

MINUTES

Eugene City Council
Regular Meeting
Council Chamber—Eugene City Hall
777 Pearl Street—Eugene, Oregon

March 8, 2010
7:30 p.m.

COUNCILORS PRESENT: Chris Pryor, George Brown, Andrea Ortiz, George Poling, Mike Clark, Betty Taylor, Jennifer Solomon, Alan Zelenka.

Her Honor Mayor Kitty Piercy called the meeting of the Eugene City Council to order.

Councilor Poling, seconded by Councilor Solomon, moved to change the order of the agenda so that the Public Forum would occur after the action items.

Councilor Poling stated that it was important that the council get to the action items and he wished to insure that the body did so by reordering the agenda.

Councilor Zelenka could not support the motion because there was a possibility that a member of the public might wish to speak to one of the action items.

Roll call vote; the motion failed, 6:2; councilors Poling and Solomon voting in favor.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Diego Hernandez, 1722 Hilyard Street, stated that he was a senior at the University of Oregon in ethnic studies and political science. He was also a part of the United States Student Association, serving as a first generation student on its board, as well as being a part of student government at the University and Movimiento Estudiantil Chicano de Aztlán (MEChA), which was a Chicano student union. He said there were many people in the Council Chamber who were present in support of the Development Relief and Education of Alien Minors (DREAM) Act. He asked them to stand and show their support. A great number of people stood.

Mr. Hernandez said the week from February 22 to February 27 had been the DREAM Act Week of Action and universities, high schools, and communities all over the country had been engaged in related activities. He said that four young immigrants walked 1,500 miles from Miami, Florida to Washington, D.C., which was one of over 70 actions held across the country. He said the grassroots movement sought to send the message to the Legislature to pass the legislation. He thought it would take a lot of courage and humility to pass the act, given the animosity that some people felt toward immigrants, but it was a priority to give the young people access to higher education.

Mary Gent, 2090 Floral Hill Drive, Councilor Zelenka's ward, urged the council to support Resolution 5002, a statement of support for the establishment of marine reserves. She loved the Oregon coast and considered it dear to all Oregonians. She felt that everyone had an interest in environmental health and sustainability. She had been impressed by the marine reserves in California and Washington and wondered why Oregon was "dragging its feet." She was gratified that the state was "finally" addressing this, though she thought the two reserve areas were not enough. She noted that she owned a vacation property in Yachats and related that people from all over the country came to that area. She believed having marine reserves would create an added attraction. She observed that the ocean off the Oregon coast now contained a dead zone and noted that it seemed that more animal carcasses were

washing up on the beach. She thought having the marine reserves would also aid scientists in a better understanding of oceanic health.

Juan Carlos Valle, 1040 Horn Lane, introduced himself as Board President for the Centro Latino Americano, Vice Chair of the Police Commission, and an active member of the United Coalition of Color, and indicated he was speaking as an individual in support of the DREAM Act resolution. He considered it to be a part of writing our history. He stated that kids faced a lot of challenges including accountability and expectations. He said the most important expectation was to generate pride in them. He averred that we ask our youth to be mindful of their actions, to be cognizant of the kind of world they want to leave behind, and to give back to the community. He felt that some would not have the opportunity to demonstrate any of that unless the Legislature acted in support of the DREAM Act. He listed the many states that had already resolved to support the act. He believed that the immigrant youth would make the world proud with their accomplishments.

Eugene Drix, 307½ High Street, said he was celebrating a goal of becoming a verb. He felt he connected dots for the community by connecting people. He averred that being connected was what made a community. He observed that the rains caused worms to come out and they made “worm parades.” He thought that since worms could not see or hear it helped them to be moved from sidewalks. He related that Eugene was the number one city for the blind, because of the amenities available here. He thought that Eugene was a special city because it accounted for everyone.

Cynthia Kokis, 2465 Jefferson Street, spoke on behalf of Women Action for New Directions (WAND), and urged the council to adopt the resolution in support of the DREAM Act. She said WAND endorsed the act. She underscored that youth depended on their support. She averred that if they meant that no child should be left behind, they must support and enable immigrant students to continue their pursuit of education. She commented that she would be proud to be the grandmother of the children she saw at the council meeting.

