Legislation Details (With Text)

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Title:	AN ORDINANCE authorizing the executive to execute fiber optic installation and maintenance agreements.		
Sponsors:	Pete von Reichbauer		
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Attachments:	1. Ordinance 19987, 2. A. 2018 – Ten Year Extension of the Seattle Fiber One Agreement Addendum #33, 3. B. Terms and Conditions for Sharing of Fiber Optic Installation Projects, dated July 27, 2010, 4. D. Fiscal Note, 5. 2025-0141_S1_StrikingAmendment_FiberOne bar, 6. 2025-0141_T1_TitleAmendment_FiberOne, 7. 2025-0141_RevisedSR_Shared Fiber Agreements 10-6-2025, 8. 2025-0141_SR_Shared Fiber Agreements, 9. 2025-0141 transmittal letter, 10. 2025-0141 Legislative Review Form, 11. B. Project Services Addendum #34 to Fiber One Agreement, 12. C. Project Services Addendum #36 to Fiber One Agreement		

Date	Ver.	Action By	Action	Result
10/21/2025	2	Metropolitan King County Council	Passed	Pass
10/6/2025	1	Committee of the Whole	Recommended Do Pass Substitute Consent	Pass
9/16/2025	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/15/2025

AN ORDINANCE authorizing the executive to execute fiber optic installation and maintenance agreements.

STATEMENT OF FACTS:

1. Ordinance 12871 authorized the execution of a twenty-year interagency agreement among King County, the city of Seattle, the University of Washington, Seattle Community College District VI, the United States General Services Administration, Seattle Community Colleges, King County Library, and Seattle School District ("the participating agencies") and approved the general terms and conditions to be used for specific shared fiber optic network installation and maintenance projects ("general terms and conditions"). Each specific project would have its

own agreement form to which these general terms and conditions would apply. However, in accordance with Addendum 2 to the general terms and conditions, for those specific projects to which a federal government agency was a participant, the term was only ten years.

2. Ordinance 12871 further authorized the executive to execute a specific project agreement for fiber optic installations and maintenance from the Seattle Municipal Building to the Seattle Center using the general terms and conditions and also an amendment to that same agreement.

3. Since 1997, the county has executed other project services agreements, more recently referred to as "addenda," using the general terms and conditions.

4. Among the provisions of the general terms and conditions was the commitment by each participating agency to a specific project agreement or addendum committing the county to pay its proportionate share of capital and maintenance costs.

5. In 2010, the general terms and conditions were updated and replaced with Terms and Conditions for Sharing of Fiber Optic Installation Projects, dated July 27, 2010 ("the updated GT&Cs"). Under Article VI.D. of these updated GT&Cs, the term of each specific project agreement or addendum would be twenty years. The updated GT&Cs also included an Addendum 2, which like Addendum 2 to the 1997 general terms and conditions, limited the term of any specific project agreement or addendum that included a federal agency as a participant to ten years.

6. In 2018, many of the participating agencies to the interagency agreement executed Addendum 33, which by its terms extended all specific project agreements or addenda involving federal agency participation for an additional ten years or until 2028. For specific projects to which the federal government was not a participant, under the updated GT&Cs Article VI.D., the term of a specific project agreement or addendum was again twenty years from the execution date of the specific project agreement or addendum.

7. The cost of maintenance owed by the county under executed project services agreements or addendums is on average ten thousand dollars per year but generally continues beyond a single appropriation period.

8. To date, costs for maintenance of existing installations of fiber optic has not exceeded appropriated funds for a fiscal period for any county department. However, future outlays for maintenance are expected to exceed appropriation authority.

9. It is in the best interests of the residents of King County that the county continues to participate in the interagency agreement to provide fiber optic installation and maintenance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:**

A. The council finds that Ordinance 12871 authorized the executive to enter into a twenty-year interagency fiber optic agreement with multiple public agencies. The council further finds that the executive was authorized under Ordinance 12871 to enter into specific project agreements or addenda using the 1997 terms and conditions without further council approval.

B. The council finds and determines it is appropriate and in the best interests of the residents of King County to authorize the executive to execute existing fiber optic installation and maintenance project services agreements or addenda using the general terms and conditions entitled Terms and Conditions for Sharing of Fiber Optic Installation Projects, dated July 27, 2010, without council approval provided the commitment to expend funds beyond a current appropriation period is limited to maintenance.

C. The council finds and determines it is appropriate and in the best interests of the residents of King County to authorize the executive to execute future fiber optic network installation and maintenance project agreements or addenda using the general terms and conditions entitled Terms and Conditions for Sharing of Fiber Optic Installation Projects, dated July 27, 2010, without council approval provided the commitment to expend funds beyond a current appropriation period is limited to maintenance.

SECTION 2.

A. The executive is hereby authorized to execute Addendum 33, the extension amendment to the Terms and Conditions for Sharing of Fiber Optic Installation Projects, dated July 27, 2010, in the form provided in Attachment A to this ordinance.

B. The executive is hereby authorized to execute existing fiber optic installation and maintenance project services agreements or addenda using the general terms and conditions entitled Terms and Conditions for Sharing of Fiber Optic Installation Projects, dated July 27, 2010, in the form provided in Attachment B to this ordinance, but only if any county commitment to expend funds beyond a current appropriation period is limited to maintenance.

C. The executive is hereby authorized to execute future fiber optic installation and maintenance project services agreements or addenda using the general terms and conditions entitled Terms and Conditions for Sharing of Fiber Optic Installation Projects,
dated July 27, 2010, but only if any county commitment to expend funds beyond a current appropriation period is limited to maintenance.