



Legislation Details (With Text)

File #: PUB17-202 **Version:** 1 **Name:**
Type: Public Utilities Board
File created: 9/25/2017 **In control:** Public Utilities Board
On agenda: 10/9/2017 **Final action:**
Title: Consider recommending approval of adoption of an ordinance of the City of Denton authorizing the City Manager, or Designee, to execute certain amendments to tower leases with Dallas MTA, LP, D/B/A Verizon Wireless and New Cingular Wireless PCS, LLC, or their respective successors, as needed and within the limitations set out herein; providing for a repealer; providing for a severability clause; and providing for an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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Agenda Information Sheet

DEPARTMENT: Denton Municipal Electric

CM/ ACM: Todd, Hileman, City Manager

Date: October 9, 2017

SUBJECT

Consider recommending approval of adoption of an ordinance of the City of Denton authorizing the City Manager, or Designee, to execute certain amendments to tower leases with Dallas MTA, LP, D/B/A Verizon Wireless and New Cingular Wireless PCS, LLC, or their respective successors, as needed and within the limitations set out herein; providing for a repealer; providing for a severability clause; and providing for an effective date.

BACKGROUND

The City of Denton owns various communications towers within the city. For many years the city has leased space on the tower and tower grounds to various private wireless communications companies who provide services to the citizens of Denton. These companies utilize the leased space to host their communications equipment. The technology used, like all digital related technology, is in a constant state of rapid change.

These occurring technology changes drive the need to swap out equipment that may have been state of the art mere months ago, but are now obsolete. In recent years the practice has been to execute amendments to the lease covering the equipment upgrades. This process requires proposal, review by staff, review and recommendation by the PUB, review and approval by council and execution by City Manager. The technology change in this area can occur so rapidly that by the time an amendment is finally executed, new technology has arrived to replace the just approved technology. This creates and perpetuates a cycle whereby these companies

delay, by months, upgraded systems that would otherwise improve the service provided to the citizens of Denton.

The solution proposed here would allow the City Manager to approve equipment changes under the lease, but only within circumstances where the equipment change does not exceed the existing footprint of equipment existing on the tower or tower grounds. This solution does not authorize the City Manager to change the general terms and conditions of the lease, nor the terms of remuneration. Further, equipment changes will only be approved upon the contingency that any proposed equipment does not weaken the existing structural integrity of the tower.

OPTIONS

1. Recommend that the City Council approve and adopt the ordinance.
2. Do not recommend that the City Council approve and adopt the ordinance.

RECOMMENDATION

Staff recommends that the ordinance be recommended for adoption.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: **Public Infrastructure**

Related Goal: **2.3 Promote superior utility services and facilities**

EXHIBITS

1. Proposed Ordinance

Respectfully submitted:
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Prepared by:
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