

# Council Agenda Packet

Tuesday, March 26<sup>th</sup>, 2024 | 7:00 p.m. | Council Chambers | In-Person



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| ★   | <i>Please visit:</i> <a href="https://www.ci.brownsville.or.us/citycouncil">https://www.ci.brownsville.or.us/citycouncil</a> for these preparation documents, 1) OGEC Statement of Economic Interest (SEI) Information, 2) Draw Down Round Table Information, 3) 2023 CIS Annual Report, 4) 2023 OSU Extension Annual Report, and 5) Updated Link Information that includes Linn County News, RAIN Quarter IV Report and more. |



## Council Meeting

Tuesday, March 26<sup>th</sup>, 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: February 27<sup>th</sup>, 2024
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. Linn County Clerk's Office | *Marcie Richey & Derrick Sterling*
  - B. Brownsville Chamber of Commerce | *Jenna Stutsman*
  - C. Consumer Confidence Report | *Karl Frink*
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administrator
  - D. Planning
  - E. Library
  - F. Office
  - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
  - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
  - A. **Resolution 2024.05:** Workers' Compensation
  - B. **Proclamation:** Child Abuse & Prevention Month



10) ACTION ITEMS:

- A. Linn County Pioneer Association | Road Closure Request (*Annual*)
- B. Napa Road Closure Request
- C. Natural Hazard Mitigation Plan (*NHMP*)

11) DISCUSSION ITEMS:

- A. Nuisance Abatement Process Modification | LCSO
- B. General | Clean-up Day & Wind Machines
- C. February 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

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February 27<sup>th</sup>, 2024

**ROLL CALL:** Mayor Craven called the meeting to order at 7:02 p.m. with Council President Chambers, Councilor Hansen, and Councilor Solberg present. Administrative Assistant Elizabeth Coleman, Librarian Sherri Lemhouse, Administrative Assistant Jannea Deaver, Public Works Superintendent Karl Frink, and City Administrator Scott McDowell were also present.

**ABSENT:** Councilor Humphreys & Councilor LaCoste were excused.

**PUBLIC:** Chenoweth Robertson, Heidi Winklepleck, Barbara Andersen, Tricia Thompson, Steve Van Sandt (7:32 p.m.), Joshua Stanley & Joe Ashcraft (*Sweet Home Sanitation*), Tia Parrish (*The Times*), Sergeant Steve Frambes (*Linn County Sheriff's Office*).

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** Mr. McDowell added 10) C. Cascade West Council of Governments Meals on Wheels annual request.

**MINUTES:** Councilor Solberg made a motion to approve the January 23<sup>rd</sup>, 2024, meeting minutes as presented. Councilor Chambers seconded the motion and the motion passed unanimously.

Councilor Winklepleck made a motion to approve the February 8<sup>th</sup>, 2024, goal setting minutes as presented. Councilor Chambers seconded the motion and the motion passed unanimously.

## **PUBLIC HEARING | PRESENTATIONS:**

- Sweet Home Sanitation.** Joshua Stanley reviewed Brownsville operations stating that 690+ tons of trash, 248 tons of yard waste & 122 tons of recycled material were removed from Brownsville in 2023. Last year's Cleanup Day removed over 12 tons of material. Cleanup Day 2024 will be held Saturday April, 6<sup>th</sup>, 2024 in the Rec Center parking lot. On October 5<sup>th</sup>, 2024 Sweet Home Sanitation will be hosting a Household Hazardous Waste Day in Sweet Home. They have 768 customers in Brownsville. Stanley said that safety is very important to Sweet Home Sanitation and he is happy to report that there have no accidents of any kind, company-wide, for nearly two years. He said there are two full-time customer service representatives that handle Brownsville. They have a veteran staff of employees & drivers working in Brownsville. Stanley said costs continue to rise in part by Department of Environmental Quality (DEQ) requirements of waste haulers. Councilor Winklepleck relayed that he loves the app. He asked is they could put the Cleanup Day & Household Hazardous Waste Day on the app too. Councilor Hansen extended appreciation for the office staff and the drivers. Tricia Thompson asked about glass recycling. Stanley said that glass is initially hauled to Eugene and then up to Portland to be recycled.
- LCSSO Statistics Website Review.** Sergeant Frambes reviewed the reason people are being pulled over for insurance. State Law requires insurance carriers to notify the DMV of uninsured motorists. The Sheriff's Office is pulling over motorists who show they have no insurance in the system. Several folks have been cited because have had their license revoked. Frambes demonstrated the statistics on the Sheriff's web database. Overall, Brownsville is a safe place to live, and the Sheriff's Office is committed to doing what they can to maintain the peace. Mayor Craven relayed that he has received several positive comments about the traffic enforcement that the Office is doing in town.



## Council Minutes

3. **Rec Center Renovation Supplemental Budget Hearing.** Mayor Craven stated that the City procured gap financing for the completion of the Rec Center Renovation project at the end of last fiscal year. The City needs to adopt a supplemental budget in order to appropriate and expend these funds. Mayor Craven opened the floor to any member of the public wishing to speak on this matter. No one spoke. Mayor Craven closed the floor.
4. **City & EPC Website Reviews.** McDowell provided Council with an overview of the City websites showing the information available and the overall functionality of both the City website and the Emergency Preparedness website.

### **DEPARTMENT REPORTS:**

1. **Linn County Sheriff's Office (LCSO) Report.** Provided above.
2. **Public Works.** Public Works Superintendent Karl Frink reported on the many items Public Works completed at the Rec Center. Several items remain to be finalized by the contractor. Frink reported that 87+ million gallons of wastewater was discharged into the Calapooia river under the requirements of the City's NPDES permit from January 3<sup>rd</sup> through February 17<sup>th</sup>. Frink reported that things are going well with the GR12 waterline installation and improvements. The ice storm caused a lot of cleanup in Pioneer Cemetery.
3. **Administration.** Administrator Scott McDowell shared highlights from the Rec Center Open House thanking Staff, community partners and all who have worked on this major renovation. The GR12 project looks like it will be completed by the end of March. McDowell met with the Central Linn Recreation Association to express gratitude for the way the group has managed basketball season during this transition. There will be many details that will continue to be perfected over this next year as we settle into normal use at the Rec Center. Staff will be attending the annual CIS insurance conference in Salem. Recreational immunity, SB 1576, passed the Senate and is currently being considered by the House. McDowell thanked Mayor Craven & Council for their efforts on advocacy. McDowell said that the City received a letter from the Calapooia Food Alliance has found land to hold this year's Farmers Market.
4. **Planning.** No comments.
5. **Library.** Librarian Sherri Lemhouse talked about the history room showing the transformation through the years. Claudia Douglas has been a tremendous asset in organizing the information and making the room functional for the public. There are 115 years of the Brownsville Times in the room along with many other items of local historical interest including pioneer interviews done by Leslie Haskins. Lemhouse encouraged everyone to take advantage of the many programs that are held at the Library highlighting the program on Hospice and the World Cultures series.
6. **Office.** No comments.
7. **Court.** No comments.
8. **Council Comments.** No comments.
9. **Citizen Comments.** No comments.

### **LEGISLATIVE:**

1. **Resolution 2024.03: Solid Waste Rates.** Councilor Chambers expressed her concern with the cost of everything going up. She understands that costs go up, but she does not like it.



*Councilor Solberg made a motion to approve R 2024.03. Councilor Hansen seconded the motion and it passed unanimously.*

2. **Resolution 2024.04: Rec Center Renovation | Supplemental Budget.** *Councilor Solberg moved to approve R 2024.04. Councilor Hansen seconded the motion and it passed unanimously.*

## **ACTION ITEMS:**

1. **Council Goals Review.** McDowell briefly highlighted discussion points from the February 8<sup>th</sup>, 2024, Goal Review session. Council has completed many of the goals set last year. The City is spending a lot more money than normal due to the Rec Center Renovation project and the GR12 Waterline project. Many of the other priorities are making substantial progress as well including the Rural Economic Alliance, advocacy efforts, the water conservation plan and other priorities identified by Council. Council had no other items to add to the goals for the remainder of 2024.
2. **Appoint Parks & Open Space Advisory Board Member.** The City received two applications for the Parks & Open Space Advisory Board opening. Councilor Chambers nominated Rick Morrow for the position. Councilor Winklepleck seconded the nomination. No other nominations were made. Councilor Hansen was grateful that the City received two impressive candidates.

