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**DEPARTMENT OF
PUBLIC WORKS**

TECHNICAL SERVICES
REAL ESTATE SERVICES

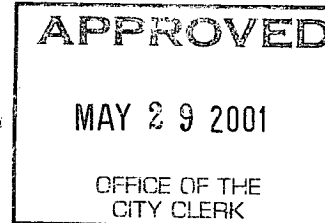
CITY OF SACRAMENTO
CALIFORNIA

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PH 916-264-5710
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May 11, 2001

City Council
Sacramento, California

AG 2001-079



Honorable Members in Session:

SUBJECT: AUTHORIZE EXECUTION OF AGREEMENT FOR ISSUANCE OF REVOCABLE PERMIT WITH WEST COAST PCS LLC, DBA RCS WIRELESS FOR NINOS PARKWAY SITE

LOCATION AND COUNCIL DISTRICT:

Ninos Parkway east of Rudger Way in Council District 1.

RECOMMENDATION:

This report recommends that Council:

- Authorize the City Manager to execute an Agreement for Issuance of a Revocable Permit with West Coast PCS LLC for installation of communications equipment and panels at Ninos Parkway at Rudger Way.

CONTACT PERSONS:

William P. Sinclair, Real Property Agent, 264-1905
Patrick Sanger, Parks & Recreation Manager, 264-8234

FOR COUNCIL MEETING OF: May 29, 2001

SUMMARY:

A ten (10) year Agreement with a ten (10) year renewal option for Issuance of a Revocable Permit has been negotiated with West Coast PCS LLC for installation of communication equipment and panels on an existing SMUD Tower in Ninos Parkway near the end of Rudger Way. Permit fees begin at \$15,000 per year with annual 3.5% increases. Termination is discretionary by either party giving 270 days notice. All costs of installation and maintenance of equipment are the responsibility of the permittee.

City Council

Power Inn Widening Project (PN: TK11) – Resolution of Necessity

May 11, 2001

COMMITTEE/COMMISSION ACTION:

On January 11, 2001, the City Planning Commission heard and approved, with conditions, a request for a special permit (P00-122) to allow six wireless communication antennas (mounted at 65 feet) and one global positioning system antenna (mounted at 12 feet) on an existing SMUD electrical tower and install equipment cabinets in a 300 square foot lease area at the base of the tower, on 10.97± undeveloped acres in the Standard Single Family (R-1) zone. The existing SMUD electrical tower is located 445 feet southeast of Rudger Way.

BACKGROUND INFORMATION:

Ninos Parkway consists of two distinct areas. The area south of West El Camino Avenue is a developed City Park with lawn and various park improvements. The area north of West El Camino Avenue is currently an undeveloped park but is utilized by Western Area Power Authority and SMUD for electricity power transmission. West Coast PCS LLC is interested in improving its cellular phone network and approached City staff with their request to locate their facilities on one of the SMUD transmission towers within the parkway. The installation and location at Ninos Parkway will improve a weak reception area for them. The size and location of the site was approved by the Neighborhood Services Department. An Agreement for Issuance of a Revocable Permit was negotiated and approved as to form by the Deputy City Attorney. This agreement was also approved by the Neighborhood, Planning and Development Services Department. A proposed elevation, site plan and vicinity map are attached as Exhibits "A, B and C" respectively.

The annual fee was based on an analysis of the site by Ron Costa, former Telecommunications Consultant with the City of Sacramento. The fee is based on a modified form of the stated \$18,000 rate for a "minicell" site (based on antenna and electronic cabinet size). The \$18,000 fee has been reduced as the applicant is collocating on an existing facility.

FINANCIAL CONSIDERATIONS:

A complete breakdown of the terms are listed below:

- Annual permit fees of \$15,000
- 3.5% annual increases
- Ten (10) year initial term
- One ten (ten) year renewal period
- West Coast PCS LLC will pay for all costs of installation, maintenance of its facility and for any damage to City Property as a result of the installation.
- Upon termination of the final term, West Coast PCS LLC will remove all facilities and make all necessary repairs.

- West Coast PCS LLC has purchased and deposited a Removal Permit Bond for the sum of \$30,000 with the City to insure removal of telecommunications equipment at the end of the final term.
- All revenue is to be deposited into the fund for Capital Improvement Project LC21 for the benefit of developing the Ninos Parkway.

No one-time fees are applicable as West Coast's facilities do not take advantage of existing City facilities for low cost construction, adversely impact the park, or reduce the esthetic quality of the City Property and surrounding neighborhood.

ENVIRONMENTAL CONSIDERATIONS:

The placement of antennas and equipment cabinets on an existing facility is categorically exempt from the California Environmental Quality Act Guidelines 15301 (minor alteration of existing structure).

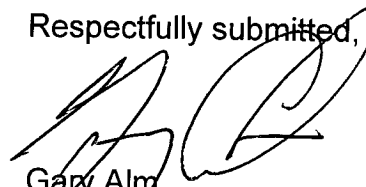
POLICY CONSIDERATIONS:

Sacramento City Code Section 3.76.050 states that "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.

ESBD CONSIDERATIONS:

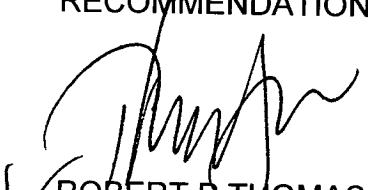
None. Since no goods or services are being purchased.

