



## Legislation Text

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**File #:** RES 12-1471, **Version:** 1

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Approving the Franchise Renewal Committee's recommendation for the City of Saint Paul to negotiate an agreement with Ramsey County for dark fiber on the County-owned network.

WHEREAS, the City of Saint Paul currently maintains a cable franchise with Comcast of St. Paul, Inc., which franchise since 1998 has included the provision of an Institutional Network (I-Net) without direct costs to the City; and

WHEREAS, the I-Net is a critical piece of infrastructure that provides two-way wired services, including data, Internet, telephone and video, connecting to 104 active City of Saint Paul sites/facilities, and a total of over 300 sites within Saint Paul, including connections to Ramsey County and the State of Minnesota; and

WHEREAS, the I-Net's infrastructure is comprised of approximately 20% fiber optics and 80% hybrid-fiber-coaxial cable (HFC), the latter of which is an outdated technology; and

WHEREAS, according to Comcast the HFC portion of the I-Net is "unsustainable," resulting in an ever increasing number of outages that disrupts the ability of the City to conduct business; and

WHEREAS, while the City has the right to continue to use the I-Net, in 2008 Comcast indicated to the City that, after the current franchise expires in July 2013, it no longer intends to provide I-Net services on a free use basis, but instead would offer a leased business service arrangement to the City; and

WHEREAS, with the knowledge that the current cable franchise would expire on July 30, 2013, and of Comcast's intent to charge for the I-Net in the next franchise, the City started to plan for and explore other possible options to replace the current I-Net; and

WHEREAS, one of the City's possible I-Net replacement options is to work with Ramsey County and a private fiber provider, the Minnesota Fiber Exchange (MFE), for the County and MFE to build and own a dual-conduit Institutional Fiber Network, with the County government conduit reserved for use by government agencies and the second conduit separately owned by MFE (Commercial Conduit) to serve commercial purposes; and

WHEREAS, a second option was to obtain an upgrade of the existing I-Net through the franchise renewal process, commenced by Comcast July 30, 2010 and by the City pursuant to federal law, and that option was explored by a Franchise Renewal Committee (FRC) appointed via City resolution # 10-1207 and amended via resolution # 12-737; and

WHEREAS, a third City option was to purchase services under a contract from Comcast or another commercial provider, and the City issued an RFP for Leased Managed Network Services on November 30, 2011, to assess the feasibility of this option; and

WHEREAS, the City received two proposals for said services on or about January 18, 2012; and

WHEREAS, Comcast submitted on February 3, 2012 a proposal to the City to upgrade the current I-Net with a network of dark fiber and/or wavelengths, that would be leased to the City; and

WHEREAS, over the course of the following months the FRC continued to negotiate with Comcast and exchanged various proposals and counter-proposals up to and through June 5, 2012; and

WHEREAS, during this same period the City's Office of Technology and Communications (OTC) continued to work with the County on the option to build a dual conduit fiber network; and

WHEREAS, the City must act promptly in order to replace the failing I-Net; and

WHEREAS, the FRC has extensively analyzed and compared all three options, is now prepared to recommend an option that would be in the City's best interests, and has today presented its recommendation to this Council in order to facilitate timely action on the options before the City.

NOW, THEREFORE, be it resolved:

The City Council, having received reports from the FRC, and the OFS financial analyses and comparisons, of each one of the options, hereby selects the I-Net upgrade option of negotiating an agreement with Ramsey County for dark fiber on the County-owned network; and

The FRC is hereby directed to continue its work on negotiation of the renewal of the cable communications franchise but shall no longer pursue the option to upgrade coaxial portion of the I-Net via the cable communications franchise (except as such upgrade may be related to other matters that may be considered in renewal, such as the provision of public, educational and government programming); and  
The OTC director and appropriate staff are hereby directed to promptly enter into discussions and negotiations with Ramsey County for the purpose of determining the contractual terms, conditions and use of the Ramsey County Institutional Fiber Network, such contract to be subject to the review and approval of the mayor and council.