



Legislation Details (With Text)

File #: 20-0962 **Name:**
Type: Other **Status:** Agenda Ready
File created: 6/8/2020 **In control:** City Council Public Hearing
On agenda: 6/20/2020 **Final action:**
Title: Public Hearing and Consideration of an approval of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria, Virginia and New Cingular Wireless PCS, LLC ("AT&T") to Permit New Cingular Wireless to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20-0863_Attachment 1: Amendment to ATT Telecommunications Facility License Agreement with MCA redline, 2. 20-0863_Attachment 2: Exhibit A -1 ATT List of Additonal Poles 5.10.20 (003)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 3, 2020

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Public Hearing and Consideration of an approval of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria, Virginia and New Cingular Wireless PCS, LLC ("AT&T") to Permit New Cingular Wireless to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

ISSUE: Consideration of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria Virginia and New Cingular Wireless PCS, LLC ("AT&T") to permit AT&T to install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways

RECOMMENDATION: That City Council: (1) consider the proposed Amendment to the existing Telecommunications Facility License Agreement (“Agreement”) with AT&T and set it for public hearing on Saturday, June 20, 2020, and (2) after the public hearing authorize the City Manager to execute the Amendment and to take other actions that are necessary to implement the Amendment.

BACKGROUND: In October 2019, City Council approved a five year Telecommunications Facility License Agreement with AT&T to attach small cell facilities to 22 specified poles. At the time City Council approved the Agreement, it was understood by all parties that the Agreement would not be amended in a piecemeal fashion but City staff, AT&T and any other telecommunications providers would develop suitable designs for poles and facilities that could be deployed throughout the City by a citywide franchise agreement. However, as a result of the pandemic the franchise process has not progressed as expeditiously as anticipated, and therefore an Amendment to the October 2019 Agreement is proposed.

DISCUSSION: Accordingly, AT&T, has requested an amendment (Attachment 1) to the existing license agreement for permission to attach City staff approved small cell facilities to existing wooden poles in the public rights-of -ways. There are five additional poles and the locations of these wooden poles have been approved by City staff as meeting the legal and aesthetic guidelines. The locations of the five additional poles are set forth on proposed Exhibit A-1 to the Agreement (Attachment 2).

It should be noted that under federal and state laws and regulations, the City has very limited latitude in denying the locating of small cell equipment on new utility poles, and staff has already applied that latitude in reviewing the five proposed locations listed in Attachment 2.

FISCAL IMPACT: The City will collect \$500 in fees as a result of additional pole applications in this amendment.

ATTACHMENTS:

1. Amendment to Telecommunications Facility License Agreement Between the City of Alexandria, Virginia and New Cingular Wireless PCS, LLC.
2. Exhibit A-1 Listing locations of Additional Existing Wooden Poles Approved to Attach Small Cell Facilities.

STAFF:

Emily A. Baker, Deputy City Manager

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Yon Lambert, Director, Transportation & Environmental Services

Lalit Sharma, P.E., Acting Deputy Director, T&ES-DROW

Tony LaColla, AICP, Division Chief, P&Z - Land Use Services