



SEATTLE CITY COUNCIL

Legislative Summary

CB 119030

Record No.: CB 119030

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125403

In Control: City Clerk

File Created: 06/30/2017

Final Action: 09/12/2017

Title: AN ORDINANCE relating to cable television; authorizing the Mayor or the Mayor's designee to enter into a renewed Cable Television Franchise Agreement and an agreement regarding additional public benefits with WaveDivision I, LLC; and authorizing the Chief Technology Officer to enter into other agreements for the purpose of implementing or administering the renewed franchise.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Harrell

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A – Cable Television Franchise Agreement, Att B - Letter of Agreement

Drafter: megan.erb@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	07/11/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	07/11/2017	sent for review	Council President's Office			
1	Council President's Office	07/12/2017	sent for review	Education, Equity, and Governance Committee			
Action Text: The Council Bill (CB) was sent for review. to the Education, Equity, and Governance Committee							
Notes:							
1	Full Council	07/17/2017	referred	Education, Equity, and Governance Committee			

Legislative Summary Continued (CB 119030)

- 1 Education, Equity, and 07/19/2017 discussed
Governance Committee
Action Text: The Council Bill (CB) was discussed.
- 1 Education, Equity, and 08/02/2017 discussed
Governance Committee
Action Text: The Council Bill (CB) was discussed.
Notes: The Committee held a public hearing on CB 119030.
- 1 Education, Equity, and 09/06/2017 pass Pass
Governance Committee
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
In Favor: 2 Chair Harrell, Vice Chair González
Opposed: 0
- 1 Full Council 09/11/2017 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 8 Councilmember Bagshaw, Councilmember Burgess, Councilmember
González , Council President Harrell, Councilmember Johnson,
Councilmember Juarez, Councilmember O'Brien, Councilmember
Sawant
Opposed: 0
- 1 Mayor 09/12/2017 Signed
- 1 City Clerk 09/12/2017 submitted for Mayor
Mayor's signature
- 1 Mayor 09/12/2017 returned City Clerk
- 1 City Clerk 09/12/2017 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
-

CITY OF SEATTLE

ORDINANCE 125403

COUNCIL BILL 119030

AN ORDINANCE relating to cable television; authorizing the Mayor or the Mayor's designee to enter into a renewed Cable Television Franchise Agreement and an agreement regarding additional public benefits with WaveDivision I, LLC; and authorizing the Chief Technology Officer to enter into other agreements for the purpose of implementing or administering the renewed franchise.

WHEREAS, WaveDivision I, LLC, a Delaware Corporation, (Wave) operates a cable system in Seattle under a franchise with The City of Seattle (City) authorized under Ordinances 122179 and 123741; and

WHEREAS, Wave's existing cable franchise agreement expires on November 11, 2017; and

WHEREAS, the renewal of cable television franchises is governed by 47 U.S.C. Section 521 et. seq., the federal Cable Act; and

WHEREAS, the City has been engaged in the informal process for cable franchise renewal with Wave as authorized by 47 U.S.C. Section 546(h); and

WHEREAS, the City has conducted a needs assessment to determine the current and future needs and interests of the community regarding Wave's cable system; and

WHEREAS, the City and Wave have negotiated in good faith to meet the identified needs and interests of the community; and

WHEREAS, pursuant to Article IV, Section 10 of the City Charter, at least 30 days has passed since introduction of this legislation; and

WHEREAS, pursuant to Article IV, Section 10 of the City 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 renewed cable television franchise agreement with WaveDivision I, LLC, a Delaware Corporation, (Wave) 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 Wave no later than 30 days from the effective date of this ordinance.

Section 2. The Mayor, or the Mayor's designee, is authorized to enter into an agreement with Wave 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 Wave no later than 30 days from the effective date of this ordinance.

Section 3. The Chief Technology Officer (CTO) is authorized to enter into other agreements with Wave for the purpose of implementing or administering the Cable Television Franchise Agreement.

Section 4. 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 the City Council the 11th day of September, 2017,
and signed by me in open session in authentication of its passage this 11th day of
September, 2017.



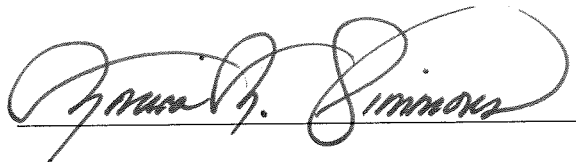
President _____ of the City Council

Approved by me this 12th day of September, 2017.



Edward B. Murray, Mayor

Filed by me this 12th day of September, 2017.



Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A – City of Seattle Cable Television Franchise Agreement By and Between The City of Seattle and WaveDivision I, LLC
Attachment B – Letter of Agreement

STATE OF WASHINGTON -- KING COUNTY

--SS.

