



City of St. Helens
COUNCIL WORK SESSION AGENDA
Wednesday, December 6, 2017, 1:00 p.m.
 City Council Chambers, 265 Strand Street, St. Helens

City Council Members

Mayor Rick Scholl
 Council President Doug Morten
 Councilor Keith Locke
 Councilor Susan Conn
 Councilor Ginny Carlson

Welcome!

All persons planning to address the Council, please sign-in at the back of the room. When invited to provide comment regarding items not on tonight's agenda, please raise your hand to be recognized, walk to the podium in the front of the room to the right, and state your name only. You are not required to give your address when speaking to the City Council. If you wish to address a specific item on the agenda, you should make your request known to the Mayor as soon as possible before the item comes up. The Council has the authority to grant or deny your request. Agenda times and order of items are estimated and are subject to change without notice.

- | | | |
|-----|---|-----------|
| 1. | Visitor Comments | 1:00 p.m. |
| 2. | Semi-Annual Report from Columbia County Economic Team – <i>Chuck Daughtry</i> | 1:05 p.m. |
| 3. | Request to Extend Enterprise Zone Benefits for Premier Jets – <i>Chuck Daughtry</i> | 1:20 p.m. |
| 4. | Discussion Regarding Parks - <i>John</i> | 1:30 p.m. |
| 5. | Review Urban Renewal Agency Bylaws - <i>John</i> | 1:50 p.m. |
| 6. | Review Proposed Revisions to Library Rules of Conduct - <i>Margaret</i> | 2:00 p.m. |
| 7. | Department Reports | 2:05 p.m. |
| 8. | Council Reports | 2:25 p.m. |
| 9. | Executive Session: ORS 192.660(2)(d) Labor Negotiations
ORS 192.660(2)(e) Real Property Transactions | 2:45 p.m. |
| 10. | Other Business | |
| 11. | Adjourn | |

FOR YOUR INFORMATION

Upcoming Dates to Remember:

- December 4, Youth Council, 7:00 p.m., Council Chambers
- December 6, Council Work Session, 1:00 p.m., Council Chambers
- December 6, Council Regular Session, 7:00 p.m., Council Chambers
- December 11, Parks Commission, 4:00 p.m., Council Chambers
- December 12, Planning Commission, 7:00 p.m., Council Chambers
- December 12, Library Board, 7:15 p.m., Columbia Center Auditorium

Future Public Hearing(s)/Forum(s):

- December 20 PH: Street Vacation, Portions of N. 1st Street (St. Helens Marina, LLC)
- February 21 PH: Comprehensive Plan & Zoning Map Amendment, SE Corner of McBride & Matzen Street Intersection (Karl Ivanov/Multi-Tech Engineering LLC)

The St. Helens City Council Chambers are handicapped accessible. If you wish to participate or attend the meeting and need special accommodation, please contact City Hall at 503-397-6272 in advance of the meeting.

Be a part of the vision...get involved with your City...volunteer for a City of St. Helens Board or Commission!
 For more information or for an application, stop by City Hall or call 503-366-8217.

COLUMBIA COUNTY ECONOMIC TEAM

Tuesday, November 14, 2017

TO: South Columbia County Enterprise Zone Co-Sponsors
FROM: CHUCK DAUGHTRY, CCET
SUBJECT: ENTERPRISE ZONE EXTENDED BENEFITS APPROVAL
PREMIER JETS

Premier Jets is a for profit business that will be relocating from Hillsboro to Scappoose. Premier will be bringing new income, new investment and new jobs to Columbia County.

Premier's operations support other organizations in the health care industry, providing services directly to insurance companies, hospitals and other health care providers. The primary service that Premier provides is charter air ambulance service for transport of other organizations medical patients who are too far away from their home health care for ground transportation, and whose condition is not suitable for commercial, retail air transport.

In addition, Premier provides direct to business same day cargo transit, including hazmat, business charter service, and timely transporting of organs for transplant patients.

Premier recently purchased tax lot 432562 3N1W6C0700 from the Port of St. Helens, on Wagner Court. They are planning to construct a 15,000 to 20,000 square foot building estimated to cost around \$4.6 million and employing seventeen people. Premier has hired JH Kelly of Longview, Washington to construct the facility and they are currently submitting information to the City of Scappoose Planning Department for the required Pre-Application meeting.

City of St. Helens
RESOLUTION NO. 1805

**A RESOLUTION OF THE CITY OF ST. HELENS AUTHORIZING EXTENDED
ENTERPRISE ZONE BENEFITS FOR A FOURTH AND FIFTH YEAR TO
PREMIER JETS LOCATED IN THE SOUTH COLUMBIA COUNTY
ENTERPRISE ZONE**

WHEREAS, the South Columbia County Enterprise Zone has six (6) co-sponsors, the City of Scappoose, the City of St. Helens, the City of Columbia City, the City of Vernonia, the Port of St. Helens, and Columbia County offering economic incentives through property tax relief to businesses and industries providing capital investments resulting in job growth; and

WHEREAS, Premier Jets, PO Box 91430, Portland, Oregon 97219, has made an application to extend the three year property tax abatement by two years for a total of five years; and

WHEREAS, Premier Jets proposes to invest \$4,600,000 in enterprise zone qualified property at their manufacturing operations located in Scappoose, Oregon resulting in the creation of a minimum of seventeen (17) new jobs within the South Columbia County Enterprise Zone; and

WHEREAS, Premier Jets is required to pay employee wages and benefits at a rate of not less than 150% of the Average Annual Covered Payroll which is \$36,892, and that Average Annual Compensation Standard of 150% is \$55,338; and

WHEREAS, the co-sponsors and the zone manager of the South Columbia County Enterprise Zone have reviewed the application and agree that the proposed investment is consistent with the Enterprise Zone Purpose; and

NOW, THEREFORE, BE IT RESOLVED, that the City of St. Helens authorizes the two year extension request for a total of five years exemption subject to the terms and conditions set forth in the Extended Enterprise Zone Exemption Agreement, hereto attached and incorporated herein by this reference; and

BE IT FURTHER RESOLVED, that the South Columbia County Enterprise Zone Manager, upon concurrence of all the other sub-zone sponsors, is authorized to execute the Extended Enterprise Zone Exemption Agreement with Premier Jets.

Approved and adopted by the City Council on December 6, 2017, by the following vote:

Ayes:

Nays:

Rick Scholl, Mayor

ATTEST:

Kathy Payne, City Recorder

Form OR-EZ-AUTH

Oregon Enterprise Zone Authorization Application*

* Complete form and submit to the local enterprise zone manager **before** breaking ground or beginning work at the site. * Please type or print neatly.

APPLICANT

Enterprise Zone or Rural Renewable Energy Development Zone (where business firm and property will be located) South Columbi County Enterprise Zone		Email ed@columbiacountyoregon.com	
Name of Business Firm Premier Jets		Telephone Number (503) 640-2927	
Mailing Address PO Box 91430	City Portland	State OR	ZIP Code 97291-0430
Location of Property (street address if different from above)	City Scappoose	State OR	ZIP Code 97056
County, TRS Map ID#, and Tax Lot Number of Site Columbia 432562 3N1W6C0700	Contact Person Roger Kelsay	Title President, Owner	

My firm expects to first claim standard property tax exemption in the following (up to three) year(s): _____

- Check here if your firm has or has had another exemption in this enterprise zone.
- Check here that your firm commits to renew this authorization application. Renew this application on or before April 1 every two calendar years, until the tax exemption on qualified property is claimed.
- Check here if you are requesting an **extended abatement** of one or two additional years of exemption. This is subject to minimum average annual "compensation" for employees and written agreement with local zone sponsor. Sponsor may request additional requirements.

