

WORKSHOPS

REVIEW AND DISCUSSION

**State Law Provisions of SB 1004
Related to Wireless Facilities in the Right-of-Way**

Eric Oscarson

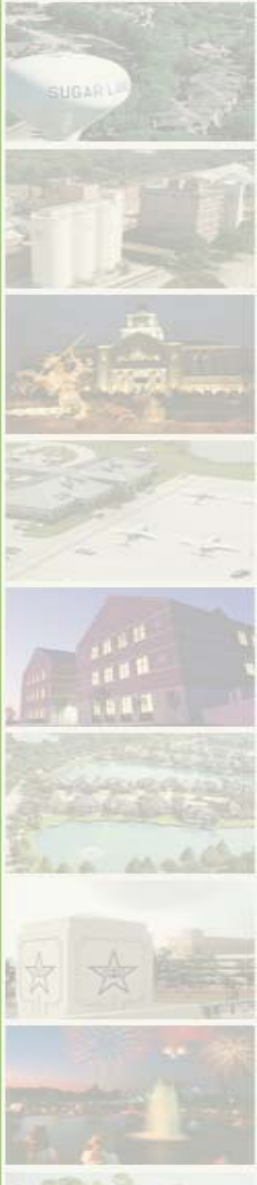
Assistant Director of Public Works

Eugenia Cano

First Assistant City Attorney

Agenda

- **Background**
- **Overview**
- **Images**
- **Next Steps**
- **Questions**



Background

- **Signed by Governor on June 9**
- **Effective Date of September 1**
- **Sought by wireless companies and industry vendors to quickly install small cellular equipment (network nodes) and/or poles in the City's ROW.**
- **City has been approached for a few years.**
- **Prevents the City's ability to manage and preserve ROW.**
- **Limits the fees and rates that can be collected**
- **Mandates city infrastructure to be eligible for private use**



Overview

- **Access to City's ROW for Installation**
 - Construct, modify, maintain, operate, relocate, and remove a network node or node support pole
 - Node support pole not taller than 55' or 10' above existing utility pole within 500 linear feet, whichever is less
 - No node support poles within parks or residential areas (50' Streets), without consent of City.
 - Must obtain advance approval before collocating or installing new node support poles in historic or design districts with decorative poles.



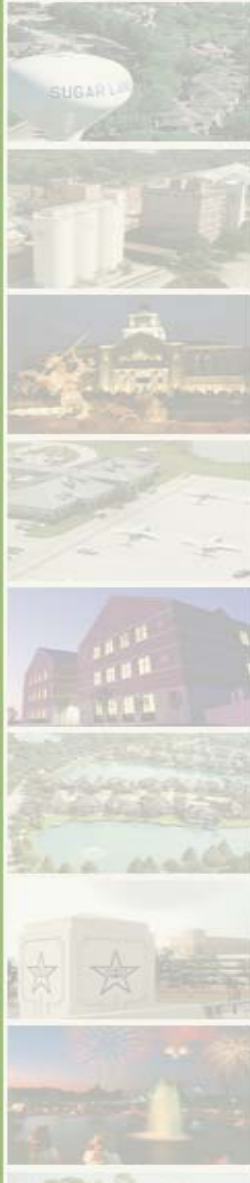
Overview

- **Access to City's ROW for Installation (cont.)**
 - **Must comply with undergrounding requirements**
 - **City may adopt a design manual that does not conflict with the bill**
 - **Collocation on a City Service Pole is allowed**
 - **Traffic Pole, Structure for Signage, Streetlights, other than decorative, or any other pole or similar structure owned by the City that supports only network nodes**



Overview

- **Applications and Permits**
 - May require permits of general applicability to other users
 - May file a consolidated permit for up to 30 nodes.
 - May require construction and engineering drawings
 - **Shot Clock**
 - 30 days to review for completeness for node or pole
 - 10 days to review for completeness for transport facility
 - 150 days to approve or deny complete application for node support pole



Overview

- **Applications and Permits (cont.)**
 - **Shot Clock (cont.)**
 - 60 days to approve or deny complete application for node
 - 21 days to approve or deny complete application for transport facility
 - **Application Fees**
 - Up to five nodes - \$500; \$250 each additional node
 - Node Support Pole - \$1,000



Overview

- **Compensation**
 - **ROW Annual Rate**
 - \$250 per year per node (1/2 CPI Annual Increase Allowed)
 - Transport facilities rate for installed transport facilities- \$28 per node per month
 - Collocation Fee - \$20 per year per service pole
 - **No compensation other than provided by the bill.**



Overview

- **Size of Equipment**
 - **Network Node**
 - Each antenna with no exposed elements and attached to an existing structure or pole
 - Enclosure must be not more than 6 cf.
 - May not protrude more than 2' from structure or pole
 - May not exceed a height of 3' above structure or pole
 - All ancillary equipment may not be larger than 28 cf.
 - Must meet electrical codes



Overview

- **Misc. Items**
 - May not enter into an exclusive agreement
 - Must allow collocation with an agreement
 - Does not govern attachment to electric utilities or telecommunication providers.
 - Must operate within FCC standards



Images

- **What does it look like?**



EXISTING



EXISTING



EXISTING



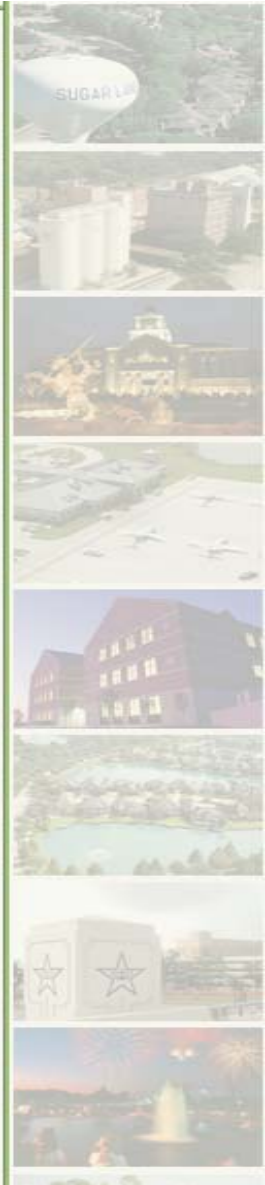

Images

- What does it look like?



Images

- What does it look like?



Images

- What does it look like?



Images

- What does it look like?



Images

- What does it look like?



Next Steps

- **First Reading of Ordinance/Adopting Design Manual – August 22**
- **Second Reading of Ordinance – August 24**
- **Resolution Approving Service Pole Collocation Attachment License Agreement – August 24**



Questions/Comments





CITY OF SUGAR LAND

REPORTS

A. Council Member Reports

- ★ **Community Events Attended or Scheduled**

B. City Manager Report

- ★ **Community Events Attended or Scheduled**
- ★ **Other Governmental Meetings Attended or Scheduled**
- ★ **Council Meeting Schedule**



NEXT CITY COUNCIL MEETING



August 22, 2017