

## Amy Johnson

---

**From:** Bob Coe <coe2bob@yahoo.com>  
**Sent:** Saturday, July 11, 2020 3:15 PM  
**To:** citycouncil  
**Subject:** July 13, 2020 Agenda Item 4(a)--E.M. Easterly appeal

Mayor and City Councilors,

As West Salem residents, we're writing to urge the Council to exercise due diligence on E.M. Easterly's appeal of the purchase of property adjacent to Wallace Marine Park.

We hold the view that City Council sets policy and makes decisions, and that staff executes those mandates accordingly.

Mr. Easterly has laid out a sequence of events, within the context of budget rules and Council decisions, that should rivet the full attention of the Council. We ask you to seriously consider that sequence of events.

In any event, we urge the City to refrain from buying property for Marine Drive right-of-way in areas specifically prohibited by Council.

Thank you for your attention to this matter.

Yours very truly,

Robert Coe & Merrily McCabe  
1007 Parkway Drive NW  
Salem OR 97304

## Amy Johnson

---

**From:** Brian Hines <brianhines1@gmail.com>  
**Sent:** Sunday, July 12, 2020 4:04 PM  
**To:** CityRecorder  
**Cc:** citycouncil  
**Subject:** Testimony for agenda item 4(a), Easterly appeal

Someone just sent me some thoughts about the Taybin Road property purchase which is the subject of E.M. Easterly's appeal that I felt warranted being shared as additional public testimony on this issue.

"Along with other seemingly justifiable concerns, there has been an allegation that terms of the purchase of the Taybin Rd. property are related to the possible construction of a third bridge at a later, unspecified date.

If true, Council, before moving forward, should take another look at the history of the failed attempt to construct.

The third bridge failed for various reasons, which include the following: A viable funding plan was never created: Broad support from Salem residents was never realized: There was no recognition that the bridge, as part of the intrastate highway system, has always been and continues to be the responsibility of ODOT to construct (with the cooperation of the City and other affected jurisdictions), and, perhaps most importantly: Councilors ultimately turned down the bridge plan because they were concerned about the impacts of the proposed location and design on existing properties and infrastructure - in addition to being convinced that the project would fail to provide long term benefits that would justify the costs if the proposed location and design had been approved.

The decisions pertaining to whether to purchase the Taybin Rd. property, the amount to be paid, and whether Stormwater funds could or should be eventually reimbursed from another source should not be based on reckless speculation or unfounded assumptions about future construction of a third bridge.

It would be inappropriate to do so because not only is a third bridge unlikely to be built any time in the foreseeable future but its location, if one were to be identified at some future date, is essentially unknowable."

Brian Hines  
10371 Lake Drive SE  
Salem

-----  
Brian Hines  
Salem, Oregon USA  
[brianhines1@gmail.com](mailto:brianhines1@gmail.com)  
<https://www.facebook.com/OregonBrian>  
<https://www.facebook.com/StrangeUpSalem>  
<https://www.facebook.com/SalemPoliticalSnark/>  
<http://twitter.com/oregonbrian>  
[www.hinesblog.com](http://www.hinesblog.com) (blog)  
[www.churchofthechurchless.com](http://www.churchofthechurchless.com) (other blog)  
[www.salempoliticalsnark.com](http://www.salempoliticalsnark.com) (other other blog)  
[www.brianhines.com](http://www.brianhines.com) (web site)  
<https://brianhines.journoportfolio.com> (selection of my writings)



## Amy Johnson

---

**From:** Brian Hines <brianhines1@gmail.com>  
**Sent:** Saturday, July 11, 2020 2:55 PM  
**To:** CityRecorder  
**Cc:** citycouncil  
**Subject:** Testimony for agenda item 4(a), the Easterly appeal

Mayor and City Councilors, sometimes (or often) simple questions get buried under a maze of complex facts. This is the case with E.M. Easterly's appeal of the use of stormwater SDC funds for the purchase of a house at 298 Taybin Road NW.

Easterly has submitted persuasive arguments and evidence supporting his contention that the SDC funds were inappropriately used to buy the property, and to have it demolished.

City staff have responded that this was OK even though there is no prior evidence that the property was needed for stormwater uses or was part of a stormwater plan for the area.

So the Elephant in the Room question that has been alluded to, but not directly addressed in Easterly's appeal is this:

**Was 298 Taybin Road purchased for a stormwater management purpose, or for the purpose of buying right-of-way for future Marine Drive construction?**

The staff report on the appeal tries to have it both ways. It says that the property was needed "for immediate use as stormwater detention, streambank conservation, and possible future use for Marine Drive NW construction."