Zone Manager Use Only (after written agreement but before authorizing firm):

County Average Annual Wage: \$ _____ Year _____ Total Exemption Period: 4 or 5 Consecutive Years (check one)

BUSINESS ELIGIBILITY

Eligible Activity—Check all activities that apply to proposed investment within the enterprise zone:

- Manufacturing Fabrication Bulk Printing Shipping Agricultural Production Energy Generation
- Assembly Processing Software Publishing Storage Back-office Systems

Other—describe the activities that provide goods, products, or services to other businesses (or to other operations of your firm):
Provides support to other organizations on a contract or wholesale-like basis.

Check here if your business firm does or will engage in **ineligible activities** within the enterprise zone (such as retail sales, health care, professional services, or construction). Describe below (or in an attachment) these activities and their physical separation from "eligible activities":

Special Cases—Check all that apply:

- Check here if a **hotel, motel, or destination resort** in an applicable enterprise zone.
- Check here if a **retail/financial call center**. Indicate expected percent of customers in local calling area: _____ %.
- Check here if a **"headquarters" facility**. (Zone sponsor must find that operations are statewide or regional in scope and locally significant.)
- Check here if an **electronic commerce investment** in an e-commerce enterprise zone. (This also provides for an income tax credit.)

EMPLOYMENT IN THE ENTERPRISE ZONE (see worksheets on last page)

Do not count FTEs, temporary, seasonal, construction, part-time jobs (32 hours or less per week), or employees working at ineligible operations.

Existing Employment—My business firm's average number of full-time employee in the zone over the past 12 months is 12125

New Employees—Hiring is expected to begin on (date or month and year): 1/12/2018
 • Hiring is expected to be completed by (month and year): 3/12/2018
 • Estimated total number of new employees to be hired with this investment is: 2

Commitments—By checking all boxes below, you agree to the following commitments as required by law for authorization:

- By April 1 of the first year of exemption on the proposed investment in qualified property, I will have increased existing employment within the zone by one new employee or by 10 percent, whichever is greater.
- My firm will maintain at least the above minimum level as an annual average employment during the exemption period.
- When the exemption claim is filed by April 1 following each calendar year of exemption, total employment in the zone will also not have shrunk by 85 percent at one time or by 50 percent twice in a row, compared to any previous year's figure.
- My firm will comply with local additional requirements as contained in: (1) a written agreement for an extended agreement, (2) zone sponsor resolution(s) waiving required employment increase,* or (3) an urban enterprise zone's adopted policy, if applicable.
- My firm will verify compliance with these commitments, as requested by the local zone sponsor, the county assessor or their representative, or as directed by state forms or administrative rules.
- My firm will enter into a **first-source hiring agreement** before hiring new eligible employees. (This mandatory agreement entails an obligation to consider referrals from local job training providers for eligible job openings within the zone during at least the exemption period.)

*Also for Rural Renewable Energy Development Zones.

OREGON EMPLOYMENT OUTSIDE THE ENTERPRISE ZONE

Check only those that apply:

Check here if yours or a commonly controlled firm is or will curtail operations in the state beyond 30 miles of the zone's boundary and move them into the zone. Indicate timing, location, number of any job losses, and relationship to the proposed enterprise zone investment:

Check here if you are transferring any operations into the zone from site(s) in the state within 30 miles of the zone boundary. My firm's average employment at the site(s) over the past 12 months is 1,825 jobs.

Check here, if applicable, that your firm commits to increase the combined employment at the site(s) (within 30 miles) and in the zone to 110 percent of the existing combined level by April 1 and on average during the first year of exemption.

PROPOSED INVESTMENT IN QUALIFIED PROPERTY

Anticipated Timing—Enter dates or months/years (non-binding)

Action	Site and Building & Structures			Machinery and Equipment		
	Preparation	Construction*	Placed In Service**	Procurement***	Installation	Placed In Service
To commence or begin on	9/2017	10/2017	10/2018			
To be completed on	10/2017	10/2018				

* Including new reconstruction, additions to, or modifications of existing building(s) or structure(s).

** This is in the year directly before the very first year of exemption.

*** May precede application by up to three months (includes personal property).

Special Issues:

Check here for building/structure acquired/leased for which construction, reconstruction, additions, or modifications began prior to this application (attach executed lease or closing documents), and do not take up occupancy until this application is approved.

Check here if anticipating using **Construction In Process** tax exemption for qualified property that is still being constructed/installed and is not yet placed in service and is located on site as of January 1. If so, file Application for Construction-in-Process Enterprise Zone Exemption (150-310-021) by April 1 with the county assessor's office.

Qualifying Property: Estimates of cost and details about property are not binding, but in order for any property to qualify, its basic type needs to be at least represented below.

Type of Property		Number of Each/Item	Expected Estimated Value	Check If any Item will be Leased
Real Property	Building or structure to be newly constructed	1	\$ 4.5 Mill	<input type="checkbox"/>
	New addition to or modification of an existing building/structure		\$	<input type="checkbox"/>
	Heavy or affixed machinery and equipment		\$	<input type="checkbox"/>
Personal Property Item(s) Costing:	\$50,000 or more		\$ 100,000	<input type="checkbox"/>
	\$1,000 or more (E-commerce zone or used exclusively for tangible production)		\$	<input type="checkbox"/>
Total Estimated Value of Investment			\$ 4.6 million	

In addition to what is indicated above, please describe below (or in an attachment) the overall nature and potential extent of your investment, including preliminary building plans and lists of property items, as appropriate or if recommended by the local zone manager or county assessor (which may be kept confidential).

DECLARATION

I declare under penalties of false swearing [ORS 305.990(4)] that I have examined this document and attachments, and to the best of my knowledge, they are true, correct, and complete. If any information changes, I will notify the zone manager and the county assessor and submit appropriate written amendments. I understand that my business firm will receive the tax exemption for property in the enterprise zone, only if my firm satisfies statutory requirements (ORS Chapter 285C) and complies with all local, Oregon, and federal laws that are applicable to my business.

MUST BE SIGNED BY AN OWNER, COMPANY EXECUTIVE, OR AUTHORIZED REPRESENTATIVE OF THE BUSINESS FIRM

Signature: X Roger B. Kellogg Date: 26 June 2017
 Title (if not an owner or executive, attach letter attesting to appropriate contractual authority): Proprietor

Local enterprise zone manager and county assessor must approve this application (with Enterprise Zone Authorization Approval, form 150-303-082)

Oregon Enterprise Zone Authorization Application Instructions

For More Information

Visit www.oregon4biz.com.

Applicant

This application form serves to authorize your business firm to receive a standard three-year exemption on qualified property that you will own or lease at the specified location in the enterprise zone or rural renewable energy development zone. The local zone manager and the county assessor's office authorize your firm (not the proposed property) using an *Oregon Enterprise Zone Authorization Approval form* (150-303-082).

Mandatory Timing In Being Authorized:

- Complete and submit this form to the local zone manager before beginning physical project work (construction, installations, etc.) or hiring new employees. Work may then proceed even before approval.
- See "Proposed Investment in Qualified Property" for exceptions—work that might precede application.
- No exemption is allowed on property for which work began prior to the effective date of the zone's designation or amendment to include site, or for any property already assessed in the county by that date.
- After submitting this application but before being authorized, you and the zone manager will hold a pre-authorization conference, at which the assessor's office might participate, to formally address special issues or contingencies for qualification.
- If seeking an extended abatement of four or five years in total, a written agreement with the local zone sponsor must be executed before your firm is approved for authorization. This agreement may set additional reasonable requirements, and in most zones, the law requires new employees to receive compensation (including benefits) in all four or five years that is on average 150% or more of the county average annual wage at authorization.

