

## **ORDINANCE No. 184573**

\*Amend contract with Comcast of Oregon II, Inc. to extend term and add \$500,000 for regional broadband services to local governments, schools, and public agencies throughout Multnomah County (Ordinance; amend Contract No. 30000346)

The City of Portland ordains:

Section 1. The Council finds:

1. The institutional network ("I-Net") constructed pursuant to cable franchises issued by the City of Portland (City) and presently operated by Comcast entities was interconnected to the City's Integrated Regional Network Enterprise (IRNE) network in 2002 pursuant to Ordinance No. 176579, passed by the Council June 5, 2002, authorizing Agreement No. 51785 (now renumbered to Agreement No. 3000346) between AT&T Broadband of Ohio LLC an TCI Cablevision of Oregon Inc. (now Comcast of Oregon II) ("I-Net/IRNE Interconnection Agreement") to provide regional broadband services options to local governments, schools and public agencies throughout Multnomah County. The I-Net/IRNE Interconnection Agreement is managed by the Infrastructure & Engineering Division of the City of Portland's Bureau of Technology Services (BTS).
2. The Comcast cable franchises under which Comcast I-NET facilities and services are required are currently the subject of renewal negotiations with Comcast conducted by staff of the Office of Cable Communications and Franchise Management (OCC/FM) on behalf of the Mt. Hood Cable Regulatory Commission ("MHCRC"). The original term of the Comcast cable franchises and the I-Net/IRNE Interconnection Agreement was extended from December 31, 2010 to June 30, 2011 pursuant to Ordinance No. 184228 (passed by the Council November 10, 2010) to allow these negotiations to be concluded.
3. OCC/FM staff has notified BTS that franchise renewal negotiations with Comcast are unlikely to be concluded prior to June 30, 2011, and an additional 6-month extension of the Comcast franchises and the I-Net/IRNE Interconnection Agreement will be necessary to conclude the negotiations.
4. An extension of the Comcast/City of Portland I-Net/IRNE Interconnection Agreement from June 30, 2011, to December 31, 2011, in conjunction with an extension of the City of Portland Comcast franchises to December 31, 2011, will allow time for the parties to complete the current franchise renewal negotiations.
5. The public interest will be served by extending the term of the I-Net/IRNE Interconnection Agreement to December 31, 2011, to be concurrent with the extended term of the Comcast cable franchises.
6. OCC/FM staff has verified that Comcast has no objection to extending to December 31, 2011, the term of the I-Net/IRNE Interconnection Agreement, concurrent with extending

the term of the City's Comcast cable franchises to December 31, 2011, in order to facilitate completion of the current cable franchise renewal negotiations.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is hereby authorized to execute an amendment to City Contract No. 3000346 (formerly C51785), extending the term to December 31, 2011, and adding \$500,000 in a form substantially in conformance with the amendment attached as Exhibit A, provided the contract amendment has been approved as to form by the City Attorney's office.

Section 2. The Council declares that an emergency exists because there should be no disruption in services provided by the I-Net/IRNE interconnection to local governments, schools and public agencies throughout Multnomah County; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: MAY 11 2011

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By 

Deputy

Mayor Sam Adams  
Prepared by: Christine Moody/MS  
Date Prepared: April 28, 2011

Agenda No.  
**ORDINANCE NO. 184573**  
Title

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<p align="center"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b></p>	<p>CLERK USE: DATE FILED <u>MAY 06 2011</u></p>
<p align="center"><b>COMMISSIONER APPROVAL</b></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</p> <p>Position 4/Safety - Leonard</p>	<p align="center">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p>
<p align="center"><b>BUREAU APPROVAL</b></p> <p>Bureau: Internal Business Services Bureau Head: Jeff Baer</p> <p>Prepared by: Christine Moody, CPO Date Prepared: 4/28/2011</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 5/11/2011</p>	<p><b>ACTION TAKEN:</b></p>
<p><b>City Attorney Approval</b></p>	

<b>AGENDA</b>
<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>

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	✓	