



CITY OF SAN MATEO

City Hall
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Agenda Report

Agenda Number: 6

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: February 7, 2022

SUBJECT:
Use of City Owned Poles – Agreement

RECOMMENDATION:

Approve a Master License Agreement with Crown Castle, LLC to allow small cell installations on City-owned poles for an annual charge of \$270 per pole and authorize the City Manager to execute the agreement in substantially the form presented.

BACKGROUND:

The City has received numerous applications for the installation of wireless small cell facilities in the public right-of-way, which include the installation of new utility poles. Because the City owns more than 5,000 streetlights, allowing small cell infrastructure on existing poles would provide for less visually obtrusive installation when compared to the installation of additional utility poles in the City's streets. The master license agreement allows for installation of wireless small cell facilities on City-owned poles and would greatly reduce the need for wireless companies to unnecessarily install their own poles throughout the city.

In order for Crown Castle, LLC (Crown Castle) 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 City staff and Crown Castle. The terms and conditions of the agreement are the same as the Verizon, AT&T, and ExteNet agreements approved by City Council during 2019 and 2020. The main terms are as follows:

1. The term of the 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 agreement will be the same as the agreement itself.
2. The annual rent for each pole, which is dictated by the Federal Communications Commission (FCC), will be \$270, subject to a 3% annual increase.
3. Crown Castle will be required to demonstrate compliance with FCC radio frequency emissions standards upon installation or any future modification.

The Sustainability & Infrastructure Commission recommended approval at its regular meeting held on October 13, 2021. With City Council approval of the agreement, Crown Castle would be able to install small cell facilities on City-owned streetlight poles. Crown Castle will still need to obtain Wireless Communication Facilities permits and follow all requirements of the ordinance, including noticing requirements and conditional approval by the Public Works Director, as well as allowing appeals to the Director's decision.

BUDGET IMPACT:

Approval of this Agreement will allow the City to collect \$270 annually per City owned pole. The annual fee is set by the FCC.

ENVIRONMENTAL DETERMINATION:

The approval of this Master License Agreement is categorically exempt under the California Environmental Quality Act because it concerns the leasing or licensing of existing public structures involving negligible or no expansion of use. (CEQA Guidelines section 15301.)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Agreement

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