Alexandra Harper, 2422 Willamette Alley, thanked the council for considering the resolution to support Oregon marine reserve policies and the proposed Heceta Head and Cape Perpetua reserve sites. She related that she had grown up in Florida in an area that had engendered appreciation for the ocean and for civic service. She recalled her first visit to Cape Perpetua, at which she had been struck by the “prime real estate” that had not been developed there. She considered this to be evidence of a unique land use ethic. She had also been struck by the “sheer enormity” of the Pacific Ocean, which covered about 59 million square miles of the earth’s surface. She declared that everyone everywhere was connected to and dependent upon the ocean because it drove the weather and absorbed carbon dioxide. She discussed the proposed marine reserves and the protections they would receive. She said it would be part of a network of protected areas, and she believed that they needed a well-designed network of these reserves. She asked the council to support the resolution.

Chuck Willer, 1303 Northwest 13th Avenue, Corvallis, Executive Director of the Coast Range Association, noted that he would support Resolution 5001, in support of the DREAM Act, as well as Resolution 5002, in support of the marine reserves. He used to live by the Cape Perpetua area and he knew that quite a few people from Eugene used that area. He said the Coast Range Association had “cut its chops” on forest issues. He commented that forest issues always ended up with a win-lose situation; one entity always lost something. He stated that marine reserves were, in contrast, a win-win situation for everyone. He said the boost in small marine life meant a boost in fisheries and diversity in the ocean.

José Manuel Ibarra, 788 Blackfoot Avenue, Chair of the Oregon Commission on Hispanic Affairs and United States Council on Latino Affairs, said one main focus of the Commission on Hispanic Affairs was the advancement of Latinos through education. He cited the following statement issued by the United States Supreme Court in 1992: “It is difficult to understand precisely what the state hopes to achieve by promoting the creation and perpetuation of a sub-class of illiterates... surely adding to the problems being caused by unemployment, welfare and crime.” On behalf of the Commission on Hispanic Affairs, he urged the council adopt the resolution

in support of the DREAM Act.

Carol Van Houten, 768 West 10th Avenue, Community Alliance of Lane County (CALC), urged the council to adopt the resolution in support of the DREAM Act. She said CALC favored comprehensive immigration reform and the DREAM Act was a step in this direction. She related that they saw that this was a way for a very talented group of people to come out of the shadows and contribute to their community and their nation.

Kimberly Gladen, 361 West Broadway, provided information from Project De Novo, a successful pre-trial diversion program in Minnesota. Her mother worked for the project, which was how the Hennepin County area dealt with property crimes. She said people were required to pay restitution and their records were closed after completion of the program, which addressed first-time offenders by providing counseling and alcohol and drug treatment. She stated that the perpetrators had to take responsibility for their lives through this approach. Her mother thought it would be inexpensive to start such a program as they could do so with a director, a case worker, and two counselors. She thought the latter could be interns from the University. She said if the “movers and shakers” from the City and the University put their heads together she was sure they could work out a program that would aid the City with its property crime problem. She pointed out that such a program would save court money and jail space, while helping people get back on the road to productive lives. She noted the project was a non-profit agency and that it had been so successful that drug and juvenile divisions had been added to the program.

Jane Waite, 30415 Le Bleu Road, said hundreds of kids in Lane County would be helped by the DREAM Act. She was the Equity and Diversity Specialist for Lane Educational Service District (Lane ESD) and she ran into many young people in the situation that the act was meant to help. She urged the council to vote in support of those children. She also wished to speak as an indigenous person and asked that they imagine there were no borders.

Guadalupe Quinn, 3820 Greenwood Street, wanted to add her voice in support of the DREAM Act. She said she coordinated the Immigrant Rights Advocacy Program for Amigos Multicultural Services Center. She hoped the City of Eugene could join the long list of cities that support the DREAM Act, and then immigrant youth could continue their educations. She asked the council to look out on the room full of people and to understand that in it was the future of the community. She asked the council to think about what it would mean to the community to have young people who were well-prepared to continue running the City.