352005

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

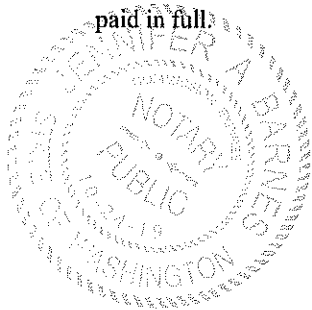
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:SEATTLE CITY COUNCIL

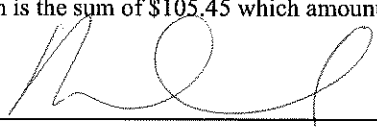
was published on

07/18/17

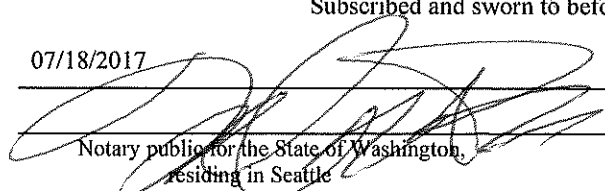
The amount of the fee charged for the foregoing publication is the sum of \$105.45 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

07/18/2017


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Notice of Seattle City Council Public Hearing

The Seattle City Council's Education, Equity, and Governance Committee will conduct a public hearing on the following proposed ordinance (Council Bill No. 119030): "AN ORDINANCE related to cable television; authorizing the Mayor or the Mayor's designee to enter into a renewed Cable Television Franchise Agreement and an agreement regarding additional public benefits with WaveDivision 1, LLC; and authorizing the Chief Technology Officer to enter into other agreements for the purpose of implementing or administering the renewed franchise."

The area of the proposed franchise agreement is throughout the entire jurisdictional boundaries of the City of Seattle. The purpose of the hearing is to accept public comment from the community and interested individuals on issues related to the proposed ordinance.

The public hearing will be held on Wednesday, August 2, at 2 p.m., in the City Council Chamber, 2nd floor, Seattle City Hall, 600 4th Avenue, Seattle, WA 98104. The entrances to City Hall are located on 4th and 5th Avenues between James and Cherry Streets. If you wish to provide public comment, you may sign up outside the Council Chamber beginning at 1:45 p.m.

For accessibility information and for accommodation requests, please call 206-684-8888 (TTY Relay 7-1-1), email CouncilAgenda@Seattle.gov, or visit <http://seattle.gov/cityclerk/accommodations>.

The public hearings will be cablecast live on Seattle Channel 21 and streamed online at <http://www.seattlechannel.org>. Following the public hearing you may view it online at <http://www.seattlechannel.org/CityCouncil> as soon as it is posted.

For questions regarding the proposed franchise agreement, contact the Office of Cable Communications at (206) 684-8498 or visit <http://www.seattle.gov/cable>. For a copy of the proposed ordinance (Council Bill No. 119030), which attaches the proposed franchise agreement, visit <https://seattle.legistar.com/Legislation.aspx> and enter CB 119030 in the record no. field or call 206-684-8344.

Questions regarding the public hearing process should be directed to Councilmember Bruce Harrell's office by calling (206) 684-8804 or via e-mail at bruce.harrell@seattle.gov.

Written comments on the proposed ordinance will be accepted until 5:00 p.m., on September 5, and can be sent to Councilmember Bruce Harrell, PO Box 34025, Seattle, WA 98124-4025, or by emailing all Councilmembers at council@seattle.gov.

Publication ordered by Monica Martinez Simmons, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, July 18, 2017.

7/18(352005)

STATE OF WASHINGTON -- KING COUNTY

--SS.

352341

No.

CITY OF SEATTLE, CLERKS OFFICE

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The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

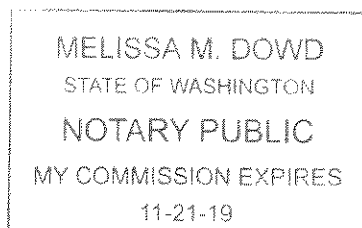
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:CB 119030 CABLE TV

was published on

07/28/17 07/29/17 07/31/17 08/01/17 08/02/17 08/03/17 08/04/17 08/05/17 08/07/17 08/08/17

The amount of the fee charged for the foregoing publication is the sum of \$1,845.80 which amount has been paid in full.



Affidavit of Publication

A handwritten signature in black ink, appearing to be "J. H. [unclear]", written over a horizontal line.

Subscribed and sworn to before me on

08/08/2017

A handwritten signature in black ink, appearing to be "Melissa Dowd", written over a horizontal line.

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

CITY OF SEATTLE

COUNCIL BILL 119030

AN ORDINANCE relating to cable television; authorizing the Mayor or the Mayor's designee to enter into a renewed Cable Television Franchise Agreement and an agreement regarding additional public benefits with WaveDivision I, LLC; and authorizing the Chief Technology Officer to enter into other agreements for the purpose of implementing or administering the renewed franchise.

