



# CITY OF MANZANITA

P.O. Box 129, Manzanita, OR 97130-0129  
Phone (503) 368-5343 | Fax (503) 368-4145 | TTY Dial 711  
ci.manzanita.or.us

## COUNCIL REGULAR SESSION

Zoom Video Conference  
<https://ci.manzanita.or.us>

## AGENDA

July 10, 2024  
06:00 PM Pacific Time

### Council will hold this meeting via Zoom

**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/86363516621?pwd=gRQiz8apWFDUjOhlOHghaBRWS2CBrN.1>

Meeting ID: 863 6351 6621 Passcode: 139737

Call in number: +1 253 215 8782

If you would like to submit written testimony to the City Council on items included on the agenda, please send your comments to [cityhall@ci.manzanita.or.us](mailto:cityhall@ci.manzanita.or.us) and indicate the agenda item and date of meeting.

**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. May 29, 2024, Special Session/Budget Hearing
- b. June 05, 2024, Regular Session
- c. June 12, 2024, Work Session

**B.** Approval of Bills

#### **4. INFORMATION**

- A.** City Manager Report  
Leila Aman, City Manager
  
- B.** Council Reports  
City Council
  
- C.** Fourth of July Parade Update  
Tom Campbell, Councilor
  
- D.** Manzanita Lofts Update  
Vito Cerelli, Owner

#### **5. OLD BUSINESS**

- A.** Zone Change and Annexation 2<sup>nd</sup> Reading - Ordinance 24-04  
Leila Aman, City Manager
  
- B.** Solor Design Update  
Leila Aman, City Manager

#### **6. ADJOURN (7:30)**

##### **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 503-812-2514. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [ci.manzanita.or.us/broadcast](http://ci.manzanita.or.us/broadcast).

CITY OF MANZANITA  
June 5, 2024  
CITY COUNCIL REGULAR SESSION

**1. CALL TO ORDER:** The meeting was called to order on June 5, 2024, at 6:01pm at the Pine Grove Community Center by Mayor Kathryn Stock.

**Roll:** Council members present: Kathryn Stock, Linda Kozlowski, Brad Hart, and Tom Campbell. Jerry Spegman was present via Zoom. Staff present: City Manager Leila Aman, Police Sergeant Mike Sims, Police Officer John Garcia, and Assistant City Recorder Nancy Jones. Staff Present via Zoom: Accounting Manager Nina Crist, and Development Services Manager Scott Gebhart. Panelist's present: India Downs-Le Guin Hoffman Center for the Arts Executive Director, and Dan Blue with Recology. Panelist's present via Zoom: Erin Skaar Tillamook County Commissioner, Sarah Absher Tillamook County Community Development Director, Parker Sammons Tillamook County Housing Coordinator, and Jessie Steiger with the Klash Group.

**2. AUDIENCE PARTICIPATION:** There were 25 people in attendance, 17 attended via zoom, 23 attended via website. There was one public comment.

**3. CONSENT AGENDA:**

- A. APPROVAL OF MINUTES –
  - a. April 30, 2024, Budget Meeting
  - b. May 07, 2024, Budget Meeting
  - c. May 08, 2024, City Council Regular Session
  - d. May 15, 2024, City Council Work Session
  
- B. APPROVAL OF BILLS FOR PAYMENT

**A motion was made by Kozlowski, seconded by Campbell, to approve the consent agenda that included approval of the April 30, 2024, Budget Meeting Minutes; May 07, 2024, Budget Meeting Minutes; May 08, 2024, Regular Session Minutes; May 15, 2024, Work Session Minutes; Approved 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 announced that the city council regular session scheduled for July 3<sup>rd</sup> was cancelled and rescheduled to July 10<sup>th</sup>. The work session will be held at 2pm, and the regular session will be held at 6pm on Wednesday July 10, 2024, and both sessions will be via Zoom. Council meetings will resume the normal schedule in August.

City Council Regular Session

June 5, 2024

Page 1 of 5

-City Manager Leila Aman announced that the city council election process is now open. Completed nomination forms must be submitted to the city no later than 4pm on August 14, 2024. Elections will happen this November for two, four-year term council seats, and one two-year term mayor seat. Please email questions to [cityhall@ci.manzanita.or.us](mailto:cityhall@ci.manzanita.or.us)

-The Planning Commission meeting scheduled for June 10<sup>th</sup> has been cancelled.

-City Manager Leila Aman read a statement regarding a Referendum that was submitted by Randy Kugler on Ordinance 24-01 to amend Ordinance 90-08. She read the text that will be on the ballot in the November elections. The city has approved \$8,500.00 to conduct a new water rate study by Oregon Association of Water and Wastewater Utilities (OAWU) on quarterly billing. Once the rate study has concluded, and the new rates are approved by council, the city will return to quarterly billing until the matter is decided at the November elections.

### **B. Council Reports – City Council**

Council members took turns sharing information and updates of what they were involved in for the month.

## **5. NEW BUSINESS:**

### **A. Tillamook County Housing Update – Tillamook County Commissioner Erin Skaar, Community Development Director Sarah Absher**

Tillamook County Commissioner Erin Skaar shared her excitement about the affordable workforce housing projects that are unfolding in Manzanita. She said it's a great way to bring much needed housing to the north county and announced the possibility of Manzanita being a model for Tillamook County and other small rural counties on the coast. She spoke about a variety of tools created by the housing commission to assist in development of these type of projects that include Property Tax Abatement and Multifamily Rental Housing Funding.

Tillamook County Housing Coordinator Parker Sammons spoke about the difficulties in getting workforce housing built due to funding struggles. He spoke about the importance of local communities supporting these types of projects and creating connections between employers and developers. He is currently searching for new available resources in pre-development financing to assist with future county projects. He said the definition of workforce housing is 80 to 120 percent area median income (AMI). For more information about AMI, please visit the Tillamook County website.

Tillamook County Community Development Director Sarah Absher spoke about senate bill 406 and the implementation process. She is working to introduce this program to the unincorporated communities of Tillamook County. She shared information about an upcoming Tillamook County Planning Commission meeting on June 27<sup>th</sup> at 6pm at the Port of Tillamook Bay. For more information about this meeting, please visit the Tillamook County website.

Allowed for public comment: There was one public comment.

**B. Citizen of the Year Announcement – Dave Dillon**

Mayor Kathryn Stock announced this year's Citizen of the Year, David Matthews. He will ride on a float in this year's fourth of July parade.

**C. Hoffman Center 20<sup>th</sup> Anniversary Event Permit – Executive Director Hoffman Center for the Arts India Downes-Le Guin**

Hoffman Center for the Arts Executive Director India Downes-Le Guin spoke about the Hoffman Centers 20<sup>th</sup> anniversary event. She said that there will be live amplified music and set up will include the use of the Division Street parking area located next to the Hoffman Center. This celebration is scheduled for August 31, 2024, from 11am to 6pm and everyone is invited.

**A motion was made by Hart to approve the Hoffman Center Event Permit. Seconded by Campbell; Motion passed Unanimously.**

**D. Solar and Public Art for City Hall– City Manager Leila Aman and Kloth Group Jessie Steiger**

City Manager Leila Aman spoke about the possibility of adding solar to the new city hall building. She stated that a portion of the contingency funds can be released since the high-risk ground improvement section of the project has been completed. She presented city council with two solar options. The first option is to direct tie into the grid, and the second is a battery backup emergency system. Aman asked council for direction on moving forward with this project, as the next steps are to start working on design.

Kloth group Jessie Steiger shared an update to the city hall project. She stated that the sitework has been completed and underground elements and prep work for the foundation has begun. She said that the walls should start to go up in mid to late July. Steiger spoke about the budget allowance to add solar to the new city hall building. She communicated that after allotting 15,000 for public art, 363,000 remains in the project contingency. She said that targeting solar costs up to 150,000 will leave enough contingency for the rest of the project. She explained that the Internal Revenue Service (IRS) provides a thirty percent rebate for both solar options and mentioned the possibility of applying for a grant for the battery option. She reported that solar infrastructure will need to be added for support if the decision is to move ahead.

There was a consensus from the city council to move forward with solar on the city hall building project. They agreed to use a portion of the contingency to start working on the solar design and infrastructure. It was decided that the city will look at the two solar options in detail and present more information to council at a future meeting.