Jairo Castañeda, 1722 Hilyard Street, was present in support of the DREAM Act resolution. He said he was there as a student, a member of Impact, a student body senator, a board member of Oregon Students of Color Coalition, and as a MEChA recruitment and retention director. He had come to the United States as a non-documented individual, at a very young age. He said through many hardships, trials and tribulations, privilege, and hard work he had been able to gain citizenship. He was currently a student studying psychology and ethnic studies. He related that he had been privileged to attend higher education, but over 65,000 young people would not be able to do so. He announced that through MEChA and with the help of a lot of individuals, they were hosting the annual Raza Unida Youth Conference on March 10 at the University of Oregon, which sought to bring over 300 Latino/Latina students from all over the area so they could see what higher education looked like and so they could feel they had the opportunity to pursue it. He urged the council to pass the resolution in support of the DREAM Act.

Ronald Burley, 1670 Leatherwood Street, Vice Chair of the Human Rights Commission (HRC), stated that the HRC had voted on February 16 to endorse the proposed City Council resolution on the DREAM Act. He said in supporting the act the City would join other cities. He stated that the DREAM Act proposed to allow undocumented students who had lived in the United States for at least five years and who had graduated from high school or received a graduate equivalency diploma to legalize their immigration status so they could qualify for federal financial aid and so students would be considered to be state residents in order to get in-state tuition. He felt the adoption of the proposal was a way to think globally and act locally.

Annie Nelson, 1750 Alder Street, Apt. 13, stated that she was a senior at the University and the Co-Director of the University of Oregon Multicultural Center. On behalf of the center she asked the council to support the DREAM Act. She declared that the DREAM Act would make higher education more accessible and this was fundamental to equal opportunity and would foster social equity.

Roscoe Caron, 840 West 22nd Avenue, stated that he was a teacher at Shasta Middle School who worked with a population that was 20 percent Latino. He had been associated with Ganas, a program that linked middle school students with mentors. He remarked that there was a “schizophrenic aspect” to the program, which presented to students the dream of going to college. He said currently the collective grade point average of Ganas students was 3.2 and not one of them lived in a home where English was the primary language spoken. He could not estimate how many of them would never be able to go to college. He related that he had been able to go to college because he qualified for Pell Grants, Student Direct Loans, and the work study program. He said a number of the students he worked with would never be able to do this under the current laws and he considered this to be a great travesty and a great hurt to individuals, the community, and the nation. He considered the resolution an opportunity to right this wrong.

Carmen X. Urbina, 788 Blackfoot Avenue, asked the council to please support the DREAM Act. She had been a student whose parents had been undocumented immigrants. She stood before the council because she was fortunate to have a family that was supportive and allowed her to come back and get an education. She said in the spirit of thinking globally and acting locally, she was there on behalf of the Community Coalition for the Advancement of Human Rights. She stated that historically, in 2006, after the City put a goal on race relations and the Human Rights Commission (HRC) had brought to the City the vision and the opportunity for the City of Eugene to become a Human Rights City, the City had charged the HRC and a group of community members to go and educate the community and to engage community stakeholders in creating the vision of becoming a Human Rights City. She said the HRC had held mental health forums, immigration forums, and the International Day of Human Rights. She declared that the DREAM Act was for human rights. She stated that the coalition was comprised of 34 organizations that were coming together to create a Human Rights Community Summit called “Bringing Human Rights Home.” She asked the council to support funding for the summit.

Ken Neubeck, 4915 West Hillside Drive, stated that he was a strong supporter of the DREAM Act. He was also a member of the HRC. He had been involved in the evolution of Eugene to become a Human Rights City. He also asked that the council approve \$3,500 to help sponsor the Human Rights Summit. He underscored that they had hundreds of volunteer hours and they had received other financial support; funding from the City could be used to leverage more funding for the summit. He thanked the council for its consideration.

