



Public Hearing and First Reading for the City Council meeting of August 21, 2018
Second Reading for the City Council meeting of August 28, 2018

AGENDA MEMORANDUM

DATE: July 09, 2018
TO: Keith Selman, Interim City Manager
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Adoption of City of Corpus Christi Small Cell Network Fees, regulations and
Design Manual

CAPTION:

Ordinance adopting City of Corpus Christi Small Cell Network Fees, regulations and Design Manual

PURPOSE:

The intent of the City of Corpus Christi Small Cell Fees, regulations, and Design Manual is to enable the City to manage the installation of Network Nodes, Node Support Poles and Wireless Facilities in the public right-of-way for the health safety and welfare of the public in accordance with Sec. 284.001 of the Texas Local Government Code.

BACKGROUND AND FINDINGS:

In September 2017, Senate Bill No.1004, amending the Texas Local Government Code by adding Chapter 284. *Deployment of Network Nodes in Public Rights-of-Way* required cities to allow Network providers to install wireless antennae (network nodes) in city right-of-way and delegated to each municipality the fiduciary duty, as a trustee, to manage the public right-of-way, giving cities some authority over the placement of network nodes.

Providing guidance to municipalities and Network Providers for the deployment of Network Nodes, Node Support Poles and related wireless facilities in the public right-of- way, Sec. 284.107, *Design Manual*, of the Texas Local Government Code states that “A municipality may adopt a design manual for the installation and construction of network nodes and node support poles in the public rights-of-way”.

In accordance with Sec. 284.053. of the Texas Local Government Code, *Annual Public Right-of-Way Rate*, a municipality may charge a public right-of-way fee for

use of the public right-of-way that may not exceed an annual amount equal to \$250.00 multiplied by the number of network nodes installed in the public right-of-way in the municipality's corporate boundary.

Staff at the Texas Municipal League drafted a Draft Small Cell Design Manual in June 2017 to prepare for the passage of Senate Bill 1004 and recommended that member cities adopt some or all the document. Planning Staff evaluated the Draft Design Manual along with several other cities manuals and made small modifications to fit the needs of Corpus Christi. The Corpus Christi Small Cell Design Manual includes recommendations and guidelines that help guide the City, and Network Providers, with Small Cell installation in special districts, and with preferred locations of installation, as well as undergrounding requirements, removal and relocation, electrical supply and other aesthetic requirements.

ALTERNATIVES:

Denial of the Small Cell Fee, regulations, and Design Manual with suggestions to the Planning & ESI Department

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO POLICY:

The Small Cell Fee, regulations, and Design Manual conform to City policy.

EMERGENCY /NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Planning and ESI Department, Development Services, Legal, Planning Commission – recommended approval June 27, 2018.

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2017-2018	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

RECOMMENDATION:

Staff recommends approval of the Small Cell Fee, regulations, and Design Manual

LIST OF SUPPORTING DOCUMENTS:

Ordinance

PowerPoint Presentation

Exhibit A – City of Corpus Christi Small Cell Design Manual