

ORDINANCE No. 185764

Extend term of Olympic Pipe Line Company franchise to transport petroleum products by pipeline (Ordinance; amend Ordinance No. 162012)

The City of Portland ordains:

Section 1. The Council finds:

1. In June, 1989, the Council granted a franchise to Olympic Pipe Line Company, to use designated streets within the City of Portland to transport petroleum products by pipeline. Ordinance No. 162012.
2. The Council previously extended the term of the Olympic pipeline franchise ordinance until December 31, 2012. Ordinance No. 185050.
3. Over the last 20 years the Council has granted several petroleum pipeline franchises. City staff has reviewed the terms and conditions of all 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 City 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 City is implementing various aspects of the revised code provisions, and City staff has begun negotiating a renewal agreement, including revised standardized franchise language to address the code amendments. Although franchise negotiations for a renewal agreement are in progress, parties have not agreed on all terms. City staff recommends that the City Council extend the existing franchise to allow time for parties to complete negotiations for a new agreement and to formally complete the formal Portland City Charter procedure for proposed franchises, which can take up to four months or more from the date of the required initial publication.

NOW, THEREFORE, the Council directs:

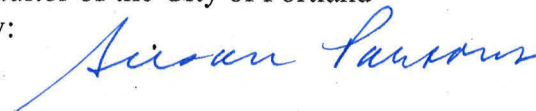
- a. Ordinance No. 162012 is hereby amended to extend the term of the franchise, continuously and without interruption, through January 21, 2015.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.

- c. On or before the thirtieth (30th) day after this ordinance becomes effective, Olympic Pipe Line Company shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by Olympic Pipe Line Company, meeting the approval of the City Attorney. Any failure on the part of Olympic Pipe Line Company 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 05 2012

LaVonne Griffin-Valade
Auditor of the City of Portland

By:



Deputy

Mayor Sam Adams
Prepared by: MRiddick/BEWalters
October 26, 2012

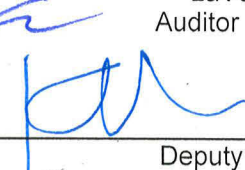
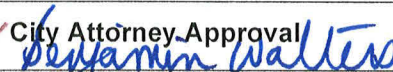
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Agenda No. **185764**
ORDINANCE NO.
Title

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INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED NOV 20 2012
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:  Deputy ACTION TAKEN: NOV 28 2012 PASSED TO SECOND READING DEC 05 2012 9:30 A.M.
BUREAU APPROVAL CAO: Jack D. Graham Bureau: Revenue Bureau Head: Thomas W. Lannom Prepared by: Melvin Riddick Date Prepared: November 9, 2012 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 28, 2012	
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	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	