

RESOLUTION NO. 5119-12

RESOLUTION APPROVING A REVOCABLE PERMIT WITH
TUALATIN CHAMBER OF COMMERCE TO PLACE A
DIGITAL SIGN FOR VISITOR INFORMATION AT THE TUALATIN PUBLIC LIBRARY

WHEREAS, the relationship between the City of Tualatin and the Tualatin Chamber of Commerce is strong and mutually supportive and both seek to provide visitor and tourism information to local residents and visitors; and

WHEREAS, the Tualatin Chamber of Commerce was awarded a grant that includes funds to purchase digital touch screen monitor and related equipment to provide visitors information; and

WHEREAS, the Tualatin Public Library provides information and services to the public and is open seven days a week.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The attached Revocable Permit is approved.

Section 2. The City Manager is authorized to sign the attached Permit and execute changes.

INTRODUCED AND ADOPTED this 27th day of August, 2012.

CITY OF TUALATIN, OREGON

By

Mayor

APPROVED AS TC LEGAL FORM


CITY ATTORNEY

ATTEST:

By

City Recorder

REVOCABLE PERMIT

The CITY OF TUALATIN ("Owner") grants to the Tualatin Chamber of Commerce ("Permittee"), a revocable permit to provide a computer and digital touchscreen monitor to be installed in the lobby of the Tualatin Public Library located in the City of Tualatin, Washington County, State of Oregon, for the purposes and subject to the conditions stated:

This permit is granted to the Permittee for the specific and limited purpose of a digital touchscreen computer in the lobby of the Tualatin Public Library for accessing local visitor information.

This permit is granted subject to the following conditions:

(1) Permittee shall display content from the websites of the City of Tualatin and/or the Tualatin Chamber of Commerce only. Paid advertising shall not be displayed on the computer except as embedded within the Permittee's website. Additional content must be approved by the Community Services Director or designee. The Permittee shall not discriminate in the content provided, except in the time, manner, and place restrictions that are consist with City Municipal Code.

(2) This permit shall become effective upon execution by both parties and shall remain in effect in perpetuity or until terminated pursuant to the provisions within this permit.

(3) Permittee will identify the purpose and ownership of the computer and touchscreen monitor within the monitor screen. Permittee shall not construct, place or locate or allow others to construct, place or locate any interior or exterior signs, brochure racks, casework or other any structures within the library lobby. The City will have the final decision as to the location and placement of the computer and touchscreen monitor inside the library lobby.

(4) The City of Tualatin may limit the volume of any sound produced by the computer and digital touchscreen monitor.

(5) At all times during the term of this permit, Permittee shall obtain and continue to carry general commercial liability insurance in a responsible company with limits of not less than \$1,500,000.00 issued by a company or companies authorized to issue such policies in Oregon and naming the City as an insured on said policy or policies of insurance. Certificates evidencing such insurance and bearing endorsements requiring ten (10) days written notice to City prior to any change or cancellation shall be furnished to the City prior to Permittee's occupancy of the permit area.

(6) Permittee shall provide all necessary maintenance and repairs in a timely manner, including replacement of equipment, to the satisfaction of the City. The City will provide the same level of security to the computer kiosk as it does to general Library furniture and facilities.

(7) The City shall provide the space, electrical power and data connections, and minimal cleaning as needed at no charge. The City reserves the right to request financial assistance for these costs with notice to Permittee.

(8) The City of Tualatin will install the provided equipment and related hardware in an accessible manner and will supply electricity and needed data connections for the computer and digital touchscreen monitor.

This Permit may be revoked by the City upon:

(1) A determination of the Community Services Director or designee that the Permittee has violated or failed to satisfy any of the conditions of this permit, or

(2) Upon determination by the City of Tualatin that the permit area is required for public purposes. The Community Services Director or designee shall provide written notice of revocation that shall be effective, without further action of either party, 120 days after the date of the notice.

If the City declares a revocation of this permit under subparagraph (1), the written declaration shall be mailed to Permittee at the Permittee's address shown on the records of the Washington County Department of Assessment and Taxation. The revocation shall be effective ten (10) days after the date of the written declaration. All rights and interests of the Permittee shall automatically terminate upon the effective date of the revocation.

Prior to the effective date of revocation of this permit, the Permittee, at its expense, shall cause all improvements to be removed from the permit area if so requested in the Declaration of Revocation and re-establish area to its pre-existing condition.

The parties have executed this permit on the date indicated below.

TUALATIN CHAMBER OF COMMERCE
18791 SW Martinazzi Avenue
Tualatin, OR 97062

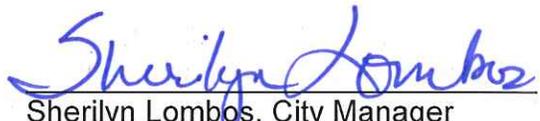
CITY OF TUALATIN
18880 SW Martinazzi Avenue
Tualatin, OR 97062



Linda Moholt, Chief Executive Officer

8/23/12

Date



Sherilyn Lombos, City Manager

8/27/12

Date

Approved as to Form:

By: 
City Attorney

Date: 8/30/2012