



March 8, 2017

CITY HALL

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FAX 541-917-7716

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FAX 541-917-7794

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112 Tenth Avenue SW
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541-917-7770
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541-917-7667
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Senator Mark Hass, Chairman
Senate Committee on Finance & Revenue
c/o: lro.exhibits@oregonlegislature.gov

Dear Senator Hass and Members of the Committee:

OPPOSITION TO SENATE BILL 840

This letter is being submitted to express strong opposition to SB 840. The proposed legislation restricts franchise fees and threatens the City of Albany's authority to manage and receive fair and just compensation for use of municipal rights-of-way.

Aside from telling cities how much they can charge for use of city property, the proposed legislation dictates payment responsibility for utility relocation, and this is of particular concern to the Albany Public Works Department. Section 5 of the bill would shift the burden of cost to the City for relocation of private utilities in the public right-of-way depending on the primary purpose of a capital project. Further complicating matters, the bill fails to define or explain the meaning of the capital project primary purposes referenced in the bill. This section also unfairly requires a city to develop a new cost reimbursement system when utility relocation is necessary for a third-party development project.

These proposed changes could have a dramatic financial impact on our ability to repair and maintain our transportation network, which is already woefully underfunded. We urge the committee to stop this legislation. Please do not schedule a work session on the bill, and allow this bill to die in Committee.

Sincerely,

Jeff Blaine, P.E., Public Works Engineering and Community Development Director

MAY:rk

c: Wes Hare, City Manager

Chris Bailey, Public Works Operations Director