

**Ordinance No. 188985**

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. The Council amended the right-of-way use agreement in 2014 and again in 2017. Ordinance Nos. 186604 and 188389. The 2017 amendment extended the term to June 30, 2018.
3. City staff need time to develop new right-of-way use agreements for mobile telecommunications carriers because small cells were not addressed by previously negotiated agreements. The City recently concluded a small cell pilot program for attachments on non-city-owned poles in the right-of-way. Staff is analyzing data from the pilot program and will draft recommended policy and process changes to wireless siting in the right-of-way to accommodate small cell, and future, technology.
4. Furthermore, City bureaus are developing a wireless master plan for City-owned assets to establish policies for leasing City property to attach wireless infrastructure and related aesthetic standards. The wireless master plan will apply to non-city-owned poles when appropriate.
5. City staff recommends that the Council extend Verizon Wireless' existing right-of-way use agreement by one year.

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, 2019.


- 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:

JUN 06 2018

Mayor Ted Wheeler  
Prepared by: MR/MKH  
April 16, 2018

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



Deputy

551 592

Agenda No. **188985**

**ORDINANCE NO.**

Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>MAY 22 2018</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler <i>KL</i></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 style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/BRFS, Revenue CAO: Tom Rinehart CFO, Bureau Head: Jennifer Cooperman Division Head: Thomas W. Lannom</p>	<p><b>ACTION TAKEN:</b></p> <p style="font-size: 1.5em; transform: rotate(-15deg);"><i>TWL for JC</i></p>
<p>Prepared by: Melvin Riddick Date Prepared: 5/4/18</p>	<p><b>MAY 30 2018 PASSED TO SECOND READING JUN 06 2018 9:30 A.M.</b></p>
<p><b>Impact Statement</b></p> <p>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.</p> <p>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>MKH</i></p>	
<p>Council Meeting Date <b>May 30, 2018</b></p>	

<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input checked="" type="checkbox"/></p> <p><b>REGULAR</b> <input type="checkbox"/></p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 35%;">YEAS</th> <th style="width: 35%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	✓		2. Fish	✓		3. Saltzman	—	—	4. Eudaly	✓		Wheeler	✓	
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