

Meeting Date: 7/26/2016

Report Type: Consent

Report ID: 2016-00784

Title: Ordinance Amending Chapter 3.76 Relating to Telecommunication Facilities Located on City Property (Passed for Publication 07/19/2016; Published 07/22/2016)

Location: Citywide

Recommendation: Pass an Ordinance amending sections 3.76.050 of the Sacramento City Code relating to telecommunication facilities located on City-owned property to exempt facilities pursuant to a master telecommunications siting agreement.

Contact: Darin Arcolino, IT Manager, (916) 808-0403; Maria MacGunigal, Chief Information Officer, (916) 808-7998, Information Technology Department

Presenter: None

Department: Information Technology

Division: IT Business Management

Dept ID:

Attachments:

1-Description/Analysis

2-Ordinance

City Attorney Review

Approved as to Form

Gerald Hicks

7/18/2016 3:08:26 PM

Approvals/Acknowledgements

Department Director or Designee: Darin Arcolino - 7/15/2016 2:14:24 PM

Description/Analysis

Issue Detail: The use of wireless data communication is growing rapidly in all segments of society. Expectations of continuous data connectivity from residents, businesses, and visitors are also on the rise. Cities are challenged with considering new business models that can meet the increased demand for wireless data while balancing affordability, transparency, equity, timeliness, and visual blight.

The City is well positioned to meet future coverage and capacity demands through the use of its existing City-owned assets for wireless. In June 2016, the City entered into a public-private partnership agreement in alignment with the City's Wireless Master Plan to develop the City's wireless telecommunication infrastructure. Amending section 3.76.050 of the City Code to add subsection H, exempts City property and facilities from the application of the revocable permit requirements of section 3.76.050 if the facilities are located on City property pursuant to a master telecommunications siting agreement. This allows the City to negotiate long term lease agreements at market rates with telecommunication service providers to meet the needs of the community. The City would be able to leverage underutilized City assets such as fiber, conduit, and street light poles to manage and streamline the wireless development process in accordance with the City's Wireless Master Plan.

Policy Considerations: The recommended change to the ordinance is consistent with the City's Digital Strategy to leverage existing investments and partner with businesses and the community to expand access and reduce the cost for broadband.

Economic Impacts: None. This modification to the ordinance will lay the foundation for sustained economic growth that will drive forward Sacramento as hub of innovation, entrepreneurship, and technology.

Environmental Considerations: California Environmental Quality Act (CEQA): This report concerns administrative activities and government fiscal activities that do not constitute a "project" as defined by the CEQA Guidelines Sections 15378(b)(2) and 15378(b)(4) and are not subject to the provisions of CEQA (CEQA Guidelines 15060(c)(3)).

Sustainability: Not applicable.

Commission/Committee Action: Pursuant to Council Rule of Procedure 13.B.1.b.(i) the matter was deemed urgent by the City Manager and was not heard by the Law and Legislation Committee.

Rationale for Recommendation: The City, residents, businesses, and visitors will benefit from better wireless services coverage, revenue generated from better utilization of City assets, and improved management of visual clutter in the rights-of-way. Service providers will benefit from a better managed, timely, and streamlined process for wireless development in the City.

Financial Considerations: None.

Local Business Enterprise (LBE): Not applicable.

ORDINANCE NO. 2016-

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE ADDING SUBSECTION H TO SECTION 3.76.050 OF THE
SACRAMENTO CITY CODE, RELATING TO TELECOMMUNICATION FACILITIES
LOCATED ON CITY PROPERTY**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

A. Subsection H is added to section 3.76.050 of the Sacramento City Code to read as follows:

H. Telecommunications facilities to be located on city-owned property pursuant to a master telecommunications siting agreement are exempt from the provisions of this section.

B. Except as amended by subsection A above, all provisions of section 3.76.050 remain unchanged and in full effect.