

7 July 2022

Tillamook County Commissioners
Tillamook County Courthouse
201 Laurel Avenue
Tillamook, OR 97141

RE: 13 July 2022 Meeting to discuss #851-22-000224-PLNG

Dear Commissioners,

I am writing to voice my **strong** opposition to having Radar Road (and adjacent properties) to be included in Oceanside City, in the event that you commissioners decide to allow this incorporation to go to a vote in November. I am currently a resident and home owner within this Radar Road community. Unfortunately, I won't be available to testify in person on 13 July, so I'm hoping this letter can be included in the record of this meeting.

To begin, let me just point out that I am ambivalent as to whether Oceanside should be incorporated or not – that's their concern. My point is that Radar Road is far outside this community by distance and needs, and we should **not** be included in whatever city maps the petitioners (or county) come up with. However, in their revised application for incorporation (#851-22-000224-PLNG), the petitioners have **included** Radar Road in their plans, and have argued that Radar Road both **wants** to be within the city and **would benefit** from being within the city. Nothing could be further from the facts.

In a previous letter to the commission, I described the results of an email survey I took of **ALL** residents on Radar Road (and adjacent properties) asking whether Radar Road should be included in the proposed Oceanside City limits. Hopefully, this letter from last November is included in your documents, so I won't belabor the details. But briefly, I got an 87% response rate to this survey, and of those folks, 80% said "no." So, I can categorically state that the overwhelming consensus on Radar Road is that we **DO NOT WANT** to be within this proposed city.

The other issue has to do with the benefits we would receive by being part of a greater Oceanside. In this regard, the petitioners have included a table in their proposal entitled ("Availability of Projected City Services to Oceanside Neighborhoods," p. 14). In this table, they list several communities – of which Radar Road is one – and then list how they would benefit. On this table, they have Radar Road as benefitting from all of these services.

In sum, the statements in this table range from "partially correct" to "pants-on fire-lying," and greatly distorts our views of such benefits. Let me go through them one at a time. According to this table, "Residents of Radar Road would benefit from:"

Land Use Services – this is partially correct. But since all of the lots on Radar Road are occupied by housing, I can't see much use for land use services. This is no "extra space" in our community, moreover, so land use proposals aren't relevant to us.

Road Maintenance – this is a pants-on-fire lie. Radar Road is a private, dirt road, and we maintain it ourselves. We neither want nor need road maintenance from the city (and I doubt the city would actually maintain a dirt road).

Code Enforcement – this is partially correct, but only in the sense that our access to code enforcement won't disappear after incorporation. Since a proposed Oceanside City won't have it's own enforcement police, we'll still need to call the county sheriff's office for code enforcement, should that be necessary.

Sewer Hookup – this is another pants-on-fire lie. All of the properties on Radar Road are happily on septic systems. Moreover, conversion to a sewer city system would be prohibitively expensive, and out of the financial range of several of the households on the street. Again, we neither want nor need hookups to the sewer system.

City Amenities – this is a marginal benefit at best. It should be noted that we're one mile away from the village, and that distance is over a steep hill. In reality, our residents rarely, if ever, go into Oceanside village with its limited amenities. Moreover, we don't go to the biggest attraction in Oceanside – the beach – for the simple reason that we have our own, unique one in Short Beach.

Emergency Preparedness – this is a marginal benefit at best. We already have an informal emergency preparedness plan, with every household storing its own fuel, water, food and supplies. the most significant emergency that we've considered is a Cascadia Subduction Zone earthquake. However, the road between Oceanside and Radar Road passes by a significant and steep hillside that is likely to give way (i.e., just south of Short Creek), potentially cutting us completely off from Oceanside.

In sum, we – the residents of Radar Road (and adjacent properties) -- neither want to be included in the proposed Oceanside City, nor do we feel that we would benefit significantly from being part of the proposed Oceanside City. The table included in the petitioner's application is a fabrication at best and an outright lie at worst. Certainly, the meager benefits to residents of Radar Road do **NOT** outweigh a likely increased property tax bill. Therefore, we respectfully ask the Tillamook Board of Commissioners to exclude our unique little community from a greater Oceanside map, and to allow us to continue to be under the jurisdiction of Tillamook County.

