

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Jennifer Li	2. Telephone No. Ext. 3-5359	3. Bureau/Office/Dept. Revenue
4a. To be filed (date): January 23, 2013	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>	5. Date Submitted to Commissioner's office and FPD Budget Analyst: January 8, 2013
6a. Financial Impact Section: X Financial impact section completed		6b. Public Involvement Section: X Public involvement section completed

1) Legislation Title:

Grant franchise to Tata Communications (America) Inc. for telecommunications services, for a period of ten years. (Ordinance)

2) Purpose of the Proposed Legislation:

Office for Community Technology (OCT) staff have completed negotiations with Tata Communications (America) Inc. regarding a renewal franchise agreement for a period of an ten years.

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 | | | |
| <input type="checkbox"/> Internal City Government Services | | | |

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.**

Tata Communications will continue to pay franchise fees to the City for its use of the right of way. This revenue is intended for the general fund and is not new revenue.

5) Expense: What are the costs to the City related to 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 years. 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.)* N/A

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. The Ordinance will continue the grant of authority to Tata Communications (America) Inc., successor in interest to VSNL Telecommunications (US), Inc. to use the right of way to provide telecommunications services for a term of ten years.

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):

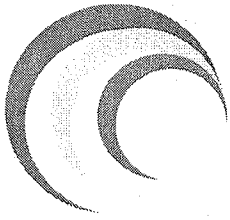
10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No future public involvement is anticipated or necessary as this Ordinance continues the grant of authority for a franchise agreement.

 4 Jan 2013

BUREAU DIRECTOR (Typed name and signature)

Thomas W. Lannom, Director



Office for Community Technology

Charlie Hales, Mayor
Jack D. Graham, CAO
Thomas W. Lannom, Director
Mary Beth Henry, Manager
111 SW Columbia, #600
Portland, OR 97201

▲ Broadband & Communications Policy ▲ Cable Regulation & Consumer Protection ▲ Utility Franchises, Licenses & Wireless

City Council
Agenda Item
Staff Supplemental Report

185905

TO: Thomas Lannom, Director

FROM: Mary Beth Henry, Manager
Contact Person: Jennifer Li, x 3-5359

DATE: December 18, 2012

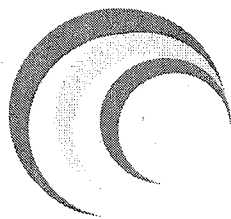
RE: Grant franchise to Tata Communications (America) Inc. for telecommunications services, for a period of ten years.
(Ordinance)

Requested Placement Date: Consent Agenda on January 23, 2013

- I. **RECOMMENDATION.** Grant a franchise to Tata Communications (America) Inc. for ten years.
- II. **BACKGROUND.** In 2002, the City Council granted a ten-year franchise to Tyco Networks (US) Inc. (Tyco) to construct, operate and maintain a telecommunications system in the City's streets. In 2005, VSNL Telecommunications (US), Inc. (VSNL) acquired Tyco and requested the City Council's consent to transfer Tyco's franchise to VSNL. Tata Communications (America) Inc. is the successor in interest to VSNL, and City staff negotiated a franchise with Tata Communications for a new ten-year term to allow the company to continue maintaining its telecommunications system within Portland. Pursuant to the formal City Charter franchising requirements, the ordinance was published in the Daily Journal of Commerce on September 28, 2012, and a notice published in the Oregonian on September 27, 2012. The Bureau requests the first reading for this ordinance on January 23, 2013, and the second reading on February 27, 2013. Under this schedule the effective date will be on April 29, 2013.



- III. FINANCIAL IMPACT. Tata Communications will continue to pay franchise fees to the City for its use of the right of way. This revenue is intended for the general fund and is not new revenue.
- IV. LEGAL ISSUES. None
- V. CONTROVERSIAL ISSUES. None
- VI. LINK TO CURRENT CITY POLICIES:
<http://www.portlandonline.com/cable/index.cfm?c=34420&a=52232>
- VII. CITIZEN PARTICIPATION. None
- 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? 741365
- IS THEIR ACCOUNT WITH THE CITY CURRENT? yes
- IF NOT, HOW MUCH IS OWING? N/A



Office for Community Technology

Charlie Hales, Mayor
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FOR MAYOR'S OFFICE USE ONLY

Reviewed by Bureau Liaison

DATE: December 18, 2012
TO: Mayor Charlie Hales
FROM: Thomas W. Lannom, Revenue Bureau

SUBJECT: Grant franchise to Tata Communications (America) Inc. for telecommunications services, for a period of ten years. (Ordinance)

1. **INTENDED THURSDAY FILING DATE:** January 16, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** January 23, 2013
3. **CONTACT NAME & NUMBER:** Jennifer Li, 503-823-5359
4. **PLACE ON:** X CONSENT REGULAR
5. **BUDGET IMPACT STATEMENT ATTACHED:** X Y N N/A
6. **(3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM:** Y N X N/A

7. BACKGROUND / ANALYSIS

In 2002, the City Council granted a ten-year franchise to Tyco Networks (US) Inc. (Tyco) to construct, operate and maintain a telecommunications system in the City's streets. In 2005, VSNL Telecommunications (US), Inc. (VSNL) acquired Tyco and requested the City Council's consent to transfer Tyco's franchise to VSNL. Tata Communications (America) Inc. is the successor in interest to VSNL, and City staff negotiated a franchise with Tata Communications for a new ten-year term to allow the company to continue maintaining its telecommunications system within Portland. Pursuant to the formal City Charter franchising requirements, the ordinance was published in the Daily Journal of Commerce on September 28, 2012, and a notice published in the Oregonian on September 27, 2012. The Bureau requests the first reading for this ordinance on January 23, 2013, and the second reading on February 27, 2013. Under this schedule the effective date will be on April 29, 2013.

8. FINANCIAL IMPACT

The City will continue to receive annual franchise fees in the amount of 5% of gross revenues. This revenue is intended for the general fund and is not new revenue.

9. RECOMMENDATION / ACTION REQUESTED

The Office for Community Technology recommends that Council approve the franchise to Tata Communications (America) Inc. for telecommunications services.

