



# City of Smyrna

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## Issue Sheet

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**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Authorization

**Agenda Number:** A.

**WARD:** All Wards

**COMMITTEE:** Finance and Administration

**\$ IMPACT:**

**Agenda Title:**

Approval to enter into a ROW Master Access Agreement with ExteNet Systems, Inc. and for the Mayor to execute all related documents

**ISSUE:**

Over the past year, cities throughout Georgia have been approached by wireless infrastructure companies such as ExteNet Systems requesting permits to install poles in municipal rights of way and/or place equipment on existing poles. ExteNet Systems has submitted an application to the City of Smyrna to place small cell antennas at various locations in the city. While we recognize the need to accommodate wireless infrastructure, we also recognize the importance of addressing the health, safety and welfare of the public given the numerous facilities and infrastructure that will need to be placed in the ROW.

**BACKGROUND:**

To assist cities and the industry negotiate terms that balance protection of the local right of way and the needs of wireless infrastructure companies to locate wireless infrastructure, the Georgia Municipal Association (GMA) has developed a comprehensive Master Right-of-Way License Agreement with ExteNet Systems. The Agreement was developed as a cooperative effort between GMA and senior representatives of ExteNet Systems in an effort to help facilitate the deployment of wireless infrastructure in Georgia municipalities while recognizing the municipal right to manage access to the ROW.

Highlights include:

- Requires colocation of communications equipment on existing poles unless ExteNet Systems provides proof colocation is not possible;
- City has discretion over appearance of new poles, and new poles must meet the city's approval regarding aesthetics, visibility, environmental, and safety standards;
- ExteNet Systems agrees to pay an annual license fee to the city of \$500/ site/ year for pole attachments to existing poles. For new poles, ExteNet Systems will pay \$1350/ site/ year with a 3% annual escalator; plus \$500/ year for any other carrier

that locates on the new ExteNet Systems pole;

- Extenet Systems will honor executed agreements with cities that are in place if federal or state laws change to preempt local control over permitting or compensation.
- Permitting process consistent with Georgia Department of Transportation's Utilities Accommodation Policy and Standards Manual (UAM) in addition to requiring ExteNet Systems to follow local codes and ordinances to obtain a permit.

**RECOMMENDATION/REQUESTED ACTION:**

Staff recommends approval.