First Year Claiming Exemption from Property Taxes:

- The first year of exemption is the year following the year in which the qualified property is "placed in service." This means when the property is first used or occupied, or is physically ready for use or occupancy, for specifically intended commercial purposes.
- To claim the exemption, you must file with the county assessor after January 1, but on or before April 1, of that first year. Attach a schedule of the property to be exempted.
- Submit the exemption claim (without property schedule) after each year of exemption, in order to confirm ongoing compliance.

Keeping Authorization Active:

- This application needs to be renewed after two full years between January 1 and April 1, if your firm is not ready to claim an exemption. Submit a letter with the zone manager and assessor stating your continuing interest and intent.
- Failure to submit such a statement every two years (while the zone exists) classifies your authorization as "inactive." A fee is then required in order to claim the exemption.

Business Eligibility

A key function of authorization is to ascertain and assure a business firm's eligibility for exemption.

- The program is primarily directed at for-profit organizations that provide goods or services to other business operations.
- Ineligible operations include: tourism, retail food service, entertainment, childcare, financial services, property management, housing or construction, retail sales or goods or services, health care, or professional services.

- An eligible call center may receive customer requests and orders by various means, but at least 90 percent must originate from areas that would entail a long-distance charge if performed by telephone.
- E-commerce investments receive special treatment in certain enterprise zones and in the city of North Plains.
- Central facilities for management, marketing, design, etc., are eligible if serving statewide or wider operations of a company. (Investment needs to conform to authorized description.)
- More than 60 percent of the enterprise zones have elected to make hotels, motels, and destination resorts eligible. The choice may differ among a zone's sponsoring city/county jurisdictions.

Employment in the Enterprise Zone

To be authorized, the eligible business firm must commit to satisfy job-creation requirements:

- The number of full-time jobs in the zone must rise and be maintained during the exemption at a minimum of 110 percent of the average level from the time of the authorization application.
- Failure to reach this level precludes the exemption.
- Failure to maintain this level represents "substantial curtailment," as would a big drop in total employment.
- Your firm must enter into a first-source hiring agreement before hiring new employees. The local zone manager will direct you to the contact agency.
- Your firm and the zone sponsor are solely responsible for compliance/verification of local additional requirements.
- Also see "Special Issues Worksheet" on the last page.

Employment Outside the Enterprise Zone

The business firm is disqualified if:

- The transfer of operations into the enterprise zone results in Oregon job losses more than 30 miles from the zone boundary.
- The movement of employees into the zone from within 30 miles of its boundary results in less than a 10 percent increase of the combined employment level in the zone and from where they are transferred.

Proposed Investment in Qualified Property

To assist eligible business firms in understanding the property tax benefit they may receive for investing in an enterprise zone, the authorization application asks for the best available information on the cost, extent, and timing of planned investments. It is critical for communication among the firm, the local zone manager, and the county assessor.

Pre-application Activity at Site:

In general, physical investment including site preparation must begin after this application is submitted. Exceptions include, but are not limited to, the following:

- A project started and abandoned at least six months earlier.
- Demolition, hazard removal, or environmental cleanup.
- Property acquired from another authorized business firm.
- Purchase or lease from a third party of a newly constructed or newly improved building or structure. In this case, work may already be underway or completed, but approval of this application must include a copy of the sale/lease agreement and must happen before use or occupancy of the building or structure.

Construction in Process: Property on-site as of January 1 may be exempt for up to two years before being placed in service. Once authorized, file the *Application for Construction-in-Process Enterprise Zone Exemption* (150-310-021) with the county assessor on or before each April 1, for any qualified property for which work is still underway on January 1. (Not available for centrally assessed/utility or hotel/resort property)

Property Criteria:

- For a significant building or structure to be exempt, the authorization must include some indication of it. In addition, for example, if no machinery and equipment is indicated, then no such property qualifies, so that the applicant is advised to account for every basic type of property that could possibly be part of the final, overall project.
- All property needs to be new, meaning it was not used or occupied in the zone more than one year before exemption begins.
- Machinery and equipment also must be newly acquired or newly transferred from outside of the county (except for major retrofit or refurbishment of real property idle for 18 months).
- Any or all property may be leased from any party, provided that your firm (the lessee) is obligated to pay the property taxes.
- All real property—buildings, structures, and heavy/affixed machinery and equipment—listed on the exemption claim property schedule must cost \$50,000 or more in total.
- Personal property machinery and equipment is readily movable and qualifies subject to a per-item cost minimum. An integrated system

consisting of various components may be treated as a single item for these purposes.

- Land, vehicles, motorized/self-propelled devices, rolling stock, non-inventory supplies, and idle or inconspicuously used property do not qualify.
- The investment in property needs to be for the furtherance of income. For example, it may not be for personal use.

Additional Property and Future Projects:

- With an ongoing investment, subsequent property that is not placed in service until the first or second year of exemption on the initial property may be exempted as well.
- In other words, property schedules may be filed with up to three consecutive claims, pursuant to a single authorization.
- Any major change of plans should be amended into the application, in writing to both the zone manager and the county assessor, before January 1 of the first year of an initial exemption, especially to account for any unrepresented type of basic property.
- Another authorization application is necessary for qualified property at a different location in the same or another zone.

Applicable Property Tax Returns Must Still Be Filed Annually

Please complete the following worksheets either before or during the pre-authorization consultation with the local zone manager

Employment Worksheet

Use this worksheet to determine your business firm's annual average employment over the 12 months preceding the date on which you submit the authorization application, and as required during the period of the enterprise zone exemption:

$$\begin{aligned}
 & 16 \text{ (1)} + \text{_____ (2)} + \text{_____ (3)} + \text{_____ (4)} + \\
 & 15 \text{ (5)} + \text{_____ (6)} + \text{_____ (7)} + \text{_____ (8)} + \\
 & 15 \text{ (9)} + \text{_____ (10)} + \text{_____ (11)} + 15 \text{ (12)} = \\
 & 61 + 12 = 15.25 \text{ Average Annual Existing Jobs}
 \end{aligned}$$

1. Identify those employees or positions within the zone that are: (a) working a majority of their time in "eligible" activities or in support of those activities; (b) paid on average for more than 32 hours per week; (c) not employed solely to construct property; (d) not seasonal; and (e) not temporary—not hired, leased, or contracted for less than one year or on an as-needed/ad hoc basis. Don't use "full-time equivalents" (FTE).
2. Determine the number of the above employees at the end of each pay period, calendar month, or quarter over the prior 12 months.
3. Total the number of employees from each period and divide this sum by the number of periods. If not using months, include a suitable attachment in place of the following with your application:

4. If your Average Annual Existing Jobs* (from number 3, above) is:
 - a) Five or more, multiply by 1.1, as follows:
 $15.25 \times 1.1 = 16.725$, or
 - b) Less than five, add one, as follows:
 $\text{_____} + 1 = 17$
5. Round the total from 4a or 4b to the nearest whole number (for example, 25.49 becomes 25 and 25.50 becomes 26). Your rounded figure is the level of employment required by April 1 of the first year of exemption.

For purposes of compliance, repeat steps 1-3 and 5 above for each calendar year that qualified property is exempt.

Special Issues Worksheet

This worksheet is simply a checklist to guide you through certain issues that may need to be addressed as soon as possible. Check if the answer is "yes" or "maybe."

