


**Ordinance Transfer of Control of
Cable TV Franchise Agreement**
City of Tacoma | Media & Communications

**City Council Meeting
June 6, 2023
ITEM # 25**

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OVERVIEW

- Legal team - Bill Fosbre, City Attorney
 - Chris Bacha, Chief Deputy City Attorney
 - Charles Lee, Deputy City Attorney
- Outside Counsel – Brian Grogan, Moss & Barnett
- Ashpaugh & Sculco CPAs Financial Review

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OVERVIEW



- On January 19, 2023 The City of Tacoma received from Mashell, Inc. “Transferor” and Alphaboost Purchaser, LLC “Transferee” a Federal Communications Commission Form 394 – Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable TV Franchise.
- City has 120 days to act once a complete Application is received

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OVERVIEW



- The Request for Ordinance (No. 28888) is a request to “Transfer Control” of Cable TV Franchise Agreement (Ord. No. 28650) between the City of Tacoma and Rainier Connect North, LLC
- Rainier Connect North, LLC will remain as the Cable TV Franchise holder

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OVERVIEW



- Upon initial review of the Application there were a number of additional items identified that the City needed to receive before the Application could be deemed “complete”
- Application was complete on March 10, 2023
- 120 day shot clock commenced with a final date of July 8, 2023
 - Auto-approval if not completed

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ITEMS REVIEWED



- Legal, Technical, and Financial qualifications
- Impact of the Transaction on cable services in the City
- Compliance with the Franchise and the TMC
- Whether approval of the Transaction would adversely affect cable subscribers, the public, or the City’s interest under the Franchise, the TMC or other applicable law

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SUMMARY



- Maintains competition in the City of Tacoma, a second Cable TV Provider
- Fosters a vibrant and diverse economy
- Cultivates an on-going vibrant cultural sector maintaining HD channels and funding
- Assures stewardship of the public right of way

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RECOMMENDATIONS



- Based on the findings in the report and recommendation from Moss & Barnett regarding the Legal, Technical, and Financial review and report by Ashpaugh & Sculco
- Qualifications of Alphaboost
- Staff recommends Ordinance No. 28888 to City Council for consideration and approval

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NEXT STEPS



- City Council First Reading – June 6, 2023
 - 15 Day Public Comment Period
 - City Council Final Review – June 27, 2023
 - Publish – June 29, 2023
 - Ordinance Effective Date – July 7, 2023
- *Due to 120 shot clock Ordinance Effective – July 7, 2023

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