



**MEMO TO:** Planning and Public Works Committee of the Whole

**FROM:** Paul Cho, Manager, Traffic Operations Safety and Engineering

**DATE:** April 16, 2019

**SUBJECT:** Resolution Amending the User Fee Schedule to Add Fees Associated with Usage of the Rights of Way and City Property by Telecommunications Service Providers.

**I. PURPOSE** ☐ For Info Only ☐ Potential Agenda Item ☒ Scheduled for Council Action

**II. RECOMMENDATION**

A Resolution of the City Council of the City of Redmond, Washington, amending the user fee schedule for Public Works to modify and add fees associated with usage of the rights of way and City property by telecommunications service providers.

**III. DEPARTMENT CONTACTS**

Kristi Wilson, Acting Public Works Director, 425-556-2529

Paul Cho, P.E., Engineering Manager, 425-556-2751

**IV. DESCRIPTION/BACKGROUND**

In the first half of 2018, the City Council approved modifications to the Redmond Zoning Code (RZC) and the Redmond Municipal Code (RMC) to enable deployment of Small Cell facilities and equipment within the City right-of-way.

In October 2018, the Federal Communications Commission (FCC) issued a Report and Order and Declaratory Ruling (the "Ruling") that, among other things, established new federal standards for administrative fees and rent that could be collected by local agencies.

Staff worked with the City Attorneys' office to create a Master License Agreement to allow for the installation of Small Cell facilities on City-owned light poles in right-of-way. Information on this Agreement is being presented to City Council in a separate action.

In conjunction with this Agreement, the City needs to amend the existing User Fee Schedule for the Public Works Department to set fees for the administrative review and annual rent for these small cell facilities.

## **A. Analysis**

### **Process to Date:**

- April 3, 2018 City Council approved amending the RZC to allow for Small Cell Facilities and Networks
- June 19, 2018 City Council approved amending the RMC to establish the processes for permitting and the construction standards for Wireless Communication Facilities and Small Cell Networks.

### **Service Delivery or Fiscal Impacts:**

The User Fee Schedule needs to be amended to include fees for the following items:

- Telecommunications Master License Agreement for Small Cell Facilities in the Rights of Way. (Fee- \$591.77)
- Small Cell Site License Addendum Application (includes up to five small cell facilities on new or replacement poles) (Fee - \$1,424.67)
- Additional Small Cell Site License Addendum Application beyond initial five (per pole) (Fee - \$909.59)
- Annual Rental per Site License Addendum (Fee - \$270 per year per cell site)
- Telecommunications Facility Hourly Review Fee (Fee - \$118.99 per hour)

## **V. TIME CONSTRAINTS**

There are several wireless services providers (i.e. AT&T, Verizon, and Mobilitie) that have expressed interest in installing small cell facilities on City-owned infrastructure in the right-of-way. The FCC ruling set January 14, 2019, as the effective date of their Report and Order and Declaratory Ruling.

City Council review on this topic is scheduled as follows:

- April 16<sup>th</sup> – Planning and Public Works Committee briefing
- April 16<sup>th</sup> - Council meeting to approve action

## **VI. LIST OF ATTACHMENTS**

1. Resolution of the City Council of the City of Redmond, Washington, amending the user fee schedule for Public Works to modify and add fees associated with usage of the rights of way and City property by telecommunications service providers
2. Amended User Fee Schedule for Public Works Department - Administrative Policy Fees