

## Amy Johnson

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**From:** Dan Atchison  
**Sent:** Monday, April 24, 2017 10:56 AM  
**To:** Amy Johnson; Ruth Stellmacher  
**Subject:** FW: DLCD Memorandum of Understanding

Please include this in the record for Item 3.3(a).

Daniel B. Atchison  
City Attorney  
City of Salem  
Ph: 503-588-6003

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**From:** Steve Powers  
**Sent:** Monday, April 24, 2017 10:45 AM  
**To:** Peter Fernandez <PFERNANDEZ@cityofsalem.net>; Dan Atchison <DAtchison@cityofsalem.net>  
**Subject:** FW: DLCD Memorandum of Understanding

Steve Powers  
[spowers@cityofsalem.net](mailto:spowers@cityofsalem.net)  
503-588-6255  
City Manager  
City of Salem  
Salem, Oregon

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**From:** [emeasterly@comcast.net](mailto:emeasterly@comcast.net) [<mailto:emeasterly@comcast.net>]  
**Sent:** Monday, April 24, 2017 10:16 AM  
**To:** Brad Nanke <[BNanke@cityofsalem.net](mailto:BNanke@cityofsalem.net)>; Chuck Bennett <[CBennett@cityofsalem.net](mailto:CBennett@cityofsalem.net)>; Cara Kaser <[CKASER@cityofsalem.net](mailto:CKASER@cityofsalem.net)>; Jim Lewis <[JLewis@cityofsalem.net](mailto:JLewis@cityofsalem.net)>; Matthew Ausec <[MAUSEC@cityofsalem.net](mailto:MAUSEC@cityofsalem.net)>; Sally Cook <[SCOOK@cityofsalem.net](mailto:SCOOK@cityofsalem.net)>; Steve McCoid <[SMcCoid@cityofsalem.net](mailto:SMcCoid@cityofsalem.net)>; Tom Andersen <[TAndersen@cityofsalem.net](mailto:TAndersen@cityofsalem.net)>; Chris Hoy <[CHoy@cityofsalem.net](mailto:CHoy@cityofsalem.net)>  
**Cc:** Steve Powers <[SPowers@cityofsalem.net](mailto:SPowers@cityofsalem.net)>  
**Subject:** DLCD Memorandum of Understanding

Salem City Council:

Below please see a copy of an email I sent to you in February. I am repeating the message because Councilor Hoy was not onboard at that time.

I encourage you to carefully weigh the consequences of you vote.

E.M. Easterly

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**From:** "Steve Powers" <[SPowers@cityofsalem.net](mailto:SPowers@cityofsalem.net)>  
**To:** [emeasterly@comcast.net](mailto:emeasterly@comcast.net)  
**Sent:** Monday, April 24, 2017 8:45:43 AM  
**Subject:** RE: DLCD Memorandum of Understanding

Hello Mr. Easterly,

Our exchange was not included in the staff report. The staff report is a recommendation to approve the intergovernmental agreement (IGA) with the Oregon Department of Land Conservation and Development. The staff report includes that the IGA helps advance city of Salem transportation and land use goals and policies.

Steve Powers  
[spowers@cityofsalem.net](mailto:spowers@cityofsalem.net)  
503-588-6255  
City Manager  
City of Salem  
Salem, Oregon

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**From:** [emeasterly@comcast.net](mailto:emeasterly@comcast.net) [<mailto:emeasterly@comcast.net>]  
**Sent:** Monday, April 24, 2017 7:56 AM  
**To:** Steve Powers <[SPowers@cityofsalem.net](mailto:SPowers@cityofsalem.net)>  
**Subject:** Re: DLCD Memorandum of Understanding

Mr. Powers:

Is our February exchange copied below a part of the information included in the staff report and request to Council regarding adoption of the MOU?

E.M.

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**From:** "Steve Powers" <[SPowers@cityofsalem.net](mailto:SPowers@cityofsalem.net)>  
**To:** [emeasterly@comcast.net](mailto:emeasterly@comcast.net)  
**Cc:** "Dan Atchison" <[DAtchison@cityofsalem.net](mailto:DAtchison@cityofsalem.net)>  
**Sent:** Wednesday, February 15, 2017 2:01:39 PM  
**Subject:** RE: DLCD Memorandum of Understanding

Mr. Easterly,

Thank you for your email. A city manager is responsible for implementing the policy decisions of city council. The urban growth boundary (UGB) expansion is a policy decision of the Salem City Council. I and other staff worked with the Department of Land Conservation and Development to defend Council's policy decision. I believe the memorandum of understanding (MOU) defends the UGB decision and is consistent with City transportation and land-use policies.