Respectfully submitted,



Gary Alm
Development Services Manager

RECOMMENDATION APPROVED:



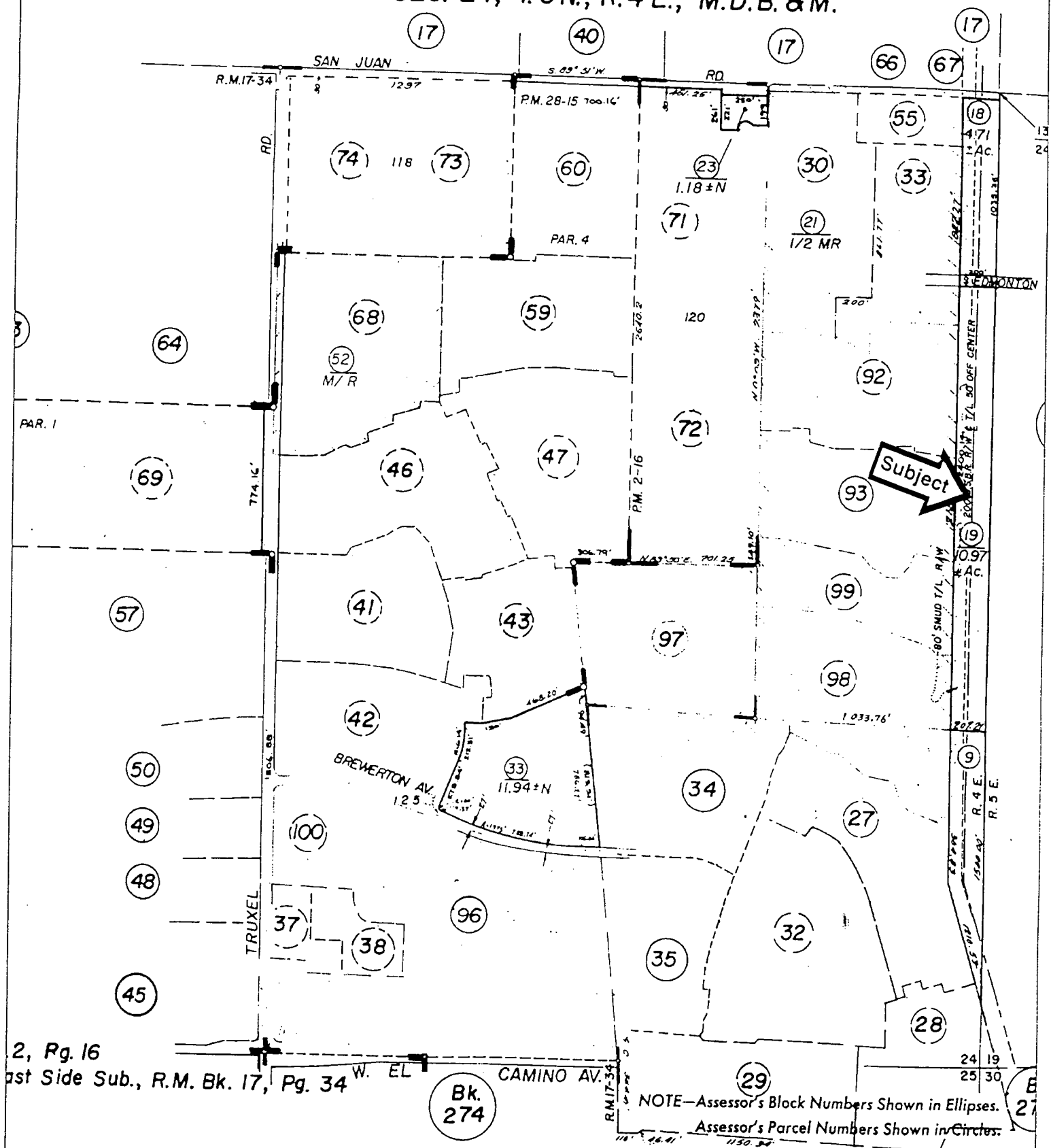
ROBERT P. THOMAS
City Manager

APPROVED:



Michael Kashiwagi
Director of Public Works

POR. SEC. 24, T. 9 N., R. 4 E., M. D. B. & M.



