commission granted developer Stephan Smith his proposed Planned Unit Development (PUD) in 2017. The Commission and Smith negotiated several key points, based on the Brownsville Municipal Code, that ultimately allowed Mr. Smith to develop his property with the housing density he sought. Cities, under Oregon law, are allowed to make certain concessions and modifications to zoning requirements based on an adopted Planned Unit Development (PUD) process. Several public meetings were conducted during this process and City Staff had countless meetings over the last several years to assist in bringing the subdivision to fruition.

Below I have listed the approval details for the PUD as well as answers to the questions we discussed:

Open Space

- ★ Developer Stephan Smith was required to improve several areas for private recreational and parking purposes.
- ★ City Staff was charged with the responsibility to ensure completion of these areas met the Conditions of Approval before they were turned over to the Association for perpetual care.
- ★ On November 1st, 2023, the City granted final approval for these improvements. The City received a warranty assurance letter for work completed by Rexius on November 8th, 2023.
- ★ The parking areas at the south & north end of the open space area are under the operational & maintenance responsibility of the Association.
- ★ The parking area located along River Avenue is under the operational & maintenance responsibility of the Association.

Drainage

- ★ Developer Stephan Smith raised the subdivision/PUD out of the floodplain at great expense.
- ★ The Association is responsible for the perpetual maintenance of all drainage ponds, swales, and ditches in the subdivision/PUD.
- ★ The City is responsible for all underground, stormwater pipes emptying into the drainage ponds, except for the pipes carrying runoff from the three drainage basins to the drainage ponds.

Streets

- ★ The streets have been installed to the City's Public Works Standards and are the perpetual responsibility of the City of Brownsville.
- ★ The streetlights were procured by Developer Stephan Smith and installed by Pacific Power under contract with the City. The City is responsible for the perpetual maintenance and monthly expense of the streetlights.
- ★ Existing street signs and any original traffic painting are the perpetual responsibility of the City.

Civil Utilities

- ★ Waterlines, hydrants, and associated appurtenances have been installed to the City's Public Works Standards and are the perpetual responsibility of the City of Brownsville.
- ★ Sewer collection lines and associated appurtenances have been installed to the City's Public Works Standards and are the perpetual responsibility of the City of Brownsville.

Frequently Asked Questions

- ★ Is the City willing to paint the curbs red throughout the fire zones and yellow in other areas?
 - The City accepted the plans as presented for approval. Those plans did not include curb paint and were accepted as such. The City is solely responsible for making any future determination on curb or street painting. It is not the City's policy to deviate from approved plans.
- **★** What can be done about illegal parking by fire hydrants and in fire lane areas?
 - The City contracts with the Linn County Sheriff's Department for law enforcement services. Contact City Administrator Scott McDowell to address any parking related issues. Any law enforcement issues should be addressed directly with the Linn County Sheriff's Office. Of course, 911 for emergency calls and 541.967.3911 for non-emergency calls.
- ★ Does the City enforce the Association's covenants & restrictions?
 - The City does not enforce any covenants, restrictions or otherwise associated with Association rules or deed restrictions. Such enforcement is the sole responsibility of the Association.

To be placed on official letterhead

The City does enforce permitting issues and general nuisance complaints that fall under the general requirements of the Brownsville Municipal Code.

The Brownsville Municipal Code can be found on the City's website which is www.ci.brownsville.or.us. The City is glad to have you as resident of Brownsville!

Sincerely,

S. Scott McDowell City Administrator

c: City Council
Planning Commission
Karl Frink, Public Works Superintendent
Elizabeth Coleman, Administrative Assistant
Staff





FOR IMMEDIATE RELEASE

Media Contact

Candace Pelt, Ed.D. candace.pelt@centrallinn.k12.or.us 541-409-1996

Central Linn School District Announces Community Bond Advisory Committee

Dedicated volunteers will evaluate the district's facilities and make recommendations to the Board of Directors.

Halsey, Ore., January 17, 2024 - A group of up to 20 parents, alumni, community members, staff, and students of the Central Linn School District have formed a Community Bond Advisory Committee (CBAC). These volunteers will spend the next 12 months evaluating the district's facilities and proposing solutions to the Central Linn School Board of Directors on proposed plans to include community and school needs.

