

City of Tacoma

City Council Action Memorandum

TO: Elizabeth Pauli, City Manager
FROM: Jeff Lueders, MCO – Division Manager – Franchise Services
Amy Clancy, MCO Director
COPY: City Council and City Clerk
SUBJECT: Request for Ordinance for a Telecommunications Franchise Agreement – Port of Tacoma
DATE: October 3, 2024

SUMMARY AND PURPOSE:

The purpose of this item is to Request an Ordinance for a 10 year Telecommunications Franchise Agreement between the City of Tacoma and Port of Tacoma. This is the second ordinance for Port of Tacoma. The previous Ordinance # 27898 was for a 10 year - Limited Area Franchise Agreement in 2011. We have reviewed their request, negotiated terms, and reached a tentative agreement pending City Council consideration and approval. Based on Port of Tacoma's Financial and Technical abilities, and local History in Tacoma, and their operation and maintenance of their fiber network in the City of Tacoma Public Right of Way for the past 13 years, we are recommending passage of this Request for Ordinance.

BACKGROUND:

This Department's Recommendation is Based On State and Local Law which requires a Telecommunications Network Operator to have a Franchise Agreement to operate in the City of Tacoma Public Right of Way.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Residents and Businesses in our community will be impacted by this decision as Port of Tacoma utilizes this network for their business operations.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: (Mandatory)

A competitive Telecommunications marketplace allows all residents and businesses to have choices when selecting services and at reduced prices due to competition. [Click or tap here to enter text.](#)

Economy/Workforce: Equity Index Score: Moderate Opportunity

Increase the number of infrastructure projects and improvements that support existing and new business developments.

Education: Equity Index Score: Very High Opportunity

Increase digital access and equity across the city.

Civic Engagement: Equity Index Score: Moderate Opportunity

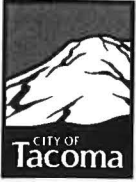
Increase the percentage of residents who believe they are able to have a positive impact on the community and express trust in the public institutions in Tacoma.

Livability: Equity Index Score: High Opportunity

Increase positive public perception of safety and overall quality of life.

Explain how your legislation will affect the selected indicator(s).

A strong Telecommunications infrastructure allows the Port of Tacoma to operate efficiently and effectively adding



to a robust marketplace increasing livability, service availability and potential employment opportunities.

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Not Approve this Request for Ordinance		This could cause a lawsuit and/or create a negative perception of the Tacoma Business Community and Economy.
2.		
3.		

EVALUATION AND FOLLOW UP:

The Port of Tacoma continues to successfully do business in Tacoma and through-out the region abiding by Federal, State and Local Laws.

STAFF/SPONSOR RECOMMENDATION:

This item was presented to the Government Performance and Finance Committee on November 5, 2024.

Staff is recommending passage of this Request for Ordinance by the City Council. This recommendation will allow the Port of Tacoma to continue to operate a Fiber Optic Network in the Public Right of Way and to do business in an efficient and effective way in our community.

Effective Date: January 5, 2025.

FISCAL IMPACT:

Please provide a short summary of the fiscal impacts associated with the grant, agreement, policy action, or other action.

There are no Fiscal Impacts to the City of Tacoma regarding this request.

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
1.			
2.			
TOTAL			

Are there financial costs or other impacts of not implementing the legislation?

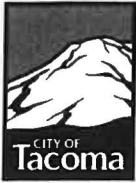
No

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No



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ATTACHMENTS:

List attachments using bullet points.

- Attached is a copy of the negotiated Request for Ordinance - Telecommunications Franchise Agreement between the City of Tacoma and the Port of Tacoma.