- Will the requisite increase of enterprise zone employment be difficult to achieve, even with the new investment? Or could it be somewhat unapparent? In any case, work out verification options with local zone manager. Copies of unemployment insurance reports or other records should be kept on file to assure manager and assessor.
- If the number of jobs will likely not grow by 10 percent, do you want a local waiver by resolution(s) adopted by zone sponsor with authorization, which may impose additional conditions? Waiver allowed if the overall investment costs \$25 million or more, or with a 10 percent rise in productivity combined with dedicated expenses for workforce training. In a rural renewable energy development zone, a waiver is allowed for \$5-million investments but with no additional local requirements.
- Are you interested in publicly owned and otherwise available real estate that might exist in the zone and that an authorized business firm generally has a right to buy or lease if promptly developed for authorized use?
- Would you like to know about local incentives that some local sponsoring governments offer to authorized businesses as part of the

enterprise zone package, such as fee waiver, regulatory expedition, and so forth?

- Will a qualified building be partially occupied by another business/tenant or used for ineligible operations? In such cases, work with the local zone manager to determine the units or proportion of space for the assessor to exempt.
- Would you like your enterprise zone employment to be combined with the job figure for any (100 percent) commonly owned firm/corporation(s)? If so, attach a statement with the name of the other company(s). Without such election, even subsidiaries of the same parent corporation are treated as distinct business firms within an enterprise zone.
- Is investment pending the site's inclusion in the zone? This application may be approved under such conditions, but make arrangements with the local zone manager to ensure that any construction or installation work does not begin until on or after the effective date of the boundary change. (Same applies to designation of a new enterprise zone.)
- Is the enterprise zone terminated? This normally precludes authorization or qualification, but an already authorized/qualified firm can "grandfather" and may be authorized up to 10 years after the termination of the zone.

EXTENDED ENTERPRISE ZONE EXEMPTION AGREEMENT

This Extended Enterprise Zone Exemption Agreement (this “Agreement”) is made and entered into by and among the City of St. Helens, Oregon (“St. Helens”), the City of Columbia City, Oregon (“Columbia City”), the City of Scappoose, Oregon (“Scappoose”) Port of St. Helens (“Port”), the City of Vernonia (“Vernonia”) and Columbia County, Oregon (“Columbia”), as zone sponsors of the South Columbia County Enterprise Zone, and PREMIER JETS (“the Firm”). St. Helens, Scappoose, Port, Columbia City, Vernonia and Columbia County are sometimes referred to collectively as the “Zone Sponsor,” and the “Zone Sponsor” and the “Firm” are sometimes referred to individually as the “Party” and/or collectively as the “Parties.”

RECITALS

WHEREAS, the Oregon Legislative Assembly has adopted ORS Chapter 285C creating provisions for the establishment and operation of Enterprise Zones. ORS 285C.175 provides that the qualified property of a qualified Firm shall be exempt from ad valorem property taxation under certain circumstances. ORS 285C.180 describes what kinds of property are qualified for the tax exemption provided under ORS 285C.175. ORS 285C.135 describes what kind of Firm is qualified to receive a property tax exemption under ORS 285C.175 for its qualified property; and

WHEREAS, pursuant to ORS 285C.175, the tax exemption shall apply to the first tax year for which, as of January 1 preceding the tax year, the qualified Property is in service. The exemption shall continue for the two succeeding assessment years if the property continues to be owned or leased by the qualified Firm and located in the Enterprise Zone; and

WHEREAS, pursuant to ORS 285C.160, the tax exemption, may be extended up total of five consecutive assessment years, i.e. an additional two years, if the qualified Firm agrees with the Zone Sponsor of the Enterprise Zone in writing at the time of pre-certification:

- (a) To annually compensate all new employees hired by the firm at an average rate of not less than 150 percent of the county’s average annual wage until the end of the tax exemption period, as determined at the time of authorization. If the Zone is in more than one county, the county with the highest average annual wage shall be used; and
- (b) To meet any additional requirements which the Zone Sponsor may reasonably request; and

WHEREAS, the Firm has agreed that the Firm’s property, which is located within the Enterprise Zone, will be developed as a tissue paper converting facility and that the Firm’s proposed investment is expected to provide new full-time jobs within the Enterprise Zone. The commitment made by the Firm under term (a) above, and in Section 2.3, below, is given to assure that the average annual compensation paid to all New Employees, as defined in Section 2.3 below, who work at the new facility during the exemption period shall not be less than 150 percent of the most recent average annual wage paid in Columbia County available from the

Oregon Employment Department at the time that the Firm's application for precertification is approved under the Oregon Revised Statutes; and

WHEREAS, the Oregon Business Development Department has adopted Chapter 123, Division 674 of the Oregon Administrative Rules (OAR), to administer the statutory provisions regarding Enterprise Zones; and

WHEREAS, the South Columbia County Enterprise Zone is a non-urban Enterprise Zone and pursuant to ORS Chapter 285C, the Zone Sponsor wishes to offer the Firm the extended tax exemption provided by ORS 285C.175(2)(b) in exchange for the Firm's location of qualified property within the Enterprise Zone.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, the Parties agree as follows:

1. ZONE SPONSOR'S AGREEMENTS.

1.1 Approval of Authorization Application. Upon timely submission of the Firm's claim for authorization as provided by ORS 285C.220 and paragraph 2.1 below, the Zone Sponsor agrees to approve the application if the Zone Sponsor determines that the Firm is eligible under ORS 285C.135 and that the Firm has committed to meet the requirements of ORS 285C.200.

1.2 Approval of Tax Exemption Claim. Upon timely submission of the Firm's claim for tax exemption as provided by ORS 285C.220, and paragraph 2.2, below, the Columbia County Assessor shall determine whether the property for which the tax exemption is sought satisfies the requirements of ORS Chapter 285C. That determination is beyond the authority of the Zone Sponsor. However, the Zone Sponsor agrees that the three year tax exemption provided for by ORS 285C.175 shall remain in effect if the Firm remains in compliance with the other requirements for Enterprise Zones under ORS Chapter 285C and OAR Chapter 123, Division 674. Nothing in this Agreement shall modify or infringe on the regular three-year exemption or the requirements thereof.

1.3 Extended Tax Abatement. Notwithstanding ORS 285C.175, the Zone Sponsor agrees to extend the period of property tax abatement or exemption by two additional years to a total of five consecutive assessment years, subject to compliance with paragraph 2.4 below and the other requirements for Enterprise Zones under ORS Chapter 285C and OAR Chapter 123, Division 674. The Firm may separately apply for the extended five-year exemption for different portions of qualified property in the Zone that are covered by a single authorization as such portion becomes eligible for exemption pursuant to OAR 123-674-6200, and 123-674-6300.

1.4 Additional Requirements. The Zone Sponsor requires the following additional community benefit investments to qualify for the additional two years of property tax abatement:

- \$7,777. 86 per year for five consecutive years payable to the Columbia County Economic Team beginning on January 1, 2018. The amount is Betterment Contribution based upon 10% of annual property tax of \$77,778.56.

2. THE FIRM'S AGREEMENTS.

2.1 Application for Authorization. The Firm agrees to file an application for authorization pursuant to ORS 285C.140 following adoption of this Agreement.

2.2 Notices. The Firm agrees to provide and, if necessary, file applicable notices, statements, claims or reports required by ORS Chapter 285C or OAR Chapter 123, Division 674 and shall file all claims or reports as required by ORS 285C.220.

2.3 County Average Annual Wage. As required by ORS 285C.160, the Firm agrees to annually compensate all new employees, as that term is used in ORS 285C.050(13), hired by the Firm at an average rate of not less than 150 Percent (150%) of the County Average Annual Wage until the end of the tax exemption period.

2.3.1 Pursuant to OAR 123-574-0600, to qualify for the additional one or two years of an enterprise zone exemption, all of the eligible Firm's Affected Employees, as that term is defined by OAR 123-674-0600(4), must on average receive Compensation, as that term is defined by OAR 123-674-0600(1), of not less than 150 percent of the County Average Annual Wage, as that term is defined by OAR 123-674-0100(5) during each year throughout the exemption's first three years and the additional one or two years. The firm agrees to maintain an average wage and benefits package of \$ 55,338 per year for the five years of exemption.