2, Pg. 16
East Side Sub., R.M. Bk. 17, Pg. 34

Bk.
274

NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

EXHIBIT A-1

SACRAMENTO

COUNTY

FRWY



FREWAY

Subject

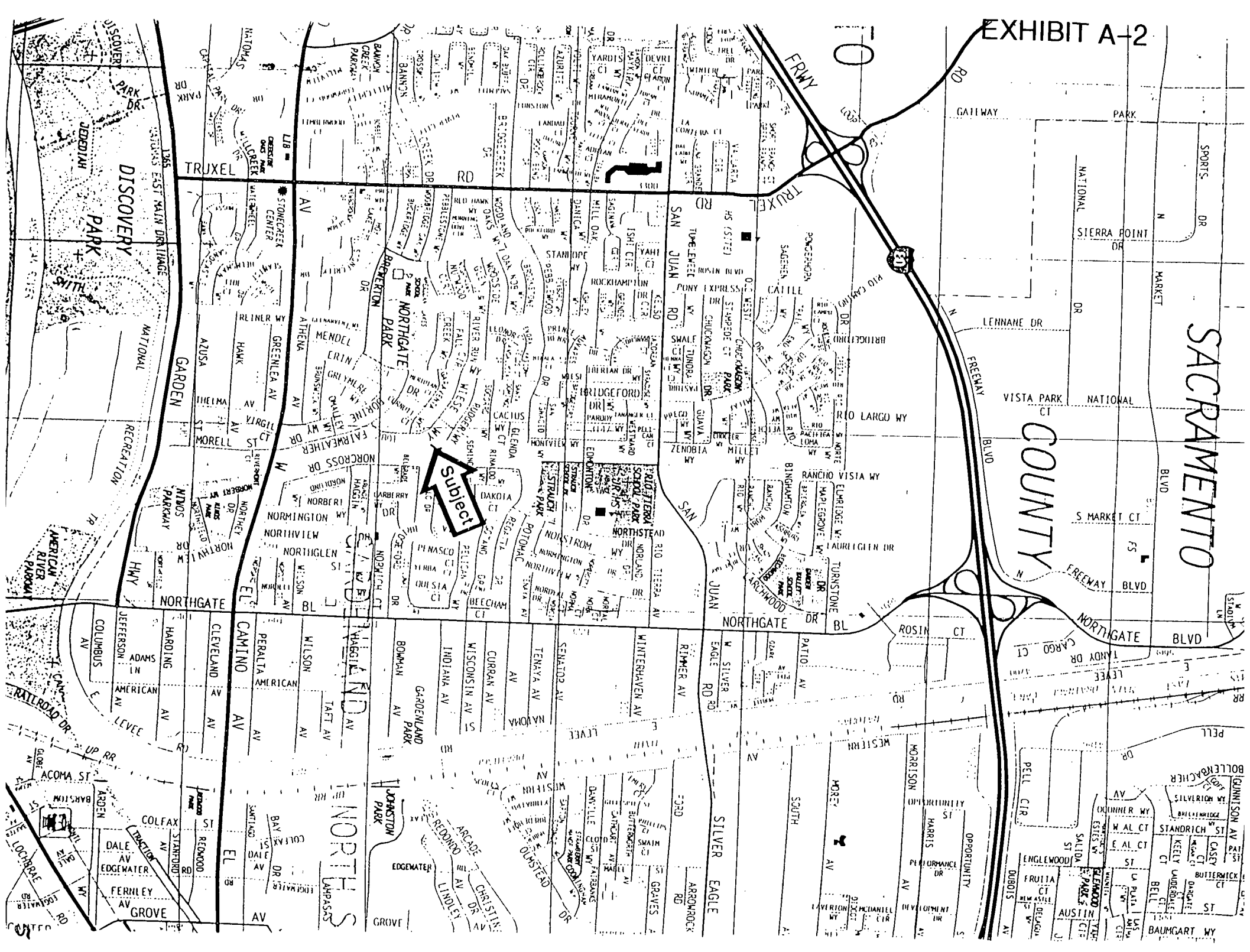


EXHIBIT B-1

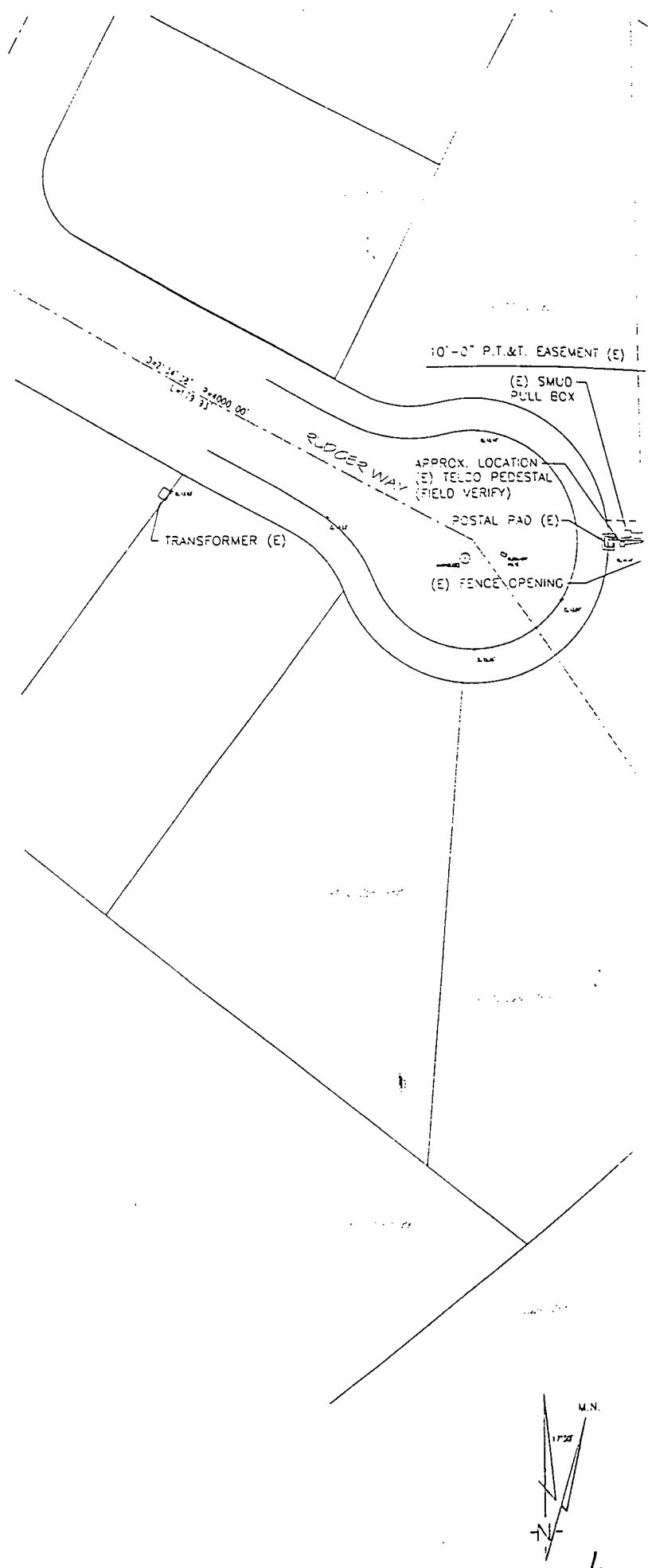
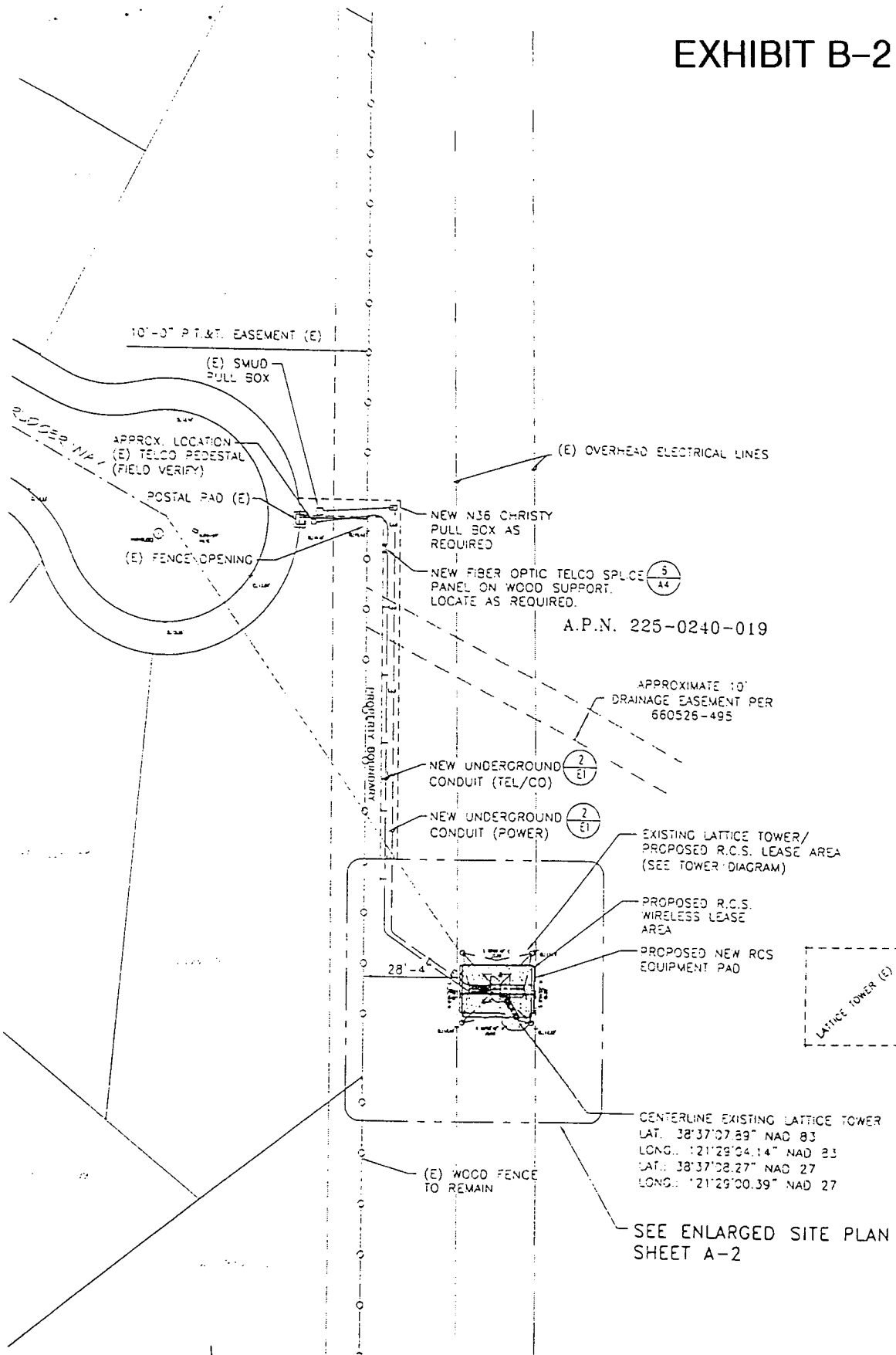


EXHIBIT B-2



OVERALL SITE PLAN

SCALE: 1" = 20'-0"

