



REPORT TO COUNCIL

City of Sacramento

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915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT

October 3, 2006

Honorable Mayor and
Members of the City Council

Title: Agreement: Issuance of a Revocable Permit with Metro PCS for a Cell Tower at Sim Park

Location/Council District: Sim Park Baseball Field, 6147 Logan Avenue, District 6

Recommendation: Adopt a **Resolution:** Authorizing the City Manager to execute an Agreement for Issuance of a Revocable Permit with Metro PCS for installation and maintenance of communications equipment and antennas on a light standard at the Sim Park site.

Contacts: Blandon Granger, Real Property Agent II, 808-5629; J.P. Tindell, Park, Planning, and Development Manager, 808-1955

Presenters: Not Applicable

Department: General Services

Division: Facilities and Real Property Management

Organization No: 3285

Description/Analysis:

Metro PCS is interested in improving its cellular phone network and submitted a request to locate related facilities on a baseball field light standard at Sim Park. Subject to Council approval, an Agreement for Issuance of a Revocable Permit has been negotiated with Metro PCS. Sim Park is bounded by Logan Street, south of Lemon Hill Avenue, in South Sacramento and is comprised of approximately 14.5 acres. Locating the equipment at this site will improve signal reception for cell phone users in the area.

On July 13, 2006, the City Planning Department (Planning) approved a request to allow cellular antenna panels and related equipment on an existing baseball field light standard located at the northwest section of Sim Park pursuant to Foot Note 58 of Section 17.24.050 of the Zoning Code. An Agreement for Issuance of a Revocable Permit was negotiated by Real Estate Services. A vicinity map, site surveys and elevation drawings are attached as Exhibits "A" and "B".

Issues: Planning approved the replacement of an existing light standard with a new 65 foot high light standard to which the applicant proposes to attach six wireless antennae panels. The cost of all improvements and their eventual removal will be borne by the applicant. The applicant will also construct a new 18' X 12' enclosure for the electronic equipment. The enclosure will be constructed with safety in mind, including having transparent wrought iron sides and a roof to prevent balls and persons from entering the enclosure. There are no other proposed changes or special conditions for the site.

Policy Considerations: Sacramento City Code Section 3.76.050 states "Council may, by resolution grant permits revocable at its will for minor or temporary purposes or privileges on public property subject to such terms and conditions as it deems necessary for the public interest." Approving this contract is consistent with City policy, which recognizes the dramatic growth in the telecommunications industry and the value of the increased services gained by the City's business community and private citizens.

Committee/Commission Action: The proposed project was reviewed and approved by the Parks and Recreation Commission on March 2, 2006. The Commission supported the request of the neighborhood association near Sim Park to add a cover to the equipment enclosure and to construct the equipment enclosure with transparent walls to increase visibility and safety.

Environmental Considerations: The proposed project was determined to be exempt from environmental review pursuant to Section 15303 (d) of the California Environmental Quality Act (CEQA) Guidelines.

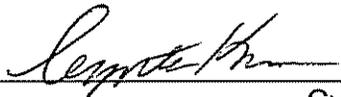
Rationale for Recommendation: Approving this agreement is consistent with City policy, which recognizes the dramatic growth in the telecommunications industry and the value of the increased services gained by the City's business community and private citizens. Collocating on a stadium light pole in a city park is a preferred siting option, and this agreement will provide revenue for Neighborhood Enhancement Programs/Projects in Council District 6.

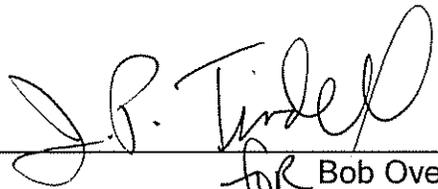
Financial Considerations: In accordance with City Code Section 3.76.050, the key business terms are as follows:

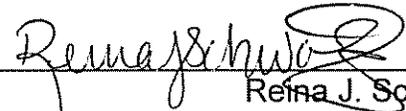
- A one time adverse impact/special benefits fee of \$18,000.
- Annual permit fees of \$18,000.
- Annual permit fee increases of 5%.
- Ten-year initial term.
- One ten-year renewal period.

- Metro PCS will pay for all costs of installation, maintenance of its facility, including the light standard and any damage to City property as a result of the installation.
- Upon termination of the final term, Metro PCS will remove all facilities and make all necessary repairs.
- Metro PCS has purchased and deposited with the City a Removal Permit Bond for the sum of \$10,000 to insure removal of telecommunications equipment at the end of the final term.
- Proceeds collected under this Agreement with will be allocated to a Neighborhood Enhancement Program/Project for Council District 6.

