

**Advance Packet for  
March 28, 2016 City Council Meeting**

1. Public Hearing/Ordinances

- a. Legislative Public Hearing On CP-2-15, Approval Of The 2015 Waste Water Facilities Plan And Revisions To The Public Facilities Plan And Goal 11 Of The Comprehensive Plan.

Documents: [WWFP CAR.PDF](#), [WWFP.ATT.A.1-14-16 CWR.PDF](#),  
[WWFP.ATT.B.GOAL 11 REVISIONS.PDF](#), [WWFP.ATT.C.PFP REVISIONS.PDF](#)

- b. Ordinance 16-O-754, Adding Sections 9.10.345, Abusive Solicitation, And 10.20.145, Unlawful Transfer, To The Brookings Municipal Code.

Documents: [SOLICITATION CAR.PDF](#), [SOLICITATION.ATT.A. 16-O-754.PDF](#)

2. Public Notices

Documents: [03-28-16 PUBLIC NOTICE WASTEWATER.PDF](#), [PN ORD BY TITLE ONLY FOR 3-28-16.PDF](#)

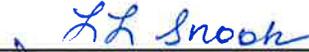
\*Obtain [Public Comment Forms](#) on this website or at City Hall prior to the meeting. Return completed forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 14 days advance notification. Please contact 469-1102 if you have any questions regarding this notice.

# CITY OF BROOKINGS

## Council Agenda Report

Meeting Date: March 28, 2016

  
Public Works Development Services Director

  
City Manager Approval

Originating Dept: PWDS

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**Subject:** A hearing on File CP-2-15 for consideration of the 2015 Waste Water Facilities Plan Update (WWFP) and revisions to the Public Facilities Plan and Goal 11 of the Comprehensive Plan.

**Recommended Motion:** Approve the 2015 WWFP developed by Dyer Partnership Engineers and Planners, Inc. as well as the revisions to the Public Facilities Plan and Goal 11 of the Comprehensive Plan and direct Staff to draft the adopting ordinance.

**Financial Impact:** Estimated cost of \$12.1 million dollars projected over the next 10 years.

**Background/Discussion:**

This matter was discussed at the January 4, 2016 Council workshop and a copy of the full report was provided to each Councilor.

While the total estimated cost of all improvements is \$12,142,475, this cost includes projects ranging from being characterized as immediate needs to projects recommended for completion within the next 10 years. About \$3.0 million of this total includes improvements needed exclusively to support the development of the Lone Ranch project. The City has entered into an infrastructure financing plan with U.S. Borax Corporation related to undertaking this work. Staff has reviewed the report and has developed a 10 year Capital Improvements Projects list based on immediate need due to function as well as cost savings to the City.

1. All recommended I&I projects will be completed within the next 24 months. This work would substantially decrease the amount of wet-weather flow moving through the WWTP and reduce operating costs. It would also extend the life of sewer mains and manholes.
2. The "Oak Interceptor" project is an immediate need to resolve potential capacity issues relating to continuing to provide serve to the Harbor Sanitary District while preserving adequate capacity for expansion within the City. It is also important that this project precede Railroad Street reconstruction project (scheduled for 2018) as much of the work will occur within the Railroad Street right of way. This project will be completed in two phases, the Railroad Street portion scheduled for 2016-17 and the Oak Street portion to be completed in 2017-18.

3. All Priority 1 pump station repairs are scheduled to be completed as well as various deferred maintenance projects that were listed in an unfavorable report from DEQ last year.

The estimate for the above projects total \$2.6 million. Staff recommends submitting a proposal for funding under the Community Development Block Grant program as the WWTP service area includes areas outside the City Limits which meet the CDBG income eligibility criteria.

The plan was presented to the Planning Commission at their January 5<sup>th</sup> meeting. The Planning Commission considered the WWFP as well as proposed revisions to the Public Facilities Plan and Goal 11, Public Facilities and Services, to reflect the information in the WWFP. The Planning Commission recommended approval of the WWFP with a further recommendation to amend the Plan to include additional information related to Harbor Sanitary Districts (HSD) impact on the system. All items recommended by the Planning Commission that fall within the scope of the study have been added to the plan.

Policy Considerations:

In keeping with Council Goal of maintaining updated Master Plans to facilitate long range planning of maintenance and construction of City infrastructure.

Attachment(s):

- a. Council Workshop Report
- b. Goal 11 changes
- c. Public Facilities Plan changes

# CITY OF BROOKINGS

## Council WORKSHOP Report

Workshop Date: January 4, 2016

  
Public Works Development Services Director  
  
City Manager Approval

Originating Dept: PWDS

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Subject: 2015 Waste Water Facilities Plan Update (WWFP)

Recommendation: Review 2015 WWFP developed by Dyer Partnership Engineers and Planners, Inc. Direct Staff to proceed with adoption process for same.

Financial Impact: The WWFP estimates a cost of \$12.1 million dollars projected over the next 20 years for sewer main upgrades, repair and rehabilitation, pump station improvements, and repair and rehabilitation at the treatment plant.

Background/Discussion: Although Master Plans are developed to assess needs over a 20 year time period, it is prudent to review them on a 5 year schedule to determine that the assumptions used in their development continue to be viable. The last update to the WWFP was done in 2008 by former City Engineer, HGE.

The purpose of the WWFP is to provide guidance for the following:

- Identifying potential improvements and management options
- Prioritize the repair of aging infrastructure
- Address current sizing needs
- Serves as a planning document to meet long term growth needs within the City
- Addresses regulatory requirements for health, sanitation and security
- Identifying funding options for financing

The WWTP will be presented to Council for adoption after the required 35 day notice to the State and approval of the Planning Commission.

Policy Considerations:

In keeping with Council Goal of maintaining updated Master Plans to facilitate long range planning of maintenance and construction of City infrastructure.

Attachment(s):

a) Recommended Plan Summary from Dyer Engineers and Planners, Inc.

## SECTION 6: RECOMMENDED PLAN

This section summarizes the selected wastewater collection system, pump station, and treatment alternatives and steps that should be taken to implement the selected projects. These projects correct current deficiencies and extend the useful life of the collection system, pump stations and WWTP by reducing peak flows, improving reliability, providing durable systems, and reducing ongoing operations and maintenance costs. Ultimately implementation of these projects facilitates the ongoing compliance with the NPDES permit.

### **6.1 Collection System**

It is recommended that additional inflow and infiltration (I/I) investigation and construction projects be pursued in order to decrease the peak I/I flowing into the collection system. This will allow for capacity management and a more efficient operation of the WWTP improvements. The recommended plan is in two parts: 1) continue collection system evaluation; and 2) complete I/I repair projects. Annual operation and maintenance costs are anticipated to be absorbed into the City's existing enterprise budget and will potentially reduce this cost.

Continue to identify and correct inflow and infiltration in the existing system as follows:

1. The City should institute a video inspection program for the entire collection system over a five-year period (20% per year) and continue to repeat the program in five-year periods.
2. Serious maintenance and repair issues should be identified in the I/I inspection program and should be corrected as funding sources become available.

#### **6.1.1 Priority 1 - I/I Repairs**

The Priority One I/I projects were identified in Section 4. This alternative includes repair of two catch basins, repair of 17 leaking manholes, further investigation and performance of appropriate point repairs within 3,000 specific feet of pipeline (leaking greater than 26 gpm between manholes), repair of 67 identified leaking cleanouts. Annual operation and maintenance costs are anticipated to be absorbed into the City's existing sewer enterprise budget. The total estimated project cost is \$558,217.

#### **6.1.2 Priority 2 - City I/I Repairs**

Following completion of Priority One repairs, it is recommended that Priority Two I/I repairs commence. These repairs include repair of two plugged house vents, and removal of five roof drain connections, further investigation and performance of appropriate point repairs within 4,000 specific feet of pipeline (leaking greater than 16 gpm between manholes), and repair of 33 leaking laterals. Annual operation and maintenance costs are anticipated to be absorbed into the City's existing sewer enterprise budget. The total estimated project cost for this project is \$512,839.

