

ORDINANCE No. 185054

Extend term of Southern Pacific Pipe Lines pipeline franchise to transport petroleum products by pipeline (Ordinance; amend Ordinance No. 155742)

The City of Portland ordains:

Section 1. The Council finds:

1. In March, 1984, the Council granted a franchise to Southern Pacific Pipe Lines, now doing business as SFPP, L.P, to use designated streets for the transportation of petroleum products by pipeline. Ordinance Number 155742.
2. The Council previously extended the term of this franchise ordinance until December 31, 2011. Ordinance 183337.
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 completion of this process, the Office for Community Technology recommends that the Council extend the existing pipeline franchises.

NOW, THEREFORE, the Council directs:

- a. Ordinance Number 155742 is hereby amended to extend the term of the franchise, continuously and without interruption, through December 31, 2012.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.

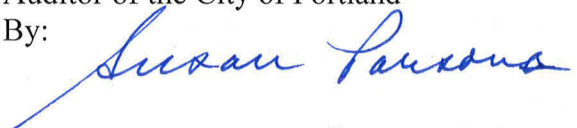
- c. On or before the thirtieth (30th) day after this ordinance becomes effective, SFPP, L.P. shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by SFPP, L.P., meeting the approval of the City Attorney. Any failure on the part of SFPP, L.P. 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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Agenda No.
ORDINANCE NO. 185054
 Title

Extend term of Southern Pacific Pipe Lines franchise to transport petroleum products by pipeline
 (Ordinance; amend Ordinance No. 155742)

INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman	CLERK USE: DATE FILED <u>NOV 22 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>Susan Larson</u> Deputy
BUREAU APPROVAL Bureau: OCT Bureau Head: David C. Olson Prepared by: M Riddick Date Prepared: November 17, 2011	ACTION TAKEN: NOV 30 2011 PASSED TO SECOND READING DEC 07 2011 9:30 A.M.
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 <u>Benjamin Walters</u>	
City Attorney Approval	

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

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