



RESOLUTION 2012-056

A RESOLUTION EXTENDING THE PORTLAND GENERAL ELECTRIC COMPANY FRANCHISE AGREEMENT THROUGH JUNE 30, 2013

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 Council adopted resolution 2012-037 on July 17, 2012 extending the agreement to allow for negotiations and the parties have not yet finalized a new agreement in all of its particulars; and

WHEREAS, the parties wish to extend the agreement another six months to June 30, 2013.

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 June 30, 2013.

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

Duly passed by the Sherwood City Council this 18th day of December 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 Council approved an extension to the agreement via Resolution 2012-037 in July 2012 and additional time is needed to continue negotiations, 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 June 30, 2013

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