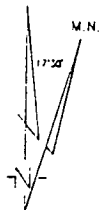
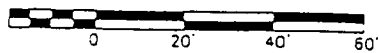
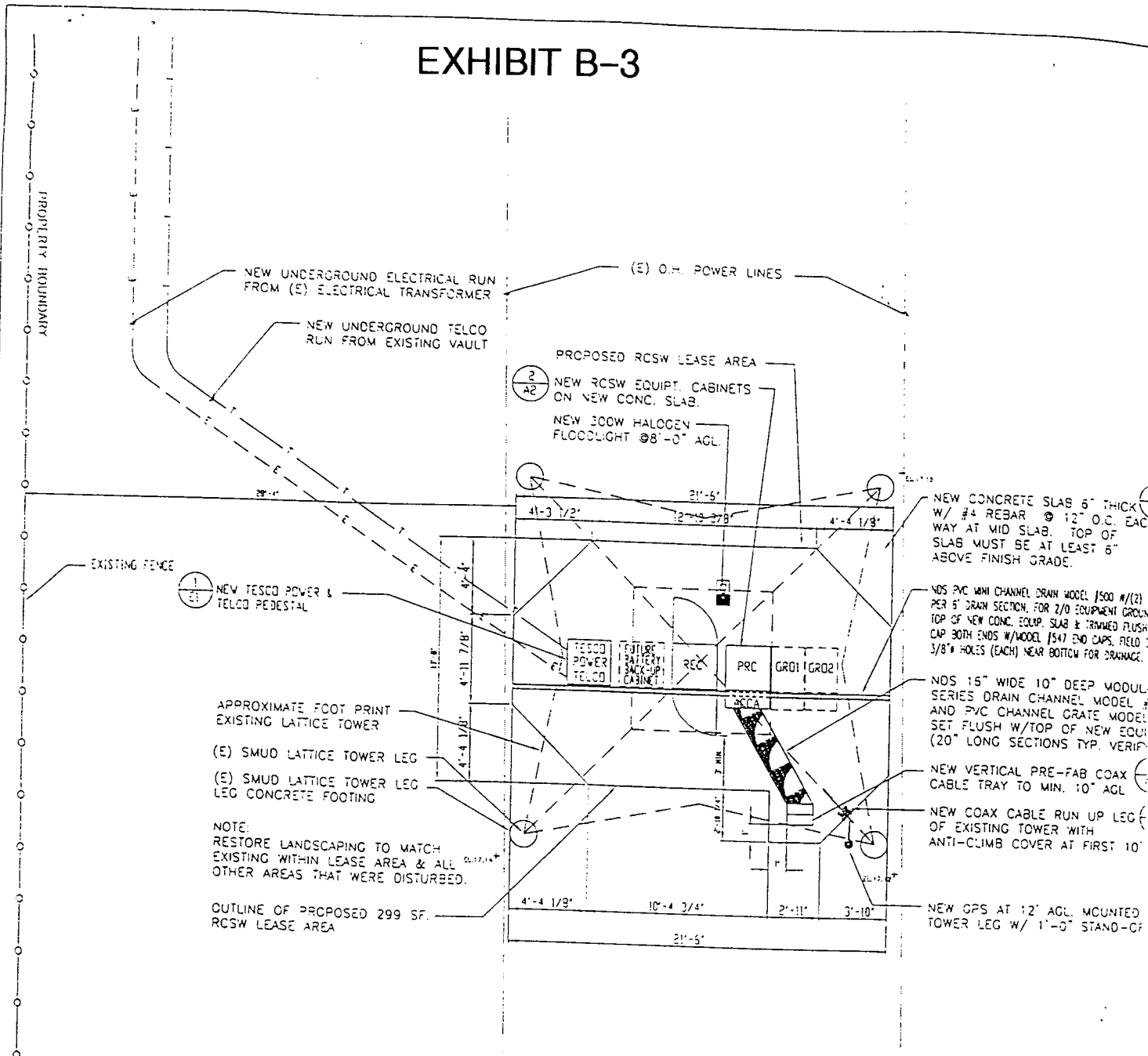
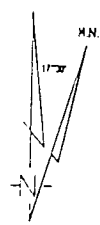


EXHIBIT B-3



NOTE:
RESTORE LANDSCAPING TO MATCH EXISTING WITHIN LEASE AREA & ALL OTHER AREAS THAT WERE DISTURBED.

OUTLINE OF PROPOSED 299 SF. RCSW LEASE AREA



ENLARGED SITE PLAN
SCALE: 1/4" = 1'-0"