2.3.2 "County Average Annual Wage" is defined by OAR 123-674-0100(5) and OAR 123-674-0600 and is based on the time the application is approved, and is fixed during the entire exemption period and is defined in paragraph 2.3.1 of this Agreement.

2.3.3 "New Employees" include only employees working at jobs filled for the first time after the application for precertification is filed but prior to December 31 following the first full year of the initial exemption year and performed primarily within the current boundaries of the Zone. "New Employees" include only full-time, year-round, and non-temporary employees engaged a majority of their time in the Firm's eligible operations pursuant to ORS 285C.050(13), whether such employees are leased, contracted for, or otherwise obtained through an external agency or are employed directly by the Firm.

2.4 Election to Forego. The Firm shall have the right to elect to forego the extension of the term for two additional years by delivery of written notice of such election to the Zone Sponsor and Columbia County Assessor prior to expiration of the initial three year term, and upon delivery of said notice, this Agreement and the Firm's rights and obligations hereunder shall terminate, except that nothing in this Agreement shall modify or infringe on the regular three-year exemption or of the requirements thereof.

3. AUTHORIZATION. The Zone Sponsors have authorized and directed the Executive Director of CCET as Zone Manager to execute this Agreement pursuant to OAR 123-674-0700.

4. COUNTERPARTS. This Agreement may be executed in counterparts, each of which, when taken together, shall constitute fully executed originals. A signature sent and received by facsimile or a scanned signature sent by e-mail shall have the same effect as an original signature.

5. ENTIRE AGREEMENT. This Agreement constitutes the entire understanding and agreement of the Parties hereto with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, written or oral, between the Parties with respect to such subject matters.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the _____, day of _____, 201__, which shall be known as the "effective date" of the Agreement.

SOUTH COLUMBIA COUNTY
ENTERPRISE ZONE ENTERPRISE ZONE

PREMIER JETS

By:

Chuck Daughtry, Zone Manager

By:

Roger Kelsay, President

Average Wage by County—2015

As Relevant until November 2017 for Special Enterprise Zone Benefits*

Oregon County	Annual Wage	Average Annual Compensation Standard** (130%*** or 150%)
Baker	\$34,171	\$44,422
Benton	\$46,937	\$70,406
Clackamas	\$48,859	\$73,289
Clatsop****	\$35,109	\$52,664
Columbia	\$36,892	\$55,338
Coos	\$35,949	\$53,924
Crook	\$42,726	\$55,544
Curry	\$34,201	\$51,302
Deschutes	\$40,704	\$61,056
Douglas	\$37,954	\$56,931
Gilliam	\$38,850	\$58,275
Grant	\$36,990	\$48,087
Harney	\$34,389	\$44,706
Hood River	\$34,927	\$45,405
Jackson	\$39,274	\$58,911
Jefferson	\$35,801	\$46,541
Josephine	\$34,195	\$51,293
Klamath	\$36,528	\$54,792
Lake	\$37,010	\$48,113
Lane	\$40,824	\$61,236
Lincoln	\$34,611	\$44,994
Linn****	\$39,414	\$59,121
Malheur	\$33,646	\$43,740
Marion	\$41,565	\$62,348
Morrow	\$49,827	\$64,775
Multnomah	\$53,444	\$80,166
Polk	\$33,897	\$50,846
Sherman	\$43,791	\$56,928
Tillamook	\$35,334	\$53,001
Umatilla	\$36,852	\$47,908
Union	\$36,222	\$47,089
Wallowa	\$32,243	\$48,365
Wasco	\$36,514	\$47,468
Washington	\$65,618	\$98,427
Wheeler	\$28,580	\$37,154
Yamhill	\$39,001	\$58,502
Statewide	\$48,322	not applicable

* Not applicable in any urban enterprise zone within Portland or Salem metropolitan areas.

** Wage base for compensation standard established at time of local authorization.

*** In certain rural counties, if local written agreement executed on or after October 6, 2017.

Source: Employment and Wages by Industry (QCEW), State of Oregon, Employment Department (2016)

DRAFT BYLAWS OF THE URBAN RENEWAL AGENCY OF THE CITY OF ST. HELENS

ARTICLE I

AUTHORITY

Section 1. Name: The name of the Agency shall be the St. Helens Urban Renewal Agency, hereinafter referred to as the "Agency."

Section 2. Office: The office of the Agency shall be the St. Helens City Hall at 265 Strand Street, St. Helens, Oregon 97051.

Section 3. Powers and Duties of the Agency: The powers and duties of the Agency shall be as provided by Chapter 457 of the Oregon Revised Statutes, the St. Helens City Charter, and as authorized in accordance with Ordinance No. 3093, adopted by the City Council September 3, 2008.

ARTICLE II

BOARD MEMBERS

Section 1. Agency Membership: The Board of the Agency will be composed of the five members of the City Council of St. Helens.

Section 2. Terms: The terms of the Agency members shall be the same as their term on the City Council.

Section 3. Local Contract Review Board: The Agency members shall act as the Local Contract Review Board when approving public contracts in accordance with SHMC 2.04.070.

ARTICLE III

OFFICERS AND PERSONNEL

Section 1. Officers: The officers of the Agency shall be chair and vice chair.

[COUNCIL NEEDS TO DETERMINE WHICH OF THE FOLLOWING TWO OPTIONS]

[OPTION 1] Section 2. Chair: The **chair shall be the Mayor of the City of St. Helens** who shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of Board members, the chair shall sign all contracts, deeds, or other instruments made by the Agency. At each meeting, the chair shall submit such recommendations and information as the chair may consider proper concerning the business, affairs, and policies of the Agency.

Section 3. Vice Chair: The **vice chair shall be the Council President of the City of St. Helens** and shall perform the duties of the Chair in the absence or incapacity of the Chair. In the event the Chair resigns or dies, the Vice-Chair shall perform the Chair's duties until such time as the Agency selects a new Chair. If both the Chair and the Vice-Chair are absent from an Agency meeting, the members present shall select one of the Agency members to perform the Chair's functions at the meeting.

[OPTION 2] Section 2. Chair: The **chair shall be elected by the Agency members** and shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of Board members, the chair shall sign all contracts, deeds, or other instruments made by the Agency. At each meeting, the chair shall submit such recommendations and information as the chair may consider proper concerning the business, affairs, and policies of the Agency.

Section 3. Vice Chair: The **vice chair shall be elected by the Agency members** and shall perform the duties of the Chair in the absence or incapacity of the Chair. In the event the Chair resigns or dies, the Vice-Chair shall perform the Chair's duties until such time as the Agency selects a new Chair. If both the Chair and the Vice-Chair are absent from an Agency meeting, the members present shall select one of the Agency members to perform the Chair's functions at the meeting.

Section 4. Additional Duties: The Officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency in accordance with Agency by-laws, rules and regulations.

[IF OPTION 2 IS SELECTED, SECTION 5 WILL BE INCLUDED]

Section 5. Election or Appointment: The officers of the Agency shall be elected annually by the Agency at the first regular meeting of the Agency in January of each year, and shall hold office for one (1) year or until their successors are elected and qualified.

Section 6. Removal: The chair or vice chair may be removed from that office at any time by a vote of a majority of the entire Agency.

Section 7. Vacancies: Should the offices of the Chair or the Vice-Chair become vacant, the Agency shall elect a successor from its Agency members at the next regular meeting and such election shall be for the unexpired term of such office. Should the office of the Vice-Chair become vacant, the Agency shall elect a successor from its membership at the next regular meeting and such election shall be for the unexpired term of such office.

