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February 19, 2013

To: Rep. Brian Clem, Chair
Rep. Kevin Cameron, Vice Chair
Rep. Lew Frederick, Vice Chair
Members of the House Committee on Land Use

From: Erin Doyle, Intergovernmental Relations Associate

Re: HB 2618 – Withdrawal of Part of a District

Thank you for the opportunity to testify regarding our concerns presented by HB 2618. We are opposed to this legislation because it would prevent local governments from determining how services are provided to residents within the city.

As you know, one of the primary roles of city governments is to determine how to provide urban level services to the residents of the city. As cities grow and increase in density, they examine how to provide services like fire protection, policing, water, sewer, transit, parks, open spaces, and other social services at levels that meet its citizen's expectations but also ways that match the city's fiscal abilities.

One manner in which a city can effectively meet its service obligations is to determine if the city or another district should provide the services. Such agreements and systems allow cities to determine fiscal outlays, costs to consumers, and other financial considerations. In addition, cities can tailor solutions that meet local expectations of level of service and provide the same level of services to all residents, thereby preventing a patchwork of service levels based on one's location within a city.

Current statutes support a city's legitimate interest in determining how many service providers provide the same service within the city for several reasons:

- There are administrative and cost efficiencies in having one provider – often resulting in property tax relief to property owners;
- Limiting the regulatory issues that increase as the number of service providers rises, such as differing Fire Marshall standards with the same city that affect building code requirements; and

- Benefits to resident such as maintaining a consistent level of service throughout the community.

Cities currently may withdraw territory within its incorporated boundaries and find the solutions that work for the community, such as providing the services through the city, through joint operations with counties and/or districts, or through a service district that services the city. If a city does not determine that there is a benefit to the citizens to withdraw territory, it may opt to not withdraw the territory. The importance is that the cities are provided with a variety of possible solutions that allow the best level of services to be provided to citizens.

This also allows citizens to better understand who is responsible for providing services to them and places the responsibility to respond to citizen concerns at the feet of elected officials within the city. If a city is required to provide the services or leave services within the district that currently provides the services, a citizen on one side of a street may get an entirely different level of service or response time than their neighbor across the street. To address any such disparity, a resident would bring their issues and concerns to the city who receives their tax dollars. Allowing cities to make choices, or even turning the choice over to citizen through a vote, makes it transparent to residents who to hold accountable if service levels are not meeting expectations.

If this legislation is passed, it creates an opportunity for patchwork service provisions with no decision maker to address service concerns. Efficient government and effective government require that cities have many options to address services provided within their city limits.