



CITY OF SALEM

Written Testimony

City Council

555 Liberty St SE
Salem, OR 97301

Monday, July 27, 2020

6:00 PM

Virtual Meeting

3.3b. [20-263](#)

Purchase and Sale Agreement with Robert and Suzan Creamer for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

Result Area(s): Good Governance; Natural Environment Stewardship; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community

Recommendation:

Authorize the City Manager to execute the attached Purchase and Sale Agreement for the acquisition of real property located at 1440 Wallace Road NW.

Attachments:

[Proposed Agreement](#)

[Exhibit E to Agreement](#)

[Public Comments received](#)

Add - Written Testimony.

3.3g. [20-300](#)

Order for City Council Review of an Appeal of System Development Charge Expenditure.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Reliable and Efficient Infrastructure

Recommendation:

Adopt the order denying the appeal brought pursuant to SRC 41.180(c) regarding the use of Stormwater System Development Charge (SDC) funds for the purchase of real property at 298 Taybin Road NW.

Attachments:

[SDC Appeal Order](#)

[Public Comments received](#)

Add - Written Testimony.

Amy Johnson

From: Kenneth Bierly <bierlykenneth@gmail.com>
Sent: Saturday, July 25, 2020 3:30 PM
To: CityRecorder; citycouncil; Chuck Bennett
Subject: Support for Agenda Item 3.3b.
Attachments: Support Letter.pdf

Dear Mayor and Council.

Please accept the attached letter of support for the approach to acquiring property for Marine Drive.



Glenn and Gibson Creeks Watershed Council P.O. Box 5005 Salem, OR 97304

July 25, 2020

City of Salem
Mayor Chuck Bennett
Council Members

Re: Agenda Item 3.3b. Purchase and Sale Agreement with Robert and Suzan Creamer for acquisition of real property

Dear Mayor and Council:

The Glenn Gibson Creek Watershed Council is pleased with the recent actions on May 26, 2020 associated with land acquisition of three properties and the proposed acquisition tonight for the Creamer property for the right-of way for Marine Drive. Each property acquisition included the acquisition of floodplain property that has additional value to the citizens of Salem. These properties have significant long-term benefits to the floodplain ecosystem and protection of human welfare. The properties acquired by the City will be of benefit in assuring flood water storage, riparian habitat, and wildlife support that will help the City comply with the Biological Opinion from the National Marine Fisheries Service concerning the implementation of the National Flood Insurance Program. We are pleased to see the incremental acquisition of parcels that total nearly 10 acres of floodplain by the City adjacent to Wallace Marine Park.

As the acquisition of right-of way for Marine Drive continues we encourage the City to consider additional floodplain acquisition as well. The Watershed Council has seen portions of the property by invitation of landowners and believe the significant ecological values can be managed with limited effort to reduce the impact of invasive species (both plants and human).

During the deliberations by Council on the acquisitions, staff Kristen Retherford inquired about protecting the property using a conservation easement. While that option was not seen as appropriate for the sellers of these specific properties, there may be an opportunity to use that tool for additional land conservation benefits in the floodplain providing additional benefits to the City and City inhabitants.

The Watershed Council fully supports the proposed acquisition in Agenda Item 3.3b. and would be pleased to work with staff to plan for the long-term management and appropriate public use of the floodplain throughout West Salem. We look forward to working with the City for mutual benefits to the community and the Willamette River ecosystem. Please feel free to contact the Watershed Council at any time to continue the conversation.

Kenneth F. Bierly, Chair

A handwritten signature in blue ink that reads "Kenneth F. Bierly".

Glenn Gibson Creek Watershed Council

Mission: to foster better understanding and stewardship of watershed resources

Purpose: to share information, reduce duplication of activities and to help address watershed management issues in the watershed and to provide a framework for coordination and cooperation among key interests

Vision: a balanced ecosystem that supports a healthy watershed and provides for an economic base and viable communities

GlennGibsonWC.org

Amy Johnson

From: STEVEN ANDERSON <andersonriskanalysis@comcast.net>
Sent: Monday, July 27, 2020 2:49 PM
To: CityRecorder
Subject: Materials for Inclusion Tonight's City Council Meeting
Attachments: Steve Anderson Public Comments Graphic Items 3.3b & 3.3g.pdf

Please include the attached map in the materials going to City Council for tonight's meeting. It will be part of my Public Comments for Agenda Items 3.3b & 3.3g. Please advise receipt of this material. Thank you.

Steve Anderson
andersonriskanalysis@comcast.net

5th Avenue at Cameo Marine Drive Alignment

Point A: 5th Ave at Cameo North Alignment

Point B: 5th Ave North Alignment



Attachment to Public Comments of Steve Anderson
Agenda items 3.3b & 3.3g
July 27, 2020 City Council Meeting

Amy Johnson

From: E Easterly <emeasterly@comcast.net>
Sent: Monday, July 27, 2020 2:04 PM
To: CityRecorder
Subject: Agernda Item #3.3(g)
Attachments: To cityrecorder Agenda Item #3.3(g).pdf

Please transmit the attached document to Council. A similar email was sent to individual council members.

E.M. Easterly

Dear Mayor Bennett & Councilors,

Two weeks ago, I placed you and your fellow Council members in the untenable position of having to acknowledge a challenged prior decision. By appealing the November 2919 consent calendar decision to expend \$400,000 plus Stormwater SDC funds to purchase land beside Wallace Marine Park I questioned both the staff recommendation and your willingness to support that decision.

I apologize for placing you in such an embarrassing situation, but also thank you for affirming the November decision. By rejecting my appeal on July 13th you affirmed a major modification to the scope of uses that the 5% pipes and ditches small conveyance allocation of Stormwater SDC funds may be applied.

Based upon your July 13th decision, which you will affirm at Agenda Item #3.3(g) this evening, Stormwater SDC funds may now (1) be allocated citywide without consideration of the original basin by basin distribution policy detailed in the current Stormwater Master Plan and (2) be expended upon the procurement of floodplain lands without citing a pipes and ditches enhancement project.

With your affirmation of Agenda Item #3.3(g) I request that an additional portion of the \$10,000,000 5% small conveyance Stormwater SDC funds be applied to refund the G.O. Transportation Bond moneys used to secure floodplain properties purchased in conjunction with the City's Marine Drive right-of-way procurement.

Sincerely,

E.M. Easterly

Amy Johnson

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