The committee will work with Wenaha Group, a Construction Management and Consulting Firm that specializes in K-12 construction in medium-sized and rural school districts. Wenaha will plan and facilitate the CBAC's meetings, while the committee will ultimately decide what recommendations to make to the Board.

"Community engagement is crucial in this process, and we are grateful to those who've volunteered to serve on the CBAC," explained Central Linn Superintendent, Candace Pelt, Ed.D. "The group will be charged with evaluating the needs of our community and our students to determine how to best create inclusive and dynamic learning environments with a strategic eye on fiscal responsibility."

Part of the initial work is to conduct a facilities assessment and develop a long-range facilities plan. The CBAC will prioritize the community's needs and wants for district facilities, draft a recommendation, solicit community feedback, and then present a final recommendation to the Board. If the committee recommends that the Board pursue a general obligation bond, the Board would decide whether to refer it to voters on the May 2025 ballot.

The first committee meeting is scheduled for January 23, 2024.

About Central Linn School District

Serving the communities of Brownsville, Halsey, Peoria, and Shedd, Oregon, the district's mission is to prepare well-rounded, confident, and responsible individuals who aspire to achieve their full potential in their future endeavors. Educators serve 541 total students at Central Linn Elementary School and Central Linn Junior and Senior High School.



3 January 2023

The Honorable Governor Tina Kotek 254 State Capitol Salem, OR 97301

Subject: State has responsibility in devastating deep drawdowns at Willamette Basin Dams

Governor Kotek,

We sincerely appreciate you taking the time to express your concerns to the U.S. Army Corps of Engineers over the water quality and fish kills many of our communities are experiencing. Clean water is a resource our state prides itself on protecting, and your advocacy embodies that commitment. We are writing, however, to bring to your attention the critical role one of your agencies played in the rise of these concerns and the conditions we are now facing: violations of communities' right to clean water, a looming threat for many more communities' water, and millions of dollars in costs to communities as a direct result of the state's advocacy.

Though it is easy to regard this as a Federal issue and think an agency like the Corps is thus responsible, the State's overwhelming support of plaintiffs seeking to improve salmonid populations in the Upper Willamette River under the Endangered Species Act cannot be ignored. Despite the Corps and other defendants' staunch opposition to plaintiffs' proposed remedies due to fears of far-reaching negative impacts including to human health and safety, ODFW was resolute in their support of the remedies. The State's testimony was critical in U.S. District Judge Marco A. Hernandez filing the injunction in 2021 which forced the Corps to conduct drawdowns of Willamette Basin dams—including the devastating deep drawdowns at Green Peter Dam and

Lookout Point Dam. ODFW's overwhelming support for plaintiffs and utter dismissal of the Corps' concerns can be summed up in one quote from their reply brief:

"Nothing in the Federal Defendants' response brief or declarations has shaken [ODFW]'s support for remedies proposed by plaintiffs. To the contrary, the Federal Defendants' response underscores the need for the Court to enter the proposed remedies..."

When the Corps raised concern these measures would force them to violate state standards in water quality and that the state would need to alter our standards for remedies to be in compliance, ODFW denied any change to standards was necessary and argued that the Corps was "over simplifying" the situation. The agency went even further in their advocacy, assuring the Court that these drawdowns would in fact *improve* water quality, and that "the potential for conflicts have been considered and addressed." Yet no provisions were included in the remedies to mitigate the negative impacts on anything but Chinook Salmon.

We understand you were not Governor at the time this injunction was ordered, but that doesn't diminish the State's obligation in the problems occurring today due to ODFW's role in that trial. Oregon has a responsibility to balance the priorities of our state and ensure the protection of our communities, waters, and our ecosystems as a whole—not just a single part. In failing to do so, the State paved the way for the Corps' and other Defendants' fears of negative impacts—to water quality, to neighboring communities' water supply, to other species sharing our water ways, to agriculture's irrigation abilities, and to economies who rely on recreational tourism—to become the reality for our region, proving those concerns were not the mere "deflections" ODFW dismissed them as being. The State demonstrated a unilateral priority of one salmonid species—regarding as irrelevant anything that didn't have direct impact to that species, including human health and safety, the thousands of Kokanee Salmon in Foster Reservoir, and the economic losses in the communities surrounding these waterways.

ODFW failed to give adequate consideration to the warned far-reaching and truly devastating impacts on the priorities of our state beyond a single species. As such, we need for you and your agencies to champion the balanced solutions Oregon deserves, and prioritize mitigating the harm inflicted to our rural communities because of these orders.

