

I, Sabrina M. Oliver, Town Clerk, hereby certify that the attached is a true and correct copy of Resolution 2007-06-11/R-17 adopted by the Chapel Hill Town Council on June 11, 2007.

This the 13th day of June, 2007.

A handwritten signature in black ink, appearing to read 'Sabrina M. Oliver', written over a horizontal line.

**Sabrina M. Oliver
Town Clerk**



**A RESOLUTION EXPRESSING THE CHAPEL HILL TOWN COUNCIL'S
OPPOSITION TO HOUSE BILL 1587 AND URGING ITS DEFEAT IN THE NORTH
CAROLINA GENERAL ASSEMBLY (2007-06-11/R-17)**

WHEREAS, the Town Council of the Town of Chapel Hill understands House Bill 1587, "The Local Government Fair Competition Act", introduced in the 2007 Session of the General Assembly of North Carolina, seeks to transform municipal fiber optics systems laws such that it will effectively prevent municipalities from competing in the marketplace with commercial providers; and

WHEREAS, the Town of Chapel Hill, after significant amount of community discussion, a public forum, a citizen committee study, and discussion by the Town Council, wishes to reserve the right to use future public communications infrastructure, such as fiber optic and wireless networks, for the public good; and

WHEREAS, the Town Council desires that all of the citizens, consumers and businesses in Chapel Hill have equal access to advanced and cost effective communications and entertainment services; and

WHEREAS, the Town of Chapel Hill in partnership with the North Carolina Department of Transportation has allocated a significant portion of funds to upgrade its traffic signal system to include hundreds of miles of fiber optics capable of providing digital connections throughout Chapel Hill; and

WHEREAS, the Town Council believes House Bill 1587 adds unnecessary burdens to local governments who have chosen to provide high-speed broadband telecommunication services to its businesses and residences, and hinders the Town of Chapel Hill's ability to act in accordance with existing obligations and future endeavors; and

WHEREAS, the Town of Chapel Hill believes that House Bill 1587 is not intended to make competition fair, but to disable local governments' ability to provide necessary services where current high quality internet services are non-existent and where private companies have chosen not to invest in those services; and

WHEREAS, the Town Council believes House Bill 1587 contradicts existing law, including the Local Development Act of 1925 as established by NCGS § 158 that allows local government to give support to the economic development of communities throughout North Carolina; and

WHEREAS, the General Assembly has already established laws which apply to local governments seeking to offer an enterprise service to its community (NCGS § 160A Article 16, NCGS § 159 Article 3, and NCGS § 160A, Article 3);

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council opposes passage of House Bill 1587 because of the additional and unnecessary barriers to local government's efforts to meet residents' telecommunication needs.

BE IT FURTHER RESOLVED that the Council urges the Finance Committee of the North Carolina House of Representatives to issue an unfavorable report on House Bill 1587 and urges each member of the General Assembly to reject this poorly conceived policy measure.

This the 11th day of June, 2007.