



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 6875  
March 3, 2026  
Consent Agenda**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB 6875: Forged Fiber 37, LLC Telecommunications Franchise Agreement (Ord. No. 26-01; Second Reading and Adoption)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Adopt Ordinance No. 26-01, approving a telecommunications franchise agreement with Forged Fiber 37, LLC.	

<b>DEPARTMENT:</b>	Public Works
<b>STAFF:</b>	Jason Kintner, Chief of Operations Kellye Hilde, Deputy Public Works Director Rebecca Corigliano, Transportation Engineer
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Ordinance No. 26-01 - Franchise Agreement with Forged Fiber 37, LLC
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

**EXECUTIVE SUMMARY**

The purpose of this agenda item is to conduct the second reading and adopt of Ordinance No. 26-01 (Exhibit 1).

- On February 3, 2026, City Council conducted its first reading of Ordinance No. 26-01 (Exhibit 1) that would authorize a franchise agreement with Forged Fiber 37, LLC.
- This franchise agreement is a general contractual agreement with Forged Fiber 37, LLC, which allows entrance and use of the City’s public rights-of-way for wireline deployments as allowed by [RCW 35A.47.040](#).
- Forged Fiber 37, LLC will still need to apply for and receive all necessary permits for all installations; the franchise is only the first step.
- Following City Council’s February 3 review, Council requested that staff bring back the ordinance for a second reading and adoption on March 3, 2026.

## **BACKGROUND**

In summer 2025, the City of Mercer Island was approached by Forged Fiber 37, LLC to obtain a franchise agreement. Forged Fiber 37, LLC is a wholly-owned subsidiary of AT&T and does not currently own telecommunications facilities within the City's public rights-of-way. Upon completion of the purchase agreement between AT&T and Lumen, Forged Fiber 37, LLC will assume ownership of a portion of Lumen's existing fiber infrastructure located within the City's rights-of-way.

The proposed agreement would generally authorize Forged Fiber 37, LLC to access the City's rights-of-way to construct, maintain, operate, replace, and repair the telecommunications network. Forged Fiber 37, LLC would still need to obtain permits and approvals before working within the City's rights-of-way.

Staff worked with Daniel Kenny (Ogden Murphy Wallace, PLLC) to negotiate the proposed agreement on behalf of the City. The agreement was prepared by Mr. Kenny, reviewed by Public Works staff and the City Attorney, and approved by Forged Fiber 37, LLC. The franchise agreement is provided for City Council consideration as Exhibit 1.

## **ISSUE/DISCUSSION**

The City Council held a first reading of Ordinance No. 26-01 on February 3, 2026 ([AB 6857](#)). After the initial reading, a few questions were asked, but none resulted in revisions to the agreement.

The franchise agreement is provided for City Council consideration as Exhibit 1.

## **NEXT STEPS**

Upon authorization of the telecommunications franchise agreement with Forged Fiber 37, LLC, City staff will review and approve permit applications submitted by Forged Fiber 37, LLC prior to any work within the City's rights-of-way.

## **RECOMMENDED ACTION**

Adopt Ordinance No. 26-01, approving a telecommunications franchise agreement with Forged Fiber 37, LLC.