**E. Zone Change and Annexation Ordinance 24-04 First Reading – Contract Planner Walt Wendolowski**

City Manager Leila Aman spoke about Ordinance 24-04 and asked the council to approve a first reading. This Ordinance will allow the city to annex and re-zone a section of property in the

highlands area for the purpose of building affordable housing, and to allow an emergency declaration on Ordinance 24-04 to go into effect immediately after the second reading.

Allowed for public comment: There were two public comments.

**A motion was made by Kozlowski to accept the First Reading of Ordinance 24-04 Annexing and Zoning Property Following Consent Filed with the City Council by Landowners in said Area Pursuant to ORS 222.120 And ORS 222.170; Pine Grove Properties Inc and Establishing the Special Residential-Recreational (SR-R) Zone on the Annexed Property. Seconded by Campbell; Motion passed Unanimously.**

**F. Recology Rate Increase Resolution – Recology Dan Blue**

Recology Northern Oregon Government Relations Manager Dan Blue presented a rate adjustment to the current waste collection fees. He presented two different rate increase choices for council to consider, a five percent rate increase for all services or a fifty-three percent increase on 32-gallon side yard customers to cover the differential. He explained the difference between curbside and side yard service. It was decided that Recology will come back to another meeting with more information on these two options.

**G. Elections Officer Designee – City Manager Leila Aman**

City Manager Leila Aman stated that under section ten of the charter, she serves as the city recorder/elections official. She requested that council appoint Nancy Jones to serve as the city recorder/election official pro-tempore (pro-tem) during this year's election process from June 5, 2024 to August 14, 2024.

**A motion was made by Kozlowski to Designate Nancy Jones as City Recorder/Election Official Pro-Tempore from June 5, 2024, to August 14, 2024. Seconded by Campbell; Motion passed Unanimously.**

**H. Contracts for Geotechnical and Survey for Classic Street – City Manager Leila Aman**

City Manager Leila Aman spoke about two separate contracts needed for the Classic Street project to determine the extent of improvements required for upgrading. One contract is for geotechnical work specific to the roadway, and the other is to conduct a survey of the right of way. The maximum total would not exceed \$15,000 for each contract, for a combined total of \$30,000.

Allowed for public comment: There was one public comment.

**A motion was made by Hart to Delegate Authority to the City Manager to sign contracts in amounts not to exceed a total amount of \$15,000 for each contract (\$30,000 in total). Seconded by Campbell; Motion passed Unanimously.**

**I. Engineering Professional Services Contract – City Manager Leila Aman**

City Manager Leila Aman communicated that the city needs a certified engineer that would serve as the city's engineer and would review civil engineering and storm water drawings. She communicated that the city conducted an intermediate solicitation and said the city received three proposals. Interviews were conducted and North Coast Civil Design was chosen.

**A motion was made by Kozlowski to Delegate Authority to the City Manager to sign a contract with North Coast Civil Design. Seconded by Hart; Motion passed Unanimously.**

**J. Short Term Rental Committee Appointments** – Council President Linda Kozlowski  
Council President Linda Kozlowski spoke about the Short-Term Rental committee appointments. She said that there are currently three vacant seats and she recommended Danielle Johnson, Leslie Bergon, and Julie Johnson.

**Mayor Stock accepted the appointments of Danielle Johnson, Leslie Bergon, and Julie Johnson and accepted Resolution 24-15 Making Appointments to the to the Short-Term Rental Committee.**

**K. Comprehensive Plan Committee Appointments** – Mayor Kathryn Stock  
Mayor Kathryn Stock spoke about the Comprehensive Plan Committee appointments. She said the existing committee was seeking to add two additional seats and she recommended Patrick Johnson and Rick Jackson.

**Mayor Stock accepted the appointments of Patrick Johnson and Rick Jackson and accepted Resolution 24-16 Making Appointments to the Comprehensive Plan Public Advisory Steering Committee (PASC).**

## **6. INFORMATION AND ADJOURN:**

- The Planning Commission is cancelled for June 10, 2024
- Manzanita Municipal Court will be held June 21, 2024, at 1:30pm and is open to the public.

**Mayor Stock adjourned the meeting at 8:56PM.**

**MINUTES APPROVED THIS  
10<sup>th</sup> Day of July, 2024**

---

Kathryn Stock, Mayor

Attest:

---

Leila Aman, City Manager

**CITY OF MANZANITA  
MAY 29, 2024  
SPECIAL CITY COUNCIL MEETING &  
BUDGET HEARING**

**1. CALL MEETING TO ORDER:** The meeting was called to order on May 29, 2024, at 6:00pm via Zoom by Mayor Kathryn Stock.

**ROLL:** Kathryn Stock, Jerry Spegman, Brad Hart, and Tom Campbell. Linda Kozlowski was absent and excused. Staff present: City Manager Leila Aman, and Assistant City Recorder Nancy Jones.

**2. PUBLIC HEARING – CONSIDERATION OF THE 2024/2025 BUDGET (INCLUDING PROPOSED USES OF STATE REVENUE SHARING FUNDS).** Mayor Stock opened the public hearing at 6:06pm. Stock asked for public comments on the proposed 2024/2025 Budget and the proposed uses of state shared revenues, and there were none. The Public Hearing was closed at 6:07pm.

**3. NEW BUSINESS:**

**A. Resolution 24-11** – Resolution adopting the budget, levying taxes, categorizing taxes, and making appropriations for the fiscal year commencing July 1, 2024, to June 30, 2025.

**A motion was made by Hart, seconded by Campbell to approve Resolution 24-11, Adopting the budget, levying taxes, categorizing taxes, and making appropriations for the fiscal year commencing July 1, 2024, to June 30, 2025. Motion passed Unanimously.**

**B. Resolution 24-12** – Resolution declaring the city’s election to receive state revenue sharing funds for fiscal year 2024-2025

**A motion was made by Spegman, seconded by Hart to approve Resolution 24-12 Declaring the city’s election to receive State Revenue Sharing Funds for Fiscal Year 2024-2025. Motion passed Unanimously.**

**C. Resolution 24-13** – Resolution extending Workers Compensation Coverage to Volunteers for Fiscal Year 2024-2025.

**A motion was made by Campbell seconded by Hart to approve Resolution 24-13 Extending Workers Compensation Coverage to Volunteers for Fiscal Year 2024-2025. Motion passed Unanimously.**

**D. Resolution 24-14** – Resolution closing the Timber Management Fund, the Housing Revolving Loan Fund, the Public Safety Reserve Fund, the Building Reserve Fund, the Trust Fund, the Water System Development Charge Fund, the Stormwater System Development Charge Fund, and the Parks System Development Charge Fund; and creating a new System Development Charge Fund; and renaming the Tourism Promotion Fund and Road Fund.



**A motion was made by Hart, seconded by Campbell to approve Resolution 24-14 Closing the Timber Management Fund, the Housing Revolving Loan Fund, the Public Safety Reserve Fund, the Building Reserve Fund, the Trust Fund, the Water System Development Charge Fund, the Stormwater System Development Charge Fund, and the Parks System Development Charge Fund; and creating a new System Development Charge Fund; and renaming the Tourism Promotion Fund and Road Fund. Motion passed Unanimously.**

**4. Adjournment at 6:34pm.**

**MINUTES APPROVED THIS  
10<sup>TH</sup> DAY OF JULY 2024**

---

Kathryn Stock, Mayor

**ATTEST:**

---

Leila, City Manager/Recorder

**CITY OF MANZANITA**  
**JUNE 12, 2024**  
**CITY COUNCIL WORK SESSION**

**1. CALL MEETING TO ORDER:** The meeting was called to order on June 12, 2024, at 2:01pm via Zoom by Mayor Kathryn Stock.

