

RESOLUTION NO. 6489

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY ON 39TH AVENUE SW, NOT NEEDED FOR PUBLIC USE.

WHEREAS, in 2013 the City of Albany acquired by gift a 62.79-acre tract of land, Linn County Assessor's Map No. 11S-04W-24; Tax Lot 200, located at the north side of 39th Avenue SW; and

WHEREAS, the owners of two adjacent residential lots have proposed to purchase from the City two lots out of the original parcel, a 6,597 square foot lot to be sold to Merlan W. and Cecilia R. Swanson and a 18,858 square foot lot to be sold to Jamison M. and Kristi L. Smith; and

WHEREAS, a Public Hearing was conducted on the sale of these lots on April 13, 2016; and

WHEREAS, the Albany City Council has determined that the proposed sale lots have little value for public purposes.


NOW, THEREFORE, BE IT RESOLVED that the Albany City Council authorizes the City Manager to convey the subject property to Swanson and Smith at the price agreed upon.

DATED AND EFFECTIVE THIS 13TH DAY OF APRIL 2016.



Mayor

ATTEST:



City Clerk

Agreement for Oregon Enterprise Zone Extended Abatement

AGREEMENT WITH THE SOUTH SANTIAM ENTERPRISE ZONE SPONSORS TO EXTEND PROPERTY TAX EXEMPTION TO FIVE CONSECUTIVE YEARS IN TOTAL FOR CAPITAL INVESTMENT BY VIPER NORTHWEST, INC.

The sponsors of the South Santiam Enterprise Zone comprising the governing bodies of the Cities of Albany, Lebanon, Millersburg and Linn County (hereinafter "The Zone Sponsor") and Viper Northwest, Inc. (hereinafter "The Firm") do hereby enter into an agreement for extending the period of time in which The Firm shall receive an exemption on its investment in qualified property in the South Santiam Enterprise Zone contingent on certain special requirements, under ORS 285C.160 (2003).

The Zone Sponsor and The Firm jointly acknowledge: that subject to submission and approval of an application for authorization and the satisfaction of other requirements under ORS 285C.050 to 285C.250, The Firm is eligible for three years of complete exemption on its qualified property; that nothing in this agreement shall modify or infringe on this three-year exemption or the requirements thereof, and that this agreement becomes null and void if The Firm does not qualify for these three years of the exemption.

The Zone Sponsor extends The Firm's property tax exemption an additional two years on all property that initially qualifies in the South Santiam Enterprise Zone in the assessment year beginning on January 1, 2017 and, thus, sets a total period of exemption of five consecutive years during which statutory requirements for the standard three-year enterprise zone exemption must also be satisfied and maintained.

CONFIRMATION OF STATUTORY PROVISIONS

In order to receive the additional two years of enterprise zone exemption granted herein, The Firm agrees herewith under 285C.160(3)(a)(A) that for each year of the entire exemption period, all of The Firm's new employees shall receive an average level of compensation equal to or greater than 150 percent of the county average annual wage, in accordance with the specific definitions and guidelines in Oregon Administrative Rules (OAR), Chapter 123, Division 65 (123-065-41##), which provides that:

1. Such compensation may include non-mandatory benefits that can be monetized;
2. The county average annual wage is set at the time of authorization, except as pursuant to ORS 285C.160(4), according to the 2016* Linn County average annual wage rate of \$ 38,313 for which 150 percent equals \$ 57,470.

* Note: 2016 is the year this rate applies; it is published by the Oregon Employment Dept. as Average Annual Wage by County- 2014.

3. Only employees working at jobs filled for the first time after the application for authorization but by December 31 of the first full year of the initial exemption and performed within the current boundaries of the South Santiam Enterprise Zone are counted; and

4. Only full-time, year-round and non-temporary employees engaged a majority of their time in The Firm's eligible operations consistent with ORS 285C.135 & 285C.200(3) are counted, regardless if such employees are leased, contracted for or otherwise obtained through an external agency or are employed directly by The Firm.

LOCAL ADDITIONAL REQUIREMENTS

For The Firm to receive the additional two years of enterprise zone exemption granted herein, The City of Albany, a Zone Sponsor and The Firm agree that no additional requirements in addition to statutory requirements are being requested by The Zone Sponsor under ORS 285C.160(a)(B).

ACCEPTING FOR THE CITY of ALBANY, A ZONE SPONSOR OF
THE SOUTH SANTIAM ENTERPRISE ZONE:

ACCEPTING FOR VIPER NORTHWEST, INC.:

The other Zone Sponsors; City of Lebanon, City of Millersburg and Linn County approve this Agreement by passing separate Resolutions. Copies of which are attached.