The injunction resulted in concerning drawdowns at many of the 13 dams in the Willamette River Basin, but the epicenter of the fallout is truly the deep drawdowns at Green Peter Dam and Lookout Point Dam. The communities of Lebanon and Sweet Home have experienced raw water turbidity levels as high as 350 NTU (nephelometric turbidity units), far surpassing the usual wintertime average of 15 NTU, and even the storm-event spikes of 50 NTU. Water treatment plants for communities were planned according to historic NTU levels our waterways may experience, and have caused plants to be grossly inadequate to process these incredible turbidities without added costs, increased chemical usage, and prematurely depleting their membrane longevity. The long-term impacts on the treatment plants are still being assessed, but replacement of the membranes alone will cost these cities several million dollars, and the necessary pre-treatment installations will cost many more millions—which communities cannot afford.

There are some who think that the consequences of these drawdowns will not persist beyond the winter months—as the Corps has already begun refilling the reservoirs; but there are serious concerns that the reservoirs will not be restored to previous levels by spring and summer. Lower pool levels will reduce summer flows in our rivers and heighten the risk of wells running dry, exacerbating water scarcity, and impacting local communities as well as irrigation districts. These impacts have already started just outside Lowell near Dexter Reservoir, and are likely to spread to other communities as we proceed into summer months. The reduced reservoir capacity also threatens economic stability as communities face losses in recreation and tourism, leading to further declines in revenue and employment opportunities, such has already been reported for many businesses in Sweet Home.

Looking ahead to future years, even downstream communities like Salem face an imminent threat to their water supply if the deep drawdown orders are expanded. Salem and communities upstream toward Detroit Dam rely on the North Santiam for their water supply, and their treatment systems are ill-prepared to endure anywhere close to the turbidity levels that have been seen in the South Santiam and the Willamette's Middle Fork. The long-term consequences extend beyond the immediate challenges some communities are enduring, as the cumulative impact may strain municipal resources throughout the river basin, necessitate costly infrastructure adjustments, and adversely affect the overall well-being of our communities—especially disrupting the wildfire recovery efforts in the Santiam Canyon as it sustains the incredible losses of recreation tourism (estimated at up to \$11M per year) which it has relied on for decades.

It is imperative that the State of Oregon takes a stand in mitigating the fallout from decisions it so strongly advocated for, but also to show Oregonians that there are no double standards between the expectations of government entities and private entities when it comes to the protections of our natural resources. When a privately owned and managed dam in Douglas County needed to conduct a drawdown for repairs, and the negative impacts and fish kills were more than engineering firms anticipated, ODFW took action to hold them accountable filling a \$27.6 million claim against the Winchester Water Control District (WWCD) on the basis that the losses were "significant and preventable". Yet when the managing entity of the Willamette River Basin dams (the Corps) objected to mandated drawdowns due to the overwhelming risk of negative impacts, the State chose the opposite course of action: advocating for the remedies which have resulted in, likewise, significant and preventable losses—including an unfathomable amount of dead Kokanee in Foster Reservoir. The entities who advocated for those remedies should be held accountable for the losses incurred, no differently than what ODFW did with WWCD—which should include the State of Oregon.

As a result of the widespread negative environmental and economic consequences stemming from the deep drawdowns at Green Peter and Lookout Point Dams, we respectfully request your assistance in mitigating damages and fostering a more equitable and community-inclusive approach to managing our dams. We urge you to not only advocate for the allocation of \$45 million* in emergency funding to cover the incurred costs communities have sustained due to the turbid waters, but also to advocate for additional funding as costs continue to be assessed. We also urge you to push for a modification to Judge Hernandez's 2021 injunction to require a

balanced approach of priorities and representation for our communities during future management decisions of our dams. Letting our rural communities have more of a say in the management of our own resources will ease many of the tensions that continue to fuel the urban and rural divide our state faces, while also leading to more balanced decisions that weigh water, fish life, and the economic impacts nearby localities will sustain.

