



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 3

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: City Council

FROM: Drew Corbett, City Manager

PREPARED BY: Public Works

MEETING DATE: September 16, 2019

SUBJECT:
AT&T Use of City Owned Poles - Mobility License Agreement

RECOMMENDATION:

Approve a Master License Agreement with AT&T Mobility for the use of City-owned poles and authorize the City Manager to execute the agreement in substantially the form presented.

BACKGROUND:

The City of San Mateo (City) owns more than 5,000 streetlights citywide. Additionally, there are a number of utility poles (i.e. poles that carry electrical, cable, and other utilities) throughout the City. Installation of wireless small cell facilities (small cells) in the City is regulated by the City's Wireless Communications Facilities Ordinance, which took effect on August 16, 2018, and the City's design and engineering standards for wireless communications facilities.

The City has received applications to install small cells, primarily on utility poles. Small cells are only allowed on City streetlight poles if there is a license agreement between the City and the cellular company. Earlier this year, the City and Verizon Wireless entered into a Master License Agreement, which allows Verizon to apply for permits to install small cells on any City-owned pole (i.e. streetlights, traffic signals, or other utility pole). A Master License Agreement provides a cellular company with additional location options, and therefore flexibility to design less obtrusive installations. The Master License Agreement also reduces the need for wireless companies to install their own poles in the public right-of-way.

Like Verizon, New Cingular Wireless PCS, LLC dba AT&T Mobility (AT&T) wants to enter into an Master License Agreement. The attached Agreement has been developed and reviewed by City staff and legal counsel as well as AT&T. The main terms and conditions of the Agreement 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 subject to the Agreement would terminate at the same time as the Agreement.
2. The annual rent charged by the City for use of each streetlight pole, which is established by the Federal Communications Commission (FCC), will be \$270.
3. AT&T will be required to demonstrate compliance with FCC radio frequency emissions standards upon installation and after future modifications.

The Sustainability & Infrastructure Commission recommended approval of the Agreement at its regular meeting held on July 10, 2019. If City Council approves the Agreement, AT&T would be able to install small cells on City-owned streetlight poles. AT&T is still required to obtain Wireless Communication Facilities permits and comply with the City's Wireless Communications Facilities Ordinance, including conducting neighborhood meetings regarding the proposed small cell facility installations.

BUDGET IMPACT:

Approval of this Agreement will allow the City to collect \$270 annually for each City-owned pole used by AT&T for its small cell facilities. The annual fee is established by the FCC.

ENVIRONMENTAL DETERMINATION:

This 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

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

ATTACHMENTS

Att 1 - Agreement

STAFF CONTACT

Tracy Scramaglia, Senior Engineer
tscramaglia@cityofsanmateo.org
(650) 522-7316