



Honorable Senators Monroe and Rosenbaum
900 Court St NE, S-409 & S-223
Salem, OR, 97301

RE: Oppose HB 2938

Dear Senators Monroe and Rosenbaum,

On behalf of the Cities of Milwaukie and Happy Valley, we are writing to urge your opposition to HB 2938. HB 2938 interferes with the good planning practices developed by local entities to ensure that a locally determined jurisdiction oversees urban level development.

Often, a city and county enter into an intergovernmental agreement to coordinate the urbanization and development of the urban growth boundary. Cities use intergovernmental agreements to manage relationships with county partners and create service level expectations in areas urbanizing around a city's boundaries. Clauses within many intergovernmental agreements explicitly enable the municipal annexation of affected properties in exchange for an urban service. Accordingly, annexation clauses are tools for resource coordination and accurate land use planning.

Furthermore, the state land use system requires consideration of the orderly move from rural development to urban development under Statewide Land Use Planning Goal 14. Cities and counties use urban growth management agreements to facilitate the transition from rural to urban development within urban growth boundaries. Consequently, required consent to annexation in exchange for urban services is not a municipal attempt to unilaterally force annexation but rather the fulfillment of Goal 14 through the vehicle of urban growth management agreements.

HB 2938 legislation will legislatively interfere with longstanding urban growth management intergovernmental agreements. Cities and counties that have adopted these legally binding agreements will be burdened with undoing them. HB 2938 will also introduce new uncertainty into the land use planning process, and it will introduce local governments to liability as they seek to meet state land use planning goals. HB 2938 will result in restricted development in urban growth boundaries where counties are unwilling or unable to cultivate urban development.

Finally, certain individuals testified that they believed HB 2938 would prevent a city from requiring annexation in exchange for urban services like sewer connection. However, this assertion is inherently incorrect. There is no requirement for a city to extend a service outside its city limits, and HB 2938 would neither alter a city's choice to limit services, nor should it. We urge your opposition to HB 2938.

Respectfully,

Mayor Wilda Parks
City of Milwaukie

Mayor Lori DeRemer
City of Happy Valley