

## STAFF REPORT

To: Mayor and Council Members Date: June 28, 2015  
From: Jonathan Feldman, Chief Information Officer  
Via: Gary Jackson, City Manager  
Subject: Land of Sky Regional Council Agreements & Grant Support

Summary Statement: The consideration of a resolution authorizing the City Manager to enter into a Mutual Agreement and Memorandum of Agreement with Land of Sky Regional Council (Land of Sky) to pursue regional gigabit broadband advancement in Western North Carolina; and to support a Land of Sky grant application.

Review: Attached for Council's review are three documents relative to Asheville's participation in the initiative led by Land of Sky, called "West – Next Generation Network" (WestNGN). The initiative seeks to expand high-speed Internet service at gigabit speeds. The City's Finance committee will review these documents at their June 28 meeting.

The first of the documents is the Mutual Agreement. This spells out the work of the steering committee and overall goals. The second attachment is the Memorandum of Agreement, which spells out Asheville's contractual relationship with Land of Sky to provide technical assistance and project management. Specifically, Land of Sky will be contracting with an individual or firm to draft an RFP to achieve goals related to expanding high speed ("gigabit") service in the region. Land of Sky will also be compiling data and administering an RFP release and response process. Land of Sky will also apply for an Appalachian Regional Commission (ARC) grant to support the effort, and staff proposes to supply a letter of support (attached).

**Pros:**

- This effort is built on a model used elsewhere (Research Triangle)
- Regional collaboration between cities including Fletcher, Hendersonville, and Asheville
- Gigabit network availability has shown to be a positive in municipalities like Kansas City and Chattanooga

**Con:**

- Some cost associated with the effort.

Fiscal Impact: Regional municipal partners are cooperating to cover Land of Sky costs. Asheville's share will be \$11,893 and will be funded within the existing FY 2015-16 ITS Departmental budget.

Recommendation: City staff recommends City Council approve a resolution authorizing the City Manager to enter into a Mutual Agreement and Memorandum of Agreement with Land of Sky Regional Council to pursue regional gigabit broadband advancement in Western North Carolina; and to support a Land of Sky grant application.

**Attachments:**

- (1) Resolution
- (2) Mutual Agreement
- (3) Memorandum of Agreement
- (4) Letter of Support

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH LAND OF SKY REGIONAL COUNCIL TO PURSUE REGIONAL GIGABIT BROADBAND IN WESTERN NORTH CAROLINA AND TO AUTHORIZE A GRANT SUPPORT LETTER

Whereas, the City has the authority, pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, Asheville and other municipalities, together with Land of Sky, can benefit by executing certain mutual agreements to cooperate in the goal of pursuing better regional broadband; and

WHEREAS, Land of Sky Regional Council (Land of Sky) will work to select a project manager to create an RFP to foster gigabit Internet access for the region; and

WHEREAS, such access will be of mutual benefit to Asheville and the greater region; and

WHEREAS, the scope of this work is clearly stated in the memorandum of agreement; and

WHEREAS, the amount of the Agreement is \$11,893, and budgeted within the existing FY 2015-16 ITS Departmental budget; and

WHEREAS, matching funds may be available through Appalachian Regional Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute on behalf of the City of Asheville a memorandum of agreement (with no dollar value); a contract in the amount of \$11,893 for Land of Sky Regional Council to pursue regional gigabit broadband in Western North Carolina; and the issuance of a letter of support for Land of Sky to pursue an Appalachian Regional Commission grant.

Read, approved and adopted this 28<sup>th</sup> day of June, 2016.

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CITY CLERK

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MAYOR

Approved As To Form:

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CITY ATTORNEY