Respectfully,

Fred Girod Cedric Hayden

State Senator, District 9 State Senator, District 6

Jami Cate John Lively

State Representative, District 7 State Representative, District 11

Charlie Conrad Ed Diehl

State Representative, District 12 State Representative, District 17

Roger Nyquist Will Tucker

Linn County Commissioner Linn County Commissioner

Sherrie Sprenger Danielle Bethell

Linn County Commissioner Marion County Commissioner

Kevin Cameron Colm Willis

Marion County Commissioner Marion County Commissioner

David Loveall Ryan Ceniga

Lane County Commissioner Lane County Commissioner

Mayor Kenneth Jackola Mayor Susan Coleman City of Lebanon City of Sweet Home

Mayor Steve Horning Mayor Ron Evans City of Turner City of Gates

Mayor Jim Trett Mayor Brian Lewis City of Detroit City of Sodaville

Mayor Justin Cary Mayor Don Bennett City of Waterloo City of Lowell

Mayor Tim Kirsch Mayor Adam Craven

Mill City City of Brownsville Mayor Michael Myers City of Jefferson Mayor Scott Cowen City of Millersburg

Brent Stevenson Santiam Water Control District

	ALBANY	LEBANON	SWEET HOME	LOWELL
PRETREATMENT INSTALLATION/RETROFITS	\$15,000,000	\$15,000,000	TBD	\$1,000,000
MEMBRANE REPLACEMENT	\$1,800,0000	\$3,000,000- \$5,000,000	TBD	TBD
ADDED CHEMICAL TREATMENT & LABOR	\$15,000	TBD	\$17,518.06	TBD
WELL REPLACEMENT & DEEPENINGS			TBD	\$150,000
ECONOMIC LOSSES	TBD	TBD	10% Minimum	TBD

Total Costs Incurred: \$37,982,518.06



LOC News

City Leaders Urged to Advocate on Public Safety Recommendations

The LOC is requesting city leaders convey their support for the **comprehensive recommendations** issued by the League and its partners to address Oregon's addiction and community safety crisis. During the upcoming short session, the Legislature is expected to address shortcomings in Oregon's current approach to addiction policy. LOC staff have developed several resources to assist cities in their efforts, including:

- A webinar briefing on the recommendations and action plan;
- •An action plan for city leaders; and
- A guide to overcoming objections.

This request is beyond conveying support for a bill via email or phone calls; it involves asking city leaders to engage with other elected officials, community interests and local media to generate broad support for our objectives.

Contact: Scott Winkels, Lobbyist - swinkels@orcities.org

Last Updated 12/22/23

S. Scott McDowell

From: Oregon Secretary of State <Oregon.SOS@public.govdelivery.com>

Sent: Wednesday, December 20, 2023 8:03 AM

To: admin@ci.brownsville.or.us

Subject: Measure 110 Grant Funding Has Helped Expand Community-Based Drug Treatment

Services, but Significant Challenges Remain

PRESS RELEASE



CONTACT: Laura Kerns | (971) 707-0313 | laura.kerns@sos.oregon.gov

Measure 110 Grant Funding Has Helped Expand Community-Based Drug Treatment Services, but Significant Challenges Remain

SALEM, OR — Funds from Ballot Measure 110 have expanded community-based treatment and recovery services for drug and alcohol use, but challenges remain to fully implementing these services and measuring results, according to a review released today by the Oregon Audits Division.

Measure 110 was passed in 2020 to decriminalize possession of small amounts of drugs and provide additional funding for treatment. Since then, Oregon has continued to struggle with an epidemic of drug use, fueled in part by an explosion in fentanyl use. In 2018, 690 pills were seized in Oregon and Idaho's high-intensity drug trafficking area; in 2022, it was more than 3 million.

Today's report is a legislatively mandated auditor review focused on services provided through Behavioral Health Resource Networks established statewide in July 2022. The networks have helped expand community-based treatment (including peers who have been through treatment themselves), harm reduction services, and housing for people awaiting treatment, in treatment, and in recovery.

"Since it's been implemented, the top question on everyone's minds has been: Is Measure 110 working?" said Audits Director Kip Memmott. "It's a complicated question to answer and much of

the public conversation about Measure 110 is outside the scope of this review. We identified important progress being made, but it's clear there is still much work to be done. We'll be conducting another audit of Measure 110 where we plan to more directly assess program efficacy."

Measure 110's Oversight and Accountability Council (OAC), supported by the Oregon Health Authority (OHA), approved \$264 million in grants through December 2023 to 233 network service providers. The OAC, which includes members with experience in substance use disorder services, expects to award another \$150 million through June 2025, drawing on tax revenue from cannabis sales.

