



# CITY OF SAN MATEO

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## Administrative Report

Agenda Number: 3., Status: New Business

File ID: 2019-099

**TO:** Sustainability & Infrastructure Commission

**FROM:** Brad B. Underwood, Public Works Director

**PREPARED BY:** Public Works Department

**MEETING DATE:** Wednesday, February 13, 2019

**SUBJECT:**

Proposed Verizon Master License Agreement for Use of City Owned Poles

### RECOMMENDATION

It is recommended that the Sustainability & Infrastructure (S&I) Commission review the proposed Master License Agreement with Verizon, Inc., provide comments to staff, and make a recommendation to the City Council.

### BACKGROUND

The City owns over 5,000 streetlights throughout the City. The City has received numerous applications for the installation of wireless small cell facilities on non-City owned utility poles (i.e. utility poles). By providing additional installation locations, allowing small cell infrastructure on City streetlights will provide for less visually obtrusive installation when compared to utility poles. The master license agreement allows for installation of wireless small cell facilities on City-owned poles. This would greatly reduce the need for wireless companies to install their own poles, and not unnecessarily add poles throughout the City.

Prior to the adoption of the City's Wireless Telecommunications Ordinance, Modus, Inc. on behalf of Verizon Inc. (Modus/Verizon) submitted 27 encroachment permit applications for installation of wireless small cell facilities on utility poles throughout the City. Of the 27 encroachment permit applications, 14 applications were conditionally approved and 13 applications were denied. Modus/Verizon will be appealing the denied applications. The locations of some of the proposed locations in the denied applications were visually obtrusive to nearby residents. Some of the approved locations, although not directly visually obtrusive, were visually unappealing to the neighboring residents.

In order for Modus/Verizon to be able to use the City's streetlight poles, they must enter into a License Agreement with the City. The attached Master License Agreement has been developed and reviewed by both staff and Verizon. The main terms are as follows:

- 1) The term of the master license agreement is for ten years with up to fifteen one-year renewal terms. The term of any telecommunications permit issued for a location subject to the master license agreement will be the same as the master license agreement term.
- 2) The annual rent for each pole, which is dictated by the Federal Communications Commission, will be \$270.
- 3) With respect to RF emissions, Verizon will be required to demonstrate compliance with FCC standards upon installation and any future modification.

If S&I Commission recommends approval and the City Council approves the Agreement, Modus/Verizon would

be able to install small cell facilities on City-owned street light poles. Modus/Verizon will still need to obtain Wireless Communication Facilities permits and follow all requirements of the ordinance, including noticing for neighborhood meetings and conditional approval by the Director of Public Works, as well as allowing the public to appeal the Director's decision.

#### **BUDGET IMPACT**

Review of the Master License Agreement will not impact the City's operating budget.

#### **ENVIRONMENTAL DETERMINATION**

The review of the Master License Agreement is Categorically Exempt under the California Environmental Quality Act Section 15301 Class 1, leasing or licensing of existing public structures involving negligible expansion of use.

#### **NOTICE PROVIDED**

Notice of this meeting was sent to individuals signed up for notification and posted on the Small Cell Infrastructure webpage.

#### **ATTACHMENTS**

Att 1 - Verizon Master License Agreement

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