



Staff Report

October 7, 2019 City Council Regular Meeting

Public Hearing - New Cingular Wireless, LLC (d/b/a AT&T) Franchise and License Agreements

Staff Contact	Phone	Email
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SUMMARY: Staff recommends the City Council conduct a public hearing to provide citizens an opportunity to give testimony regarding the proposal of an ordinance to establish a Franchise Agreement and a separate, but related, proposed License Agreement between the City of Camas and New Cingular Wireless, LLC doing business as AT&T. The Franchise Agreement would be approved via Ordinance and would allow AT&T to install, operate and maintain telecommunication facilities within the City of Camas rights-of-ways. The License Agreement would be approved separate from the Franchise Agreement and would allow AT&T to install, operate and maintain wireless facilities on publicly-owned structures (e.g. poles).

Prior to the City Council conducting the Public Hearing, Staff will review changes (shown in colored, underline text in the attached drafts) to the Franchise and License Agreements that have been made since the first presentation of the Drafts at the September 16, 2019 Council Workshop. In summary, the changes are as follows:

- The Terms of both Agreements have been modified to allow the City to inform AT&T after 15 years (Initial Term and one Renewal Term) of its intent to not renew the Agreements for the second or third 5-year renewal period(s).
- Additional language has been added to Section 4.2 to be consistent with the City's Municipal Code and the FCC Ruling regarding the "shot clock" periods.
- Additional language has been added to Section 4.4 to clarify that AT&T shall still be required to notify the City and obtain any necessary permits even if they are only modifying a wireless installation or replacing it in a like-for-like scenario.
- Section 4.6 has been added to clarify that approval of a Site License Agreement is not the only requirement for installation of wireless facilities and that separate approvals or permits may be required by the City prior to installation.

RECOMMENDATION: Staff recommends that Council conduct a public hearing, deliberate and if desired, direct staff to place the Ordinance on the October 21, 2019 Regular Meeting Agenda for Council's consideration.