### **6.1.3 Priority 1 - Lone Ranch and Harbor Sanitary District Improvements**

The highest priority is Project 1 consisting of one 18-inch relief interceptor beginning at the intersection of Oak Street and Highway 101 and ending at the wastewater treatment plant. Due to pump station upsizing by the Harbor Sewer District, the existing line is nearly at full capacity whenever their pump station discharges. The remaining five out of six projects provide conveyance capacity for development to occur in the northern portion of Brookings' service area. These include segments of new gravity sewer and new force main as well as upsized gravity sewer line replacements to provide adequate capacity. The improvements also include provision for a new pump station at Taylor Creek. Completion of gravity sewer replacing force main under Project 6 will permit the decommissioning of the very old Mill Beach Lift Station. Total project costs are estimated to be \$4,107,660 with the annual O&M cost decrease of \$10,723 per year.

### **6.1.4 Priority 2 - Sewer Main Replacements or Rehabilitation**

These projects include replacement of defective and undersized sewer pipelines which are generally in the older portion of Brookings. These 17 projects listed in Section 4, address I/I reduction, potential pipeline failure, and capacity issues. Total project costs are estimated to be \$3,948,390 with annual O&M cost decreased by \$2,870 per year. These projects were listed in the previous facility plan and have not yet been addressed. The City should pursue completing rehabilitation work where applicable, for older concrete sewer line before they completely fail causing more expensive conventional replacement.

## **6.2 Pump Station Recommendations**

Pump Station repairs and improvements are prioritized within three groups.

### **6.2.1 Priority 1 - Pump Station Repairs**

These repairs are considered most urgent. The repairs consist primarily of replacement of those deteriorated guide rail systems, elimination of underground fuel storage tanks and replacement with above ground tanks to comply with current regulations, and electrical repairs, improvements, and monitoring associated with corrosion and water damage. These repairs address six pump stations. The estimated project costs are estimated to be \$167,680. Operations and maintenance costs are estimated to be decreased annually by \$2,040.

### **6.2.2 Priority 2 - Pump Station Repairs**

These repairs are considered less urgent, but will inevitably need to be addressed. They consist in large part of provision for replacement over the next 20 years of critical pump station equipment which is reaching the end of its service life, and will otherwise fail. The projects also address improved energy efficiency. In other cases, the recommended repairs include restoration of influent pipeline integrity into the wet well which will contribute to I/I reduction. The estimated project costs are estimated to be \$175,800. Operations and maintenance costs are estimated to be decreased annually by \$7,040.

### **6.2.3 Priority 3 - Pump Station Repairs**

These repairs are considered less urgent than Priority One or Two. They consist in large part of further replacement of pump station equipment which is approaching the end of its service life and, if not replaced, would increase maintenance costs in the next 20 years. Included are portable generators and washing equipment to improve operations. The projects also address improved energy efficiency. The project costs are estimated to be \$370,000. Operations and maintenance costs are estimated to decrease annually by \$1,606.

## **6.3 WWTP Recommendations**

Multiple deficiencies existing throughout the wastewater treatment plant which, if not addressed, will affect maintenance efforts and longevity of the treatment plant. Corrosion protection, equipment upgrades and changes in process systems will reduce maintenance, improve performance and extend the useful life of the plant.

### **6.3.1 Project 1 - Coating and Corrosion Control Project**

Establish a program to repair all corrosion issues over a five-year period. This work would include: cleaning and coating accessible appurtenances; replacing accessible appurtenances (support brackets, electrical boxes) with PVC or stainless steel; and coating surfaces and bolts in treatment process tanks. Total initial project costs for this alternative are estimated at \$120,400. It is anticipated that during the 20-year planning period, additional contracted painting and coating project costs would have present worth of \$23,587. Annual estimated O&M costs to properly maintain the coatings is \$3,150.

### **6.3.2 Project 2 - Headworks – Replace Mechanical Bar Screen, Immediate**

One of the two mechanical bar screens is so deteriorated that it has been difficult to keep in operation. Parts are also becoming difficult to obtain due to obsolescence. The non-functioning bar screen would be replaced with a new unit. Total capital costs for this alternative are estimated at \$217,150. Annual O&M is estimated to be reduced by \$1,400.

### **6.3.3 Project 3 - Headworks – Replace Mechanical Bar Screen, Classifier and Degritter, Ten Years**

The other existing mechanical bar screen is anticipated to require replacement in ten years as are the classifier and degritter. Total capital costs for this alternative are estimated at \$365,820 (present worth). Annual O&M costs are estimated to be reduced by \$1,400 beginning with the replacement.

### **6.3.4 Project 4 - Primary Clarifier Rehabilitation, Ten Years**

The chains, gears, motors and flights are reaching or have reached the end of their estimated service lives. This alternative provides for replacement or overhaul of these items at Year 10 of the planning period. The estimated project cost is \$193,669 (present worth). Annual O&M is estimated to be reduced by \$420 beginning with the replacements.

### **6.3.5 Project 5 - Trickling Filter Rehabilitation, Immediate**

The concrete walls of the trickling filter need repair. The distributor seal requires replacement. One of the odor control blowers should be replaced with a modern speed controllable blower. In addition, a new bypass line with a magnetic flow meter should be installed. Total capital costs for this alternative are estimated at \$265,550. Annual O&M is estimated to be reduced by \$3,879.

### **6.3.6 Project 6 - Re-aeration System Rehabilitation, Immediate**

The blower building should be repaired; repairs include replacement of louvers, doors, waterproofing of masonry walls, removal of the non-functional air conditioner and roof repair. The leaking basin gates should be repaired. One of the older blowers should also be replaced with a newer, more efficient VFD speed-controllable one. Total capital costs for this alternative are estimated at \$119,320. Annual O&M is estimated to be reduced by \$2,866.

### **6.3.7 Project 7 - Re-aeration System Rehabilitation, Ten Years**

Another older oversized blower should be replaced with a newer, smaller, more efficient VFD speed-controlled type in ten years. Total capital costs for this alternative are estimated at \$68,838 (present worth). Annual O&M is estimated to be reduced by \$2,866 beginning with the replacement.

### **6.3.8 Project 8 - Secondary Clarifier, WAS, RAS, and Scum Pumps, Five Years**

Repair the sludge scraper mechanism for the older basin. Repair or replace the drive and replace the FRP weirs and baffles. Replace a WAS pump and an existing two-speed RAS pump with variable speed pump. Total capital costs for this alternative are estimated at \$175,226 (present worth). Annual O&M is estimated to be reduced by \$420 beginning with the replacement.

### **6.3.9 Project 9 - Secondary Clarifier, WAS, RAS, and Scum Pumps, Ten Years**

It is anticipated that the same repairs recommended for the older secondary clarifier under Project 8 will be required for the newer clarifier in ten years. Total capital costs for this alternative are estimated at \$161,857 (present worth). Annual O&M is estimated to be reduced by \$420 beginning with the replacement.

### **6.3.10 Project 10 - UV System Replacement, Immediate**

Replace existing UV disinfection unit with a new high intensity UV system, and add a flash mixer to break up particles and provide better UV exposure. Total capital costs for this alternative are estimated at \$239,600. Annual O&M is estimated to be reduced by \$3,157.

### **6.3.11 Project 11 - Replace Digester Burner**

Replacement of this assembly is required to maintain reliable and efficient operation. The replacement will allow tie-in with the plants future SCADA improvements. Total capital costs for this alternative are estimated at 43,650. Annual O&M is estimated to be reduced by \$925.

### **6.3.12 Project 12 - Modify Digest Operation Level, Immediate**

Perform piping and overflow modifications to the piping in the digester to operate four feet lower than the current level. This will provide a significant amount of methane gas storage which will reduce and possibly eliminate the need to burn diesel fuel for boiler heating. This project must be in conjunction with Project 13 following. Total capital costs for this alternative are estimated at \$39,540. Annual O&M is estimated to be reduced by \$7,212.