*Councilor Winklepleck moved to appoint Rick Morrow to the Parks & Open Space Advisory Board. Councilor Chambers seconded the motion and the motion passed unanimously.*

3. **Meals on Wheels.** Mr. McDowell received a letter from the Cascade West Council of Governments about continuing the City's partnership for the Meals on Wheels program. Councilor Chambers considered increasing the donation due to rising costs. Councilor Solberg and Councilor Hansen felt that the request should stand as presented.

*Councilor Solberg moved to approve continuing City support of the Meals on Wheels program I the amount of \$1,300 as requested by the Cascade West Council of Governments. Councilor Winklepleck seconded the motion. A vote was called for with all Councilors and Mayor voting for the motion except Councilor Hansen who abstained for familial reasons.*

## **DISCUSSION ITEMS:**

1. **Nuisance Abatement Process Modification.** McDowell shared how nuisance abatement has changed over the last five or six years. Nearly all residents keep their properties in compliance with the Brownsville Municipal Code. The City deals with about fifty or so nuisance concerns every year, and most residents comply with the ordinance upon being posted. There is, however, a percentage of repeat offenders that make wild claims against City Staff, fight with neighbors, and choose to not comply over and over. McDowell shared two specific instances when dealing with nuisance abatements that have been dangerous. McDowell asked if Staff could modify the ordinance to better deal with repeat offenders. Council agreed to move forward with hearing a formal proposal by consensus.
2. **Potential Pioneer Park Event.** McDowell indicated that the City entered into a non-disclosure agreement with an event organizer to entertain a proposal for using Pioneer Park for a three-day event. After meeting with the event organizer, the proposed logistics do not work in the Park due to number of attendees and other elements of the plan. The proposal included the City providing financial support and providing operational help such as developing fire & life safety plans. Staff shared concerns about recreational immunity, ingress & egress, and the sheer numbers of people who could potentially attend this event. McDowell recalled a situation with the circus many years



ago. The City denied the circus due to logistics and the potential for negative impact to facilities such as the baseball diamonds. Council agreed that moving forward with the current is not prudent.

3. **January Financials.** No comments.

**CITIZEN QUESTIONS & COMMENTS.** No comments.

**COUNCIL COMMENTS.** No comments.

**ADJOURNMENT:** *Councilor Hansen moved to adjourn at 8:38 p.m.*

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City Administrator S. Scott McDowell

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Mayor Adam Craven



# City Administrator Report

March 26<sup>th</sup>, 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, ☒, it means more information will be provided at the meeting.

“If we can laugh together, we can live together.”  
~ Mike James, Comedian

“Do what you can, with what you have, where you are.”  
~ Squire Bill Widener

“If you want to look good in front of thousands,  
you have to outwork thousands in front of nobody.”  
~ Damian Lillard, Basketball Player

*Due to a family emergency, I was able to complete my report and packet as I normally do. I will provide oral reports on Tuesday evening provided I have returned from Indiana.*

## AGENDA ITEMS DISCUSSION

The following items follow the order of the Agenda

### 6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Linn County Clerk’s Office** – Council has invited the Linn County Clerk’s Office to Council meeting. Linn County Clerk Marcie Richey and Deputy Clerk Derrick Sterling will give a presentation about the elections process employed and executed by the County.
- B. **Brownsville Chamber of Commerce** – President Jenna Stutsman will provide Council with the Chamber’s annual report and 2024 events.
- C. **Consumer Confidence Report** – Public Works Superintendent Karl Frink will review the annual report providing insights on the City’s water treatment process.



Jenna Stutsman

### 9) LEGISLATIVE:

- A. **Resolution 2024.05: Workers’ Compensation (Annual)** – Annually, Council passes this resolution to extend coverage to all volunteers working on behalf of the City including the elected & appointed officials.





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

Pass the resolution to cover volunteers working on behalf of the City.



- B. Proclamation: Child Abuse & Prevention Month** – Linn County requests Mayor Craven acknowledge the month of April to acknowledge, consider, and discuss the data relating to this serious social issue.

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

Mayor Craven will ask for a motion in support of this proclamation.

10) ACTION ITEMS:

- A. Linn County Pioneer Association | Road Closure Request (Annual)** – The Association’s Holly Gosda will be providing a letter to close the roads for the annual Picnic parades.

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

Review the route and consider approving the request.



- B. Napa Road Closure Request** – Local business owner Steve LaCoste is requesting the closure of Park Avenue. Mr. LaCoste hosts a customer appreciation cookout. Historically, the City has allowed the closure if Mr. LaCoste notifies neighbors and names the City additionally insured for the duration of the closure.

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

Allow Park Avenue to be closed provided the requirements of a street closure are met.

- C. Natural Hazard Mitigation Plan (NHMP)** ☑ – Council had requested Staff attend NHMP meetings and report back to Council. I will provide more information at the Council meeting. Basically, the programmatic effort being carried out obligates the City to future planning and expenditures.



11) DISCUSSION ITEMS:

- A. Nuisance Abatement Process Modification** – The LCSO will be assisting with administrative rules for certain portions of this process as it pertains to abandoned vehicles.

*From 02.27.2024:* A recent nuisance abatement brought up procedural and process concerns. Staff would like the opportunity to review this process and possibly bring back an ordinance modification.

- B. General | Clean-up Day & Wind Machines** – Annual reminders.

- C. February Financials**



## UPDATES, INFORMATION & HAPPENINGS

**Budget Meeting** ☑ – Administrative Assistant Tammi Morrow and I attended the annual budget training meeting in Albany on March 6<sup>th</sup>. I will provide a quick oral update for Tuesday evening.

**LCSO Quarterly Meeting** – Councilor Winklepleck, Councilor Chambers and I attended the latest quarterly meeting with the Sheriff on March 14<sup>th</sup>. Councilor Winklepleck will provide an oral report Tuesday evening.

**CIS Annual Conference Report** ☑ – Administrative Assistant Jannea Deaver and I attended the annual conference in Salem. Highlights included a report on the Grants Pass Supreme Court case, an update on Recreational Immunity restoration efforts, cyber insurance and insurance rate increases. I will provide an oral report for Tuesday evening.

**Goals Report Finalized** – Council approved the updated goals report at the February Council meeting. The new report is part of the agenda packet.

**GR12 Waterline** ☑ – The project continues to progress nicely. Public Works Superintendent Karl Frink will provide a more details report Tuesday evening.

*From 02.27.2024:* Jesse Rodriguez LLC has made considerable progress installing the new raw water line to the Water Treatment Plant. The contractor is waiting on the availability of an important subcontractor that will assist with boring the line through Kirk’s Ferry Park, underneath Main Street, and connecting the bored water line to the traditional water line in between the Moyer House and the Fire Station. Staff is working with Linn County to ensure that two important dates for the Moyer House including a tree dedication in late April and *Carriage Me Back* the first weekend in May are uninterrupted.

*From 01.23.2024:* 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 5<sup>th</sup>. Bids were opened on December 13<sup>th</sup>. City Engineer Ryan Quigley has prepared a bid tally and recommendation for Council’s consideration. Please see Resolution 2023.21 for more information.

**Woodblock Architecture | Rec Center Renovation Project** ☑ – Staff continues to work coordinatting the finishing of punch list items. I will provide an oral report for Tuesday evening.

*From 01.23.2024:* Woodblock, J.E. John, and Staff walked through the Rec Center Renovation project to prepare a punch list on December 20<sup>th</sup>, 2023. Unfortunately, the project was not far enough along to issue the Notice of Substantial Completion which 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 5<sup>th</sup>, 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



# City Administrator Report

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 8<sup>th</sup>, 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 7<sup>th</sup>, 2024 to discuss the parameters for using the space. [...]

**Canal Company** ☒ – The Company met in City Hall as announced in the February Synopsis. The Company appointed a new Board and is interested in reviewing the agreement the City worked on with their old Board members over the last six years.

