



RESOLUTION NO. 39702

1 BY REQUEST OF MAYOR STRICKLAND AND COUNCIL MEMBERS CAMPBELL,
2 IBSEN, AND MELLO

3 A RESOLUTION relating to protecting the privacy and security of Click Network!
4 internet users.

5 WHEREAS, in 1997, the City, through its electrical utility, embarked on an
6 effort to construct and operate a state-of-the-art telecommunication system for the
7 benefit of its electric utility and electric utility customers, and

8 WHEREAS the telecommunications system (“Click! Network”) was
9 constructed and has been in continuous operation since 1999, and

10 WHEREAS Click! Network has entered into agreements with private
11 internet service providers (“ISPs”) to use the Click! Network to provide internet
12 services to approximately 25,000 retail customers, and

13 WHEREAS Click! Network and the ISPs have the ability to collect personal
14 information resulting from their customers’ use of the internet, including
15 (a) financial information; (b) health information; (c) information pertaining to
16 children; (d) social security numbers; (e) precise geolocation information;
17 (f) content of communications; (g) call detail information; and (h) web browsing
18 history, application usage history, and the functional equivalents of either, from
19 the users of their services, and
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21 WHEREAS, in 2016, the United State Federal Communications
22 Commission (“FCC”) proposed rules that would have required Click! Network and
23 the ISPs to receive permission from their customers prior to collecting and selling
24 such personal information, and

25 WHEREAS, on April 3, 2017, President Trump signed a United States
26 congressional resolution that overturned the FCC internet privacy protections



1 related to Click! Network and the ISPs collecting and selling personal information
2 resulting from internet use, and

3 WHEREAS the Washington State Legislature has proposed legislation
4 (“HB 2200 and SB 5919”) that would institute similar protections included in the
5 prior FCC internet privacy rules; however, it is unlikely that such protections will
6 be enacted into law before the current legislative session ends, and

7 WHEREAS protecting the privacy and security of Click! Network customers
8 is of vital concern to the City Council, and the City Council desires that the
9 Tacoma Public Utility Board (“Board”) prohibit Click! Network and its ISPs from
10 collecting or selling their customers’ personal information without prior written
11 permission, or refusing to serve customers who do not approve the collection or
12 sale of their personal information; Now, Therefore,

13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 Section 1. That the City Council hereby requests that the Tacoma Public
15 Utility Board (“Board”) prohibit internet service providers (including Click! Network
16 pursuant to an “All-In” Retail Business Plan) who have entered into agreements
17 with Tacoma Power to use Click! Network from collecting or selling personal
18 information from a customer resulting from the customer’s use of the internet
19 without express written approval from the customer.
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21 Section 2. That the City Council hereby requests that the Board prohibit its
22 internet service providers (including Click! Network pursuant to an “All-In” Retail
23 Business Plan) from refusing to provide services to a customer on the grounds that
24 the customer has not approved the collection or sale of the customer’s personal
25 information.
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Section 3. That the City Council hereby requests that in the event that Click! Network is sold or leased, the prohibitions as set forth in Sections 1 and 2 above be included as condition of the sale or lease.

Section 4. That the prohibitions requested in this resolution shall remain in effect until such time as either the federal government or the state of Washington enacts the same or broader privacy and security protections for internet users.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Acting City Attorney