**ROLL:** Members present: Kathryn Stock, Linda Kozlowski, Jerry Spegman, Brad Hart, and Tom Campbell. Staff present: Police Sergeant Mike Sims, Accounting Manager Nina Crist, Public Works Director Dan Weitzel, and Assistant City Recorder Nancy Jones. Panelist present: None

**2. Twenty is Plenty:** Police Sergeant Mike Sims

Police Sergeant Mike Sims spoke about lowering the speed limit to twenty miles per hour (mph) within the city limits of Manzanita. He shared the history and the goals of the project and presented information on the recent survey that was conducted. He said there were 255 respondents to the survey and 81 % were in favor of the city-wide twenty mph speed limit. He communicated that the city plans to focus speed limit efforts on seven streets that were identified as high traffic areas by those that took the survey. Sims revealed the proposed placement of the new speed signs and stated that this fiscal year 2024/2025 budget already includes funding for signage, radar, and thermoplastic signs. The goal of this project is to provide a safe environment for pedestrians, residents, and drivers by reducing speed in residential collector and local streets. It is planned to pair this ordinance with the transportation system plan (TSP). The next step is to draft ordinance language and present it to council for approval at a future meeting.

**3. Adjourn:** Mayor Stock adjourned the meeting at 2:55pm.

**MINUTES APPROVED THIS**  
**10<sup>th</sup> Day of July 2024**

\_\_\_\_\_  
Kathryn Stock, Mayor

Attest:

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

## BILLS FOR APPROVAL OF PAYMENT

From 06/01/2024 - 06/30/2024

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH EXP	ROADS	Visitors Center	WATER
3J CONSULTING (CITY PLANNER)	\$228.50	\$228.50								
BEARING (ARCHITECT)	\$26,056.30						\$26,056.30			
CASELLE (FINANCIAL SOFTWARE)	\$3,778.00	\$3,193.15								\$584.85
CHARTER (INTERNET)	\$604.91	\$219.98	\$129.98						\$124.97	\$129.98
CITY OF NEH. (FINES & ASSMNTS)	\$1,268.00				\$1,268.00					
CITY OF WHLR. (FINES & ASSMNTS)	\$902.50				\$902.50					
COLUMBIA LOCKSMITH (LOCKSMITH)	\$890.00									\$890.00
COLUMBIA WEST (ENGINEER)	\$8,259.30						\$8,259.30			
CONSOLIDATED SUPPLY (MTRLS & SUPP.)	\$8,081.03									\$8,081.03
COVE BUILT (CMGC)	\$142,102.65						\$142,102.65			
DATA CENTER (WATER BILLING MAILING)	\$926.11									\$926.11
DEQ (STATE FEES)	\$834.00									\$834.00
DMV (RECORDS REQ.)	\$3.15				\$3.15					
EVERGREEN AUTO (VEHICLE MAINT.)	\$31.50							\$15.75		\$15.75



# BILLS FOR APPROVAL OF PAYMENT

From 06/01/2024 - 06/30/2024

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH EXP	ROADS	Visitors Center	WATER
ONE ELEVEN (IT SERVICES)	\$4,060.00	\$4,030.00								\$30.00
ONE ELEVEN (EQUIPMENT & SUBSCRIPTIONS)	\$3,633.84	\$3,633.84								
ON TARGET AMMUNITION (MTRLS & SUPP.)	\$639.69		\$639.69							
OR. DEPT REV (FINES & ASSMNTS.)	\$703.23				\$703.23					
PACIFIC ALARM (ALARM SERVICE)	\$519.96	\$519.96								
PACIFIC OFFICE (PSTG & COPIER)	\$133.00	\$99.75								\$33.25
RHINO ONE (GEOTECH)	\$7,685.78						\$7,685.78			
RTI (PHONE SERVICE)	\$494.24	\$95.60	\$97.56							\$301.08
SWEET SEPTIC (PORTABLE TOILETS)	\$295.00								\$295.00	
TILL. PAYABLE (FINES & ASSMNTS.)	\$225.04				\$225.04					
TCVA (VC COORD.)	\$1,092.38								\$1,092.38	
TPUD (ELECTRIC SERVICE)	\$15,888.69	\$166.50	\$194.38			\$96.03	\$12,255.34	\$609.00	\$80.76	\$2,486.68
US BANK (CITY VISA)	\$2,364.55	\$153.47	\$49.98		\$13.49			\$1,020.00	\$698.45	\$429.16

## BILLS FOR APPROVAL OF PAYMENT

From 06/01/2024 - 06/30/2024

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH EXP	ROADS	Visitors Center	WATER
VERIZON (TELEPHONE)	\$1,309.32	\$294.58	\$404.56	\$114.98					\$64.99	\$430.21
WALTER WEND. (CITY PLANNER)	\$400.00	\$400.00								
WORDS OUT (PROF. SERVICES)	\$3,750.00	\$3,750.00								
ZUMAR (MTRLS & SUPP.)	\$2,120.40							\$2,120.40		
<b>TOTALS</b>	<b>\$263,615.80</b>	<b>\$28,930.44</b>	<b>\$2,455.10</b>	<b>\$200.98</b>	<b>\$3,915.41</b>	<b>\$368.33</b>	<b>\$202,727.30</b>	<b>\$3,911.65</b>	<b>\$3,970.02</b>	<b>\$17,136.57</b>



**COUNCIL ORDINANCE No. 24-04**

**AN ORDINANCE OF THE CITY OF MANZANITA, OREGON, ANNEXING AND ZONING PROPERTY FOLLOWING CONSENT FILED WITH THE CITY COUNCIL BY LANDOWNERS IN SAID AREA PURSUANT TO ORS 222.120 AND ORS 222.170; PINE GROVE PROPERTIES, INC., AND ESTABLISHING THE SPECIAL RESIDENTIAL-RECREATIONAL (SR-R) ZONE ON THE ANNEXED PROPERTY.**

**WHEREAS**, the City of Manzanita received a submission by written request for annexation of real property to the City of Manzanita, herein described in Exhibit “A”; and

**WHEREAS**, the submission for annexation of real property to the City of Manzanita, herein described in Exhibit “A” included a concurrent zone change to establish the Special Residential – Recreational (SR-R) Zone; and

**WHEREAS**, on March 11, 2024, the Planning Commission for the City of Manzanita conducted a hearing on said application submitted by Pine Grove Properties, Inc., making findings recommending annexation of the subject property and establishment of the Special Residential – Recreational (SR-R) Zone; and

**WHEREAS**, after conducting the hearing and considering all objections or remonstrance with reference to the proposed annexation and zone change, and further considering the recommendation of the Manzanita Planning Commission, the City Council finds that this annexation and zone change requests are in the best interest of the City and of the contiguous territory.

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

Section 1. **Findings.** In addition to the findings referred to above, the City Council further adopts and finds those matters contained in Exhibit “B,” which is incorporated herein by this reference as if fully set forth at this point.

Section 2. **Annexation Area.** Based upon the findings contained above and in Exhibit “B”, the contiguous territory described in Exhibit “A” and incorporated herein by this reference as if fully set forth at this point is hereby proclaimed to be annexed to the City of Manzanita and zoned in accordance with the Manzanita Ordinance 95-4 and assigned the zoning of Special Residential – Recreational (SR-R).

Section 3. **Record.** The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder shall also send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City of Manzanita within ten (10) days of the effective date of this annexation ordinance to the Tillamook County Assessor, Tillamook County Clerk, and the Oregon State Department of Revenue.

Section 4: **Emergency Declaration.** It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health and safety and an emergency is hereby declared to exist. This Ordinance shall take effect and be in full force and effect from and after its passage.

