

This meeting is being held in accordance to Governor Cuomo’s Executive Order and other Federal and State Orders that impact in-person attendance at public meetings, if applicable orders expire or are revoked before **February 3, 2021**, this will be an in-person meeting in City Hall, please check our [website](#) and Facebook for updates. Please submit your public comment via [email](#) or on our website by **February 3, 2021 12pm**. These comments will be shared with members and/ or read for the record at the meeting. The meeting will be held using Zoom and streamed through the Albany Common Council’s Facebook. To stream this video please visit: <https://www.facebook.com/albany.commoncouncil>. If we experience any technical difficulties on Facebook, the video will be streamed to [YouTube](#).



COMMON COUNCIL MEETING

PLANNING, ECONOMIC DEVELOPMENT AND LAND USE COMMITTEE

Cathy Fahey, Chair

DATE: Wednesday, February 3, 2021

TIME: 5:30 p.m.

TOPIC(S) OF DISCUSSION/CONSIDERATION:

CORPORATION COUNSEL PROVIDES AN UPDATE TO COMMITTEE ON THE FRANCHISE AGREEMENT WITH SPECTRUM

LOCAL LAW G of 2018

A LOCAL LAW AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW PART 39 ENTITLED“ CITY OF ALBANY COMMISSION ON MUNICIPAL INTERNET SERVICE ” AND PROVIDING FOR THE RESPONSIBILITIES OF THE COMMISSION WITH RESPECT TO RESEARCHING THE LOGISTICS AND FINANCING OF A CITY OWNED HIGH SPEED INTERNET SERVICE. AND REQUIRING THE COMMISSION TO MAKE FINDINGS AND RECOMMENDATIONS TO THE MAYOR AND THE COMMON COUNCIL REGARDING THE CREATION OF SUCH INFRASTRUCTURE

PUBLIC COMMENT PERIOD: YES

Council Member Anane introduced the following

LOCAL LAW G of 2018

A LOCAL LAW AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW PART 39 ENTITLED“ CITY OF ALBANY COMMISSION ON MUNICIPAL INTERNET SERVICE ” AND PROVIDING FOR THE RESPONSIBILITIES OF THE COMMISSION WITH RESPECT TO RESEARCHING THE LOGISTICS AND FINANCING OF A CITY OWNED HIGH SPEED INTERNET SERVICE. AND REQUIRING THE COMMISSION TO MAKE FINDINGS AND RECOMMENDATIONS TO THE MAYOR AND THE COMMON COUNCIL REGARDING THE CREATION OF SUCH INFRASTRUCTURE

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Chapter 42 of the Code of the City of Albany is hereby amended by adding thereto a new Part 39 to read as follows:

**PART 39
CITY OF ALBANY COMMISSION ON MUNICIPAL INTERNET SERVICE**

Section 42-381. Legislative Intent.

The mission of the commission is to research the feasibility, logistics, and financing of creating a municipally-run, citizen-owned high speed internet service that will provide internet speeds far greater than what private companies currently provide and ensure such service will be made available to every Albany resident and business, regardless of income level or geographic location in the City.

Creating high-speed, reliable, affordable, and citizen-owned internet service has shown to be a major economic boost in municipalities where such infrastructure exists. Providing this service would also serve as a significant benefit in every neighborhood in Albany, particularly in neighborhoods where unemployment and poverty rates are high. Affordable, reliable internet access gives individuals, among a host of other benefits, the ability to more easily search for employment, work from their homes, and take online higher education courses.

The marketplace for internet access lacks any true competition. Residents are faced with expensive plans that provide sub-par internet speeds. Chattanooga, Tennessee serves a model for municipally-run internet service. That city ' s average download speed is over 100 megabytes per second. In Albany, the average download speed is a little over 20 megabytes per second. Establishing a successful citizen-owned internet service would be an enormous help to attracting new small businesses and residents to Albany, which means a significant increase of our tax

base, more thriving commercial centers, and give Albany a major competitive advantage over surrounding municipalities.

With significant economic and community development opportunity in mind, the Common Council determines it to be sound public policy and advisable to establish the “ City of Albany Commission on Municipal Internet Service ” for the purpose of researching all the necessary elements of creating a municipal internet service and make meaningful recommendations to City Government in order to seize upon this opportunity and move towards quality internet for all.

Section 42-382. Establishment of Commission.