However, significant challenges remain. In the first year of the grants — two-thirds of the way through the initial grant term — providers reported spending just over a third of grant funds amid difficulty hiring staff and other obstacles. It also remains unclear if OHA will have enough data to demonstrate Measure 110's effectiveness by the end of 2025, five years after the measure passed.

Findings from today's report include:

- The \$260 million in grants has successfully helped expand community-based services and, despite some challenges, helped deliver accessible services to highly vulnerable people.
- The OAC prioritized cultural competence among grantees. This focus is likely to improve service access statewide and help address inequities in substance use treatment and outcomes.
- BHRN providers have increased spending and clients served, but the first year of reporting showed limited spending and services. During this time, there was difficulty hiring staff and other challenges, meaning some of Oregon's 42 networks may not yet be providing all required services.
- It's not clear how many providers of culturally specific services were funded to help serve populations most affected by the war on drugs, an important part of the measure. Auditors found the grant process needs improvement to better attract community-based applicants.
- OHA publishes BHRN spending and the number of clients served, but the agency could better demonstrate impact through additional reporting on staffing, services, and capital expenditures.
- OHA is developing a new system for collecting more detailed behavioral health service data, but it remains uncertain if the agency will have adequate data to demonstrate M110's effectiveness.

"Measure 110 has been a topic of intense interest and public scrutiny both here in Oregon and nationwide," Memmott said. "It's the reality of being the first state in the nation to adopt such a unique and unprecedented approach to substance abuse treatment. As it says in the report, collecting, assessing, and reporting key performance and outcome data is critical for determining if this unparalleled drug treatment approach is effective."

This is the second report focused on Measure 110 released by the Oregon Audits Division. The first, a <u>real-time performance audit, was issued in January 2023</u>. Another legislatively mandated audit is due for release before the end of 2025.

Read the full report on the Secretary of State website.

###

About the Oregon Audits Division

The division exists to fulfill the Secretary of State's constitutional and statutory audit authority. We do this by auditing to protect the public interest and improve Oregon government. Our vision is to be the source of

independent, reliable, useful, and timely information on state government operations and programs for the Governor, Legislature, and people of Oregon; and to provide transparency and accountability for the use of public resources.

About the Oregon Secretary of State

The Oregon Secretary of State is one of three constitutional offices created at statehood. Oregon's Secretary of State is Oregon's chief elections officer, chief auditor, chief archivist, and oversees business and nonprofit filings. The Secretary of State also serves as one of three members of the State Land Board and as the chair of the Oregon Sustainability Board. Under Article V, Section 8a of the Oregon Constitution, if there is a vacancy in the office of Governor, the Secretary of State becomes governor. As an independently elected constitutional officer, the Secretary of State answers directly and solely to the people of Oregon.

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S. Scott McDowell

From: Oregon DEQ News <ordeq@public.govdelivery.com>

Sent: Thursday, December 21, 2023 3:27 PM

To: admin@ci.brownsville.or.us

Subject: DEQ issues 16 penalties in November for environmental violations



NEWS RELEASE

DEQ issues 16 penalties in November for environmental violations

Date: Dec. 21, 2023

Statewide, Ore.— The Oregon Department of Environmental Quality issued 16 penalties totaling \$629,151 in November for various environmental violations. A detailed list of violations and resulting penalties is at <a href="mailto:orege-environmental-organic-orege-environmental-organic-or

Fines ranged from \$1,125 to \$500,000. Alleged violations included a pallet business discharging waste without a permit, a state agency failing to submit their annual report, and an auto parts business failing to clean up multiple oil spills. Additionally, DEQ fined Schnitzer Steel Industries Inc., recently renamed Radius Recycling, \$500,000 for air quality violations related to the facility's metal shredder. DEQ announced this enforcement action separately on Nov. 7 and the fine is included in this monthly total.

