

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/18/2008
Reference No.: CB-067-2008
Draft No.: 2
Proposer(s): County Executive
Sponsor(s): Dean
Item Title: An Act amending provisions of the Code concerning the procedures and operations of the Telecommunications Transmission Facility Coordinating Committee (TTFCC)

Drafter: Stan Wildesen, P.E., TTFCC Chair
Resource Personnel: Edwin H. Raynor, Office of Law
Stan Wildesen, P.E

LEGISLATIVE HISTORY:

Date Presented:	9/30/2008	Executive Action:	11/24/2008 S
Committee Referral:	9/30/2008 - PSFM	Effective Date:	1/12/2009

Committee Action: 10/14/2008 - FAV(A)

Date Introduced: 10/21/2008
Public Hearing: 11/18/2008 - 10:00 AM

Council Action (1) 11/18/2008 - ENACTED
Council Votes: MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:A, EO:A, IT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

05A-149, 05A-150, 05A-151, 05A-152, 05A-153, 05A-154, 05A-155, 05A-156, 05A-157, 05A-158, 05A-159, 05A-160, 05A-161, 05A-162, 05A-163, 05A-164, 05A-165, 05A-166, 05A-167

COMMITTEE REPORTS:

PUBLIC SAFETY AND FISCAL MANAGEMENT

Date 10/14/2008

Committee Vote: Favorable as amended, 5-0, (In favor: Councilmembers Knotts, Campos, Dean, Exum and Turner.)

This bill will amend Subtitle 5A of the County Code and will delete similar provisions which are obsolete. The amendments will clarify several procedures and operations of the Telecommunications Transmission Facilities Coordinating Committee (TTFCC).

The amendment will accomplish the following:

1. Add or modify definitions to clarify the meanings of technical words used to define the operations of the TTFCC.
2. Delete definitions related to the Telecommunications Franchise Law.

3. Clarify the responsibilities of the TTFCC, the Coordinator and the Chair.
4. Amend the fee structure for the telecommunications transmission facility application fee. The increase in the fee will cover approximately \$260,000 in annual expenditures anticipated for future operations.
5. Extend the period from 30 days to 60 days for the County Council to review and submit comments on the Master Plan.
6. The TTFCC will submit an annual report to the County Executive which will be transmitted to the County Council by May 1 of each year.
7. Identify the administrative process and amend the minor modifications to telecommunications facilities and Cell on Wheels (COWs).
8. Establish an expiration date for approval of TTFCC applications and require reapplication upon expiration.
8. Delete the obsolete sections related to the Telecommunications Franchise Law.

Amendments Approved by the PSFM Committee:

1. On page 9, line 1, delete the brackets.
2. On page 9, line 5, delete “of the Office of Information Technology and Communications.”
3. On Page 10, line 6, delete “and/or the County Council and”
4. On page 10, line 16, delete “Recommend”, insert “Evaluate”
5. On page 10, line 17, after “site,” delete “.” and add “and report the findings to the TTFCC.”

The Office of Law has reviewed the legislation and finds it to be in proper legislative form with no legal impediments to its enactment.

According to the Office of Audits and Investigations (A&I), the information provided by the TTFCC indicates that the current application fee schedule does not cover their expenditures. In CY2007, the amount of fees collected totaled \$62,750 which was only 28% of the \$236,739 in expenditures.

Assuming that the proposed new application fee structure equals or slightly exceeds related TTFCC expenditures, the enactment of CB-67-2008 will have a positive fiscal impact on the County.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The amendments will accomplish the following:

- Delete obsolete sections related to the Telecommunications Franchise Law;
- Add or modify definitions to clarify the meanings of technical words used in the operations of the TTFCC;
- Clarify the responsibilities of the Telecommunications Transmission Facility Coordinator and the TTFCC Chair;
- Amend the fee structure for the review of TTFCC applications to cover approximately \$260,000 in annual expenditures anticipated for future operations;
- Extend the County Council’s review time of the annual TTFCC Master Plan from 30 to 60 days, as has been requested by the County Council;
- Establish a submittal date for the TTFCC Annual Report to the County Executive and the County Council;
- Identify an administrative approval process for minor modifications to telecommunications facilities and Cell on Wheels (COWs); and
- Establish an expiration date for approvals of TTFCC applications and requiring re-application upon expiration.

CODE INDEX TOPICS:

INCLUSION FILES:
