

City of Fayetteville Staff Review Form

2014-0235

Legistar File ID

6/17/14

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Telecommunications Board via Fritz Gisler

Communications & Marketing

Submitted By

Division / Department

Action Recommendation:

Pass a Resolution in support of true Net Neutrality, specifically urging the FCC to assure equal access by reclassifying broadband providers as common carriers under Title II of the Communications Act, and to communicate said Resolution to the Federal Communications Commission by July 15, 2014, in response to the FCC's "Notice of Proposed Rulemaking" FCC #14-61 and Proceeding No. 14-28 Protecting and Promoting the Open Internet.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Current Budget	
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	No	Budget Adjustment	\$ -
#		Remaining Budget	\$ -

V20140314

Previous Ordinance or Resolution # _____

ENTERED
5/28/14 DM

ENT:
5/28/14
P.H.

Original Contract Number: _____

Approval Date: _____

Comments:

BT 5/28/14

Donald Jackson

Paul a. Becher

Don Mar 5/29/14

CITY COUNCIL AGENDA MEMO

MEETING OF JUNE 17, 2014

TO: Mayor and City Council

THRU: Lindsley Smith, Director of Communication
Fritz Gisler, Director of Media Services

FROM: Telecommunications Board

DATE: May 23, 2014

SUBJECT: Net Neutrality and the Federal Communications Commission

RECOMMENDATION:

Pass a Resolution supporting completely open access to the Internet and providing the Resolution to the Federal Communications Commission.

BACKGROUND:

On January 14, 2014, a Federal Appeals Court struck down the Federal Communications Commission's rules regarding 'net neutrality', a term coined by Columbia University law professor Tim Wu.

Net neutrality is the principle that Internet service providers and governments should treat all data on the Internet equally, not discriminating or charging differentially by user, content, site, platform, application, type of attached equipment, or modes of communication.

From an article in the Wall Street Journal, dated January 14, 2014:

"The ruling was a blow to the Obama administration, which has pushed the idea of "net neutrality." And it sharpened the struggle by the nation's big entertainment and telecommunications companies to shape the regulation of broadband, now a vital pipeline for tens of millions of Americans to view video and other media.

For consumers, the ruling could usher in an era of tiered Internet service, in which they get some content at full speed while other websites appear slower because their owners chose not to pay up."

On May 15, 2014, the FCC issued a "Notice of Proposed Rulemaking" FCC 14-61 (<http://www.fcc.gov/document/protecting-and-promoting-open-internet-nprm>) to address the issue of net neutrality. There is now a 60-day period open to allow comments from the public to the FCC regarding these proposed rules.

DISCUSSION:

At its May 15, 2014, meeting, The City of Fayetteville Telecommunications Board discussed the issue of Net Neutrality and the impact that discrimination of access based on content would have on open and transparent government in general, and specifically in Fayetteville. The

Internet (including Web sites, email, alert systems, software systems, data storage, data exchange, etc.) has become an essential tool utilized by the City of Fayetteville for operations and communications, both internally and externally. Anything that can have a detrimental effect on open and non-discriminatory access to the Internet will have far-reaching consequences. Reduced access to the Internet could both increase the costs and reduce the efficiency of the City's ability to communicate effectively with its citizens, and they in return.

It is the opinion of the Telecommunications Board that open and non-discriminatory access to the Internet for both content providers and content consumers is essential for the free exchange of ideas, open discussion, open and transparent government, and an informed citizenry. We cannot support a two-tiered Internet with fast lanes that speed the access and messages of the privileged and leave our citizens, local governments, schools, libraries, and hospitals lagging behind on dirt roads.

By a unanimous vote at its May 15th meeting, the Telecommunications Board advises the City Council to pass a Resolution in support of true Net Neutrality, specifically urging the FCC to assure equal access by reclassifying broadband providers as common carriers under Title II of the Communications Act, and to communicate said Resolution to the Federal Communications Commission by July 15, 2014, in response to the FCC's "Notice of Proposed Rulemaking" FCC #14-61 and Proceeding No. 14-28 Protecting and Promoting the Open Internet.

BUDGET/STAFF IMPACT:

None

RESOLUTION NO. _____

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR NET NEUTRALITY

WHEREAS, the Internet has become an essential tool utilized by the City of Fayetteville for operations and communications, both internally and externally; and

WHEREAS, reduced access to the Internet could both increase the costs and reduce the efficiency of the City's ability to communicate effectively with its citizens and for citizens to communicate with the City; and

WHEREAS, open and non-discriminatory access to the Internet for content providers and consumers is essential for the free exchange of ideas, open discussion, open and transparent government, and an informed citizenry; and

WHEREAS, the Federal Communications Commission has issued a Notice of Proposed Rulemaking to address the issue of net neutrality with a sixty day period for public comment and the City Council desires for its position to be made part of the public record on this issue.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its support for net neutrality and urges the Federal Communications Commission to ensure equal access by reclassifying broadband providers as common carriers under Title II of the Communications Act.

PASSED and APPROVED this 17th day of June, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer