

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Jennifer Li		2. Telephone No. Ext. 3-5359	3. Bureau/Office/Dept. Revenue
4a. To be filed (date): June 12, 2013	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: May 29, 2013
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

Consent to franchise transfer from Portland LFG Joint Venture to Rivergate LFG, Inc.
 (Ordinance; Transfer Ordinance No. 171496).

2) Purpose of the Proposed Legislation:

Portland LFG Joint Venture was first granted a franchise from the City of Portland on August 13, 1997, to construct, operate and maintain pipeline facilities. On March 26, 2013, the two constituent partners of Portland LFG, Rivergate LFG, Inc. (Rivergate), and Portland Landfill Gas Corporation, entered into a Partnership Interest Purchase Agreement, under which the franchise and all rights and obligations were assigned from Portland LFG to Rivergate. After close of the transaction, Rivergate will be the surviving and legal operating entity. Rivergate provided notice of assignment to the City on April 2, 2013.

Portland LFG's franchise restricts the assignment or transfer of the franchise, by any means, "without the prior consent of the City as expressed by ordinance, except to entities that control, are controlled by, or are under common control with" Portland LFG or its constituent partners. Staff recommends the Council consent to the transfer of Ordinance No. 171496 within the City's records to Rivergate LFG, Inc. as the franchisee.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |
| <input type="checkbox"/> Internal City Government Services | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

There will be no financial impact as the surviving entity, Rivergate LFG will continue to pay franchise fees.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)*

None

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)* No
- Will positions be created or eliminated in *future years* as a result of this legislation? No

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)* N/A

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

This Ordinance is a routine franchising item with no new impact on the community. Portland LFG's franchise restricts the assignment or transfer of the franchise without the prior consent of the City by Ordinance. All franchise provisions will remain identical to the franchise previously approved by Council, and the surviving entity, Rivergate LFG, will continue as the franchisee.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?


c) How did public involvement shape the outcome of this Council item?

d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

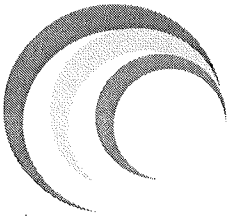
10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No future public involvement is anticipated or necessary.

	<i>23 MAY 2013</i>
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BUREAU DIRECTOR (Typed name and signature)

Thomas W. Lannom, Director



Office for Community Technology

▲ Broadband & Communications Policy ▲ Cable Regulation & Consumer Protection ▲ Utility Franchises, Licenses & Wireless

Charlie Hales, Mayor
Jack D. Graham, CAO
Thomas W. Lannom, Director
Mary Beth Henry, Manager
111 SW Columbia, #600
Portland, OR 97201

City Council
Agenda Item
Staff Supplemental Report

186094

TO: Mayor Charlie Hales

FROM: Thomas W. Lannom, Director
Contact Person: Jennifer Li, x 3-5359

DATE: May 9, 2013

RE: Consent to franchise transfer from Portland LFG Joint Venture to Rivergate LFG, Inc. (Ordinance; Transfer Ordinance No. 171496).

Requested Placement Date: Consent Agenda on June 12, 2013

I. RECOMMENDATION. The Office for Community Technology recommends that Council approve this Ordinance consenting to the change in control of the franchise agreement granted to Portland LFG Joint Venture to Rivergate LFG, Inc.

II. BACKGROUND. Portland LFG Joint Venture was first granted a franchise from the City of Portland on August 13, 1997, to construct, operate and maintain pipeline facilities. On March 26, 2013, the two constituent partners of Portland LFG, Rivergate LFG, Inc. (Rivergate), and Portland Landfill Gas Corporation, entered into a Partnership Interest Purchase Agreement, under which the franchise and all rights and obligations were assigned from Portland LFG to Rivergate. After close of the transaction, Rivergate will be the surviving and legal operating entity. Rivergate provided notice of assignment to the City on April 2, 2013.

Portland LFG's franchise restricts the assignment or transfer of the franchise, by any means, "without the prior consent of the City as expressed by ordinance, except to entities that control, are controlled by, or are under common control with" Portland LFG or its constituent partners. Staff recommends the Council consent to the transfer of Ordinance No. 171496 within the City's records to Rivergate LFG, Inc. as the franchisee.



III. FINANCIAL IMPACT. There will be no financial impact as the surviving entity, Rivergate LFG, will continue to pay franchise fees.

IV. LEGAL ISSUES. None

186094