



City of Tacoma

City Council Action Memorandum

TO: Elizabeth Pauli, City Manager
FROM: Jeff Lueders, Franchise Services Manager, Office of Strategy, Engagement & Communications
Tanisha Jumper, Director of the Office of Strategy, Engagement & Communications
COPY: Mayor and City Council
SUBJECT: Resolution in support of the Protecting Community Television Act
DATE: March 6, 2020

SUMMARY AND PURPOSE:

The *Protect Community Television Act* (currently S. 3218/HR 5659) has been introduced in Congress and its goal is to maintain the status quo by reversing the recent FCC order and allowing franchise fees to be calculated as they have been for over 35 years as monetary only fees; and this legislation is supported by the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the Association of Washington Cities, and NATOA.

This is a resolution of support for Federal Legislation (S. 3218/HR 5659) and to indicate that the City of Tacoma wants their Cable Franchise and EG Fees to continue to support the Office of Strategy, Engagement and Communications (TV Tacoma) and not be reduced per the 2019 FCC Order.

COUNCIL SPONSORS:

Mayor Victoria Woodards, Council Member Robert Thoms. and Council Member Catherine Ushka

BACKGROUND:

This Department's Recommendation is Based On: evaluation of the negative impacts of the 2019 FCC rulemaking which is now undergoing a court challenge as well as a legislative challenge because the FCC departed from the clear language of the 1984 Cable Act and ruled that a franchise fee is both a monetary and non-monetary fee and permits cable companies to unilaterally assign a value to the non-monetary in-kind contributions and then subtract that amount from the franchise fees the cable operator pays the local community; the FCC order results in decreased vital funding to the City and TV Tacoma;

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

We are working together with Cities, Counties, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the Association of Washington Cities, and NATOA (National Association of Telecommunications Officers & Advisors).

The Office of Strategy, Engagement and Communications could be severely impacted by the loss of funding as provided for in the FCC Rulemaking. TV Tacoma and a number of other Communications areas are funded through franchise fee and EG fee revenues negotiated in the cable franchise agreements, and the City requires, as part of the cable franchise agreements, that cable companies meet demonstrated community needs by providing non-monetary in-kind contributions that benefit the City, local schools, public safety buildings, etc.. The communications provided through TV Tacoma, include programming streamed live on-line, on multiple cable television channels, on YouTube & Facebook, and archived as files to be watched as time and access is available, but most importantly it is for all residents of the City of Tacoma.



2025 STRATEGIC PRIORITIES:

Equity and Accessibility: (Mandatory)

Please state how this legislation will reduce racial and other inequities, disparities, or discrimination to under-represented communities. Please state what positive impacts on equity, equality, diversity or inclusion, if any, would result from enacting this legislation.

Currently most government meetings that local broadcast stations (i.e. KING, KIRO, KOMO, KCPQ, and KSTW) typically will not cover, and, in light of a rapidly decreasing print media, TV Tacoma is the principal, and may soon be the sole, source for local residents to have access to coverage of local events.

Identify which Tacoma 2025 strategic goals your legislation most relates to, and then identify the [Equity Index Score](#) for those goals in the geography your proposal will affect. Select the indicator(s) this legislation is most related to, then briefly explain how this legislation will impact the selected indicator(s) and/or improve the Equity Index Score. **Use the dropdowns below and refer to guide for more information.**

Economy/Workforce: *Equity Index Score:* Select Index Score.

Select an indicator.
Select an indicator.

Education: *Equity Index Score:* Select Index Score.

Select an indicator.
Select an indicator.

Civic Engagement: *Equity Index Score:* Low Opportunity

Increase the number of residents who participate civically through volunteering and voting.
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:* Select Index Score.

Select an indicator.
Select an indicator.

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

By supporting this resolution you would be supporting the Civic Engagement, Education, and Livability of this community as TV Tacoma as part of the Communications arm of the City of Tacoma is critical in educating, informing, and keeping the decisions regarding services provided by our local government to the residents transparent. In addition, you will be supporting the Economy/Workforce as the revenue generated by allowing the Cable TV providers to utilize the Right of Way for their networks has directly paid for the TV Tacoma and Communications department staff to not only keep information transparent but to also cover important events in our community such as the Dr. Martin Luther King Junior Birthday Celebration, Junior Daffodil Parade, Relay for Life, Boys and Girls Clubs Youth of the Year Scholarship night, local elections, and many others.



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.No action		Federal Legislators do not see the necessary support coming from communities to take action.
2.		
3.		

EVALUATION AND FOLLOW UP:

This Resolution is a show of support for Federal Legislators to take action and sign on to support the Protect Community Television Act (currently S. 3218/HR 5659).

STAFF/SPONSOR RECOMMENDATION:

The City Managers Office/Office of Strategy, Engagement & Communications recommends that the City of Tacoma City Council approve this Resolution as a show of support and as a message to our Federal Legislators to take action and sign on to support the Protect Community Television Act (currently S. 3218/HR 5659) during the March 17th, 2020 City Council meeting.



FISCAL IMPACT:

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

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

What Funding is being used to support the expense?

Are the expenditures and revenues planned and budgeted in this biennium’s current budget?

NO, PLEASE EXPLAIN BELOW

The support for this Resolution does not cost anything, however if the FCC Rulemaking is not reversed we could stand to lose hundreds of thousands of dollars in Franchise and EG Fees along with in-kind support for the City of Tacoma and Tacoma Public Schools

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

YES

(See above)

Will the legislation have an ongoing/recurring fiscal impact?

No

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

No

Please enter Explanation.

ATTACHMENTS:

List attachments using bullet points.