

RESOLUTION NO. 3307 A

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO ADOPTING THE TENETS OF THE LEAGUE OF CALIFORNIA CITIES TELECOMMUNICATIONS POLICY

WHEREAS, the Town of San Anselmo recognizes the importance of the emerging National Information Infrastructure, also referred to as the Information Superhighway; and

WHEREAS, the Town believes that development of this new infrastructure raises important social, economic and public service policy questions; and

WHEREAS, the Town believes that development of this infrastructure will involve the use of the public right-of-way, resulting in traffic disruption, noise and air pollution, and reduced street pavement life; and

WHEREAS, the Town believes that local governments should have a voice in the development of this infrastructure; and

WHEREAS, the Town believes that local governments need to protect the public rights-of-way, receive compensation for the use of the street by private companies and receive a fair allocation of services, resources and bandwidth from companies developing this new infrastructure; and

WHEREAS, the League of California Cities has adopted a Telecommunications Policy, attached as Exhibit 1; and

WHEREAS, the Town fully supports and endorses the efforts of the League of California Cities to preserve and protect the rights of cities and to address their concerns with respect to this new infrastructure.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town of San Anselmo supports and endorses the League of California Cities Telecommunications Policy.
2. The Town of San Anselmo agrees with the tenets set forth in the League of California Cities Telecommunications Policy and adopts the following tenets as policy for the Town of San Anselmo:
 - a. Access to advanced telecommunications services must be available to all citizens, as well as the commercial, education and government sectors.

- b. There should be an open, competitive marketplace for telecommunications.
- c. Local governments must have a role in the regulatory structure to preserve their local authority over matters of local impact.
- d. Local governments must be compensated for use of public rights-of-way and negative impact on local infrastructure.
- e. Local governments should help safeguard citizens against market inequities facilitate access to telecommunications resources, including the option of becoming providers.
- f. Local governments should be allocated adequate spectrum capacity for public safety, emergency services, public works and other public use.

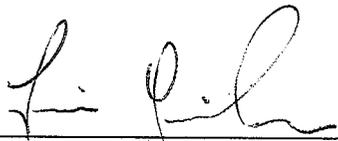
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Clerk is directed to transmit this resolution to the National League of Cities, the California League of Cities, to state and federal elected officials representing the Town of San Anselmo, and to Mayors and City Councils within Marin County.

PASSED AND ADOPTED at a regular meeting of the Town of San Anselmo held on the 23rd day of May, 1995 by the following vote:

AYES: Breen, Chignell, Hodgens, Kroot, Yarish

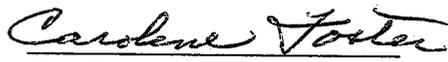
NOES: (None)

ABSENT: (None)



Tim Yarish, Mayor

Attest:



Caroline Foster, Town Clerk

- *Install and operate city-owned broadband networks, and/or form partnerships to install and operate regional broadband networks.*
- *Explore and develop public service applications that employ advanced telecommunications capabilities, so that these resources can be put to use as soon as they are available.*
- *Secure public access to advanced telecommunications networks by way of existing PEG access requirements.*
- *Identify and inventory unused and/or abandoned conduit that exists in the public right-of-way, in easements, or on property owned by the city, and develop strategies to leverage the use of these resources.*

Adequate Spectrum Capacity for Public Safety and Other Public Use

During the conversion of city police, fire, emergency and public works radio services to the 800 Mhz spectrum, not enough spectrum was allocated to cities. As a result, in metropolitan areas, there has been a deterioration in transmission quality and the ability for police, fire, and public works departments to broadcast. With the coming of enhanced wireless, cellular, and personal communications services (PCN/PCS), cities may lose again if adequate spectrum for these services is not reserved for city uses.

Policy Statement - Cities should be allocated adequate spectrum on the 800 Mhz radio frequency for public safety, emergency services, public works, and other public use.

FCC Certification of Local Franchising Authority

As stated previously, the 1992 Cable Act outlines the requirements and procedures for cities to request certification as local franchising authority in order to regulate basic cable TV service rates. In the interest of protecting the interests of their citizens, it is desirable for cities to continue to regulate cable service rates in their communities. However, for many cities, the rate review analysis required as part of the certification process has been complex and difficult to complete. Cities must also decide if it makes sense to obtain FCC certification if their regulatory powers are going to be preempted by new federal or state laws.

Policy Statement - The League encourages cities to certify their local cable TV franchising authority to protect the interests of their citizens. Federal and state law should secure the rights of local franchise authorities to regulate cable service rates if they have received certification from the FCC.