SEATTLE CITY COUNCIL



Legislation Text

File #: CB 118411, Version: 3

CITY OF SEATTLE ORDINANCE _____ COUNCIL BILL

- AN ORDINANCE related to cable television; authorizing the Mayor or his designee to enter into a new Cable Television Franchise Agreement and an agreement regarding additional public benefits with Qwest Broadband Services, Inc. d/b/a CenturyLink; authorizing the Chief Technology Officer to enter into other agreements for the purpose of implementing or administering the new franchise; increasing appropriations in the 2015 budget of the Department of Information Technology for costs incurred in processing the franchise application; and transferring cash received for processing the franchise application; all by a 3/4 vote of the City Council.
- WHEREAS, The City of Seattle desires to promote competition in the delivery of cable services available to its residents; and
- WHEREAS, Qwest Broadband Services, Inc. d/b/a CenturyLink, a Delaware corporation (QBSI), seeks to provide competitive cable services to the residents of Seattle; and
- WHEREAS, on April 28, 2015, QBSI submitted an application and \$20,000 processing fee required by Seattle

 Municipal Code 21.60.080 to the City seeking a cable franchise to provide cable services in the City

 (Application); and
- WHEREAS, QBSI is a wholly owned subsidiary of CenturyLink, Inc. (CenturyLink), a Louisiana corporation; and
- WHEREAS, the Application contemplates that the facilities that comprise the cable system will be constructed, owned, and maintained by Qwest Corporation (QC), a wholly owned subsidiary of CenturyLink and an affiliate of QBSI; and
- WHEREAS, QBSI will utilize QC's facilities to provide cable services in the City; and
- WHEREAS, the Office of Cable Communications determined that QBSI's Application was complete and

- contained the information required for a new cable franchise under Seattle Municipal Code Section 21.60.080; and
- WHEREAS, the Office of Cable Communications has performed a legal, technical, and financial review of QBSI's qualifications to provide cable services in the City; and
- WHEREAS, the Office of Cable Communications finds QBSI to be qualified to provide cable services in the City; and
- WHEREAS, the City and QBSI have negotiated in good faith to develop a proposed franchise with terms that will meet the needs and interests of the community and the competitive equity requirements of existing cable franchise agreements; and
- WHEREAS, pursuant to Article IV, Section 10 of the City's Charter, at least 30 days has passed since introduction of this legislation; and
- WHEREAS, pursuant to Article IV, Section 10 of the City's Charter, this ordinance has been published in the official newspaper of the City for ten consecutive press days; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor, or the Mayor's designee, is authorized to enter into a cable television franchise agreement with Qwest Broadband Services, Inc. d/b/a CenturyLink, a Delaware corporation (QBSI) in substantially the form attached to this ordinance as Attachment A ("Cable Television Franchise Agreement"), so long as the Cable Television Franchise Agreement is signed by QBSI no later than the effective date of this ordinance.

Section 2. The Mayor, or the Mayor's designee, is authorized to enter into an agreement with QBSI regarding additional public benefits in substantially the form attached to this ordinance as Attachment B ("Letter of Agreement"), so long as the Letter of Agreement is signed by QBSI no later than the effective date of this ordinance.

Section 3. The Chief Technology Officer (CTO) is authorized to enter into other agreements with QBSI,

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Qwest Corporation (QC), and CenturyLink for the purpose of implementing or administering the Cable Television Franchise Agreement.

Section 4. In order to pay for necessary costs and expenses incurred or to be incurred in 2015 associated with the processing of the QBSI franchise application, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of the making of the 2015 budget, the appropriations for the following items in the 2015 budget are increased from the funds shown, as follows:

Item	Fund	Department	Budget Control Level	Amount
4.1	Information	Department of	Office of Electronic	\$20,000
	Technology Fund	Information	Communications (50410	
	(50410)	Technology (DoIT)	-D4400)	
4.2	Cable Television	Cable Television	Cable Fee Support to	\$20,000
	Franchise Subfund	Franchise Subfund	Information Technology	
	(00160)		Fund (D160B)	

Section 5. To support the appropriation for item 4.1, cash is transferred as shown in the following table:

Item	Fund	Amount	Transferred (In/Out)
5.1	Information Technology Fund (50410)	\$20,000	Transferred In
	Cable Television Franchise Subfund (00160)	(\$20,000)	Transferred Out

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by	y a 3/4 vote of all the members of the City Cou	nncil the day of
	, 2015, and signed by me in open	session in authentication of its passage this
day of	, 2015.	

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Approved by me	e this day	y of	, 201	15.	
		Edward B. Murra	y, Mayor		
Filed by me this	day of _		, 20	015.	
(Seal)			Simmons, City C		
(Sear)					
ATTACHMENTS: A		City of Seattle Ca		ranchise Agreemer	nt
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