

ORDINANCE No. 185047

Extend term of Chevron USA pipeline franchise to transport petroleum products by pipeline (Ordinance; amend Ordinance No. 164748)

The City of Portland ordains:

Section 1. The Council finds:

1. In October, 1991, the Council granted a franchise to Chevron USA, to use designated streets within the City of Portland to transport petroleum products by pipeline. Ordinance No. 164748.
2. The Council previously extended the term of Chevron's franchise until December 31, 2011. Ordinance No. 183340.
3. Over the last 20 years the Council has granted several petroleum pipeline franchises. City staff has reviewed the terms and conditions of these franchises. Staff is working with the petroleum pipeline industry to standardize and modernize the terms and conditions of the City's franchises for petroleum pipelines.
4. On October 26, 2011, the Council adopted non-emergency Ordinance No. 184957, amending Title 17 of the Portland City Code. Among other matters, the ordinance updated, clarified and reorganized various code sections. The Bureau of Transportation will need to adopt administrative regulations implementing various aspects of the revised code provisions. This process will affect some of the standard franchise language. As the bureau works to complete this process, the Office for Community Technology recommends that the Council extend the existing pipeline franchises.

NOW, THEREFORE, the Council directs:

- a. Ordinance No. 164748 is hereby amended to extend the term of the franchise to run, continuously and without interruption, through December 31, 2012.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.

- c. On or before the thirtieth (30th) day after this ordinance becomes effective, Chevron USA shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by Chevron USA, meeting the approval of the City Attorney. Any failure on the part of Chevron USA to file such written acceptance within such time shall be deemed an abandonment and rejection of this ordinance, and this ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms contained in this ordinance.

Passed by the Council: DEC 07 2011

Commissioner Dan Saltzman
Prepared by: MRiddick/BEWalters
November 10, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland
By:


Deputy

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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p>	<p>CLERK USE: DATE FILED <u>NOV 22 2011</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>[Signature]</i></p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OCT Bureau Head: David C. Olson <i>[Signature]</i></p> <p>Prepared by: M Riddick Date Prepared: November 16, 2011</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date November 30, 2011</p> <p>City Attorney Approval <i>[Signature]</i></p>	<p>ACTION TAKEN:</p> <p>NOV 30 2011 PASSED TO SECOND READING DEC 07 2011 9:30 A.M.</p>

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	_____	
Adams	✓	