



# CITY OF MANZANITA

P.O. Box 129, Manzanita, OR 97130-0129  
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ci.manzanita.or.us

## COUNCIL REGULAR SESSION

Pine Grove Community Center  
<https://ci.manzanita.or.us>

## AGENDA **UPDATED**

July 5, 2023  
06:00 PM Pacific Time

**Council will hold this meeting at the Pine Grove Community Center**

**Video Information:** The public may watch live on the

[City's Website: ci.manzanita.or.us/broadcast](https://ci.manzanita.or.us/broadcast)

or by joining via Zoom:

<https://us02web.zoom.us/j/82774710834?pwd=UkMvUjIvZm5vTVU3UFFzWGdvV3ZUQT09>

**Meeting ID: 827 7471 0834 Passcode: 069882**

Call in number: +1 253 215 8782

**Note:** agenda item times are estimates and are subject to change

**1. CALL TO ORDER (6:00 p.m.)**

**2. AUDIENCE PARTICIPATION**

Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to [cityhall@ci.manzanita.or.us](mailto:cityhall@ci.manzanita.or.us)), or in person to city staff**

**3. CONSENT AGENDA**

Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.

**A. Approval of Minutes**

- a. June 02, 2023, Budget Committee Meeting
- b. June 07, 2023, Regular Session
- c. June 14, 2023, Special Session & Budget Hearing
- d. June 14, 2023, Work Session

**B. Approval of Bills**

**4. CITY MANAGER REPORT**

## 5. NEW BUSINESS

**A.** Recycling Update  
David McCall, Solid Waste Program Manager, Tillamook County

**B.** Fourth of July Update  
Erik Harth, Chief of Police  
Brad Mayerle, Councilor

**C.** Special Event Permit - Shipwrecked  
Erik Harth, Chief of Police

**D.** Liquor License Application  
Eric Kammerer, Owner

**E.** Hazardous Materials Consulting Contract  
Leila Aman, City Manager

**F.** Transportation System Plan – Request to begin Post Adoption Plan  
Amendment Process  
Leila Aman, City Manager

**G.** Housing Planning Grant Request  
Leila Aman, City Manager

## 6. OLD BUSINESS

**A.** Abandoned Vehicle 470 North Street  
Erik Harth, Chief of Police

**B.** Ordinance 23-02 Authorizing the Imposition of System Development  
Charges and Repealing Ordinance 91-4 – Second Reading  
Leila Aman, City Manager

**C.** Water Rate Increase - Resolution  
Dan Weitzel, Public Works Director

## 7. COUNCIL REPORTS

## 8. ADJOURN (7:51pm)

**Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice**

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at [cityhall@ci.manzanita.or.us](mailto:cityhall@ci.manzanita.or.us) or phone at 503-368-5343. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's youtube channel](#).



## MEMORANDUM

To: Mayor and City Council

Date Written: June 30, 2023

From: Leila Aman, City Manager

Subject: **July 5, 2023, City Council Regular Session**

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### 5. NEW BUSINESS

#### A. RECYCLING UPDATE

David McCall, Solid Waste Program Manager for Tillamook County will provide Council with an update on the Recycling Program at the Manzanita Transfer Station.

#### B. FOURTH OF JULY UPDATE

Chief Erik Harth and Councilor Brad Mayerle will provide an update on the Fourth of July parade.

#### C. EVENT PERMIT – SHIPWRECKED

Craig Marquardo representing the Sand Dune Pub and Offshore Grill is requesting closure of Laneda Avenue from 2nd Avenue to Carmel on Saturday, August 12th, 2023, from 12-6pm for a Public event with live music, food and beverages. This is a for-profit event and will include the serving of beer and wine. Parking is proposed to be restricted in this area.

#### D. LIQUOR LICENSE APPLICATION

Eric Kammerer has applied for a liquor license for an existing business. This is a new application and requires the consent of the governing body.

#### E. HAZARDOUS MATERIALS CONSULTING CONTRACT

Requesting approval authorizing the city manager to execute a contract with G2 Consultants to provide the city of Manzanita with abatement consulting services for the abatement design, bud walks and air clearances for the abatement activities associated with the buildings on Underhill Plaza. Staff is requesting contract authority up to \$39,763 however it is anticipated that the optional air monitoring services will not be required. Based on the scope of services and the proposal, OAR 137-048-0200(1)(b) applies, which allows the City to make a direct appointment so long as the estimated fee does not exceed \$100K.

#### F. TRANSPORTATION SYSTEMS PLAN – REQUEST TO BEGIN POST ACKNOWLEDGEMENT PLAN AMENDMENT PROCESS

Staff is recommending that the city begin the Post Acknowledgement Plan Amendment (PAPA) process of the Transportation Systems Plan (TSP) to replace Goal 12 of the

City's Comprehensive Plan. For nearly three years the City of Manzanita has been working with the cities of Nehalem and Wheeler through an ODOT grant to develop a regional TSP for the area. The TSP has been finalized and the adoption draft has been posted to the city's website. The City Council received a presentation on the final TSP on February 8th. The Planning Commission will receive the same presentation on July 17th, 2023. The city is required by law to notice a public hearing for the proposed adoption at least 35 days in advance. Staff is recommending that city council authorize staff to move forward with the notice process and to hold a public hearing on the adoption of the Plan at the September City Council meeting.

### **G. HOUSING PLANNING GRANT REQUEST - RESOLUTION**

The Oregon Legislature passed Senate Bill 406 which requires cities in Tillamook County to meet the requirements of ORS 197.758 Development of Middle Housing. Cities and communities within Tillamook County are now subject to the rules in ORS 197.758 which require cities to update their Comprehensive Plan and Land Use Regulations to meet the requirements. The Department of Land Conservation and Development (DLCD) is offering Housing Planning Technical Assistance grants for jurisdictions to implement updates to Goal 10 including local development codes. Due to SB 406 Manzanita now has a statutory obligation to update the Comprehensive Plan and the Manzanita Zoning Ordinance to be in compliance with these rules. This grant would supplement the funding the city has already allocated for the Comprehensive Plan update and would enable the city to implement changes to the Manzanita Zoning Ordinance in a more efficient manner. The grant requires either a Resolution or a letter of support from the governing body. Staff requests that the City Council approve a Resolution authorizing the City Manager to apply for a technical assistance grant.

## **6. OLD BUSINESS**

### **A. ABANDONED VEHICLE UPDATE – 470 NORTH**

The Chief will provide an update on the abatement of a nuisance located at 470 North Street.

### **B. ORDINANCE 23-02 AUTHORIZING THE IMPOSITION OF SYSTEM DEVELOPMENT CHARGES AND REPEALING ORDINANCE 91-4 -SECOND READING**

City Council is asked to approve the second reading of Ordinance 23-02, If approved this Ordinance will go into effect 30 days from the date of the second reading.

### **C. WATER RATE INCREASE**

The City Council is asked to approve a Resolution to establish new water rates. The City Council has held several work sessions to discuss the water rate increase including on April 12, 2023, May 10, 2023 and again on June 14, 2023. At these meetings the City Council received information about the need for the water rate increase and the

methodology. The council also asked questions and asked for additional data from staff to help inform their decision making.

The last water rate increase that the City of Manzanita implemented was in 2014. When the City Council adopted the water rate of \$39.50 in 2014, they also planned to review water rates in 3 years. The city did not review the water rates in 3 years, so the water utility has effectively been running at a loss and covering the inflation rate increase. The new proposed rates are included as Exhibit A to the Resolution. Staff provided an update to all rate payers via the Manzanita Minute included in the quarterly water bill.

**CITY OF MANZANITA**  
**June 2, 2023**  
**BUDGET COMMITTEE WORKSHOP**

**1. CALL MEETING TO ORDER:** The meeting was called to order by Chair David Dillon at 10:15am June 2, 2023, via Zoom.

**ROLL:** Members present: Deb Simmons, Linda Kozlowski, Jerry Spegman, Jenna Edginton, Brad Mayerle, David Dillon, Jim Dopp, Chip Greening, Kathryn Stock and Kit Keating. Staff Present: City Manager Leila Aman, Accounting Manager Nina Crist, and Assistant City Recorder Nancy Jones.

**There were 5 members of the public via zoom.**  
**There were 19 members of the public via website.**

**2. FY 23/24 BUDGET DISCUSSION/QUESTIONS:**

Vice Chair Kathryn Stock opened the discussion with an explanation of this additional Budget Meeting. She explained why this meeting was requested and stated that the committee followed the normal budget procedures with previous meetings that were held on May 8<sup>th</sup>, May 9<sup>th</sup> and May 17<sup>th</sup> which ended in a 9 to 1 recommendation vote. Following the last meeting, a document was posted regarding questions that arose regarding the budget. The committee commenced with discussion and addressed the questions raised in the memo.

**3. ADJORNMENT:** Chair David Dillon adjourned at 10:59am

**MINUTES APPROVED THIS**  
**5<sup>th</sup> Day of July 2023**

\_\_\_\_\_  
Deb Simmons, Mayor

Attest:

\_\_\_\_\_  
Leila Aman, City Manager

CITY OF MANZANITA  
June 7, 2023  
CITY COUNCIL REGULAR SESSION

**1. CALL TO ORDER:** The meeting was called to order on June 7, 2023, at 6:00pm at the Pine Grove Community Center by Mayor Deb Simmons.

**Roll:** Council members present: Mayor Deb Simmons, Linda Kozlowski, Jerry Spegman, Jenna Edginton and Brad Mayerle. Staff present: City Manager Leila Aman, Chief of Police Erik Harth, Police Officer Mike Sims, Police Officer John Garcia, and Assistant City Recorder Nancy Jones. Staff Present via Zoom: Accounting Manager Nina Crist. Panelists present: None

**2. AUDIENCE PARTICIPATION:** There were 50 people in attendance, 27 attended via zoom, 60 attended via website. There were eight public comments.

**3. CONSENT AGENDA:**

A. APPROVAL OF MINUTES –

- a. May 03, 2023, City Council Regular Session
- b. May 05, 2023, City Council Special Session
- c. May 10, 2023, City Council Work Session
- d. April 24, 2023, Budget Committee Pre-Meeting
- e. May 08, 20203, Budget Committee Meeting
- f. May 09, 20203, Budget Committee Meeting
- g. May 17, 20203, Budget Committee Public Hearing

B. APPROVAL OF BILLS FOR PAYMENT

**A motion was made by Kozlowski, seconded by Edginton, to approve the consent agenda that included approval of the May 03, 2023 Regular Session Minutes; May 05, 2023 Special Session Minutes; May 10, 2023 Work Session Minutes; April 24, 2023 Budget Pre-Meeting Minutes; May 08, 2023 Budget Meeting Minutes; May 09, 2023 Budget Meeting Minutes; May 17, 2023 Public Hearing Minutes; Approve payment of bills and all subsequent bills subject to approval by the Mayor or Council President and City Manager; Motion passed unanimously.**

**4. INFORMATION:**

**A. City Manager Report - City Manager Leila Aman**

City Manager Leila Aman shared the following information:

- The city is accepting applications for the Code Enforcement position until Friday June 9<sup>th</sup>.
- The city will be accepting applications for the part-time Public Works position until it is filled.

City Council Regular Session

June 7, 2023

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- The continuation of the remand Hearing of the Manzanita Lofts is scheduled for 6/16 at 10am.
- The Short-Term Rental Committee meeting is scheduled for 6/16 at 10am.

**B. Introduction of Interim Nehalem Bay Fire District Chief-** Council President Linda Kozlowski

Council President Linda Kozlowski thanked and introduced the Nehalem Bay Fire and Rescue Board members. She shared a brief history and introduced the new Interim Fire Chief, Frankie Knight.