### **6.3.13 Project 13 - Sludge Storage Tanks 2 and 3 Temporary Conversion to Digesters, Immediate**

Temporarily modify existing Sludge Storage Tanks No. 1 and 2 to provide digestion while the digester is emptied, cleaned and modified as per Project 12 above. Total capital costs for this alternative are estimated at \$116,160. There is no annual O&M, this alternative being temporary.

### **6.3.14 Project 14 - Sludge Storage Tank 3 Improvements, Immediate**

The existing blower used to mix and aerate the sludge in this storage tank is not energy efficient and is old. Replacement of this unit with a speed controllable and more efficient blower will reduce O&M costs.

## **6.4 Project Cost Summary**

The estimated total project costs (direct and indirect construction costs) are summarized in Table 6.4.1. Each line item includes design, permitting, bidding, direct construction cost, contingencies, funding administration, contract administration, and other miscellaneous cost.

**TABLE 6.4.1  
SUMMARY OF RECOMMENDED PROJECTS**

<b>PROJECT NAMES</b>	<b>PROJECT COSTS</b>
<b>Infiltration/Inflow Repairs</b>	
Priority One I/I Repairs	\$558,217
Priority Two I/I Repairs	\$512,839
<b>Total I/I Repairs</b>	<b>\$1,071,056</b>
<b>Harbor/Lone Ranch Priority One Improvements</b>	
Oak, Hemlock, Railroad, & Wharf, 18" Sewer - Project 1	\$1,102,850
Rowland Lane to Mill Beach Road, 24" Sewer - Project 2	\$724,010
Crissy Circle to Moore Street, 21" Sewer - Project 3	\$441,820
Taylor Creek Pump Station - Project 4	\$627,810
Hwy 101 Carpenterville Rd to Park View Dr., 8" FM - Project 5	\$703,620
Mill Beach Road to WWTP, 24" Sewer - Project 6	\$507,550
<b>Total Collection System Priority One Improvements</b>	<b>\$4,107,660</b>
<b>Sewer Main Replacements/Rehabilitation Priority Two</b>	
Moore Street, 8" Sewer - Project 9	\$248,110
Collins Street, 8" Sewer - Project 10	\$137,670
Fifield Street to Mill Beach Road, 8" Sewer - Project 11	\$340,210
Chetco Lane, 8" Sewer - Project 12	\$196,780
Fern Avenue, 10" Sewer - Project 13	\$198,440
Pioneer Road, 8" Sewer - Project 14	\$197,640
Old County Rd., Pacific Ave. to Mendy St., 8" Sewer - Project 15	\$204,760
Art Street, 8" Sewer - Project 16	\$107,060
Pacific Avenue, Art ST. to Pioneer Rd., 8" Sewer - Project 17	\$172,640
Fir Street to Azalea park Road, 8" Sewer - Project 18	\$241,570
Fir Street, 8" Sewer - Project 19	\$229,830
Oak St. & Pacific Ave. to Pioneer Rd, 15" Sewer - Project 20	\$344,388
Spruce Street Near Linden Lane, 8" Sewer - Project 21	\$113,562
Spruce Street to Woodland Court, 8" Sewer - Project 22	\$284,650
Alder Street, 8" Sewer - Project 23	\$260,980
Del Norte Lane, 8" Sewer - Project 24	\$194,180
Hwy 101 5th & Elk to 12" Sew., 10" & 15" Sewer - Project 25	\$475,920
<b>Total Collection System Priority Two Replacements</b>	<b>\$3,948,390</b>

**TABLE 6.4.1 – Cont.  
SUMMARY OF RECOMMENDED PROJECTS**

<b>PROJECT NAMES</b>	<b>PROJECT COSTS</b>
<b>Pump Station Improvements</b>	
Priority One Pump Station Repairs	\$167,680
Priority Two Pump Station Repairs	\$175,800
Priority Three Pump Station Repairs	\$370,000
<b>Total Pump Station Improvements</b>	<b>\$713,480</b>
<b>WWTP Rehabilitation</b>	
Plant Coatings	\$120,400
Replace Mechanical Bar Screen, Immediate	\$217,150
Replace Mechanical Bar Screen, Degritter & Classifier, 10 Yr.	\$365,820
Primary Clarifier Rehab., 10 Yr.	\$193,669
Trickling Filter Rehab., Immediate	\$265,550
Reaeration System Rehab., Immediate	\$119,320
Reaeration System Rehab., 10 Yr.	\$68,838
Secondary Clarifier, WAS, RAS, Scum, 5 Yr.	\$175,226
Secondary Clarifier, WAS, RAS, Scum, 10 Yr.	\$161,857
UV System Replacement, Immediate	\$239,600
Replace Digester Burner	\$43,650
Modify Digest Operation Level	\$116,100
Sludge Storage Tank 2 & 3 Temp Convert to Digest	\$116,160
SST#3 Blower Replacement	\$98,550
<b>Total WWTP Rehabilitation</b>	<b>\$2,301,889</b>
<b>All Categories Total</b>	<b>\$12,142,475</b>

## **6.5 Permits**

Environmentally related permits (biological, wetlands or floodplain) will most likely not be required. Oregon DEQ approval is required for construction, installation, or modification of projects involving disposal systems, treatment works, and sewerage systems. An erosion and sediment control permit may also be required. Notify the State Historic Preservation Office (SHPO) of any potential for disturbing native soils.

## **6.6 Project Schedule**

The following is a project schedule identifying the key activities and approximate implementation dates for the pump station projects.

## Project Schedule

- Facilities Plan completed November 2015
- Facilities Plan approved by Council December 2015
- DEQ approval of facilities plan (required if CWSRF utilized) March 2016
- Secure Funding for improvements (Including: Predesign Report, WWTP Environmental Report, WWTP Geotechnical Report) July 2016
- Start Project Development (Kick-off Meeting) September 2016
  - Site Surveys and Locates November 2016
  - Predesign Report submittal January 2017
  - DEQ approval of Predesign Report March 2016
  - Attend One-Stop Meeting and secure construction funding April 2017
  - DEQ approval of Environmental Report (if required) June 2017
  - Design of project July 2017
  - DEQ approval of plans December 2017
  - Advertise for bids January 2018
  - Improvement construction March 2017 – December 2018
  - Facility commissioning December 2018
  - Performance Evaluation December 2018 – December 2019

### **6.7 Annual Operating Budget.**

Yearly operational and maintenance costs for the collection system and WWTP will remain largely unchanged. Refer to Section 2.4 for the financial status and budget information.

Original text to be deleted is ~~stricken~~.

Proposed new text is **bold**

Proposed new text added by the Planning Commission at their January 5, 2016 meeting is underscored.

## **GOAL 11 PUBLIC FACILITIES AND SERVICES**

### **GOAL:**

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to provide a framework for urban and rural development.

