



## **AGENDA**

### **Committee on Intergovernmental Relations Tuesday, August 2, 2016 @ 3:30 p.m. Council Conference Room; City Hall 10<sup>th</sup> Floor**

Councilmember Adam Hussain, Chair  
Councilmember Judi Brown Clarke, Vice Chair  
Councilmember Tina Houghton, Member

**1. Call to Order**

**2. Public Comment**

**3. Approval of Minutes**

- July 19, 2016

**4. Discussion/Action:**

A.) Discussion – AT & T Michigan Annual Video Report & Attorney Opinion

B.) Update – Wake Policy and Safe Boating on the Grand River

**5. Other**

**6. Adjourn**



## **MINUTES**

**Committee on Intergovernmental Relations  
Tuesday, July 19, 2016 @ 3:30 p.m.  
10<sup>th</sup> Floor Conference Room, City Hall**

### **CALL TO ORDER**

The meeting was called to order at 3:33 p.m.

### **ROLL CALL**

Council Member Adam Hussain, Chair  
Council Member Judi Brown Clarke, Vice Chair  
Councilmember Tina Houghton, Member-absent

### **OTHERS PRESENT**

Sherrie Boak, Council Staff  
Council Member Carol Wood  
Kristen Simmons, Assistant City Attorney  
Brett Kaschinske, Parks & Recreation Director  
Eric Novak, Moores River Association  
Sgt. Sean Mills, LPD  
Sgt. Bryan Curtis, LPD  
Tammy Lemmer, TCOA  
Kate Long, TCOA  
Marion Owen, TCOA  
Zack Russell, Parks & Recreation  
Jeffrey Venn

### **PUBLIC COMMENT ON AGENDA ITEMS**

Public Comment will be discussed at each agenda item.

### **MINUTES**

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM JUNE 21, 2016 AS PRESENTED. MOTION CARRIED 2-0.

Council Member Hussain amended the agenda to address the Wake Policy first.

### **DISCUSSION – Wake Policy and Safe Boating on the Grand River**

Council Member Hussain recapped the issue of excessive noise, erosion of the river bank, and the issue of safe boating. The discussion began in 2004 and centered on a no-wake policy.

The discussion at the last meeting broached the ideas of abating or negating with education such as signage, flyers from officers, or flyers from neighborhoods when seeing something happening. Mr. Hussain then apologized to the public for not providing individual notification of the meeting.

Mr. Kaschinske provided an example of signage that stated, “\*Please Practice Safe and Legal Boating Habits. \*Be Mindful of other boaters and homeowners, keep a safe distance. \*Be aware of your wake, especially when close to shore or in shallow water. \*Be respectful of the legal quiet hours between Sunset and Sunrise, please no high speed boating, skiing, or tubing during this time. Please keep these safe practices in mind while you’re enjoying the river.” This sign was recommended to be placed near the boat launch at Grand River Park. Mr. Russell added that the DNR also has a manual that has information that can be provided, however they will then have to maintain the debris when they are disposed of. Mr. Kaschinske noted that there are no staff members or LPD at the launch unlike other areas such as Lake Lansing. Council Member Hussain asked if there was any further information found on the previous year’s statements by Mr. Murdock that signs would go up. Mr. Kaschinske stated Mr. Murdock could not recall stating the signs would go up, but did recall discussion of a no wake zone. At that time Lansing Township did not come along on the plan for a no wake zone, so it did not occur. Council Member Brown Clarke suggested minimizing the wording on the proposed sign and adding “fines up to...” placed on the bottom. Council Member Hussain agreed on the suggestion of more concise, stronger language.

Sgt. Mills and Sgt. Curtis introduced themselves with the LPD dive team, and addressed the questions and concerns from the last meeting. Council Member Hussain asked them to address what State laws and local ordinance address the issues, any ordinance on noise, etc. and are there ways to empower local neighborhood groups, and/or create a river watch group. Sgt. Curtis confirmed that the speed limit on an inland waterway is 55 mph. Noise is excessive and can be enforced, but only with the assistance of a noise meter, however that is not available, and would also require calibration to be enforceable in court. The question regarding bass boats, this does occur in the early morning, however it must be noted there are 50-60 boats which do bring revenue into the City during the limited times they have their tournaments. On the topic of reckless boating, this can be enforced by any police officer who does observe it. The erosion on the banks, with the current unseasonable drought, has the river down 1’-2’ below. Sgt. Mills and Curtis both spoke in support of the signage and support handing out pamphlets, but agree it could be litter. It was also noted by LPD that at one time the Mayor suggested launch fees or annual permit. Lastly they noted they did not encourage enforcement by a no wake policy. Lastly, they spoke in support of the MSU water skiing club and rowing club because they do have a great partnership and represent Lansing in a good aspect.