**C. Citizen of the Year –** Mayor Deb Simmons

Mayor Deb Simmons announced this year's Citizen of the Year, Mike Scott. He was presented with a basket of flowers and will ride on a float in this year's fourth of July parade.

**5. OLD BUSINESS:**

**A. Ordinance Repealing and Replacing Section 14 of Ordinance 94-6 Relating to Overnight Camping in the City of Manzanita – Second Reading –** City Manager Leila Aman

City Manager Leila Aman asked the council to vote on the second reading of Ordinance 23-01. This ordinance will repeal and replace sections of ordinance 94-06 relating to overnight camping in the City of Manzanita. It will also ensure the city's policies with respect to houseless campers are consistent with state law including HB3115 and HB3124.

**A motion was made by Kozlowski to accept the Second Reading of Ordinance #23-01, Repealing and Replacing Section 14 of Ordinance 94-06 Relating to Overnight Camping in the City of Manzanita. Seconded by Spegman; Motion passed unanimously.**

**B. City Hall Phase 2 and Financing Decision –** City Manager Leila Aman

City Manager Leila Aman presented an overview of the city hall project and its progress over the past several years. Aman shared three different funding approaches for council consideration and for council to determine whether to move forward with Phase 2 of the project. Aman stated that the two existing buildings at Underhill Plaza will need to undergo abatement and demolition regardless of the outcome of the decisions.

Allowed for public comment: There were fifteen public comments.

The meeting was paused at 8:30pm for council to vote to extend the meeting another 30 minutes as per Rules and Procedure for City Council Meetings. The vote was unanimous to extend, and the meeting continued.

**A motion was made by Spegman to accept Resolution #23-07, Authorizing the City Manager to Execute Amendments to Bearing Architecture and Klash Group Contracts for Phase 2 of the City Hall Project. Seconded by Kozlowski; Mayor Simmons Abstained; Motion passed.**

City Manager Leila Aman asked the council to vote on how to pay for the new city hall building project. She recapped the three options, Full Faith and Credit, General Obligation Bond, or a Special Public Works Fund loan.

**A motion was made by Kozlowski to accept Resolution #23-08, Authorizing the City Manager to Submit an Application for up to \$4 Million Dollars to Business Oregon (Special Public Works Fund loan) for the Purpose of Financing City Hall. Seconded by Spegman; Mayor Simmons Voted No; Motion passed.**

## **6. NEW BUSINESS:**

### **A. Budget Process Update – Councilor Jerry Spegman**

Councilor Jerry Spegman spoke of the budget process to clarify any confusion in the community. The Budget Committee held budget meetings on May 8<sup>th</sup> and 9<sup>th</sup>. A public hearing was held on May 17<sup>th</sup> where a vote was taken by the committee to recommend the proposed budget. There was a special budget workshop held on June 2<sup>nd</sup> to clarify questions. Spegman stated that the budget meeting that is scheduled for June 14<sup>th</sup> is for the city council's decision to approve the budget.

### **B. Planning Commission Appointment – Councilor Jenna Edginton**

Councilor Jenna Edginton spoke about the selection committee and application process. She said that the city received one application for the vacant planning commission seat. The selection committee interviewed the applicant and recommended Bert Gregory to fill the current vacant seat. Mayor Deb Simmons approved the recommendation and recommended that the council adopt a resolution appointing Bert Gregory to the Planning Commission.

**A motion was made by Kozlowski to accept Resolution #23-09 Making an Appointment to the Planning Commission of Bert Gregory. Seconded by Edginton; Motion passed unanimously.**

### **C. Police Intergovernmental Agreement (IGA) Amendment with Oregon Parks and Recreation and Approval of an IGA with the City of Wheeler for FY 23-24 – Police Chief Erik Harth**

Police Chief Erik Harth spoke about amending the current Intergovernmental Agreement with Oregon Parks and Recreation for police services. Oregon Parks and Recreation is proposing to increase the contract amount by 3% and the agreement be extended till July 15, 2025. Chief Harth also spoke about amending the Intergovernmental Agreement with the City of Wheeler. This will align the Wheeler police service terms with Nehalem police service terms which expire June 2024.

**A motion was made by Kozlowski to accept the Intergovernmental Agreement (IGA) Amendment with Oregon Parks and Recreation and Approval of an Intergovernmental Agreement (IGA) with the City of Wheeler for FY 23-24. Seconded by Mayerle; Motion passed unanimously.**

**D. Ordinance Authorizing the Imposition of System Development Charges and Repealing Ordinance 91-4 – First Reading - City Manager Leila Aman**

City Manager Leila Aman asked the City Council for a vote to approve the first reading of Ordinance 23-02. She stated that in January of this year, the council approved staff to proceed with a Resolution to increase the System Development charges (SDC) for the storm drain system. Once the updated SDC Ordinance is in effect the City can proceed with updating the storm drain SDC. A public hearing to raise the Storm SDC has been noticed and is scheduled for September 6, 2023.

**A motion was made by Kozlowski to accept The First Reading of Ordinance #23-02 Authorizing the Imposition of System Development Charges and Repealing Ordinance #91-04. Seconded by Edginton; Motion passed unanimously.**

**E. Brownfield Program Grant Application– City Manager Leila Aman**

City Manager Leila Aman asked the council for a vote to permit the city to complete an application for the Brownfield Program Grant. This Grant would aid in the payment of the abatement of hazardous materials in the buildings at Underhill Plaza. The total grant money available is \$60,000.00.

**A motion was made by Mayerle to allow the City Manager to proceed with the Brownfield Program Grant Application; Seconded by Kozlowski; Motion passed unanimously.**

**F. Information Technology Consultant Contract - City Manager Leila Aman**

City Manager Leila Aman communicated that she reached out to three local IT professionals for quotes to perform Information Technology Services for the city. She said that Josh Gandy replied and has the qualifications and experience. The projected annual contract would be \$47,600 for services outlined in the scope of work on the contract. She proposed a term of 3 years not to exceed \$150,000. Aman asked for council approval for authorization her to execute a contract with Josh Gandy.

**A motion was made by Kozlowski to delegate authority for the City Manager to sign the contract to accept the 3-year agreement with Joshua Lamar Gandy Romo to Provide Professional Information Technology Services. Seconded by Mayerle; Motion passed unanimously.**

**G. Building Inspection Services Contract – Leila Aman, City Manager**

City Manager Leila Aman spoke about the need to procure a professional building plan review and building inspection service. This company would provide coverage for the city's building

official for time off and for inspections on a as needed basis. She communicated that the city's building official reached out to three companies requesting quotes, LB Building Services LLC was selected as the most qualified. She asked city council for approval to execute a contract with LB Building Services, LLC for the purpose of providing plan review and building inspection services in an amount not to exceed \$150,000.

**A motion was made by Kozlowski delegate authority for the City Manager to sign the contract with LB Building Inspection Services, LLC for the purpose of providing plan review and building inspection service in an amount not to exceed \$150,000. Seconded by Spegman; Motion passed unanimously.**

**H. Purchase and Sale Agreement – 543 Laneda –** City Manager Leila Aman  
City Manager Leila Aman spoke about the sale of Old City Hall located at 543 Laneda. She communicated that the intent of this sale is to help fund the development of a new city hall building at Underhill Plaza. She asked city council to approve a Resolution authorizing her to execute a purchase and Sale Agreement with Jason Stegner of Cove Built LLC to purchase the property for the listing price of \$675,000.

**A motion was made by Kozlowski to accept Resolution #23-10 Authorizing the City Manager to Execute a Purchase and Sale Agreement with Jason Stegner, Cove Built LLC for 543 Laneda. Seconded by Mayerle; Motion passed unanimously.**

**7. COUNCIL REPORTS:** Council members took turns sharing information and updates of what they were involved in for the month.

## **8. INFORMATION AND ADJOURN:**

Manzanita Municipal Court will be held June 16, 2023, and continues to remain closed to the public.

**Mayor Simmons adjourned the meeting at 9:09PM.**

**MINUTES APPROVED THIS  
5<sup>th</sup> Day of July, 2023**

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Deb Simmons, Mayor

Attest:

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Leila Aman, City Manager

**CITY OF MANZANITA**  
**JUNE 14, 2023**  
**SPECIAL CITY COUNCIL MEETING &**  
**BUDGET HEARING**

**1. CALL MEETING TO ORDER:** The meeting was called to order on June 14, 2023, at 6:00pm via Zoom by Mayor Deb Simmons.

**ROLL:** Deb Simmons, Linda Kozlowski, Jerry Spegman, Jenna Edginton and Brad Mayerle.  
Staff present: City Manager Leila Aman, Accounting Manager Nina Crist, Short Term Program Rental Manager Judy Wilson, and Assistant City Recorder Nancy Jones.

**2. PUBLIC HEARING – CONSIDERATION OF THE 2023/2024 BUDGET (INCLUDING PROPOSED USES OF STATE REVENUE SHARING FUNDS).** Mayor Simmons opened the public hearing at 6:00pm. Simmons asked for public comments on the proposed 2023/2024 Budget and the proposed uses of state shared revenues, and there were none. The Public Hearing was closed at 6:01pm.

**3. NEW BUSINESS:**

**A. Resolution 23-11** – Resolution adopting the budget, levying taxes, categorizing taxes, and making appropriations for the fiscal year commencing July 1, 2023, to June 30, 2024.

**A motion was made by Kozlowski, seconded by Spegman to approve Resolution 23-11, Adopting the budget, levying taxes, categorizing taxes, and making appropriations for the fiscal year commencing July 1, 2023, to June 30, 2024. Motion passed unanimously.**

**B. Resolution 23-12** – Resolution electing to receive State Revenue Sharing Funds for Fiscal Year 2023-2024.

**A motion was made by Mayerle, seconded by Kozlowski to approve Resolution 23-12 Electing to receive State Revenue Sharing Funds for Fiscal Year 2023-2024. Motion passed unanimously.**

**C. Resolution 23-13** – Resolution extending Workers Compensation Coverage to Volunteers for Fiscal Year 2023-2024.

**A motion was made by Spegman seconded by Edginton to approve Resolution 23-13 Extending Workers Compensation Coverage to Volunteers for Fiscal Year 2023-2024. Motion passed unanimously.**

**D. Resolution 23-14** – Resolution repealing Resolution 05-12 Establishing the Civic Improvement Reserve and Repealing and Replacing Sections 1 and Section 4 of Resolution 22-15.

**A motion was made by Kozlowski, seconded by Edginton to approve Resolution 23-14 Repealing Resolution 05-12 Establishing the Civic Improvement Reserve and Repealing and Replacing Sections 1 and Section 4 of Resolution 22-15. Motion passed unanimously.**

**E. Resolution 23-15 - Resolution repealing Resolution 14-11 Creating the Puffin Lane Local Improvement District Fund.**

**A motion was made by Kozlowski, seconded by Spegman to approve Resolution 23-15 Repealing Resolution 14-11 Creating the Puffin Lane Local Improvement District Fund. Motion passed unanimously.**

**F. Resolution 23-16 – Resolution Repealing Resolution 97-01 Creating the Trust Fund.**

**A motion was made by Edginton, seconded by Mayerle to approve Resolution 23-16 Repealing Resolution 97-01 Creating the Trust Fund. Motion passed unanimously.**

**G. Resolution 23-17 – Resolution Transferring Appropriations within the Building Fund for Fiscal Year 2022-2023.**

**A motion was made by Kozlowski, seconded by Mayerle to approve Resolution 23-17 Transferring Appropriations within the Building Fund for Fiscal Year 2022-2023. Motion passed unanimously.**

**H. Investigation of Employee Concerns – Council President Linda Kozlowski**  
Council President Linda Kozlowski announced that the city attorney has received a complaint from a city employee. She said that the council has evaluated potential responses and asked for a vote to move to the next step to begin a privileged investigation. Kozlowski clarified that this is an inquiry only and no lawsuits have been filed.