Read the first time on \_\_\_\_\_ and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Kathryn Stock, Mayor

ATTEST:

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



## EXHIBIT A

### PROPERTY DESCRIPTION



APRIL 8, 2024  
LEGAL DESCRIPTION  
FOR  
ENCORE INVESTMENTS, LLC  
FOR  
ZONE CHANGE

A portion of that tract of land as described in Deed Book 346, Page 194, Tillamook County Deed Records, situated in the Northwest one-quarter of the Southwest one-quarter of Section 28, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

**Beginning** at the Northeast corner of said Deed Book 346, Page 194, said point also being the East one-quarter corner of Section 28, Township 3 North, Range 10 West of the Willamette Meridian;

Thence along the exterior boundary of said Book 314, Page 194 the following courses and distances:

Thence South 01°08'58" West 677.58 feet;

Thence North 88°51'02" West 87.76 feet;

Thence North 01°08'58" East 21.85 feet;

Thence North 88°51'02" West 40.00 feet;

Thence South 01°08'58" West 5.00 feet;

Thence Southwesterly along the arc of a 20.00 foot radius curve to the right through a central angle of 90°00'00" a distance of 31.42 feet (chord bears South 46°08'58" West 28.28 feet);

Thence North 88°51'02" West 30.00 feet;

Thence South 01°08'58" West 40.00 feet;

Thence North 88°51'02" West 40.86 feet;

Thence South 01°08'58" West 398.57 feet to the North right-of-way of Necarney City County Road;

Thence Southwesterly along said right-of-way along the arc of a 230.00 foot radius non-tangent curve to the left (radius bears South 15°23'27" West) through a central angle of 51°57'22" a distance of 208.57 feet (chord bears South 74°21'33" West 237.14 feet);

Thence South 43°22'19" West 41.02 feet along said right-of-way;

Thence North 46°37'29" West 86.10 feet;

Thence South 63°54'55" West 122.72 feet;

Thence South 68°13'38" West 116.31 feet;

Thence South 70°39'59" West 89.30 feet;

Thence South 80°14'38" West 63.12 feet;

Thence leaving the exterior boundary of said Book 346, Page 194, North 02°23'39" East 154.57 feet;

Thence North 60°19'24" East 517.14 feet;

Thence North 01°02'31" East 136.21 feet;

Thence North 57°23'07" East 99.35 feet;

Thence North 00°25'53" East 243.46 feet;

Thence Northwesterly along the arc of a 100.00 foot radius curve to the left through a central angle of 90°41'21" a distance of 158.28 feet (chord bears North 44°54'48" West 142.27 feet);

Thence North 20°04'05" East 117.92 feet;

Thence North 90°00'00" West 28.10 feet;

Thence Northwesterly along the arc of a 270.00 foot radius curve to the right through a central angle of 21°01'17" a distance of 99.06 feet (chord bears North 79°29'21" West 98.51 feet);

Thence North 68°58'43" West 15.14 feet;

Thence North 21°01'17" East 40.00 feet;

Thence North 68°58'43" West 105.44 feet;

Thence Northwesterly along the arc of a 530.00 foot radius curve to the left through a central angle of 01°08'10" a distance of 10.51 feet (chord bears North 69°32'48" West 10.51 feet);

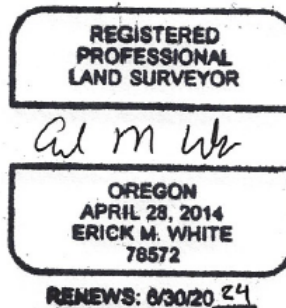
Thence Northeasterly along the arc of a 25.00 foot radius non-tangent curve to the left (radius bears North 19°53'07" East) through a central angle of 105°38'54" a distance of 46.10 feet (chord bears North 57°03'40" East 39.84 feet);

Thence North 04°14'13" East 111.12 feet to the North boundary of said Book 346, Page 194;

Thence North 89°47'18" East 714.75 feet along said boundary to the **Point of Beginning**.

Containing 12.54 Acres.

*The purpose of this legal description is not create a separate tax lot.*



d:\onion peak design\private\2023\encore wfh 2301\encore zone change.2404.docx

## EXHIBIT B

### I. BACKGROUND

1. APPLICANT: Pine Grove Properties, Inc. (Owner - James P. Pentz).
2. PROPERTY LOCATION: The property is located at the east end of Meadows Drive. Necarney City County Road borders the site along the south. There is no site address, and the County Assessor places the property within a portion of Township 3 North; Range 10 West; Section 28; Tax Lot #1401.
3. SUBJECT AREA: 12.54 acres.
4. EXISTING DEVELOPMENT: The vacant subject area fronts two public streets and public services are available.
5. ZONING: The Comprehensive Plan designates the land as Medium Density Residential (R-2).
6. ADJACENT ZONING AND LAND USE: Property to the east and south is in Tillamook County and designated RMD. To north lies C-1 zoned land located along US Highway 101 and containing a mix of commercial uses. All remaining adjacent property is zoned SR-R and contains a mix of open space and residential development.
7. REQUEST: Application to Annex 12.54 acres into the City limits of Manzanita, and a Zone Change from Medium Density Residential Zone (R-2) to Special Residential-Recreation Zone (SR-R).
8. DECISION CRITERIA: Annexation - Oregon Revised Statute Chapter 222; Zone Change - Sections 9.010 to 9.050 of Ordinance 95-5.

### II. APPLICATION SUMMARY

- A. The applicant wishes to annex approximately 12.54 acres of R-2 designated land. The subject area is located along the east side of the property and extends south to Necarney City County Road. Upon annexation, the property normally would be zoned R-2, consistent with the Comprehensive Plan designation. However, in addition to the annexation, the applicant wishes to change the zoning from R-2 to SR-R on the entire 12.54 acres. While the applicant intends to develop the site for residential uses, the application does not include a concurrent development proposal.
- B. The City development regulations do not include annexation provisions. By default, the City is subject to provisions in Oregon Revised Statutes Chapter 222, Sections 222.111 to 222.177. The City Council has the option to conduct a public hearing on the request or refer the annexation to the voters. In addition, the Zoning

Ordinance does not contain specific criteria for a Zone Change. Only Article 9, Amendments includes provisions applicable to the amendment process.

### III. ANNEXATION

- A. ORS Chapter 222 contains annexation procedures (a copy of the material is included as Attachment “A”). The statute does not specifically require (nor prohibit) the Planning Commission’s review of a request. City Legal Counsel previously concurred with this approach (Highlands 4 & 5 Subdivision), suggesting the Commission’s role is to provide a recommendation to the Council. This is entirely consistent with other legislative-type actions - such as zone changes or code amendments - that require a Commission recommendation as part of the legislative process. As noted in ORS 222.120 to ORS 222.177, the City Council has options on how to make a final determination, including providing an opportunity for a public vote on matter.
  
- B. ORS 222.111 Authority and procedure for annexation; specifying tax rate in annexed territory. This Section allows extending the boundaries of any city by the annexation of territory that is not within a city, and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake, or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies. Further, an annexation may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.
  
- C. ORS 222.170. Annexation by consent before public hearing. This Section allows for annexation by ordinance after a public hearing, if the City receives written consent from “more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory.”

FINDINGS: The property owner submitted a request to annex the property prior to the public hearings. The applicant represents a majority of the electors and owns more than half of the land in the territory proposed to be annexed and has filed a statement of consent to be annexed on or before the date of the public hearing. The subject property (Tax Lot 1401) is located within the City’s Urban Growth Boundary and adjacent and contiguous to the City limits to the west (Highlands 4 & 5 Subdivision). Existing service districts (fire and sanitary sewer) will continue to serve the site as water and sanitary services were extended to the Highlands Subdivision located to the west. In summary, this portion of Tax Lot 1401 is available for urban uses and meets the statutory requirements for annexation.

### IV. ZONE CHANGE

- A. As noted, the Zoning Ordinance does not contain specific review provisions for a zone change. The only available guidelines were provisions on processing amendments (Article 9, Amendments). The following findings address these

provisions:

1. Section 9.010 Authorization to Initiate Amendments. An amendment to the text of this Ordinance or to the zoning map may be initiated by the City Council, the Planning Commission or by application of a property owner. The request by a property owner for an amendment shall be accomplished by filing an application with the City Manager.

FINDINGS: The property owner initiated the zone change, filing the necessary application and supporting documents.

2. Section 9.020 Public Hearings on Amendments. The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after the amendment is proposed and shall, within 40 days after the hearing, recommend to the City Council approval, disapproval, or modified approval of the proposed amendment. After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing on the proposed amendment, and approve, disapprove, or modify the proposed amendment.

FINDINGS: The hearing before the Commission (on March 11, 2024) and Council (on June 5, 2024) comply with the requirements in the Section. On March 11, 2024 the Planning Commission made a recommendation to the City Council to approve the zone change, if the annexation is accepted.

3. Section 9.030 Record of Amendments. The City Manager shall maintain records of amendments to the text and zoning map of the Ordinance.

FINDINGS: This Section establishes an administrative requirement for the City.

4. Section 9.040 Limitations on Reapplication. No application of a property owner for an amendment to the text of this Ordinance or to the zoning map shall be considered by the Planning Commission within the one-year period immediately following a previous denial of such request, except the Planning Commission may permit a new application if, in the opinion of the Planning Commission, new evidence or a change of circumstances warrant it.

