

## City Council – Action Request Form

**Date:** August 13, 2019

**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

**From:** Damon Dequenne, Assistant City Manager  
Robert Prestwood, City Engineer

**Council Action Requested:**

Consideration of a Resolution Granting Encroachment Agreement to New Cingular Wireless PCS, LLC, for a Small Cell Wireless Facilities (East Ward) – Petition of New Cingular Wireless PCS, LLC

**Strategic Focus Area:** Quality Transportation

**Strategic Objective:** No

**Strategic Plan Action Item:** No

**Key Work Item:** No



**Summary of Information:**

The City of Winston-Salem has received a request from New Cingular Wireless PCS, LLC, for an encroachment agreement. This agreement would allow them to encroach upon the public right-of-way with small cell wireless facilities. These facilities consist of a utility meter, switching gear, remote radio, cabling, and an antenna affixed to an existing New Cingular Wireless pole. The purpose of this infrastructure is to provide a wireless high-speed fiber optic network for users near the facility.

The proposed facility is located in the 400 block of North Research Parkway, located between East Fifth Street and East Fourth Street.

NCGS 160A-400.50-56 regulates “Wireless Telecommunications Facilities” within the public right-of-way or on private property. Once a permit application has been submitted, the City has 30 days to notify the applicant of any deficiencies in the application which, if cured, would make the application complete. The City has 45 days to approve or deny a complete application, unless a longer time frame has been mutually agreed upon between the applicant and the City. If the City fails to act within 45 days or the mutually agreed upon time frame, the application shall be deemed approved.

Staff has not identified a basis for denial, therefore recommends approval of this request.

**Committee Action:**

<b>Committee</b>	Public Works 8/13/19	<b>Action</b>	Approval
<b>For</b>	Unanimous	<b>Against</b>	

**Remarks:**