Well, if there was such an "immediate use" for stormwater purposes, where is the evidence for this? The property wasn't slated for that use in any stormwater plan. No attempts to purchase it were made in 2017 or 2018, though the staff report says "in late 2017, staff learned that the property at 298 Taybin 'Road NW was proposed for development."

Then, in 2020, the Public Works Department paid about \$400,000 for the property which had sold just six months earlier for about \$200,000. City staff say that they worked with the owner of the property to come to an agreeable price for 298 Taybin Road NW.

That must have been easy for the owner, since the owner doubled their money in half a year, for an annualized return of 200%. Not a bad investment, to put it mildly.

As Mark Wigg noted in his own testimony on this issue, "When purchasing right of way for Marine Drive north of Cameo, how often did the City pay over 200% of appraised or recent sales price? If 200% over appraisal is the new standard for property acquisition, the City should let everyone know."

To throw in a Hamilton quote (just watched it via Disney +), it sure would be nice "to have been in the room where it happened." Meaning, where city staff talked about why it was so important to buy 298 Taybin Word NW at such a high price, even though there is no evidence of it having been part of any stormwater plan for the area.

Mr. Easterly has asked some excellent questions of city staff in this regard. He has been stonewalled, as shown by the lengthy list of times staff have ignored his questions. Most recently, this disturbing interchange between Easterly and Glenn Davis occurred. Here's screenshots of the email exchanges.

**From:** E Easterly <[emeasterly@comcast.net](mailto:emeasterly@comcast.net)>  
**Sent:** Thursday, July 2, 2020 1:34 PM  
**To:** Glenn Davis <[GDAVIS@cityofsalem.net](mailto:GDAVIS@cityofsalem.net)>  
**Subject:** Questions re: June 2nd responses

Mr. Davis,

Your June 5<sup>th</sup> email to me stated: "Attached is the Director's analysis in response to your appeal."

You also stated: "Let me know if you have any questions."

I do.

According to the June 2<sup>nd</sup> document you sent to me, "In late 2017, staff learned that the property at 298 Taybin Road NW was proposed for development."

Who was the source of that information and who were the principals who initiated the proposed development?

What was the development proposal?

What constrained the City's ability to respond to such a proposal in 2017 or 2018?

E.M.

----- Original Message -----  
**From:** Glenn Davis <[GDAVIS@cityofsalem.net](mailto:GDAVIS@cityofsalem.net)>  
**To:** E Easterly <[emeasterly@comcast.net](mailto:emeasterly@comcast.net)>  
**Date:** 07/06/2020 8:05 AM  
**Subject:** RE: Questions re: June 2nd responses

Thank you, EM. We have reviewed your follow-up questions and don't believe that they are pertinent to the appeal. We don't plan on addressing your latest questions as part of the appeal process.

-Glenn | 503-588-6211 ext. 7377 (Office) | 503-385-7685 (Cell)

Davis says that questions about how the property was acquired aren't pertinent to the appeal. But actually they are very pertinent. For if the property wasn't acquired for the purpose of stormwater management, stormwater SDC funds shouldn't have been used to purchase the \$200,000 property for \$400,000.

Several years prior to the 2020 purchase, city staff were aware of some sort of plan to develop the property beyond the house that was already there. Yet the Public Works Department only burst into action to buy the property six months after it had been purchased for half the price City staff eventually bought it for.

Why the delay? Why the rush? How is it that a property which previously hadn't been part of a stormwater management plan suddenly is needed for "immediate use" for stormwater management? Again, Easterly has asked numerous questions related to these puzzling questions and hasn't gotten any answers.

Lastly, I want to share that on June 28 I submitted a public records request related to the purchase of the Taybin Road property:

Documents, emails, and other materials related to the acquisition of the property at 298 Taybin Road NW in West Salem by the Public Works Department. (The house at this address was demolished as part of the purchase agreement.) I'm particularly interested in communications of any sort between the owner of the property, who I understand was James (Jim) Vick doing business as JDV Investments LLC and City of Salem staff, including, but not limited to, Public Works Director Peter Fernandez.

I asked for a fee waiver because I have no private interest in this issue. Rather, as a citizen activist and blogger, my interest lies in public transparency and accountability. However, I was notified that the fee waiver request was denied, with no reason given other than my interest in this is private — which is news to me. Somehow someone at the City of Salem (perhaps Peter Fernandez) knows me better than I know myself.