DEQ issued civil penalties to the following organizations and individuals:

- CECO Inc., Myrtle Point, \$1,894, air quality permitting
- City of Klamath Falls, Klamath Falls, \$1,500, wastewater
- Coulee Concrete Design LLC, Portland, \$9,000, wastewater
- EFP Manufacturing LLC, Tangent \$1,200, air quality
- FormFactor Inc., Beaverton, \$7,800, wastewater
- Gregory Management LLC, Brightwood, \$30,634, water quality
- Kynsi Construction Inc., Clatskanie, \$19,594, stormwater
- Mario Ruiz dba M R Pallets Co., Portland, \$16,928, stormwater
- Meadows Utilities LLC, Government Camp, \$1,125, wastewater
- Northwest Hardwoods Inc., Garibaldi, \$63,172, stormwater

- Orbit Enterprises, Inc. dba Economy Auto Parts, Portland, \$6,000, hazardous waste
- Oregon Department of Corrections, Salem, \$4,000, air quality reporting
- Pacific Foods of Oregon LLC, Wilsonville, \$9,304, stormwater
- Rolling Frito-Lay Sales LP, Portland, \$12,372, stormwater
- Schnitzer Steel Industries Inc., Portland, \$500,000, air quality
- WPC 59th LLC, Portland, \$7,800, 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 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: Antony Vorobyov, public affairs specialist, 503-887-9113, antony.vorobyov@deq.oregon.gov

###

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



Tuesday, January 9, 2024

Happy New Year!

As we enter 2024 and look forward to all the opportunities that are ahead, we're also taking a moment to reflect on the past year and all we've accomplished together. Today marks the one-year anniversary of Governor Kotek's inauguration, and it has been a busy year! For a look back at some highlights from Governor Kotek's this first year in office, click on the below video message and find a list of accomplishments <a href="https://example.com/here/be/here/b



Of course, there is more work to be done, and we've started 2024 with aspiration and investment in communities around Oregon. Already this year, the Governor has announced a \$25 million partnership with CCOs to expand behavioral health capacity across the state, the first three Oregon CHIPs Act contracts were finalized, and a state of emergency was declared to support communities impacted by December's winter storms. And just today, after preliminary data shows that the state exceeded all three goals set out in the homelessness state of emergency she issued last year, Governor Kotek signed two new executive orders aimed at continuing to advance efforts to tackle the state's homelessness crisis.

These efforts have been informed by the Governor's visits to all 36 counties and the conversations she and her staff have had with local leaders across the state... including you! Thank you for your generosity of presence and warm welcome to the Governor and the Regional Solutions Team as we've gotten to know you this year. Building these strong, working partnerships across Oregon and listening to Oregonians in their home communities to hear their hopes, challenges, will help the state be a partner on key priorities and issues unique to each county. We are excited to continue this work with you!

Regional Updates

<u>Eastern Oregon – Courtney Crowell</u>

- Walla Walla River Basin Challenges: After touring the Walla Walla basin with the CTUIR and
 OWRD back in early December, Regional Solutions helped to coordinate a meeting with CTUIR,
 OWRD and Oregon Solutions this week to discuss the possibility of Oregon Solutions doing an
 assessment into whether this might be a possible Oregon Solutions project in the future. Oregon
 Solutions was successful in helping this community with different issues along this river back in
 2010 so there is interest in them potentially playing a similar role moving forward.
- Highway 20 Wildlife Crossing Project: Now that the Highway 20 wildlife crossing project has been officially named an Oregon Solutions project, Regional Solutions has been working directly with Oregon Solutions to set up one-on-one meetings with key stakeholders prior to kicking off the project. Because the assessment for this project was over a year and a half ago, we are making sure to reconnect with stakeholders prior to kicking things off. Regional and Oregon Solutions are planning a two-day trip to Vale and Burns in the coming weeks to engage with stakeholders.
- La Grande Housing Opportunities: Regional Solutions had the opportunity to connect with a
 local housing developer who is working on various housing projects across Eastern Oregon. It
 was great to talk about the opportunities and challenges for housing in Eastern Oregon and the
 cost of infrastructure to get both affordable and workforce housing developed in Eastern
 Oregon.

North Central – Courtney Crowell

• Hood River Transportation Signal Project: Regional Solutions participated in a meeting between the City of Hood River and ODOT on a proposed temporary traffic signal in Hood River that would benefit a local housing development that is looking to get underway. The City of Hood River would like ODOT to approve a temporary traffic signal for the next few years while they work on a long-term solution for that intersection. Everyone agrees that there probably needs to be a fix in this location regardless of the development opportunities and ODOT is willing to work with the city of Hood River to figure out what the options are moving forward. We ended the meeting with the city of Hood River planning to get traffic data to ODOT and then beginning to talk next steps on options.