Emerging Small Business Development (ESBD): This action does not involve the purchase of goods or services.

Respectfully Submitted by: 
Cynthia Kranc
Facilities Manager

Approved by: 
for Bob Overstreet
Director, Department of Parks and Recreation

Approved by: 
Reina J. Schwartz
Director, Department of General Services

Recommendation Approved:


Ray Kerridge
City Manager

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RESOLUTION NO. 2006-XXXX

Adopted by the Sacramento City Council

October 3, 2006

**AGREEMENT: ISSUANCE OF A REVOCABLE PERMIT
WITH METRO PCS FOR A CELL TOWER AT SIM PARK**

BACKGROUND

- A. On July 13, 2006, the City Planning Department approved a request to allow cellular antenna panels and related equipment on a baseball field light standard at Sim Park. The proposed telecommunication facility consists of 6 antennas that will be mounted on a 65 foot light standard pole. A vicinity map, site surveys and elevation drawings are attached as Exhibits "A" and "B".
- B. An Agreement for Issuance of a Revocable Permit has been negotiated with Metro PCS for installation of communication equipment and antennas on a light standard at Sim Park. The initial term of the agreement is 10 years, with a 10 year renewal option. Permit fees begin at \$18,000 per year with annual increases of 5%. All costs of installation and maintenance of equipment are the responsibility of the Permittee.
- C. Proceeds collected under this Agreement with Metro PCS will be allocated to a Neighborhood Enhancement Program/Project for Council District 6.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

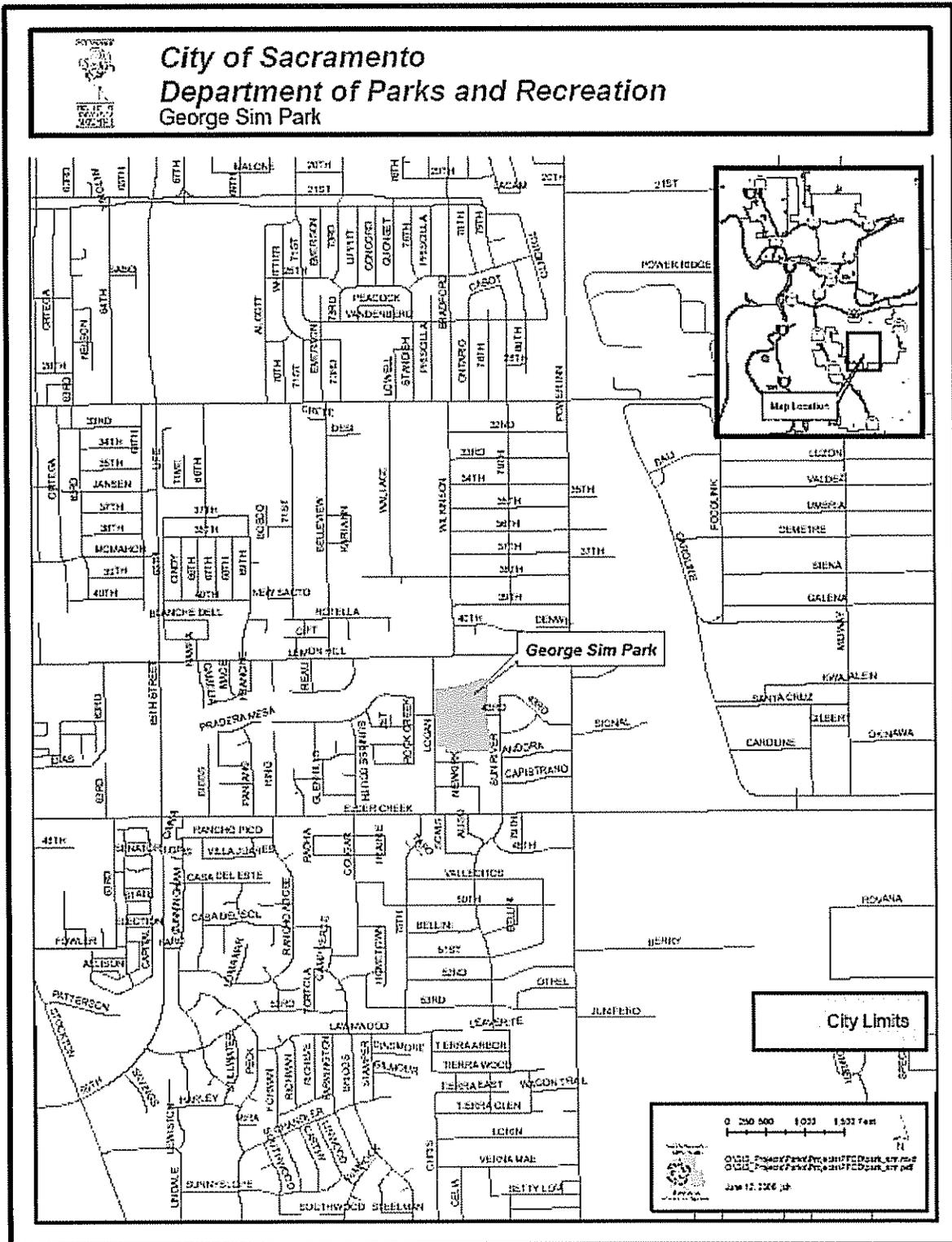
Section 1. The City Manager is hereby authorized to execute the Agreement for Issuance of a Revocable Permit with Metro PCS for installation and maintenance of communications equipment at Sim Park.