The Common Council hereby establishes the City of Albany Commission on Municipal Internet Service.

Section 42-383. Membership; Term; Vacancies.

A. The Commission shall consist of ten members with five members to be appointed by the Common Council and five members to be appointed by the Mayor. Vacancies shall be filled in the same manner as the original appointment.

B. The appointing authorities shall strive to include a mixture of appointees who are knowledgeable of efforts by other municipalities to successfully create municipally-run high speed internet services, have a background in finance, have a background in economic development, and/or have a background in information technology, or other fields the appointing authorities believe are crucial to the success of the Commission.

C. The commission shall appoint a chair through a majority vote of commission members.

D. The Commission shall cease to exist six months following the submission of the final report to the Mayor and Common Council. Members shall serve without compensation and at the pleasure of their appointing authority.

Section 42-384. Powers and duties.

A. The Commission shall submit a preliminary report to the Common Council and the Mayor within one hundred twenty days after all appointments of members have been made by the appointing authorities. Such report shall detail the Commission ’ s findings as outlined in this section. The Commission shall submit its final written report to the Common Council and the Mayor within one hundred fifty days of the date it submitted its preliminary report. Such final report shall be detailed in its scope and shall identify the work engaged in by the Commission in fulfillment of the charges imposed upon it pursuant to such section. The report shall further include its findings, determinations and recommendations, including but not limited to, any recommendations the Commission has determined necessary for the enactment or amendment of local or state law as may be necessary to accomplish any of its recommendations.

B. The report of the Commission shall providing findings with regard to the following topics:

1. The costs and benefits associated and logistical requirements with creating a municipal internet service;
2. Consideration of how other municipalities have created their municipal internet services;
3. Identification of all necessary or advisable City and State legislation;
4. Development of an ideal model of a municipal internet service;
5. Review all available options that would minimize financial cost of creating such infrastructure;
6. Suggest partnerships, as the Commission deems worthwhile, with current city businesses, not-for-profits, higher education institutions, the city's grade schools and public libraries, and other municipalities to maximize the potential and implementation of a municipal internet service;
7. Any other topics the Commission feels necessary to address in the spirit of successfully establishing a municipal internet service.

Section 42-385. Assistance to the Commission.

The Commission shall have the power to request documents, conduct public hearings, hear testimony of witnesses, and take any other action it deems necessary to carry out its functions. Every department, office, division, agency or public authority of this city shall cooperate to the full extent possible with the Commission and furnish such information and assistance as the Commission determines is reasonably necessary to accomplish its purpose in a timely fashion.

Section 2. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.

LEGISLATIVE MEMORANDUM

TO: Gerald Campbell, City Clerk

FROM: Owusu Anane, Council Member

DATE: August 9, 2018

Re: Local Law G of 2018

TITLE: A LOCAL LAW AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW PART 39 ENTITLED “ CITY OF ALBANY COMMISSION ON MUNICIPAL INTERNET SERVICE ” AND PROVIDING FOR THE RESPONSIBILITIES OF THE COMMISSION WITH RESPECT TO RESEARCHING THE LOGISTICS AND FINANCING OF A CITY OWNED HIGH SPEED INTERNET SERVICE. AND REQUIRING THE COMMISSION TO MAKE FINDINGS AND RECOMMENDATIONS TO THE MAYOR AND THE COMMON COUNCIL REGARDING THE CREATION OF SUCH INFRASTRUCTURE

GENERAL PURPOSE OF LEGISLATION : To create the City of Albany Commission on Municipal Internet Service

NECESSITY FOR LEGISLATION: The creation the City of Albany Commission on Municipal Internet Service is the first step in examining the logistics and financing of creating city-run, citizen-owned high speed internet service. As a technology hub, the City of Albany and its residents should have access to world class Internet service. The current marketplace is marked by a corporate monopoly. The creation of a municipal internet service would spur necessary competition. Furthermore, Internet access is a necessity. Too many Albany residents forgo Internet service because of the cost. We must do all we can to ensure every resident has the ability to access quality Internet service. Furthermore, a world class Internet service will give Albany a major competitive advantage over surrounding municipalities and serve as a sustainable, significant tool for community and economic development.

FISCAL IMPACT: None. The purpose of the commission is not to begin creation of any infrastructure. The purpose is, in part, to examine the financial impact building aforementioned infrastructure would have on the City. The commission members serve on a purely voluntary basis.