

## ORDINANCE NO. 13-1001

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### **AN ORDINANCE EXTENDING THE FRANCHISE GRANTED TO PORTLAND GENERAL ELECTRIC COMPANY; AND DECLARING AN EMERGENCY**

OREGON CITY MAKES THE FOLLOWING FINDINGS:

**WHEREAS**, the City Commission approved Ordinance No. 93-1001 on February 17, 1993 granting a non-exclusive electric franchise to Portland General Electric Company ("PGE"), effective January 1, 1993, and

**WHEREAS**, the franchise was granted for a period of twenty years from and after the effective date of Ordinance No. 93-1001; and

**WHEREAS**, the City and PGE have been negotiating a new franchise agreement, but have not yet reached agreement on its terms; and

**WHEREAS**, the City and PGE have agreed to extend the current franchise to provide additional time to finalize a new franchise; and

**WHEREAS**, the City Commission finds it is in the public interest to extend the term of the PGE franchise; and

**WHEREAS**, the City Commission finds that an emergency should be declared so that this ordinance may take effect concurrent with the expiration of Ordinance No. 93-1001 so as to maintain seamless and consistent regulation of PGE operations within City rights of way.

#### **NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:**

**Section 1.** The expiration date of the franchise granted by Ordinance No. 93-1001 is hereby extended to March 31, 2013, unless earlier terminated pursuant to its terms or a new franchise agreement takes effect. The extension will be effective as of December 31, 2012.

**Section 2.** It is necessary for the peace, health and safety of the people of Oregon City, that an extension be granted immediately, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect upon its passage by the Commission.

Read for the first and second time at a regular meeting of the City Commission held the 2<sup>nd</sup> of January, 2013, and the foregoing ordinance was enacted by the unanimous vote of the City Commission on this 2nd day of January 2013.

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DOUG NEELEY, Mayor

Attested to this 2nd day of January 2013,

Approved as to legal consistency:

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Nancy Ide, City Recorder

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City Attorney