

AGENDA

**DES MOINES CITY COUNCIL
STUDY SESSION
City Council Chambers
21630 11th Avenue South, Des Moines**

February 18, 2016 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS FROM THE PUBLIC

NOTE: Comments must be limited to the items of business on the Study Session Agenda per Council Rule 10. Please sign in prior to the meeting and limit your comments to three minutes.

DISCUSSION ITEMS

- Item 1: FRANCHISE AGREEMENT DISCUSSION
1. Goals
 2. Negotiation Format
 3. Schedule
 4. Communications
 5. Issues to address in franchise agreement

NEXT MEETING DATE

February 25, 2016 City Council Regular Meeting

ADJOURNMENT

Franchise agreement negotiation discussion
February 18, 2016

1. Goal – professional, courteous, and collaborative negotiation process that results in a franchise agreement that all parties can approve and enter into by April 30, 2016.
2. Negotiation Format
 - a. One or two electeds, one or two staff from each entity.
 - b. No attorneys on the negotiating teams.
 - c. Each entity brings a proposed franchise agreement to present at the first meeting.
3. Schedule
 - a. Meet once a week in March
 - b. Meet once every two weeks in April
4. Communications
 - a. Each negotiating team provides an update to its electeds in open public meeting at its regularly scheduled meetings.
 - b. No letters, emails, phone calls, newsletter stories, etc. to residents/rate payers while negotiations are on-going.
 - c. No letters to editor, discussions with reporters, comments to the media, etc. while negotiations are on-going.
5. Issues to address the franchise agreement:
 - a. Length of agreement
 - b. Use of City Rights of Way/ROW management
 - c. ROW permits
 - d. Relocation of facilities
 - e. Franchise fee/ROW occupation fee/utility tax
 - f. Non-Assumption of districts
 - g. Coordinated planning
 - h. Coordinated projects/project management
 - i. Planning for future growth/GMA growth targets/concurrency
 - j. Service in unserved/underserved areas (sewer)
 - k. Boilerplate issues:
 - i. Indemnification
 - ii. Insurance
 - iii. Record keeping
 - iv. Dispute resolution
 - v. Abandoned facilities
 - vi. Amendments
 - vii. Etc.