



## City Council

### Public Hearing on an Application for a Master Permit with Noel Communications

**Agenda Date:** 11/26/2019  
**Agenda Item Number:** 5.A  
**File Number:** 19-1038

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**Type:** public hearing **Version:** 2 **Status:** Filed

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#### **Title**

Public Hearing on an Application for a Master Permit with Noel Communications

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Hold a public hearing on Noel Communications' application for a Master Permit. After close of testimony, if there are no concerns, move to approve the application for a Master Permit and direct staff to prepare a Master Permit Ordinance.

#### **Report**

##### **Issue:**

Whether to hold a public hearing on Noel Communication's application for a Master Permit and direct staff to prepare a Master Permit Ordinance.

##### **Staff Contact:**

Fran Eide, P.E, City Engineer, Public Works Engineering, 360.753.8422

##### **Presenter(s):**

Fran Eide, P.E, City Engineer, Public Works Engineering, 360.753.8422

#### **Background and Analysis:**

A Master Permit, as defined in the Olympia Municipal Code, is an agreement whereby the City may grant general permission to a service provider to enter, use, and occupy the right-of-way for the purpose of locating facilities.

Noel Communications has made a request to install fiber optic lines throughout the Olympia area (see attached map) to provide telecommunications, internet access, and private line services to potential customers. These lines would be in addition to the lines Noel Communications currently has in the City's right of way, installed under a previous permit.

Pursuant to Olympia Municipal Code, Title 11, the City Council is required to conduct a public hearing

and make a decision based upon standards “A” through “I” set forth in section 11.06.030 (attached).

The applicant has acquired all required licenses and approvals to place the new lines on existing power poles.

Staff evaluated the routes proposed by the applicant and found there is sufficient capacity to accommodate the new lines, both overhead and underground. The addition of these lines will not impact City utilities.

### **Neighborhood/Community Interests (if known):**

- The applicant will be required to follow all applicable codes and standards, including requirements for traffic control and restoration of affected areas.
- Emergency vehicles will not be delayed by construction activities.
- Installation of new fiber optic lines overhead and underground will occur at locations within the right-of-way consistent with Engineering Design and Development Standards.
- The community may benefit from access to an additional telecommunications service provider.

### **Options:**

1. Hold a public hearing, approve Noel Communications’ application for a Master Permit, and direct staff to prepare a Master Permit Ordinance.
  - The applicant can continue to maintain existing lines, as well as proceed with any plans to extend new telecommunication lines.
  - Staff will prepare a Master Permit Ordinance to be adopted at an upcoming Council meeting.
2. Hold a public hearing, approve Noel Communications’ application for a Master Permit with additional conditions, and direct staff to prepare a Master Permit Ordinance.
  - The applicant can continue to maintain existing lines, as well as proceed with any plans to extend new telecommunication lines.
  - Staff will prepare a Master Permit Ordinance with additional conditions to be adopted at an upcoming Council meeting.
3. Hold a public hearing and do not approve Noel Communications’ application for a Master Permit.
  - Customers will have to find an alternate service provider.

### **Financial Impact:**

Noel Communications has paid a \$2,500 renewal fee.

While there is no annual fee, the City can charge the applicant for any staff time necessary to administer the permit during the five-year permit term.

Noel Communications will be required to pay for any permits associated with new/upgraded installation of telecommunication lines.

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**Attachments:**

Network Map

Olympia Municipal Code 11.06.030