### **FINDINGS:**

1. The City has adopted a Public Facilities and Services Plan that establishes the framework for the distribution of water and sanitary sewer services and storm drainage systems throughout the expanded Urban Growth Boundary.
2. The City has adopted a Water Master Plan/Conservation Management Plan. On July 28, 2014, the City adopted "City of Brookings Water Master Plan Update". This update included data in the appendices from the 2007 "Water System Master Plan Update" regarding the Harbor Water People's Utility District which serves the Brookings Urban Growth Area south of the Chetco River Bridge.
3. The City has adopted a Water Curtailment ordinance that provides the city with the mechanisms to curtail water use in emergencies, including low surface water flows in the Chetco River.
4. On January 12, 2009, the City adopted the "Storm and Surface Water Facilities Plan for Brookings-Harbor Area." New policies from this Plan are found in the "Public Facilities Plan for Urban Growth Expansion."
5. **On (date) In ~~March, 2008~~, the City adopted a **Wastewater Facilities Plan developed by the Dyer Partnership dated November 2015**.**
6. The city currently provides the following facilities and services within the City Limits:

#### A. Public Works

- 1) Water Treatment - 2.0 to 2.6 mgd capacity.
- 2) Water Distribution, Pumping and Storage - (Total connections 3,354 -3,053 of the connections are residential, 2012).
- 3) ~~Wastewater Treatment — 15.4 mgd peak wet weather capacity. The yearly average flow is 1.42 mgd.~~ The service area includes the incorporated area of Brookings plus the Harbor Sanitary District to the South. (Total of ~~2,228~~ **3358** connections within the City limits. The Harbor Sanitary District has approximately 895 connections, which are pumped to the City's treatment plant., **November 2015** ~~July 8, 2010~~). **Current capacity provides for an average dry weather flow of 1.7 MGD, peak day average flow of 10.9 MGD and a peak wet weather hydraulic capacity of 15.5 MGD.**

- 4) Wastewater Collection and Pumping - All public facilities within the city limits are the responsibility of the City of Brookings. All such facilities in the Harbor Sanitary District are owned, operated and maintained by that district.
- 5) Street and Infrastructure Maintenance - The City's Public Works Department provides maintenance of City streets, water mains, sewer mains, storm drains, and other infrastructure systems.

B. Solid Waste Removal - is presently done by franchised contract

C. Fire Prevention and Protection Services

These services are provided with two paid employees (**Operations** Chief and **Captain Assistant Chief**) and **24** ~~40~~ volunteers. Ratings outlined in the Inventory document show an adequate program with primary need being in the area of improved water system. **However, improvements have been made that resulted in the classification being upgraded from a 7 to a 4B.**

D. Police Protection

- 1) Existing police facilities in the city hall ~~are presently adequate as a base of operations~~ **were rated as having a moderate risk of failure in a major seismic event by FEMA through the Rapid Visual Screening Score. The location was rated as a very high risk seismic zone in the same screening process.**
- 2) If population growth exceeded significantly the number projected or if the city boundaries were considerably expanded through annexation, or if the incident of crime jumped radically, it is conceivable that new facilities and additional manpower might be required.

E. Parks and Recreation Facilities and Services

- 1) One state park, Harris Beach State Park, is located within the City of Brookings. See adopted Harris Beach Master Plan, 2003.
- 2) The city owns and maintains approximately 54.4 acres of parkland.
  - a. Azalea Park (formally Azalea State Park)
 

33 -.2 acres	-4 Horseshoe pits
- 2 Softball fields	-2 Bar-ba-que grills
- Outdoor amphitheater/bandshell	-11 Picnic tables
- 2 Volleyball Courts	-Flower garden/natural area
- Kidtown (.25 ac.)	-Restroom facilities
- Walking and biking trails	-Snack shack
- Capella by the Sea (weddings and passive meditation)	
- Gazebo	
  - b. Bud Cross Park
 

- 6.4 acres	-Skate park
- 3 lighted tennis courts	-3 Picnic tables
- 2 baseball fields	-Basketball courts
- swimming pool and bathhouse	
- restroom facilities	
- concession stand	
  - c. Chetco Point Park

- 8.9 acres
  - walking trails
  - 5 picnic tables
  - ocean access/ beach access
  - 4 Horseshoe pits
  - Fire pit
  - Restroom facilities
  - 4 Seating benches
- d. Easy Manor Park
- .8 acres
  - playground facilities (remodeled in 2010)
  - 4 Picnic tables
  - 4 Seating benches
  - 2 Bar-ba-que grills
  - Restroom facilities
- e. Stout Park
- 3.3 acres
  - walking paths
  - 8 Seating benches
  - Model railroad garden
  - Manley Arts Center
- f. Numerous mini parks around the City (pocket parks).

3) The City adopted a Parks Master Plan in Aug., 2002. This Plan is incorporated herein by reference.

F. Other facilities and services provided in the City of Brookings are

- 1) Schools
- 2) Transportation for the elderly.
- 3) Regional recreational facilities such as state parks and harbor facilities.

7. The following entities will provide services outside of the city limits within the Urban Growth Boundary.

A. Wastewater Collection

- 1) The Harbor Sanitary District.
  - a. Collects wastewater within their district south of the Chetco River and pumps to the City's wastewater treatment plant.
  - b. Has stated, expansion of the District will only occur when it is in compliance with the Districts adopted Growth Management Policy (Resolution 07-18-R).
- 2) The City of Brookings
  - a. Will provide wastewater collection in the Urban Growth Boundary, south of the Chetco River outside of the Harbor Sanitary District boundaries when land is annexed to the city.
  - b. Will provide wastewater collection in the Urban Growth Boundary north of the Chetco River when land is annexed to the city.

B. Water Distribution

- 1) The Harbor Water District People's Utility District
  - a. Pumps from an intake on the south bank of the Chetco River.
  - b. District boundaries include the entire Urban Growth Boundary expansion south of the Chetco River except for the areas north of its intake facility and the top of the Harbor Hills.
  - c. Is willing to expand its boundaries to include the entire Urban Growth

Boundary south of the Chetco River.

- 2) The City of Brookings
  - a. The City currently provides water service to some areas of the Urban Growth Boundary north of the Chetco River.
  - b. The City will provide service to the entire Urban Growth Boundary north of the Chetco River.
  - c. ~~Due to City Charter language, the City must provide water service to properties in the Urban Growth Area that want to annex unless the legal voters of the City authorize another water provider to serve.~~
  - c. The right to furnish the inhabitants of said City with water shall be forever vested in the City of Brookings, and no franchise, right or privilege shall hereafter be granted to or contract made with any person or corporation by said City to furnish or supply the said City or its inhabitants with water, without the authorization of the legal voters of said City.

C. Fire Protection

- 1) Brookings Rural Fire Protection District.
  - a. Is located around the City in the area north of the Chetco River.
  - b. Is served under contract by the Brookings Fire Department
- 2) Harbor Rural Fire Protection District
  - a. Provides service to the entire Urban Growth Boundary south of the Chetco River.
  - b. Fire station is located on Benham Lane.

D. Police protection

All of the Urban Growth Boundary outside of the city limits is provided police protection by the Curry County Sheriff's Department.

E. Storm Drain Maintenance

- 1) The Oregon Department of Transportation maintains all drainage facilities within a state road or highway rights-of-way.
- 2) The Curry County Road Department maintains all drainage facilities within county road or street rights-of-way.
- 3). Drainage facilities on private property are maintained by the property owner.

**POLICIES:**

To insure timely, orderly and efficient arrangement of public facilities and services the following policies will be implemented by the City of Brookings.

1. Public Works

- A. Water treatment facilities. Facilities will be maintained with the proper observation and planning to expand facilities on a timely basis to provide continued service to existing customers and projected growth. Expansion programs will be funded through the most cost-effective methods utilizing all available federal, state and local funds.

- B. Water distribution, pumping and storage. New development requiring extension of water mains, pumping and storage facilities will be paid for and constructed by the developer pursuant to the provisions of the current City of Brookings Engineering Requirements and Standard Specifications for Public Works Infrastructure document.
- C. Water Master Plan/Conservation Management Plan. The City will maintain a Water Master Plan/Water Conservation Management Plan, which will be updated as required.
- D. A Backflow Prevention Program was adopted in 2012.
- E. Wastewater treatment facility. Expansion programs will be funded through the most cost-effective methods utilizing all available federal, state and local funds.
- F. Wastewater collection facilities. New development requiring extension of sewer mains and new pumping stations will be paid for and constructed by the developer pursuant to the provisions of the current City of Brookings Engineering Requirements and Standard Specifications for Public Works Infrastructure document.
- G. Streets and other infrastructure facilities. The City's Public Works Department will inspect and maintain all public street and subsurface infrastructure facilities. The extension of existing streets for new development shall be paid for and constructed by the developer pursuant to the provisions of the current City of Brookings Engineering Requirements and Standard Specifications for Public Works Infrastructure document.
- H. Storm drain facilities. New development requiring new storm drain systems or the extension of existing systems including provision of detention basins, will be paid for and constructed by the developer pursuant to the provision of the current City of Brookings Engineering Requirements and Standard Specifications for Public Works Infrastructure document.