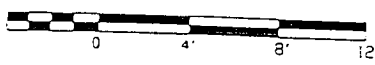
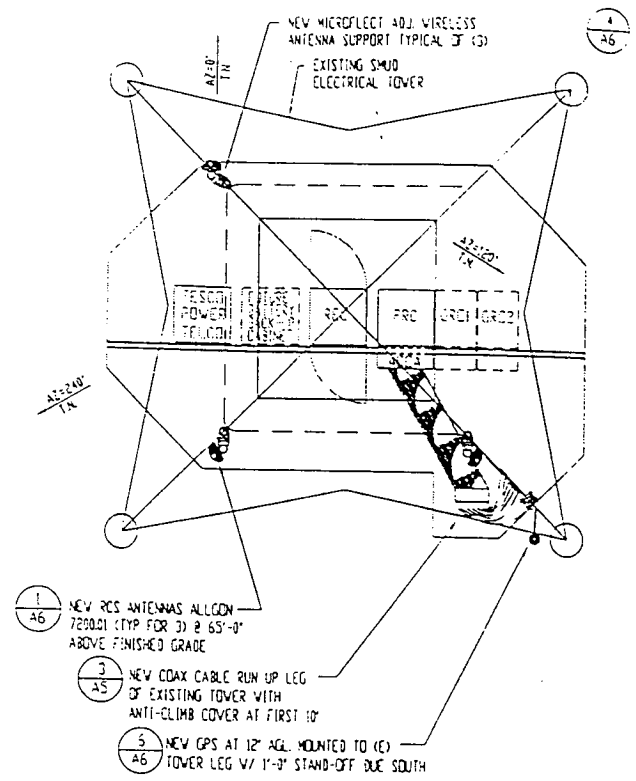
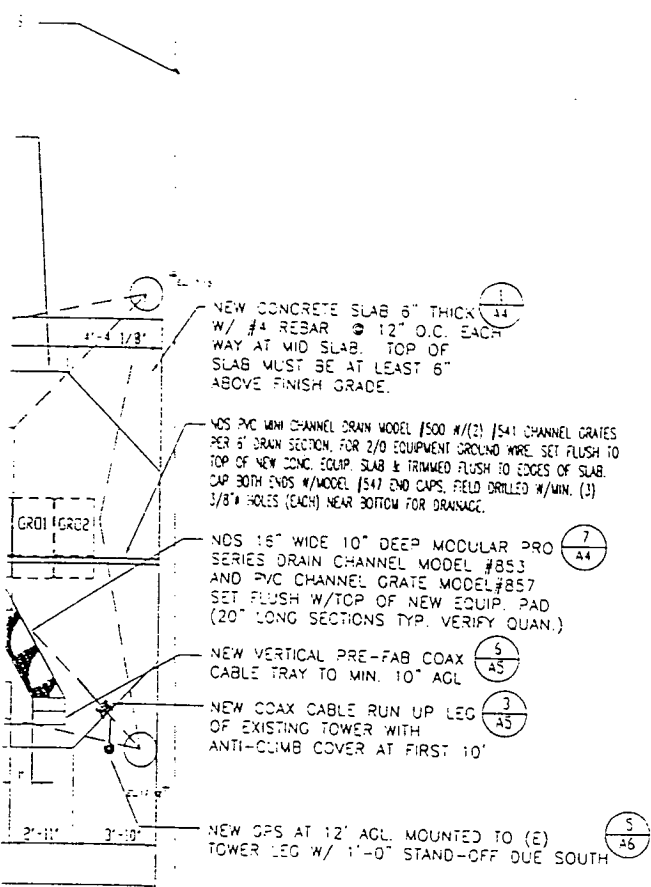
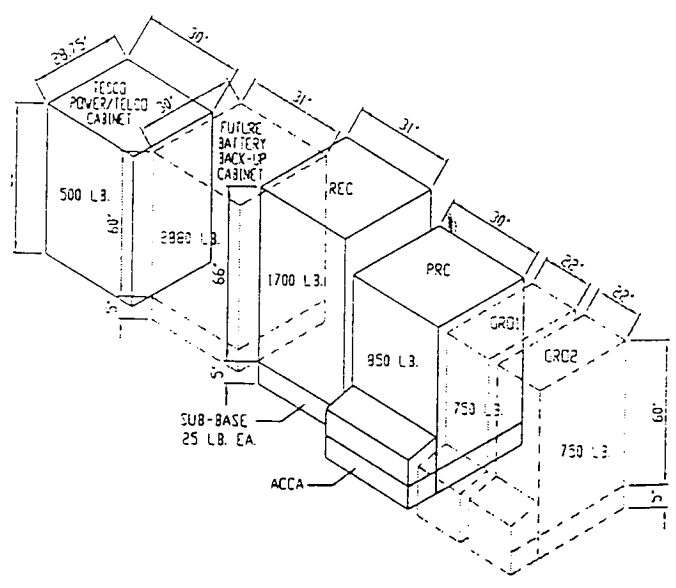


