



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 2

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: Sustainability & Infrastructure Commission

FROM: Brad Underwood

PREPARED BY: Public Works Department

MEETING DATE: March 11, 2020

SUBJECT:

Proposed ExteNet Systems Master License Agreement for Use of City Owned Poles

RECOMMENDATION:

Review the proposed Master License Agreement with ExteNet Systems, provide comments to staff, and make a recommendation to the City Council.

BACKGROUND:

The City of San Mateo (City) owns over 5,000 streetlights throughout the city. In addition to city-owned streetlights, there are numerous utility poles owned by Pacific Gas and Electric. The City has received applications for the installation of wireless small cell facilities only on utility poles and city streetlights. Currently, installations are not allowed on city streetlights unless the wireless company has a master license agreement with the City that covers the terms and conditions of the use of city infrastructure. The use of streetlights provides additional locations for installation of less visually obtrusive systems and greatly reduces the need for wireless companies to install their own poles throughout the city.

In order for ExteNet Systems LLC, on behalf of Sprint, to use the City's streetlight poles, they must enter into a license agreement with the City. The attached Master License Agreement (Agreement) has been developed and reviewed by City staff and ExteNet Systems. The Agreement is substantially the same as the Verizon and AT&T agreements approved by City Council during 2019. With an executed Agreement, ExteNet Systems will still be required to obtain Wireless Communication Facilities permits and follow all requirements of the City's wireless telecommunications ordinance intended to "establish reasonable, uniform and comprehensive standards and procedures for wireless facilities deployment, construction, installation, collocation, modification, operation, relocation and removal within the City" consistent with the federal and California State Law.

The term of the Agreement is ten years with fifteen one-year renewal options. The term of any telecommunications permit issued for a location subject to the Agreement will be the same as the Agreement term. The annual charge for each pole, which is dictated by the Federal Communications Commission (FCC), will be \$270. With respect to radio frequency emissions, ExteNet Systems will be required to demonstrate compliance with FCC standards upon installation and any future modification.

If the Sustainability and Infrastructure Commission recommends approval and the City Council approves the Agreement, ExteNet Systems would be able to install small cell facilities on City-owned streetlight poles.

BUDGET IMPACT:

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

ENVIRONMENTAL DETERMINATION:

This review of the Master License Agreement is categorically exempt from CEQA as an “existing facility,” because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. (CEQA Guidelines Section 15301.)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – ExteNet Systems Master License Agreement

STAFF CONTACT

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