<u>South Central Region – Zavier Borja</u>

- Klamath County:
 - Regional Solutions has been working very closely with the Klamath Tribes on what is now
 final leg of getting their Project Turnkey timeline funding extended. Alongside DAS, Oregon
 Community Foundation, and the Governor's housing policy advisors. Regional Solutions has
 also been working with Oregon Kitchen Table and the Tribes on the Monsanto settlement,
 ensuring the Klamath Tribes are aware and engaged in these funding allocations.
 - The County is exploring a natural resource enhancement project that would also provide potential opportunities for recreation along Lake Ewauna Regional Solutions and Business Oregon have been in communication with Commissioners on a path forward.
- Lake County: Lakeview, Paisley, and Christmas valley are all exploring opportunities for renewable energy projects in the form of solar, wind, biofuels and geothermal. Most recently, on Dec. 5th Regional Solutions, all three County Commissioners, Town Manager, Rep. Owens, and Sen. Findley all gathered alongside NXTClean Fuels CEO and Jacobs, Geothermal District Energy Consultants North America. Doing site visits in Paisley at Surprise Valley Electric and the previously known Red

Rocks Project site, which is now operated and owned by NXT Clean. Leaning and centering conversations around repair and how to optimize the current geothermal sites to evaluate, identify, and collect data for amount of energy production possibilities. Lastly, collaboration: how can we work together.

<u>Central Region – Zavier Borja</u>

Deschutes County: Actively involved and engaged on several big projects happening in the area, including the 900 acres of annexed land in southern Oregon – working with ODOT, City of Redmond, EDCO and DSL, and the CORE3 project <u>CORE3 Center Home » Central Oregon Ready Responsive</u>
 Resilient

North Coast, South Coast, and Southern Oregon

State of Emergency Declared in Jackson, Curry, Douglas, Coos and Tillamook Counties: Executive
 Order 24-01, issued by Governor Kotek on January 5th, directs the Oregon Department of
 Transportation (ODOT) to provide appropriate assistance and seek federal resources that will go
 towards rebuilding and counteracting damage from the storms. This support will augment the
 important work done by local leaders, service providers and state agency personnel who partnered
 to provide immediate aid in affected communities.

Resources and Opportunities

ODHS Resilience Survey: The Oregon Department of Human Services (ODHS), Office of Resilience and Emergency Management (OREM) has been conducting a listening tour across the state to receive feedback from communities to best inform the Resilience Hubs and Networks Grant assigned to ODHS through House Bill 3409 which will open in January, 2024. The agency is also conducting a survey as an extension of that listening tour to gather as much information from as many people as possible.

Click Here to Start the Survey

Please take a few minutes to answer the questions in the survey to be sure your voice is heard and forward the link to anyone you think may be interested. This survey is not an application for that grant, and completion of this survey does not affect one's ability to apply for the grant in any way. To receive updates and more information about the grant, you can provide your email at the end of the survey. **The survey will be open through January 15, 2024.**

Oregon Parks and Recreation Department Local Government Grant Program: Applications are now open for the Local Government Grant Program (LGGP), a voter approved, State lottery funded grant program administered by the Oregon Parks and Recreation Department. In 2024, the LGGP has \$30 million in grant funds available to help local government agencies fund everything from playground equipment and restrooms to splashpads and bike paths. This is more than double the funds available last year and the most ever available in one grant cycle.

The LGGP is a competitive grant program designed to help local government agencies fund projects to acquire, develop and rehabilitate parks and public outdoor recreation areas and facilities. Eligible applicants are cities, counties, metropolitan service districts, park and recreation districts, and port districts. The maximum awards range from \$50,000 for planning grants to \$1 million for large projects.

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.
 - \star Participate in regional efforts and opportunities with partner cities.
 - \star 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.

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
- 2. Water
- 3. Sewer
- 4. Capital Improvements
- 5. Parks
- 6. Streets

- 7. Contract Administration
- 8. Personnel
- 9. Police Protection
- 10. Municipal Court
- 11. Library Services
- 12. Planning & Zoning

Organizational Development

- 1. Elected & Appointed Officials. People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
- 2. Staff. People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
- 3. Organizational Axiom. Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.
- 4. 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

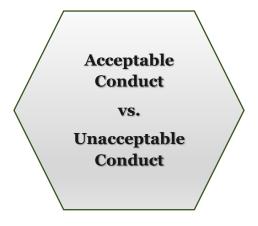
- 4. Implement & Execute
 - 5. Review Outcomes

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

Program grants are split into large, small and planning categories. Application deadlines vary by grant type:

- Large grant application deadline (\$1,000,000 maximum award): April 1
- Small grant application deadline (\$100,000 maximum award): May 1
- Planning grant application deadline (\$50,000 maximum award): May 15

Learn more about applying for the grants at an online workshop taking place **February 6**th **from 9:00-10:30** am. Register at https://www.oregon.gov/oprd/GRA/pages/GRA-lggp.aspx. A recording of the workshop will be available after Feb. 6th at https://oprdgrants.org/ (select Grant Programs from the drop-down menu, then Local Government).