## 2. Fire Prevention and Protection

The Fire **Operations** Chief will continue to serve as the head of prevention and protection services. He will continue to maintain the high level of training and service that the community has come to expect through the conduct of local and regional training sessions and a continued education for himself.

## 3. Police Protection

The Chief of Police shall be responsible for continually monitoring the department's facility requirements and operations. In conjunction with the annual preparation of his

budget request, a written evaluation shall be prepared for the City Manager, who in turn, may call attention to specific items for consideration by Planning Commission, Council or staff.

## PUBLIC FACILITIES PLAN

### CITY OF BROOKINGS WATER SYSTEM

The City of Brookings acquired the water system serving property within the City in 1973 and operates the water system as a City business enterprise. The City has made substantial improvements to the water system over the years.

The water enterprise consists of the following operating systems:

- **Source of Supply:** The locations where the City takes or has the right to take ground water for municipal purposes, and the system for transmission of the water taken from these locations identified in Table 3.1 to the water treatment plant and distribution system.
- **Treatment:** Filtering and chemically treating water from the sources of supply during river turbidity which DHS has determined the water treatment is not necessary.
- **Distribution:** A system of pipes that delivers water from the treatment plant to storage reservoirs, fire hydrants and individual properties for domestic and industrial use. Distribution includes operation and maintenance of water usage meters.
- **Management and Customer Service:** Overall management of the water enterprise, engineering, planning, meter reading, billing/collections and customer service (new connections, turn-on/turn off, etc).

### WATER SOURCE

Following is the current status of the City's various water right development applications and certificates.

Table 3.1: City of Brookings Water Rights

Source /Type	Permit No.	Certificate No.	Priority Date	Quantity
Chatco River (S) (Ranney)	27610	83682	9/14/1961	4.0 cfs
Chatco River (S) (Ranney)	31293	87358	1/21/1966	1.57 cfs
Chatco River (G) ("Tide Rock")	G5601	64614	8/14/1972	6 cfs
Chatco River (S)	51383		12/12/1990	1.0 cfs Mar 1 - Jun 30)
Chatco River (R)	R11535		5/13/1993	62.3 Ac-ft
Chatco River (R) (10 Reservoirs)	51595		5/13/1993	62.3 Ac-ft
Ferry Creek (S)	1740	2078	8/22/1913	3.0 cfs
Ferry Creek Reservoir (R)	372	1407	8/9/1916	1.5 MG
Ferry Creek Reservoir (R)	408	2071	8/25/1917	28 Ac-ft
Ferry Creek Reservoir (R)	31224	46861	2/10/1966	167.4 Ac-ft
Ferry Creek Reservoir (R)	R4720	46860	2/10/1966	167.4 Ac-ft
Joe Hall Creek (S)	4674	4953	6/23/1920	2.5 cfs
Ransom Creek (S)	18123	20734	2/24/1948	0.53 cfs

Currently, the Chetco River supplies 100 per cent of the City's water needs through a Ranney type groundwater intake collector located along the North Bank Chetco River approximately 4 miles upstream from the Highway 101 bridge. The Ranney Collector is designed for a capacity of 5.7 cubic feet per second (cfs) with all three pumps running, although a portion of the 12-inch AC piping from the intake to the treatment plant is questionably undersized for this flow rate. The Ranney Collector is operated with only 1 pump running rated 1250 gpm or 2.7 cfs. The City installed 9,500 ft of new 16-inch raw water line from the point of diversion to the treatment plant in 2008. There is 4,900 feet of 12-inch AC line between the intake and treatment plant that should be upsized to 16-inch DI in order to operate more than one 1250 gpm (2.7 cfs) pump at the intake.

In 2012, Certificates 83682 and 87358 were obtained as part of a negotiated agreement with Oregon Water Resources Department (OWRD) and Waterwatch, and represent the only water rights currently used by the city for municipal water production.

#### WATER TREATMENT

The water treatment plant, installed in 1976, is a Neptune Microfloc Aquarius Model AQ-300 that utilizes the conventional rapid sand filtration treatment process. The plant consists of two identical, side-by-side units with a combined capacity of approximately 2.6 mgd. DHS recently downgraded the requirement to operate the treatment plant and water is allowed to be delivered year round with only disinfection. The water treatment plant is also the location of the main distribution pumps which are operated at 2.1 MGD.

#### WATER DISTRIBUTION

The main line distribution system consists of approximately 26.5 miles of pipe ranging in size from 2 to 16 inches. Pipe materials vary with the most common types being asbestos cement (AC) and polyvinyl chloride (PVC). The distribution system is over-extended in the higher elevation portions of the service area and is not capable of delivering fire flows in some areas. The master plan update has identified over \$6 million dollars in needed distribution pipe upgrades and replacements.

#### WATER USAGE

Water projection demands in 2013 maximum day demand is 2.1 MGD and expected to increase to 2.3 MGD by 2018. Residential water use has significantly decreased from 96.9 gpcd in 2007 to 96.9 gpcd in 2012. The City began offering water conservation incentives to customers in 2007. Unaccounted for water use has also reduced from 17% loss in 2007 to 10.1% water loss in 2012. The City has contracted an annual leak detection survey to credit for the loss reduction.

#### FIRE FLOWS

The water system must offer sufficient capacity to furnish water for firefighting while maintaining adequate flows for domestic, commercial and industrial demands. In addition, the required fire

flow must be delivered at an accepted residual pressure, which is 20 psi. The City of Brookings has adopted the Oregon Fire Code. The Oregon Fire Code provides the minimum fire flow standard applied to new development. A matrix used to determine fire flow requirements can be found in Oregon Fire Code, Appendix B, Table 105.1- Minimum required fire flow and flow duration for buildings. There is no community-wide standard, although a basic fire flow of 1,500 gpm for a two hour duration is a minimum in the Oregon Fire Code.

#### WATER STORAGE

With the completion of the 1.6 million gallon Seacrest reservoir in 2009, the current available storage is 3.6656 million gallons, or 1.78 times the peak day demand. The sizing of the Seacrest reservoir was reduced from a proposed 2.0 mg due to site constraints. The City received a grant to fund installation of a .5 mg water reservoir east of the Brookings Airport. Construction is slated to begin on this project in the fall of 2014. The site will accommodate an additional .5 mg reservoir in the future. In addition, the 2014 master plan update recommends an additional new water storage facility of at least 250,000 gallons in the Old County Road area.

#### WATER SYSTEM MASTER PLAN

The City adopted a Water System Master Plan Update prepared by PACE, An Engineering Services Company on July 28, 2014.

### Harbor Water People's Utility District

#### WATER SOURCE

Currently the Chetco River supplies the Harbor Water Peoples Utility District (HWPUD) water needs. The river intake is a Ranney collector with a rated capacity of 6 million gallons per day. Four pumps serve the intake; each rated at 2.4 mgd capacity. The pumps alternate, with two operating together to handle peak demands.

The HWPUD currently holds two surface water rights from the Chetco River and has two ground water sources. These are summarized in the following table.

Harbor Rural Water District Water Rights			
Source	Priority Date	Amount	Amount
Chetco River	1966	3.500 cfs	2.26 mgd
Chetco River	1980	7.00 cfs	4.53 mgd
Well G3240	1966	3.50 cfs	2.26 mgd
Well G9438	1980	7.00 cfs	4.53 mgd
Total		21.00 cfs	13.58 mgd

#### WATER TREATMENT

The Ranney intake is considered equivalent to a ground water system. For this reason, water treatment is not practiced.