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WHEREAS, Wave's existing cable franchise agreement expires on November 11, 2017; and

WHEREAS, the renewal of cable television franchises is governed by 47 U.S.C. Section 521 et. seq., the federal Cable Act; and

WHEREAS, the City has been engaged in the informal process for cable franchise renewal with Wave as authorized by 47 U.S.C. Section 546(h); and

WHEREAS, the City has conducted a needs assessment to determine the current and future needs and interests of the community regarding Wave's cable system; and

WHEREAS, the City and Wave have negotiated in good faith to meet the identified needs and interests of the community; and

WHEREAS, pursuant to Article IV, Section 10 of the City Charter, at least 30 days has passed since introduction of this legislation; and

WHEREAS, pursuant to Article IV, Section 10 of the City 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:

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Section 4. 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 the City Council the ____ day of ____, 2017, and signed by me in open session in authentication of its passage this ____ day of ____, 2017.

President ____ of the City Council

Approved by me this ____ day of ____, 2017.

Edward B. Murray, Mayor

Filed by me this ____ day of ____, 2017.

Monica Martinez Simmons, City Clerk
(Seal)

Attachments:

Attachment A - City of Seattle Cable Television Franchise Agreement By and Between The City of Seattle and WaveDivision I, LLC

Attachment B - Letter of Agreement

To view the proposed Ordinance and Attachment, please visit the City Clerk's website at:

<http://seattle.legistar.com/Legislation.aspx> and access Record No. CB 119030. Contact the Office of the City Clerk for copies at Clerk@seattle.gov or 206-654-8344. Information about the renewal process and public hearing can be found on the Office of Cable Communications' website at <http://www.seattle.gov/tech/services/cable-service>.

Publication Ordered by Monica Martinez Simmons, City Clerk

Date of first publication in the Seattle Daily Journal of Commerce, July 28, 2017.
8/8(352341)

STATE OF WASHINGTON -- KING COUNTY

--SS.

353955

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

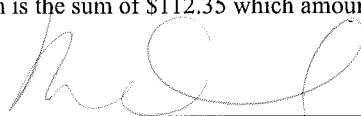
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125400-404 TITLE ONLY

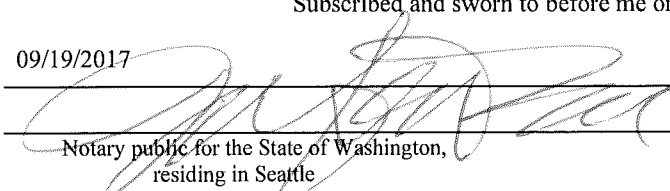
was published on

09/19/17

The amount of the fee charged for the foregoing publication is the sum of \$112.35 which amount has been paid in full.


Subscribed and sworn to before me on

09/19/2017


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 11, 2017, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125400

Council Bill 119074

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Ordinance 125401

Council Bill 119045 PASSED

AN ORDINANCE relating to the sale and redevelopment of the former Public Safety Building block; authorizing the execution of an Amended and Restated Purchase and Sale and Development Agreement with Bosa Development US LLC, for the construction of a residential project with public parking, public open space and associated retail space; authorizing the acceptance of an easement from Bosa on that property; and authorizing the Director of Finance and Administrative Services to execute documents and take other actions in connection with this project.

Ordinance 125402

Council Bill 119065 PASSED

AN ORDINANCE authorizing the Director of Finance and Administrative Services or the Director's designee to execute a series of four five-year leases (each conferring upon the tenant a five-year option to renew) with existing Seattle Municipal Tower restaurant/retail tenants: Sin Tack Chang and Jin Won Chang d/b/a Amigos! & Beba's; Hunjo Jung and Na Young Lee d/b/a Chew Chew's Eatery; RVJ Corporation, Inc., a Washington corporation, d/b/a Core Bistro; and Daniel Y. Kim and Michelle H. Kim, d/b/a Treasures and Gifts; and ratifying and confirming certain prior acts.

Ordinance 125403

Council Bill 119030 PASSED

AN ORDINANCE relating to cable television; authorizing the Mayor or the Mayor's designee to enter into a renewed Cable Television Franchise Agreement and an agreement regarding additional public benefits with WaveDivision I, LLC; and authorizing the Chief Technology Officer to enter into other agreements for the purpose of implementing or administering the renewed franchise.

Ordinance 125404

Council Bill 119041 PASSED

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the execution of a Use, Occupancy and Maintenance Agreement with the Seward Park Clay Studio, Inc. for the provision of visual arts programming, education, and services at the Department of Parks and Recreation's Seward Park Bathhouse.

Date of publication in the Seattle Daily Journal of Commerce, September 19, 2017.

9/19/353965