



City of Smyrna

City of Smyrna
A. Max Bacon City Hall /
Council Chambers
2800 King Street
Smyrna, GA 30080
770-434-6600
www.smyrnacity.com

Legislation Details (With Text)

File #: 2018-52 **Version:** 1 **Name:**
Type: Authorization **Status:** Passed
File created: 2/2/2018 **In control:** City Council
On agenda: 2/5/2018 **Final action:** 2/5/2018
Title: Approval to enter into a Master Right of Way License Agreement with Mobilitie, LLC and for the Mayor to execute all related documents
Sponsors: Ron Fennel
Indexes:
Code sections:
Attachments: 1. Smyrna Mobilitie Georgia_Master_Right_of_Way_Agreement (1) (3).pdf, 2. Smyrna Presentation Feb 2018 (2).pdf

Date	Ver.	Action By	Action	Result
2/5/2018	1	City Council	Approved Item	Pass

WARD: Ward

COMMITTEE:

\$ IMPACT:

Approval to enter into a Master Right of Way License Agreement with Mobilitie, LLC 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 Mobilitie requesting permits to install poles in municipal rights of way and/or place equipment on existing poles. Mobilitie has submitted an application to the City of Smyrna to place a small cell antenna at Sanford Place and Powder Springs Street. 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 Mobilitie. The Agreement was developed as a cooperative effort between GMA and senior representatives of Mobilitie 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 collocation of communications equipment on existing poles unless Mobilitie provides proof collocation 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;
- Mobilitie agrees to pay an annual license fee to the city of \$500/ site/ year for pole attachments to existing poles. For new poles, Mobilitie will pay \$1350/ site/ year with a 3% annual escalator; plus \$500/ year for any other carrier that locates on the new Mobilitie pole;
- Mobilitie 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 Mobilitie to follow local codes and ordinances to obtain a permit.

RECOMMENDATION/REQUESTED ACTION:

Staff recommends approval of the Master Right of Way License Agreement with Mobilitie, LLC and for the Mayor to execute all related documents.