



CITY OF CORNELIUS

March 8, 2017

Senator Mark Hass, Chairman
Senate Committee on Finance & Revenue
900 Court Street
Salem, OR 97301

Subject: Testimony in Opposition to Senate Bills 202 and 840

Dear Chairman Hass,

This letter is in strong opposition to Senate Bills 202 and 840. Both bills infringe on Home Rule Authority of cities that has been repeatedly reaffirmed by the Oregon Supreme Court.

During my municipal government career which is now in my 23rd year, I have served four cities in Oregon as either a full-time Mayor or City Manager. My range of cities is from small to large. I have managed the Cities of Carlton, Tillamook and now Cornelius. For 16 years, I also served as Mayor and CEO for the City of Beaverton. In all cases, our second highest form of revenue has been franchise fees. We can not afford to lose our Home Rule Authority to impose these fees and development requirements over our rights-of-way in Oregon cities.

In the case of SB 840, our fees would be capped and/or eliminated by legislative elimination of our protected Home Rule Authority. While most of us have a strong and positive working relationship with the broad range of utilities in Oregon, the local franchises serve as a guideline and roadmap to oversee and protect our rights-of-way. We believe that SB 840 would likely take away some of that authority and revenue that has a meaningful impact on all cities to help fund police, fire and other basic municipal services. We have no way to replaces these fees.

Lastly, SB 840 takes away local authority to regulate how the utilities would utilize our rights-of-way. It is fair and prudent to impose requirements when streets and other rights-of-way are being dug up and utilities being installed underground. Not all utility providers replace the streets and rights-of-way to their previous conditions. This kind of oversight is best done in each local community and not regulated through state government.

Sincerely,

Rob Drake
City Manager