Section 2. The Finance Director is authorized to establish the necessary financial accounts needed for the administration of the Neighborhood Enhancement Program/Project that will be funded from proceeds of this Agreement.

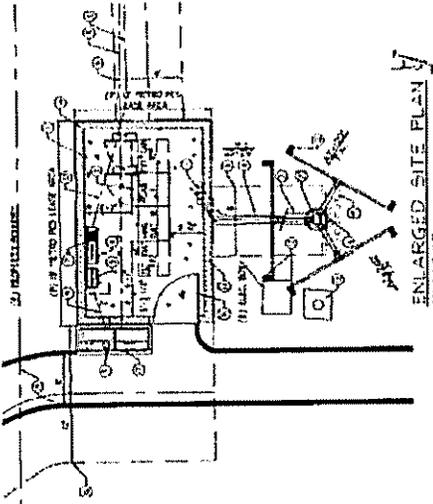
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Exhibit A – Location Map



SHEET NO. 50-01-02 501 LORAIN STREET SACRAMENTO, CA 95839	REVISIONS NO. DATE BY 1 10/3/06 JAC	DEFRAGED TOP metro PCS 785 JOHNSON DR. #20 FOLSOM, CA 95630	APPROVALS DATE: 10/3/06 BY: JAC	Peet Site-Comm 251 Lincoln Hwy. Suite 100 Albany, CA 94706 Phone (925) 885-1442 E-MAIL: info@peet.com	SITE PLAN SHEET NO. 50-01-02 PROJECT NO. 06-001 DATE: 10/3/06 SCALE: AS SHOWN A-1
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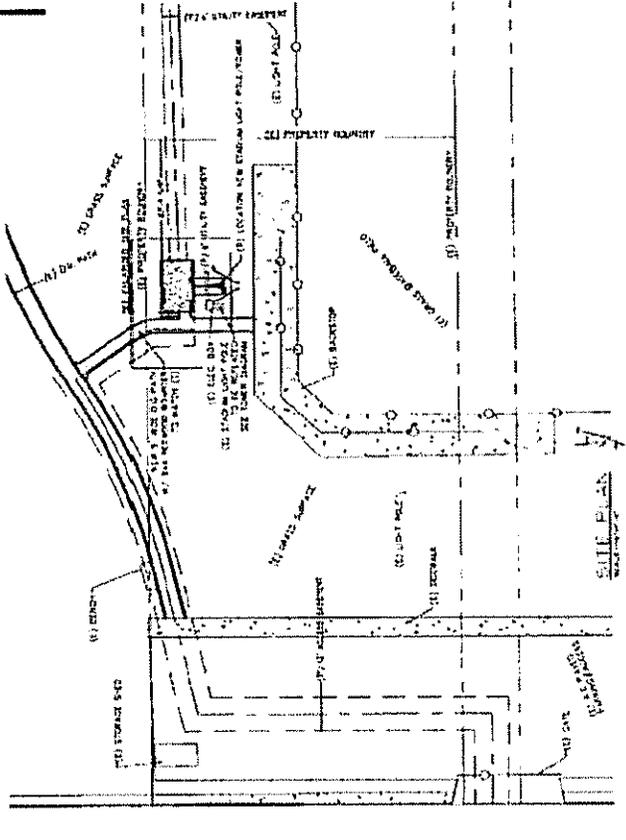
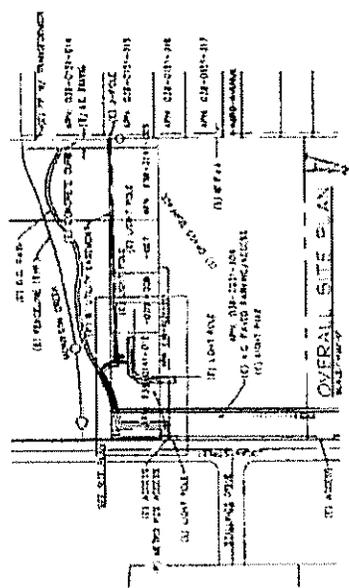


