

# CITY OF SPRINGFIELD, OREGON

Office of the Mayor and City Council



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March 7, 2017

Senator Mark Hass, Chair  
Senate Committee on Economic Development and Trade  
901 Court St. NE. S-207  
Salem, OR, 97301

RE: SB 202 and SB 840 – Relating to prohibiting city from imposing charge on other public bodies for use of city's rights of way that exceed city's actual, direct costs.

Dear Chair Hass and Members of the Committee:

On behalf of the City of Springfield and our City Council, I am testifying in opposition to both SB 202 and SB 840 which both threaten a major source of revenue that directly impacts the services we can provide to our citizens.

**SB 202** would prohibit our city from imposing charges on other public bodies for use of our city's rights of way that exceed our direct costs. This directly impacts the way we can serve our community. Every community is different and has different needs – the local government is best suited to work with the utility companies and our businesses and residents to bring services to them in an affordable manner.

With flat fuel tax revenues and flat property tax revenues, Cities are limited in the resources they have to maintain the quality of the public right-of-way. Utility companies profit from the use of the right-of-way and the value of the use of the right-of-way is not limited to “actual cost” to cut and repair the roadway.

**SB840** would remove a city's home rule authority and cap franchise agreement payments. Cities have home rule authority and should be able to freely negotiate the use of its public right-of-way on behalf of the citizens they serve. Courts consistently have upheld cities' home rule authority to manage their own public rights of way. Clearly it is a function of cities, and not the state, to do so.

The public owns and maintains the right-of-way and in Springfield we have been fair and intentional stewards of the public's right-of-way asset.

Thank you for your consideration of our positions on SB 202 and SB 840. I urge you to not pass these bills.

Sincerely,

A handwritten signature in black ink that reads "Christine L. Lundberg". The signature is written in a cursive, flowing style.

Christine L. Lundberg  
Mayor