

**Ordinance No. 188389**

Extend term of right-of-way use agreement granted to Verizon Wireless LLC d/b/a Verizon Wireless for mobile telecommunications services (Ordinance; amend Ordinance No. 180379)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2006, the Council approved a right-of-way use agreement for Verizon Wireless LLC d/b/a Verizon Wireless (Verizon Wireless) to build and operate wireless facilities within the City's streets for providing mobile telecommunications services in Portland. Ordinance No. 180379.
2. Subsequently, the Council has amended and extended the term of the franchise two times. Ordinance No. 184011 and Ordinance No. 186604.
3. City staff continues to work with telecommunications industry representatives in an effort to standardize and modernize the terms and conditions of use of the right-of-way by wireless providers.
4. City staff recommends that the Council extend the existing right-of-way use agreement to allow time for the parties to complete negotiations and to formally conclude the formal Council approval process.

NOW THEREFORE, the Council directs:

- a. Ordinance No. 180379 is hereby amended to extend the term of the right-of-way use agreement, continuously and without interruption, to June 30, 2018.
- b. All other terms and conditions of the right-of-way use agreement shall remain the same and unchanged
- c. On or before the thirtieth (30th) day after this ordinance becomes effective, Verizon Wireless shall file in the Office of the Auditor of the City of Portland a written

acceptance of this ordinance, executed by Verizon Wireless and meeting the approval of the City Attorney. Any failure on the part of Verizon Wireless 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

Passed by the Council: MAY 24 2017

**Mary Hull Caballero**  
Auditor of the City of Portland

By: 

Mayor Ted Wheeler  
Prepared by: MR/BEW  
April 12, 2017

Deputy

Agenda No.  
**ORDINANCE NO. 188389**  
Title

Extend term of right-of-way use agreement granted to Verizon Wireless LLC d/b/a Verizon Wireless for mobile telecommunications services (Ordinance; amend Ordinance No. 180379)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/BRFS, Revenue CAO: Tom Rinehart CFO, Bureau Head: Kenneth L. Rust Division Head: Thomas W. Lannom</p> <p>Prepared by: Melvin Riddick Date Prepared: 4/19/17</p> <p><b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p><b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b></p> <p><b>City Attorney Approval:</b> <i>Benjamin Walters</i></p> <p>Council Meeting Date <b>May 17, 2017</b></p>	<p>CLERK USE: DATE FILED <u>MAY 09 2017</u></p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p style="text-align: center;"><i>[Signature]</i></p> <p style="text-align: center;">MAY 17 2017 PASSED TO SECOND READING MAY 24 2017 9:30 A.M.</p>
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AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input checked="" type="checkbox"/></p> <p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>		YEAS	NAYS
	1. Fritz	1. Fritz	✓
	2. Fish	2. Fish	✓
	3. Saltzman	3. Saltzman	✓
	4. Eudaly	4. Eudaly	✓
	Wheeler	Wheeler	✓