ORDINANCE No. 18479^8

Extend term of a franchise granted to NextG Networks of California, Inc. to build and operate wireless facilities within City streets (Ordinance; amend Ordinance No. 180377)

The City of Portland ordains:

Section 1. The Council finds:

- In August 2006, the City Council granted a franchise to NextG Networks of California, Inc., to build and operate wireless facilities within the City's streets. Ordinance No. 180377.
- 2. City staff is working with industry in an effort to standardize and modernize the terms and conditions of all franchises.
- 3. Portland's Bureau of Transportation (PBOT) is preparing substantial revisions to Portland City Code Title 17. These amendments and updates may affect some of the standardized language of future franchises and renewals. City staff recommends, in the mutual interest of the parties, an extension of the franchise ordinance to allow PBOT to complete this legislative process.

NOW, THEREFORE, the Council directs:

- a. Ordinance No. 180377 is hereby amended to extend the term of the franchise, continuously and without interruption, to December 31, 2012.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.

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

AUG 10 2011

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

Gayla Jennings

Deputy

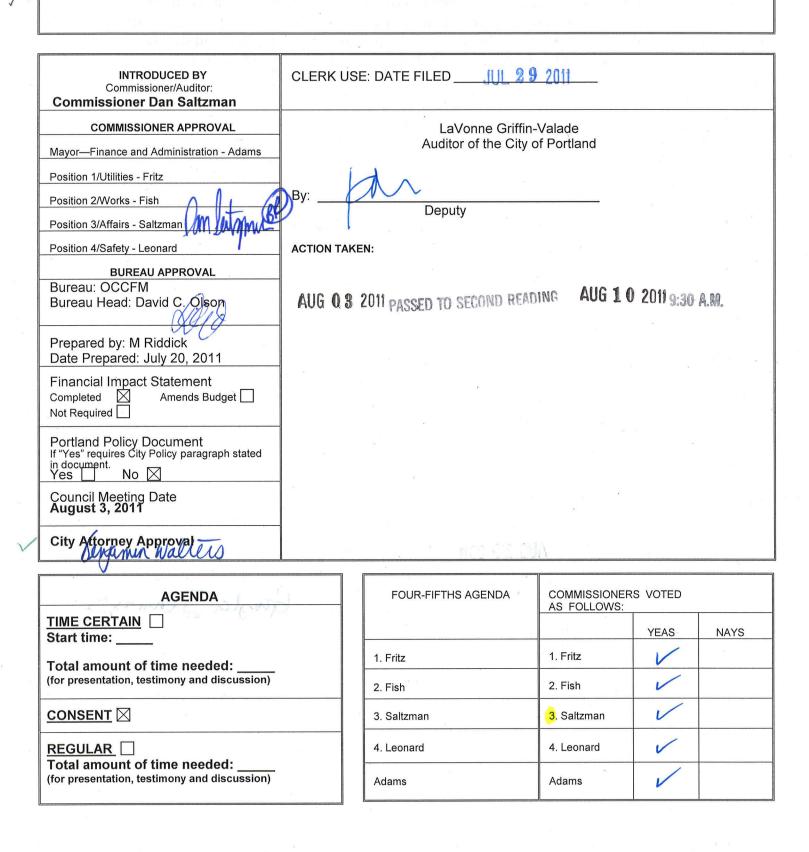
Commissioner Dan Saltzman Prepared by: MRiddick/BWalters July 13, 2011 ORDINANCE NO. 184798

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