ORDINANCE No. 186881

Extend term of AT&T long-distance franchise to build and operate telecommunications facilities in City streets (Ordinance; amend Ordinance No. 162822)

The City of Portland ordains:

Section 1. The Council finds:

- In March, 1990, the Council granted a franchise to American Telephone and Telegraph Company to build and operate telecommunications facilities within the City's streets. Ordinance No. 162822. The franchisee is now known as AT&T Corp. (AT&T).
- 2. The Council has extended AT&T's telecommunications franchise several times, most recently by Ordinance No. 185046, which will expire on December 31, 2014.
- 3. City staff is negotiating a renewal agreement, including revised standardized franchise language. Although franchise negotiations for a renewal agreement are in progress, the parties have not reached agreement on all terms. City staff recommends that the 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 No. 162822 is hereby amended to extend the term of the franchise, continuously and without interruption, through January 21, 2017.
- b. All other terms and conditions of the Franchise shall remain the same and unchanged.
- c. On or before the thirtieth (30th) day after this ordinance becomes effective, AT&T shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by AT&T, meeting the approval of the City Attorney. Any failure on the part of AT&T to file such written acceptance within such time shall be deemed an abandonment and rejection of this ordinance and this ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms contained in this ordinance.

186881

Passed by the Council:

NOV 1 2 2014

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

Mayor Charlie Hales Prepared by: HDobson/BEWalters October 14, 2014

Deputy

-1146-1173-

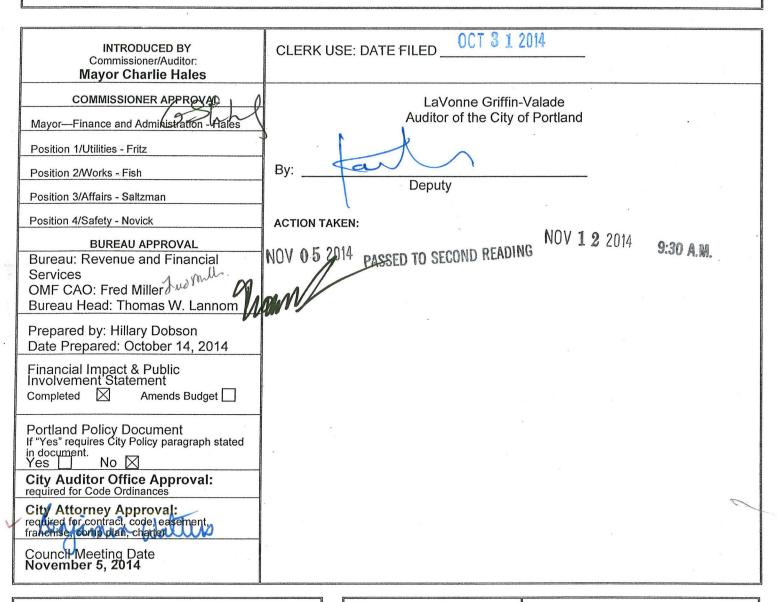
ORDINANCE NO.

186881

Title

Agenda No.

Extend term of AT&T long-distance franchise to build and operate telecommunications facilities in City streets (Ordinance; amend Ordinance No. 162822)



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	5	
2. Fish	2. Fish	~	
3. Saltzman	3. Saltzman		
4. Novick	4. Novick		-
Hales	Hales	1	

J140