

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Seattle IT	Jon Morrison Winters	Andrew Dziejczak

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: A RESOLUTION authorizing commencement of cable franchise contract renewal proceedings in accordance with the provisions of 47 U.S.C. Section 546 and written request from Comcast Cable Communications Management, LLC.

Summary and Background of the Legislation:

The Resolution commences the City’s formal cable franchise renewal proceedings with Comcast and authorizes the implementation of processes to enable the City to comply with all of its obligations under federal law and the Cable Act of 1984, as amended.

Comcast’s current franchise agreement with the City will expire on January 20, 2026. This Resolution allows the City to comply with a procedural requirement under federal law which provides that the franchise renewal period begins three years before expiration of a franchise.

The formal franchise renewal process is usually triggered when a cable operator provides written notification to the City that it wants to renew its franchise. The City received such notification from Comcast on February 21, 2023. Under federal law, the City must, within six months of receipt of such written notice, “commence a proceeding” which affords the public notice of their right to participate in identifying future cable-related community needs and interests, and a review of the cable operator’s performance during the existing franchise terms.

Although there are no formal guidelines under federal law as to what constitutes an action that “commences a proceeding,” this Resolution will clarify the City’s intent and ensure that the City has complied with this initial procedural requirement. The Resolution also provides notice to the public and an opportunity for public comment.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

While this Resolution does not have direct financial implications, there will be financial implications when a new franchise agreement is reached with Comcast. ITD will present legislation to Council at that time, authorizing the new franchise agreement, and will include a fiscal note detailing financial impacts of the new agreement.

There are indirect financial implications. During the cable franchise renewal process, ITD will have expenditures related to the review of Comcast's performance during the existing franchise terms, and the ascertainment of public input.

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

There could be indirect costs of not implementing this Resolution, although difficult to quantify, because lack of Council Resolution could put the City at a disadvantage in its negotiations with Comcast.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No

b. Is a public hearing required for this legislation?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

d. Does this legislation affect a piece of property?

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

No known direct impacts, although impacts exist with the renewal of the franchise as the franchise implements the Cable Customer Bill of Rights, and franchise fees fund the City's Digital Equity Program, both of which support vulnerable and historically disadvantaged communities and communities of color. The franchise renewal process also includes an ascertainment of the cable-related needs and interests of the community. Any surveys conducted during ascertainment will be translated into at least the Tier 1 languages identified by the Office of Immigrant and Refugee Affairs. The ascertainment process will also include in-language focus groups and/or an analysis of data from in-language focus groups conducted in 2023 for the Tech Access and Adoption Study.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? N/A