Council Member Hussain agreed that a no wake might make it unusable, so the Committee needs to look at ways to abate. The question was asked when someone calls 911 about a situation, what should they say. Sgt. Curtis noted it would be the same as identifying a vehicle violation, so make, size, number of people, and vehicle description. It was noted that reckless boating will not be considered a priority and that was discussed with the LPD Chief. The officers on the water, the dive team, are search and recovery. The LPD does not keep a vessel on the river so they have to catch the boaters at the ramp, but because there are not regular patrols there they cannot promise. In regards to the no wake measurement, no wake is categorized as slow down to no propulsion. Now they should not be above wake near shore lines and that can be enforced. If Committee decided to enforce a no wake they would have to get Lansing Township and Ingham County to agree. They could also apply to DNR for a variance to lower to 40 mph.

Council Member Brown Clarke suggested placing the signage on the bridge as to create consciousness. Mr. Novak suggested signage on buoys in the water. Council Member Hussain asked Mr. Kaschinske if signage on the bridge was possible, and Mr. Kaschinske stated it would not be Parks and Recreation, but the County Road Commission. Council Member Hussain suggested pursuing signage on the bridge.

Mr. Novak supported the fishing tournaments, MSU crew and MSU ski club, however also supported signage to monitor it. There was a question on statistics for accidents and water citations. Sgt. Curtis noted that there is not a lot reported or document so they do not have statistics.

Council Member Hussain asked Ms. Simmons for the best practice for complaints, and Ms. Simmons noted they should report to Police and file a citizen complaint with the City Attorney office.

Council Member Hussain then asked Mr. Kaschinske to research launch fees to generate funds for attendance. Mr. Kaschinske stated they would need to do a study, but does have concerns with having funds at a park.

Sgt. Mills added that as far as enforcement they should call 911. It will be a low priority and there is no effective way for police to enforce. Sgt. Curtis acknowledged that it appeared the main concerns were regarding 3-4 groups, so offered contact information to Mr. Venn and Mr. Novak to contact the agency for assistance when they see something.

Mr. Venn spoke as a resident noting his concern on the wake board boats which also affect the resident's docks. There was also a concern with the noise.

Council Member Brown Clarke asked if there are offenders and repeat offenders they can receive a warning that might put people on guard they are being watched. Mr. Novak clarified that the wake board boats practice on the river for the races, and the boat race club could be informed of the rules.

Council Member Hussain informed the group that he would keep in contact with the Parks and Recreation Department on signage and working towards placement. It was also noted he would reach out to the public from the last meeting to update them.

Sgt. Mills presented DNR boating laws to the Committee.

#### **RESOLUTION – Tri-County Office on Aging Fiscal Year 2017-2019 Multi Year Plan**

The plan under older Michiganian ACT requires TCOA to get approval from the City. Ms. Owen noted that TCOA is one of 16 in the State and 600 nationally. TCOA is intergovernmental and includes Ingham, Eaton, Clinton, Lansing and East Lansing and is formed under the urban cooperation act. The demographics of the aging is changing in the tri-county so the need has gone up. TCOA currently does get federal funds and funds from Medicaid.

Ms. Lemmer added to the conversation that they did obtain input for the plan from a needs assessment with community forums, online surveys and printed surveys. Ms. Long referred the Committee to page 38-45 of the plan which outlined their goals and objectives. The first goal for the aging agency to do is conduct or obtain an agency and align with the AARP initiative. A goal includes improving the outreach, and focus on caregivers of dementia patients. TCOA continues to try to protect the elderly from abuse and neglect, and are pursuing funding sources to help.

Council Member Brown Clarke asked if in the funding model, the funds are leveraged across tri-county by program, by effort or by initiative. Ms. Owen clarified it is based on need and sometimes comes out close to population. TCOA does have Federal dollars and State dollars and consortium dues are determined using a formula-based calculation.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE RESOLUTION FOR THE TRI-COUNTY OFFICE AND AGING FISCAL YEAR 2017-2019 MULTI- YEAR PLAN.  
MOTION CARRIED 2-0.

Council Member Wood asked the Committee to check into the issue with Comcast and AT & T providing the coverage from City TV. Currently there is a franchise fee stating the customers will get City TV however they are not getting it. The City is spending the franchise fees however are unallocated. Council Member Hussain asked Ms. Simmons to provide for discussion at the August 2, 2016 meeting. After that the Committee will invite Comcast in to a meeting.

