



May 8, 2019

House Committee on Rules
900 Court St. NE
Salem, OR 97301

RE: HB 3431 Relating to vending facilities on public property; declaring an emergency.

Dear Chair Holvey, Vice-Chair Williamson, Vice-Chair Wilson and members of the House Committee on Rules,

On behalf of City of Beaverton, I am writing in support of HB 3431. Beaverton is currently developing the **Patricia Reser Center for the Arts (PRCA)**, a \$46 million-dollar, state-of-the-art destination performing arts and culture center that will be the first new regional performance facility built in the Portland metro area in more than 30 years. It will be located in the heart of Beaverton's Central District, mere steps from public light rail transportation, and will offer 550-seat theater, art gallery, rehearsal, workshop and meeting space, lobby, and an outdoor plaza.

Through the \$13 million-dollar lead gift from Pat Reser, additional corporate/foundation gifts and funding through Beaverton's transient lodging taxes, and bonds, the capital campaign is within \$5.6 million of completion, and plans are to break ground by the end of this year.

One of our competitive goals is to provide our rental clients (e.g. community arts groups, corporations) and our visiting artists (in the backstage area and for artist receptions) many food and beverage, as well as catering options at different price points, since we won't allow outside food to be brought in. When the operating pro forma for the center was mapped out, revenue streams were planned from both the *catering and beverage service*, where there will be a commission charged to the vendor, and from the *intermission food and beverage service*, which will be run by facility staff to make it profitable.

And because current law prohibits a public entity from charging *any* rent, or a fee for *any* revenue earned by a Commission for the Blind business enterprise vendor, the facility's planned-for revenue stream from food and beverage would be prohibited, risking financial instability for this regional performing arts and culture facility.

When HB 3253 passed in 2017, the City understood that in addition to the business enterprise vendors having the right to operate "vending machines" in or on any public buildings or property, the bill expanded those rights to vending "facilities" in public buildings where people meet with their elected officials, such as Beaverton's City Hall. Beaverton's City Hall currently has several vending machines operating according to statute, but we do not believe the legislative intent was to include local and regional visitor venues, such as the PRCA.

There may also be one or two vending machines backstage for staff and rental groups who are using the building, not the public or audiences. Beaverton would support including those vending machines as a priority operation for the Commission for the Blind business enterprises within HB 3431.

I urge the Committee to pass this bill as it will ensure that visitor venues like the PRCA will have the opportunity to provide catering and food and beverage services with needed revenue streams to ensure the facilities can operate with a positive cashflow and sound operations. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Denny Doyle". The signature is written in a cursive, flowing style.

Denny Doyle
Mayor