

ORDINANCE No. 185049

Extend term of a telecommunications franchise granted to Level 3 Communications, LLC to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 173930)

The City of Portland ordains:

Section 1. The Council finds:

1. On January 16, 2000, the Council granted a franchise to Level 3 Communications, LLC to build and operate telecommunications facilities within the City's streets. Ordinance No. 173930.
2. The Council previously extended the term of this franchise ordinance until December 31, 2011. Ordinance No. 183380.
3. On October 26, 2011, the City Council adopted non-emergency Ordinance No. 184957, amending Title 17 of the Portland City Code. Among other matters, the ordinance updated, clarified and reorganized various code sections. The Bureau of Transportation will need to adopt administrative regulations implementing various aspects of the revised code provisions. This process will affect some of the standardized franchise language. As the bureau works to completion of this process, the Office for Community Technology is recommending that the Council extend existing franchises.

NOW, THEREFORE, the Council directs:

- a. Ordinance No. 173930 is hereby amended to extend the term of the franchise, continuously and without interruption, through December 31, 2012.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.
- c. On or before the thirtieth (30th) day after this ordinance becomes effective, Level 3 Communications, LLC shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by Level 3 Communications, LLC meeting the approval of the City Attorney. Any failure on the part of Level 3 Communications, LLC to file such written acceptance within such time shall be deemed an abandonment and rejection of this ordinance, and shall be construed to be an acceptance of all the terms contained in this ordinance.

182043

Passed by the Council: DEC 07 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By: 

Deputy

Commissioner Dan Saltzman
Prepared by: MRiddick/BEWalters
November 10, 2011

185049

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Agenda No.
ORDINANCE NO. 185049
Title

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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p>	<p>CLERK USE: DATE FILED <u>NOV 22 2011</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>Dan Saltzman</i></p> <p>Position 4/Safety - Leonard</p>	<p>LaVonné Griffin-Valadé Auditor of the City of Portland</p> <p>By: <u><i>Susan Parsons</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OCT Bureau Head: David C. Olson <i>David C. Olson</i></p>	<p>ACTION TAKEN:</p> <p>NOV 30 2011 PASSED TO SECOND READING DEC 07 2011 9:30 A.M.</p>
<p>Prepared by: M Riddick Date Prepared: November 16, 2011</p>	
<p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date November 30, 2011</p>	
<p>City Attorney Approval <i>Benjamin Walters</i></p>	

<p>AGENDA</p>
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Leonard	4. Leonard <input type="checkbox"/>	
Adams	Adams <input checked="" type="checkbox"/>	