FINDINGS: This Section does not apply as this is the applicant's first request for this specific zone change.

5. Section 9.050 Amendments Affecting Manufactured Dwelling Parks. If an application would change the zone of property which includes all or part of a manufactured dwelling park as defined by ORS 446.003, the governing body shall give written notice by first class mail to each existing mailing address for tenants of the manufactured dwelling park at least 20 days but not more than 40 days before the date of the first hearing on the application.

The failure of a tenant to receive a notice which was mailed shall not invalidate any zone change.

FINDINGS: This Section does not apply as the request does not involve property containing a manufactured dwelling park.

B. The Amendment Article addresses the process but does not provide any decision criteria. As the zone change applies to residential zones (Ordinance Section 2.020), the Manzanita Comprehensive Plan provides guidance on “Residential Land Uses.” The Land Use Goal states the following: *“To maintain and create residential living areas which are safe and convenient, which make a positive contribution to the quality of life, and which are harmonious with the coastal environment.”* Five policies support this Goal; the following reviews the policies and supporting findings:

1. Policy #1 - Protect living qualities by requiring landscape screening or buffering between dwellings and commercial uses.

FINDINGS: The Zoning Ordinance allows the City to require screening or buffering as part of residential development projects. Specific examples in the Zoning Ordinance include Section 4.060 for multi-family projects, Section 4.156(3) for site design review, and Section 5.031(g) for conditional uses. These provisions are applicable to specific development projects but not directly applicable to the zone change.

2. Policy #2 - Require that subdivisions include adequate public street access for each house and lot, paved streets, adequate water and sewer systems, storm drainage, underground telephone, TV Cable, and electrical lines. Street plantings and trees are desirable. Improvements should be of good quality.

FINDINGS: Several sections of the Manzanita Subdivision Ordinance 95-5, specifically related to streets and utilities, implement these provisions.

3. Policy #3 - Permit a variety of dwellings and flexibility in densities and site design for large, planned developments. Density standards established in the vicinity will generally serve as the basis for the overall density of such planned developments. Special review and approval by the Planning Commission will be required. Projects will be expected to provide usable open space, community facilities and other special amenities. The clustering of dwelling units in order to leave a greater amount of land for open space is encouraged.

FINDINGS: Provisions in the existing R-2 zone effectively limit residential development to the creation of individual lots for either single family homes or duplexes [Section 3.010(1)]. The SR-R zone not only permits single family homes and duplexes [Section 3.030(2)] but permits multi-family homes and townhouses (same Section). In addition, Section 3.030(4)

allows higher densities and design flexibility in the SR-R zone, including clustering of homes.

4. Policy #4 - Require minimum lot sizes for single-family homes which adequately accommodate contemporary dwellings; separate structures for adequate light, air, fire-fighting access, and prevention of the spread of fire; provide space for two family automobiles per single-family dwelling. Pre-existing lots of sub-standard size may be developed under special conditions.

FINDINGS: As noted, both the R-2 and SR-R zones allow single-family and duplex residences. Since residential development in the SR-R zone must conform to the R-3 zone standards [Section 3.030(4)(b)], both the existing R-2 zone [Section 3.010(3)] and proposed SR-R zone contain similar lot size and dimension requirements [Section 3.020(3)]. Therefore, the zone change to SR-R will not reduce the ability of the City to provide single family homes in a manner consistent with this policy.

5. Policy #5 - Require, in areas without urban services, minimum lot sizes which will assure that no danger to the public health will result from water supply or sewage disposal into the ground.

FINDINGS: This is not directly applicable, as urban services are available to the property regardless of zoning.

- C. A further issue is whether the loss of R-2 zoning will impact the City's overall ability to provide housing. The 2019 Buildable Lands Inventory conducted a survey of available, developable residential land within the City's Urban Growth Boundary. The report concluded with the following summary:

*Summary of Residential Buildable Lands Inventory*

*Approximately 96 acres of land are available in the residential BLI. It may seem surprising that most of the land available falls under high density residential zoning (roughly 94%), but this is partially explained by the fact that R-2 medium density residential (the most populous zone) is technically classified as high density residential as it allows more than 8 units per acre given a minimum lot size of 5,000 square feet per unit. In fact, there are no zones classified as low density residential given our criteria. Medium density residential and commercial / mixed-use make up 5.6% and 0.5% of the residential BLI respectively.*

*Vacant land represents by far the largest opportunity for development, comprising almost 99% of the land available in the buildable lands inventory. While less partially vacant and redevelopable land is available, the location of specific parcels are important as they may represent geographies where development is highly desired (i.e., areas close to commercial cores) or where infrastructure (water and sewer) is available.*

Table 9: Summary of Residential Buildable Lands Inventory, Manzanita UGB, 2019

Housing Category	Vacant (acres)	Partially Vacant (acres)	Redevelopable (acres)	Total Buildable (acres)
Low Density Residential	-	-	-	-
Medium Density Residential	5.40	-	-	5.40
High Density Residential	89.14	1.00	0.02	90.16
Commercial / Mixed-use	0.44	0.06	-	0.49
Total:	94.97	1.06	0.02	96.05

Both the R-2 and SR-R zones allow single-family and duplex residences and developed to similar standards. The only significant difference between the two zones is that the SR-R zone allows multi-family residences. Therefore, the zone change does not eliminate housing opportunities permitted in the R-2 zone but increases overall housing opportunities by allowing multi-family units. On balance, the zone change will not reduce or inhibit the City's ability to provide needed housing.

- D. While this application does not contain a concurrent development proposal, the applicant made it clear during public testimony the sole purpose of the request is to create moderate income/workforce housing for the community. Also, during public testimony the applicant was willing to accept a condition, including deed restriction, to ensure only construction of this type of housing, and the use of the property for short-term rentals is prohibited. The Council concurs with the need for such housing options, noting findings in Policy #3, above. Therefore, the City Council finds it appropriate to place conditions on the zone change that will ensure the site is developed as intended by the applicant, thereby meeting the needs of the community.

#### V. CITY COUNCIL DECISION – ANNEXATION

Based on the above findings the Manzanita City Council finds the proposed Annexation is consistent with the relevant provisions in ORS Chapter 222.

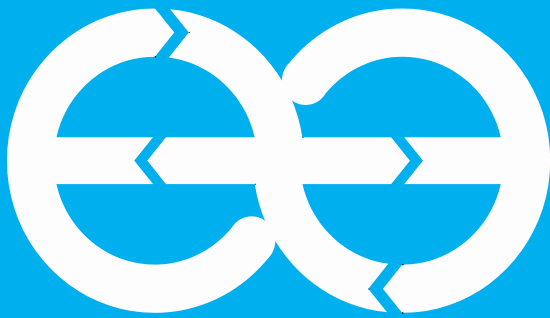
#### VI. CITY COUNCIL DECISION – ZONE CHANGE

Based on the above findings the Manzanita City Council finds the proposed Zone Change establishing the Special Residential-Recreation zone is consistent with the relevant provisions in the Manzanita Zoning Ordinance, subject to the following conditions:

- A. Development of the newly annexed property shall be limited to moderate income housing or below as defined in Oregon Revised Statutes 456.270 and subsequent legislative amendments. This limitation shall be placed as a deed restriction and evidence of the restriction shall be provided prior to submittal of any applications or permits to develop the newly annexed property.



