

Portland, Oregon

# FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Jennifer Li	2. Telephone No. Ext. 3-5359	3. Bureau/Office/Dept. Revenue
4a. To be filed (date): April 3, 2013	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>	5. Date Submitted to Commissioner's office and FPD Budget Analyst: March 20, 2013
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed

**1) Legislation Title:**

\*Amend right-of-way agreement granted to New Cingular Wireless PCS, LLC to clarify remittance dates for annual payments. (Ordinance; amend Ordinance No. 185789)

**2) Purpose of the Proposed Legislation:**

On December 12, 2012, the Council approved a right-of-way use agreement to New Cingular Wireless PCS, LLC to build and operate wireless facilities within the City's streets. Ordinance No. 185789. The Ordinance renewed New Cingular Wireless' authority to occupy the City's right-of-way for an additional 3 year period and established terms and conditions for the use of the right-of-way. It is necessary to amend the Ordinance to provide clarification on the remittance date for the proper and effective administration of New Cingular Wireless' annual payment.

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- |  |                                    |                                    |                                |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional     | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast                 | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City                      |                                    |                                    |                                |
| <input type="checkbox"/> Internal City Government Services |                                    |                                    |                                |

**FINANCIAL IMPACT****4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.**

There will be no financial impact as New Cingular Wireless will continue to pay right-of-way use fees on an annual basis.

**5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in**

future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)

None

**6) Staffing Requirements:**

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** (If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.) No
- **Will positions be created or eliminated in future years as a result of this legislation?** No

*(Complete the following section only if an amendment to the budget is proposed.)*

**7) Change in Appropriations** (If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.) N/A

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

**[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]**

**PUBLIC INVOLVEMENT**

**8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:**

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

This Ordinance is a franchising item to correct a specific provision in the agreement regarding administration and timing of payments. The Ordinance seeks to provide clarification on the annual remittance date for New Cingular Wireless and to provide for more effective administration of the agreement. There is no new impact on the community.

**9) If "YES," please answer the following questions:**

**a) What impacts are anticipated in the community from this proposed Council item?**

**b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?**

**c) How did public involvement shape the outcome of this Council item?**

**d) Who designed and implemented the public involvement related to this Council item?**

**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

**10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.**

No future public involvement is anticipated or necessary.

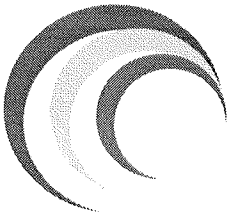
 14 MAR 2013

BUREAU DIRECTOR (Typed name and signature)

Thomas W. Lannom, Director

**Thomas W. Lannom**

**Revenue Bureau Director**

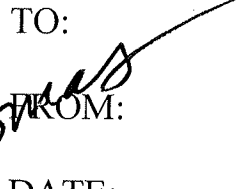


## Office for Community Technology

City Council  
Agenda Item  
Staff Supplemental Report

185955

TO: Mayor Charlie Hales

FROM: Thomas W. Lannom, Director

DATE: March 15, 2013

RE: \*Amend right-of-way agreement granted to New Cingular Wireless PCS, LLC to clarify remittance dates for annual payments. (Ordinance; amend Ordinance No. 185789)

Requested Placement Date: Consent Agenda on April 3, 2013

I. RECOMMENDATION. The Office for Community Technology recommends that Council approve this Ordinance amending the right-of-way use agreement granted to New Cingular Wireless PCS, LLC.

II. BACKGROUND. On December 12, 2012, the Council approved a right-of-way use agreement to New Cingular Wireless PCS, LLC to build and operate wireless facilities within the City's streets. Ordinance No. 185789. The Ordinance renewed New Cingular Wireless' authority to occupy the City's right-of-way for an additional 3 year period and established terms and conditions for the use of the right-of-way. It is necessary to amend the Ordinance to provide clarification on the remittance date for the proper and effective administration of New Cingular Wireless' annual payment.

III. FINANCIAL IMPACT. There will be no financial impact as New Cingular Wireless will continue to pay right-of-way use fees on an annual basis.

IV. LEGAL ISSUES. None