KEY NOTES

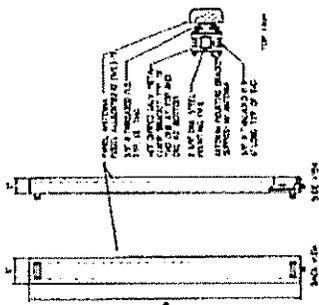
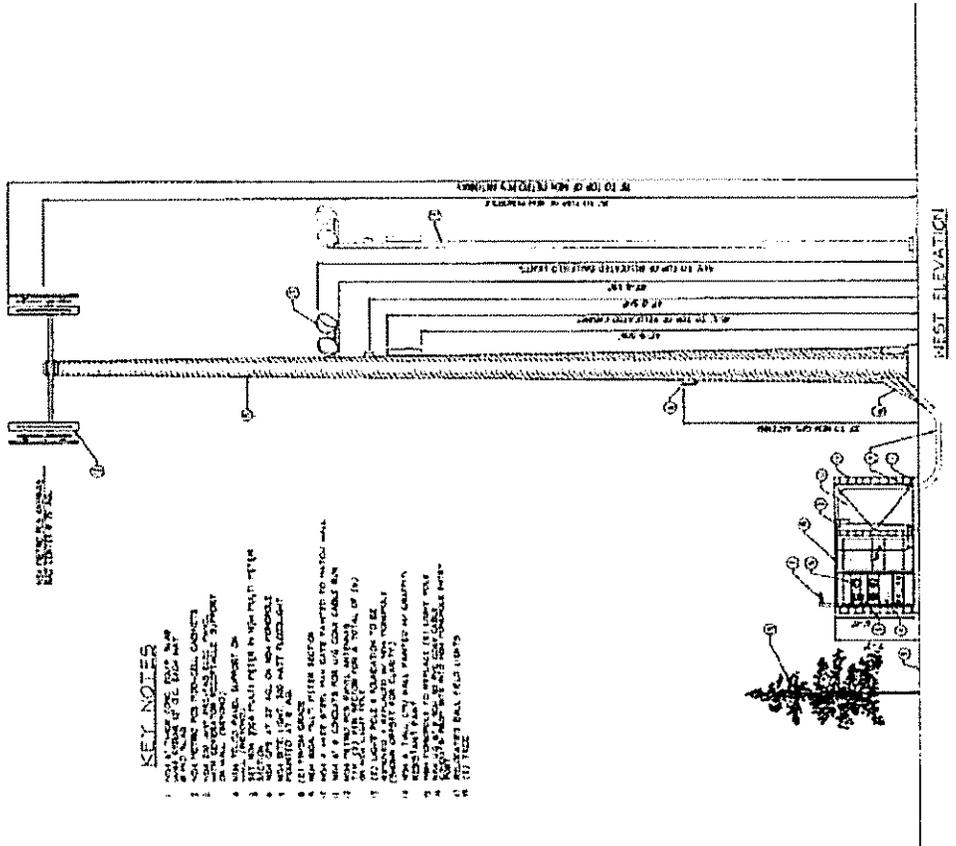
1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. ALL UTILITIES SHALL BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
3. ALL UTILITIES SHALL BE INSTALLED AT THE PROPER DEPTH AND SPACING.
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GENERAL NOTES

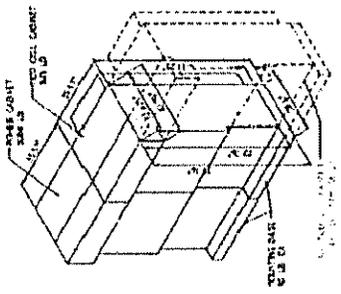
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5th FLOOR 1277 LOGAN STREET SACRAMENTO, CA 95825	REVISIONS NO. DATE BY 1 2 3 4	PREPARED FOR metro PCS 725 DELGADO DR. #400 FOLSOM, CA 95630	APPROVALS DATE:	[Empty Box]	[Empty Box]	Peak Site-Com 603 Levee Hwy., Suite 100 Folsom, CA 95630 (916) 931-1100 E-MAIL: PSM@METROPCS.COM	ELEVATIONS SHEET NO. A-2 OF 2
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TYP ANTENNA DETAIL
 SCALE: 1/8" = 1'-0"



TYP CABINET DETAIL
 SCALE: 1/8" = 1'-0"