I paid the requested \$328.45 to avoid further delay in getting the documents. I also instantly appealed the fee waiver denial to the City Attorney, citing the blog post I'd written at the time on this subject and the interest that post had gotten from members of the public after I'd shared it several places on Facebook.

I'm mentioning this because it is wrong for concerned citizens like me and E.M. Easterly to have to pay hundreds of dollars to have basic questions answered by city staff. As noted above, Easterly has had many of his questions ignored by staff. Yet many of those questions pertain to a key issue cited above:

**Was 298 Taybin Road purchased for a stormwater management purpose, or for the purpose of buying right-of-way for future Marine Drive construction?**

Since the evidence is that it was for future Marine Drive construction, this means the City Council should affirm Easterly's appeal, since stormwater SDC funds shouldn't have been used to purchase Marine Drive right of way.

Of course, this would raise fresh questions regarding why city staff were purchasing the right of way under the guise of stormwater management. Hopefully you will pursue this.

Brian Hines  
10371 Lake Drive SE

-----  
Brian Hines  
Salem, Oregon USA  
[brianhines1@gmail.com](mailto:brianhines1@gmail.com)  
<https://www.facebook.com/OregonBrian>  
<https://www.facebook.com/StrangeUpSalem>  
<https://www.facebook.com/SalemPoliticalSnark/>  
<http://twitter.com/oregonbrian>  
[www.hinesblog.com](http://www.hinesblog.com) (blog)  
[www.churchofthechurchless.com](http://www.churchofthechurchless.com) (other blog)  
[www.salempoliticalsnark.com](http://www.salempoliticalsnark.com) (other other blog)  
[www.brianhines.com](http://www.brianhines.com) (web site)  
<https://brianhines.journoportfolio.com> (selection of my writings)



## Amy Johnson

---

**From:** E Easterly <emeasterly@comcast.net>  
**Sent:** Saturday, July 11, 2020 9:07 AM  
**To:** CityRecorder  
**Subject:** Response to July 9th Council Packet Document #6  
**Attachments:** SW Unanswered questions II.pdf

Please include this email and attachment to the Agenda Item 4(a) record. eme

**Dear Mayor Bennett, et al**

Thursday you received the Council packet for the July 13<sup>th</sup> Council meeting including documents relating to "Item 4(a) Appeal of System Development Charge Expenditure." This email is my post-packet response to the staff submission.

### **A. Executive Summary of Salem Stormwater SDC Expenditure Appeal**

- The appeal addresses the inaccurate policy assumptions and fuzzy procedural practices of Salem City staff seeking to use "Unspecified" Stormwater SDC moneys to purchase land without actually affirming that the purchase complied with the Salem Stormwater Master Plan and State statutes. The recommendation and initial generalizations are described by Easterly as **an abuse of staff discretion**. This appeal addresses and documents the policy assumptions and procedural practices of Salem City staff. The City is not following state legal requirements and elements of the Salem's comprehensive plan for infrastructure expenditures. (See Easterly Document #7) The timeline is as follows:
- November 2019 City of Salem staff recommended the purchase of land along the edge of Wallace Marine Park in West Salem with Salem Stormwater SDC funds.
- The Salem City Council authorized the land purchase.
- March 2020 E.M. Easterly reviewed the staff purchase recommendation against the 2000 Salem Stormwater Master Plan. Easterly found:

(a) the recommended land purchase was not included in the stormwater project list for the West Bank basin,



(b) the land purchase was not included in the 2019-2020 Stormwater SDC expenditure budget, and

(c) staff claimed mid fiscal year Stormwater SDC “Unspecified” moneys were an eligible expenditure resource and, thus, **expendable without Council budget modification.**

- Easterly challenged the staff claim and asked for historical evidence of prior Council authorizations of mid-year expenditure of Stormwater SDC funds on non-budgeted projects. (See Easterly Document #5 page 14)
- May 2020 City Attorney Atchison identified the 2000 Salem Stormwater Master Plan 5% pipes and ditches conveyance allowance as the actual source of the SDC funds.
- Easterly challenged the Atchison claim on multiple levels.

(a) The total West Bank Basin 5% conveyance allowance allocation was less than the land purchase price.

(b) The pipes and ditches project description in the 2000 Salem Stormwater Master Plan provided no evidence that a land purchase and dwelling removal qualified.

