



DATE: February 26, 2008
TO: Mayor and City Council
FROM: City Manager
SUBJECT: Resolutions in Support of High Speed Internet Access and Utility Worker Qualifications in Residential and Public Right-of-Way

RECOMMENDATION

That the Council considers adoption of the attached Resolutions (3) related to access to high speed internet services, utility worker qualifications performing work in the City of Hayward's public right-of-way, and workers performing utility work in residential settings within the City of Hayward.

BACKGROUND

Councilmember Quirk requested these draft resolutions be brought forward for Council consideration.

High speed internet access has become an essential service in our advancing technological world. Such access strengthens our local economic viability, as well as promotes educational opportunities, independent living for the disabled, and enhancement of public participation in various aspects of community life.

Additionally, to build the infrastructure necessary to support such high speed internet access, work in both private residences as well as in the public right-of-way must be accomplished. The work efforts required should be performed in a safe manner by qualified technicians that understand the responsibilities associated with working on public property and in private homes.

DISCUSSION

At both the State and Federal government levels, concerns have been raised regarding the issues described above. Three draft resolutions are presented here for Council consideration, designed to show local support for these larger efforts. Local support is viewed as being critical to State and Federal government efforts to develop stronger and clearer policies in these areas.

Exhibit 1 provides Council a draft resolution entitled "Speed Matters". This resolution states the Council's desire to support the principles outlined, including minimum standards for speed and access to Internet.

Exhibit 2 provides Council a draft resolution entitled "Public Safety & The Municipal Right of Way". This resolution, if adopted, would indicate Council's position on the use of the public right of way for video, telephony and other related uses by qualified personnel to ensure the safety of the public.

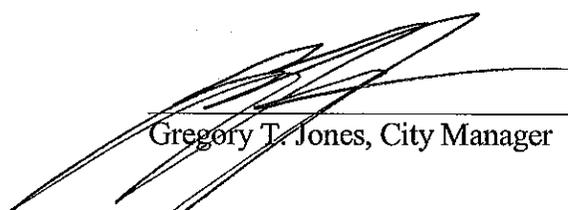
Exhibit 3 provides Council a draft resolution entitled "Public Safety & Utility Work in Residential Settings". This resolution, if adopted, would indicate Council's position regarding employment requirements of those entering homes to provide services as provided under statewide telephone or other similar utility work under franchise agreements.

FISCAL IMPACT

N/A

PUBLIC CONTACT

Copies of the draft resolutions have been provided to current telecom, cable and broadband providers in Hayward: AT&T, COMCAST, ADESTA, TWT, MCI, BROADWING, LEVEL 3, ABOVE NET COMMUNICATIONS; XO, POINT to POINT, E/O NETWORK, INC., QWEST, and CINGULAR.



Gregory T. Jones, City Manager

- Attachments: Exhibit 1: Speed Matters Draft Resolution
Exhibit 2: Public Safety & The Municipal Right of Way Draft Resolution
Exhibit 3: Public Safety & Utility Work in Residential Settings Draft Resolution

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION ON SPEED MATTERS, NO CHILD LEFT OFFLINE

WHEREAS, high speed Internet access is absolutely necessary to fuel our local, state and national economy; to promote education and integrated learning; to facilitate independent living for residents who are disabled, ill, or have restricted mobility; and to fully engage in e-government, civic participation, and public safety, and

WHEREAS, the U.S. currently ranks below most European and developed Asian countries in the speed and accessibility of broadband communications infrastructure and therefore has a lot of ground to cover to remain competitive with other economies that have already adopted policies that will facilitate job growth, business advancement, and individual achievement through access to information and markets, and

WHEREAS, the City of Hayward supports federal and state policies that will guarantee every resident, and every child, access to all the promises of the information age,

NOW, THEREFORE, BE IT RESOLVED that the City of Hayward endorses the five key principles of the Speed Matters initiative:

1. SPEED AND UNIVERSALITY MATTER FOR INTERNET ACCESS.

High-tech innovation, job growth, telemedicine, distance learning, rural development, public safety and e-government requires truly high speed, universal networks so that no resident or child is left offline.

2. THE U.S. "HIGH SPEED" DEFINITION IS TOO SLOW.

The FCC defines "high speed" as 200 kilobits per second (kbps) downstream. The Federal Government should immediately set "high speed" definition at 2 megabits per second (mbps) downstream, 1 upstream.

3. A NATIONAL HIGH SPEED INTERNET FOR ALL POLICY IS CRITICAL.

The City of Hayward supports universal access and the following federal deployment timetables: 10mbps down, 1mbps up by 2010, with new benchmarks set for succeeding years.

4. THE U.S. MUST PRESERVE AN OPEN INTERNET.

High speed, high capacity networks will eliminate bandwidth scarcity and will promote an open Internet. Our residents are entitled to an open Internet allowing them to go where they want when they want. Nothing should be done to degrade or block access to any websites. Reserving proprietary video bandwidth is essential to finance the build-out of high-speed networks.

5. CONSUMER AND WORKER PROTECTIONS MUST BE SAFEGUARDED.

The City of Hayward supports the growth of stable, skilled career employment in the broadband industry as a key to maintaining quality service. Quality service includes public reporting of deployment, actual speed, and price of broadband services so that users are enabled to utilize high-speed networks as they think best.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2008

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
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