**A motion was made by Mayerle, seconded by Edginton for the city to engage, through the city’s attorney, an investigator to conduct a privileged investigation of allegations made on an employee complaint recently received by the city’s attorney’s office and to authorize Council President Kozlowski and Councilor Spegman to work with the city attorney to respond to any of these inquiries for clarification requests from the investigator. Motion passed unanimously.**

**4. Adjournment at 6:11pm.**

**MINUTES APPROVED THIS  
5<sup>TH</sup> DAY OF JULY 2023**

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Deb Simmons, Mayor

**ATTEST:**

Special City Council Meeting Budget Hearing  
June 14, 2023

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Leila, City Manager/Recorder



**CITY OF MANZANITA**  
**June 14, 2023**  
**CITY COUNCIL WORK SESSION**

**1. CALL MEETING TO ORDER:** The meeting was called to order on May 10, 2023, at 2:00pm via Zoom by Mayor Deb Simmons.

**ROLL:** Members present: Deb Simmons, Linda Kozlowski, Jerry Spegman, Jenna Edginton and Brad Mayerle. Staff present: City Manager Leila Aman, Accounting Manager Nina Crist, Public Works Director Dan Weitzel, Short Term Program Rental Manager Judy Wilson, and Assistant City Recorder Nancy Jones. Panelist present: Tim Tice with OAWU, Short-Term Rental Chair Jo Newhouse, Short-Term Rental member Patrick Johnson, and Short-Term Rental member Anapam Narayan.

**2. Water Rate Study:** Public Works Director Dan Weitzel

Public Works Director Dan Weitzel spoke about the current and proposed water rates. He stated that the rates haven't increased since 2014. The current base connection residential fee is \$39.50 a month for 4000 gallons of water. The proposed new base connection fee is \$47.56 a month for 2000 gallons of water with a three tier rates system of usage over the base allowance. He recommended a consumer price index yearly increase and performing another analysis in three years. This will be on the agenda for the July 5<sup>th</sup> Council meeting.

**3. Short Term Rental Survey:** Council President Linda Kozlowski

Short-Term Rental Committee Chair Jo Newhouse spoke about the 2023 Manzanita Livability and Short-Term Rentals Survey. She stated that the city received 656 responses from the survey and thanked the community for taking the time to complete it. She shared that the committee's goal is to identify existing issues and introduce ideas that will improve relations between guests and those that live nearby. Short-Term Rental Committee member Patrick Johnson said the survey was conducted in April of 2023. He presented an analysis breakdown of the survey, areas of participation, and went over question percentages. Short-Term Committee member Anapam Narayan presented an analysis of the questions that were on the survey. He shared overall comments and common themes. The next steps are to conduct a deeper dive into the study and review what kind of follow-up implementation is needed. It is proposed to provide more detail to city council within the next 6 months and present recommendations that result from the survey. The next committee meeting will be on June 16, 2023, 10am.

**4. Adjourn:** Mayor Simmons adjourned the meeting at 3:54pm.

**MINUTES APPROVED THIS**  
**5<sup>th</sup> Day of July 2023**

\_\_\_\_\_  
Deb Simmons, Mayor

Attest:

\_\_\_\_\_  
Leila Aman, City Manager

City Council Work Session

June 14, 2023

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## BILLS FOR APPROVAL OF PAYMENT

From 06/01/2023 - 06/30/2023

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH EXP	ROADS	Visitors Center	WATER
OREGON DEPT OF REV (FINES & ASSESSMENTS)	\$947.20				\$947.20					
PACIFIC OFFICE (POSTAGE & COPIER SERVICE )	\$243.00	\$208.50								\$34.50
RD BUSSARD (EMERGENCY SUPPLIES)	\$13,722.00	\$13,722.00								
RHYNO NETWORKS (IT SERVICES)	\$273.00	\$136.00	\$68.00							\$69.00
RTI (PHONE SERVICE)	\$496.58	\$95.70	\$102.48							\$298.40
SCOVELS (VEHICLE TOWING)	\$325.00		\$325.00							
SHELDON OIL CO. (FUEL)	\$1,569.53		\$781.08	\$155.21		\$31.66		\$158.31		\$443.27
STAPLES (OFFICE EQUIP & SUPPLIES)	\$224.07	\$224.07								
STEP FORWARD ACTIVITIES (MATERIALS & SUPPLIES)	\$2,783.76								\$2,783.76	
SWEET SEPTIC (PORTABLE TOILETS)	\$150.00							\$150.00		
TCVA (VC COORDINATOR)	\$3,100.00								\$3,100.00	
THE DATA CENTER (BULK MAILING)	\$974.14									\$974.14
TILL CO PAYABLE (FINES & ASSESSMENTS)	\$284.80				\$284.80					
TILLAMOOK PUD (ELECTRIC SERVICE)	\$3,438.02	\$164.95	\$161.70			\$94.83	\$46.52	\$609.00	\$68.45	\$2,292.57

## BILLS FOR APPROVAL OF PAYMENT

From 06/01/2023 - 06/30/2023

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH EXP	ROADS	Visitors Center	WATER
US BANK (CITY VISA)	\$3,055.51	\$302.64	\$1,126.87			\$129.75		\$221.98		\$1,274.27
VERIZON (TELEPHONE)	\$1,180.93	\$294.58	\$344.36	\$114.98					\$64.99	\$362.02
WALTER E NELSON (MATERIALS & SUPPLIES)	\$1,281.56								\$1,281.56	
WALTER WEMDOLOWSKI (CITY PLANNER)	\$120.00	\$120.00								
<b>TOTALS</b>	<b>\$919,115.73</b>	<b>\$191,193.70</b>	<b>\$7,063.60</b>	<b>\$270.19</b>	<b>\$3,681.75</b>	<b>\$1,190.55</b>	<b>\$46.52</b>	<b>\$52,985.94</b>	<b>\$7,418.73</b>	<b>\$655,264.75</b>

\*Release of Performance Bond Guarantee deposit for highlands project



## City of Manzanita Application for Special Event Permit

Date of request: \_\_\_\_\_, \_\_\_\_\_

Person making request: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Cel number: \_\_\_\_\_

Organization (if applicable): \_\_\_\_\_

Type of event: \_\_\_\_\_

Date(s): \_\_\_\_\_ to \_\_\_\_\_ Hours: \_\_\_\_\_ to \_\_\_\_\_

Location: \_\_\_\_\_

(check which apply) Public Event:  Private Event:  Charitable:  Profit:

Non-profit:  Public Property Used:  Private Property Used:

Estimated attendance: \_\_\_\_\_

Police, Fire or Medical support available or needed? Yes:  No:

Restrooms Available: Yes:  No:  Handicap Accessible: Yes:  No:

Alcohol Served/Sold/Consumed: Yes:  No:  Type: \_\_\_\_\_

Live Entertainment: Yes:  No:  Type: \_\_\_\_\_

Describe Event Support Staff: \_\_\_\_\_

Describe Parking Conditions: \_\_\_\_\_

Briefly Describe Nature of Event (attach map if needed for clarification or if requested)

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Manzanita Ave

Manzanita A

N 3rd St

N Carmel Ave

Manzanita Grocery & Deli - The Little Apple

El Trio Loco 2 Mexican

Stage Tables Family area

Laneda Ave

Pizza Pie  
zza · \$\$

Manzanita Candy s

Carmel Ave

Offshore Grill and Coffee House  
Grill · \$\$

Merton Ln

ast  
ye Doctor

Carmel Ave

Edmund Ln

Google



1st  
Annual

# SHIPWRECK'D

in

Manzanita

In front of the iconic San Dune Pub



**MUSIC  
FESTIVAL**

FROM NOON  
UNTIL...  
SATURDAY  
SEPT 16TH

*Food  
and  
drink*



**IDLE POETS, THOSE OTHER GUYS,  
THE BAND YOU LOVE, WHAT'S THEIR NAME?, NOT THAT GUY AGAIN**

**All Day Summer Festival**



# LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

New Outlet |  Change of Ownership |  Greater Privilege |  Lesser Privilege |  Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

## Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

## Winery

- Primary location
- Additional locations:  2nd  3rd  4th  5th

## Brewery

- Primary location
- Additional locations:  2nd  3rd

## Brewery-Public House

- Primary location
- Additional locations:  2nd  3rd

## Grower Sales Privilege

- Primary location
- Additional locations:  2nd  3rd

## Distillery

- Primary location
- Additional tasting locations:  2nd  3rd  4th  5th  6th

## Limited On-Premises

## Off Premises

## Warehouse

## Wholesale Malt Beverage and Wine

## INTERNAL USE ONLY

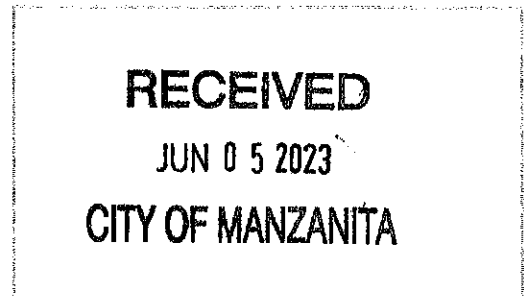
**Local Governing Body:** After providing your recommendation, return this application to the applicant.

## LOCAL GOVERNING BODY USE ONLY

**City/County name:**

**Date application received:**

Optional: Date Stamp



- Recommend this license be granted
- Recommend this license be denied

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

# LIQUOR LICENSE APPLICATION

Page 2 of 4

## APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

KAMMAVE LLC

Name of entity or individual applicant #2:

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

## BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Yolk

Premises street address (The physical location of the business and where the liquor license will be posted):

503 Laneda Ave

City:

Manzanita

Zip Code:

97130

County:

Tillamook

Business phone number:

503 896 0661

Business email:

Ekam.schmave@gmail.com

Business mailing address (where we will send any items by mail as described in [OAR 845-004-0065\[1\]](#)):

P.O. Box 353

City:

Manzanita

State:

OR

Zip Code:

97130

Does the business address currently have an OLCC liquor license?  Yes  No

Does the business address currently have an OLCC marijuana license? Yes  No

**AUTHORIZED REPRESENTATIVE** – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

- Make changes regarding this license/application on my behalf.
- Sign application forms regarding this license/application on my behalf.
- Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name:

Phone number:

Email:

Mailing address:

City:

State:

Zip Code:

# LIQUOR LICENSE APPLICATION

Page 3 of 4

**APPLICATION CONTACT INFORMATION** – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

**Application Contact Name:**  
Eric Kammerer

**Phone number:**  
503 896 0661

**Email:**  
ekam.schmave@gmail.com

## TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

## ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands ORAR 845-005-0311 and attests that:
  1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
  2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under ORAR 845-005-0311.
  3. The licensed premises at the premises street address proposed to be licensed either:
    - a. Does not include any common areas; or
    - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
  4. The licensed premises at the premises street address either:
    - a. Has no area on property controlled by a public entity (like a city, county, or state); or
    - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.


