

→ excerpt from C.B. 117487, version 6,  
showing recommended amendments

1 WHEREAS, other Partnership agencies also have excess fiber capacity and also wish to make  
2 the excess available to private parties; and

3 WHEREAS, the Citizens' Telecommunications and Technology Advisory Board (CTTAB)  
4 unanimously recommended that the City Council pass this ordinance and that the City  
5 prioritize providers who emphasize citizen access, citizen coverage, and increased citizen  
6 choice; NOW, THEREFORE,

7 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

8 Section 1. For purposes of this ordinance, the following terms have the definitions given  
9 in this section.

10 "CTO" means the Chief Technology Officer of the City of Seattle, head of the  
11 Department of Information Technology.

12 "Excess Fiber" means any City-owned dark fiber strand, whether in cable owned solely  
13 by the City or in cable owned by the City and its Fiber Partners, so long as the strand is not  
14 desired for use by the City or one of its Fiber Partners. "Excess Fiber" also means virtual fiber  
15 strands that may be created using City-owned fiber strands through wave division multiplexing  
16 equipment without adversely impacting the City's use of the fiber strand. "Excess Fiber" does  
17 not include fiber located in ducts or conduit acquired by the City under Seattle Municipal Code  
18 (SMC) 15.32.070.A.

19 "Fiber Infrastructure" means City-owned conduit, inner duct, vaults, and any other City-  
20 owned facility that is related to the use of fiber optic cable, excluding ducts or conduit the City  
21 acquired under SMC 15.32.070.A.

22 "Fiber Partner" means any public entity or agency that is a party to any agreement with  
23 the City for the joint installation and ownership of fiber optic cable, as authorized by Ordinance  
24 117981.

25 Section 2. The CTO is authorized to execute, for and on behalf of the City of Seattle, one  
26 or more rental or license agreements with private parties for use of any Excess Fiber and Fiber  
27 Infrastructure under the CTO's management. The CTO is also authorized to execute rental or  
28

Item	Fund	Department	Budget Control Level	Amount
15.1	Fiber Leasing Fund (tbd)	Information Technology	City Fiber (DE9000)	\$50,000
<b>Total</b>				<b>\$50,000</b>

Unspent funds shall carry forward to subsequent years until they are exhausted or abandoned by ordinance.

Section 16. The CTO shall submit a written report to the City Council by the end of April each year from 2013 through 2015, reporting on activities under this ordinance through the end of the preceding calendar year. The report shall describe at least the following:

- a. private party interest in use of the fiber network;
- b. private party agreements executed or in progress;
- c. the location and purpose of each private party agreement;
- d. the extent to which private party agreements resulted (or will result) in improved high-speed fiber-based Internet service to surrounding businesses and/or residences;
- e. whether lower-income areas are served by private party agreements;
- f. the extent to which agreements have prioritized providers who emphasize citizen access, citizen coverage, and increased citizen choice;
- g. revenue to the City from private party use fees;
- h. revenues to and expenditures from the Fiber Leasing Fund; and
- i. the status of any outstanding loan to the Fiber Leasing Fund.

Section 17-16. 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.