Section 8. Personnel: The Board shall be staffed by an administrator and an Agency secretary. The administrator shall be the St. Helens City Administrator, unless the City Administrator recommends and the Agency concurs with another person serving as the administrator. The administrator, or his or her designees, shall perform all administrative duties to carry out the purposes of the Agency and perform all duties incident to the office and other

duties and functions as may from time to time be required by the Agency, bylaws, or rules and regulations of the Agency.

The secretary shall keep records of the Agency, record all votes, keep a record of the proceedings of the Agency, and perform all duties incident to the office and other duties and functions as may from time to time be required by the Agency, bylaws, or rules and regulations of the Agency.

The Agency may create such positions and appoint such personnel as it may from time to time find necessary or convenient to perform its duties and obligations at such compensation as may be established by the Agency, which appointments shall continue at the pleasure of the Agency or until resignation. The Agency may contract with the City of St. Helens for the services of City personnel.

ARTICLE IV

MEETINGS

Section 1. Regular Meetings: Regular meetings shall be in accordance with ORS Chapter 192. All meetings shall be held in the customary City Council Chambers at 265 Strand Street, St. Helens, Oregon, Plaza entrance, or at such other place as the chair shall determine. A regular meeting may be adjourned to a time and date certain decided by a vote of the majority of the Agency members present and voting, and no notice of such adjourned meeting need be given.

Section 2. Special Meetings: The Chair may, when the Chair deems it expedient, and shall, upon the written request of two members of the Agency, call a special meeting to be held at the regular meeting place unless otherwise specified in the call, for the purpose of transacting any business designated. Notice of a special meeting shall be in accordance with ORS Chapter 192. Presence of any member at any meeting shall be deemed to be a waiver of notice of such meeting. Special meetings may also be held at any time by the unanimous consent of all Agency members.

Section 4. Quorum: A majority of the incumbent members of the Agency shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. The express concurrence of a majority of the members of the Agency voting when a quorum of the Agency is present at the Agency meeting shall be necessary to decide a question before the Agency, unless otherwise specified in these bylaws, in a resolution of the Agency, or in Roberts Rules of Order, Newly Revised.

Section 5. Manner of Voting: Voting shall be by ayes and nays and entered upon the minutes of such meeting. The Agency members present and not voting and Agency members absent shall also be entered upon the minutes of such meeting.

Section 6. Order of Business: At the regular meetings of the Agency, the following shall be substantially the order of business:

- (a) Roll call
- (b) Consent agenda: Approval of minutes of previous meeting
- (c) Public comment
- (d) Discussion/Action Items
- (e) Administrator Report
- (f) Adjournment

Section 7. Open Meetings: All meetings shall be open to the public, except that any portion of a meeting may be held in Executive Session if such session is in conformity with ORS Chapter 192.

Section 8. Resolutions: All resolutions shall be in writing.

Section 9. Roberts Rules: All rules of order not herein provided for by resolution shall be determined in accordance with Roberts Rules of Order, Newly Revised.

ARTICLE V

PROCEDURE

Section 1. Boards, Commissions, and Special Committees: The Agency is authorized to refer items to already established Boards, Commissions, or Special Committees for recommendation and report. All Special Committees and their members shall be appointed by the Agency with a majority vote. The Special Committee members shall elect their own Chair at the first meeting of the committee. A Committee Chair initially elected shall serve until the next first regular meeting in January, and thereafter to be elected to one year terms at the first annual meeting in January of each year.

Section 2. Authorization of Expenditures: The process for authorization and approval of the expenditures of money shall be the same as the procedures of the City of St. Helens.

ARTICLE VI

FINANCIAL

Section 1. Custody of Funds: The Finance Director for the City of St. Helens shall be the ex officio custodian of the funds of the Agency. Such funds shall be kept separate from the funds of the City. Investment and disbursement of the Agency funds shall follow the regular investment and disbursement procedures of the City of St. Helens by the City Council. The Urban Renewal Agency General Fund is hereby established for deposit of all Agency revenues until otherwise provided by the Agency. Other funds shall be established as needed by resolution of the Agency.

Section 2. Budget: Budget procedures shall be in compliance with state budget laws. The committee that reviews the budget of the Agency shall consist of the Agency members and the members of the Budget Committee.

Section 3. Audit: An annual audit of the fund or funds of the Agency shall be performed.

Section 4. Annual Report: As required in ORS 457.460, an annual report will be prepared for the Agency and published as required by statute.

ARTICLE VII

PROFESSIONAL SERVICES

Section 1. Professional Services: The Agency shall use the same auditor as the City of St. Helens. The Agency may hire other professional services, including but not limited to legal counsel, bond counsel, urban renewal consultant, and financial analyst as may be required to fulfill the goals and objectives of the Agency.

ARTICLE VIII

AMENDMENTS

Amendments to By-Laws: The by-laws of the Agency shall be amended only with the approval of a majority of the Agency at a regular or special meeting, but no such amendment shall be adopted unless at least five (5) days written notice thereof has been previously given to all of the members of the Agency.

ST. HELENS PUBLIC LIBRARY RULES OF CONDUCT

Article 1. Purpose.

The city operates and maintains the public library in order to meet the information needs of the community. Rules of conduct for the library premises are necessary to protect the rights and safety of library patrons and staff, and to preserve and protect the library's materials, equipment and property.

Article 2. Definitions.

As used in this chapter:

- 1) "Library building" means the entire structure known as The Columbia Center, a portion of which is devoted to the public library.
- 2) "Library" means that portion of The Columbia Center that serves as the public library and houses print, audio, visual and electronic materials for use by its patrons.
- 3) "Library premises" means the interior and exterior of The Columbia Center building, its courtyard, parking lots and the surrounding grounds that are maintained by the city.
- 4) "Sexual conduct" has the definition given to it under ORS 167.060 and means human masturbation, sexual intercourse, or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.
- 5) "Controlled substance" has the definition given to it under ORS 475.005 and refers to a drug or its precursor classified in Schedules 1 through 5 of the federal Controlled Substances Act, 21 U.S.C. 811 to 812 as modified under ORS 475.035 and ORS 475.005 (6).
- 6) "Attended" means a parent, guardian, or designated and responsible adult is at all times, while in the library, within 15 feet or in the direct line of sight of
 - a) his/her child who is five years old or younger, or
 - b) a vulnerable adult who is in their care.
- 7) "Supervised" means a parent, guardian, or designated and responsible adult is accompanying his/her child who is over five and fewer than ten years old and is monitoring such child's behavior, but is not necessarily located within 15 feet of the child.
- 8) "Exclusion from library premises" means the patron is denied access to the interior of The Columbia Center, its exterior porches and loading dock, its courtyard, parking lots and the surrounding grounds that are maintained by the city. The patron may still access the library's webpage and any databases available through that site using an offsite computer.
- 9) "Harass or annoy" means intentionally or recklessly engaging in conduct or any communication—written, spoken, faxed, emailed, or sent by any other physical or electronic means— that substantially interferes with other patrons' use or enjoyment of the library, or substantially interferes with the ability of a library staff member to perform his or her work.
- 10) "Sexual harassment" means:
 - a) Sexual pranks, or repeated sexual teasing, jokes, or innuendo either in person or via email;
 - b) Verbal abuse of a sexual nature;
 - c) Touching or grabbing of a sexual nature;
 - d) Repeatedly standing too close to or brushing against a person;
 - e) Repeatedly making sexually suggestive gestures;
 - f) Making or posting, in view of other patrons, sexual pictures or other illustrations that offend a person of average sensibility, if the person making or posting illustrations:
 - i) intends to offend another person; or

- ii) Is aware of and consciously disregards a substantial and unjustifiable risk that the act will offend another person.
- g) Other sexual advances, requests for favors, or verbal or physical conduct of a sexual nature that creates an intimidating, hostile, or abusive environment in the library.
- 11) "Repeat offense" or "repeat violation" means a violation of these rules that a person commits within 1 year of the imposition of any exclusion for a previous rule violation. A person may commit a repeat offense or repeat violation even if he or she does not violate the same rule, and even if he or she has not been warned that their behavior is inappropriate before being excluded.
- 12) "Subsequent offense" or "subsequent violation" means: a violation of these rules that a person commits any time after being warned or excluded for an earlier violation. A violation may be a subsequent offense or a subsequent violation even if a different rule is violated.
- 13) "Director" means the city library director or designee.

