



Legislation Text

File #: 13-1558, **Version:** 1

Resolution to Authorize the City Administrator to Enter into License Agreements for Third Party Cellular Antennae Facilities on City Properties

Since the late 1990s the City has entered into license agreements with cellular service providers to install antennae and related equipment on City properties. Although Nextel has decommissioned one site and will soon be decommissioning another site, the City has entered into license agreements with five other providers for 15 other locations, which now include the City's water towers on Manchester and Plymouth Roads, the City's water treatment plant, and two parking structures (Forest Street and Ann-Ashley).

Changes in technology require the providers to upgrade and replace their equipment relatively frequently, often requiring an amendment to the terms of the license agreements. Each request to replace equipment or install new equipment requires engineering review before the installation can be approved. Because the annual license fee under every license agreement now exceeds \$25,000.00, City Council approval is required both of the initial agreements and any amendments to those agreements that result in a change in the license fees.

To serve their customers, the cellular providers generally wish to move forward with installation as quickly as possible following the City's engineering review and approval. However, the inherent delay in the process to then bring a license agreement or amendment to Council for approval adds time that is counter to the providers' and the City's interest in better service to their cellular customers who live and work in Ann Arbor;

This resolution authorizes the City Administrator to enter into the license agreements and amendments to license agreements without City Council approval, which will streamline the approval process. Approval of the resolution is recommended.

Prepared by Abigail Elias, Chief Assistant City Attorney

Reviewed by Craig Hupy, Public Services Area Administrator

Approved by Steven D. Powers, City Administrator

Whereas, Since the late 1990s the City has entered into a number of license agreements with cellular service providers to install antennae and related equipment on City properties;

Whereas, Changes in technology require the providers to upgrade and replace their equipment relatively frequently;

Whereas, The cellular providers wish move forward with installation as quickly as possible following the City's engineering review and approval in order to serve their customers;

Whereas, The City has an interest in facilitating cellular service to customers who live and work in Ann Arbor; and

Whereas, A resolution authorizing the City Administrator to enter into the license agreements and

amendments to license agreements without City Council approval will streamline the approval process and is in the interest of customer service;

RESOLVED, That the City Administrator be authorized to enter into license agreements and amendments to license agreements for third party cellular antennae facilities on City properties, subject to approval as to form by the City Attorney; and

RESOLVED, That the City Administrator authorize staff to maintain a report of all towers and their lease amounts which will be available each year during the budget process.