

ORDINANCE No. 189674

Revoke franchise granted to Lucid Energy, Inc. for a renewal energy project in conjunction with the Water Bureau for a period of 20 years. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On March 27, 2013, the City of Portland granted a franchise to Lucid Energy, Inc., a Delaware corporation qualified to do business in Oregon, a franchise to install, operate and maintain a Renewable Energy System with all necessary Facilities, located within the Streets for a period of twenty years. Ordinance No. 185951. The franchise was effective May 26, 2013.
2. On December 19, 2018, Lucid Energy, Inc. filed authorization for dissolution with the State of Oregon. Section 13.1(F) of Lucid's franchise states that the City may revoke the franchise after Lucid's insolvency or other similar action or proceeding.
3. On April 9, 2019, the City provided written notice to Lucid of the City's intent to revoke Lucid's franchise. City staff recommend City Council revoke the franchise previously approved by the Council.

NOW, THEREFORE, the Council directs:

- a. Upon effective date of this ordinance, Ordinance No. 185951 is revoked.
- b. Lucid Energy, Inc. shall comply with all applicable franchise and permit terms and conditions, including removing all facilities and equipment within thirty (30) calendar days of the revocation of its franchise and restoring the streets to a condition as good as the adjoining portions of the street at the time of approval, to the City Engineer's satisfaction.

Passed by the Council: **AUG 28 2019**

Mary Hull Caballero
Auditor of the City of Portland
By:



Deputy

Mayor Ted Wheeler
Prepared by: MR/MKH
July 19, 2019

Agenda No.
ORDINANCE NO. 189674
Title

✓ Revoke franchise granted to Lucid Energy, Inc. for a renewal energy project in conjunction with the Water Bureau for a period of 20 years. (Ordinance)

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| <p>INTRODUCED BY Commissioner/Auditor: Mayor Wheeler</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: OCT Bureau Head: Elisabeth Perez <i>EP</i></p> <p>Prepared by: Melvin Riddick Date Prepared: July 19, 2019</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: <i>MrH</i> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date August 7, 2019</p> | <p>CLERK USE: DATE FILED <u>AUG 13 2019</u></p> <p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: AUG 21 2019 PASSED TO SECOND READING AUG 28 2019 9:30 A.M.</p> |
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| 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"/> <i>Pulled</i></p> |
| <p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: 15 min (for presentation, testimony and discussion)</p> |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | |
|--------------------|---------------------------------|------|
| | YEAS | NAYS |
| 1. Fritz | ✓ | |
| 2. Fish | ✓ | |
| 3. Hardesty | ✓ | |
| 4. Eudaly | ✓ | |
| Wheeler | ✓ | |