Respectfully submitted,



Gary Ciment
2690 Radar Road
Tillamook, OR 97141

Lynn Tone

From: Pam Zielinski <pzielinski@bhhsnw.com>
Sent: Friday, July 8, 2022 11:55 AM
To: David Yamamoto; Mary Faith Bell; Erin Skaar
Cc: Lynn Tone
Subject: EXTERNAL: One more thing re Oceanside Incorporation

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

As a real estate broker, I know how difficult it is to get anything done when dealing with a part-time land use staff.

Just as a recent example, I have a listing in Garibaldi which a buyer wants to offer on, but he has a very simple land-use question that only a planner can answer. I emailed their planner a week ago. No answer. I called on Monday and was told I have to wait for an answer to the email. I sent the email again on Monday in case it had been overlooked. No answer. I sent the email for the 3rd time yesterday. Still no answer.

I feel pretty certain this buyer will give up and move on to something else. This has a big negative financial impact on the property owner as well as on me, and possibly on the Buyer as well.

There will be far more harm done by incorporation than any benefit we might experience. It is not needed and most do not want it. Unfortunately, we just don't have enough full time residents to vote it down, so we are relying on you, the Commissioners, to see that incorporation is not a good decision for Oceanside.

Thanks so much.

Pam Zielinski, resident of Oceanside
503.880.8034

Lynn Tone

From: Ron Brown <ron@cjkk.com>
Sent: Friday, July 8, 2022 9:26 PM
To: Lynn Tone
Subject: EXTERNAL: Oceanside petition for incorporation

[NOTICE: This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Dear Lynn Tone,

I fear I'm late to the process, but I'm hopeful for an opportunity to provide input on the proposal to incorporate an area in Oceanside.

I am not able to participate in the upcoming hearings on July 13 and 28th due to schedule conflicts. Thank you for accepting this email, if that's possible.

A few points:

I only became aware of this proposal recently, when I received a postcard around mid-June. This seems like very short notice. A weighty decision like creating a new layer of government seems like it should receive more careful consideration and a broader notice to impacted property owners.

It seems that if the BOCC approves this petition, only registered voters will be permitted to decide on the incorporation. The proposal itself identifies that only 20% of properties are "occupied", and thus could host voters. This seems inherently unfair, even if it's the letter of the law. Even if it's not required, I would respectfully request that the BOCC should survey all of the property owners in the proposed area to determine the level of support, just out of basic fairness. We're all being asked to foot the bill.

I've read the proposal several times and I'm unable to discern any proposed benefit to the community that is achieved through incorporation, that is not already enjoyed via services provided by Tillamook County or existing service districts. In fact most items listed are liabilities, not benefits. The most striking example is road maintenance. No information is given about the current cost for road maintenance in the proposed boundaries. Perhaps the petitioners don't want to know? The proposed budget seems to indicate the petitioners believe that the roads and streets in the area can be maintained for \$50,000 per year. That is likely not even enough to pay for the fuel needed for maintenance equipment, let alone the actual equipment, material, and operators' salaries. Taking on that responsibility is dangerously foolhardy. While it would be a win for Tillamook County to pass that burden to us fools, I sincerely hope the BOCC does not take advantage of us in this regard.

I think it's important to note that Tillamook County has both incorporated and unincorporated areas. When people make a decision to purchase a property, they take these things into consideration. Unfortunately, land and homes are not especially portable. I would respectfully suggest to petitioners and supporters that if they wish to live in an incorporated community, that is easily achieved without changing the nature of Oceanside. They might also reflect on the hubris shown in attempting to force their preferences on their neighbors, who likewise made their choice based on the existing rules and circumstances.

I believe strongly in considering costs and benefits, and I do not believe the petition presents any benefits to the community, and certainly not enough to outweigh even the identified costs, let alone the unidentified ones. As such, I hope the BOCC makes a decision to reject the petition. That said, I hope the BOCC also can take the time to understand

what specific objectives the petitioners seek to achieve, and perhaps we can all work together to find a compromise solution to address shortcomings through methods less radical than incorporation.