Samantha Chirillo, 3930 East 17th Avenue, said she was the new Economic Justice Organizer for the Oregon Fair Trade campaign, which had convened a “new and growing alliance” of approximately a dozen Eugene-based groups. She said the group had unanimously endorsed the DREAM Act and they urged the council to pass the resolution in support of it. She averred that the youth that would benefit from the act were an integral component of the community just as advocacy for immigrant rights was a critical component of trade reform. She also wanted to urge the council to support the resolution for marine reserves as she was someone who appreciated Cape Perpetua and as the Co-Director of Eco-System Advocates. She said the group believed the marine reserves were a win-win situation for everyone involved.

Paula Walker, P.O. Box 406, Brightwood, member of Our Oregon Oceans Coalition and the Oregon Shores Conservation Coalition wished to applaud the City of Eugene for the resolution in support of the marine reserves. She averred that all Oregon residents had a vested interest in thriving coastal communities and a thriving ocean. She said studies around the world had proven marine reserves to be a sound investment economically and environmentally. She related that fishers that had been part of the marine reserve efforts had spoken out on the benefits of having marine reserves and environmental studies had proven the high benefits of the restorative

process. She urged the City to be the first inland community to adopt such a resolution.

Emma Kellaway, Student Body President for the University of Oregon and the Board Chair for the Oregon Student Association, which represented over 100,000 students across the state, conveyed the students' message to the council urging support for the DREAM Act resolution. She said students had spoken through resolutions and letters in support of all students having access to post-secondary education. She stated that the country invested heavily in early education and 65,000 students were undocumented and had the lowest capability for attending the next level of education. She averred that this limited the country's economy from benefiting from a highly educated population. She stated that the DREAM Act would help students who had been traditionally turned away to access higher education. She asked for the council's support to make a very "impactful statement" by approving the resolution in support of the DREAM Act.

Alejandra Gomez, 2936 Willamette Street, Apt. 6, represented Juventud Faceta, a youth group that worked to benefit the community. She noted that she was a junior in high school. She said if the country was looking to have less ignorance, the worst thing that could be done would be to deny a group of people the opportunity to be successful. As an undocumented student, she was tired of being told she could not go on to higher education. She said she was a young Latina who was trying to do what her parents could not do. She had moved to the United States with the dream of a better future and for her this had now become the DREAM Act.

Evelyn McConnaughey thanked the City Council for considering the resolution to endorse the ocean marine reserves. She underscored that Oregon needed pure and healthy waters. She listed some of the organizations that supported the establishment of the reserves.

Gary Roth stated that he had worked in the natural resources field for 30 years. He supported the establishment of marine reserves.

Phyllis Hockley, 220 North Adams Street, #2, Co-President of Church Women United of Lane County, spoke on behalf of their board to request that the council pass the resolution in support of the DREAM Act. She said her organization was all-inclusive and supported peace and justice. She stated that the DREAM Act would help Eugene become a better place to live.

Mayor Piercy closed the Public Forum. She thanked everyone for coming and speaking on "two very important issues."

Councilor Ortiz appreciated everyone coming out to speak before the council. She was glad to see their allies of the community coming out in support of the DREAM Act. She believed it was an important education issue. She said she had served on the Bethel School Board and Councilor Pryor had served on the School District 4J Board and the message to students had always been to stay in school and graduate and then they were offered jobs that could not support them in life. She supported comprehensive immigration reform and felt that the system was currently broken. She intended to support both resolutions.

Councilor Zelenka had been impressed by the number of people who took a stand for what they believed in. He said both resolutions were easy to support and he intended to support both because it was the "right thing to do."

Councilor Pryor stated that he had served on the school board because he believed in the power of education. He averred that to deny education weakens people and weakens the fabric of culture. He said the DREAM Act would have a human benefit and an economic benefit, because an educated population would not only benefit itself, it would create economic well-being and power. He also asked the City Manager to bring options to the Wednesday meeting for how they might be able to fund the request for the Human Rights Summit.

Councilor Brown thanked everyone for coming down. He said he would support both resolutions with pleasure because he believed it was the right thing to do.

Councilor Solomon thanked everyone. She said they all shared important views with the council. She asked if staff could analyze the information on pre-trial diversion that Ms. Gladen had presented and let the council know how it could be implemented in Eugene. City Manager Jon Ruiz responded that staff would take a look at it.

Councilor Taylor said she would be happy to support both resolutions.