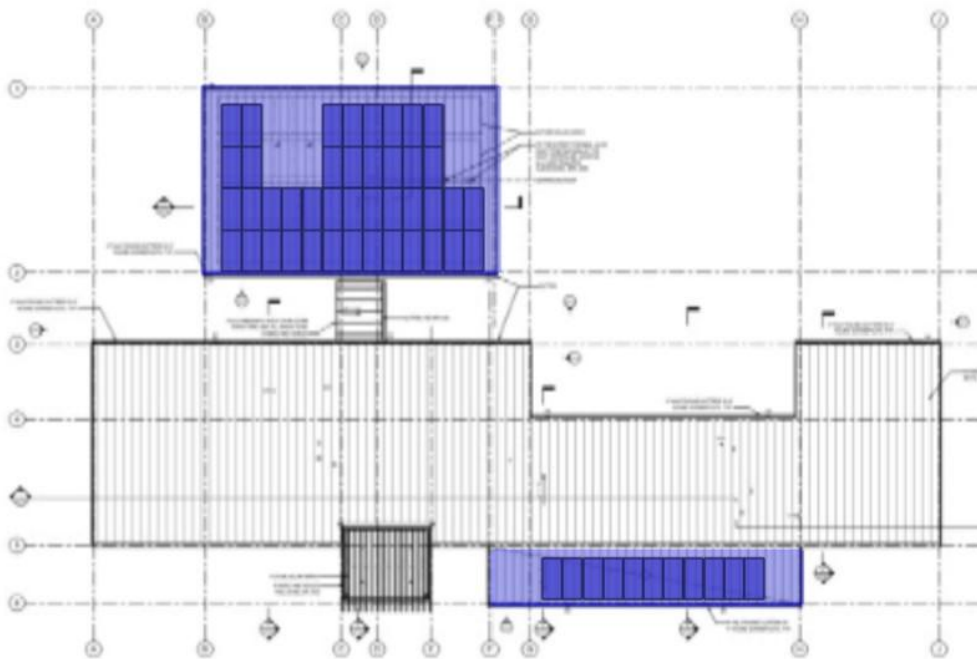
- B. Establishment of short-term rentals as defined by the Nehalem Zoning Ordinance shall be prohibited.



# ELEMENTAL ENERGY

## Manzanita City Hall

June 19, 2024



**THE FUTURE LOOKS BRIGHT. GO SOLAR!**



**ELEMENTAL ENERGY**  
[www.elementalenergy.net](http://www.elementalenergy.net)

**PREPARED BY:**


Kevin Gooley  
(971) 238-9794  
KGooley@elementalenergy.net



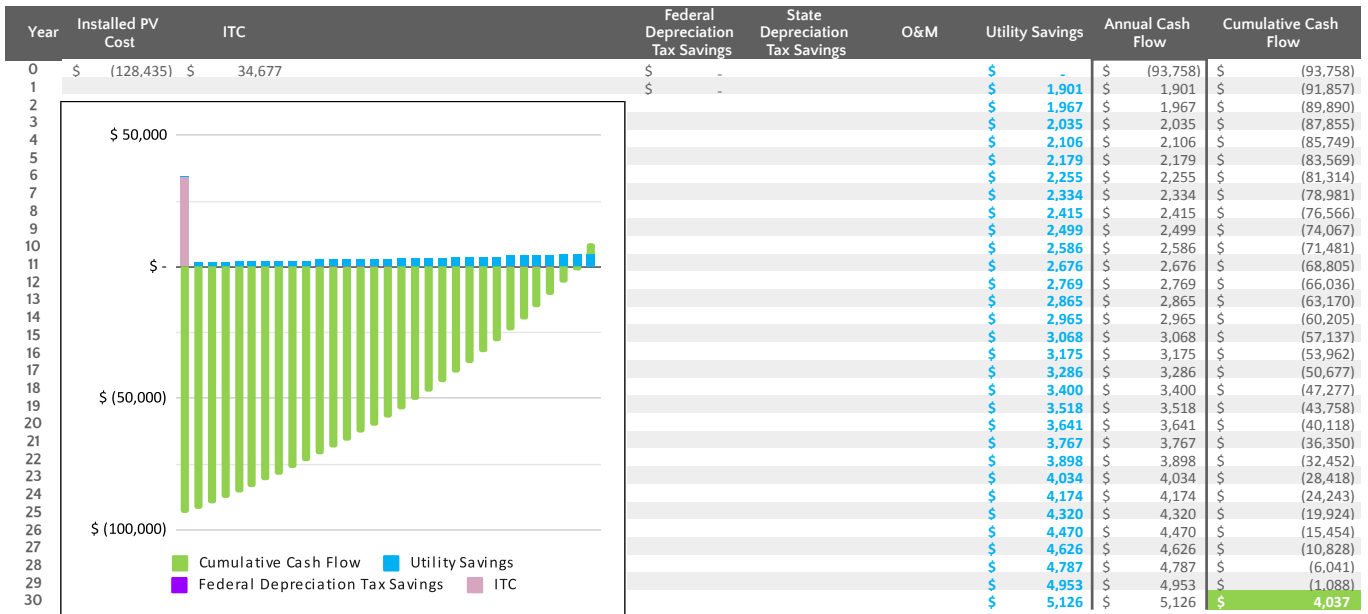
## INCENTIVES

Direct Pay Rebate	-\$34,677
Annual Utility Savings	-\$1,901

## COST

Gross Price Before Discounts & Incentives	\$128,435
Tax	\$0
Out of Pocket	\$128,435
<b>Net Cost Year 1</b>	<b>\$91,857</b>
 Added Building Value	\$38,013

## 30-YEAR CASH FLOW



Total Return on Investment

104%

Simple Payback Period

Year 29

Internal Rate of Return

0%

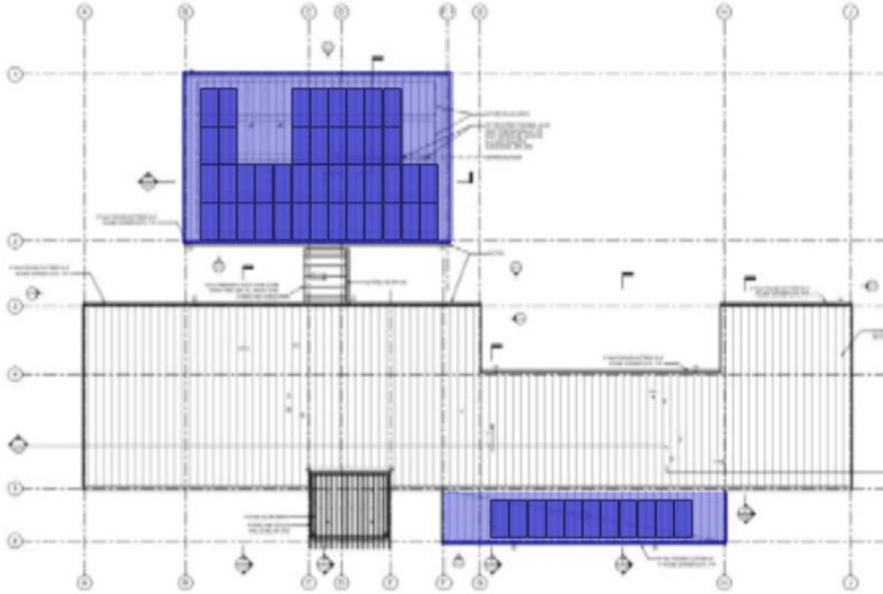
Net Present Value

-\$42,726

Assumptions  
 0% Federal Income Tax Rate  
 0% State Income Tax Rate  
 0% Discount Rate



## SITE PLAN



655 Manzanita Ave Manzanita, OR 97130

## SCOPE OF WORK

- SOLAR PV
- ENERGY STORAGE
- ELECTRICAL UPGRADES
- ELECTRIC VEHICLE CHARGING
- LIGHTING UPGRADES
- CONSULTING
- (OTHER)

PV SYSTEM SIZE	ANNUAL PRODUCTION
24.7 kW	25.5 MWh

## BESS SIZE

54 kWh

YES	NO	ITEM INCLUDED
X		Provide filing assistance for net-metering paperwork
X		Electrical Permit
X		All wiring, disconnects, and grounding according to 2023 NEC
X		Commission system
X		2-year solar installation warranty
X		System operation and safety walkthrough
X		Owners manual with all design documentation
X		Structural engineering analysis

## ADDITIONAL INCLUSIONS

BOLI wage rates July 2023

## ADDITIONAL EXCLUSIONS

- Low voltage wiring to inverter communications and monitoring
- Electrical upgrades
- Structural upgrades
- Utility upgrades
- Conduit rough-in
- Underground conduit



