



# Molalla City Council

Meeting located at:  
Molalla Adult Community Center  
315 Kennel Avenue  
Molalla, OR 97038

## **November 28, 2012** **Special Session Agenda/Town Hall Meeting**

**Special Session:** 7:00 p.m.

**Town Hall Meeting:** Approximately 7:15 PM

\*The City will endeavor to provide a qualified bilingual interpreter, at no cost, if requested at least 48 hours prior to the meeting. To obtain services call the City Manager at 829-6855.

### **SPECIAL SESSION**

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**1. CALL TO ORDER**

- A. Roll Call
- B. Flag Salute

2. COMMUNICATIONS

3. AWARDS & RECOGNITIONS

4. PUBLIC HEARINGS

5. CONTINUING BUSINESS

6. NEW BUSINESS

**7. ORDINANCES**

- A. Ordinance 2012-12: An Ordinance Extending the Franchise Granted to Portland General Electric Company

8. RESOLUTIONS

9. PROCLAMATIONS

10. REPORTS AND ANNOUNCEMENTS

11. EXECUTIVE SESSION

**12. AJOURNMENT**

### **TOWN HALL MEETING**

# City Of Molalla

## City Council Meeting

### Agenda Category: Ordinances

**Subject:** An ordinance extending the franchise granted to Portland General Electric Company (PGE).

**Recommendation:** Approve Ordinance

**Date of Meeting to be Presented:** November 28, 2012

**Fiscal Impact:** NA

**Background:**

The City is negotiating with PGE to renew the franchise agreement. The franchise agreement with PGE was scheduled to expire on June 1, 2012. To prevent any disruption in service in Molalla and enable the parties to continue negotiations, PGE and the City agreed to extend the existing franchise agreement through September 30, 2012. With the change in administration and a change in the city attorney helping to negotiate the franchise, a year extension is warranted to enable time for new personnel to familiarize themselves with negotiations to date and allow the parties to come to agreement.

SUBMITTED BY: Ellen Barnes, City Manager

ALL AGENDA ITEMS MUST BE SUBMITTED BY NOON THE THURSDAY BEFORE THE SCHEDULED COUNCIL MEETING. LATE ITEMS WILL BE SUBMITTED TO THE CITY MANAGER FOR CONSIDERATION.

**Agenda Item**

**7.A**

City Recorder Use Only

City of Molalla  
ORDINANCE No. 2012-12  
**AN ORDINANCE EXTENDING THE FRANCHISE GRANTED TO  
PORTLAND GENERAL ELECTRIC COMPANY**

- WHEREAS:** the City Council approved Ordinance No. 1992-03 on June 1, 1992, granting a non-exclusive electric franchise to Portland General Electric Company ("PGE"), effective June 1, 1992; and
- WHEREAS:** the franchise is granted for a period of twenty years from and after the effective date of the ordinance; 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 agreed to extend the current franchise through September 30, 2012 to provide additional time to finalize a new franchise; and
- WHEREAS:** the City and PGE agreed to extend the franchise a second time through November 30, 2012 to provide additional time to finalize a new franchise; and
- WHEREAS:** the City and PGE require additional time to come to agreement on terms of the franchise renewal; and
- WHEREAS:** the City and PGE agree to extend the current franchise for an additional period so that utility service will not be interrupted; and
- WHEREAS:** the City Council finds it is in the public interest to further extend the term of the PGE franchise.

**NOW, THEREFORE,** the City of Molalla ordains as follows:

Section 1. The expiration date of the franchise granted by Ordinance No. 1992-03 is hereby extended to November 30, 2013 unless earlier terminated pursuant to its terms or a new franchise agreement takes effect. The extension will be effective as of November 30, 2012.

Section 2. It is necessary for the peace, health and safety of the people of the 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 Council, provided that PGE provides the City written acceptance of this Ordinance prior to the effective date. If PGE fails to provide timely written acceptance, this Ordinance shall be null and void.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2012.

Approved:

\_\_\_\_\_  
Mike Clarke, Mayor

ATTEST this \_\_\_\_ day of \_\_\_\_\_ 2012.

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Sadie Cramer, City Recorder