ORDINANCE No. 185057

Extend term of a franchise granted to WCI Cable to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 172750)

The City of Portland ordains:

Section 1. The Council finds:

1. On September 30, 1998, the Council granted a franchise to WCI Cable to build and operate telecommunications facilities within the City's streets. Ordinance No. 172750.

2. The Council previously extended the term of WCI Cable's telecommunications franchise ordinance until December 31, 2011. Ordinance No. 183368.

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 standard franchise language. As the bureau works to complete this process, the Office for Community Technology is recommending that the City Council extend existing franchises.

NOW, THEREFORE, the Council directs:

a. Ordinance No. 172750 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 Ordinance No. 172750 shall remain the same, and the terms and conditions of the Agreement shall remain unaltered.

c. On or before the thirtieth (30th) day after this ordinance becomes effective, WCI Cable shall file in the Office of the Auditor of the City of Portland a written acceptance of this Ordinance, executed by WCI Cable, meeting the approval of the City Attorney. Any failure on the part of WCI Cable 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.
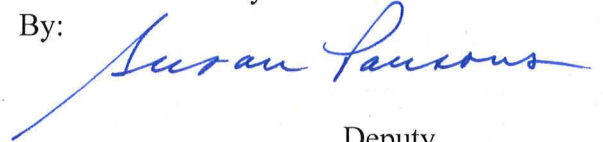
185057

Passed by the Council: DEC 07 2011

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

Susan Parsons

Deputy

Commissioner Dan Saltzman
Prepared by: MRiddick/BEWalters
November 15, 2011

185057

1333
~~1277~~
Agenda No.
ORDINANCE NO. 185057
Title

Extend term of a franchise granted to WCI Cable to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 172750)

INTRODUCED BY Commissioner/Auditor: **Commissioner Dan Saltzman**

CLERK USE: DATE FILED ___ NOV 22 2011 ___

COMMISSIONER APPROVAL	
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	_(signature)_
Position 4/Safety - Leonard	

LaVonne Griffin-Valade
Auditor of the City of Portland

By: _(signature)_ Susan Parsons
Deputy

BUREAU APPROVAL	
Bureau: OCT Bureau Head: David C. Olson	_(signature)_

ACTION TAKEN:

NOV 30 2011 PASSED TO SECOND READING

DEC 07 2011 9:30 A.M.

Prepared by: M Riddick
Date Prepared: November 18, 2011

Financial Impact Statement
Completed ☒   Amends Budget ☐
Not Required ☐

Portland Policy Document
If "Yes" requires City Policy paragraph stated in document.
Yes ☐   No ☒

Council Meeting Date
November 30, 2011
(signature) Benjamin Walters

City Attorney Approval

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	✓	