*From 02.27.2024:* The City has offered placing a meeting announcement for the Canal Company in the upcoming synopsis. Staff is still awaiting a decision.

*From 01.23.2024:* 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>.

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

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

| <i>Year</i> | <i>Month</i>      | <i>Citations</i> | <i>Warnings</i> | <i>Hours</i>  |
|-------------|-------------------|------------------|-----------------|---------------|
| 2024        | February          | 19               | 66              | 212.75        |
| 2024        | January           | 13               | 34              | 204           |
| 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        |
|             | <b>Subtotal</b>   | 211              | 382             | 3785.35       |
|             | <b>Total Ave.</b> | <b>11.72</b>     | <b>21.22</b>    | <b>210.29</b> |



# City Administrator Report

**LCSO Quarterly Meeting** – Councilor Winklepleck, Councilor Chambers and I attended the latest quarterly meeting with the Sheriff on March 14<sup>th</sup>. Councilor Winklepleck will provide an oral report Tuesday evening.

*From 02.27.2024:* The upcoming meeting will be held the second week of March. The exact date is March 14<sup>th</sup>, 2024. Please let Councilor Winklepleck, Councilor Chambers or myself know of any items you would like the LCSO to address at the quarterly meeting.

*From 01.23.2024:* 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.

**Rural Economic Alliance (REAL) Progress** ☒ – *From 02.27.2024:* I will provide an oral report.

*From 01.23.2024:* The next meeting will be held on January 25<sup>th</sup>, 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 30<sup>th</sup>, 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.

**Officials Handbook Update** – *From 01.23.2024:* Staff will soon send out the handbook and acknowledgement forms.

*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)

**Small Municipalities Advocacy Coalition (SMAC)** ☒ – Soon the group will debrief from the short-session and begin planning for the upcoming long-session of the State Legislative Assembly.

*From 02.27.2024:* Efforts continue. Opportunity to comment on TMDL is open! Below are links from DEQ’s Priscilla Woolverton:

Public comment period for the [Willamette Subbasins Temperature TMDL](#) 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: [GovDelivery](#)



## ACTIVE, PENDING, STALLED & COMPLETED

**Facility Rental Schedule | Park Board Recommendation** ☑ – The City continues finalizing details prior to the Rec Center opening for rentals.

*From 02.27.2024:* Staff is still waiting on a few logistical items to finalize before opening the building to the general public. Locks and keys are still being sorted out and there are a few important punch list items that must be addressed.

*From 01.23.2024:* 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.

**Active: River’s Edge Subdivision** ☑ – The City received the as-builts for Phase III. Developer Stephan Smith is working on details for the sale of Phase III.

*From 02.27.2024:* The annual letter has been sent to the residents of the subdivision. Staff have been working on Phase III possibilities with a new, potential contractor. The City is still awaiting as-built plans and other items before the final resolution can be passed.

*From 01.23.2024:* 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 have 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>.



**Pending: TMDL Report** – *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 copious 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. [...]

**Active: Central Linn Recreation Center Meeting** ☑ – *From 02.27.2024:* I will provide an oral report.

*From 01.23.2024:* Councilor Humphreys and I attended the January meeting to review building use, new rules, punchlist items, planning to move back into the Rec Center, and to provide a quick tour.

*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 reviewed several items included a report on the Rec Center Renovation project, the need for alternative scheduling for this year’s volleyball and basketball season, the importance of creating policies & procedures along with other operational considerations.



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

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

**Active: Water Management Conservation Plan** – *From 01.23.2024:* Public Works Superintendent Karl Frink is working on valve replacements and meter replacements at key points before doing system-wide leak detection project.

*From 10.24.2023:* Staff will begin implementing items as identified by Staff and approved by Council. Items include the adoption of a water conservation ordinance, auditing the water distribution system, and the creation of water filling station.

*From 09.26.2023:* The City finally received the final requirements from the Oregon Water Resources Department for the City’s newly adopted Water Management & Conservation Plan (WMCP). Public Works Superintendent Karl Frink and I have reviewed the document and developed an implementation plan for Council’s consideration as promised at the July Council meeting. The plan can be found in its entirety on the City website at: <https://www.ci.brownsville.or.us/citycouncil> under Supporting Documents.



This is an unfunded mandate.

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



**Active: 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 (DCLD)** – *From 12.19.2023:* The planning for the Natural Hazards Mitigation Plan continues with the DCLD. 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.

**Pending: Recreational Immunity Implications** – The bill is awaiting Governor Kotek’s signature at the time of this report.

*From 02.27.2024:* SB 1576 is the bill associated with Recreational Immunity. Many have contacted their Senators to gain consenses for this important bill.

*From 11.28.2023:* Recently, CIS reported that recreational immunity had been threatened 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.

- ★ Approve TMDL Annual Report | The report is currently awaiting review by Priscilla Woolverton.
- ★ FY 2024.2025 Budget: Members, Meeting Schedule & Advertisements | Initial information has been sent to the members of the Committee. Staff have begun updating the website.
- ★ Cemetery Audit | Awaiting any notices from the OMCB.



# City Administrator Report

Respectfully Submitted,

S. Scott McDowell  
City Administrator

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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*





# 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

## 2024

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

**FOR THE MONTH OF: FEBRUARY**

|  |            |
|--|------------|
| <b>TRAFFIC CITATIONS: -----</b>                | <b>19</b>  |
| <b>TRAFFIC WARNINGS: -----</b>                 | <b>66</b>  |
| <b>TRAFFIC CRASHES: -----</b>                  | <b>0</b>   |
| <b>ARRESTS MADE: -----</b>                     | <b>4</b>   |
| <b>COMPLAINTS/INCIDENTS INVESTIGATED:-----</b> | <b>142</b> |

**TOTAL HOURS SPENT:**  
**BROWNSVILLE**  
**212.75 hours**

**CONTRACT HOURS = 200 HOURS**

**Michelle Duncan,  
Sheriff, Linn County**

**By: Sgt. Steven Frambes**



## Library Advisory Board

*Librarian's Report*

February 2024

Here are a few facts about our Library for the month of February 2024. We have received 49 new books for the library. Volunteers donated 119.5 hours to our library. There were 1,330 materials checked out. 372 adult fiction books; 163 adult non-fiction books; 87 audio books; 377 children's books; 193 junior books; 60 junior reference books and 78 large print books.

There was a total of 188 electronic materials checked out. 133 adult fiction books; 32 adult non-fiction books; and 23 junior books. Of these 78 were eBooks and 110 were eAudiobooks.

In February, we held 4 children's programs with 41 participants. There were 6 programs for adults with 36 participants. Mrs. Thea was able to hold a one-hour craft time as I was away. The projects turned out amazingly. Another great project for the books. World Cultures & Travel: Indonesia's Islands program was another terrific program presented by Don Lyon. The final WCT program this spring will be held Thursday, March 21 beginning at 7 PM entitled Exploring Bulgaria. On Tuesday, February 27, I was able to speak with City Council about our wonderful History Room and the plethora of resources available to be found there. I always appreciate connecting with City Council about our Community Library.

Respectfully submitted,

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

Sherri Lemhouse  
Librarian



**RESOLUTION NO. 2024.05**

**A RESOLUTION EXTENDING CITY OF BROWNSVILLE WORKERS'  
COMPENSATION COVERAGE TO VOLUNTEERS OF CITY OF  
BROWNSVILLE**

**Effective Date:** March 2024

A resolution extending workers' compensation coverage to volunteers of Brownsville, in which Brownsville elects the following:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on CIS payroll schedule, and verified at audit:

**1. Public Safety Volunteers**

Applicable \_\_\_\_\_ Non-applicable  X

**2. Volunteer boards, commissions, and councils for the performance of administrative duties.**

Applicable  X  Non-applicable \_\_\_\_\_

An aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are (list each body):

- a. Council
- b. Planning Commission
- c. Parks & Open Space Advisory Board
- d. Library Advisory Board
- e. Budget Committee
- f. Historic Review Board

**3. Manual labor by elected officials.**

Applicable \_\_\_\_\_ Non-applicable  X

**4. Non-public safety volunteers**

Applicable  X  Non-applicable \_\_\_\_\_



All non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. CIS will assign the appropriate classification code according to the type of volunteer work being performed. (List specific non-public safety volunteers below)

- Parks and Recreation
- Public Works
- Library

## 5. Public Events

Applicable   X   Non-applicable \_\_\_\_\_

Volunteers at the following public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation: (List specific events)

- a. Annual Arbor Day Celebration
- b. Cemetery Head Stone Cleaning (*Possible*)
- c. Fourth of July Celebration (*Possible*)

## 6. Community Service Volunteers/Inmates

Applicable \_\_\_\_\_ Non-applicable   X  

Pursuant to ORS 656.041, workers' compensation coverage will be provided to community service volunteers commuting their sentences by performing work authorized by the City of Brownsville.