#### WATER DISTRIBUTION

The distribution system is an extensive loop system that extends from the Chetco River to the California border, and consists of approximately 50-55 miles of pipe ranging in size from 2 to 16

inches. Pipe materials vary with the most common types being asbestos cement (AC) and polyvinyl chloride (PVC), and ductile pipe.

#### WATER USAGE

Current water production data shows that the average daily water demand is 700,000 gallons with the peak day demand being 1,700,000 gallons. Serving an estimated 2,500 persons, the current population, the average daily water usage per person is approximately 280 gallons, with a peak demand of 680 gallons.

#### FIRE FLOWS

The water system must offer sufficient capacity to furnish water for fire fighting while maintaining adequate flows for domestic, commercial, and industrial demands. Also the required fire flow must be delivered at an accepted residual pressure which is 20 psi. The HWPUD has sufficient storage to meet a demand of 1500 gpm for two hours where necessary. The necessary storage to meet that requirement would be 180,000 gallons. HWPUD has the capacity to deliver fire flows.

#### WATER STORAGE

There are eleven water storage reservoirs in the HWPUD, which give a total storage capacity of 2,060,000 gallons. The following table summarizes the current water storage for the district.

Harbor Water District Storage			
Reservoir	Bottom Elevation	Overflow Elevation	Storage Capacity
Crown Terrace 1	525.5'	537.5'	10,000 gal
Crown Terrace 2	525.5'	537.5'	10,000 gal
Crown Terrace 3	795'	807'	10,000 gal
Crown Terrace 4	795'	807'	10,000 gal
Crown Terrace 5	1,025'	1,037'	10,000 gal
Crown Terrace 6	1,025'	1,037'	10,000 gal
Hallway 1	201.36'	234.81'	750,000 gal
Hallway 2	203.62'	234.81'	500,000 gal
Coleman	355.18'	388.60'	300,000 gal
Benham	355.18'	386.60'	200,000 gal
Freeman	203.32'	234.74'	250,000 gal
<b>TOTAL</b>			<b>2,060,000 gal</b>

The required storage for the HWPUD is shown in the following table.

Harbor Water Storage Estimate		
Peak Day Demand	1,700,000 gallons	
Twice the Ave Day Demand	1,400,000 gallons	
Larger of the above two		1,700,000 gallons
Fire Storage	1500 gpm x 2hrs	180,000 gallons

Equalization Storage	20% peak	340,000 gallons
Required Storage		2,220,000 gallons

## HARBOR WATER PUD MASTER PLAN

Harbor Water PUD adopted a Master Plan in December, 2000 that is incorporated herein by this reference.

## CITY OF BROOKINGS WASTEWATER SYSTEM

The original Brookings sewer system was constructed about 1916 and service was initially limited to the downtown area. The City assumed operation of the sewer system soon after incorporation in 1951. The City operates the wastewater system as a City business enterprise. The wastewater enterprise consists of the following operating systems:

### COLLECTION

The City accepts domestic sewage from property in the service area that is connected to the sanitary collection system, and transmits the sewage to the wastewater treatment plant. The collection function includes the operation of sewage lift stations installed at various locations within the collection system to assist the flow of sewage to the treatment plant.

Currently, the collection system consists of a network of 6, 8, 10 and 12-inch mains connected to 18 and 21-inch interceptors and lift stations. There are approximately 32.7 miles of 6-inch to 21-inch gravity mains and 2.75 miles of 4-inch to 14-inch diameter force mains in the collection system. The system provides service connections to individual properties within the service area. The interconnection with the HSD also functions as a part of the collection system.

### LIFT STATIONS

The City currently operates 13 lift/pump stations located to serve areas which cannot be served with gravity-fed sewer mains.

### TREATMENT

Treatment involves removal of solids from the sewage received at the wastewater treatment plant, and clarification of processed solids after biological treatment and disinfect using U.V. bulbs in the effluent stream, to meet federal and state standards prior to discharge into the ocean. Treatment includes the processing, reprocessing and disposal of solids removed from the sewage.

The wastewater treatment plant has been located at Chetco Point since the early 1950's. Major modifications to the plant were made in 1973, 1991, and 2000.

Treated water, or effluent, produced by the wastewater treatment plant is discharged to the Pacific Ocean. The Oregon Department of Environmental Quality establishes discharge limitations for discharge to ocean waters. ~~The residual of the solids removal process, or sludge, is currently taken from the bio-solids storage tank and transported to a processing facility in Grants Pass during the summer months. Approximately 1,598,040 gallons of sludge was transported for disposal in 2009.~~ A new Class B sludge dewatering facility **was constructed**

**and brought on line in December, 1012** ~~is planned for construction during 2010-11~~ which will eliminated the need for sludge trucking to Grants Pass.

#### RELATIONSHIP TO HARBOR SANITARY DISTRICT

In 1976, the Harbor Sanitary District was formed to serve an area just south of the City. The City and HSD have entered into a series of intergovernmental agreements whereby the City accepts sewage from HSD for treatment. See below for a description of the HSD system.

#### BROOKINGS WASTEWATER MASTER PLAN

The City adopted a Wastewater Facilities Master Plan in ~~March, 2008~~ **(date of adoption)**. That Master Plan is incorporated herein by reference. A detailed discussion of the treatment system and plant capacity can be found in the Plan. Until sewer service can be extended to properties, interim urban-level treatment systems may be allowed only if specifically provided for in master plans which set forth appropriate standards and conditions and which have been adopted as post-acknowledgement plan amendments or periodic review work task elements.

#### HARBOR SANITARY DISTRICT WASTE WATER SYSTEM

The community of Harbor is an unincorporated residential, commercial, and industrial area south of the Chetco River and the City of Brookings. The Harbor Sanitary District (HSD) has served this area since June 1976. The HSD operates only a collection system. Wastewater is piped to the Brookings wastewater treatment plant for treatment. The area's land use is predominantly residential, but a regional shopping center and an extensive commercial and industrial complex surround the Brookings-Harbor Boat Basin. The Harbor Bench area south of Harbor, an area experiencing steady growth, currently is out of the sewer service area; however, it is an area that potentially may become part of the service area. In 1979 the Oregon Health Division directed the HSD to annex an adjoining area, the Oceanview Mobile Home Estates, due to wastewater treatment concerns.

#### POPULATION

The following population data was taken from the "City of Brookings Comprehensive Utilities Plan" dated September 1981. Population projections were based on the 1970s, a growth period.

Harbor Sanitary District Population Growth				
Year	1980	1990	2000	2010
Population	1,968	2,645	3,555	2,770

#### COLLECTION SYSTEM

In 1976, the HSD was formed. The collection system consists of four pump stations and a network of gravity lines. Wastewater is pumped across the Chetco River to the south portion of the City of Brookings service area. There a 20-inch gravity main conveys the wastewater to the Brookings treatment plant. The daily flow rate is approximately 0.28 mgd.

The collection system consists of 16.5 miles of 8-inch and 12-inch transite pipe.

#### **PUMP STATIONS**

Flows from the entire Harbor collection system enter HSD pump station No. 14. Discharge from this station is to the Brookings WWTP by means of an 8-inch force main over the Chetco River or a 12-inch force main under the Chetco River. Space for additional force mains is available. Pump station No. 14 is rated at 2,000 gpm and 125 feet. The other three pump stations are small and serve limited areas.

#### **HARBOR SANITARY DISTRICT MASTER PLAN**

HSD plans to complete a Master Plan during the winter of 2010.

Until sewer service can be extended to properties, interim urban-level treatment systems may be allowed only if specifically provided for in master plans which set forth appropriate standards and conditions and which have been adopted as post-acknowledgement plan amendments or periodic review work task elements.

