

ORDINANCE No. 185056

Extend term of a revocable permit granted to TCG Oregon to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 173990)

The City of Portland ordains:

Section 1. The Council finds:

1. On December 8, 1999, the Council granted a revocable permit to TCG Oregon, to build and operate telecommunications facilities within the City's streets. Ordinance No.173990.
2. The Council has extended the term of TCG's permit several times, most recently by Ordinance No. 183382, adopted on December 2, 2009.
3. On October 26, 2011, the 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 City Council extend existing franchises.

NOW, THEREFORE, the Council directs:

- a. Ordinance No. 173990 is hereby amended to extend the term of the permit, continuously and without interruption, through December 31, 2012.
- b. All other terms and conditions of the revocable permit shall remain the same.
- c. On or before the thirtieth (30th) day after this ordinance becomes effective, TCG Oregon shall file in the Office of the Auditor of the City of Portland a written acceptance of this Ordinance, executed by TCG Oregon, meeting the approval of the City Attorney. Any failure on the part of TCG Oregon to file such written acceptance within such time shall be deemed an abandonment and rejection of this ordinance, and this Ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms contained in this Ordinance.

185056

Passed by the Council: DEC 07 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By:

A handwritten signature in blue ink, appearing to read "Susan Lussner", written over a horizontal line.

Deputy

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

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Agenda No.
ORDINANCE NO.
 Title

185056

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INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman	CLERK USE: DATE FILED <u>NOV 22 2011</u>
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>Susan Parsons</i></u> Deputy
BUREAU APPROVAL Bureau: OCT Bureau Head: David C. Olson Prepared by: M Riddick Date Prepared: November 16, 2011 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <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 November 30, 2011 City Attorney Approval <u><i>Benjamin Walters</i></u>	ACTION TAKEN: NOV 30 2011 PASSED TO SECOND READING DEC 07 2011 9:30 A.M.

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