

City of Northampton

MASSACHUSETTS

In City Council, May 6, 2021

Upon the recommendation of Mayor David J. Narkewicz

**O-21.265 AN ORDER AUTHORIZING ACQUISITION AND
ESTABLISHMENT OF A MUNICIPAL LIGHT PLANT**

WHEREAS, the Mayor and City Council approved a two-phase market study and comprehensive feasibility study of municipal broadband as part of the FY2020-FY2024 Capital Improvement Program; and

WHEREAS, the City of Northampton awarded a contract for the aforementioned two-phase study to Design Nine, Inc. which has completed a market study, the overwhelmingly positive results of which dictate moving forward with the comprehensive feasibility study; and

WHEREAS, if based on the results of both studies the City of Northampton decides to implement municipal broadband, the city would be required to establish a Municipal Light Plant in accordance with M.G.L. c. 164, § 35; and

WHEREAS, establishment of a Municipal Light Plan under section 35 first requires two separate approval votes of the City Council by a two-thirds majority in two separate fiscal years; and

WHEREAS, the City Council approved the establishment of a Municipal Light Plan in fiscal year 2020 on June 18, 2020; and

WHEREAS, in the interest of not unnecessarily delaying a future potential municipal broadband project, it would be prudent to complete the second required approval vote in fiscal year 2021 ending June 30, 2021.

NOW, THEREFORE, be it ordered, the City Council authorizes in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, and more particularly for the establishment a municipal broadband system for the City of Northampton. The Mayor is hereby authorized to execute any documents necessary to effectuate this Order.