

ORDINANCE No. 183462

Authorize the renewal of an Individual Site License Agreement with LCW Wireless, LLC for use of a portion of the Children's Museum in Washington Park for wireless communication purposes. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. LCW Wireless, LLC, dba Cricket Communications (Cricket), is a wireless communications company licensed by the Federal Communications Commission to operate in the State of Oregon.
2. The Children's Museum in Washington Park has been assigned to Portland Parks & Recreation (Parks).
3. In 2006, Parks entered into a Master License Agreement, Contract No 52766, with Cricket pursuant to Ordinance 180560 that contains the terms and conditions under which Cricket locates and operates cell sites on Parks property.
4. Pursuant to Ordinance 180561, Cricket entered into an Individual Site License for the installation, maintenance and operation of antennas and other equipment at the Children's Museum.
5. The Individual Site License expired on December 12, 2009 and Cricket's option to renew was not exercised within the prescribed timeframe, thus invalidating the option. Nevertheless, both parties wish to renew the agreement, so Parks recommends accepting the late notice of intent to renew.
6. The renewal term will be for three years and annual rent will be \$38,768.06, increased by 2.5% annually.

NOW, THEREFORE, The Council Directs:

- a. The Director of Parks is authorized to accept Cricket's late notice of intent to renew and to automatically renew the Individual License Agreement on the same terms and conditions, except that the rent for the first year of the renewal term will be \$38,768.06 per year.

Passed by the Council: JAN 13 2010
Commissioner Fish
Prepared by: Zalane Nunn
December 22, 2009

LaVonne Griffin-Valade
Auditor of the City of Portland
By 
Deputy

-30-77

✓140

Agenda No. **ORDINANCE NO. 183462**
Title

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(Ordinance)

DEC 31 2009

INTRODUCED BY Commissioner/Auditor: Nick Fish	CLERK USE: DATE FILED _____
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy
BUREAU APPROVAL Bureau: Portland Parks & Recreation Bureau Head: Zari Santner <i>Eileen Argentina for ZARI SANTNER</i> Prepared by: Zalane Nunn Date Prepared: 12-22-09	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	ACTION TAKEN: JAN 06 2010 PASSED TO SECOND READING JAN 13 2010 9:30 A.M.
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date January 6, 2010	
City Attorney Approval	

OK per Tina

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
 (for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman _____	
4. Leonard	4. Leonard ✓	
Adams	Adams ✓	