Thank you for urging the mayor and councilors to support the Intergovernmental Agreement that will memorialize the terms of the MOU.

Steve Powers  
[spowers@cityofsalem.net](mailto:spowers@cityofsalem.net)  
503-588-6255  
City Manager  
City of Salem  
Salem, Oregon

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**From:** [emeasterly@comcast.net](mailto:emeasterly@comcast.net) [<mailto:emeasterly@comcast.net>]

**Sent:** Tuesday, February 14, 2017 5:47 PM

**To:** Amy Johnson <[AJohnson@cityofsalem.net](mailto:AJohnson@cityofsalem.net)>; Brad Nanke <[BNanke@cityofsalem.net](mailto:BNanke@cityofsalem.net)>; Chuck Bennett <[CBennett@cityofsalem.net](mailto:CBennett@cityofsalem.net)>; Courtney Knox Busch <[CBusch@cityofsalem.net](mailto:CBusch@cityofsalem.net)>; citycouncil <[citycouncil@cityofsalem.net](mailto:citycouncil@cityofsalem.net)>; Cara Kaser <[CKASER@cityofsalem.net](mailto:CKASER@cityofsalem.net)>; Dan Atchison <[DAtchison@cityofsalem.net](mailto:DAtchison@cityofsalem.net)>; Glenn Gross <[GGross@cityofsalem.net](mailto:GGross@cityofsalem.net)>; Jim Lewis <[JLewis@cityofsalem.net](mailto:JLewis@cityofsalem.net)>; Kacey Duncan <[KDuncan@cityofsalem.net](mailto:KDuncan@cityofsalem.net)>; Kenny Larson <[KLarson@cityofsalem.net](mailto:KLarson@cityofsalem.net)>; Lynda Rose <[LRose@cityofsalem.net](mailto:LRose@cityofsalem.net)>; Matthew Ausec <[MAUSEC@cityofsalem.net](mailto:MAUSEC@cityofsalem.net)>; Mike Gotterba <[MGotterba@cityofsalem.net](mailto:MGotterba@cityofsalem.net)>; Natasha Zimmerman <[NZimmerman@cityofsalem.net](mailto:NZimmerman@cityofsalem.net)>; Peter Fernandez <[PFERNANDEZ@cityofsalem.net](mailto:PFERNANDEZ@cityofsalem.net)>; E-Mail Public <[PUBLIC@cityofsalem.net](mailto:PUBLIC@cityofsalem.net)>; Ruth Stellmacher <[rstellmacher@cityofsalem.net](mailto:rstellmacher@cityofsalem.net)>; Sally Cook <[SCOOK@cityofsalem.net](mailto:SCOOK@cityofsalem.net)>; Steve McCoid <[SMcCoid@cityofsalem.net](mailto:SMcCoid@cityofsalem.net)>; Tom Andersen <[TAndersen@cityofsalem.net](mailto:TAndersen@cityofsalem.net)>; Tami Carpenter <[Tcarpenter@cityofsalem.net](mailto:Tcarpenter@cityofsalem.net)>; Steve Powers <[SPowers@cityofsalem.net](mailto:SPowers@cityofsalem.net)>

**Subject:** DLCD Memorandum of Understanding

Dear Mayor and Councilors,

In the next weeks you will be asked to affirm a Memorandum of Understanding (MOU) signed by City Manager Powers and DLCD Director Rue and acknowledge the obligations contained therein. My first question to you: When and under what conditions was City Manager Steve Powers authorized to enter into negotiations with DLCD Director Jim Rue on behalf of the Salem City Council?

Absent such authorization the Council is placed in the awkward position having to either support or reject the negotiated MOU and the City Manger's decision to commit the City of Salem to a specific course of action.

My second question: Why did City Manager Powers agree to the scope of obligations contained in the MOU?

My recommendation: After reviewing the attached annotated copy of the MOU I would urge that you support City Manager Powers and his well intended efforts on behalf of the City provided that you are satisfied with the answers to the questions I pose.

E.M. Easterly