# LIQUOR LICENSE APPLICATION

Page 4 of 4

• Each applicant listed in the "Application Information" section of this form has read and understands QAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

<u>Eric Kammerer</u>	<u></u>	<u>6-5-2023</u>	
Print name	Signature	Date	Atty. Bar Info (if applicable)

<u>Sarah Mavor</u>	<u></u>	<u>6-5-2023</u>	
Print name	Signature	Date	Atty. Bar Info (if applicable)

_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)

_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)



June 27, 2023

Leila Aman  
City Manager  
City of Manzanita  
PO Box 129  
Manzanita, OR 97130

Re: Asbestos Abatement Consulting Services Proposal for Facilities Located at 635 Manzanita Avenue in Manzanita, Oregon

Ms. Aman,

G2 Consultants (G2) offers the following proposal to provide The City of Manzanita) with asbestos abatement consulting services for the asbestos abatement to be performed at the facility located at the aforementioned address in Manzanita, Oregon.

### **Scope of Work**

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Per our conversation over the phone and email with Klash Group, asbestos abatement activities will need to occur prior to demolition of the quonset hut and old school structure present on the property. Klash group has asked for G2 to provide costs for abatement design services, performing a bid walk with the general contractor, performing the required air clearances for all interior abatement and an option for performing abatement oversight and asbestos air monitoring during exterior abatement.

Below and on the following pages is the description of what each service includes, along with the associated costs.

### **ABATEMENT DESIGN & BID WALK SERVICES**

The following is included in the asbestos abatement design and bid process.

- Return design site visit to determine if conditions have changed and perform a destructive investigation to provide accurate specification documents.
- Project management associated pre-demolition meetings, emails, and design coordination.
- Create project-specific abatement specifications and drawings.
- Submit to the client for review
- Perform bid walk with general contractor and abatement contractors.
- Perform bid tabulation and submit to owner for selection.
- Review the selected abatement contractor's work plan.

The costs to perform the abatement project design and bid walk are as follows:

<b>Task</b>	<b>Description</b>	<b>Cost</b>
Labor - Abatement Design	Prep, Project Meetings, Project Design Site Visit, Travel & Field Work	\$2,243.00
	Abatement Specifications, Bid Forms, Scope of Work Drawings, & Revisions	\$2,628.00
Labor - Bid Walk	Contractor Bid Walk & Abatement Contractor Work Plan Review	\$1,450.00
Expenses - Abatement Design & Bid Walk	Reimbursable Expenses (Mileage, Equipment, etc.)	\$387.00
<b>Cost Not-to-Exceed</b>		<b>\$6,708.00</b>

### **PCM AIR CLEARANCE SERVICES**

The services per PCM air clearance event include the following:

- Coordination and communication with the owner and/or owner's representative.
- Mobilization of project materials and equipment.
- Travel to and from the project site
- A maximum of 2 hours for the visual clearance inspection of the containment prior to encapsulation to ensure all debris and asbestos-containing materials have been removed.
- Sampling pump setup, teardown, and demobilization.
- Analysis of PCM samples on site by a NIOSH 582 analyst trained in the NIOSH 7400 method for PCM analysis. Results will be available at the end of the same business day if the containment passes visual inspection and any encapsulant has finished being applied by 12:00 PM PST.
- Preliminary results can be provided via phone or email upon receipt of the laboratory results. A final clearance letter report of the findings will be delivered within approximately 3 business days of the receipt of the laboratory results.
- G2 has provided the best estimate of how many clearances will be needed for the project. Please note that this depends on the contractor's work plan, and the actual number of clearances may vary from the estimated amount. The costs provided only include one containment being cleared per site visit.
- All costs are based off all work being able to be performed in a single day during normal business hours.

The costs to perform the asbestos abatement clearances are as follows:

<b>Task</b>	<b>Description</b>	<b>Cost</b>
Labor - PCM Air Clearance	Prep, Coordination, Travel & Field Work	\$2,030.00
	Clearance Report Writing & Review	\$290.00
Expenses - PCM Air Clearance	Reimbursable Expenses (Analytical, Mileage, Equipment, etc.)	\$305.00
<b>Cost Not-to-Exceed Per Air Clearance</b>		<b>\$2,625.00</b>
<b>Estimated Cost Based On 5 Air Clearances Occuring</b>		<b>\$13,125.00</b>

The costs to perform the additional asbestos abatement clearances if already on-site for another clearance event are as follows:

<b>Task</b>	<b>Description</b>	<b>Cost</b>
Labor - PCM Air Clearance	Additional Prep & Field Work	\$300.00
	Additional Clearance Report Writing & Review	\$218.00
Expenses - PCM Air Clearance	Additional Reimbursable Expenses (Analytical, Mileage, Equipment, etc.)	\$112.00
<b>Cost Not-to-Exceed Per Additional Containment Air Clearance</b>		<b>\$630.00</b>

### OPTIONAL FULL-TIME EXTERIOR ABATEMENT OVERSIGHT SERVICES

The services for exterior asbestos abatement oversight include the following:

- Coordination, project updates, and communication with the owner and/or owner's representative.
- Mobilization of project materials and equipment.
- Travel to and from the project site.
- Weekly site visit by a project manager.
- Daily asbestos air monitoring around the perimeter of the exterior asbestos abatement project.
- Sampling pump setup, teardown, and demobilization.
- Analysis of PCM monitoring samples by a NIOSH 582 analyst trained in the NIOSH 7400 method for PCM analysis. Samples will be analyzed daily to provide immediate feedback on engineering controls efficacy. Generation of a laboratory report with air monitoring data is also provided.
- Daily oversight logs noting general observations, work performed, work practices, progress, weather conditions, and photo documentation.
- Final closeout documentation including all daily logs and daily air monitoring lab reports.
- G2 has provided an estimate of the exterior abatement occurring over 10 days. The length of abatement largely depends on abatement contractor crew sizes and scheduling capabilities. G2 has provided this estimate in an attempt to help determine what final costs may look like.

The costs to perform the asbestos abatement oversight are as follows:

<b>Task</b>	<b>Description</b>	<b>Cost</b>
Labor - Project Monitor Abatement Oversight	Project Monitor - Asbestos Abatement Oversight Day Rate	\$1,100.00
Labor - Project Management	Project Management - Asbestos Abatement Oversight Management Day Rate	\$395.00
Expenses	Daily Reimbursable Expenses Rate (Analytical, Mileage, Hotel, Equipment, etc.)	\$498.00
<b>Cost Not-to-Exceed Per Day of Oversight</b>		<b>\$1,993.00</b>
<b>Estimated Cost Based On 10 Days of Exterior Abatement Occuring</b>		<b>\$19,930.00</b>

The project will be invoiced on a fixed fee, not-to-exceed basis. The costs are based on projects of similar size and scope with the work being performed by one G2 employee per task.

All rates are provided assuming that all work will occur during normal business hours (7:00 AM to 5:00 PM PST). If before-hours work, after-hours work, weekend work, or holiday work is requested it will be billed at increased rates not represented by the above costs. After-hours and/or weekend work will be billed at time and a half for each corresponding cost. Holiday work will be billed at two and a half times the provided cost if it is able to be accommodated.

G2 will not be responsible for failed clearances due to ongoing demolition occurring around containments. Dust from these activities often results in failed air clearances (overloaded samples), if not coordinated properly. The owner and/or owner's representatives will be responsible for ensuring that all parties involved are aware of the conditions required for a passing clearance. If G2 arrives on site and the containment, work areas, and or conditions are not ready for a clearance to be performed, all time and materials associated with the site visit will be billed for at the provided rates. If clearances fail for reasons beyond G2's control all time and expenses will be billed for at the provided rates.

No on-site project management or abatement consultation time (beyond the air clearances) has been accounted for in the provided clearance costs.

This proposal is based on unimpeded access to the structure(s), whether they are vacant, or occupied. Standby time for access issues, or time relating to issues regarding dust and debris being present resulting in conditions that would not allow a containment to pass the visual clearance, isn't included in this proposal and will be billed at \$120/hr. Time beyond that which is provided in the above cost estimates has not been accounted for. Any work beyond that which is captured in the above estimates will be billed on a time and materials basis.

NOTE: If excessive debris/contents are present in the building(s), it is recommended that they be removed prior to G2's inspection. In order to gain access and inspect areas within the scope of work.

The provided costs within this proposal have an expiration date of 60 days from June 27, 2023. All invoices issued for this project are required to be paid in full within 30 days of receipt. By signing



this proposal, or providing written notice to proceed, these terms are accepted by the client and/or the client's representatives acting on their behalf.

Thank you for the opportunity to provide this proposal. If you have any questions or require any additional information, please do not hesitate to contact me directly at 503-716-2369.

Respectfully submitted,



Reilly Flynn  
Sr. Project Manager

I hereby authorize G2 Consultants to perform the work outlined in this proposal.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return an executed copy via email to [info@g2ci.com](mailto:info@g2ci.com) or fax 888-887-6422 prior to the start date.

# Department of Land Conservation and Development



## Application for Housing Planning Assistance Grants & Consultant Support

### 2023-2025

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#### *Contents*

Program Description	1
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Eligible Projects and Evaluation Criteria	2
Review Process	5
Eligible Costs	5
Application Instructions	6
Application	attached

## PLANNING ASSISTANCE

### PROGRAM DESCRIPTION

The Department of Land Conservation and Development (DLCD) provides resources to help Oregon communities prepare and update local land use plans and implementing ordinances to respond to growth management and resource protection issues and changes in state agency programs and requirements.

By the end of the 2023 legislative session, DLCD anticipates the Oregon Legislature to appropriate funds to DLCD for the purpose of providing planning assistance to local governments to:

- 1) Develop, adopt, and implement plans needed to support housing production, affordability, and choice, including housing capacity analyses (HCA) and housing production strategies (HPS) under Goal 10.

*Please note: DLCD does not recommend commencing a housing capacity analysis in the 2023-25 biennium as administrative rules will be updated by January 1, 2025, consistent with [House Bill 2001 \(2023 Session\)](#). If your city has an upcoming HCA deadline, please contact the housing team.*

- 2) Develop, adopt, and implement urbanization and public facilities plans to support development readiness or amend an Urban Growth Boundary where a need is identified.
- 3) Update local development codes and comprehensive plans to comply with applicable state housing statutes and reduce regulatory barriers to housing production.

DLCD is appropriated these funds until the end of the 2023-25 biennium (June 30, 2025), at which point unspent funds are reverted to the General Fund. To provide as much time as practicable to support project timelines, DLCD is beginning the application process before the beginning of the 2023-25 biennium to provide jurisdictions as much time as possible to complete this work.

**Please note that, at the time of publication of these application materials, the Legislature has not yet approved funding for certain kinds of housing planning assistance. As such, while DLCD can confirm some funding availability, the full scope and amount of funding availability is tentative at this time.**

The deadline for all housing planning applications is **July 31, 2023**.

### WHO CAN APPLY

Planning Assistance applications will be accepted from the following applicant types. For applicants requesting multiple services, please submit a separate application form for each project.

### Cities and Counties

- Any city or county with an applicable statutory requirement related to housing, including:
  - Goal 10 planning (housing capacity analysis and housing production strategy) for cities above 10,000 population
  - Goal 14 planning (UGB amendments, land exchanges, and urban/rural reserves) where a need has been identified
  - Middle housing requirements under ORS 197.758
  - Other housing-related statutory requirements, such as accessory dwelling units, manufactured/prefabricated homes, and clear and objective standards.
- A city or county optionally seeking to facilitate housing production, affordability, and choice within their community.

*Note: A third party may apply on behalf of a city or county. Grant or consultant support awarded to a city or county will be contingent on the ability of the city or county to manage and participate in a project.*

### Regional Entities

- Counties, regional governments, or councils of government seeking to pursue a regionally-based project or support one or more cities or counties with a housing-related project or projects.

