

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: ERIC MCHENRY, CHIEF INFORMATION OFFICER
INFORMATION TECHNOLOGY DEPARTMENT

SUBJECT: AMENDMENT TO COUNCIL POLICY 300-04 - DEVELOPMENT
OF TELECOMMUNICATION FACILITIES ON CITY PROPERTY
AND INSTALLATION OF ANTENNAS ON CITY FACILITIES

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Information Technology and Transportation and Public Works Departments that the Council, by resolution, amend Council Policy 300-04, "Development of Telecommunication Facilities on City Property and Installation of Antennas on City Facilities" and exclude telecommunications encroachments from other continuing encroachments addressed pursuant to Council Resolution No. 26620.

EXECUTIVE SUMMARY

It is in the City's interest to allow and encourage installation of up-to-date wireless and communications infrastructure to serve its citizens. At the time of implementation of Council policy 300-04, the telecommunications industry was focused on deployment of large wireless infrastructure facilities with voice and data capabilities. Recently however the industry has had an increased emphasis on deploying smaller, lower power wireless infrastructure installations located on street light and utility poles. These newer "small-cell" installations are focused on providing higher performance high speed data and voice services.

The proposed amendment to Council Policy 300-04, addresses the changing technology and infrastructure needs and acknowledges the desire to place the smaller footprint wireless infrastructure in the City right of way on City street lights and utility poles. In addition, the proposed amendment clarifies application procedures and adds the requirement that an applicant wanting to locate telecommunications in the City right of way, obtain an encroachment permit as well as enter into a master license agreement with the City.

BACKGROUND

Over the past year, the City has been contacted by a handful of wireless communications service providers expressing strong interest in accessing and using City-controlled spaces on utility poles and streetlight poles for the purpose of installing wireless antennas and related infrastructure. Wireless communications companies are experiencing increasing demand for fourth generation (“4G”) wireless communications services and are expanding their wireless antenna networks to improve both broadband facilities’ capacity and coverage in Santa Rosa. The City has been supportive of the placement of advanced wireless communications facilities in Santa Rosa since Congress enacted the Telecommunications Act of 1996 (the “1996 Act”). In July 2000, the Council adopted Policy 300-04 (“Development of telecommunications Facilities on City Property”), which set forth a process and parameters for allowing wireless services to access City properties.

PRIOR CITY COUNCIL REVIEW

July 2000:

- Adoption of Council policy 300-04

February 15, 2011: Council Policy 300-04 amended by resolution 27830

- Language changes were made to improve the application process to provide for the involvement of the Community Development Director at the conceptual review stage of the application.
- Included reference to the City Code Chapter 20-44 Telecommunications Facilities setting forth entitlement requirements.
- Provided clarification that the functioning of a City facility is of primary importance and that telecommunication facilities will not be considered if they will in any way impact the provision of services including maintenance and operations.
- Provided clarification of the review process.

ANALYSIS

At the time of implementation of Council Policy 300-04, the telecommunications industry was focused on deployment of large wireless infrastructure facilities with voice and data capabilities. Recently, however, the industry has had an increased emphasis on deploying smaller, lower power wireless infrastructure installations located on street light and utility poles. These newer “small-cell” installations are focused on providing higher performance high speed data and voice services.

The proposed amendment to Council Policy 300-04, addresses the changing technology and infrastructure needs and acknowledges the desire to place the smaller footprint wireless infrastructure in the City right of way on City street lights and utility poles. In addition, the proposed amendment clarifies application procedures, distinguishes between telecom facilities located on large City properties and small cells where appropriate, and adds the requirement that an applicant wanting to locate

telecommunications in the City right of way, obtain an encroachment permit and enter into a master license agreement.

FISCAL IMPACT

Three fee structures govern telecommunications facilities in the City right of way:

1. Review of applications and negotiation of appropriate master license agreements pursuant to Council Policy 300-04 requires staff time for which there is an existing application fee of \$2,000. No change is proposed to the application fee.
2. For telecommunications projects to be located within the City right of way, such as on street lights, traffic lights or other City right of way facilities, an applicant must obtain an encroachment permit pursuant to City Code Chapter 13-04. No change is proposed to the encroachment permit fees.
3. Applicants must also enter into a master license agreement, which will allow and facilitate subsequent site licenses approval. Fees for use of City right of way will be negotiated within each master license agreement.
4. Additional general fund revenue is expected to range between \$2,000 to \$10,000 per year, based on the estimated volume of site license agreements.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378. Specific telecommunication facility projects will remain subject to environmental review under CEQA.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Council policy 300-04 red-lined
- Attachment 2 – Resolution

CONTACT

Eric McHenry
Chief Information Officer
emchenry@srcity.org 707-543-3097