(c) Questions were raised seeking evidence to support whether the Stormwater SDC expenditure met the requirements of the Stormwater Master Plan and State statutes. (See Easterly Document #5 page 6)

- June 2020 staff issued a report to Council declaring the Stormwater SDC expenditure “... is consistent with the allowance for small projects ...” by declaring the 5% allowance for small projects was system wide rather than a basin by basin allocation. The Easterly Document #4 disputes that interpretation and raises additional questions staff has never answered.

## **B. Staff Report rebuttal:**

Staff chose to submit the same report it issued for June 22<sup>nd</sup> declaring “**the acquisition is consistent with the allowance for small projects for small identified in Table 3...**” without responding to the analysis offered in my Document #4 at page 2 that challenged the consistency conclusion and posed questions staff has not yet answered.

**The paragraph from Document #4 is cited below. The unanswered questions are highlighted in yellow .**

“ **Third**, a declaration of "consistent with" is a conclusion without supporting details. For example, Mr. Fernandez's analysis references small project 5 percent funds on a citywide basis. Yet Table 3 specifically allocates the 5 percent funds by drainage basin. Nor does Mr. Fernandez's analysis offer evidence that the Taybin land purchase actually qualified as a West Bank small system conveyance project.

Mr. Fernandez claims the Taybin land purchase is consistent with Stormwater.SDC small projects allocation. What does Mr. Fernandez mean by the "small projects" allowance? Which Stormwater Master Plan policy or "infrastructure" did this land purchase accomplish? Is Mr. Fernandez including more than the ~ percent small conveyance allowance in his small projects allowance claim?

Why, for example, does Mr. Fernandez's June 2<sup>nd</sup> document not provide answers to the questions I originally asked in my May 20th submission ... ? “

**These are not the only questions that staff has not answered. The attached list offers a sequence of unanswered questions. I encourage you to ask staff any one or all during the Monday hearing.**

**In summary, staff has yet to provide sufficient evidence that Salem City staff did, in fact, make accurate policy assumptions. To the contrary, the record offers inaccurate policy assumptions made outside staff authority applying fuzzy procedural practices to purchase the 298 Taybin Rd NW property using SDC funds. This recommendation was contrary to established Salem City Council policies and procedures and contrary to State legal obligations.**

**E.M. Easterly**

## Amy Johnson

---

**From:** E Easterly <emeasterly@comcast.net>  
**Sent:** Saturday, July 11, 2020 9:07 AM  
**To:** CityRecorder  
**Subject:** Response to July 9th Council Packet Document #6  
**Attachments:** SW Unanswered questions II.pdf

Please include this email and attachment to the Agenda Item 4(a) record. eme

**Dear Mayor Bennett, et al**

Thursday you received the Council packet for the July 13<sup>th</sup> Council meeting including documents relating to "Item 4(a) Appeal of System Development Charge Expenditure." This email is my post-packet response to the staff submission.

### **A. Executive Summary of Salem Stormwater SDC Expenditure Appeal**

- The appeal addresses the inaccurate policy assumptions and fuzzy procedural practices of Salem City staff seeking to use "Unspecified" Stormwater SDC moneys to purchase land without actually affirming that the purchase complied with the Salem Stormwater Master Plan and State statutes. The recommendation and initial generalizations are described by Easterly as **an abuse of staff discretion**. This appeal addresses and documents the policy assumptions and procedural practices of Salem City staff. The City is not following state legal requirements and elements of the Salem's comprehensive plan for infrastructure expenditures. (See Easterly Document #7) The timeline is as follows:
  - November 2019 City of Salem staff recommended the purchase of land along the edge of Wallace Marine Park in West Salem with Salem Stormwater SDC funds.
  - The Salem City Council authorized the land purchase.
  - March 2020 E.M. Easterly reviewed the staff purchase recommendation against the 2000 Salem Stormwater Master Plan. Easterly found:

(a) the recommended land purchase was not included in the stormwater project list for the West Bank basin,

(b) the land purchase was not included in the 2019-2020 Stormwater SDC expenditure budget, and

(c) staff claimed mid fiscal year Stormwater SDC “Unspecified” moneys were an eligible expenditure resource and, thus, **expendable without Council budget modification.**

- Easterly challenged the staff claim and asked for historical evidence of prior Council authorizations of mid-year expenditure of Stormwater SDC funds on non-budgeted projects. (See Easterly Document #5 page 14)
- May 2020 City Attorney Atchison identified the 2000 Salem Stormwater Master Plan 5% pipes and ditches conveyance allowance as the actual source of the SDC funds.
- Easterly challenged the Atchison claim on multiple levels.

