

## ORDINANCE No. 185048

Extend term of Kinder Morgan Cochin LLC franchise to transport petroleum products by pipeline (Ordinance; amend Ordinance No. 164747)

The City of Portland ordains:

### Section 1. The Council finds:

1. In October, 1991, the Council granted a franchise to Chevron Pipe Line Company. Ordinance No. 164747.
2. In July 2009, the Council consented to a transfer of the pipeline franchise from Chevron Pipe Line Company to Kinder Morgan Cochin LLC. Ordinance No. 183046.
3. In November, 2009, the Council extended the term of the Kinder Morgan Cochin pipeline franchise through December 31, 2011. Ordinance No. 183339.
4. 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.
5. 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. 164747 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.

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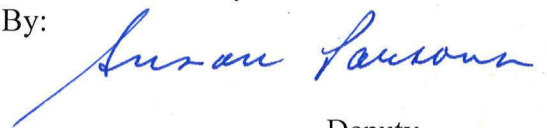
- c. On or before the thirtieth (30<sup>th</sup>) day after this ordinance becomes effective, Chevron Pipe Line Company shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by Kinder Morgan Cochin LLC, meeting the approval of the City Attorney. Any failure on the part of Kinder Morgan Cochin LLC 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

840281

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Agenda No. 185048  
**ORDINANCE NO.** 185048  
 Title

Extend term of Kinder Morgan Cochin LLC, franchise to transport petroleum products by pipeline  
 (Ordinance; amend Ordinance No. 164747)

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

<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) <b>CONSENT</b> <input checked="" type="checkbox"/> <b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	