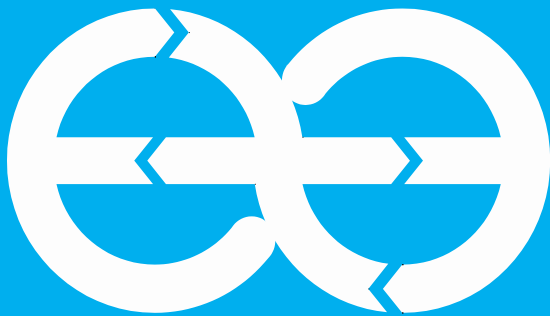
**SOLAR MODULES**  
51 Hanwha 485W (or comparable)  
Warranty: 25 Years



**INVERTER**  
4 Tesla Powerwall III (11.4kW solar inverter)  
Warranty: 10 Years



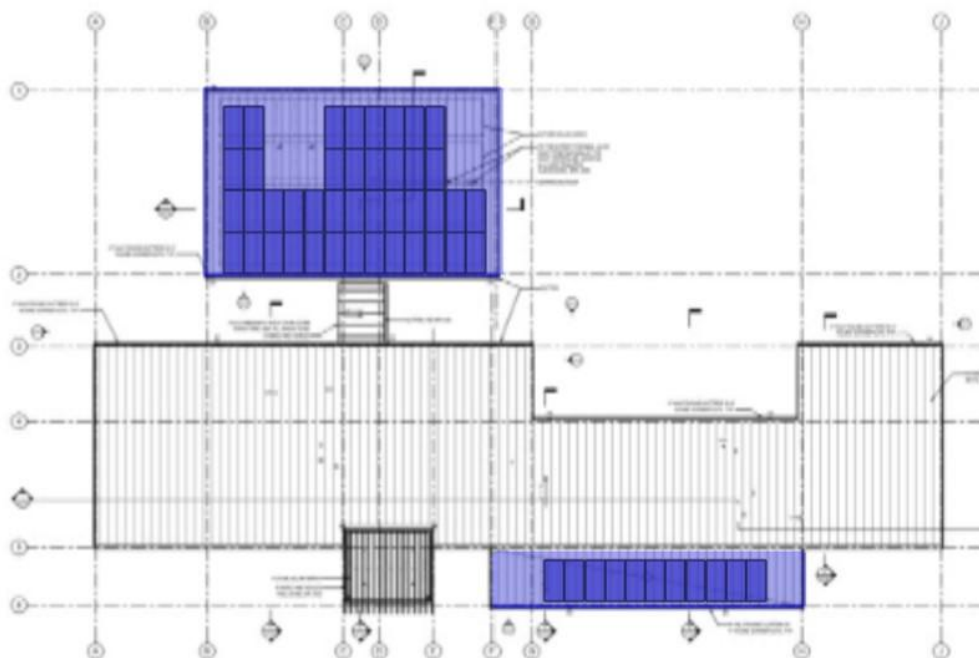
**BATTERY**  
4 Tesla Powerwall III (13.5kWh battery unit)  
Warranty: 10 years



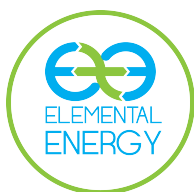
# ELEMENTAL ENERGY

## Manzanita City Hall\_PV Only

June 26, 2024



**THE FUTURE LOOKS BRIGHT. GO SOLAR!**



**ELEMENTAL ENERGY**

[www.elementalenergy.net](http://www.elementalenergy.net)

**PREPARED BY:**

Kevin Gooley

(971) 238-9794



KGooley@elementalenergy.net



## INCENTIVES

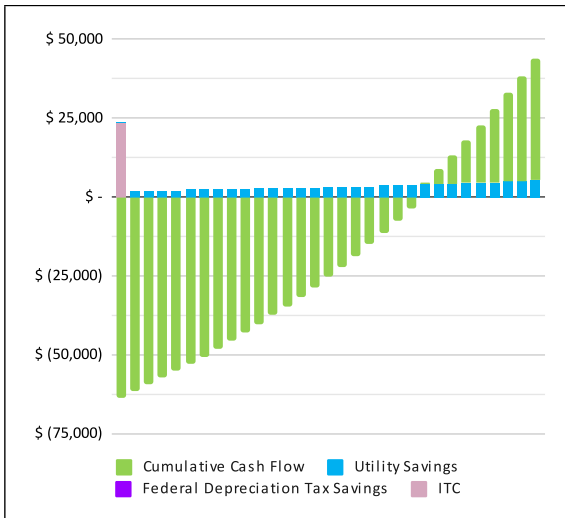
Direct Pay Rebate	<b>-\$23,487</b>
Annual Utility Savings	<b>-\$1,983</b>

## COST

Gross Price Before Discounts & Incentives	\$86,990
Tax	\$0
Out of Pocket	\$86,990
<b>Net Cost Year 1</b>	<b>\$61,519</b>
  <b>Added Building Value</b>	<b>\$39,666</b>

## 30-YEAR CASH FLOW

Year	Installed PV Cost	ITC	Federal Depreciation Tax Savings	State Depreciation Tax Savings	O&M	Utility Savings	Annual Cash Flow	Cumulative Cash Flow
0	\$ (86,990)	\$ 23,487	\$ -	\$ -	\$ -	\$ -	\$ (63,503)	\$ (63,503)
1			\$ -	\$ -	\$ -	\$ 1,983	\$ 1,983	\$ (61,519)
2			\$ -	\$ -	\$ -	\$ 2,052	\$ 2,052	\$ (59,467)
3			\$ -	\$ -	\$ -	\$ 2,124	\$ 2,124	\$ (57,343)
4			\$ -	\$ -	\$ -	\$ 2,198	\$ 2,198	\$ (55,146)
5			\$ -	\$ -	\$ -	\$ 2,274	\$ 2,274	\$ (52,872)
6			\$ -	\$ -	\$ -	\$ 2,353	\$ 2,353	\$ (50,518)
7			\$ -	\$ -	\$ -	\$ 2,435	\$ 2,435	\$ (48,083)
8			\$ -	\$ -	\$ -	\$ 2,520	\$ 2,520	\$ (45,563)
9			\$ -	\$ -	\$ -	\$ 2,608	\$ 2,608	\$ (42,956)
10			\$ -	\$ -	\$ -	\$ 2,698	\$ 2,698	\$ (40,257)
11			\$ -	\$ -	\$ -	\$ 2,792	\$ 2,792	\$ (37,465)
12			\$ -	\$ -	\$ -	\$ 2,889	\$ 2,889	\$ (34,576)
13			\$ -	\$ -	\$ -	\$ 2,990	\$ 2,990	\$ (31,586)
14			\$ -	\$ -	\$ -	\$ 3,094	\$ 3,094	\$ (28,492)
15			\$ -	\$ -	\$ -	\$ 3,202	\$ 3,202	\$ (25,290)
16			\$ -	\$ -	\$ -	\$ 3,313	\$ 3,313	\$ (21,977)
17			\$ -	\$ -	\$ -	\$ 3,428	\$ 3,428	\$ (18,549)
18			\$ -	\$ -	\$ -	\$ 3,548	\$ 3,548	\$ (15,001)
19			\$ -	\$ -	\$ -	\$ 3,671	\$ 3,671	\$ (11,330)
20			\$ -	\$ -	\$ -	\$ 3,799	\$ 3,799	\$ (7,531)
21			\$ -	\$ -	\$ -	\$ 3,931	\$ 3,931	\$ (3,600)
22			\$ -	\$ -	\$ -	\$ 4,068	\$ 4,068	\$ 468
23			\$ -	\$ -	\$ -	\$ 4,209	\$ 4,209	\$ 4,678
24			\$ -	\$ -	\$ -	\$ 4,356	\$ 4,356	\$ 9,034
25			\$ -	\$ -	\$ -	\$ 4,508	\$ 4,508	\$ 13,541
26			\$ -	\$ -	\$ -	\$ 4,664	\$ 4,664	\$ 18,206
27			\$ -	\$ -	\$ -	\$ 4,827	\$ 4,827	\$ 23,032
28			\$ -	\$ -	\$ -	\$ 4,995	\$ 4,995	\$ 28,027
29			\$ -	\$ -	\$ -	\$ 5,169	\$ 5,169	\$ 33,196
30			\$ -	\$ -	\$ -	\$ 5,348	\$ 5,348	\$ 38,544



