



## RESOLUTION 2012-037

### A RESOLUTION EXTENDING THE PORTLAND GENERAL ELECTRIC COMPANY FRANCHISE AGREEMENT THROUGH DECEMBER 31, 2012

**WHEREAS**, the Franchise Agreement (the "Existing Agreement") between the City of Sherwood ("City") and Portland General Electric Company ("PGE"), set forth in Ordinance 92-951, adopted July 22, 1992 shall expire by its terms on August 1, 2012; and

**WHEREAS**, the parties have not yet finalized a new agreement in all of its particulars; and

**WHEREAS**, the parties wish that the existing agreement remain in place until the new authorization for use of the right of way is finalized.

#### **NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:**

**Section 1.** That the Sherwood City Manager is authorized to sign Exhibit A to this Resolution, an agreement between the City and PGE to extend the existing agreement through December 31, 2012.

**Section 2.** This Resolution shall be effective upon its approval and adoption.

**Duly passed by the Sherwood City Council this 17th day of July 2012.**

  
Keith S. Mays, Mayor

Attest:

  
Sylvia Murphy, CMC, City Recorder

Exhibit A

**PORTLAND GENERAL ELECTRIC COMPANY AND CITY OF  
SHERWOOD FRANCHISE TERM EXTENSION AGREEMENT**

**WHEREAS**, the Franchise Agreement (the "Existing Agreement") between the City of Sherwood ("City") and Portland General Electric Company ("PGE"), set forth in Ordinance 92-951, adopted July 22, 1992 shall expire by its terms on August 1, 2012; and

**WHEREAS**, the City and PGE have been negotiating in good faith to replace the Existing Agreement with a new authorization for use of the right of way (the "New Authorization"); and

**WHEREAS**, the parties have not yet finalized a New Authorization in all of its particulars; and

**WHEREAS**, the parties wish that the Existing Agreement remain in place until the New Authorization is finalized.

**NOW, THEREFORE**, The City and PGE agree that the Existing Agreement shall not terminate on August 1, 2012 but shall remain in full force and effect, including but not limited to the payment provisions there under, until such time as a New Authorization is submitted to and approved by the City, and becomes effective in accordance with its terms, in no event later than December 31, 2012.

**For the City of Sherwood Oregon:**

**For Portland General Electric Company:**

\_\_\_\_\_  
Joseph P. Gall, City Manager

\_\_\_\_\_  
Bill Nicholson, Senior Vice President,  
Customer Svc, Transmission & Distribution

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Sylvia Murphy, CMC, City Recorder