Article 3. Rules of Conduct.

Any person who violates rules 1-12 while in or on library premises will be immediately ejected from the library premises without first being given a warning. Any person so ejected may be excluded from future entry for up to one year. If the violation relates to actual or threatened misuse of library property the person may lose library borrowing privileges for up to a year. The library staff reserves the right to report violations to the police.

No person shall harass or annoy another person by:

- 1) Committing or attempting to commit any activity that would constitute a violation of any federal, state or local criminal statute or ordinance.
- 2) Threatening to inflict physical harm upon another person or group of people, or directing a threat of physical harm against property
- 3) Brandishing a weapon
- 4) Using hostile language or making threatening gestures
- 5) Engaging in sexual harassment of another person
- 6) Engaging in lewd or sexually suggestive behavior to a degree that would substantially interfere with a reasonable person's use of the library
- 7) Staring at another person with the intent to annoy that person
- 8) Following another person around the building with the intent to annoy the person
- 9) Showing pictures or other materials to another person without that person's permission or acceptance;
- 10) Using harassing, hostile, or abusive language

In addition, no person shall:

- 11) Engage in sexual conduct, including, but not limited to, indecent exposure, masturbation or extensive physical contact or touching. This rule applies even if the sexual conduct occurs between two or more individuals who consent to it.
- 12) Possess, sell, distribute or consume any alcoholic beverage.

Any person who violates rules 13-28 while on the library premises will be given up to one warning at the discretion of library staff; then the person will be asked to leave the premises for the day. Repeat offenses by that person will result in that person's exclusion from the premises for up to six months. If the violation relates to actual or threatened misuse of library property the person may lose library

borrowing privileges for up to a year. The library staff reserves the right to report violations to the police.

No person shall:

13) Damage property in the following ways:

- a) Disrupt a computer system or alter its normal performance;
- b) Add, delete, or modify electronic files or devices belonging to another patron or to the library;
- c) Writing in or damaging library materials in a careless, reckless, or intentional way;
- d) Otherwise tamper with or deface any library property, facilities, materials, equipment or software, or use them in a manner likely to cause injury. Violations of this rule that constitute the offense of criminal mischief may be treated as violations of Rule 1.

14) Fail to leave the library at closing time.

15) Refuse to follow the reasonable direction of a library employee in enforcing any library rule.

16) Harass or annoy another person by:

- a) Playing radios, cell phones, CD players, digital music players, or other audio equipment at a volume level that can be heard by another person;
- b) Climbing on bookcases or chairs, running upon the premises;
- c) Placing personal belongings along or against buildings, furniture, table equipment, or fixtures, in a way that interferes with the use of the facility;
- d) Pushing or shoving another person in a way that is unwelcome to the other person
- e) Spitting on any person or on any surface or object other than a bathroom sink or a personal tissue;
- f) Singing or talking loudly to other persons or in monologues to oneself;
- g) Interfering with others' use of library computers, such as monitoring what they are viewing or retrieving information from another user's computer screen;
- h) Making loud noise;
- i) Behaving in any other manner that a reasonable patron or staff member could evaluate as harassing or annoying under the circumstances.

17) Smoke, ~~or~~ use other forms of tobacco ~~or vape inside the library building or within 10 feet of the following places: on the library premises.~~

- ~~a) Entrances and exits;~~
- ~~b) Windows that open;~~
- ~~c) Ventilation intakes that serve an enclosed area;~~
- ~~d) Any service line or within 10 feet of a service line that extends an entrance;~~
- ~~e) Within 10 feet of an accessibility ramp that extends beyond 10 feet from the entrance or exit.~~

18) Consume food or beverages in the library other than during times and in places connected to an official library function.

19) Bring animals, other than service animals, into the library, except as approved by authorized library staff.

20) Use library restrooms for the following purposes:

- a) Shaving;
- b) Bathing;
- c) Washing hair;
- d) Cleaning clothes;
- e) Any other use outside the ordinary purposes for which restrooms are furnished in a public library.

- 21) Solicit, petition or distribute written materials or canvass for political, charitable or religious purposes inside a library building or in a manner on library premises that unreasonably interferes with or impedes access to the library.
- 22) Allow a child age five or under to be unattended in the library.
- 23) Allow a child under age ten to be unsupervised in the library.
- 24) Sleeping in or on library premises.
- 25) Use library electronic resources to access, disseminate or print constitutionally unprotected speech or in violation of copyright laws. Complying with this rule is the responsibility of the user, or in the case of minors, it is a joint responsibility of the user and the parent or guardian.
- 26) Enter parts of the premises reserved for staff use.
- 27) Use office supplies or other resources reserved for staff use.
- 28) Be present in the library but not engaged in activities associated with use of a public library such as reading, studying, or using library resources while in the building.

Any person who violates rules 29-32 while in the library building will be excluded until the problem is corrected.

No person shall:

- 29) Fail to wear a shirt or shoes except children three years old and younger.
- 30) Use the library with bodily hygiene so offensive as to constitute a nuisance to other persons.
- ~~31) Be present while intoxicated by alcohol or controlled substances. Library officials reserve the right to summon a police officer. **who will either take the impaired person home or to a treatment facility.**~~
- 32) Fail to place large purses, bags and backpacks in a storage locker upon entering the library, or surrender the bag to be held behind the library circulation desk, when asked to do so by a library employee.**

Article 4. Enforcement.

1. Penalties that relate to a person's presence in the library

Level 1: Warning

Library staff has discretion to issue one warning to persons who violate rules 13-28. If, after being warned at any time and by any person, that behavior constitutes a violation, the person engages in a subsequent offense, then the violator will be issued a Level 3 exclusion as set forth below.

Level 2: Remedial exclusion

- Persons who violate rules 29-31 must leave the library and may not re-enter until the underlying situation is corrected. Under the circumstances it may be possible for the violator to correct the situation on the same day it occurs.
- Persons will be immediate excluded under any rule if their conduct constitutes a risk of injury to persons or property.
- The police may be called to assist with remedial exclusions.

Level 3: Minor exclusion—6 months

- Persons who receive a warning of breaking rules 13-28 but who then commit a subsequent offense will be excluded from the library for the rest of the day on which they commit the subsequent offense.
- Persons who commit a repeat offense will receive a minor exclusion so long as the circumstances do not trigger a major exclusion.
- Persons who violate rules 1-12 will automatically receive a minor exclusion.

Level 4: Major exclusion—1 year

- Persons who twice violate rules 1-12 will be automatically excluded for one year.
- Persons who commit a repeat violation of library rules will be excluded for up to one year if one of the factors is present:
 - The violator is older than age 18 and the violation involved sexual activity.
 - The offense involved threatening behavior or misconduct directed towards another person.
 - Circumstances surrounding the violation show callous disregard for the library rules or the well-being of persons or property.
 - There is probable cause to believe the person violated a criminal statute of the State of Oregon or the City of St. Helens.

