

**General Ben King
Memorial Gateway
Proposal**

March 22, 2017

Sam Spayd
Terry Tomeny

Cal Applebee
Paul Gargis

Purpose

Brief City Council on Proposal – Gain Approval to Proceed

Agenda

- **Why a Memorial Gateway at the Airport?**
 - Sam
- **The Vision**
 - Paul
- **Why General Ben King?**
 - Terry
- **How Can We Make This Happen?**
 - Cal
- **Next Steps**
 - Sam
- **Discussion/Questions?**

Why a Memorial Gateway at the Airport?

Supports City 2017-2018 Work Plan Goals

Honors a Distinguished Citizen

Supports:

**Oregon Coast Military Museum
Veterans of Foreign Wars
Honors Veterans**

City of Florence
Oregon's Premier Coastal Community

- 1 City Service Delivery**
Sustain and improve the delivery of cost effective and efficient services, including public safety, to the citizens of Florence and our visitors.
- 2 Livability & Quality of Life**
Sustain and improve the City's livability and quality of life for Florence residents and visitors.
- 3 Economic Development**
Create a strategy and actions aimed towards sustaining and expanding the Florence economy.
- 4 Communication & Trust**
Sustain and improve the City's communication program and strengthen citizen trust.
- 5 Financial & Organizational Sustainability**
Sustain and improve the City's financial position, City-wide policies, and the infrastructure networks to support current and future needs.

Supports City 2017-2018 Work Plan Goals

City Goal 2

Livability & Quality of Life

**Park Area to Honor Veterans
Improve Quality of Life for Citizens**

City Goal 3

Economic Development

**Supports Airport Use and Development
Enhances Southern Approach to PV Business Park
Supports Oregon Coast Military Museum**

Honors a Distinguished Citizen

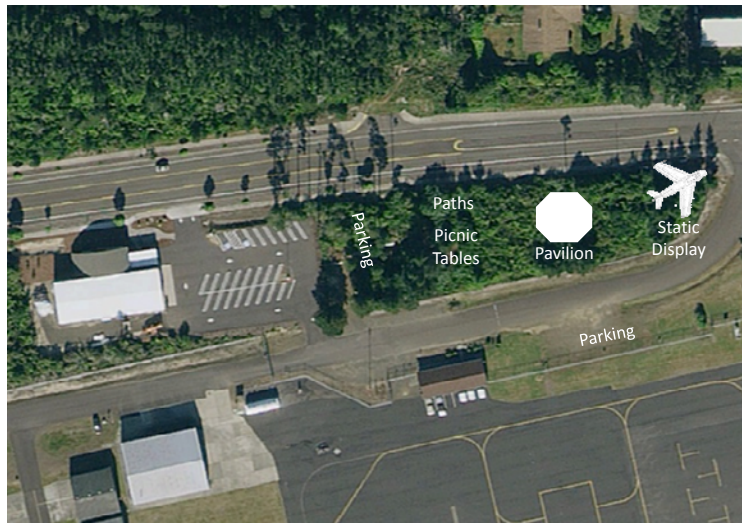
Brigadier General Benjamin King

**Combat Veteran
Multi-Theater Fighter Pilot Ace**

The Vision



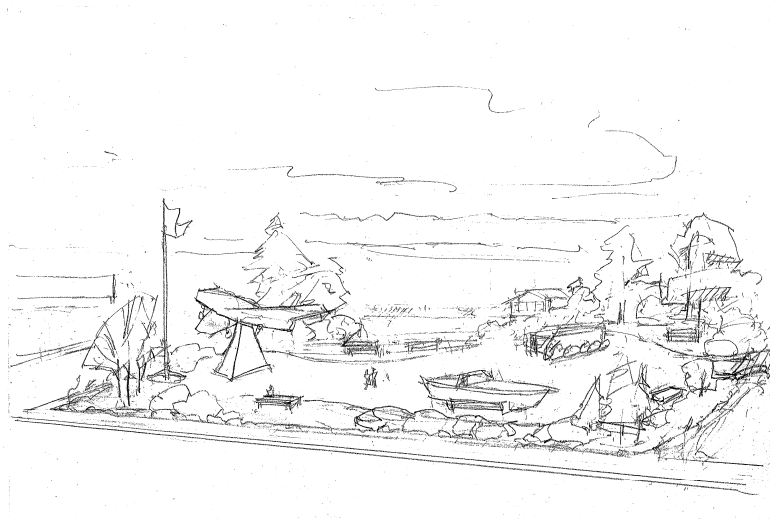
The Vision



Ideas



Conceptual Drawing



Why General Ben King?