(a) The total West Bank Basin 5% conveyance allowance allocation was less than the land purchase price.

(b) The pipes and ditches project description in the 2000 Salem Stormwater Master Plan provided no evidence that a land purchase and dwelling removal qualified.

(c) Questions were raised seeking evidence to support whether the Stormwater SDC expenditure met the requirements of the Stormwater Master Plan and State statutes. (See Easterly Document #5 page 6)

- June 2020 staff issued a report to Council declaring the Stormwater SDC expenditure “... is consistent with the allowance for small projects ...” by declaring the 5% allowance for small projects was system wide rather than a basin by basin allocation. The Easterly Document #4 disputes that interpretation and raises additional questions staff has never answered.

## **B. Staff Report rebuttal:**

Staff chose to submit the same report it issued for June 22<sup>nd</sup> declaring “**the acquisition is consistent with the allowance for small projects for small identified in Table 3...**” without responding to the analysis offered in my Document #4 at page 2 that challenged the consistency conclusion and posed questions staff has not yet answered.

**The paragraph from Document #4 is cited below. The unanswered questions are highlighted in yellow .**

“ **Third**, a declaration of "consistent with" is a conclusion without supporting details. For example, Mr. Fernandez's analysis references small project 5 percent funds on a citywide basis. Yet Table 3 specifically allocates the 5 percent funds by drainage basin. Nor does Mr. Fernandez's analysis offer evidence that the Taybin land purchase actually qualified as a West Bank small system conveyance project.

Mr. Fernandez claims the Taybin land purchase is consistent with Stormwater.SDC small projects allocation. **What does Mr. Fernandez mean by the "small projects" allowance? Which Stormwater Master Plan policy or "infrastructure" did this land purchase accomplish? Is Mr. Fernandez including more than the ~ percent small conveyance allowance in his small projects allowance claim?**

**Why, for example, does Mr. Fernandez's June 2<sup>nd</sup> document not provide answers to the questions I originally asked in my May 20th submission ... ?**“

**These are not the only questions that staff has not answered. The attached list offers a sequence of unanswered questions. I encourage you to ask staff any one or all during the Monday hearing.**

**In summary, staff has yet to provide sufficient evidence that Salem City staff did, in fact, make accurate policy assumptions. To the contrary, the record offers inaccurate policy assumptions made outside staff authority applying fuzzy procedural practices to purchase the 298 Taybin Rd NW property using SDC funds. This recommendation was contrary to established Salem City Council policies and procedures and contrary to State legal obligations.**

**E.M. Easterly**

## Amy Johnson

---

**From:** Linda Bierly <bierlyskl@gmail.com>  
**Sent:** Friday, July 10, 2020 9:10 AM  
**To:** citycouncil  
**Subject:** Agenda Item 4.a Public Hearing on Appeal of System Development Charge Expenditure.

Mayor Bennett and Councilors:

Thank you for the opportunity to comment on Agenda Item 4.a, the Public Hearing on Appeal of System Development Charge Expenditure.

I support Mr. Easterly's appeal of the use of Stormwater System Development Charge (SDC) funds for the purchase of real property at 298 Taybin Road NW.

Public works staff makes the argument that this property was purchased for stormwater detention and streambank conservation. If this is true, project details have yet to be provided. This purchase is not identified in the 309 list of stormwater projects and the \$400,000 price tag exceeds the 5% contingency allowance for small projects in the West Bank.

The staff report also states " *possible future use for Marine Drive NW construction.* "

It is my understanding that City Council has rejected routing the future Marine Drive from Glen Creek Road NW to Cameo Street NW. Rather, Council has supported a more direct (and much more cost effective) route for the future Marine Drive utilizing the existing 5th Avenue NW to connect to Marine Drive at the Cameo St. NW / 5th Street NW intersection, thereby sparing Wallace Marine Park, Pioneer Village, and Willamette Slough the environmental, noise, and safety impacts that road construction and the road itself would inevitably bring.

I hope you will also look at the context of this transaction that appears to have cost the City far more money than it should have, was justified by vague and undefined stormwater plans and, inexplicably, includes the possibility of funding a defunct transportation project with Stormwater SCD monies. If the construction of Marine Drive through this property somehow materialized, the Stormwater SDC fund was to have been reimbursed with Transportation SDCs.

Please support Mr. Easterly's appeal. It is to the public's advantage that transactions of this nature receive far greater public scrutiny than staff provided. It is to the public's advantage that the entire Stormwater SDC process and use of this fund is more transparent.

