

From: David Owens
To: [SENR Exhibits](#)
Subject: Support for SB 114 or SB 258
Date: Friday, March 31, 2017 10:55:43 AM

Honorable Senators,

I am an Oregonian, a voter, and concerned citizen living in the Rogue Valley. I was very concerned when SB 1573 was passed denying me and my community due process regarding developments in my area. Small towns, like where I live, each have their own potentials and limitations, and allowing a project to go forward with little discussion that will impact roads, sewers, water and type and quality of life in our area is wrong. Please vote yes on SB 114 or SB 258 to repeal SB 1573 and protect rights of local citizens to fully explore and come to agreement on projects in their communities.

More detail on the importance to vote "Yes" on Senate Bill 114 or 258, repealing SB 1573.

Senate Bill 1573 does not comply with provisions of the Oregon Constitution limiting legislative authority, reserving the right of initiative and referendum, or preserving the right of local voters to enact and amend their own city charters. Senate Bills 114 and 258, both identical, would repeal the statutory changes brought by SB 1573 in 2016.

A yes vote on SB 114 or SB 258, and repeal of SB 1573, takes into account these facts:

- SB 1573 was a legislative remedy for the affordable housing crisis. There is no credible evidence linking voting on annexations to housing costs or housing availability.
- SB 1573 revoked long-held annexation voting rights in 33 communities around the state, and prohibited all local jurisdictions statewide from initiating those voting privileges.
- SB 1573 requires cities to annex territory when certain conditions are met, regardless of affordability, location or preferred planning options.
- Oregon's high courts repeatedly recognized that "popular votes" are a legitimate part of the annexation process, e.g., *Heritage Enterprises vs. Corvallis* (708 P.2d 601 (OR. 1985)) and *Bear Creek Sanitary Authority vs. City of Medford* (130 Or. App.24 (1994)). SB 1573 trampled those opinions.
- The argument that citizens have sufficient input on the front end of annexation decisions does not hold water. I am aware of only one case in the state where "front end" citizen input has impacted a city council decision regarding whether or not to annex territory (Springfield/LCOG "SCUSA" ORS-195 plan, 1994).
- Arguments that citizens in "voter annexation" communities repeatedly reject annexation proposals also are weak. Historically, more than 80% of these proposals

have been approved in our communities.

- Both the Oregon League of Cities and the Association of Oregon Counties support repeal of SB 1573.

Thank you,

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