Oregon minimum wage tracked hourly will be used for both premium and benefit calculations, verifiable by providing a copy of the roster and/or sentencing agreement from the court.

## 7. Other Volunteers

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that the City of Brownsville:

- a. Provides at least two weeks' advance written notice to CIS underwriting requesting the coverage
- b. CIS approves the coverage and date of coverage
- c. CIS provides written confirmation of coverage



**The City of Brownsville agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.**

Now, therefore, be it resolved by the Council of the City of Brownsville to provide workers' compensation coverage as indicated above.

Adopted by the City of Brownsville on this 26<sup>th</sup> day of March 2024.

***Attest:***

***Approved:***

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S. Scott McDowell  
City Administrator

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Adam R. Craven  
Mayor



**PROCLAMATION**

**April 2024**

**“Child Abuse Prevention and Awareness Month”**

**WHEREAS**, Children are valued in Linn County and should live in a safe, healthy home; and

**WHEREAS**, Preventing child abuse and neglect is a community value that depends on the involvement of people community wide in order to provide access to the resources needed for safe, healthy living; and

**WHEREAS**, Child abuse and neglect not only directly harms children, but also increases the likelihood of health problems, poor education performance, substance abuse and early pregnancy. These problems can compound themselves as the child becomes an adult. Abuse and neglect are far reaching with no social economic group immune and children of all races and ethnicities are victims. Child abuse is a total community problem affecting all levels of society; and

**WHEREAS**, There were 461 substantiated cases of child abuse and neglect in Linn County during 2022, 48.5% of those children were six or younger with nearly 11% less than one year old; and

**WHEREAS**, During 2022, 19 Oregon children died from causes related to familial/caregiver abuse and/or neglect. Fifteen of those who died were five or younger, and 10 were less than one year old. Fifteen deaths resulted from neglect, four from abuse and one from neglect and abuse; and

**WHEREAS**, The prevention of child abuse needs to be addressed by the entire community; and now, therefore, the City of Brownsville proclaims April 2024 as “Child Abuse Prevention and Awareness Month” throughout Linn County and calls upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in efforts to support children and their families in living safe and healthy lives, therefore, helping to preventing child abuse and neglect.

**IN WITNESS WHEREOF**, I, Adam Craven, Mayor of the City of Brownsville, Oregon do hear by proclaim April 2024 Child Abuse Awareness Month this 26<sup>th</sup> day of March 2024.

**ATTEST:**

**APPROVED:**

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

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

LOCAL  
GOVERNMENT  
LAW GROUP

An Oregon Professional Corporation

Carolyn H. Connelly  
Ross M. Williamson\*  
Mark A. Wolf  
Diana Moffat  
Lori J. Cooper  
Armand Resto-Spotts  
\*Also Admitted in Washington

March 8, 2024

**Via Email Only To:** [admin@ci.brownsville.or.us](mailto:admin@ci.brownsville.or.us)

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

Re: Attorney Hourly Rate Increase

Dear Scott:

Local Government Law Group thanks you for allowing us to serve your community. As you likely know, our firm annually evaluates the cost to provide local governments with high quality legal services. We undertake this review during budget season in an effort to help you to plan for any associated increased costs. This year we are raising our hourly rate to \$250 per hour for general matters, \$260 for labor work, and \$285 for labor hearings. Our Paralegal rate will go up to \$150 per hour and our legal assistant rate will go up to \$110 per hour. These new rates will go into effect on July 1, 2024.

Rates for each project we work on for you are identified on your billing statement. If you ever have questions regarding our invoices, please promptly contact us. Fee issues should never interfere with our attorney-client relationship. Additionally, if you feel there has been a miscommunication between our office and yours, please contact us immediately. We greatly value our client relationships, and your thoughts on how we can improve our service to you are always welcome.

We look forward to continuing our work with you.

Sincerely yours,

LOCAL GOVERNMENT LAW GROUP P.C.

  
Carolyn H. Connelly  
[chc@localgovtlaw.com](mailto:chc@localgovtlaw.com)

  
Ross M. Williamson  
[ross@localgovtlaw.com](mailto:ross@localgovtlaw.com)

  
Mark A. Wolf  
[mark@localgovtlaw.com](mailto:mark@localgovtlaw.com)

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LOCAL GOVERNMENT LAW GROUP P.C.

975 Oak Street, Suite 700 Eugene, Oregon 97401 P (541) 485-5151 F (541) 485-5168



## Linn County extends mental health outreach with new van

ALBANY — Linn County has provided mental health crisis assistance to rural areas for a long time. But starting in March, the county’s Mobile Crisis Intervention Team (MCIT) will be able to provide in-person services virtually anywhere in the county — from residential areas to business parking lots to community parks — thanks to new E Transit van that has been “upfitted” into a mobile crisis clinic.

Nova Sweet, Linn County Crisis Supervisor Manager, said the county ordered the Ford van more than 18 months ago through a fleet program. It recently underwent transformation inside and out, with a colorful graphics wrap and an interior that features a generous amount of storage, seating, lights, a computer holder, swiveling front seats, a bench seat, and an on-board generator that will allow mental health staff to provide services in places where no electrical outlets are available.

Public Health Director Todd Noble said the project is in response to the passage of HB 2757, which requires counties to provide mobile crisis response. Funding came through the Oregon Health Authority.

“We have traditionally been 24/7 but we primarily only responded directly to local hospitals to do crisis screenings. Now we can meet people where they are at in the community and will respond to crisis situations anywhere in the community,” Noble said. “We are working towards a firehouse model similar to EMS.” Sweet explained that currently, county staff respond to crisis calls in passenger vehicles. The new van provides them with an actual work space that will hold a wide variety of items that may be needed in a crisis intervention situation.

Sweet said that although Linn County will continue to work closely with EMTs and law enforcement, the van will provide services independently of those agencies. The mobile crisis response model requires that two county staff are present when working with people in need. Sweet said the new unit may provide many amenities for both clients and staff.

**Possible items to be stocked for clients include:** Narcan/Covid tests; fuel vouchers/bus tickets; food/snacks/bottled water; hygiene (male/female); items for children such as fidgets and coping items; outreach bags; diapers/wipes/powder formula; sleeping bags/tents/tarps; backpacks; hand warmers; coats/socks/clothes; Gatorade as well as warm drinks such as hot coffee or hot chocolate; and blankets.

**Possible items helpful to staff may include:** heavy duty extension cord/RV shore line adapter; water jug with spout; cooler; all needed documents/resources AED First aid kit/CPR masks; lock boxes/med minders; pamphlet rack for resources; computer chargers (times two); phone charger; broom, trash can/bags/recycle bin; sanitizer and sanitizer wipes; rubber gloves; sharps container pens/notepads; fire extinguisher; paper towels; resource phone book; charging cables/charge packs; rain jackets for





crisis team; flashlight/extra batteries; jumper cables and an ice scraper. Sweet said she received an email from Trivan after the van was delivered. It noted: "Your van was the envy of the Vancouver/Portland Area, as I made stops at Vancouver Public Schools and the Clark County Fleet Garage. Vancouver Public schools is looking for an audiology testing van upfit and I stopped there so they could see our product in person. They were big fans of the orange interior cabinetry and overall finish quality ..."