Submitted by,  
Sherrie Boak, Recording Secretary,  
Lansing City Council  
Approved by the Committee on \_\_\_\_\_  
Adjourn 4:11 p.m.



RECEIVED

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LANSING CITY CLERK

Jim Murray  
President  
AT&T Michigan  
221 N. Washington Square  
Lansing, MI 49833  
Office: (517) 334-3400  
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July 15, 2016

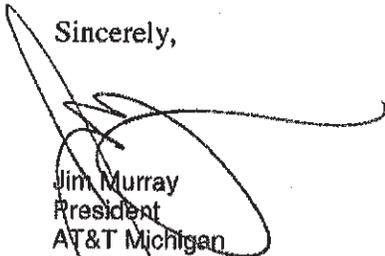
Ms. Kavita Kale  
Executive Secretary  
Michigan Public Service Commission  
PO Box 30221  
Lansing, MI 48909

Dear Ms. Kale:

Michigan Bell Telephone Company, doing business as AT&T Michigan ("AT&T"), submits its Ninth Annual Video Report to the Michigan Public Service Commission ("MPSC") and franchising entities in the State of Michigan regarding its deployment progress, as required by Michigan's Uniform Video Services Local Franchise Act (2006 Public Act 480, as amended) or "Video Act". AT&T is separately providing a copy to each Clerk in the Michigan Communities where AT&T has launched its U-verse<sup>SM</sup> TV service.

If you have any questions, please contact me on (517) 334-3400 or Yvette Collins on (517) 334-3708.

Sincerely,



Jim Murray  
President  
AT&T Michigan

Enclosures

cc: Clerks in Franchised Communities  
Ms. Robin Ancona, Michigan Public Service Commission Staff  
Mr. Ryan McAnany, Michigan Public Service Commission Staff  
Ms. Yvette Collins, AT&T Michigan



**9th Annual**

**AT&T Michigan**  
**Annual Video Report**

**July 15, 2016**

## STATUS OF AT&T'S VIDEO SERVICE DEPLOYMENT IN MICHIGAN

Michigan Bell Telephone Company, doing business as AT&T Michigan ("AT&T"), submits its Ninth Annual Video Report to the Michigan Public Service Commission ("MPSC" or "Commission") and franchising entities in the State of Michigan regarding its deployment progress, as required by Michigan's Uniform Video Services Local Franchise Act (2006 Public Act 480, as amended) or "Video Act".<sup>1</sup>

On January 1, 2007, Michigan's Video Act became effective. On January 31, 2007, as required by the Video Act, the MPSC approved the standardized form for the uniform video service local franchise agreement as developed by the MPSC Staff after soliciting input from all interested parties.

In March of 2007, AT&T began submitting franchise agreements in accordance with the Video Act to local governments, using the form approved by the MPSC. After these initial agreements became effective, AT&T launched its Internet Protocol TV (IPTV) service called AT&T U-verse® TV on May 21, 2007 in parts of over 50 communities in the Detroit and Ann Arbor areas. AT&T has now obtained franchise agreements and has launched its U-verse TV in 340 communities.

Section 9(2)(b) of the Video Act provides that it is a defense to an alleged violation of Section 9(1) of the Video Act if a provider has met either of two conditions: (1) within 3 years at least 25% of households with access to the provider's video service are low-income households; or (2) within 6 years and from that point forward at least 30% of households with access to the provider's video service are low-income households. AT&T has met both conditions.<sup>2</sup>

With respect to Section 9(3) of the Video Act: (1) AT&T provided access to its video service to over 50% of the households in its telecommunications service area within 6 years of the date it began providing video service, and (2) AT&T Michigan no longer has more than 1,000,000 telecommunications access lines in the state.<sup>3</sup>

AT&T recently completed its ninth year of providing video service in the state, and the deployment of the service has been significant. In Michigan, AT&T currently provides access to its video service to over 50% of the households in its telecommunications service area (however, AT&T's subscription rate is less than 30%). Of these households with access to AT&T's video service in Michigan, over 35% are low-income households as defined by the Video Act. AT&T does not deny access to service to any group of potential residential subscribers because of race or income.

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<sup>1</sup> See Section 9(4) of the Video Act: "Each provider shall file an annual report with the franchising entity and the commission regarding the progress that has been made toward compliance..."