#### **CITY OF BROOKINGS STORM DRAINAGE**

The City of Brookings operates a storm drainage system within the city boundaries. Drainage basins flow to the ocean or the Chetco River. Generally local area flows are conveyed via pipes to discharge points at surface drainage ways. The majority of the existing piping system is located in the western old portions of the city draining to the Chetco. Highway 101 presents a major flow obstruction to natural drainage pattern, requiring culvert crossings. Some limited historical flooding has occurred, but the problems are related to site-specific causes.

#### **CURRY COUNTY**

Curry County services all public storm drainage in the study areas north and south of the Chetco outside City limits. The service level is mainly rural road maintenance that consists of ditch culvert cleaning associated with road maintenance. All other drainage features are privately owned. The Harbor Bench area, which is outside the urban growth area, has experienced flooding and erosion due to upstream growth and diversion of flows due to culvert placement.

#### **CITY/ COUNTY STORM DRAINAGE MASTER PLAN**

On January 12, 2009, the City and the County adopted the "Storm and Surface Water Facilities Plan for Brookings-Harbor Area." In the Plan are design and development standards and proposed improvements to the storm drainage facility. There are also maps depicting the various basin areas in City limits and the Urban Growth Area, hydrologic/ hydraulic analysis, and the discussion of the effects on specific areas in the Plan. The Plan is hereby incorporated by this reference.

The Storm and Surface Water facilities Plan for Brookings Harbor Area" contains the following policies:

- Low impact development is preferred.
- Negative impacts to natural watercourses are to be avoided.
- Piping of a natural watercourses is to be avoided, where practicable.

- Protection of ground water sources is critical.
- Proposed facilities should address water quality impacts and mitigation measures.
- Erosion and sediment must be controlled using the City, County, and Department of Environmental Quality requirements.
- Stormwater discharges shall be maintained at current levels.
- A public education program is recommended to disseminate information on the importance of preventing negative impacts from stormwater.

The “Storm and Surface Water Facilities Plan for Brookings-Harbor Area” contains specific design and development standards and proposed improvements to the storm drainage facility. To avoid adverse impacts created by development, the Plan contains five strategies to be generally utilized:

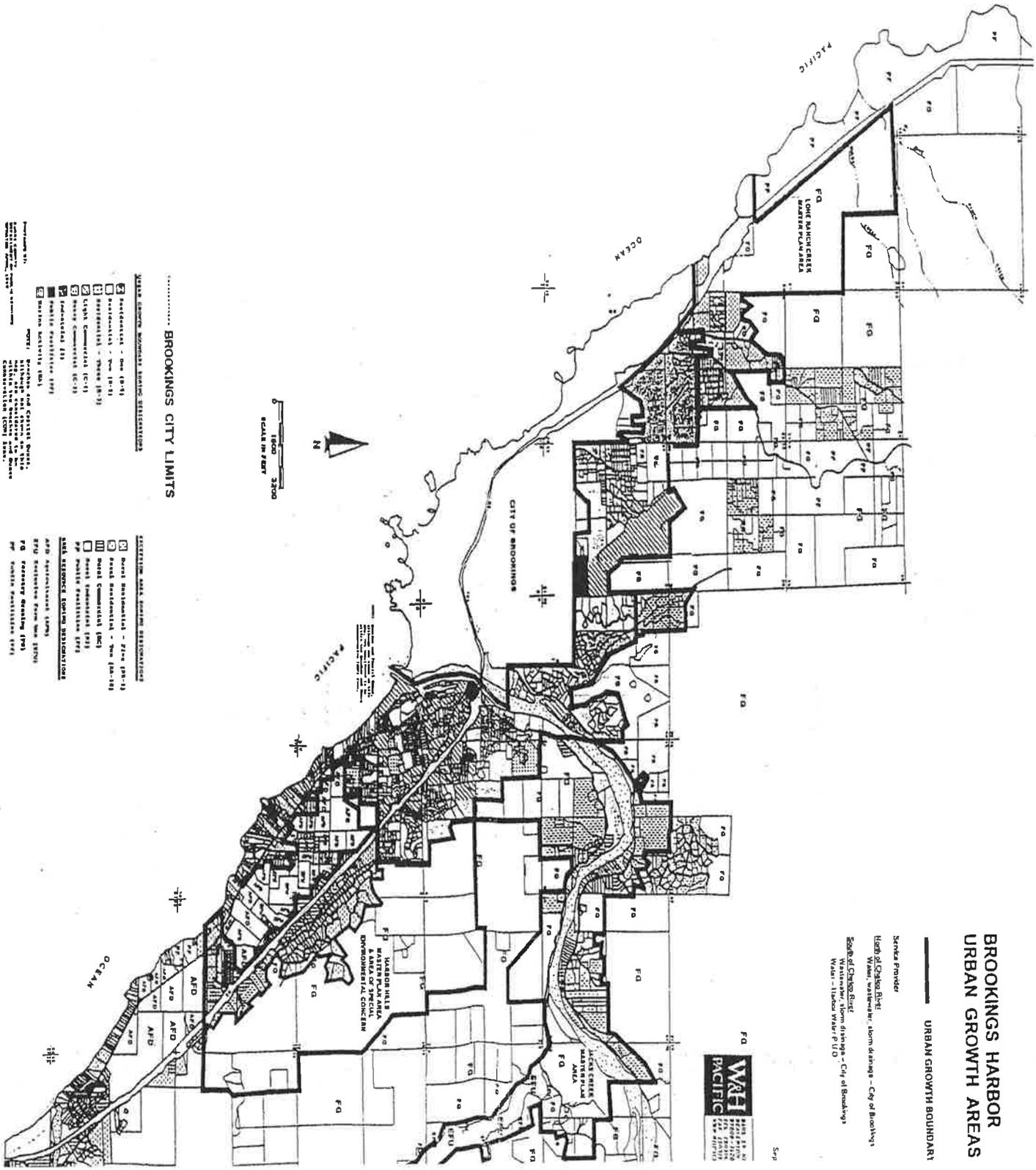
1. There should be no post-development net increase in storm drainage discharge downstream.
2. Low impact development practices as described in the 2007 “Storm and Surface Water Facilities Plan” shall be implemented.
3. The capacity of the downstream drainage infrastructure is improved to convey the increased flow. Usually this means constructing larger culverts and storm drains. Generally, the natural drainage channels are improved, but because of the study area’s proximity to the ocean and the steep rocky terrain, these channel improvements may not be necessary.
4. A regional detention facility is constructed to capture the additional runoff and release the flow at a slower natural rate. A regional facility is normally associated with a single drainage way or creek.
5. An onsite detention facility is constructed for each individual development. The goal for a regional or onsite detention facility is that the runoff from the post-development condition be reduced to flow equaling the pre-development condition.

The Harbor Hills Master Plan Area within the UGA is required to prepare a comprehensive surface water management plan prior to any land use approvals. The details required and the review and approval process are described in the “City of Brookings and Curry County Joint Management Agreement”, dated June 30, 2010.

# BROOKINGS HARBOR URBAN GROWTH AREAS

URBAN GROWTH BOUNDARY

- Service Provider
- North of Columbia River
- Water, wastewater, storm drainage - City of Brookings
- South of Columbia River
- Wastewater, storm drainage - City of Brookings
- Water - Tillamook Water/TUO

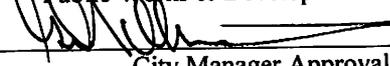


## BROOKINGS CITY LIMITS

- URBAN GROWTH BOUNDARY ZONING DISTRICTS**
- 1 Residential - One (R-1)
  - 2 Residential - Two (R-2)
  - 3 Residential - Three (R-3)
  - 4 Light Commercial (LC-1)
  - 5 Heavy Commercial (HC-1)
  - 6 Industrial (I)
  - 7 Public Facilities (PF)
  - 8 Marine Activities (MA)
- EXISTING MAJOR ZONING DISTRICTS**
- 10 Short Residential - Five (SR-5)
  - 11 Short Residential - Two (SR-2)
  - 12 Short Commercial (SC)
  - 13 Short Industrial (SI)
  - 14 Public Facilities (PF)
- LAND RESOURCE ZONING DISTRICTS**
- 15 Agricultural (A)
  - 16 Forestry (F)
  - 17 Forest Reserve (FR)
  - 18 Public Facilities (PF)
- NOTES:** BROOKINGS AND CANTON BOUNDARIES SHOWN FOR REFERENCE TO THE 1991 CONSERVATION (CM) ZONE.