There are also several high-powered lights on the exterior of the van and there is a canopy that lifts out above a large table when the back doors are opened. The unit will start rolling out as soon as all staff members are checked out driving it.

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



## Assessor's Office reappraising Albany properties

ALBANY — The Linn County Assessor's Office has begun reappraising properties within the city limits of Albany, according to Chief Appraiser Matt Pitcher. The annual program will last until the end of July, Pitcher said.

Reappraisal is the physical inspection of property within a designated area to update assessment records, Pitcher said. This includes detailing type of construction, quality and condition of improvements/structures on each tax lot. The process may also include measuring structures.

Oregon law states that Assessors must value all property at 100% of Real Market Value, Pitcher said. Reappraisal helps the Assessor's Office keep records up to date to achieve that goal. Staff will be out in the community during business hours Monday through Friday, and they will carry a county ID badge and business cards and travel in marked county vehicles. Pitcher said that in recent years, reappraisal has occurred in Lebanon, Sweet Home, and other smaller communities. Staff will reappraise 6,000 to 8,000 properties.

For more information, call 541-967-3808.

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



## **Cities Active on Addiction Crisis Oregon Court of Appeals Largely Rejects Challenge to the Climate-Friendly and Equitable Communities Rules**

In March 2020, Governor Kate Brown issued [Executive Order 20-04](#), directing state agencies to take action to reduce greenhouse gas emissions. That fall, the Oregon Department of Land Conservation and Development (DLCD) and the Land Conservation and Development Commission (LCDC) initiated rulemaking to implement the governor's directive. On July 21, 2022, the LCDC adopted the Climate-Friendly and Equitable Communities (CFEC) rules—89 rules in total—which, in general, require local governments to adopt zoning regulations and amend their transportation system plans in specific ways meant to reduce the use of automobiles.

In November 2022, 13 Oregon cities and Marion County, as well as a variety of interested industry parties, petitioned the court of appeals for judicial review of the CFEC rules, requesting their invalidation on multiple procedural and substantive grounds.

The LOC filed a friend-of-the-court brief in support of the cities and county. While the LOC supports the underlying objectives, it opposes many of the CFEC rules that are essentially statewide zoning regulations that infringe on local land use planning authority and interfere with the adoption of implementation measures tailored to the unique circumstances of individual communities. In its brief, the LOC argued that the rules are invalid because they:

- Violate legislative policy for local government control over land use planning;
- Are outside the LCDC's statutory authority;
- Contravene statewide planning goals; and
- Implement an executive order rather than a statewide planning goal.

The Oregon Court of Appeals heard oral arguments on July 12, 2023, and released their [opinion](#) on March 6, 2024. The court upheld 87 of the 89 CFEC rules, invalidating only OAR 660-012-0830(1)(c) (because the LCDC did not provide



sufficient notice of the subject matter) and OAR 660-012-0920(7)(c) (because the LCDC does not have statutory authority to revoke acknowledgment of a transportation system plan).

The court rejected all other procedural arguments asserted by petitioners. Of note, the court held that the mandate that rulemaking notices identify the statutory authority for proposed rules does not require that citations to the authority be correct or even provided for each rule.

The court's analysis of the substantive challenges is limited. It did not affirmatively hold that the LCDC had statutory authority to adopt the CFEC rules or evaluate whether the rules contravened Oregon's comprehensive land use planning system. Rather, the court held that petitioners have the burden to demonstrate an agency's lack of statutory/discretion, and such a challenge must be directed to individual rules. Because petitioners and the LOC requested invalidation of the rules as a whole, the court stated that it did not discern a route for invalidating particular rules, even if set out as an example of a rule that exceeded statutory authority or contravened state policy.

Petitioners have 35 days from the date of the decision to seek review by the Oregon Supreme Court. Parties seeking to participate as amicus curiae then have 14 days to file a motion to appear along with their amicus brief.

The LOC would like to thank Steven Liday and Will Rasmussen of Miller Nash LLP for their excellent work on this matter.

**Contact:** Jayme Pierce, General Counsel - [jpierce@orcities.org](mailto:jpierce@orcities.org)

*Last Updated 3/8/24*

## S. Scott McDowell

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**From:** SPERRY Arianne \* DEQ <Arianne.SPERRY@deq.oregon.gov>  
**Sent:** Friday, March 8, 2024 1:16 PM  
**To:** RethinkRecycling \* DEQ  
**Subject:** New local government funding to meet new recycling requirements

Greetings!

Oregon's recycling requirements for local governments are changing. Are you ready? Take the following steps to help your organization prepare:

1. [Register](#) to attend the free Recycling Modernization Act webinar for local governments and service providers, via Zoom at 10:00 a.m. on Thursday, March 21, 2024. The webinar will be recorded for those who cannot attend.

At the webinar, staff from Oregon DEQ and the prospective producer responsibility organization, Circular Action Alliance, will present information about new recycling requirements, new funding, timelines, and engagement opportunities.

2. [Complete this survey](#) for local governments by April 1 to identify your jurisdiction's primary point of contact for recycling funding discussions with the prospective PRO, Circular Action Alliance.
3. [Sign up](#) for the monthly Recycling Modernization Act newsletter to stay informed about the implementation of Oregon's new recycling law.
4. [Learn more](#) by watching the videos and exploring the information available on the RMA website, [recyclingact.oregon.gov](https://recyclingact.oregon.gov). Under the videos, click on "Informational material" to review the Local Government Responsibilities and Benefits, Frequently Asked Questions, Implementation Timeline, and Material Acceptance List.

### Oregon's new recycling law

Oregon's recycling system will soon be changing due to a new law called the [Plastic Pollution and Recycling Modernization Act](#). The RMA requires producers of packaging, printing and writing paper, and food serviceware to share the responsibility for building and maintaining a more resilient and responsible recycling system. Producers must join and pay fees to a nonprofit Producer Responsibility Organization, or PRO. Recycling system changes will begin July 2025.

### New funding for new recycling requirements

Local governments and service providers will continue to provide recycling service along with [meeting some new requirements](#). The law makes local governments eligible for five different types of PRO funding, including compensation for:

- Transporting recycling long distances
- Expanding recycling service
- Implementing contamination reduction programming

### What to expect

In the coming year, local governments will have the opportunity to:

- Discuss recycling service expansion requests, funding, and existing recycling depots with the prospective PRO, Circular Action Alliance, this spring and summer.
- Provide feedback on new recycling educational materials and contamination reduction programming elements this summer and fall.

- Designate and authorize service providers to receive PRO funding on their behalf at the beginning of 2025.

**Getting ready**

In addition to [attending the March 21 webinar](#), local governments can prepare by meeting with service providers and other partners and working together to gain alignment on recycling service changes, funding opportunities, and a plan for meeting new recycling obligations.

**Questions?**

Email [RethinkRecycling@deq.oregon.gov](mailto:RethinkRecycling@deq.oregon.gov).

**Arianne Sperry** (*she/her*)

Recycling Program Implementation Lead  
Materials Management – Product Stewardship Team  
Oregon Department of Environmental Quality  
Cell: 503-780-5534 | [arianne.sperry@deq.oregon.gov](mailto:arianne.sperry@deq.oregon.gov)

**S. Scott McDowell**

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**From:** Oregon DEQ News <ordeq@public.govdelivery.com>  
**Sent:** Tuesday, March 5, 2024 2:54 PM  
**To:** admin@ci.brownsville.or.us  
**Subject:** DEQ issues 15 penalties in January for environmental violations



State of Oregon  
**Department of Environmental Quality**

**NEWS RELEASE**

## **DEQ issues 15 penalties in January for environmental violations**

**Date:** March 5, 2024

Statewide, Ore. – The Oregon Department of Environmental Quality issued 15 penalties totaling \$395,700 in January for various environmental violations. A detailed list of violations and resulting penalties is at <https://ordeq.org/enforcement>.

Fines ranged from \$450 to \$96,574. Alleged violations included cities violating the requirements of their wastewater permits, a landfill exceeding its Title V Operating Permit emissions limits and an anodizing facility for disposing hazardous waste into the public sanitary sewer system.