- Distinguished Army Air Corps/USAF Career
- Multi-Theater Fighter Pilot Ace
- Career Spanned WW2, Korea, Vietnam, Cuban Missile Crisis
- Legendary USAF Leader Honored with Special Operations Auditorium at Eglin AFB.
- Retired in Florence Until His Passing in 2004.
- Relatives Still Maintain Family Home Here - Honored and Very Supportive by this Effort.



Why General Ben King?

Career Highlights



WW2

- Guadalcanal P-38 – 3 Kills
- Legendary Two Month Survival in Solomons Island
- Germany P-51 – 4 Kills



Korean War

- F-80/F-86 – 2 Ground Kills



Cuban Missile Crisis

- Hand Picked by Curtis Lemay
- Special Ops, Air Commandos

Viet Nam (Brig Gen)

- Air Commandos



Head USAF Safety Center

Why General Ben King?

The King Family

- **Wife & Son have passed**
- **Nephews & Niece Maintain Family Home in Florence**
 - Visit Frequently
 - Very Proud of Their "Uncle Ben"
 - Very Honored and Supportive of this Effort
- **Nephew Ben T. Wood**
 - Architecture, Design, Urban Planning
 - Shanghai
- **Nephew Jere Wood**
 - Mayor of Roswell GA
- **Niece Mary Jo Wood**
 - Author

How Can We Make This Happen?

Creation of "Deeds of Valor, Inc"
an Oregon Domestic Nonprofit
whose mission is:



"To Promote and Support Military Heritage in the Greater Florence Area"

President – Sam Spayd USAF (ret); Chair Airport Advisory Committee

Vice President – Terry Tomeny USAF (ret); AeroLegends

Treasurer – Paul Gargis US Army (ret); Commander VFW

Secretary – Cal Applebee, Ex Dir Oregon Coast Military Museum

How Can We Make This Happen?

Combination of efforts including:

- **Grassroots Fundraising, Events, Donated /Discounted Services from the Community**
- **Initial Monetary Commitments from One of the Founding DOV Board Members and the King Family**
- **Architectural/Planning Services from Ben King**
- **ORPD Veterans & War Memorial Grant**
- **At This Time, Presuming City's Approval, we are continuing to gather information to create a Master Plan, including budget, for development of the Park as well as continue to fundraise.**

Next Steps

- **Continue Planning/Fundraising**
- **Detailed Park Design**
- **Locate Artifacts**
- **Establish Cost Estimates**
- **Continue to Enlist Local Support**
- **Expanded Public Exposure**

Discussion/Questions?

Notes

Already Included in City 2017-2018 Work Plan Under Objective 1:

Support Community Group Grants to Improve or Create New Parks.

Task 1:

Develop a Vision for New Memorial Park/Gateway to Airport

From: Ron Preisler <ronspreis@outlook.com>
Sent: Saturday, March 18, 2017 3:32 PM
To: Joe Henry
Cc: Erin Reynolds
Subject: Agenda Item

Mayor Henry,

I respectfully submit the following item to be placed on the agenda at the earliest practical date.

The City Manager is asked to prepare a draft ordinance to prohibit all city employees from using public resources to enforce immigration laws and/or collect information about an individual's political, religious, or social views. Sample Ordinance attached.

If approved this would become official city policy.

The ordinance would not label Florence a sanctuary city, but rather could be labeled as a "protection for individuals" ordinance as the recently approved Eugene ordinance does.

Ron Preisler
City Councilor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing and Possible Action: An Ordinance Concerning Protections for Individuals and Adding Sections 2.495 and 2.497 to the Eugene Code, 1971.