EXHIBIT B-4

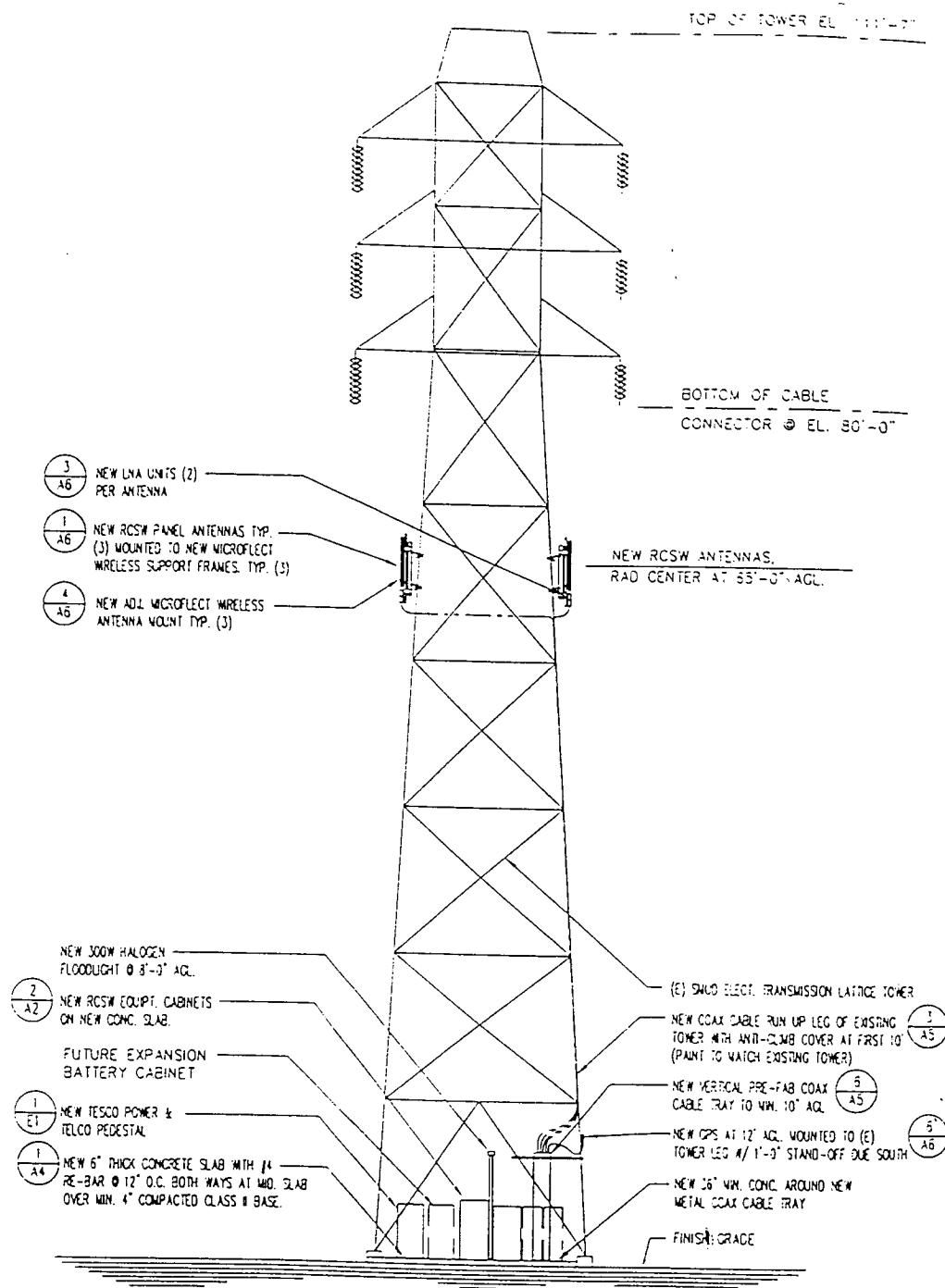


1 ANTENNA SUPPORT DETAIL ON EXISTING TOWER
NOT TO SCALE



2 EQUIPMENT ELEVATION
NOT TO SCALE

EXHIBIT B-5



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

COAX CABLE NOTE:

ALL COAX CABLE ARE 1 5/8" DIAMETER

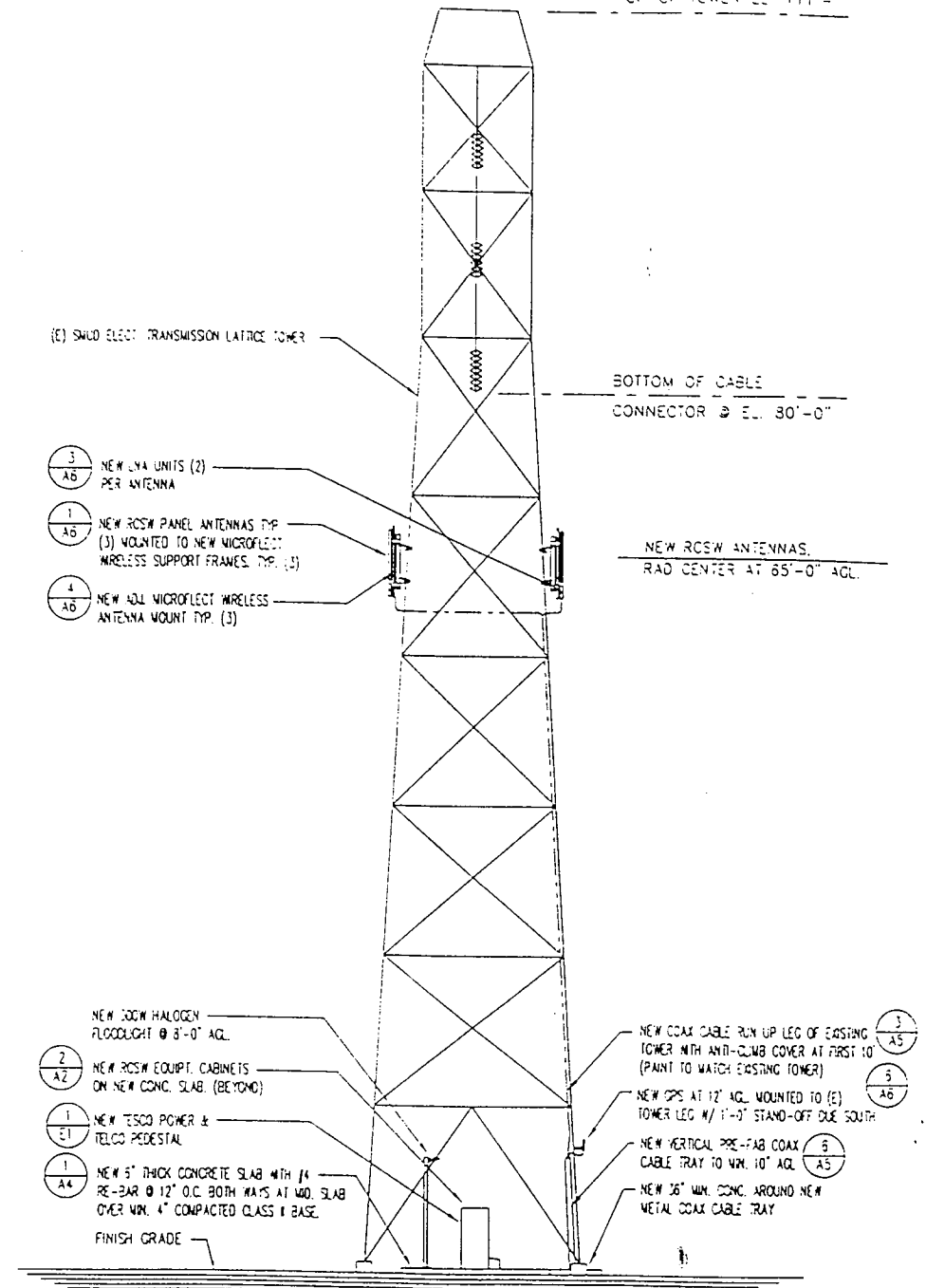
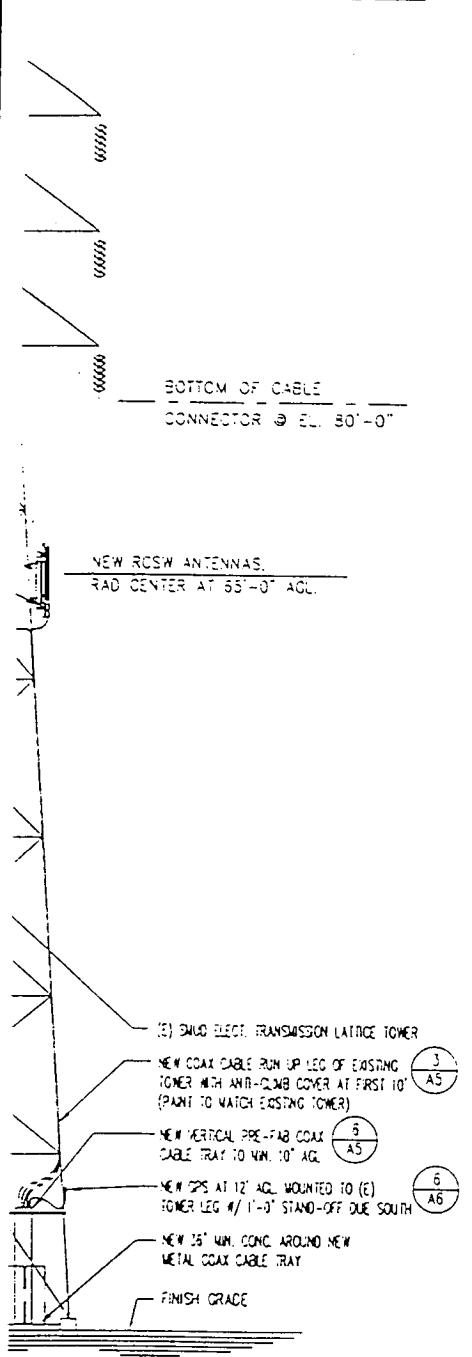
AZIMUTHS

SECTOR	TRUE NORTH	MAGNETIC NORTH
1	0°	342°30'
2	120°	102°30'
3	240°	222°30'

EXHIBIT B-6

TOP OF TOWER EL. 1111'-7"

TOP OF TOWER EL. 1111'-7"



ATION
1'-0"

WEST ELEVATION
SCALE: 1/8" = 1'-0"

TE:
DIAMETER

AZIMUTHS		
SECTOR	TRUE NORTH	MAGNETIC NORTH
1	0°	342°30'
2	120°	102°30'
3	240°	222°30'

SECTOR 1	1" MECHANICAL DOWNHILT
SECTOR 2	1" MECHANICAL DOWNHILT
SECTOR 3	1" MECHANICAL DOWNHILT

APPROVED

MAY 29 2001

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2001-322

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR ISSUANCE OF
A REVOCABLE PERMIT WITH WESTCOAST PCS LLC DBA RCS WIRELESS FOR NINOS
PARKWAY SITE**

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

1. That the City Manager is hereby authorized to execute the Agreement for Issuance of a Revocable Permit with West Coast PCS LLC, dba RCS Wireless for installation and maintenance of communications equipment at Ninos Parkway to commence _____, 2001. All revenue is to be deposited into the fund for Capital Improvement Project LC21 for the benefit of developing the Ninos Parkway.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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