DEQ issued civil penalties to the following organizations and individuals:

- A&J Lawn and Tree, Salem, \$3,874, air quality
- A&N Transport LLC, Portland, \$24,820, stormwater
- Agri-Plas., Inc., Brooks, \$33,320, stormwater and solid waste
- Anodize Solutions LLC, Tualatin, \$16,481, hazardous waste
- City of Carlton, Carlton, \$11,527, wastewater
- City of Huntington, Huntington, \$36,115, wastewater
- City of Lafayette, Lafayette, \$69,210, wastewater
- Gee Automotive Portland XVI LLC, Hillsboro, \$1,200, air quality reporting
- K Manufacturing, Inc., Astoria, \$17,706, stormwater
- Khan Oil LLC, Clackamas, \$1,500, air quality reporting
- Owens-Brockway Glass Container, Inc., Portland, \$54,000, air quality
- Safety-Kleen, Clackamas, \$15,000, hazardous waste
- Wasco County Landfill, Inc., The Dalles, \$96,574, air quality
- West Coast Wire Rope & Rigging, Inc., Portland, \$450, air quality reporting

- Willamette Egg Farms, Canby, \$13,923, stormwater

Organizations or individuals must either pay the fines to the state treasury or file an appeal within 20 days of receiving notice of the penalty. They may be able to offset a portion of a penalty by funding a supplemental environmental project that improves Oregon's environment. Learn more about these projects at <https://ordeq.org/sep>.

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

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

**Media contact:** Michael Loch, public affairs specialist, 503-737-9435, [michael.loch@deq.oregon.gov](mailto:michael.loch@deq.oregon.gov).

[Read news release online here.](#)

**S. Scott McDowell**

**From:** Oregon Department of Transportation <odot@service.govdelivery.com>  
**Sent:** Friday, March 8, 2024 10:36 AM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Interstate 5 bridge bi-state tolling subcommittee to meet March 15

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



Oregon Department  
of Transportation

## News Release

# Interstate 5 bridge bi-state tolling subcommittee to meet March 15

## Joint Release

### Washington State Transportation Commission

Transportation Commission Office – PO Box 47308 – Olympia, WA – 98504-7308 – 360-705-7070

### Oregon Transportation Commission

Transportation Commission Office – 355 Capitol St. NE – Salem, OR 97301-3871 – 503-986-3450

March 8, 2024

*For more information, contact Reema Griffith, WSTX Executive Director, 360-705-7070, or Kevin Glenn, ODOT Communications Director, 503-910-5965.*

The Interstate 5 bridge bi-state tolling subcommittee, made up of members of the Oregon Transportation Commission and Washington State Transportation Commission, will meet virtually on Friday, March 15, to continue its review and discussions around toll rates and policies for the Interstate 5 bridge over the Columbia River. The public is invited to attend.

The subcommittee meets on the third Friday of each month. Topics to be addressed at the March meeting include:

- Discussing operating procedures for the subcommittee.
- Examining various toll rate policy options.
- Reviewing the 2024-2025 subcommittee schedule and identifying important milestones that will lead to toll rate and policy recommendations to each state's full commission by spring of next year.
- Identifying dates for possible in-person meetings.

The virtual meeting will take place via [Zoom](#) from 1 to 3 p.m. on Friday, March 15, and will also be streamed live on [TVW](#). Public comment is scheduled for 2:45 p.m. Written comment



may be submitted to [info@bistatesubcommittee.org](mailto:info@bistatesubcommittee.org). Meeting agendas are posted on the [WSTC](#) and [OTC](#) websites.

Construction of the Interstate 5 bridge over the Columbia River is anticipated to begin by early 2026, and tolling is expected to begin in spring 2026.

Free, temporary internet access is available to those who do not have broadband service in locations throughout Washington by finding the nearest Drive-In WiFi Hotspot: [www.commerce.wa.gov/building-infrastructure/washington-state-drive-in-wifi-hotspots-location-finder/](http://www.commerce.wa.gov/building-infrastructure/washington-state-drive-in-wifi-hotspots-location-finder/) Free WiFi access in Oregon is available at these locations:

- Peninsula Park Community Center, 700 N. Rosa Parks Way, Portland, 97217
- Matt Dishman Community Center, 77 NE Knott Street, Portland, 97212
- Johns Community Center, 8427 N. Central Street, Portland, 97203
- Kenton Library, 8226 N. Denver Avenue, Portland, 97217
- Johns Library, 7510 N. Charleston Avenue, Portland, 97203

###

#### Hyperlinks within the release:

- Zoom: [us02web.zoom.us/j/86931369350?pwd=S3RuV0NFaGZ6MkVZZUxSSTNXZEhCUT09](https://us02web.zoom.us/j/86931369350?pwd=S3RuV0NFaGZ6MkVZZUxSSTNXZEhCUT09)
- TVW: [tvw.org/](http://tvw.org/)
- WSTC: [wstc.wa.gov/programs/tolling/i-5-bridge-over-the-columbia-river/](http://wstc.wa.gov/programs/tolling/i-5-bridge-over-the-columbia-river/)
- OTC: [oregon.gov/odot/Get-Involved/Pages/Bistate-toll-commission.aspx](http://oregon.gov/odot/Get-Involved/Pages/Bistate-toll-commission.aspx)
- Drive-In WiFi Hotspot: [commerce.wa.gov/building-infrastructure/washington-state-drive-in-wifi-hotspots-location-finder/](http://commerce.wa.gov/building-infrastructure/washington-state-drive-in-wifi-hotspots-location-finder/)

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**Americans with Disabilities Act Information** Individuals requesting accommodations may request written materials in alternate formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodations by contacting the Washington State Transportation Commission at 360-705-7070 or by emailing [transc@wstc.wa.gov](mailto:transc@wstc.wa.gov). In Oregon, please contact the Oregon Transportation Commission Assistant at 503-986-3450 or email [OTCAdmin@odot.state.or.us](mailto:OTCAdmin@odot.state.or.us) at least 72 hours prior to the meeting to make your request.

**Title VI Notice to Public** It is the Washington State Transportation Commission's policy to assure that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities. Any person who believes his or her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equity and Civil Rights. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OECR's Title VI Coordinator at 360-705-7090.

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## **Goals 2023-2024** *(Compilation Date: February 2023)*

### 1. Focus on the Fundamentals.

★ *Protect & manage Brownsville's treasury.*

- ▶ The City fielded a full Budget Committee with the addition of Felipe Eversull & Matt Schoemaker. Staff shared the audit findings from the previous fiscal year. Council executed gap financing for the completion of the Rec Center Renovation project. Government Capital Corporation was able to find a great rate given market conditions. Council passed a supplemental budget in February 2024 to appropriate the funds for expenditure. Council received a good price for the completion of the GR12 Waterline & Pump Station Improvements project. Council passed ordinances to push back against Salem for unfunded mandates that continue to take away local funding for local projects.

★ *Foster cooperative and productive relationships both internally & externally.*

- ▶ The City continues working closely with the State of Oregon's Department of Environmental Quality (DEQ), Oregon Water Resources Department (OWRD), the Linn County Commissioners Office and several other agencies. Regional efforts including Rural Economic Alliance (REAL), RAIN, the Sheriff's Office contract, the Planning & Building Department contract, and the development of SMAC. Connections have been maintained with the League of Oregon Cities, the Cascade West Council of Governments, and CIS. Local agreements have been extended with the Calapooia Food Alliance (CFA), Sweet Home Sanitation, the Chamber of Commerce, and the Central Linn Recreation Association.

### 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.*

- ▶ Council created the Legislative Advocacy & Policy Committee (LAPC) through ordinance early in 2023. The Committee made several framework recommendations that were passed and implemented by Council. Position papers on key advocacy items were created for internal use and provided to the other members of SMAC and to Sean Tate.

★ *Focus on home rule with other stakeholders, partnerships, and other regional efforts to strengthen City policy positions.*

- ▶ Council attended several meetings and continues to stay connected to key issues facing the City through the League of Oregon Cities and Sean Tate. Staff have communicated through partnerships the path for execution. Mayor Craven met with House Representative Jami Cate on several occasions and attended a luncheon with Governor Kotek to express the City's policy priorities and concerns.

