

## ORDINANCE No. 186880

Extend term of a franchise granted to Olympic Pipe Line Company 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, 2014. Ordinance No. 185050.
3. Over the last 20 years 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 standardized and modernized the terms and conditions of the City's franchises for petroleum pipelines. Olympic Pipe Line Company is the remaining pipeline company with whom Staff has not successfully negotiated a renewal franchise reflecting current City policies and practices.
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, 2017.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.

- c. On or before the thirtieth (30<sup>th</sup>) 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: NOV 12 2014

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By:



Deputy

Mayor Charlie Hales  
Prepared by: HDobson/BEWalters  
October 14, 2014

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Agenda No.  
**ORDINANCE NO. 186880**  
Title

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

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Charlie Hales</b>	<b>CLERK USE: DATE FILED</b> <u>OCT 31 2014</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales <i>[Signature]</i>	LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <i>[Signature]</i> Deputy
Position 2/Works - Fish	<b>ACTION TAKEN:</b>
Position 3/Affairs - Saltzman	<b>NOV 05 2014 PASSED TO SECOND READING</b> <b>NOV 12 2014 9:30 A.M.</b>
Position 4/Safety - Novick	
<b>BUREAU APPROVAL</b> Bureau: Revenue and Financial Services OMF CAO: Fred Miller <i>[Signature]</i> Bureau Head: Thomas W. Lannom	
Prepared by: Hillary Dobson Date Prepared: October 14, 2014	
<b>Financial Impact &amp; Public Involvement Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i>	
<b>Council Meeting Date</b> November 5, 2014	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	