**CITY OF BROOKINGS**  
**COUNCIL AGENDA REPORT**

Meeting Date: March 28, 2016

  
\_\_\_\_\_  
Public Works & Development Director  
  
\_\_\_\_\_  
City Manager Approval

Originating Dept: PWD

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Subject: Regulating solicitation

Recommended Motion: Move to adopt Ordinance No. 16-O-754 adding Sections 9.10.345, Abusive Solicitation, and 10.20.145, Unlawful Transfer to the Brookings Municipal Code.

Financial Impact: \$163 per sign, minimum of six signs.

Background/Discussion:

Increased solicitation at the intersection of Chetco Avenue and 5<sup>th</sup> Street, as well as the entrance to Fred Meyer, has raised concerns regarding traffic safety in these areas. Additionally there have been complaints from Citizens regarding abusive/harassing behavior by those soliciting. Possible solutions to these issues have been a topic of discussion for several months at both Staff and Council level.

This matter was formally discussed at the January 25<sup>th</sup> and the March 14<sup>th</sup> 2015 Council meetings. Staff was directed to make changes to the Municipal Code to incorporate language, reviewed and approved by City Attorney Martha Rice that would regulate solicitation within the City.

Policy Considerations: In keeping with City Council 2015 Short Term Strategic Plan, Goal 2; A Safe Community

Attachment(s): Ordinance 16-O-754

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**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 16-O-754**

**IN THE MATTER OF ORDINANCE 16-O-754, AN ORDINANCE ADDING SECTIONS 9.10.345, ABUSIVE SOLICITATION, AND 10.20.145, UNLAWFUL TRANSFER, TO THE BROOKINGS MUNICIPAL CODE.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Adds Section 9.10.345
- Section 3. Adds Section 10.20.145

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance adds Sections 9.10.345, Abusive Solicitation, and 10.20.145, Unlawful Transfer, to the Brookings Municipal Code.

Section 2. Adds Section 9.10.345: Section 9.10.345, Abusive Solicitation, is added to read as follows:

**9.10.345 Abusive Solicitation**

A. Purpose. The City Council deems it advisable and in the City's best interest, to provide for the safety of the community by adopting regulations regarding solicitation of an abusive nature within the City's jurisdiction.

B. Abusive Solicitation. No person shall engage in abusive solicitation as defined in this subsection. A person shall not be deemed to be in violation of this subsection when he or she passively displays a sign unless that person takes abusive action to obtain and/or retrieve an item of value from another person caused by the sign being displayed.

C. Definitions. The following words or phrases as used in this Chapter shall have the following meanings:

1. "Solicitation" means an in-person request made to obtain an immediate donation of money or other item of value.
2. "Offensive" means conduct that has the effect of provoking or being likely to provoke an imminent violent or disorderly response.
3. "Threatening" means conduct that has the effect of placing one in reasonable apprehension of imminent physical harm.
4. "Abusive Solicitation" means intentionally, recklessly or knowingly engaging in offensive or threatening conduct immediately before, during, or immediately after making a solicitation, including, but not limited to, the following listed conduct:
  - a. Continuing to solicit once the person being solicited has declined the request;
  - b. Blocking or impeding the passage of the person solicited;
  - c. Following the person solicited by proceeding behind, ahead or alongside of him or her after the person solicited has declined the request;
  - d. Touching the solicited person without the solicited person's consent;

- e. Using words, signage, gestures, and/or actions directed toward the person being solicited which are offensive or threatening.

D. Penalties. Any violation of the provisions of this ordinance constitutes a violation of Brookings Municipal Code and subject to Section 1.05, General Penalty.

E. Severance. If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way effect the validity of any remaining portions of this law.

Section 3. Adds Section 10.20.145: Section 10.20.145, Unlawful Transfer, is added to read as follows:

**10.20.145 Unlawful transfer**

A. Purpose. The City Council deems it advisable, and in the City’s best interest, to provide for the safety of the community by adopting regulations regarding unlawful transfer on highways, roads and streets within the City’s jurisdiction.

B. A person commits the offense of unlawful transfer if the person:

1. While a driver or passenger in a vehicle on a highway, road or street within the boundaries of the city of Brookings, gives or relinquishes possession or control of, or allows another person in the vehicle to give or relinquish possession or control of any item of property to a pedestrian; or
2. While a pedestrian, accepts, receives or retains possession or control of any item of property from a driver or passenger in a vehicle on a highway, road or street within the boundaries of the city of Brookings.
3. This subsection does not apply if the vehicle is legally parked. This subsection also does not apply to persons participating in a "Pedestrian Activity," as defined in OAR 734 Division 58, for which a permit has been issued by the Oregon Department of Transportation, so long as all terms of such permit are being met.

C. Penalties. Any violation of the provisions of this ordinance constitutes a violation of Brookings Municipal Code and subject to Section 1.05, General Penalty.

D. Severance. If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way effect the validity of any remaining portions of this law.

First Reading: \_\_\_\_\_ Passage: \_\_\_\_\_  
Second Reading: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2016

ATTEST:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Recorder Joyce Heffington



Email 03/11/2016  
Publish 03/16/2016

## PUBLIC NOTICE NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council on Monday, March 28, 2016, at 7:00 p.m. in the Council Chambers of Brookings City Hall, 898 Elk Drive, Brookings.

In the matter of File No. **CP-2-15**, approval of the Wastewater Facilities Plan, 2015, as well as revisions to the Public Facilities Plan (PFP) and Goal 11 of the Brookings Comprehensive Plan to reflect information in the Wastewater Facilities Plan. City initiated. The criteria used to decide this matter is found in Chapter 17.140 Amendments, of the BMC. This is a legislative hearing and City Council will make a decision on the matter.

The public is invited to attend and participate in this public hearing. All persons wishing to address this matter will have an opportunity to do so in person at the hearing or by submitting written evidence to the Planning Department at the address above. If you wish to speak at the hearing, you will be asked to sign in and afforded 5 minutes to speak. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Commission and parties an opportunity to respond to the issues precludes appeal to the Oregon Land Use Board of Appeals (LUBA).

A copy of the application and all documents and evidence, in addition to the staff report prepared for this case, will be available for public inspection, at no cost at the Brookings Planning Department, 898 Elk Drive Brookings, OR, 541-469-1135. Copies of any of these documents may be obtained at reasonable cost, seven days prior to the hearing. All documents may be viewed or obtained at the Planning Department at Brookings City Hall or call Donna Colby-Hanks at 541-469-1137 for additional information.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please call 469-1135 to make the appropriate arrangements. TTY (800) 735-1232.



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**Legal**

**Publish: March 23, 2016**

## **Public Notice**

NOTICE IS HEREBY GIVEN that on March 28, 2016, at 7:00pm in City Hall Council Chambers, 898 Elk Drive, during a regular Common Council meeting, Brookings City Council will consider for adoption, by title only, the following:

- In the matter of Ordinance 16-O-754, an ordinance adding Sections 9.10.345, Abusive solicitation, and 10.20.145, Unlawful transfer, to the Brookings Municipal Code.

All persons wishing to address these matters may do so in person at the meeting, or by submitting written evidence to the City Manager, Brookings City Hall, 898 Elk Drive, Brookings, 97415, prior to the meeting. Copies of the ordinance and associated staff report are available for inspection at City Hall, on the City's website at [www.brookings.or.us](http://www.brookings.or.us), and at the Chetco Community Public library. Copies of the documents may also be purchased.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 10 days advance notification. Please contact 469-1102 if you have any questions regarding this notice.