



Portland General Electric Company

November 16, 1978

Cowles Mallory
Public Works Administrator
City of Portland
400 S. W. Sixth Avenue
Portland, Oregon 97204

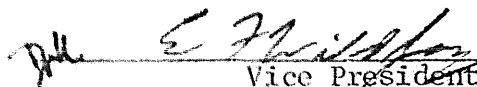
Dear Mr. Mallory:

The City of Portland and Portland General Electric Company are currently negotiating a new street lighting contract. The present Agreement for Street Lighting Service of January 28, 1974 provides that it is to continue in force for a term of five years from the first day of January, 1974 to the 31st day of December, 1978 and thereafter from year to year until termination on any anniversary date by 30 days advance notice. To avoid either renewal of the term of the Agreement of January 28, 1974 or cessation of service thereunder pending its replacement by our new contract for street lighting service, we propose that paragraph 1, Term of Agreement, of the Agreement for Street Lighting Service be modified to read as follows:

"1 Term of Agreement. This Agreement shall continue in full force and effect for a term of 5 years from the first day of January, 1974, to the 31st day of December, 1978, and thereafter from month to month until termination by 30 days advance notice.

If this is satisfactory to the City of Portland, kindly so signify by returning the enclosed copy of this letter signed in the space provided.

Yours very truly,


Vice President


Assistant Secretary

The City of Portland agrees to and accepts the foregoing proposal this _____ day of _____, 1978

CITY OF PORTLAND

By _____
Commissioner of Public Works

ORDINANCE NO. 146865

An Ordinance authorizing and directing the Commissioner of Public Works to terminate the existing street lighting agreement with Portland General Electric Company, and to execute a new interim agreement with that company, authorizing the commencement of negotiations for a new agreement relating to street lighting service, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- (1) The Council finds that on December 13, 1972, the Council passed Ordinance No. 127613 which authorized the Mayor and Commissioner of Public Works to enter into a five year agreement with Portland General Electric Company to provide street lighting service to the City, such service was commenced January 1, 1974 and although the contract specified a 5 year term, it provided that the service was to continue beyond December 31, 1978 on a year-to-year basis until it was terminated on any anniversary date by giving 30 days advance notice.
- (2) It is presently in the best interests of the city that this contract be terminated in order to leave open the option for the city to renegotiate new terms and conditions for street lighting service, and that an interim agreement with Portland General Electric providing for street lighting service on a month-to-month basis be executed.

NOW, THEREFORE, the Council directs:

- (a) That the Commissioner of Public Works is hereby authorized and directed to notify Portland General Electric Company prior to December 1, 1978, that the contract between the city and Portland General Electric Company executed January 28, 1974 is terminated.
- (b) The Commissioner of Public Works is further authorized and directed to execute on behalf of the city an interim agreement with Portland General Electric Company providing for street lighting service on a month-to-month basis be executed, a copy of which is attached to the original only hereof and by this reference made a part hereof
- (c) The Commissioner of Public Works is further authorized and directed to commence negotiations with Portland General Electric Company for a new permanent agreement relating to street lighting service.

Section 2. The Council declares that an emergency exists because it is

ORDINANCE No.

necessary to allow time within which to fulfill the requirements of the city's contract with Portland General Electric Company in terminating same; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, NOV 22 1978

Commissioner McCready
November 17, 1978
RCirelan/fq

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

Calendar No. 4183

ORDINANCE No. 146865

Title

An Ordinance authorizing and directing the Commissioner of Public Works to terminate the existing street lighting agreement with Portland General Electric Company, and to execute a new interim agreement with that company, authorizing the commencement of negotiations for a new agreement relating to street lighting service, and declaring an emergency.

172

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
McCready	1	
Schwab	1	
Goldschmidt	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

Filed NOV 17 1978

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon Croell
Deputy

INTRODUCED BY
Commissioner <i>McCready</i>

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>CR</i>

BUREAU APPROVAL
Bureau:
Prepared By: Date:
KIreland/fg Nov. 17, 1978
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney <i>[Signature]</i>
City Auditor
City Engineer