



May 23, 2019

Rep. Daniel Bonham
Rep. Janelle Bynum
Rep. Margaret Doherty
Rep. Christine Drazan
Rep. Rick Lewis
Rep. Mark Meek
Rep. Courtney Neron
Rep. Karin Power
Rep. Rachel Prusak
Rep. Jeff Reardon
Rep. Andrea Salinas
Rep. Anna Williams

Sen. Cliff Bentz
Sen. Ginny Burdick
Sen. Shemia Fagan
Sen. Fred Girod
Sen. Alan Olsen
Sen. Kathleen Taylor
Sen. Kim Thatcher
Sen. Chuck Thomsen
Sen. Rob Wagner

RE: Special Legislation for the City of Damascus

Dear Clackamas County legislators:

The Clackamas County Board of Commissioners formally requests your assistance in supporting a legislative resolution to the Oregon Court of Appeals ruling earlier this month that the former City of Damascus was not legally disincorporated.

As you may recall, the 2015 Oregon Legislature referred the question of disincorporation to the voters of Damascus during the May 2016 primary election with a simple majority requirement (HB 3085). Damascus voters overwhelmingly passed the measure in May 2016 and formal disincorporation occurred in July 2018. Since that time, acting under state law, the city's charter was surrendered and all of its financial obligations, property, and employees were transferred to and assumed by Clackamas County.

That process involved transferring approximately \$8.4 million of city funds to Clackamas County for a variety of purposes within the former city's boundaries. This included approximately \$2 million to absorb former Damascus employees to the county payroll and for the continuation of law enforcement services. Approximately \$2.9 million was

dedicated for road maintenance and related services within the former city limits. As a result the County began road maintenance projects last summer and is in the process of creating a Transportation System plan for the area. And in January, the Clackamas County Assessor distributed approximately \$3.4 million in remaining assets to eligible residents, effectively completing the disincorporation process.

As a result of these actions, it is not possible to restore the city to its pre-disincorporation status.

The Court of Appeals ruling has led to general confusion among our public and uncertainty among our local and regional partners such as the City of Happy Valley, which has annexed over 1,000 acres of the former city into its boundaries.

For these reasons we ask for your assistance in helping to bring final resolution to the city's status before the end of this legislative session. Sen. Burdick and Rep. Clem, among others, are currently working on legislation seeking to address this issue prior to sine die.

Thank you for your understanding of our position and the complexity of this unique problem. We greatly appreciate your support in bringing this matter to a definitive end for the wellbeing of every person and agency involved.

Sincerely,

A handwritten signature in blue ink that reads "Jim Bernard". The signature is fluid and cursive, with the first name "Jim" and last name "Bernard" clearly legible.

Jim Bernard, Chair
On behalf of the Clackamas County Board of Commissioners

cc: Rep. Brian Clem