## GRANT PROGRAM CONTACTS

DLCD staff are available to answer your questions regarding application requirements and status. **The first point of contact is the regional representative for your jurisdiction.** You can find the regional representative assigned to your jurisdiction or region at <https://www.oregon.gov/lcd/CPU/Pages/Regional-Representatives.aspx>.

If you cannot contact your regional representative, please contact:

For housing-related questions, please contact the housing team:  
[Housing.dlcd@dlcd.oregon.gov](mailto:Housing.dlcd@dlcd.oregon.gov)

For grant- or application-related questions:  
Angela Williamson, Grants and Periodic Review Administrative Specialist  
[DLCD.GFGrant@dlcd.oregon.gov](mailto:DLCD.GFGrant@dlcd.oregon.gov) or (971) 239-2901

## ELIGIBLE PROJECTS AND EVALUATION CRITERIA

Planning Assistance is used to help complete projects necessary for local governments to achieve the following priorities:

### Project Evaluation Criteria and Priorities

1. The project fulfills a housing-related statutory obligation.
2. The project facilitates housing production, affordability, and choice where it is needed most.
3. The project emphasizes fair and equitable housing outcomes.

The Planning Assistance evaluation review criteria, explained in sections 1 through 5 below, address program priorities, considerations to ensure appropriate use of funds, and other program objectives. Please address these, as applicable, in your application attachment.

Projects are not expected to satisfy non-mandatory criteria, but those that rate well under one or more of them will have an improved likelihood of receiving grant or consultant support.

## 1. Project Objectives

The *project objectives* are clearly stated; address the problem, need, opportunity, and issues; are defined in a manner consistent with the statewide planning goals; and directly relate to a clear statement of expected outcomes. The project objectives need to be reasonably achievable.

## 2. Program Priorities

The project addresses the *program priorities* as follows:

### **1. The project fulfills a housing-related statutory obligation.**

First priority for grant and consultant support will be for projects fulfilling a housing-related statutory obligation, including the on-going implementation of Goal 10 and related provisions. Funding will be awarded in consideration of statutory applicability, deadlines, and local capacity to fulfill statutory requirements. Examples of projects include, but are not limited to projects in which a local government is required to:

- Develop a housing capacity analysis in accordance with ORS 197.296 or ORS 197.297 and OAR chapter 660, divisions 7 and 8.  
*Please note: DLCD recommends against a city commencing a housing capacity analysis in the 2023-25 biennium as administrative rules will be updated by January 1, 2025, consistent with House Bill 2001 (2023 Session). If your city has an upcoming HCA deadline, please contact the housing team.*
- Adopt a housing production strategy in accordance with ORS 197.290 and OAR chapter 660, division 8.
- Adopt a housing coordination strategy in accordance with House Bill 2001 (2023 Session).
- Amend local development codes to comply with the provisions of ORS 197.758 allowing middle housing.
- Amend local development codes to comply with other housing-related statutory requirements, including:
  - ORS 197.307 – clear & objective requirements
  - ORS 197.312 – accessory dwellings
  - ORS 197.314 – manufactured/prefabricated housing
  - Other housing-related statutory requirements
- Amend an Urban Growth Boundary when a housing need is identified in a housing capacity analysis.

## **2. The project facilitates housing production, affordability, and choice where it is needed most.**

Additional prioritization will be given to projects that substantially encourage housing production, affordability, and choice, especially in communities facing severe disparities in cost burden and other housing outcomes. This includes prioritization for smaller, capacity-constrained jurisdictions seeking to support housing production. Examples of potential projects include, but are not limited to:

- Any project included in criterion #1 that is not statutorily required.
- Develop or adopt a plan or action that facilitates housing production, affordability, and choice, such as a code audit/amendment, local affordable housing funding strategy, or local program related to housing.
- The adoption of urban reserves to facilitate future Urban Growth Boundary amendments where a need is identified.
- Facilitate an Urban Growth Boundary land exchange to bring land into the UGB that is more likely to support the development of needed housing.
- Adopt or amend a concept area & development readiness plan that enables and facilitates housing production in an identified area within an Urban Growth Boundary.

## **3. The project emphasizes fair and equitable housing outcomes.**

Additional prioritization will be given to projects that emphasize equitable outcomes & engagement and affirmatively further fair housing, which means:

“meaningful actions that, when taken together, address significant disparities in housing needs and access to opportunity and replace segregated living patterns with truly integrated and balanced living patterns to transform racially and ethnically concentrated areas of poverty into areas of opportunity and foster and maintain compliance with civil rights and fair housing laws.”

## **3. Project Description**

The *approach, budget (if requesting a direct grant), products, and timing* are defined for every task and are reasonable considering the benefits of the project and the work proposed is reasonably likely to achieve the project objectives.

A sample work program is provided as a template that jurisdictions may use for this purpose. If an applicant expects the project to look substantially similar to the template, they do not need to submit a separate project scope. However, if the applicant expects the project to include significant differences from the provided templates, they must submit a project scope thoroughly tailored to the expected work for the project (see the attached application for detail on what to include).

Priority will be given to proposals that provide detailed project descriptions with well-defined tasks, products, and timelines.

#### 4. Grantee Capacity

The application and past performance on grant-funded projects (where applicable) demonstrate that there is *adequate local capability* to successfully manage the project. Past performance on grant-funded projects will affect the prioritization of submitted proposals.

#### 5. Leverage

The applicant demonstrates commitment to the project through contribution of *matching contributions*. Matching funds are *not mandatory* for an application to be successful, but a demonstration of local commitment can tip the balance in favor of some proposals. Matching funds do not need to be from the applicant's budget – they could come from another state agency, a federal agency, or a foundation. In-kind and other non-cash match are also considered, such as staff time dedicated to a project.

### **REVIEW PROCESS**

Applications will be reviewed considering the evaluation criteria explained above. The department will award those applications that best satisfy these criteria.

The department will notify applicants of award decisions at the earliest time possible. To start projects as soon as possible, DLCD is aiming to notify applicants of award decisions within 30 days, but this is subject to change. Unsuccessful applications may be reconsidered if additional assistance becomes available.

Once awards are determined, the DLCD grant manager will work closely with the grantee to complete the scope of work and execute a grant agreement. Again, this will be completed at the earliest time possible; it usually takes 60 to 90 days after the award to complete a grant agreement and several months to execute a contract with a DLCD-provided consultant. DLCD staff aims to **execute grant agreements by approximately November 1, 2023 and consultant contracts by January 1, 2024**. This process can take longer depending on the complexity of the scope of work.

### **ELIGIBLE COSTS**

Grant funds may be expended only for direct project-related costs associated with the funded project. Eligible costs include salary of staff assigned to the project, consultant fees, postage, supplies, and printing. Equipment purchases and indirect costs, including general administrative overhead and software costs, are not eligible.

**Costs incurred prior to signing a grant agreement are not eligible project costs.** This includes costs of preparing the grant application, preparing a statement of work for the grant agreement, and any other work completed before grant agreement execution.

Grant funds are provided on a reimbursement basis for products in accordance with the reimbursement schedule specified in the grant agreement.

**APPLICATION INSTRUCTIONS**

**1. Complete the grant application.** Be specific and thorough in describing all proposed grant products as described in the application form. Submit application materials **by July 31, 2023** to:

By e-mail to: [DLCD.GFGrant@dlcd.oregon.gov](mailto:DLCD.GFGrant@dlcd.oregon.gov)

*Please note that we will not be accepting applications by mail. If your jurisdiction requires special accommodations, please reach out to a Grant Program Contact as soon as possible.*

**2. Include a resolution or letter from the governing body of the city or county demonstrating support for the project.** The application must include a resolution or letter from the governing body of the city or county demonstrating support for the project. If the applicant is a regional entity proposing a joint project including multiple local governments, a letter from the local government governing body or administrator with authorization to execute intergovernmental agreements supporting the application may be included in lieu of a resolution. The letter of support may be received by DLCD after the application submittal deadline, but it must be received before planning assistance is awarded.

3. DLCD will confirm receipt of applications by e-mail, review applications promptly, contact applicants if additional information is needed to complete review, and notify applicants of our decision.

**Important Planning Assistance Dates**

<b>Date</b>	<b>Planning Assistance Milestone</b>
June 1, 2023	Application period opens; materials distributed
June 5, 2023   10:30a – 12p	Open Forum for follow-up question & answer <a href="#">Zoom link</a>   Meeting ID: 265 799 1542   Passcode: 664570
July 31, 2023	Application period closes; materials submittal deadline
September 1, 2023	Anticipated funding decision; award notices sent
October – November 2023	Direct grant agreements anticipated execution
November – December 2023	Consultant contract anticipated execution
May 31, 2025	Project completion deadline



# Enrolled Senate Bill 406

Sponsored by Senator WEBER, Representative JAVADI; Senator SMITH DB, Representatives DEXTER, GAMBA, HELFRICH (Pre-session filed.)

CHAPTER .....

## AN ACT

Relating to housing in Tillamook County; creating new provisions; and amending ORS 197.286, 197.758, section 3, chapter 639, Oregon Laws 2019, and sections 1, 4, 5 and 9, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001).

### Be It Enacted by the People of the State of Oregon:

**SECTION 1.** If House Bill 2001 becomes law, ORS 197.286, as amended by section 5, chapter 54, Oregon Laws 2022, and section 12, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), is amended to read:

197.286. As used in ORS 197.286 to 197.314 and 197.475 to 197.490:

(1) "Allocated housing need" means:

(a) For a city outside Metro, the housing need allocated to a city under section 2 (2), **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)**, [of this 2023 Act] as segmented by income level under section 2 (4), **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)**, [of this 2023 Act]; or

(b) For a city within Metro, the housing need allocated to the city by Metro under ORS 197.303 (3).

(2) "Buildable lands" means lands in urban and urbanizable areas that are suitable, available and necessary for the development of needed housing over a 20-year planning period, including both vacant land and developed land likely to be redeveloped.

(3) "City" and "city with a population of 10,000 or greater" includes, regardless of size, any city within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods.

[3] (4) "Government assisted housing" means housing that is financed in whole or part by either a federal or state housing agency or a housing authority as defined in ORS 456.005, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

[4] (5) "Housing capacity" means the number of needed housing units that can be developed on buildable lands within the 20-year planning period based on the land's comprehensive plan designation and capacity for housing development and redevelopment.

[5] (6) "Housing production strategy" means a strategy adopted by a local government to promote housing production under ORS 197.290.

[6] (7) "Manufactured dwelling," "manufactured dwelling park," "manufactured home" and "mobile home park" have the meanings given those terms in ORS 446.003.

[7] (8) "Periodic review" means the process and procedures as set forth in ORS 197.628 to 197.651.

[8] (9) "Prefabricated structure" means a prefabricated structure, as defined in ORS 455.010, that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling.

**SECTION 2.** ORS 197.758 is amended to read:

197.758. (1) As used in this section:

(a) **"City" or "city with a population of 25,000 or greater" includes, regardless of size, any city within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods.**

[a] (b) "Cottage clusters" means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

[b] (c) "Middle housing" means:

- (A) Duplexes;
- (B) Triplexes;
- (C) Quadplexes;
- (D) Cottage clusters; and
- (E) Townhouses.

[c] (d) "Townhouses" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or [more] **greater** and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

(3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.