2. Special provisions for enforcing these rules:

a) Suspended borrowing privileges:

- The director reserves the right to suspend the borrowing privileges of any person excluded under these rules for any length of time.
- The director will suspend borrowing privileges if the circumstances of a violation indicate disregard for library premises or disregard of materials in the library collection.
- Privileges may be suspended for up to one year under this provision.

b) Enforcing these rules against persons 16 years old or younger

- If a patron under age 17 has violated these rules, the director will notify the patron's parents in writing before issuing an exclusion longer than one day.

3. Procedures for administering exclusions under these rules

- a) The director, the director's designee, the most senior library employee on the premises, or any sworn police officer, is hereby identified as an authorized party on the city's behalf for enforcing these rules and signing exclusions.
- b) An authorized party may sign exclusions based on the following:
 - Reasonable grounds, based on personal knowledge that a violation has occurred.
 - Reasonable grounds furnished by an employee or a patron that violation has occurred, however such statements may not be relied on unless the complaining party furnishes their name, address, and phone number.

- c) Before signing an exclusion, an authorized party shall afford an alleged violator an opportunity to personally explain their version of events. It is not necessary for the director to accommodate written explanations delivered after the date of occurrence.
- d) No special permission or authority is needed for a library employee or patron to call the police.
- e) Exclusions take effect the moment the authorized party signs them. In cases of exclusions for persons under age 17, the authorized party shall sign an exclusion only after sending written notice to the parents and allowing the parents an opportunity to respond to the allegations. No exclusion is effective against a person under 17 years unless and until the exclusion is signed and personally delivered to the person.
- f) Exclusions expire at 12:01 AM on the date after the exclusion ends.

Article 5. Appeals of exclusions.

- a) Council shall appoint a three-member panel to hear appeals.
- b) An excluded person may appeal their exclusion under the following procedures:
 - i) The person must file written statement with the city recorder that he or she wishes to appeal the library exclusion.
 - ii) The written statement must be filed with the city recorder no more than ten (10) days after the date of the exclusion.
 - iii) The filing of an appeal does not suspend the exclusion, which remains valid until such time as appeal panel in its discretion elects to alter it.
- c) Appeal panel will hold a hearing on the exclusion no later than 10 days after the notice of appeal was filed with the city recorder. Failure of the panel to convene within 10 days shall not invalidate an exclusion.
- d) Appeal panel shall take evidence in the following order:
 - i) A representative of the city will put on evidence in support of the exclusion, calling any witnesses that are necessary.
 - ii) The excluded person may put on evidence and may call any witnesses to support his or her side of events.
 - iii) The city's representative may put on a rebuttal case.
- e) Appeal panel may uphold the exclusion if there is substantial evidence that a rule was violated. Appeal panel may reduce or eliminate the exclusion if there is insufficient evidence of violation, or as justice requires.
- f) Appeal panel may order the appeal dismissed if the excluded person fails to appear at the appeal hearing.

Article 6. Appeals of borrowing privilege suspensions.

If a person has lost their borrowing privileges in connection with an exclusion, it is the sole responsibility of the excluded individual to apply for reinstatement of library privileges; these are not automatically available at the end of the period of exclusion. The person notifies the library director that he/she plans

to attend the next meeting of the appeal panel to request reinstatement of his/her library privileges. This request may be made only after the period of exclusion has been completed. The appeal panel will decide by a majority vote to lift the ban if the person is able to persuade them that his/her future behavior will not violate the Library Rules of Conduct, nor be a threat to the ability of the library to operate in a safe manner, nor prevent staff and patrons from using the library services, furniture, facilities and materials for their intended use. The suspension will be in effect until this vote is taken. The appeal panel will instruct the library director to contact the person making such an appeal by letter and inform him/her of appeal panel's decision.

Article 7. Supersession.

These rules supersede all previously issued conduct rules for the library.



Memorandum

To: Mayor and City Council

From: John Walsh, City Administrator

Subject: **Administration & Community Development Dept. Report**

Date: December 6, 2017

Business License Reports attached.

Suggestion Box Report attached.

BUSINESS LICENSE REPORT

City Department Approval: November 6, 2017

The following occupational business licenses are being presented for City approval:

Signature: [Signature]

Date: 11/15/17

RESIDENT BUSINESS – RENEWAL 2017

RESIDENT BUSINESS – NEW 2017

La Vita Bella Therapeutic Massage & Bodywork Massage Therapy

NON-RESIDENT BUSINESS - 2017

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> American Carports, Inc. | Metal Carports/garages Installations |
| <input type="checkbox"/> Best Quality Construction Inc. | Finish Carpentry |
| <input type="checkbox"/> Custom Air LLC | HVAC Installer |
| <input type="checkbox"/> David Linn Trucking & Excavation LLC | Excavation |
| <input type="checkbox"/> IDR Industries LLC | Contractor |
| <input type="checkbox"/> Ridgeway Landscaping LLC | Landscape Maintenance |
| <input type="checkbox"/> RMC Consulting
Cleaning | Consulting & Pressure Wash/Gutter |
| <input type="checkbox"/> Solid Structure NW Inc. | Frame |
| <input type="checkbox"/> Treble Seven LLC DBA 3 Mountain Plumbing | Plumbing Service |

*Denotes In-Home Business

BUSINESS LICENSE REPORT

City Department Approval: November 20, 2017

The following occupational business licenses are being presented for City approval:

Signature: Jalk
Date: 11/21/17

RESIDENT BUSINESS – RENEWAL 2017

RESIDENT BUSINESS – NEW 2017

- | | | |
|--------------------------|---------------------------------|-------------------------------------|
| <input type="checkbox"/> | *Lean Cleaning Services LLC | Residential and Commercial Cleaning |
| <input type="checkbox"/> | Northwest Artisan Coalition LLC | Cannabis Nursery |
| <input type="checkbox"/> | *NW All in One Construction LLC | General Contractor |
| <input type="checkbox"/> | Sarah's Clips and Curls | Hair Salon |

NON-RESIDENT BUSINESS - 2017

- | | | |
|--------------------------|--------------------------------|----------------------|
| <input type="checkbox"/> | Barnson Electric Inc | Electrical Contracot |
| <input type="checkbox"/> | Columbia Construction Services | Roofing |
| <input type="checkbox"/> | Integrity Air LLC | HVAC |
| <input type="checkbox"/> | Mates Electric | Electrical |
| <input type="checkbox"/> | Proline Plumbing & Sewer | 24Hr. Plumbing SVC |
| <input type="checkbox"/> | Robert Taylor Construction | Construction |

*Denotes In-Home Business

Suggestion Boxes

City Hall – Municipal Court Lobby

Date Received	Comment	Suggestion	Response Requested?	Name and Contact Information	Overall Customer Service Rating	Date to Council for Review	Staff Assigned	Staff Follow-up Actions	Date Closed
11/8/17	April was amazing. She took the time on the phone to hear my problem and offered non-legal suggestions as to how I could get the information I needed to begin solving my problem. Thank you very much!	None	No	A.J. Sweedler	N/A	11/15/17			

City Hall – 1st Floor Lobby /2nd Floor Lobby/ Council Chambers Lobby/ Water Department Lobby

Date Received	Comment	Suggestion	Response Requested?	Name and Contact Information	Overall Customer Service Rating	Date to Council for Review	Staff Assigned	Staff Follow-up Actions	Date Closed
---------------	---------	------------	---------------------	------------------------------	---------------------------------	----------------------------	----------------	-------------------------	-------------

None received.

Library

Date Received	Comment	Suggestion	Response Requested?	Name and Contact Information	Overall Customer Service Rating	Date to Council for Review	Staff Assigned	Staff Follow-up Actions	Date Closed
---------------	---------	------------	---------------------	------------------------------	---------------------------------	----------------------------	----------------	-------------------------	-------------

None received.