

ORDINANCE No. 186886

Extend the term of a temporary revocable permit granted to Qwest Corporation to build and operate telecommunications facilities in City streets. (Ordinance; amend Ordinance No. 175757)

The City of Portland ordains:

Section 1. The Council finds:

1. On July 5, 2001 the Council granted a temporary, revocable permit to Qwest Communications, Inc., to build and operate telecommunications facilities within the City's streets in order to allow Qwest to continue serving customers in Portland. Ordinance No. 175757.
2. The Council has granted numerous extensions of the temporary, revocable permit to allow Qwest to continue serving customers in Portland. In 2012, the Council extended the term of Qwest's revocable permit until January 21, 2015. Ordinance No. 185773.
3. City staff has begun 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 formal Portland City Charter procedure for proposed franchises, which can take up to four months or more from the date of the required initial publication.

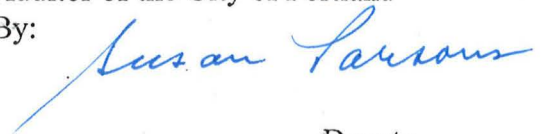
NOW, THEREFORE, the Council directs:

- a. Ordinance Number 175757 is amended to extend the term of the temporary, revocable permit, continuously and without interruption, through December 31, 2016.
- b. All other terms and conditions of the temporary, revocable permit shall remain the same and unchanged.
- c. On or before thirty (30) days after this ordinance becomes effective, Qwest Corporation dba CenturyLink QC shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by a duly authorized officer of Qwest Corporation dba CenturyLink QC, meeting the approval of the City Attorney. Any failure on the part of Qwest Corporation dba CenturyLink QC 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.

186886

Passed by the Council: NOV 12 2014

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



Deputy

Mayor Charlie Hales
Prepared by: MRiddick/BEWalters
September 22, 2014

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Agenda No. **186886**
ORDINANCE NO.
Title

Extend the term of a temporary revocable permit granted to Qwest Corporation to build and operate telecommunications facilities in City streets. (Ordinance; amend Ordinance No. 175757)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL <i>[Signature]</i> Mayor—Finance and Administration - Hales</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>BUREAU APPROVAL Bureau: Revenue & Financial Services OMF CAO: Fred Miller <i>[Signature]</i> Bureau Head: Thomas W. Lannom</p> <p>Prepared by: Melvin Riddick Date Prepared: October 13, 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 November 5, 2014</p>	<p>CLERK USE: DATE FILED <u>OCT 31 2014</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: NOV 05 2014 PASSED TO SECOND READING NOV 12 2014 9:30 A.M.</p>
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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 <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	