(4)(a) **Except within Tillamook County**, this section does not apply to:

[a] (A) Cities with a population of 1,000 or fewer, **except inside of Tillamook County**;

[b] (B) Lands not within an urban growth boundary;

[c] (C) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065; **or**

[d] *Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or*

[e] (D) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

**(b) This section does not apply to lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses.**

(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

(6) This section does not prohibit local governments from permitting:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle housing in areas not required under this section.

**SECTION 3.** Section 3, chapter 639, Oregon Laws 2019, is amended to read:

**Sec. 3.** (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement [section 2 of this 2019 Act] **ORS 197.758** no later than:

(a) June 30, 2021, for each city subject to [section 2 (3) of this 2019 Act] **ORS 197.758 (3)**; [or]

(b) June 30, 2022, for each local government subject to [section 2 (2) of this 2019 Act.] **ORS 197.758 (2) except as provided in paragraph (c) of this subsection; or**

(c) **July 1, 2025, for each city, as defined in ORS 197.758, in Tillamook County.**

(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Division of the Department of Consumer and Business Services, shall develop a model middle housing ordinance no later than December 31, 2020.

(3) A local government that has not acted within the time provided under subsection (1) of this section shall directly apply the model ordinance developed by the commission under subsection (2) of this section under ORS 197.646 (3) until the local government acts as described in subsection (1) of this section.

(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to:

(a) Waiving or deferring system development charges;

(b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to 307.523, 307.540 to 307.548 or 307.651 to 307.687 or property tax freezes under ORS 308.450 to 308.481; and

(c) Assessing a construction tax under ORS 320.192 and 320.195.

(5) When a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

**SECTION 4.** If House Bill 2001 becomes law, section 1, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), is amended to read:

**Sec. 1.** (1) There is established within the Oregon Department of Administrative Services the Oregon Housing Needs Analysis. The purposes of the Oregon Housing Needs Analysis are to further the:

(a) Production of housing to meet the need of Oregonians at all levels of affordability; and

(b) Production of housing in a way that creates more housing choice by affirmatively furthering fair housing, as defined in ORS 197.290.

(2) The Oregon Housing Needs Analysis consists of three components as follows:

(a) The annual statewide housing analysis under section 2 (1), **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act];

(b) The allocated housing need under section 2 (2), **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act]; and

(c) The housing production targets under section 3, **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act].

(3) Actions taken by the department under sections 1 to 3, **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act], are not subject to ORS 197.180 and are not land use decisions.

(4) The Department of Land Conservation and Development and the Housing and Community Services Department:

(a) Shall assist the Oregon Department of Administrative Services with its duties under sections 1 to 3, **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act].

(b) May study and recommend methodological changes to the Oregon Department of Administrative Services to improve the Oregon Housing Needs Analysis' functions and suitability for its purposes under subsection (1) of this section. The departments may solicit written and oral public testimony to inform their recommendations.

(5) As used in sections 1 to 3, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), “city” or “city with a population of 10,000 or greater” has the meaning given the term in ORS 197.286.

**SECTION 4a.** If House Bill 2889 becomes law, section 4 of this 2023 Act (amending section 1, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)) is repealed and section 1, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), as amended by section 1, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 2889), is amended to read:

**Sec. 1.** (1) There is established within the Oregon Department of Administrative Services the Oregon Housing Needs Analysis. The purposes of the Oregon Housing Needs Analysis are to further the:

(a) Production of housing to meet the need of Oregonians at all levels of affordability; and  
(b) Production of housing in a way that creates more housing choice by affirmatively furthering fair housing, as defined in ORS 197.290.

(2) The Oregon Housing Needs Analysis consists of three components as follows:

(a) The annual statewide housing analysis under section 2 (1), chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001);

(b) The allocated housing need under section 2 (2), chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001); and

(c) The housing production targets under section 3, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001).

(3) Actions taken by the department under sections 1 to 3, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), are not subject to ORS 197.180 and are not land use decisions.

(4) The Department of Land Conservation and Development and the Housing and Community Services Department:

(a) Shall assist the Oregon Department of Administrative Services with its duties under sections 1 to 3, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001).

(b) May study and recommend methodological changes to the Oregon Department of Administrative Services to improve the Oregon Housing Needs Analysis’ functions and suitability for its purposes under subsection (1) of this section. The departments shall solicit written and oral public testimony to inform their recommendations.

(5) As used in sections 1 to 3, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), “city” or “city with a population of 10,000 or greater” includes **cities, as defined in ORS 197.286, and urban unincorporated communities in Metro, as defined in ORS 197.015.**

**SECTION 5.** If House Bill 2001 becomes law, section 4, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), is amended to read:

**Sec. 4.** (1) The Housing and Community Services Department may adopt rules to implement this section and section 5, **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act].

(2) On an annual basis the Housing and Community Services Department shall update a publicly available statewide housing production dashboard.

(3) The dashboard shall include, for each city with a population of 10,000 or greater, **as defined in ORS 197.286:**

(a) Progress toward housing production by affordability levels, as described in section 2 (4), **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)**, [of this 2023 Act] and total housing targets; and

(b) A comparative analysis of progress in comparison to the region and other local governments with similar market types.

(4) Information in the dashboard must be based on:

(a) Inventory of publicly supported housing, as defined in ORS 456.250, that is maintained by the department; and

(b) Information submitted to the department under section 37 (3), **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act].

**SECTION 5a.** If House Bill 2889 becomes law, section 5 of this 2023 Act (amending section 4, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)) is repealed.

**SECTION 6.** If House Bill 2001 becomes law, section 5, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), is amended to read:

**Sec. 5.** (1) On an annual basis the Housing and Community Services Department shall update publicly available statewide housing equity indicators.

(2) The indicators shall include, for each city **under section 4, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)**, quantifiable data, to the extent that the department can determine, define or estimate it, displaying:

(a) Housing outcomes, such as cost burden and availability of housing units to own or to rent, and housing condition for various demographics, including race or ethnicity, disability status, English proficiency and age;

(b) Housing types produced and overall land efficiency of housing production;

(c) New housing units built to standards, as defined by the Department of Consumer and Business Services by rule, relating to accessibility and visitability;

(d) Risk of gentrification and displacement;

(e) Housing segregation by race and income;

(f) Environmentally just housing outcomes, informed by the environmental justice mapping tool, developed by the Environmental Justice Council under section 12, chapter 58, Oregon Laws 2022;

(g) Residential tenants who spend more than 50 percent of their household income on gross rent for housing; and

(h) Other measurable factors or indicators identified by the department.

**SECTION 7.** If House Bill 2001 becomes law, section 9, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), is amended to read:

**Sec. 9.** (1) The Land Conservation and Development Commission shall adopt rules and amendments to rules related to urbanization as follows:

**(a) On or before June 30, 2024, adopt a schedule by which cities, as defined in ORS 197.286, in Tillamook County shall demonstrate sufficient buildable lands.**

[(a)] **(b)** On or before January 1, 2025, to implement ORS 197.290, 197.291, 197.293, 197.319 (4), 197.320 (13) and 197.335 (6); and

[(b)] **(c)** On or before January 1, 2026, to implement ORS 197.286 to 197.314, except as provided in paragraph [(a)] **(b)** of this subsection.

(2) In adopting rules under this section, the commission shall prioritize:

(a) Facilitating and encouraging housing production, affordability and housing choice on buildable lands within an urban growth boundary;

(b) Providing greater clarity and certainty in the adoption and acknowledgement of housing capacity analyses, urban growth boundary amendments, urban growth boundary exchanges or urban reserves to accommodate an identified housing need;

(c) Reducing analytical burden, minimizing procedural redundancy and increasing legal certainty for local governments pursuing urban growth boundary amendments, urban growth boundary exchanges or urban reserves where a housing need is identified, especially for smaller cities, consistent with the appropriate protection of resource lands; and

(d) Supporting coordinated public facilities planning, annexation, and comprehensive plan amendments to facilitate the development of lands brought into an urban growth boundary.

(3) In adopting rules under subsection [(1)(a)] **(1)(b)** of this section, the commission shall:

(a) Consult with the Housing and Community Services Department, Department of Transportation, Department of Environmental Quality, Department of State Lands, Oregon Business Development Department and Department of Consumer and Business Services;

(b) Provide clear parameters on the types and extent of actions needed or allowed under ORS 197.290 (3) that are consistent with the technical and resource capacities of varying sizes of local governments; and

(c) Recognize actions already taken by local governments.

(4) To avoid interference with current planning activities or to avoid unjust or surprising results, the Land Conservation and Development Commission may postpone, for cities specified by the commission, the applicability of section 13, 21, 22 or 23, **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)**, [of this 2023 Act] and the amendments to ORS 197.286, 197.290, 197.296, 197.297 and 197.303, by sections 12 and 25 to 28, **chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001)** [of this 2023 Act], until a date that is not later than January 1, 2026.

(5) **To provide for flexibility and coordination of county resources, the commission may adopt any policies or rules necessary to allow cities, as defined in ORS 197.286, in Tillamook County to cooperate with the county in fulfilling any of the cities' duties under ORS 197.286 to 197.314 or coordinating the distribution of any funds to the cities for such purposes.**

**Passed by Senate April 13, 2023**

**Received by Governor:**

**Repassed by Senate June 15, 2023**

.....M.,....., 2023

**Approved:**

.....  
Lori L. Brocker, Secretary of Senate

.....M.,....., 2023

.....  
Rob Wagner, President of Senate

.....  
Tina Kotek, Governor

**Passed by House May 25, 2023**

**Filed in Office of Secretary of State:**

.....  
Dan Rayfield, Speaker of House

.....M.,....., 2023

.....  
Secretary of State



City of Manzanita

**COUNCIL RESOLUTION No. 23-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANZANITA, OREGON, AUTHORIZING THE CITY MANAGER TO APPLY FOR A HOUSING PLANNING ASSISTANCE GRANT FROM THE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT TO IMPLEMENT REQUIREMENTS SET FORTH IN ORS 197.758.**

**WHEREAS;** the City held a series of town hall meetings whereby affordable and workforce housing were identified as a priority for the city and

**WHEREAS,** during the 2023 biennial session the Oregon Legislature approved Senate Bill 406 requiring that any city in Tillamook County to meet the requirements set forth in ORS 197.758 Development of Middle Housing; and

**WHEREAS,** cities within Tillamook County shall adopt land use regulations and amend its Comprehensive Plan to implement ORS 197.758 by July 1, 2025; and

**WHEREAS,** the City of Manzanita approved its annual budget on June 14, 2023 which included resources to update the city’s Comprehensive Plan; and

**WHEREAS,** the funding opportunity presented by DLCD would enable to city to advance housing code amendments concurrently with the update of its Comprehensive Plan and enable the city to meet the July 1, 2025 deadline.

**Now, Therefore, be it Resolved by the City Council of the City of Manzanita** that the City Manager is authorized to apply to the Department of Land Conservation and Development for funding and to update the Manzanita Zoning Ordinance to reflect the requirements of ORS 197.758.

Introduced and adopted by the City Council on \_\_\_\_\_.

This resolution is effective on \_\_\_\_\_.

