





TO: T.C. Broadnax, City Manager
FROM: Gwen Schuler, Media and Communications Manager 
Jeff Lueders, Cable Communications & Franchise Services Manager 
COPY: City Council and City Clerk
SUBJECT: Ordinance for Telecommunications Franchise Agreement with tw telecom of Washington, LLC – July 29, 2014 City Council Agenda
DATE: July 11, 2014

SUMMARY:

Request for an ordinance related to telecommunications and franchise services, granting a ten-year limited franchise agreement to tw telecom of Washington LLC to construct, operate, maintain, remove, replace, and repair fiber-optic communications facilities within public right-of-way areas within the City of Tacoma. This is a new agreement and is needed for them to gain permits and operate within the City's public right-of-way, which will allow for technology growth in Tacoma.

STRATEGIC POLICY PRIORITY:

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

By allowing telecommunications providers to utilize our right-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 tw telecom of Washington LLC Telecommunications Franchise Agreement will be brought before the Government Performance and Finance Committee on July 16th, 2014, where staff will seek a recommendation by the Committee to forward to the full City Council for adoption. After a thorough negotiation process between the City of Tacoma and tw telecom of Washington LLC, staff negotiated this tentative agreement and recommend adoption.

tw telecom of Washington LLC and Zayo Group LLC have engaged in a mutual agreement allowing tw telecom of Washington LLC the rights to gain access to an existing Zayo owned fiber optic network that runs through the City of Tacoma. In addition to the existing fiber optic network, tw telecom of Washington LLC is applying for the option to construct its own network within the jurisdictional boundaries of the City of Tacoma by way of directional boring, trenching or overhead construction methods.

ISSUE:

This is a proposed ten-year Telecommunications Franchise Agreement. According to Title 16B of the Tacoma Municipal Code a Telecommunications Provider must have a Telecommunications Franchise Agreement with the City of Tacoma in order to gain permits and operate within our public right-of-way.



ALTERNATIVES:

Without this agreement, tw telecom of Washington LLC will not have access to the public right-of-way to construct, operate, maintain, remove, replace, and repair fiber-optic communications facilities.

RECOMMENDATION:

Staff recommends the approval of the Telecommunications Franchise Agreement between the City of Tacoma and tw telecom of Washington LLC.

FISCAL IMPACT:

There is no fiscal impact