

ORDINANCE No. 185435

*Authorize grant agreement with Portland Community Media to manage public, educational and governmental access resources and provide community media and digital literacy services (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland has entered into cable services franchise agreements with cable operators, which, among other things, require the companies to provide certain resources, system capacity and facilities for public, educational, and governmental (“PEG”) access programming.
2. Since 1981, the City has contracted with Portland Community Media (PCM) to manage PEG access resources, including access channels, provided under the cable services franchise agreements and to provide community media and PEG services on a city-wide basis. The current agreement with PCM expires June 30, 2012.
3. PCM has successfully provided community media and PEG access services for the City over the past 31 years and is uniquely qualified to continue providing these services.
4. The Office for Community Technology has completed negotiations with PCM on a new five-year grant agreement. The Mt. Hood Cable Regulatory Commission (MHCRC), which oversees the current agreement on behalf of the City, recommends approval of this grant agreement.
5. The City has appropriated sufficient funds in its adopted 2012-13 budget to cover the grant amount under this agreement for FY2012-13. In future years, the annual grant amount shall be adjusted based on the CPI-W. The City may also reduce the funding base amount in the case of extraordinary circumstances causing severe financial constraints on the City.
6. In order for the contract to continue uninterrupted, the effective date of this contract is July 1, 2012.

NOW, THEREFORE, THE COUNCIL DIRECTS:

- a. The Auditor and Commissioner of Public Affairs are authorized to execute, on behalf of the City, a grant agreement substantially similar in form to that attached as Exhibit A hereto with Portland Community Media (PCM).
- b. The Mayor and Auditor are authorized to draw and deliver warrants in payment of obligations under the grant agreement.

Section 2. The Council declares that an emergency exists because a delay in proceeding with the agreement may unnecessarily deprive the citizens of the City of Portland of the PEG access services being provided; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: **'JUN 20 2012**

Commissioner Dan Saltzman

Prepared by: JOMelchuck/BEWalters

Date Prepared: June 1, 2012

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Gayla Jennings

Deputy

Agenda No. **185435**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Saltzman	CLERK USE: DATE FILED <u>JUN 15 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman <i>[Signature]</i> Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: OCT Bureau Head: David C. Olson <i>[Signature]</i>	
Prepared by: Julie S. Omelchuck Date Prepared: June 1, 2012	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date June 20, 2012	
City Attorney Approval: required for contract, code, easement, franchise, comp. plan, grant <i>[Signature]</i>	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 9:45 am Total amount of time needed: 15 min (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> 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	✓	