Currently, it appears to be far too easy to hide motive and cost in bureaucratic legalese and without folks like Mr. Easterly calling attention to process, to simply slip an extra \$400,000.00 into budgetary business as usual.

Linda Bierly

Ward 8

## Amy Johnson

---

**From:** Les Margosian <margosian2004@yahoo.com>  
**Sent:** Monday, July 13, 2020 7:04 AM  
**To:** citycouncil  
**Subject:** Misuse of Stormwater Funds

Mayor Bennett and Council

I urge your reconsideration of approvals given for staffs acquisition of property funded by and improperly charged to Stormwater funds. The \$400,000 price paid for this property seems far in excess of its FMV and certainly more than the cost would have been if determined by the usual condemnation process.

Second, it appears that Mr. Peter Fernandez' Public Works staff, when asked the purpose of this purchase and its role in developing a Stormwater system, weren't able to give a plausible explanation for this transaction.

Several years ago Mr. Fernandez, then Streets Director, tried to impose a plan to increase 12th Street in The Morningside district to five (5!) lanes. Had he been successful the entire neighborhood would have been obliterated. This feverish scheme immediately gained the sobriquet "I-12". Our group of perhaps 15-20 neighbors and property owners, at considerable cost and time spent, fought him all the way though LUBA, and lost. We then appealed the LUBA decision and won in court. One of the reasons we won was that Fernandez was improperly using funds from a bond measure passed to increase traffic safety. The proposed arterial would pass within a few feet of Morningside Elementary School which seemed a deliberate mockery of the funds intended use to increase safety. His cavalier disregard for laws, rules, city ordinances, bond indentures, contracts, etc, has continued to this day, some 20 years later.

I strongly suggest that you ask Mr Fernandez how this property will dovetail with plans for extending Marine Drive which almost certainly is what he has in mind. Marine Drive, the "street to nowhere", is a relic from the days when local governments routinely built streets in open fields in a manner providing profit to real estate developers and home builders. This \$3+ million expenditure would be imprudent in the best of times, and with severe budget problems anticipated in the coming fiscal year, it could only be characterized as reckless

.  
After taking another, closer look at this transaction, I hope you'll agree that Mr Easterly's appeal is correct and should be granted. I also hope that Council will comment on staff's improper use of Stormwater System funds for improper purposes.

Les Margosian  
Ward 8

## Amy Johnson

---

**From:** Mark <mark\_wigg@hotmail.com>  
**Sent:** Friday, July 10, 2020 2:48 PM  
**To:** CityRecorder; citycouncil  
**Subject:** Comments on the Purchase of 248 Tabyn Road NW

RE: Purchase of 248 Tabyn Road NW, Salem Oregon 97304

Dear Mayor and City Council,

The purchase of this property raises many questions that are not addressed in the staff report of June 2, 2020.

1. Staff learned of a development planned for this property in 2017 when it was owned by Charlotte Wilson, who was 74 years old at the time. Did Ms. Wilson submit plans for development to the city? The City hears many rumors of developments that do not proceed beyond rumor. What record does the City have that a development was imminent?
2. In March of 2019, Ms. Wilson died. If the City was worried about a development on the property, why didn't the City negotiate with the executor of the estate to obtain the property? The property sold in May of 2019 for \$199,500.
3. The City agreed to purchase the property in October, 2019 for \$401,765. Where is the City's appraisal for the property? Did the City consider using condemnation to acquire the property for less than this amount? The City agreed to pay twice the purchase price of the property less than six months after it was purchased by JDV Investments. Some people may think this deal smells a little fishy.
4. The Staff Report states that the purchase was needed for immediate use for stormwater detention and stream bank conservation. Where are the City's plans for making this a stormwater detention facility? How does the City know that this is the best property for a stormwater detention facility if no plans for the facility have been developed? The city could have required any development of the property to protect the streambank and slough?
5. Who specifically at the City negotiated the price and determined the need to purchase this property?
6. When purchasing right of way for Marine Drive north of Cameo, how often did the City pay over 200% of appraised or recent sales price? If 200% over appraisal is the new standard for property acquisition, the City should let everyone know.

The City should not be spending money foolishly. This purchase was not needed. The City Manager needs to follow up on this serious error in judgment by making the property acquisition process based less on whim and rumor and more on facts. This type of transaction makes people think that the City favors some people over others and may be corrupt.

Mark Wigg