



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
October 28, 2008

**Honorable Mayor and
 Members of the City Council**

Title: Agreement: Issuance of Revocable Permit with Metro PCS at McClatchy Park

Location/Council District: McClatchy Park, 3526 5th Avenue / Council District 5

Recommendation: Adopt a **Resolution:** (1) authorizing the City Manager or the City Manager's designee to execute an Agreement for Issuance of a Revocable Permit with Metro PCS for installation and maintenance of communications equipment and antennas at McClatchy Park; and (2) authorizing the City Manager or the City Manager's designee to establish the necessary financial accounts needed for the administration of the Neighborhood Enhancement Program/Project that will be funded from the proceeds of this agreement.

Contacts: Bill Sinclair, Program Manager, 808-1905; J. P. Tindell, Park Planning and Development Manager, 808-1955

Presenters: Not applicable

Department: General Services and Parks and Recreation

Division: Facilities and Real Property Management

Organization No: 13001551

Description/Analysis

Issue: Metro PCS desires to improve its cellular phone network and submitted a request to locate wireless telecommunication facilities at McClatchy Park. Detailed project information is provided in the Background section of this report. Subject to City Council approval, a ten-year agreement with one (1) ten-year renewal option for Issuance of a Revocable Permit has been negotiated with Metro PCS. The installation will improve cellular reception in the area.

Policy Considerations: The recommendations included in this report are consistent with Sacramento City Code Section 3.76. Approving this permit is consistent with City Policy which recognizes dramatic growth in the telecommunications industry and the value of increased services to the City's business community and private citizens.

Environmental Considerations:**California Environmental Quality Act (CEQA):**

The Development Services Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 2, Section number 15302(c) as the project consists of the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Sustainability Considerations: Not applicable

Committee/Commission Action: This project was supported by the Parks and Recreation Commission on April 3, 2008. On April 24, 2008, the City Planning Commission heard and approved, with conditions, a request for a special permit (P08-015) to allow Metro PCS to replace an existing 60 foot light standard for ball field lights with a 65 foot slimline monopole that will house three panel antennas concealed within a fiberglass enclosure raydome at McClatchy Park. The existing ball field lights will be relocated onto the new monopole.


Rationale for Recommendation: Staff is recommending approval of the permit as the applicant has met all requirements of Sacramento City Code, Section 3.76, for telecommunication facilities located on City owned property.

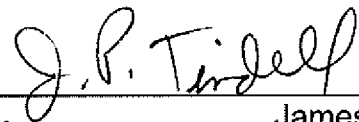

Financial Considerations: The primary financial and business terms of the permit are as follows:

- One-time initial fee of \$15,000.
- Annual permit fee commences at \$15,000.
- Annual fee adjustment of three percent (3%).
- Ten-year initial term.
- One ten-year renewal option.
- Metro PCS will pay for all costs of installation, maintenance of its facility and for damage, if any, to City property resulting from 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 \$30,000 to insure removal of telecommunications equipment at the end of the final term.
- 100% of the revenue collected will be allocated to the Neighborhood Enhancement Program/Project account for Council District 5.

Emerging Small Business Development (ESBD): At this time no goods or services are being purchased as a result of this report.

Respectfully Submitted by: 
Cynthia Kranc
Facilities Manager

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

Approved by: 
for  James L. Combs
Director, Parks and Recreation

Recommendation Approved:

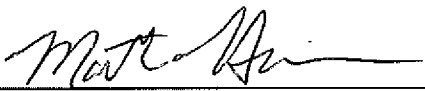

Ray Kerridge
City Manager

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Attachment 1

Background Information:

Metro PCS proposes to replace an existing 60 foot light standard for ball field lights with a 65 foot slimline monopole that will house three panel antennas concealed within a fiberglass enclosure raydome. The existing ball field lights will be relocated onto the new monopole. The proposed 200 square foot equipment cabinet shall be adjacent to and north of the existing ballfield and constructed of like materials to match the appearance of the restroom.

The McClatchy Park site consists of approximately 15.2 acres. Metro PCS is interested in improving its cellular phone network and approached City staff with a request to locate their facilities at McClatchy Park. The installation and location at McClatchy Park will improve reception in the area. The size and location of the site was approved by the Planning Department. An Agreement for Issuance of a Revocable Permit was negotiated and approved as to form by the Office of the City Attorney. A vicinity map, site plan and elevation drawings are attached as Exhibits A, B and C.

RESOLUTION NO. 2008-XXXX

Adopted by the Sacramento City Council

October 28, 2008

AUTHORIZING AN AGREEMENT FOR ISSUANCE OF A REVOCABLE PERMIT WITH METRO PCS FOR A CELL TOWER AT MCCLATCHY PARK

BACKGROUND

- A. Metro PCS desires to improve its cellular phone network to benefit the City's business community and private citizens in the vicinity of McClatchy Park.
- B. An Agreement for Issuance of a Revocable Permit has been negotiated with Metro PCS for installation of communication equipment and antennae at McClatchy Park. The initial term of the agreement is ten years, with one ten-year renewal option. Permit fees begin at \$15,000 per year with annual increases of three percent. All costs of installation and maintenance of equipment are the responsibility of the Metro PCS.
- C. Proceeds collected from the permit with Metro PCS shall be allocated to a Neighborhood Enhancement Program/Project for Council District 5.

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

- Section 1. The City Manager or the City Manager's designee is hereby authorized to execute the agreement for Issuance of a Revocable Permit with Metro PCS for installation and maintenance of communications equipment at McClatchy Park.
- Section 2. The City Manager or the City Manager's designee is authorized to establish the necessary financial accounts needed for the administration of the Neighborhood Enhancement Program/Project that will be funded from the proceeds of this agreement.

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- Exhibit A: Vicinity Map of subject parcel
- Exhibit B: Site Plan of subject parcel
- Exhibit C: Elevation Drawing of subject parcel