<sup>2</sup> See Section 9 (2) of the Video Act: "It is a defense to an alleged violation of subsection (1) if the provider has met either of the following conditions: (a) Within 3 years of the date it began providing video service under this act, at least 25% of households with access to the provider's video service are low-income households. (b) Within 5 years of the date it began providing video service under this act and from that point forward, at least 30% of the households with access to the provider's video service are low-income households."

<sup>3</sup> "If a video service provider is using telecommunication facilities to provide video services and has more than 1,000,000 telecommunication access lines in this state, the provider shall provide access to its video service to a number of households equal to at least 25% of the households in the provider's telecommunication service area in the state within 3 years of the date it began providing video service under this act and to a number not less than 50% of these households within 6 years. A video service provider is not required to meet the 50% requirement in this subsection until 2 years after at least 30% of the households with access to the provider's video service subscribe to the service for 6 consecutive months."

Since its launch in 2007 through the end of the 1st quarter of 2016, AT&T has paid more than \$148 million to the local governments, made up of \$11.5 million in video franchise fees and \$33 million in public, education and government (PEG) fees.

## **AT&T'S INVESTMENT IN MICHIGAN'S WORKFORCE AND INFRASTRUCTURE**

AT&T invests billions to build the advanced networks that create jobs and fuel economic growth. From 2013 through 2015, AT&T invested nearly \$1.65 billion in its Michigan wireless and wireline networks.

## **AT&T'S U-verse® TV PRODUCT**

AT&T's U-verse TV network architecture and technology is fundamentally different from a legacy cable TV system. AT&T's U-verse TV is Internet Protocol TV (IPTV), which is based on the common language of the Internet. IP gives U-verse a significant advantage over older, cable-based platforms.

U-verse delivers both real-time video programming and on-demand and interactive content that IPTV makes possible. Customers are enjoying many benefits of the platform, like Total Home DVR<sup>3</sup> and multi-screen<sup>4</sup> content. In addition, AT&T extends its U-verse TV brand across screens with Uverse.com and the U-verse App for smartphones and tablets.

Here are some highlights of latest U-verse TV offerings:

- Michigan U-verse TV customers can enjoy access to more than 245 HD channels. U-verse customers can receive HD-ready equipment, according to their package, and most packages include an HD-ready DVR.
- Customers can use the U-verse App on numerous devices, including wearables. Michigan customers can watch more than 255 live channels inside the home and more than 215 live channels outside the home.
- AT&T's deployment of Public, Educational, and Government (PEG) continues. AT&T works closely with all communities who have requested AT&T to carry their PEG programming on U-verse TV.

<sup>3</sup> Total Home DVR (Digital Video Recorder). See: <http://www.att.com/u-verse/explore/total-home-dvr.jsp> for more details. An AT&T U-verse customer can record 4 shows at once on a single DVR, record and play back shows from any room in the home, pause a recorded show in one room and pick it up in another and program the DVR remotely from the computer or wireless phone.

<sup>4</sup> See: <http://www.att.com/esupport/article.jsp?sid=KB402261&cv=813> for more details. This innovative feature allows the viewer to track four shows all at one time, on one screen. A customer may access Multiviews for Sports, News and Kids, etc., depending upon the programming purchased.

AT&T's U-verse offers multiple combinations of TV, Internet and Voice packages to customize the customer's experience. U-verse TV offers several programming packages including U-basic, U-200, U-200 Latino, U-300, U-300 Latino, U-450, and U-450 Latino packages, plus U-family, a family-friendly programming option. The customer may choose from a variety of subscription options that feature a wide variety of channels, including music, local, movie and sports programming, as well as premium Spanish-language and international packages.

All of these packages include high definition or HD-capable equipment, and most packages include an HD digital video recorder (DVR), easy to use parental controls, built-in picture-in-picture, video on demand, games like sudoku and solitaire. For a summary of all of the interactive applications, go to:

[uverse.com/apps](http://uverse.com/apps)

### **ADDITIONAL AT&T U-verse® TV INFORMATION**

For additional information on AT&T U-verse TV, to see a demonstration of how it works or to see the popular bundles, visit the website below. Customers may also call 800-ATT-2020.

<http://www.att.com/u-verse/>

Customers may find the following AT&T websites helpful for further information regarding channel lineup, availability of AT&T U-verse TV or to check the status of their installation or repair order:

- AT&T U-verse TV channel lineup:

<http://www.att.com/u-verse/shop/channel-lineup.jsp>

- AT&T U-verse TV availability:

<http://www.att.com/u-verse/availability/>

- U-verse TV Customers have the ability to check status of their installation or repair order via an online tool at:

<http://www.att.com/u-verse/appointmentstatus>