Meeting Date: March 13, 2017
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 6
Staff Contact: Glenn Klein
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

This is a public hearing to receive testimony on an Ordinance that would adopt into City Code the provisions of ORS 181A.820 and 181A.250. Those provisions generally prohibit law enforcement from collecting or maintaining certain types of information. The proposed Ordinance also would expand some of the prohibitions to all other City personnel.

The City Council will also consider taking action at this meeting, and enacting an immediate effective date. Unanimous consent of the Council is required for the Council to enact this Ordinance following the public hearing. The affirmative vote of two-thirds of the Council is required for an effective date less than 30 days after enactment of the Ordinance.

BACKGROUND

At the November 14, 2016 meeting, City Council passed Council Resolution No. 5174, "declaring the City of Eugene's commitment to being a welcoming, inclusive, and safe community for everyone." In response to continued community interest, City Council, at their December 12, 2016 meeting, directed the Mayor to form an Ad Hoc Committee to establish concepts, goals and outcomes for a potential ordinance. The Ad Hoc Committee met twice in late January and early February and presented their proposed outcomes for an ordinance to Council at the February 22 work session.

At the February 22, 2017, work session, Council passed a motion to bring back a proposed ordinance for public hearing that would adopt the provisions of ORS 181A.820 and 181A.250 related to law enforcement personnel; expand the applicability of ORS 181A.820 to cover all other city employees; and prohibit all other city employees from collecting and maintaining information regarding political, religious, or social views of individuals.

After the Ordinance (attached as Attachment B) was posted for public review, it was found that a portion of the language contained in ORS 181A.250, had been erroneously omitted from new Code section 2.497(1). That section should have included the ORS 181A.250 language shown in bold italics, as follows: "No city law enforcement personnel may collect or maintain information about the political, religious or social views, associations or activities of any individual, ***group,***

association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.” The correction has been made to the Ordinance version attached as Attachment A.

COUNCIL OPTIONS

1. Adopt the corrected version of the Ordinance at a single meeting, effective upon the Mayor’s signature.
2. Adopt the corrected version of the Ordinance at a single meeting, with a 30-day effective date.
3. Not act tonight and take action at a future council meeting.
4. Not adopt the Ordinance.

CITY MANAGER’ S RECOMMENDATION

The City Manager recommends Option 1, adopting the corrected version of the Ordinance at a single meeting, effective upon the Mayor’s signature.

SUGGESTED MOTION

Move to adopt Council Bill 5173, an Ordinance Concerning Protections for Individuals and Adding Sections 2.495 and 2.497 to the Eugene Code, 1971. (Corrected version)

ATTACHMENTS

- A. Proposed Ordinance: Corrected Version
- B. Proposed Ordinance: Original Version
- C. ORS 181A.820 and ORS 181A.250

FOR MORE INFORMATION

Staff Contact: Glenn Klein
Telephone: 541-682-5010

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING PROTECTIONS FOR INDIVIDUALS AND
ADDING SECTIONS 2.495 AND 2.497 TO THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 2.495 and 2.497 are added to the Eugene Code, 1971, to provide as

follows:

2.495 Protections for Individuals.

- (1) The city shall not use city law enforcement moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.
- (2) Notwithstanding subsection (1) of this section, city law enforcement personnel may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection in order to:
 - (a) Verify the immigration status of a person if the person is arrested for any criminal offense; or
 - (b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection.
- (3) Notwithstanding subsection (1) of this section, city law enforcement personnel may arrest any person who:
 - (a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and
 - (b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.
- (4) As used in this section, "warrant of arrest" has the meaning given that term in ORS 131.005.
- (5) All non-law enforcement personnel working for the city also shall not use city moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

2.497 Information Not to Be Collected or Maintained.

- (1) No city law enforcement personnel may collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of

criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

- (2) No non-law enforcement personnel working for the city may collect or maintain information about the political, religious or social views of any individual.

Section 2. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor’s veto. An immediate effective date is necessary in light of the recent directives from the federal government related to enforcement of immigration laws.

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this
____ day of March, 2017

Approved by the Mayor this
____ day of March, 2017

City Recorder

Mayor

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 - (b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection.
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 - (a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and
 - (b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.
- (4) As used in this section, "warrant of arrest" has the meaning given that term in ORS 131.005.
- (5) All non-law enforcement personnel working for the city also shall not use city moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

2.497 Information Not to Be Collected or Maintained.

- (1) No city law enforcement personnel may collect or maintain information about the political, religious or social views, associations or activities of any individual, unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

ATTACHMENT B

- (2) No non-law enforcement personnel working for the city may collect or maintain information about the political, religious or social views of any individual.

