

Notice of Public Meeting

NewPath Networks Telecommunications Project

Appeal of City Manager Action to Revoke and Rescind Encroachment and Building Permits for Distributed Antenna System Project

The City of Davis **City Council** will conduct a public meeting on the project application at a meeting beginning at **6:30 p.m. on Tuesday, January 19, 2010** in the Community Chambers, City Offices, 23 Russell Boulevard, Davis, California. Please contact the Community Development Department for the approximate time this item will be heard.

Project Location: Multiple locations within and near the City of Davis

Appellant: Julian Quattlebaum, Outside Counsel
NewPath Networks
768 Garfield Street
Seattle WA 98109

File Number: PA #30-09, Appeal # 1-09

Project Description:

The appellant has filed an appeal of the City Manager's December 5, 2009 rescission of encroachment permits issued to NewPath Networks. The 37 encroachment permits would have allowed construction of a Distributed Antenna System containing 21 antennas on new and existing poles distributed through the City of Davis. The City Manager determined that the permits were not properly issued and has determined that the permits be revoked and rescinded.

More detailed information on the NewPath Networks proposal including a list of the encroachment permits and their addresses can be found on the city webpage at:
<http://cityofdavis.org/cmo/newpath.cfm>.

Environmental Determination:

The California Environmental Quality Act stipulates that no environmental review is required for a project that is denied. Applications for wireless facilities are subject to CEQA review.

Availability of Documents:

The project application file is available for review at the Community Development Department, 23 Russell Boulevard, Davis, California, 95616, (530) 757-5610. Staff reports are available for the price of copying at Kinko's copies, 313 F Street and Navin's Copy Shop, 231 Third Street, or

Mailboxes Etc., 417 Mace Boulevard. Staff reports for the public meeting are generally available five (5) days prior to the meeting date.

Public Comments:

All interested parties are invited to attend the public meeting or send written comments to the City Clerks Office no later than 12:00PM the date of the meeting.

The City does not transcribe its proceedings. Persons who wish to obtain a verbatim record should arrange for attendance by a court reporter or for some other acceptable means of recordation. Such arrangements will be at the sole expense of the person requesting the recordation. If you challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public meeting described in this notice, or in written correspondence delivered to the Community Development Director or City Clerk at, or prior to, the public meeting.

Katherine Hess, Director
Community Development Department