By the way, if it matters, we are part-time residents on Maxwell Mountain. We've owned our home there for almost 20 years, and we're hoping to retire there soon. We are very happy with the county, and the community, aside from the sporadic outbreaks of local animosity. It's unfortunate that it seems to be happening again. I sincerely hope a compromise solution can be found.

Thank you for your time.

Very respectfully,

Ron Brown

Lynn Tone

From: Yuriy Chanba <ychanba@gmail.com>
Sent: Sunday, July 10, 2022 1:29 PM
To: Sarah Absher; Lynn Tone
Subject: EXTERNAL: Oceanside Incorporation - correction to the areas that asked to be excluded, plus EFS update?

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Hello, Ms. Absher, and hope you are having good weekend.

Your Memo dated July 6 2022 within the packet for July 13 hearing has a new map of areas that asked exclusion. Page 21.

Could you please update the map prior to the hearing to reflect that Camelot (area North of Terrasea and Trillium, South of Netarts Highway) also asked for exclusion.

There are many testimonies on record from property owners from that neighborhood asking for exclusion. I can recall only one single testimony supporting incorporation from that area.

Also, in the same Memo, you mention that the Petitioners had a meeting scheduled with the County Treasurer on updated Economic Feasibility Study. You indicate this additional information would be available by end of the week (July 8). Today is July 10, but that info had not been made public. If you have this update, could you please e-mail it over for review?

Ms. Tone, could you please add this e-mail to the record.

Thank you very much!

Yuriy Chanba
5378 Woodlawn St, Oceanside OR

July 9, 2022

Testimony in Opposition to Oceanside Incorporation

Dear Commissioners,

I respectfully ask you to **deny** Oceanside Incorporation Petition because:

- a. the Economic Feasibility Statement prepared by the Petitioners is planning expenditures for the best-case scenario, which is extremely inappropriate approach with any risky project of this magnitude, and
- b. the Budget on the record does not support the property tax rate of \$0.80/1,000 in assessed value that the Board must approve.

Inadequate Expenses Planning

In the previous testimonies, there is a great number of examples of Petitioners' not thinking through or using actual data, but instead selecting to present what was fitting Incorporation narrative. Following is just one more, simple example:

Local Access Roads

Instead of approaching those of us Oceansiders who pay out of pocket for maintenance of these roads and asking for true costs of such maintenance, the Petitioners preferred to ask for maintenance estimates from the County that has not provided maintenance for these specific roads for over a decade (14 years?).

Our actual expenses are higher than what Petitioners put in the budget, even though we maintain these roads way below standards a city would be required to maintain. That is one of the reasons so many property owners don't believe in the Petitioners' Road budget.

\$0.80/1,000? ABSOLUTELY NO WAY!

ORS 221.035 is explicit in requiring economic feasibility statement to be the basis for the proposed permanent tax rate.

The Board must deny the Petition, if the proposed tax rate is not supported by the Budget.

The Petitioners spent a great deal of time and effort trying to convince everyone that the proposed Budget was a valid budget. It is not.

But even if we assume for just one minute that the Budget on the record is adequate, updated Oceanside TLT Revenue numbers provided on page 26 of the "July 6 Packet for BOCC July 13 Hearing"

document are \$200,000-\$300,00 higher than what the Petitioners plan in their Budget, and must be used for calculating the tax rate.

Any potential statements by the Petitioners “but we didn’t have those numbers at time of submission” are irrelevant. Real numbers on the record must be used for Budgeting, if available at time of hearing.

The difference between actual TLT numbers and Petitioners’ estimates more than covers the Property Tax revenue.

Per Petitioners’ Budget, with real TLT numbers, the City is economically feasible with no property tax at all.

So, what should the property tax rate be, if it is obviously not \$0.80/1,000 according to the Budget?

It doesn’t matter. ORS 221.035 doesn’t require the Board to figure out what the rate should be, if the rate requested by the Petition is obviously wrong. It also doesn’t allow for approval of any tax rate different from one requested by the original Petition.

Any attempts by the petitioners to argue that “more TLT revenue is certainly better” are outside of scope of the approval/disapproval rules the Board must follow.

Thank you very much for giving this consideration.

Sincerely,

Yuriy Chanba

5378 Woodlawn St

Oceanside, OR