

ORDINANCE No. 186948

Extend term of franchise granted to Sprint Communications Company, LP to build and operate telecommunications facilities within City streets (Ordinance; amend Ordinance No. 172141)

The City of Portland ordains:

Section 1. The Council finds:

1. On April 8, 1998, the Council granted a franchise to Sprint Communications Company, LP to build and operate telecommunications facilities within the City's streets. Ordinance No. 172141.
2. The City Council previously extended the term of Sprint's telecommunications franchise until February 14, 2015.
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. 172141 is hereby amended to extend the term of the franchise, continuously and without interruption, through February 14, 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, Sprint Communications Company, LP shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by Sprint Communications Company, LP, meeting the approval of the City Attorney. Any failure on the part of Sprint Communications Company, LP to file such written acceptance within such time shall be deemed an abandonment and rejection of this ordinance. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms contained in this ordinance.

Passed by the Council: JAN 07 2015

Mary Hull Caballero
Auditor of the City of Portland

By

A handwritten signature in blue ink, appearing to read "Susan Lusk", written over the word "By".

Deputy

Mayor Charlie Hales
Prepared by: HDobson/BEWalters
November 24, 2014

✓/40

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Agenda No.
ORDINANCE NO. 186948

Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL</p> <p>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</p> <p>Bureau: Revenue and Financial Services OMF CAO: Fred Miller <i>Fred Miller</i> Bureau Head: Thomas W. Lannom <i>Thomas W. Lannom</i></p> <p>Prepared by: Hillary Dobson Date Prepared: November 24, 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>City Attorney</i></p> <p>Council Meeting Date December 17, 2014</p>	<p>CLERK USE: DATE FILED <u>DEC 12 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:</p> <p>DEC 17 2014 PASSED TO SECOND READING JAN 07 2015 9:30AM</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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	