



CITY OF SAN MATEO

City Hall
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Agenda Report

Agenda Number: 4

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: Sustainability and Infrastructure Commission

FROM: Brad B. Underwood, Public Works Director
Kathy Kleinbaum, Assistant City Manager

PREPARED BY: Public Works

MEETING DATE: July 10, 2019

SUBJECT:
Proposed AT&T Master License Agreement for Use of City Owned Poles

RECOMMENDATION:

To review the proposed Master License Agreement with AT&T, 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. Currently, installations are not allowed in City streetlights. The Master License Agreement (Agreement) would allow for installation of wireless small cell facilities on City-owned poles. The additional locations will provide opportunities for less visually obtrusive installations. This would greatly reduce the need for wireless companies to install their own poles and not unnecessarily add poles throughout the City.

In order for Modus, Inc. on behalf of AT&T (Modus/AT&T) 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 AT&T. The main terms are as follows:

The term of the Agreement is 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 term. The annual rent for each pole, which is dictated by the Federal Communications Commission, will be \$270. With respect to RF emissions, Modus/AT&T 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/AT&T would be able to install small cell facilities on City-owned street light poles. Modus/AT&T 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.

The AT&T Master License Agreement is substantially the same as the Verizon agreement approved by City Council on March 18th, 2019.

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 - AT&T Master License Agreement

STAFF CONTACT

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