For more information about the LGGP program visit the OPRD website.

MONTH END FINANCIAL RECAP

	DECEMBER 2023							
	REVENUE	EX	PENDITURES	YTD	%	Ţ	Unexpended	
1 GENERAL	\$ 227,475.39	\$	382,140.75	\$ 2,000,366.69	43.72%	\$	2,574,640.31	1
2 WATER	\$ 42,083.18	\$	45,013.73	\$ 302,606.74	21.38%	\$	1,113,043.26	2
3 SEWER	\$ 41,604.93	\$	18,951.23	\$ 169,853.48	17.74%	\$	787,736.52	3
4 STREETS	\$ 18,988.27	\$	14,764.94	\$ 105,977.35	30.35%	\$	243,157.65	4
5 WATER BOND	\$ 470.62	\$		\$ 33,272.73	53.67%	\$	28,717.27	5
6 SEWER BOND	\$ 987.25	\$		\$ 221,741.63	49.94%	\$	222,258.37	6
7 SEWER DEBT FEE	\$ 12,121.40	\$	-	\$ 78,401.45	54.03%	\$	-	7
8 BUILDING & EQUIPMENT	\$ 800.40	\$	-	\$	0.00%	\$	188,800.00	8
9 WATER RESERVE	\$ 2,665.60	\$	-	\$ -	0.00%	\$	175,300.00	9
10 HOUSING REHAB	\$ 971.29	\$		\$ -	0.00%	\$	222,000.00	10
11 WATER SDC	\$ 3,181.96	\$		\$	0.00%	\$	241,960.00	11
12 SEWER SDC	\$ 8,660.25	\$	- I	\$ ///	0.00%	\$	758,500.00	12
13 STORMWATER SDC	\$ 3,263.53	\$	-	\$ -	0.00%	\$	277,575.00	13
14 BIKEWAY/PATHS	\$ 398.11	\$	-	\$ •	0.00%	\$	63,730.00	14
15 LIBRARY TRUST	\$ 33.49	\$	-	\$ -	0.00%	\$	7,650.00	15
16 CEMETERY	\$ 36.47	\$	-	\$ 	0.00%	\$	9,040.00	16
17 TRANSIENT ROOM TX	\$ (L) (A)	\$	-	\$	0.00%	\$	-	17
18 SEWER CONSTRUCTION	\$ 	\$	-	\$ - //	0.00%	\$	_	18
19 LAND ACQUISITION	\$	\$	-	\$ - ////	0.00%	\$	9,985.00	19
20 COMMUNITY PROJECTS	\$ 377.12	\$	1,500.00	\$ 10,523.00	13.98%	\$	64,727.00	20
	\$ 364,119.26	\$	462,370.65	\$ 2,844,341.62				

Key Bank Acco	unt			2023-2024	YTD	% of Total
General Checking	\$	125,971.27		Appropriated	\$ 6,988,820.38	28.93%
Oregon State Treasury	\$	5,622,610.43				
Community Improvements	\$	177.29		Total Bonded Debt (Principal Only)		
Project Escrow Holding	\$	91,111.74				
Project Holding Acct #2	\$	-	CLRC Loan Payment		\$ 6,142,195.00	
CLRC Renovation Acct	\$	614,550.33	[\$57,996.99]	Total Bonded Debt is \$8,691,081 (Principle & Interest)		
TOTAL OST / LGIP	\$	6,328,449.79				
Annual Bond Pay	me	nt		ARPA Funds SLFRP	\$404,801.67	Total Funds Receive
Water	\$	45,167.05		(American Rescue Plan Act)	\$202,457.75	Funds Disbursed
Wastewater	\$	307,259.95				
Total	\$	352,427.00		Previous Month Court Revenue \$946.50		