

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Seattle IT	Jon Morrison Winters	Marquis Bullock

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 WaveDivision I, LLC.

Summary and Background of the Legislation:

The Resolution commences the City’s formal cable franchise renewal proceedings with Astound 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.

Astound’s current franchise agreement with the City will expire on November 11, 2027. 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 Astound on December 12, 2024. 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 ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? ☐ Yes ☒ No

3.a. Appropriations

☐ This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

☐ This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

☐ This legislation adds, changes, or deletes positions.

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

Please describe any financial costs or other impacts of *not* implementing the legislation.

Please describe how this legislation may affect any City departments other than the originating department.

While this Resolution does not have direct financial implications, there will be financial implications when a new franchise agreement is reached with the Astound. 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 Astound's performance during the existing franchise terms, and the ascertainment of public input.

4. OTHER IMPLICATIONS

a. Is a public hearing required for this legislation?

No

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

No

c. Does this legislation affect a piece of property?

No

d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

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.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A

- iii. What is the Language Access Plan for any communications to the public?**

Any surveys conducted during ascertainment will be translated into the top languages identified by the Office of Immigrant and Refugee Affairs.

e. Climate Change Implications

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

N/A

- ii. 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.**

N/A

- f. 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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

- g. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

N/A

5. ATTACHMENTS

Summary Attachments: None.