



Kriss Worthington

Councilmember, City of Berkeley, District 7

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REVISED

CONSENT CALENDAR

November 27, 2007

To: Honorable Mayor and Members of the City Council

From: Councilmember Kriss Worthington

Subject: Support Of Increased Internet Access And Protections For Workers And Consumers

RECOMMENDATION:

Adopt the attached resolutions establishing city policy that all employees who enter homes for utility work should be employees of a utility franchise holder; establishing a city policy establishing standards for users of the public right of way and requiring that they should be employees of a franchise holder; and endorsing the Speed Matters initiative.

BACKGROUND:

The United States has fallen from first in internet access to 16th in the world. Internet access is key to education, communications, health care, and economic growth. The proposed resolutions address the expansion of internet access and advocate for protections for workers and consumers during such expansion.

FINANCIAL IMPLICATIONS:

NONE

CONTACT PERSON:

Councilmember Kriss Worthington, 981-7170.

Attachments:

1-3. Proposed resolutions

RESOLUTION NO. ##,###-N.S.

ESTABLISHING A CITY OF BERKELEY POLICY TO REQUIRE THAT ALL
EMPLOYEES WHO ENTER HOMES FOR UTILITY WORK SHOULD BE EMPLOYEES
OF A UTILITY FRANCHISE HOLDER

WHEREAS, the safety of its residents is the preeminent concern of city government; and

WHEREAS, every resident of the City of Berkeley has the right to be safe and secure in their own homes; and

WHEREAS, some utility franchise holders delegate to third parties the responsibility to hire and administer employees, and this causes residents to unknowingly admit to their homes persons who may be unknown to the franchise holder and pose a danger to members of the household.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that all employees who enter homes in our city should be employees of the utility franchise holder, and that all such franchise holders be accountable for the conduct of their employees; and

BE IT FURTHER RESOLVED, that the City of Berkeley supports pending State of California legislation that contains these provisions to that it knows which business entity will be accountable for employee conduct at the homes of residents in our city.

RESOLUTION NO. ##,###-N.S.

ESTABLISHING STANDARDS FOR USERS OF THE PUBLIC RIGHT OF WAY AND
REQUIRING THAT ALL USERS SHOULD BE EMPLOYEES OF A FRANCHISE
HOLDER

WHEREAS, the City of Berkeley, by law, retains control of the public right of way including streets and all public lands; and

WHEREAS, the City is responsible for ensuring the safety of its residents and the responsible use of the public right of way.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that use of the public right of way, whether for video, telephone or any other use shall be limited in the following ways: all users of the public right of way should have the property training and skills and possess the proper attributes, to insure public safety and to comport with responsible public policy; "proper attributes" is defined as adequate compensation to ensure skills and training, and responsible customer service; and

BE IT FURTHER RESOLVED, that in order to effectuate this resolution, all users of the right of way should be employees of the franchise holder in order that the City of Berkeley can assure proper usage and can know which business entity will be accountable for the proper use of the right of way.

RESOLUTION NO. ##,###-N.S.

RESOLUTION ENDORSING SPEED MATTERS INITIATIVE

WHEREAS, high speed Internet is absolutely necessary to fuel our local, state and national economic; 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. economy 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 developed policies that will facilitate job growth, business advancement, and individual achievement through access to information and markets, and

WHEREAS, the City of Berkeley should act now to implement policies that will guarantee every resident, and every child, access to all of the promises of the information age.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby 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 downstream. Government policies should immediately set "high speed" definition at 2 megabits per second downstream, 1 upstream.

3. A national high speed Internet for all policy is critical.

The City of Berkeley should adopt policies for universal access and set deployment timetables: 10 mbps down, 1 mbps up by 2010, with new benchmarks set for succeeding years.

4. The U.S. should preserve an open Internet.

High speed, high capacity networks will eliminate bandwidth scarcity and will promote an open Internet. Out 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 should be safeguarded.

Public policies should support the growth of stable, skill career employment in the broadband industry as a key to maintaining quality service. Our cities and our government should require 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.