Councilor Poling wanted to make sure people understood that the motion he had presented at the beginning of the meeting was not intended to minimize anyone's opinions. He had been impressed by what had been said at the meeting. He said the testimony had not changed his mind; he had intended to support both resolutions. But he emphasized how much the testimony had moved him.

Councilor Clark thanked everyone for coming to speak before the council. He said their passion was obvious and it mattered deeply to him.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- January 19, 2010, Public Hearing

B. Approval of Tentative Working Agenda

C. Adoption of Resolution 5001 Supporting the Passage of the Development, Relief, and Education for Alien Minors (DREAM) Act, Which Authorizes the Cancellation of Removal and the Adjustment of Status for Certain Immigrant Youths Who are College Bound and Are Long-term United States Residents and Permit States to Determine State Residency for Purposes of Higher Education

D. Adoption of Resolution 5002 Endorsing Ocean-Marine Reserves

Councilor Clark, seconded by Councilor Taylor, moved to approve the Consent Calendar. Roll call vote; the Consent Calendar was approved by a unanimous vote, 8:0.

3. ACTION:

An Ordinance to Re-Designate and Re-Zone "South Willamette Properties" for General Office Use by Amending the Eugene-Springfield Metropolitan Area General Plan Diagram; Amending the South Willamette Subarea Plan Diagram and Text; and Amending the Eugene Zoning (City Files MA 09-5, RA 09-1 and Z 09-3)

Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5023 to re-designate and re-zone "South Willamette Properties" for General Office Use by amending the Eugene-Springfield Metropolitan Area General Plan Diagram; amending the South Willamette Subarea Plan Diagram and Text; and amending the Eugene Zoning Map. Roll call vote; the motion passed unanimously, 8:0.

Mayor Piercy noted that all of the action items before them had been given a public hearing.

4. ACTION:

An Ordinance to Re-Designate a Portion of "Lane Memorial Gardens" for Low Density Residential Use by Amending the Eugene-Springfield Metropolitan Area General Plan Diagram; and Amending the Willow Creek Special Area Study Diagram (City Files MA 08-1 and Z 09-1)

Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5024 to re-designate a portion of "Lane Memorial Gardens" for Low Density Residential use by amending the Eugene-

Springfield Metropolitan Area General Plan Diagram; and amending the Willow Creek Special Area Study Diagram. Roll call vote, the motion passed unanimously, 8:0.

5. ACTION:

Safe and Efficient Streets through Access Management

An Ordinance Concerning Access Connection Location Requirements, Special Setbacks and Street Width; Amending Sections 9.0500, 9.5500, 9.6505, 9.6735, 9.6745, 9.6750, 9.6840, 9.6870, 9.8030, 9.8090, 9.8415, 9.8670, 9.8675, 9.8680, and 7.420 of the Eugene Code, 1971; and Adding Sections 9.6703 and 9.6873 of that Code

Councilor Solomon thanked Peggy Keppler, Development Review Manager for the Public Works Department, for putting together the maps. She ascertained that the proposed amendment was included in the motion for consideration in Agenda Item 6.

Councilor Clark, seconded by Councilor Taylor, moved that the City Council adopt Council Bill 5025 concerning access connection location requirements, special setbacks and street widths. Roll call vote; the motion passed unanimously, 8:0.

6. ACTION:

Safe and Efficient Streets through Access Management

An Ordinance Concerning Access Connection Design and Construction Requirements, Amending Sections 7.010, 7.085, 7.290, 7.297, 7.308, 7.360, 7.375, 7.385, 7.407, 7.410, 7.430 and 7.445 of the Eugene Code, 1971; Repealing Sections 7.405, 7.415, 7.425 and 7.435 of that Code; and Adding Sections 7.408 and 7.435 of that Code

Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5026 concerning access connection design and construction requirements.

Ms. Keppler noted that the change Councilor Solomon had asked about was included in Attachment B and had been incorporated into the ordinance language rather than in an amendment.

Roll call vote; the motion passed unanimously, 8:0.

The meeting adjourned at 8:27 p.m.

Respectfully submitted,



Jon Ruiz
City Manager

(Recorded by Ruth Atcherson)