



Legislation Text

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File #: 20-0961, Version: 1

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City of Alexandria, Virginia

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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 Cellco Partnership d/b/a Verizon Wireless to Permit Cellco Partnership to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

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**ISSUE:** Consideration of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria Virginia and Cellco Partnership, d/b/a Verizon Wireless ("Verizon") to permit Verizon to install Approved Small Cell Facilities on Approved Additional Poles and on a single metal pole, as a pilot installation, in the City of Alexandria's Public Rights-of-Ways.

**RECOMMENDATION:** That City Council: (1) consider the proposed the attached Amendment to the existing Telecommunications Facility License Agreement ("Agreement") with Verizon 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 Verizon to attach small cell facilities to 15 specific poles pursuant to the Agreement. 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. Instead, City staff, Verizon and other telecommunications providers would develop suitable designs for poles and facilities that could be deployed throughout the City by a City-wide franchise agreement. 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, Verizon 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 103 additional wooden poles and one metal pole which is being installed as a

pilot project. The locations of these poles have been approved by City staff as meeting the legal and aesthetic guidelines and are set forth on proposed Exhibits A-4 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 existing utility poles, and staff has already applied that latitude in reviewing the 103 proposed locations listed in Attachment 2.

The metal pole, proposed to be installed at 5150 Duke Street, is a pilot installation project between Verizon, Dominion Virginia Electric and the City. The installation of this pole (Attachment 3) is to test the following factors within the City: the engineering of the design of the metal pole, to permit City staff to review and evaluate the aesthetics of a prototype metal pole for use in the City and to allow modifications of the design. This also allows review and evaluation of permitting process for designs in the public rights-of-ways by T&ES.

**FISCAL IMPACT:** The City will collect \$9,600 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 Cellco d/b/a Verizon Wireless Telecommunications
2. Exhibit A-4: Listing locations of Additional Existing Wooden Poles Approved to Attach Small Cell Facilities
3. Exhibit A-5 - Verizon Metal Utility Poles Elevation - 5.11.2020

**STAFF:**

Emily A. Baker, Deputy City Manager  
Joanna C. Anderson, City Attorney  
Yon Lambert, Director, Transportation & Environmental Services  
Karen S. Snow, Senior Assistant City Attorney  
Lalit Sharma, P.E., Acting Deputy Director, T&ES-DROW  
Tony LaColla, AICP, Division Chief, P&Z - Land Use Services