

ORDINANCE No. 18 67 8 2

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. The Council has extended the term of the franchise at various times. Most recently, on November 28, 2012, the Council adopted Ordinance No. 185744, extended the MCI franchise, continuously and without interruption, through December 31, 2014.
4. City staff is negotiating a renewal agreement, including revised standardized franchise language. Although franchise negotiations for a renewal agreement are in progress, parties have not agreed on all terms. City staff recommends that the City Council extend the existing franchise to allow time for parties to complete negotiations for a new agreement and to formally complete the Portland City Charter procedure for proposed franchises, which can take up to four months or more from the date of the required initial publication.

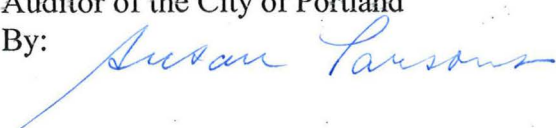
NOW, THEREFORE, the Council directs:

- a. Ordinance Number 169230 is amended to extend the term of the franchise, continuously and without interruption, through December 31, 2016.
- 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: SEP 03 2014

Mayor Charlie Hales
Prepared by: MRiddick/BEWalters
August 1, 2014

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

Deputy

880 915

✓140

Agenda No.
ORDINANCE NO. 18 67 8 2
Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>AUG 22 2014</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>JAH</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</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: Revenue Bureau OMF CAO: Fred Miller Bureau Head: Thomas W. Lannom <i>Frederick Miller</i></p> <p>Prepared by: MR Date Prepared: August 1, 2014</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date August 27, 2014</p>	<p>ACTION TAKEN: AUG 27 2014 PASSED TO SECOND READING SEP 03 2014 9:30 A.M.</p> <p><i>Thomas</i></p>

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <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. Novick	4. Novick	✓	
Hales	Hales	✓	