



June 3, 2019

Senate Committee on Rules  
Oregon State Capitol  
Salem, OR 97301

**Re: Support for SB 226 - Legislative action regarding City of Damascus disincorporation**

Dear Chari Burdick, Vice-Chair Baertschiger Jr., and Members of the Committee:

On behalf of the Happy Valley City Council, I write to express support for SB 226 to resolve the recent Oregon Court of Appeals ruling that the former City of Damascus did not legally disincorporate in 2016. The most recent turn of events has only caused continued uncertainty for the property owners and the City of Happy Valley's ongoing planning activities in the area.

After the May 2016 vote by Damascus residents to disincorporate, the City of Happy Valley was approached by owners representing more than 1,000 acres of the former Damascus area requesting to annex to the City of Happy Valley. For over a decade, those properties faced governance and land use uncertainty. Annexing to Happy Valley provided an opportunity for those residents to receive city services and shape the future of their land. The City of Happy Valley welcomed these voluntary annexations and immediately started a comprehensive planning process that engaged the residents of the area to develop a vision for future land uses, identify protections of natural resources, and highlight investments in necessary infrastructure.

While progress was being made in determining a community vision, the recent developments have again caused more uncertainty. Happy Valley's planning effort in the area not only includes recently annexed properties, it also has involved adjacent properties in recognition that they too will be impacted by the decisions made and may choose to annex in the future. Even though the annexations are final, understanding the future of the surrounding properties is important when planning for future infrastructure investments. Until such a time as the Court's 2019 ruling is resolved, the City has ceased annexing all property from the former-Damascus area. Halting these annexations prevents property owners from receiving urban services or developing their private property to urban standards.

We understand this issue presented itself to the Legislative Assembly near the end of the 2019 session. We are hopeful a legislative solution will bring uncertainties around the City of Damascus to a definitive end, providing certainty to the residents and property owners of the area.

Thank you for considering our unique position, the complexities and nuances involved.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Ellis', is written over a white background.

Tom Ellis  
MAYOR

16000 SE Misty Drive, Happy Valley, Oregon 97086-4288  
Telephone: (503) 783-3800 Fax: (503) 658-5174  
[happyvalleyor.gov](http://happyvalleyor.gov)