★ *Monitor new laws, tort limits, and recreational immunity protections for local amenities.*



- ▶ Cities in Oregon received bad news in the case, *Fields v the City of Newport*. The City has been active in working toward a fix with CIS. SB 1576 is currently being voted on in the House for passage. If this loophole cannot be closed with this legislation, the impact on the City park system will be devastating. The State's raising of the tort limits is wreaking havoc with the insurance rates. Property & liability insurance has risen nearly 60% due to these limits being raised and the continued passage of terrible public policy that is dramatically impacting cities and counties across the State.

### 3. Capital Improvements Plan.

- ★ *Complete Rec Center Renovation project.*

- ▶ Open House was held in February. The City has successfully completed this important project. Staff continue detailed work to prepare the facility for public rentals.

- ★ *Complete the GR 12 Waterline extension.*

- ▶ The project is underway and progressing nicely overall. Staff hopes the project will be completed by the end of March 2024.

- ★ *Plan for new sewer lagoon along with operational improvements.*

- ▶ The City Engineer continues to work on the initial planning for a new sewer lagoon. The City is also looking into making a chemical change at the Treatment Plants. Any formal plans will have to be rolled into a bond with the improvements planned for the Water Treatment Plant. The City will have some high cost items that must be addressed per State Law and to continue providing critical services to the residents.

- ★ *Plan for construction of new pavilion and relocation of the playground.*

- ▶ Funding will delay these projects. Council will need to reassess during the upcoming Budget Season FY 2024.2025.

- ★ *Analyze new TMDL plan.*

- ▶ Department of Environmental Quality (DEQ) has not officially approved the City's new plan. Council approved submitting the edited report at the January 2024 Council meeting.

### 4. Community Development Plan.

- ★ *Refine Brownsville Municipal Code to better reflect actual practice.*

- ▶ Council passed several ordinances including parking, towing, curfew, camping, and administrative laws toward this effort. Council authorized Staff to review the nuisance abatement process for repeat offenders at the February Council meeting.

- ★ *Adopt building rules and standards to preserve and promote the historic aesthetic.*

- ★ *Continue the local & regional emergency preparedness efforts.*



- ▶ Council supported the EPC who has been sending stand alone newsletters twice a year to all residents in Brownsville, Halsey, and the corresponding fire districts. The City ordinance is centered around public education and individual preparedness efforts.

- ★ *Support youth activities with community partners.*

- ▶ Council spent over \$2M renovating the Rec Center, adopted a new agreement and helped with organizational development and custodial services. Staff continues to assist the Central Linn Recreation Association with operational issues.

## 5. Economic Development Plan.

- ★ *Participate in regional efforts and opportunities with partner cities.*

- ▶ Council finalized the financial agreement with Business Oregon for the partnership with REAL. Council entered into a new agreement with RAIN through the end of 2025.

- ★ *Support and implement the Rural Economic Alliance's 5-year strategic plan.*

- ▶ The group continues to prioritize items in the strategic plan. REAL is close to signing a deal with JayRay Marketing to survey regional businesses to get a better understanding of needs and priorities. This survey will be done in partnership with Business Oregon.

- ★ *Complete and implement the Land Use inventory.*

- ▶ Administrative Assistant Elizabeth Coleman, Planner Dave Kinney continue work with Linn County's GIS Department preparing for this process.

## 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.*

- ▶ Staff are actively working on the implementation of the items identified in the Plan.

## 7. Organizational Development.

- ★ *Review Council rules and policies.*

- ▶ Council passed a new officials handbook.

- ★ *Focus on Council leadership development & training.*

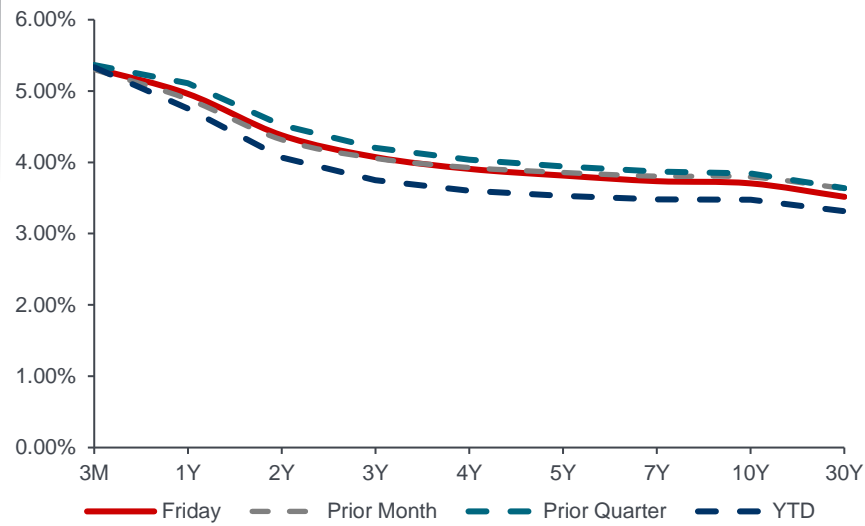
- ▶ Council met several times throughout 2023 to work on group dynamics and interactions. Great progress was made in the overall cooperation of the Council. Council held a Staff appreciation dinner for Staff.



- ★ *Foster positive and effective working relations between Council and Staff.*
  - ▶ Council held a Staff appreciation dinner for Staff. Staff & Council held a volunteer appreciation party in September at the pavilion in Pioneer Park. Mayor Craven and Council have increased their efforts in working with Staff and are maintaining extremely effective relationships with Staff.
  
- ★ *Maximizing social media efforts to promote City projects and events.*
  - ▶ Council revisited this item. The City will not publish Council meetings in a television format. Council members are doing a great job monitoring social media conversations without creating more community drama and turmoil.
  
- ★ *Focus on recognizing volunteers, meeting training and procedures for all official boards & committees.*
  - ▶ Council held both a volunteer appreciation cookout & a Staff dinner this past year as mentioned above. Librarian Sherri Lemhouse also does a very good job recognizing Library volunteers with appreciation events during the year.

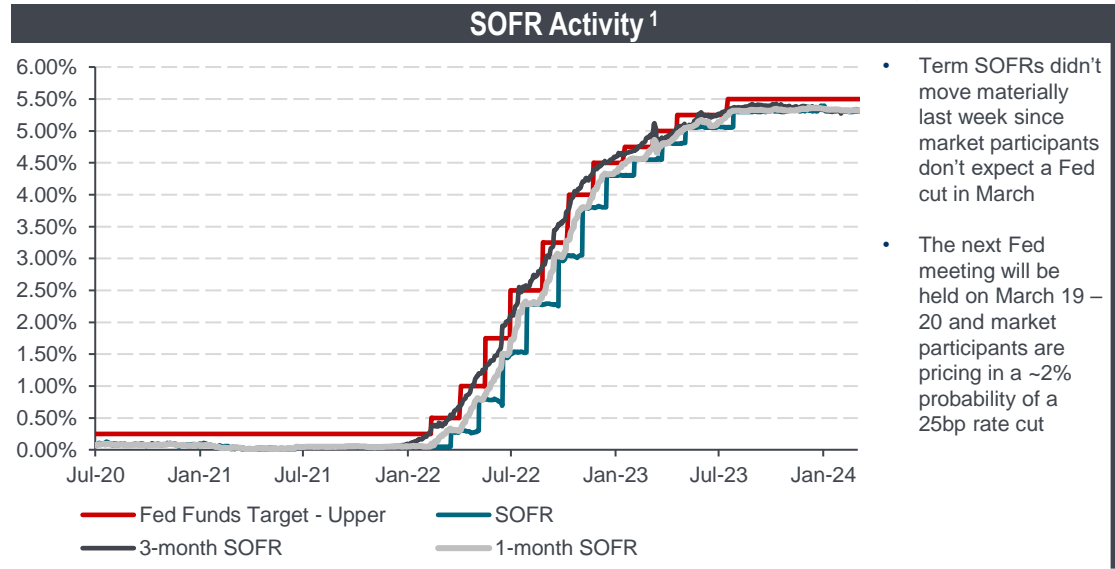
| Current Rate Environment  |        |            |         |
|---------------------------|--------|------------|---------|
|                           | Friday | Prior Week | Change  |
| SOFR                      | 5.31%  | 5.31%      | 0.00%   |
| 1-Month SOFR              | 5.32%  | 5.32%      | 0.00%   |
| 3-Month SOFR              | 5.32%  | 5.33%      | (0.01%) |
| Fed Funds                 | 5.50%  | 5.50%      | 0.00%   |
| Fed Discount              | 2.75%  | 2.75%      | 0.00%   |
| Prime                     | 8.50%  | 8.50%      | 0.00%   |
| <b>US Treasury Yields</b> |        |            |         |
| 2-year Treasury           | 4.48%  | 4.53%      | (0.05%) |
| 5-year Treasury           | 4.05%  | 4.16%      | (0.11%) |
| 10-year Treasury          | 4.08%  | 4.18%      | (0.10%) |
| <b>Swaps vs. SOFR</b>     |        |            |         |
| 2-year                    | 4.38%  | 4.45%      | (0.07%) |
| 5-year                    | 3.81%  | 3.92%      | (0.11%) |
| 10-year                   | 3.70%  | 3.81%      | (0.11%) |

