



PUBLIC WORKS DEPARTMENT
CITY HALL
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CITY COUNCIL STAFF REPORT

Meeting: December 6, 2016

Subject

Study Session on Wireless Facilities within the Public Right of Way.

Recommended Action

Recommend that the City Council conduct a study session and provide direction on the proposed use of public street light poles to mount small cellular facilities.

Discussion

The Public Works Department has been approached by three separate companies interested in utilizing City infrastructure, most notably City street lights, to mount small cellular facilities which would improve cellular service within the City. The three companies who have approached the City are Verizon, Mobilitie and Crown Castle. The City understands that AT&T is anticipating to apply for facilities in early 2017.

This City has been negotiating with Verizon for several months, but has not yet reached mutually agreeable terms regarding lease rates and other points. Both Mobilitie and Crown Castle have recently initiated the negotiation process.

On November 2, 2016, the Cupertino Technology, Information and Communications Commission (TICC) was presented information on small cellular facilities. TICC Commissioners expressed interest in having small cellular facilities to enhance the existing cellular network within the City, and provided various recommendations regarding a master license agreement between the City and potential Licensees. These recommendations were either already incorporated into the draft master agreement, or were added based on their recommendations. The TICC wanted to ensure that any build-outs are managed so as to accommodate as many different carriers as possible, which may result in co-location of facilities and/or City management of facility spacing. Additionally, there was discussion of what potential options there may be to have the City build out the infrastructure for this network, and have carriers rent facilities from the City.

Currently, the City proposes to manage these small cellular facilities through a negotiated master license agreement which would be approved and accepted by the City Council prior to implementation, and the City would issue a separate encroachment permit and a site license agreement for each proposed small cellular facility location. The City anticipates requiring the licensee to notify nearby residents prior to issuance of the permit in order to field any questions, and to inform residents of the build out and services available to them, including possible options to have the service provider test for electromagnetic emissions in their home, if desired.

Public Works will coordinate with the Community Development, as well as with the Licensees, to establish guidelines for screening the small cellular facilities to ensure visual aspects of the facilities are acceptable.

Prepared by: Chad Mosley, Senior Engineer

Reviewed by: Timm Borden, Director of Public Works

Approved for Submission by: David Brandt, City Manager

Attachments:

A- "Bridging the Gap – 21st Century Wireless Telecommunications Handbook"