Total Return on Investment

**161%**

Simple Payback Period

**Year 21**

Internal Rate of Return

**3%**

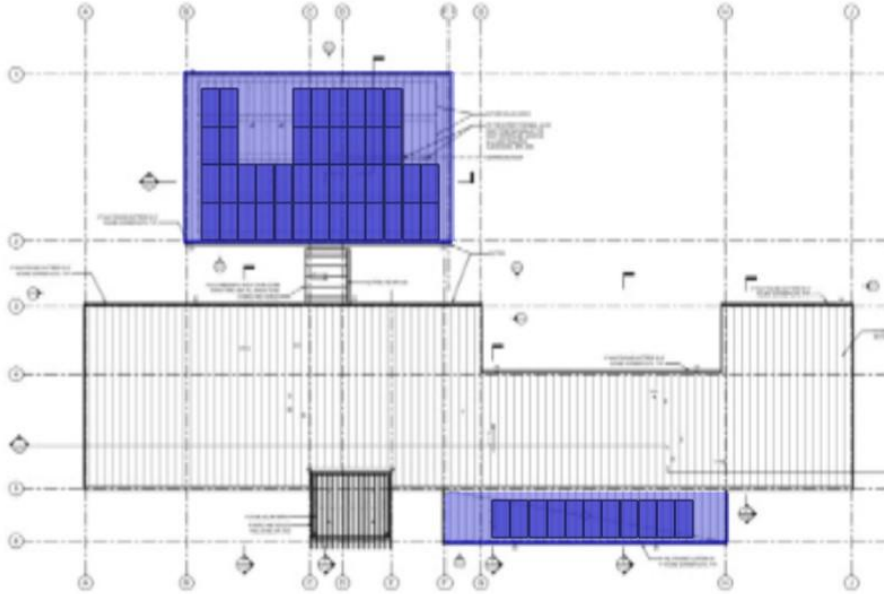
Net Present Value

**-\$10,253**

Assumptions  
 0% Federal Income Tax Rate  
 0% State Income Tax Rate  
 0% Discount Rate



## SITE PLAN



655 Manzanita Ave Manzanita, OR 97130

## SCOPE OF WORK

- SOLAR PV
- ENERGY STORAGE
- ELECTRICAL UPGRADES
- ELECTRIC VEHICLE CHARGING
- LIGHTING UPGRADES
- CONSULTING
- (OTHER)

PV SYSTEM SIZE

24.7 kW

ANNUAL PRODUCTION

26.6 MWh

BESS SIZE

0 kWh

YES	NO	ITEM INCLUDED
X		Provide filing assistance for net-metering paperwork
X		Electrical Permit
X		All wiring, disconnects, and grounding according to 2023 NEC
X		Commission system
X		2-year solar installation warranty
X		System operation and safety walkthrough
X		Owners manual with all design documentation
X		Structural engineering analysis



51

### SOLAR MODULES

Hanwha 485W (or comparable)

Warranty: 25 Years



51

### INVERTER

Enphase IQ8M

Warranty: 25 years

## ADDITIONAL INCLUSIONS

BOLI wage rates July 2023

## ADDITIONAL EXCLUSIONS

Low voltage wiring to inverter communications and monitoring

Electrical upgrades

Structural upgrades

Utility upgrades

Conduit rough-in

Underground conduit

**From:** Randy Kugler <

**Sent:** Friday, June 7, 2024 4:14 PM

**To:** Kathryn Stock <[kstock@ci.manzanita.or.us](mailto:kstock@ci.manzanita.or.us)>; Linda Kozlowski <[lkozlowski@ci.manzanita.or.us](mailto:lkozlowski@ci.manzanita.or.us)>; Jerry Spegman <[jspegman@ci.manzanita.or.us](mailto:jspegman@ci.manzanita.or.us)>; Brad Hart <[bhart@ci.manzanita.or.us](mailto:bhart@ci.manzanita.or.us)>; Tom Campbell <[tcampbell@ci.manzanita.or.us](mailto:tcampbell@ci.manzanita.or.us)>

**Subject:** Initiative Petition

Mayor and Council,

You have by now received a copy of the Initiative petition that I filed with the City on May 6th. You may not have seen the HH article from Rockaway which describes similar concerns in that community that I have raised regarding use of water and sewer revenue for payment of City Hall staff which I am sure Manzanita citizens are also reading about this week.

<https://tinyurl.com/5fzvy4y4>

I will share with you now that I will be publicly requesting that the consultant who will be developing the new quarterly rate schedule to also analyze how additional revenue for new water infrastructure improvements and maintenance activities as well as effects on future water rate increases would be realized should the Initiative be approved by voters in November. You can of course refuse this request but that refusal will create many questions as to why citizens should not be provided with this information.

The question before voters in November will be a simple choice. Continue with your current policy of transferring money for reasons that you can not explain and what explanations you do offer can not survive fact checks or common sense OR keep more money in the Water Utility Fund for real projects that citizens can see being constructed and you get the credit for starting.

You can spend the summer talking about the Warrenton model and GAAP at the same time some of you may be campaigning to run for Council. I will be spending my time talking about the simple choice voters have and the benefits to be derived from a yes vote on the Initiative.

You have the opportunity to get ahead of this issue and could amend Ordinance 90-8 to include the restrictions contained in the proposed Initiative and avoid a vote on this matter. In fact, I am sure that your consultant could readily confirm that keeping \$180,000 in next year's Budget and a similar amount in succeeding years Budgets rather than transferring those funds to the General Fund would greatly benefit the Water CIP. Allowing your consultant to deliver this recommendation may well be your best opportunity to resolve this ongoing community discussion. Unfortunately you have very little time to prepare for a first reading of an amendment for the July Council meeting. I will have more than enough signatures before the end of July and those voters who have signed will be



looking forward to a vote on this and I will feel that I have an obligation to submit the signatures to place the Measure on the ballot.

I am also prepared to share this communication with citizens to confirm that the City had options to remedy this matter short of having a vote.

Thank you for your consideration.

Randy

**From:** Randy Kugler  
**Sent:** Thursday, June 27, 2024 10:29:57 AM  
**To:** City Council <[citycouncil@ci.manzanita.or.us](mailto:citycouncil@ci.manzanita.or.us)>  
**Subject:** Water rate study request

Mayor and Council,

As you prepare your quarterly water rate study, please include the impact of what an additional \$180,000 in revenue annually would have on the Water Utility Fund. The \$180,000 represents the approximate amount of revenue that would remain in the Water Utility Fund should the Council choose to allow Manzanita voters the opportunity to vote on the Initiative petition in November that I have submitted.

The Council also has the option to transfer \$180,000 of TLT revenue to the Water Operating Fund or reducing said amount of overhead allocation transfer from the Water Operating Fund in the FY 24-25 Budget in lieu of holding an Initiative election.

Specificly address how this additional revenue would advance completion of those listed projects in the Water Master Plan and the mitigating effect said additional revenue would have on the need to increase water rates for Manzanita residents the future.

If you choose not to present this analysis for community review and comment, provide me with a clear written statement of your reasons for your refusal.

Thank you,

**From:** Randy Kugler  
**Sent:** Wednesday, July 10, 2024 8:54 AM  
**To:** City Council <[citycouncil@ci.manzanita.or.us](mailto:citycouncil@ci.manzanita.or.us)>  
**Subject:** Two subjects for consideration

Mayor and Council,

One of the outcomes of my social media posts has been citizens taking opportunities to talk to me and sending me their comments and email addresses requesting to be kept informed of City activities. The three point solution to resolving the water rate matter came about from these conversations. My contact list of full and part time citizens continues to grow affording me the ability to easily receive citizen feedback, communicate with and if necessary, gather signatures.

Should these citizens the majority of which are registered voters, be disappointed by what is presented in the new study, I would expect that they will be receptive to supporting new Referendums until a satisfactory solution is adopted.

I will also be conducting a mailed survey giving every Manzanita registered voter the opportunity to "vote" on what they believe is an appropriate level of overhead allocation for the Water Utility Fund. Those results will be presented to you before the November election.

I believe that both the Referendum process and community survey on the overheard allocation issue are effective and fair methods to accurately determine resident's opinions on these respective matters. I trust that you will find this direct feedback from voters helpful in shaping your policies on these two subjects so that you can move on to spend your time on other projects.

Thank you,  
Randy