



TO: T.C. Broadnax, City Manager
FROM: Gwen Schuler, Media and Communications Director *GS*
Jeff Lueders, Cable Communications & Franchise Services Manager *J.L.*
COPY: City Council and City Clerk
SUBJECT: Resolution for License Agreement with Landis + Gyr Midwest, Inc. – March 31, 2015
City Council Agenda
DATE: March 11, 2015

SUMMARY:

Request for a Resolution authorizing execution of a one year license agreement with nine automatic renewals to Landis + Gyr Midwest Incorporated to construct, operate, maintain, remove, replace, and repair Automated Meter Reading Communications Electronics and Infrastructure within public rights-of-way areas within the City of Tacoma. This is a renewal of a previous one year license agreement that included annual manual renewals that expired February 15, 2015. This new agreement is necessary for Landis + Gyr to continue to gain permits and operate within the City's public rights-of-way in Tacoma.

STRATEGIC POLICY PRIORITY:

- Foster neighborhood, community, and economic development vitality and sustainability.

By allowing telecommunications providers to utilize our rights-of-way, we continue to foster competition in the market place, increase choices for our residents, and allow for the growth of technology in our city.

BACKGROUND:

The Landis + Gyr Midwest Incorporated License Agreement will be brought before the Government Performance and Finance Committee on March 18th, 2015, where staff will seek a recommendation by the Committee to forward to the full City Council for adoption. This agreement would allow Landis + Gyr Midwest Incorporated to continue to provide Automated Meter Reading Services for TPU as they have done since the initial agreement in 2001 (City Resolution No. 35356).

After a thorough negotiation process between the City of Tacoma and Landis + Gyr Midwest Inc., we have reached this tentative agreement and staff recommends adoption.

ISSUE:

This is a proposed one-year License Agreement with 9 automatic renewals. According to Title 16 of the Tacoma Municipal Code a company providing this type of service, Automated Meter Reading, must have a Telecommunications License Agreement with the City of Tacoma in order to gain permits and operate within our public rights-of-way.

ALTERNATIVES:

Without this agreement, Landis + Gyr Midwest Inc. will not have access to the public rights-or-way to construct, operate, maintain, remove, replace, and repair fiber-optic communications facilities.

RECOMMENDATION:

Staff recommends the approval of the Telecommunications License Agreement between the City of Tacoma and Landis + Gyr Midwest Inc..



FISCAL IMPACT:

The City of Tacoma receives annual license fee payments of 5% of Gross Revenue which have averaged approximately \$ 32,000.