



# City of Tacoma City Council Study Session Minutes

747 Market Street, Tacoma WA 98402

City Council Chambers

March 05, 2019

12:00 PM

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## JOINT MEETING WITH THE PUBLIC UTILITY BOARD - CHANGE OF LOCATION -

### Call to Order

Mayor Woodards called the joint study session to order at 12:15 p.m.

**Present:** 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

Public Utility Board Members:

Present: 5 - Cooley, Flint, Larkin, Patterson, and Chair Jones

Mayor Woodards provided opening remarks and stated that the joint study session was moved to the Council Chambers to allow video recording, which will be provided on the City and Tacoma Public Utilities (TPU) websites. Public Utility Board (PUB) Chair Woodrow Jones introduced the PUB members.

### Joint City Council/Public Utility Board Briefing Items

1. [19-0206](#) Click! Term Sheet Proposal and Recommendation

At approximately 12:17 p.m., Mayor Woodards provided opening remarks and introduced Joanne Hovis, President, CTC Technology and Energy. Ms. Hovis presented on the Click! term sheet proposals and recommendation, including a history of the Click! public-private partnership, Click! policy goals, the evaluative process, request for information/qualifications, opportunities for non-responsive bidders to revise their proposals to align with the policy goals, direction from Council and the PUB to test responsive proposals through negotiation, the stakeholder engagement process, affirmation of key policy goals, negotiations with the three final bidders, and the result of Wave and Rainier Connect remaining as the two final respondents. Ms. Hovis further outlined the financial and technical review of

the two companies; a comparison of the negotiated term sheets, highlighting how the proposed terms address policy goals; a review of both companies' stability and capabilities; and similarities and key differences between the term sheets. She concluded with a final summary comparing Wave and Rainier Connect and the recommendation to proceed to detailed Indefeasible Right of Use (IRU) negotiations with Rainier Connect.

Discussion ensued regarding definitions of dark fiber, critical and non-critical fiber, and broadband versus state-of-the-art network; impacts on existing Click! staff, including organized labor, finding placements elsewhere in the City, and ongoing negotiations and agreements; accountability, compliance, and enforcement of policy goals, contract provisions, and Results253 measures; service locations; affordable service for low-income customers; customer service commitments and guarantees; past analysis for Tacoma to provide internet service directly; branding and marketing; difference between Click! and institutional network broadband services, which are not connected with from the IRU; the transition process; impacts to the IRU if there were a change in ownership; community involvement, input, and perceptions; comparing existing and proposed public-private partnerships; cable television services; 'market share' and the Click! service area boundaries; the process to finalize the IRU; services to small businesses and residential customers; an explanation of the IRU agreement type and service level agreement; use or disposition of existing Click! equipment, infrastructure, and other assets after the agreement is implemented; outreach and communications with consumers and addressing customer service concerns; and opt-in privacy requirements.

City Manager Elizabeth Pauli and TPU Director Jackie Flowers concluded with a review of the process moving forward, including meetings, opportunities for public comment, and proposed actions to direct staff to begin negotiations.

Discussion ensued regarding past actions and upcoming meetings; encouraging the public to provide comments at the March 19, 2019 Council meeting during Citizens' Forum; and the idea that Council will take action at the March 26, 2019 meeting.

The joint study session adjourned at 2:23 p.m.

The regular study session convened after a brief recess, at 2:32 p.m.

## City Council Briefing Items

### Other Items of Interest

2. [19-0212](#) Draft Letter to Congress Members regarding the Northwest Detention Center Concerns

Mayor Woodards presented a draft letter to United States Congress Members regarding concerns about the Northwest Detention Center (NWDC).

Discussion ensued regarding past Council discussion and activities related to the NWDC; immigration reform concerns and issues; a suggestion to request feedback and support from the Commission on Immigrant and Refugee Affairs; elected officials' roles; and the process moving forward.

3. [19-0217](#) Draft Letter to Seattle-Tacoma International Airport regarding the Sea-Tac Airport Brand Identity Project

Mayor Woodards presented a draft letter regarding the branding and legal name of Seattle-Tacoma International Airport, and asked for Council Members' support to join her in signing the letter.

### Committee Reports

There were no Committee reports given.

### Agenda Review and City Manager's Weekly Report

4. [19-0208](#) Weekly Report to the City Council, February 28, 2019

City Manager Pauli stated there are no ceremonials on tonight's agenda, and that several changes are expected to the agenda, including adding a motion to amend Resolution No. 40124 to extend the reporting timeline for the Community Workforce Agreement Task Force; and three proposed amendments to Ordinance No. 28576 related to accessory dwelling units.

## **Executive Session - Pending and Potential Litigation**

**MOTION: Deputy Mayor McCarthy moved to convene to Executive Session pursuant to RCW 42.30.110(1)(i) to discuss pending and potential litigation, not to exceed 30 minutes.**

**SECONDED BY: Council Member Mello.**

**ACTION: Voice vote was taken and carried. The motion was declared adopted.**

**Ayes:** 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

The Council convened to Executive Session at 2:50 p.m. City Attorney Bill Fosbre, Chief Deputy City Attorneys Chris Bacha and Tom Morrill, and Deputy City Attorney Paul Goulding were present.

The Executive Session concluded and the study session reconvened at 3:20 p.m.

## **Adjournment**

On proper motion, the study session was adjourned at 3:21 p.m.

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Victoria R. Woodards, Mayor

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Doris Sorum, City Clerk