

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Jennifer Li		2. Telephone No. 503-823-5359	3. Bureau/Office/Dept. Office for Community Technology, Revenue Bureau
4a. To be filed (hearing date): January 22, 2014	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: December 17, 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:

Consent to transfer revocable permit from FSH Communications, LLC to WiMacTel, Inc. for phone booth facilities (Ordinance; Transfer Ordinance No. 185650)

2) Purpose of the Proposed Legislation:

On October 26, 2012, FSH Communications, LLC (FSH) was granted a revocable permit to construct, operate and maintain public telephones on City streets for a period of three years. FSH entered into an agreement with WiMacTel, Inc. (WiMacTel) under which WiMacTel acquired the pay phone assets of FSH, including its Portland pay phone assets and accounts in November 2013.

FSH's revocable permit requires Council's written consent prior to any transfer of the franchise. Staff has reviewed available information and determined that WiMacTel appears to have the technical, legal and financial ability to meet the obligations of the franchise. Staff recommends the Council consent to the transfer of Ordinance No. 185650 within the City's records to WiMacTel.

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 | | | |

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 WiMacTel, Inc. will continue to pay franchise fees.

5) Expense: What are the costs to the City as a result of 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 year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. 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.)*

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 routine franchising item with no new impact on the community. FSH Communication's revocable permit restricts the assignment or transfer of the permit without the prior consent of the City by Ordinance. All permit provisions will remain identical to the permit previously approved by Council, and WiMacTel, Inc. will continue as the permit holder.

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.

 31 Jan 2013

APPROPRIATION UNIT HEAD (Typed name and signature) Thomas W. Lannom

Revenue Bureau Director



**Office for
Community Technology**

186432

City Council
Agenda Item
Staff Supplemental Report

TO: Charlie Hales, Mayor

FROM: Mary Beth Henry, Manager
through Thomas Lannom, Director
Contact Person: Melvin Riddick, x 3-0066

DATE: December 17, 2013

RE: Consent to transfer revocable permit from FSH Communications, LLC to WiMacTel, Inc. for payphone facilities (Ordinance; Transfer Ordinance No. 185650)

Requested Placement Date: Consent Agenda on January 22, 2014

I. RECOMMENDATION. The Office for Community Technology recommends that Council approve this Ordinance consenting to the change in control of the revocable permit granted to FSH Communications, LLC (FSH) to WiMacTel, Inc. (WiMacTel).

II. BACKGROUND. In August 2004, Qwest notified the City that it was selling its public pay phone business to FSH. This sale closed in late August 2004. The City Council consented to transfer Qwest's phone booth permit to FSH, and FSH has operated the pay phone business ever since. FSH needs this permit to continue its uninterrupted authority to have pay phone booths in the streets for another three years.

III. FINANCIAL IMPACT. There will be no change in revenue as WiMacTel will continue paying the same fees as required under the revocable permit.

IV. LEGAL ISSUES. None



V. CONTROVERSIAL ISSUES. None

VI. LINK TO CURRENT CITY POLICIES:

<http://www.portlandonline.com/cable/index.cfm?c=34414&a=75625>

VII. CITIZEN PARTICIPATION. N/A

VIII. OTHER GOVERNMENT PARTICIPATION. None

IX. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? yes

WHAT IS THEIR BUSINESS LICENSE NUMBER? 684572

IS THEIR ACCOUNT WITH THE CITY CURRENT? yes

IF NOT, HOW MUCH IS OWING? N/A