

ORDINANCE No. 185022

Extend term of a franchise granted to MCI Metro Access Transmission Services, Inc. to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 169230)

The City of Portland ordains:

Section 1. The Council finds:

1. On August 23, 1995, the Council granted a franchise to MCI Metro Access Transmission Services, Inc. ("MCI Metro"), to build and operate telecommunications facilities within the City's streets. Ordinance No. 169230. The franchise became effective on October 23, 1995.
2. In 1998, MCI Metro Access Transmission Services, Inc. merged into MCI metro Access Transmission Services, LLC, a limited liability company of Delaware.
3. On December 9, 2001, the Council adopted Ordinance No. 183381, extended the MCI franchise, continuously and without interruption, through December 31, 2010.
4. 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 standardized franchise language. As PBOT works to completion of this process, the Office for Community Technology recommends that the City Council extend existing franchises.

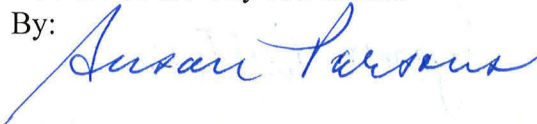
NOW, THEREFORE, the Council directs:

- a. Ordinance Number 169230 is hereby amended to extend the term of the franchise, continuously and without interruption, through December 31, 2012.
- b. All other terms and conditions of the franchise shall remain the same.

- c. On or before the thirtieth (30th) day after this ordinance becomes effective, MCI Metro shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by MCI Metro, meeting the approval of the City Attorney. Any failure on the part of MCI Metro 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: **NOV 30 2011**

LaVonne Griffin-Valade
Auditor of the City of Portland

By: 

Deputy

Commissioner Dan Saltzman
Prepared by: MRiddick/BEWalters
November 4, 2011

180281

~~1231~~ = 1282

Agenda No.
ORDINANCE NO. 185022
Title

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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p>	<p>CLERK USE: DATE FILED <u>NOV 10 2011</u></p>
<p>COMMISSIONER APPROVAL</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 <i>[Signature]</i></p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OCT Bureau Head: David C. Olson <i>[Signature]</i></p> <p>Prepared by: M Riddick Date Prepared: November 4, 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 November 16, 2011</p> <p>City Attorney Approval <i>[Signature]</i></p>	
<p>ACTION TAKEN:</p> <p>NOV 16 2011 PASSED TO SECOND READING NOV 30 2011 9:30 A.M.</p>	

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	✓	