Deb Simmons, Mayor

ATTEST:

\_\_\_\_\_  
Leila Aman, City Manager/ City  
Recorder



## **COUNCIL ORDINANCE No. 23-02**

### **AN ORDINANCE OF THE CITY OF MANZANITA, OREGON, AN ORDINANCE AUTHORIZING THE IMPOSITION OF SYSTEM DEVELOPMENT CHARGES AND REPEALING ORDINANCE 91-4.**

**WHEREAS**, the City's existing SDC Ordinance 91-4 was approved in 1991;

**WHEREAS**, the 2003 Session of the Oregon Legislature revised state law relating to System Development Charges (ORS 223.297 through 223.316);

**WHEREAS**, the City has undertaken a complete review of its System Development Charges in order to insure their compliance with state law; and

**WHEREAS**, it is important to the City that the costs of growth are equitably and rationally shared by new growth and development activities;

**Now, Therefore, the City of Manzanita does ordain as follows:**

**Section 1. Purpose.** The purpose of the City's System Development Charges is to impose an equitable share of the public costs of Capital Improvements upon those developments and redevelopments that create the need for, or increase the demands on, said Capital Improvements.

**Section 2. Scope.** The System Development Charges imposed by this ordinance are separate from and in addition to any applicable tax, assessment, charge, fee in lieu of assessment, exaction, dedication, or fee otherwise provided by law or imposed as a condition of development approval application.

**Section 3. Definitions.** For purposes of this ordinance, the following definitions apply:

A. "**Capital Improvement**" means public facilities or assets used for the following:

- 1) Water supply, treatment, and distribution;
- 2) Waste water collection, transmission, treatment, and disposal;
- 3) Drainage and flood control;
- 4) Transportation, including, but not limited to, streets, sidewalks, bicycle lanes, multi-use paths, streetlights, traffic signs and signals,



pavement markings, street trees, swales, public transportation, vehicle parking, and bridges; or

- 5) Parks and recreation, including, but not limited to, community parks, public open space and trail systems, recreational buildings, courts, fields, and other like facilities.

Capital Improvement does not include costs of the operation of or routine maintenance to Capital Improvements.

B. "**City**" means the City of Manzanita.

C. "**City Council**" means the City Council of the City of Manzanita.

D. "**Development**" means all improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities, any building permit resulting in increased usage of Capital Improvements, and any new connection or increased size connection to a Capital Improvement. Development includes the redevelopment of property, including expansion of previous Development. Development also includes improved open areas such as plazas and walkways but does not include natural geologic forms or unimproved lands.

E. "**Improvement Fee**" means a fee for costs associated with Capital Improvements to be constructed after the date such fee is adopted pursuant to Section 4 of this ordinance.

F. "**Qualified Public Improvement**" means a Capital Improvement that is required as a condition of development approval, identified in the plan and list adopted under Section 8 of this ordinance and either:

- 1) Not located on or contiguous to property that is the subject of development approval; or
- 2) Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.

G. "**Reimbursement Fee**" means a fee for costs associated with Capital Improvements already constructed, or under construction, when said fee is established, and for which the City Council determines that capacity exists.

H. **“System Development Charge”** means:

- 1) A Reimbursement Fee, an Improvement Fee, or a combination thereof, assessed or collected at the time of (a) increased usage of a Capital Improvement or (b) issuance of a development permit, building permit, or connection to the Capital Improvement.
- 2) The portion of a sewer or water system connection charge that is greater than the amount necessary to reimburse the City for its average cost of inspecting and installing connections with water and sewer facilities.

System Development Charge does not include any fees assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district assessment, or the cost of complying with requirements or conditions imposed upon a land use decision, expedited land division, or limited land use decision.

#### **Section 4. System Development Charge Established.**

- A. System Development Charges shall be established and may be revised by resolution of the City Council. The resolution shall set the amount of the charge through a methodology developed pursuant to Section 5 of this ordinance, the type of permit to which the charge applies, and, if the charge applies to a geographic area smaller than the entire City, the geographic area subject to the charge. Changes in the System Development Charges shall also be adopted by resolution, excepting those resulting from cost changes, as provided in Section 8.D.1, or from inflationary impacts, as provided in Section 8.D.2.
- B. Unless otherwise exempted by the provisions of this ordinance, or by other local or state law, a System Development Charge is hereby imposed upon (1) all Development within the City and (2) all Development outside the boundary of the City that connects to or otherwise uses the sewer facilities, storm sewers, or water facilities of the City, each at the time of increased usage of a Capital Improvement, upon issuance of permit as stated in Section 9 of this ordinance, or upon the act of making a connection to the City water or sewer system, whichever occurs first.

#### **Section 5. Methodology.**

- A. The methodology used to establish or modify a Reimbursement Fee shall promote the objective of future system users contributing no more than an equitable share to the cost of existing facilities and be available for

public inspection. The methodology used to establish or modify a Reimbursement Fee shall, when applicable, be based on:

- 1) Ratemaking principles employed to finance publicly owned Capital Improvements;
  - 2) Prior contributions by existing users;
  - 3) Gifts or grants from federal or state government or private persons;
  - 4) The value of unused capacity available to future system users or the cost of the existing facilities; and
  - 5) Other relevant factors identified by the City Council.
- B. The methodology used to establish or modify an Improvement Fee shall demonstrate consideration of (1) the estimated cost of projected Capital Improvements identified in an improvement plan (see Section 8 of this ordinance) that are needed to increase the capacity of the systems to which the fee is related and (2) the need for increased capacity in the system to which the fee is related that will be required to serve the demands placed on the system for future users. The methodology shall be calculated to obtain the cost of Capital Improvements for the projected need for available system capacity for future system users and shall be available for public inspection.
- C. The methodology used to establish or modify a Reimbursement Fee or Improvement Fee shall be contained in a resolution adopted by City Council.
- D. Any methodology used to establish and impose a System Development Charge that is a combination of a Reimbursement Fee and an Improvement Fee must demonstrate that the charge is not based on providing the same system capacity.

#### **Section 6. Authorized Expenditures.**

- A. Reimbursement Fees shall be spent only on Capital Improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.
- B. Improvement Fees shall be spent only on capacity increasing Capital Improvements, including expenditures relating to repayment of debt for such improvements. An increase in system capacity may be established if a Capital Improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the

improvements funded by Improvement Fees must be related to the need for increased capacity to provide service for future users.

### **Section 7. Expenditure Restrictions.**

- A. System Development Charges may not be expended for costs associated with the construction of administrative office facilities that are more than an incidental part of other Capital Improvements or for the expenses of the operation or maintenance of the facilities constructed with System Development Charge revenues.
- B. Any Capital Improvement being funded wholly or in part with System Development Charge revenues must be included in the plan and list adopted by the City Council pursuant to ORS 223.309 and Section 8 of this ordinance.

### **Section 8. Improvement Plan.**

- A. Prior to the establishment of a System Development Charge, the City Council shall prepare a capital improvement plan, public facilities plan, master plan, or other comparable plan that includes:
  - 1) A list of the Capital Improvements that the City Council intends to fund, in whole or in part, with revenues from Improvement Fees;
  - 2) The estimated cost and time of construction of each improvement and the percentage of that cost eligible to be funded with Improvement Fee revenue; and
  - 3) A description of the process for modifying the plan.
- B. In adopting a plan under Section 8.A. of this ordinance, the City Council may incorporate by reference all or a portion of any Capital Improvement plan, public facilities plan, master plan, or other comparable plan that contains the information required by this section.
- C. The City Council may modify the plan and list described in Section 8.A. of this ordinance at any time. If a System Development Charge will be increased by a proposed modification to the list to include a capacity-increasing Capital Improvement, the City Council will:
  - 1) At least thirty (30) days prior to the adoption of the proposed modification, provide written notice to persons who have requested notice pursuant to Section 12 of this ordinance;

- 2) Hold a public hearing, if a written request for a hearing on the proposed amendment is received at least seven (7) days prior to the date the proposed modification is scheduled for adoption.
- D. A change in the amount of a Reimbursement Fee or an Improvement Fee is not a modification of the System Development Charge if the change in amount is based on:
- 1) A change in the cost of materials, labor, or real property applied to projects or project capacity as set forth in a plan or list adopted pursuant to Section 8.A. of this ordinance;
  - 2) The periodic application of one or more specific cost indexes or other periodic data sources, including the cost index identified in Section 8.D.3. of this ordinance. A specific cost index or periodic data source must be:
    - a. A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property, or a combination of the three;
    - b. Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the System Development Charge methodology; and
    - c. Incorporated as part of the established methodology or identified and adopted by the City Council in a separate resolution, or if no other index is identified in the established methodology, then the index stated in Section 8.D.3. of this ordinance.
  - 3) Inflationary cost impacts shall be measured and calculated each year by the Public Works Director and charged accordingly. Inflationary cost impacts may be measure using the Pacific Northwest Construction cost changes in the Engineering News Record Construction Cost Index (ENR Index), as represented by the City of Seattle, Washington.

## **Section 9. Collection of Charge.**

- A. A System Development Charge is payable upon the issuance of:
- 1) A building permit;
  - 2) A development permit;

- 3) A development permit for development not requiring the issuance of a building permit;
  - 4) A permit or approval to connect to the water system;
  - 5) A permit or approval to connect to the sewer system; or
  - 6) A right-of-way access permit.
- B. If no building, development, connection, or access permit is required, the System Development Charge is payable at the time the usage of the Capital Improvement is increased based on changes in the use of the property, or changes to the scope of Development of the property, which are unrelated to seasonal or ordinary fluctuations in usage.
- C. If Development is commenced or connection is made to the water or sewer systems without an appropriate permit, the System Development Charge is immediately payable upon the earliest date that a permit was required, and it will be unlawful for anyone to continue with the construction or associated use until the System Development Charge has been paid.
- D. The Building Official shall collect the applicable System Development Charge from the permittee when a permit that allows building or Development of a parcel is issued or when a connection to the water or sewer system of the City is made.
- E. The Building Official shall not issue such permit or allow such connection until the System Development Charge has been paid in full, or unless an exemption is granted pursuant to Section 10 of this ordinance.

### **Section 10. Exemptions.**

- A. Structures and uses established and legally existing on or before the effective date of this ordinance are exempt from a System Development Charge under this ordinance (but may still be subject to a System Development Charge under Ordinance 91-4), except water and sewer charges, to the extent of the structure or use then existing and to the extent of the parcel of land as it is constituted on that date. Structures and uses affected by this subsection shall pay the water or sewer charges pursuant to the terms of this ordinance upon the receipt of a permit to connect to the water or sewer system.

- B. An alteration, addition, replacement, or change in use that does not increase a parcel's or structure's use of a Capital Improvement are exempt from all portions of the System Development Charge.

**Section 11. Credits.**

- A. The City will grant to an applicant a credit against any Improvement Fee assessed when the applicant, or the developer from whom the applicant purchased a lot, constructs, or dedicates a Qualified Public Improvement as part of the Development. The initial determination on all credit requests shall be a decision by the Public Works Director and the applicant bears the burden of evidence and persuasion in establishing entitlement to a System Development Charge credit and the amount of credit in accordance with the requirements of this Section 11.
- B. To obtain a System Development Charge credit, the applicant must make the request, in writing, prior to the City's issuance of the first building permit for the Development in question. In the request, the applicant must state the following:
  - 1) Identify the improvement for which the credit is sought;
  - 2) Explain how the improvement is a Qualified Public Improvement; and
  - 3) Document, with credible evidence, the value of the improvement for which credit is sought.
- C. The System Development Charge credit shall be an amount equal to the fair market value of the improvement. Fair market value shall be determined by the Public Works Director based on credible evidence of the following:
  - 1) For dedicated lands, value shall be based upon a written appraisal of fair market value by a qualified, professional appraiser based upon comparable sales of similar property between unrelated parties in an arms-length transaction;
  - 2) For a Qualified Public Improvement yet to be constructed, value shall be based upon the anticipated cost of construction. Any such cost estimates shall be certified by a registered professional architect or engineer or based on a fixed price bid from a contractor ready and able to construct the improvement for which the System Development Charge credit is sought;

- 3) For a Qualified Public Improvement already constructed, value shall be based on the actual cost of construction as verified by receipts submitted by the applicant; or
- 4) For a Qualified Public Improvement located on, or contiguous to, the site of the Development, only the over-capacity portion as described in the definition of Qualified Public Improvement is eligible for a System Development Charge credit. There is a rebuttable presumption that the over-capacity portion of such a Qualified Public Improvement is limited to the portion constructed larger, or of greater capacity, than the City's minimum standard facility capacity or size needed to serve the particular Development.

