



Dave Cummings  
Chief Information Officer

## Technology Services

121 Library Court Oregon City, OR 97045

November 7, 2019

Board of County Commissioners  
Clackamas County

Members of the Board:

Approval for Service Level Agreement Amendment #2 between  
Clackamas Broadband eXchange and the City of Wilsonville

<b>Purpose/Outcomes</b>	Clackamas Broadband eXchange (CBX) is looking for approval for a Service Level Agreement (SLA) amendment #2 with the City of Wilsonville to define costs associated with leasing dark fiber.
<b>Dollar Amount and Fiscal Impact</b>	No additional revenue for CBX at this time.
<b>Funding Source</b>	The funding source for the cost of leased fiber will be contributed from the end user and passed along to either CBX or the City of Wilsonville.
<b>Duration</b>	Effective upon signature by the board the SLA amendment #2 is effective until 02/05/2025.
<b>Previous Board Action</b>	Board previously approved CBX to exchange fiber connections with the City of Wilsonville in 2015.
<b>Strategic Plan Alignment</b>	1. Build a strong infrastructure. 2. Build public trust through good government.
<b>Contact Person</b>	Dave Devore (503)723-4996

**BACKGROUND:**

Currently, CBX and the City of Wilsonville have an agreement that allows for the exchange of dark fiber on one another's network. Amendment #2 sets the rate for any additional connections either entity may wish to lease.

**RECOMMENDATION:**

Staff respectfully recommends approval to enter into this new agreement with the City of Wilsonville. Staff further recommends the Board delegate authority to the Technology Services Director to sign agreements necessary in the performance of this agreement.

This Service Level Agreement has been reviewed and approved by County Counsel.

Sincerely,

Dave Cummings  
CIO Technology Services

**AMENDMENT #2**

**TO THE CLACKAMAS COUNTY/CITY OF WILSONVILLE FIBER OPTIC INTERGOVERNMENTAL AGREEMENT ON SHARING DATA NETWORK**

This Amendment #2 is entered into by and between the City of Wilsonville (“City”) and the Clackamas County (“County”) and it shall become part of the Fiber Optic Service Intergovernmental Agreement entered into by and between the parties on February 5, 2015 (“Agreement”) and amended on January 24, 2019.

The Purpose of the Amendment #2 is to make several changes to Section II, Shared Resources, of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, it is mutually agreed upon that Section II is hereby amended as follows:

2. Section II, Subsection A (3), is hereby deleted and replaced with the following:

A.

(3) The City will provide the County with five (5) pair of fiber on the City’s fiber network, at no charge. The five (5) pair of fiber will be identified by the County as the need arises. Once the five (5) pairs of fiber have been selected, the County can then lease additional pairs of fiber from the City at the then-current City rates. As of the date of this Agreement, the then-current rates are \$255.00 per month.

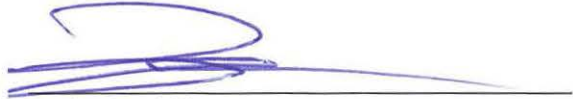
2. Section II, Subsection B (1), is hereby deleted and replaced with the following:

B.

(1) In consideration of the City’s waiver of franchise fees and provision of resources, as set forth above, the County will provide the City with six (6) pairs of fiber on the CBX fiber network, at no charge. The six (6) pairs of fiber will be identified by the City as the need arises. Once the six (6) pairs of fiber has been selected, the City can then lease additional pairs of fiber from the County at the County’s then-current rates. As of the date of this Agreement, the then-current rates are \$255.00 per month.

Except as expressly amended above, all other terms and conditions of the Agreement shall remain in full force and effect. By signature below, the parties agree to this Amendment #2, effective upon the date of the last signature below.

City of Wilsonville



Authorized Signature

Bryan Cosgrove / City Manager

Name / Title (Printed)

9/16/19

Date

Clackamas County

Authorized Signature

Name/Title (Printed)

Date