


FROM	NAME & TITLE	Rudolph S. Chow, P.E. Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 19-0407		

July 29, 2019

TO:

Housing and Urban Affairs Committee

INTRODUCTION

I am herein reporting on City Council Bill 19-0407 introduced by Council President Scott on behalf of the Administration (Department of Transportation).

PURPOSE

The purpose of the Bill is to grant a franchise to New Cingular Wireless PCS, LLC, to construct, install, maintain, repair, operate, relocate, replace, and remove certain Communications Facilities in and across certain streets and Public Ways and Park Properties, subject to certain terms and conditions; and provide for a special effective date.

BRIEF HISTORY

Article VIII of the Baltimore City Charter provides authority to the City to grant specific franchises or rights relating to certain public property, subject to certain conditions, limitations, and for specified periods of time. Authorization is given in the form of an ordinance, and the Board of Estimates is the body which, after the first reading of the ordinance, is empowered to change any proposed paid compensation to the City for the franchise and the conditions under which the franchise is to be granted.

City Concil Bill 19-0407, if approved, would grant a franchise to New Cingular Wireless PCS, LLC to construct, install, maintain, repair, operate, relocate, replace and remove Communications Facilities within the Public Way and Park Properties. A Franchise Agreement is attached to the Bill whcih details the terms and conditions of the franchise, a franchise fee, and the manner and location of attachments occurring in the Public Way and Park Properties. Most attachments are expected to occur on existing City infrastructure, but poles could be erected if necessary to provide atachments where needed. The Franchise Agreement is to be approved by the Board of Estimates as well as the setting of the Franchise Fee. This Bill would grant a non-exclusive franchise to the Franchisee for installing small cell, wireless technology and other appurtenances on City property located within the City's rights-of-way and park properties.

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FISCAL IMPACT

The Department of Public Works does not anticipate incurring any direct fiscal impact as a result of the proposed legislation.

AGENCY/DEPARTMENT POSITION

The Department of Public Works has no objection to the passage of City Council Bill 19-0407 provided that the Department of Law and the Department of Recreation and Parks concur.

Should the Committee have any questions, please do not hesitate to contact Ms. Marcia Collins at 410-396-1960, or via email at Marcia.Collins@baltimorecity.gov.



Rudolph S. Chow, P.E.
Director

RSC:MMC