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Passed by the City Council this

___ day of March, 2017

Approved by the Mayor this

___ day of March, 2017

City Recorder

Mayor

ORS 181A.820 Enforcement of federal immigration laws.

- (1) No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.
- (2) Notwithstanding subsection (1) of this section, a law enforcement agency may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection in order to:
 - (a) Verify the immigration status of a person if the person is arrested for any criminal offense; or
 - (b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection.
- (3) Notwithstanding subsection (1) of this section, a law enforcement agency may arrest any person who:
 - (a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and
 - (b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.
- (4) For purposes of subsection (1) of this section, the Bureau of Labor and Industries is not a law enforcement agency.
- (5) As used in this section, "warrant of arrest" has the meaning given that term in ORS 131.005.

ORS 181A.250 Specific information not to be collected or maintained. No law enforcement agency, as defined in ORS 181A.010, may collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

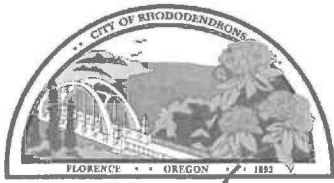
CM Notes for Work Session 3/22/17

My CM Staff recommendation has already been made by my choice to not bring this forward on my own accord. We are aware this is a topic being brought up by many municipalities and other agencies across the nation. It is a highly charged political topic brought about by our current national political stage and has been brewing since November 2016.

One of my responsibilities as City Manager is to evaluate situations, seek legal counsel and to determine whether or not to bring policy actions forward to the City Council. After consultation with our attorney on this matter and considering a variety of options it was my recommendation was to craft a press release that simply stated the current policy of the Florence Police Department and our employee manual. As staff we have fielded a few inquiries from citizens asking what Florence's "position" is. We have calmly explained as laid out in the press release that was issued, that there really is no legal reason for the City Council take action in this area because the state law governs the City's actions already. FPD already follows ORS 181A.820 (see press release).

Now that the City Council is having this discussion I'd like to remind us that although each member of the Council is a political being, City staff are not. It would be my advice that if you wish to explore this more, please remember that Eugene followed a public process to determine if there was value in crafting an ordinance. That public engagement informed their ordinance that was passed this month. That process began in November 2016. They had a citizen ad-hoc committee led by the Mayor, not staff. Please understand the reality of this will cause an uproar amongst our citizens both in favor and against. It already is a dull roar and it hasn't even been formally discussed at the Council level.

My staff recommendation, given priorities in work plan and staff capacity, is simply for Council to not spend additional time on this matter because the City and the Police Department already are following State Law. Not a legal issue, no legal impact. Whether the City Council wants to take further action on this issue is really a policy decision and it would generally amount to re-affirming the City's position that it will comply with Oregon's law (ORS 181A.820) and that the City supports all residents to feel safe interacting with the FPD without fear of being asked about their status. If the City Council chooses to move forward with this, Staff will do their best to adjust resources and re-allocate staff time away from other priorities already identified in the work plan.



City of Florence
A City in Motion

PRESS RELEASE

FOR IMMEDIATE RELEASE:
February 3, 2017

CONTACT:
Megan Messmer
Project Manager/PIO
megan.messmer@ci.florence.or.us
(541) 997-3437

Florence Police Department's Community Message on Immigration and Non-Enforcement Policy

FLORENCE, OR – The Florence Police Department has received a few inquiries regarding immigration related enforcement at the local level in light of recent national events. We feel it is important for our community to understand how we interact with the public on this topic. The Florence Police Department does not enforce federal immigration laws and we will continue to follow State laws regarding immigration. Oregon Revised Statute 181A.820 states that “No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.”

The City of Florence Police Department's Policy Manual has a policy in place that states “this department does not participate in routine immigration investigation and enforcement activities.” And “members shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or Oregon Constitutions.” The City is committed to uphold this policy and Oregon State law and to treat each person with their due respect and dignity.

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