

<b>FROM</b>	NAME & TITLE	Rudolph S. Chow, P.E. Director	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 19-0408		

July 29, 2019

**TO:**

Housing and Urban Affairs Committee

**INTRODUCTION**

I am herein reporting on City Council Bill 19-0408 introduced by Council President Scott on behalf of the Administration (Department of Transportation).

**PURPOSE**

The purpose of the Bill is to amend Ordinance 15-428 to reflect the name change of the Franchisee since enactment of the Ordinance; to add Park Properties to those areas where the Distributed Antenna services are provided; 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.

Ordinance 15-428 granted a franchise to Crown Castle NG Atlantic LLC to construct, install, maintain, repair, operate, relocate, replace and remove their Distributed Antenna System (“DAS”) and Small Cell wireless technology within the public way. Crown Castle acquired NexG which had similar facilities in the City’s rights-of-way under an interim agreement. A Franchise Agreement, approved by the Board of Estimates, was attached to the Ordinance detailing the terms and conditions of the franchise, a franchise fee, and the manner and location of attachments occurring in the public way. Most attachments were to occur on existing City infrastructure, but poles could be erected if necessary to provide attachments where needed.

City Council Bill 19-0408, if approved, would amend Ordinance 15-428 to insert the name change of the Franchisee to Crown Castle Fiber LLC. The legislation would also add Park Properties to the list of potential public locations for the DAS and Small Cell technology.

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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 19-0408 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](mailto:Marcia.Collins@baltimorecity.gov).



Rudolph S. Chow, P.E.  
Director

RSC:MMC