D. Form of Credit and Limitation on Use. When given, System Development Charge credits will be for a particular dollar value as a credit against a System Development Charge assessed on a Development. Credits may only be used to defray or pay the System Development Charge for the particular Capital Improvement system to which the Qualified Public Improvement related, e.g., credit from a Qualified Public Improvement for sewer may only be used to pay or defray a sewer System Development Charge.

E. System Development Charge Credit Carry-Forward. Where the amount of a System Development Charge credit approved under this section exceeds the amount of a System Development Charge assessed on a Development for a particular Capital Improvement system, the excess credit may be carried forward pursuant to the following rules:

- 1) A System Development Charge credit carry-forward will be issued by the Public Works Director for a particular dollar value to the developer who earned the System Development Charge credit and may be used by the developer to satisfy System Development Charge requirements for Improvement Fees that accrue in subsequent phases of the original Development. System Development Charge credit carry-forwards are not negotiable or transferable to any party other than the one to whom they are issued.
- 2) The City will accept a System Development Charge credit carry-forward presented by a developer as full or partial payment for the



System Development Charge due on any of the developer's developments.

- 3) System Development Charge credit carry-forwards are void and of no value if not redeemed with the City for payment of a System Development Charge of the same type of Capital Improvement system for which the credit was issued within ten (10) years of the date of issuance.

F. System Development Charge Credit Deadline. For all other System Development Charge credits not carried forward, the applicant must formally request payment of the System Development Charge credit from the Public Works Director no later than one hundred eighty (180) days after the later of the following:

- 1) Acceptance of the applicable improvement by the City; and
- 2) The applicant paying sufficient System Development Charges for the Development to cover the approved System Development Charge credit.

## **Section 12. Notice.**

- A. The City shall maintain a list of persons who have made a written request for notification prior to adoption or modification of a methodology for any System Development Charge. Written notice shall be mailed to persons on the list at least ninety (90) days prior to the first hearing to establish or modify a System Development Charge. The methodology supporting the System Development Charge shall be available at least sixty (60) days prior to the first hearing to adopt or amend a System Development Charge. The failure of a person on the list to receive a notice that was mailed does not invalidate the action of the City.
- B. The City may periodically delete names from the list, but at least thirty (30) days prior to removing a name from the list, the City must notify the person whose name is to be deleted that a new written request for notification is required if the person wishes to remain on the notification list.

## **Section 13. Segregation and Use of Revenue.**

- A. All funds derived from a particular type of System Development Charge are to be segregated by accounting practices from all other funds of the City. That portion of the System Development Charge calculated and

collected on account of a specific facility system shall be used for no purpose other than that set forth in Section 6 of this ordinance.

- B. The Public Works Director shall provide the City Council with an annual accounting, by July 1 of each year, for System Development Charges showing the total amount of System Development Charge revenue collected for each type of facility and the projects funded from each account in the previous fiscal year. A list of the amount spent on each project funded, in whole or in part, with System Development Charge revenue shall be included in the annual accounting.

**Section 14. Refunds.**

- A. Refunds shall be given by the Public Works Director upon finding that there was a clerical error in the calculation of a System Development Charge.
- B. Refunds shall not be allowed for failure to timely claim a credit under Section 11 of this ordinance, or for failure to seek an alternative System Development Charge rate calculation at the time of submission of an application for a building permit.

**Section 15. Implementing Regulations; Amendments.** The City Council delegates to the Public Works Department the authority to adopt necessary procedures to implement the provisions of this ordinance including the appointment of a System Development Charge Program Administrator. All rules developed pursuant to that delegated authority shall be filed with the office of the City Manager and be available for public inspection.

**Section 16. Appeals; Procedure.**

- A. A person challenging the propriety of an expenditure of System Development Charge revenue may appeal the decision or the expenditure to the City Council by filing a written appeal petition with the City Manager pursuant to Subsection D below. An appeal of an expenditure must be filed within two (2) years of the date of the subject expenditure.
- B. A person challenging the propriety of the methodology adopted by the Council pursuant to Section 5 of this ordinance may appeal the decision or the expenditure to the Council by filing a written appeal petition with the City Manager pursuant to Subsection D below. An appeal petition challenging the adopted methodology shall be filed not later than sixty (60) days from the date of the adoption of the methodology.

- C. A person challenging the calculation of a System Development Charge must file a written appeal petition to the calculation of the System Development Charge with the City Manager within thirty (30) days of assessment of the System Development Charge.
- D. Any person submitting an appeal petition pursuant to Subsections A through C above, must describe, with particularity, the basis for the appeal and include:
- 1) The name and address of the appellant;
  - 2) The nature of the expenditure, methodology, or calculation being appealed;
  - 3) The reason the expenditure, methodology, or calculation is allegedly incorrect; and
  - 4) What the correct determination of the appeal should be or how the correct calculation should be derived.
- E. If the appeal petition is untimely or fails to meet the requirements of Subsection D above, the appeal shall be dismissed by the City Council without a hearing.
- F. If the appeal petition is timely filed and submitted in accordance with Subsection D above, the City Council shall order an investigation and direct that within sixty (60) days of receipt of the appeal petition a written report be filed by the City Manager recommending appropriate action. Within thirty (30) days of receipt of that report, the City Council shall conduct a hearing to determine whether the expenditure, methodology, or calculation was proper. The City Council shall provide notice and a copy of the report to the appellant at least fourteen (14) days prior to the hearing. The appellant shall have a reasonable opportunity to present appellant's position at the hearing.
- G. The appellant shall have the burden of proof. Evidence and argument shall be limited to the grounds specified in the petition. The City Council shall issue a written decision stating the basis for its conclusion and directing appropriate action to be taken.
- H. The City Council shall render its decision within fifteen (15) days after the hearing date, and the decision of the City Council will be final. The decision will be in writing, but written findings shall not be made or required unless the City Council, in its discretion, elects to make findings for precedential purposes. If the City Council determines that there was

an improper expenditure of System Development Charge funds, the City Council shall direct that a sum equal to the misspent amount be deposited within one (1) year of the date of the decision to the account of the fund from which it was spent.

- I. Any legal action contesting the City Council's decision on the appeal must be filed within sixty (60) days of the City Council's decision. Review of the City Council's decision shall be by writ of review pursuant to ORS 34.010 to 34.100.

**Section 17. Prohibited Connection.** No person may connect to the water or sewer systems of the City unless the appropriate System Development Charge has been paid.

**Section 18. Penalty.** Violation of Section 17 of this ordinance constitutes a violation and is punishable by a fine not to exceed \$1,000 per day.

**Section 29. Severability.** The provisions of this ordinance are severable, and it is the intention of the City Council to confer the whole or any part of the powers herein provided for. If any clause, section, or provision of this ordinance is declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall remain in full force and effect and be valid as if such invalid portion had not been incorporated into the ordinance. It is hereby declared that the Council intends that this ordinance would have been adopted had such an unconstitutional provision not been included.

**Section 20. Classification.** The City Council hereby determines that any fee, rates, or charges imposed by this ordinance are not a tax subject to the property tax limitations of Article XI, section 11 (b), of the Oregon Constitution.

**Section 21. Effective Date.** This ordinance shall become effective 30 days after its passage by the Council and approval by the mayor.

**PASSED FIRST READING** by the Council this \_\_\_\_\_, 2023.

**PASSED SECOND READING** by the Council this \_\_\_\_\_, 2023.

**APPROVED** by the Mayor this \_\_\_\_\_, 2023.

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Deb Simmons, Mayor

ATTEST:

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Leila Aman, City Manager/Recorder



City of Manzanita

**COUNCIL RESOLUTION No. 23-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANZANITA, OREGON, AMENDING WATER SERVICE RATE SCHEDULE**

**WHEREAS**, the City of Manzanita operates a municipal water system including the pumping of subsurface water, storage, testing, and distribution of finished water and all functions related to operation and maintenance of a public water system as governed by Federal, State and local law; and

**WHEREAS**, the City desires to operate its water system as a self-supporting activity in accordance with the requirements of the City Charter and City Comprehensive Plan; and

**WHEREAS**, Section 17 of Ordinance 90-8 authorizes the City Council to adopt by resolution such water rates and services charges as the Council deems to be in the interest of operating and maintaining the City water system; and

**WHEREAS**, the current monthly water service rate schedule adopted by Resolution 14-12 does not generate enough revenue to keep the water system self-supporting; and

**WHEREAS**, a water rate study prepared by the Oregon Association of Water Utilities recommends adjusting the water service rate schedule;

**Now, Therefore, be it Resolved by the City Council of the City of Manzanita** that effective August 1, 2023, the monthly water service rate schedule contained in Resolution 14-12 is hereby rescinded, and the water service rate schedule attached hereto as Exhibit A is hereby adopted.

Introduced and adopted by the City Council on \_\_\_\_\_.

This resolution is effective on \_\_\_\_\_.

Deb Simmons, Mayor

ATTEST:

\_\_\_\_\_  
Leila Aman, City Manager/ City  
Recorder

**EXHIBIT A**  
**WATER SERVICE RATE SCHEDULE**  
**Effective August 1, 2023**

**MONTHLY RATE SCHEDULE**

Base Rates				Meter Multiplier	Allowances
	Residential	Commercial	Outside		
5/8"- 3/4"	\$47.56	\$57.07	\$ -	1.0 - 1	2000
5/8"- 3/4" out		\$ 47.56	\$68.48	1.0 - 1	2000
1"	\$66.58	\$79.89	\$ 95.87	1.4 - 1	NA
1 1/2"	\$85.60	\$102.72	\$123.26	1.8 - 1	NA
2"	\$137.91	\$165.49	\$198.59	2.9 - 1	NA
3"	\$523.11	\$627.73	\$753.27	11.0 - 1	NA
2" BULK	\$137.91	\$165.49	\$198.59	2.9 - 1	NA
3" BULK	\$523.11	\$627.73	\$753.27	11.0 - 1	NA

		Residential	Commercial	Outside
Tiers Levels		Per Unit		
Tier One	2,001 – 5,000	\$9.50	\$9.50	\$11.40
Tier Two	5,001 – 10,000	\$11.00	\$11.00	\$13.20
Tier Three	10,001 +	\$12.25	\$12.25	\$14.70

**SYSTEM CONNECTION FEES**

<u>Service Charge</u> This charge provides for the cost of meter and/or water line installation at time of service connection.	Actual cost of materials and labor
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**OTHER FEES**

Delinquent Notice	\$20.00
Shut Off Notice	\$40.00
Delinquent Turn-Off or Turn-On. Regular Business Hours	\$50.00
Delinquent Turn-On. Water Restoration During non-working Hours, Holidays, and Weekends. Service is not available 8:00pm – 8:00am	\$100.00
Water Account sent to Collections	\$50.00
Water Service Transfer Fee	\$60.00
Returned Check Charge	\$35.00

Non-emergency Customer Requested Disconnect  
(includes reconnection during working hours\*)

\$40.00

\*A surcharge of \$160.00 will be assessed to reconnect service that has been voluntarily turned off by the owner.