### USD Swap Curve Activity<sup>1</sup>:



<sup>1</sup>) Data sourced from Bloomberg. The curves were constructed using 3M daily SOFR and USD mid-market swap rates, which are not executable levels

- USD swap rates declined 7-11bps by the end of last week, steepening the curve
- The US labor market added more jobs than expected in February, however, the unemployment rate rose to 3.9% and wage gains moderated. The mixed jobs report reinforced the notion that the Fed will start lowering interest rates later this year. During his testimony before the US Congress, Fed Chairman Powell reiterated that rate reductions would likely come this year



- Term SOFRs didn't move materially last week since market participants don't expect a Fed cut in March
- The next Fed meeting will be held on March 19 – 20 and market participants are pricing in a ~2% probability of a 25bp rate cut

<sup>1</sup>) Data sourced from Bloomberg

### The Week Ahead

- This week's economic data slate will consist of CPI and PPI indices, retail sales, industrial production and empire manufacturing
- It will be a quiet week in terms of Fed speak as the FOMC enters the blackout period before the March Fed meeting

| Date   | Indicator                  | For   | Forecast | Last   |
|--------|----------------------------|-------|----------|--------|
| 12-Mar | CPI MoM                    | Feb   | 0.40%    | 0.30%  |
| 12-Mar | CPI YoY                    | Feb   | 3.10%    | 3.10%  |
| 12-Mar | CPI Ex Food and Energy MoM | Feb   | 0.30%    | 0.40%  |
| 12-Mar | CPI Ex Food and Energy YoY | Feb   | 3.70%    | 3.90%  |
| 13-Mar | MBA Mortgage Applications  | Mar 8 | -        | 9.70%  |
| 14-Mar | Initial Jobless Claims     | Mar 9 | 218K     | 217K   |
| 14-Mar | Retail Sales MoM           | Feb   | 0.80%    | -0.80% |
| 14-Mar | PPI Final Demand MoM       | Feb   | 0.30%    | 0.30%  |
| 15-Mar | U. of Mich. Sentiment      | Mar P | 77.3     | 76.9   |
| 15-Mar | Industrial Production MoM  | Feb   | 0.00%    | -0.10% |
| 15-Mar | Empire Manufacturing       | Mar   | -7.0     | -2.4   |



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 Ramona Berce 413-567-6758  
 Linda Maraldo 216-689-0516

## MONTH END FINANCIAL RECAP

|    |                      | FEBRUARY 2024 |               |                 |        |                 |    |
|----|----------------------|---------------|---------------|-----------------|--------|-----------------|----|
|    |                      | REVENUE       | EXPENDITURES  | YTD             | %      | Unexpended      |    |
| 1  | GENERAL              | \$ 31,520.05  | \$ 103,906.86 | \$ 2,400,713.91 | 52.47% | \$ 2,174,293.09 | 1  |
| 2  | WATER                | \$ 40,143.26  | \$ 34,870.99  | \$ 383,685.06   | 27.10% | \$ 1,031,964.94 | 2  |
| 3  | SEWER                | \$ 42,646.15  | \$ 26,076.34  | \$ 219,035.97   | 22.87% | \$ 738,554.03   | 3  |
| 4  | STREETS              | \$ 21,491.88  | \$ 16,824.31  | \$ 137,485.60   | 39.38% | \$ 211,649.40   | 4  |
| 5  | WATER BOND           | \$ 432.66     | \$ -          | \$ 46,417.84    | 74.88% | \$ 15,572.16    | 5  |
| 6  | SEWER BOND           | \$ 907.63     | \$ -          | \$ 300,721.39   | 67.73% | \$ 143,278.61   | 6  |
| 7  | SEWER DEBT FEE       | \$ 12,504.48  | \$ -          | \$ 98,150.75    | 72.70% | \$ -            | 7  |
| 8  | BUILDING & EQUIPMENT | \$ 735.85     | \$ -          | \$ -            | 0.00%  | \$ 188,800.00   | 8  |
| 9  | WATER RESERVE        | \$ 2,668.90   | \$ -          | \$ -            | 0.00%  | \$ 175,300.00   | 9  |
| 10 | HOUSING REHAB        | \$ 892.96     | \$ -          | \$ -            | 0.00%  | \$ 222,000.00   | 10 |
| 11 | WATER SDC            | \$ 904.93     | \$ -          | \$ -            | 0.00%  | \$ 241,960.00   | 11 |
| 12 | SEWER SDC            | \$ 2,980.78   | \$ -          | \$ -            | 0.00%  | \$ 758,500.00   | 12 |
| 13 | STORMWATER SDC       | \$ 1,100.59   | \$ -          | \$ -            | 0.00%  | \$ 277,575.00   | 13 |
| 14 | BIKEWAY/PATHS        | \$ 374.68     | \$ -          | \$ -            | 0.00%  | \$ 63,730.00    | 14 |
| 15 | LIBRARY TRUST        | \$ 30.79      | \$ -          | \$ -            | 0.00%  | \$ 7,650.00     | 15 |
| 16 | CEMETERY             | \$ 33.53      | \$ -          | \$ -            | 0.00%  | \$ 9,040.00     | 16 |
| 17 | TRANSIENT ROOM TX    | \$ -          | \$ -          | \$ -            | 0.00%  | \$ -            | 17 |
| 18 | SEWER CONSTRUCTION   | \$ -          | \$ -          | \$ -            | 0.00%  | \$ -            | 18 |
| 19 | LAND ACQUISITION     | \$ -          | \$ -          | \$ -            | 0.00%  | \$ 9,985.00     | 19 |
| 20 | COMMUNITY PROJECTS   | \$ 346.70     | \$ 1,600.00   | \$ 15,228.00    | 20.24% | \$ 60,022.00    | 20 |
|    |                      | \$ 159,715.82 | \$ 183,278.50 | \$ 3,503,287.77 |        |                 |    |

| Key Bank Account               |                        |
|--------------------------------|------------------------|
| <i>General Checking</i>        | \$ 77,754.07           |
| <b>Oregon State Treasury</b>   | \$ 5,315,704.00        |
| <i>Community Improvements</i>  | \$ 178.77              |
| <i>Project Escrow Holding</i>  | \$ 103,512.85          |
| <i>Project Holding Acct #2</i> | \$ -                   |
| <b>CLRC Renovation Acct</b>    | \$ 619,695.38          |
| <b>TOTAL OST / LGIP</b>        | <b>\$ 6,039,091.00</b> |

CLRC Loan Payment  
[\$57,996.99]

| 2023-2024    | YTD             | % of Total |
|--------------|-----------------|------------|
| Appropriated | \$ 6,329,874.23 | 35.63%     |

### Total Bonded Debt (Principal Only)

\$ 6,142,195.00  
**Total Bonded Debt is \$8,691,081 (Principle & Interest)**

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

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

**Previous Month Court Revenue \$275.00**