



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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### AGENDA TITLE:

AT&T Cell Tower Lease @ Hwy 101 & Rodeo Drive

### RECOMMENDED MOTION:

Motion to authorize the City Manager to execute a cell tower lease with AT&T with the terms and conditions specified in this staff report and subject to approval to form by the City Attorney

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### DISCUSSION

AT&T requested consent to amend their existing lease and modify their communications facility at the corner of Hwy. 101 and Rodeo Avenue in October 2008. The scope of work is as follows:

- Replace 2 antennas with like kind antennas
- Add 2 like kind antennas
- Replace equipment cabinet and add 4 remote radio units (RRU's) inside underground vault
- Add 2 Tower Mounted Amplifiers (TMA's) behind antennas
- Add 2 Remote Electrical Tilt Kits (RET's) to bottom of antennas

AT&T received approval by the Planning Commission on July 1 to modify the site, and was advised by the City Attorney that a lease modification was required.

### TERMS AND CONDITIONS

Finance Department initiated negotiations with AT&T and exacted the following terms and conditions:

- The lease agreement was originally intended to only encompass 2 antennas. At the time of the original lease, the discussions surrounding the size of the antennas clearly demonstrated the City's concern with just two antennas. Accordingly, AT&T's request to add two additional antennas warrants additional consideration in terms of monthly compensation. City research indicated that public tower companies would typically charge up to an additional \$250 per antenna and line. The City therefore requested and AT&T agreed to an additional \$500 per month in lease revenue, for a total of \$3,100 per month. This amount is consistent with the City's comparable leases at this site for size of

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equipment, ground space leased and number of antennas. The lease contains an annual escalator clause of 4%

- The lease amendment requesting any equipment required by a local, state or federal entity for emergency 911 seemed a bit vague and open-ended. The City is comfortable with considering on a case-by-case basis all requests from AT&T for additional or new equipment, with adequate supporting documentation demonstrating that the equipment is actually mandated by E-911 laws. AT&T agreed.

## **STANDARDS AND CRITERIA FOR WIRELESS COMMUNICATIONS FACILITIES**

All cell tower leases must comply with Chapter 10.45 of the City of Sausalito Zoning Ordinance. Chapter 10.45 lists a uniform and standard set of guidelines and criteria for the orderly development and siting of wireless communications facilities in order to avoid or minimize land use conflicts related to land use compatibility, visual resources, public safety, and environmental impacts. After submission of a complete and comprehensive application packet, the Planning Commission may approve a DRP and CUP if the following findings can be made:

- The proposed project is consistent with the General Plan, the Zoning Ordinance, and any applicable specific plans.
- The proposed project complements the surrounding neighborhood and/or district and, when antenna is attached to, or part of, a structure, the antenna and its screening complement the architecture of the structure.
- The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district.
- The proposed project has been located and designed to minimize obstruction of public views and primary views from private property.
- The proposed project will not result in a prominent profile (silhouette) above a ridgeline.
- The proposed landscaping provides appropriate visual relief, complements the buildings and structures on the site, and provides an attractive environment for the enjoyment of the public.
- Mechanical equipment is appropriately designed and located to minimize visual, noise, and air quality impacts to adjacent properties and the general public.
- The proposed design preserves protected trees and significant natural features on the site to a reasonable extent and minimizes site degradation from construction activities and other potential impacts.
- The proposed use, together with the applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City.
- The proposed facility will not materially adversely affect nearby properties or their permitted uses.

## **FISCAL IMPACT**

The city's General Fund would realize \$6,000 in additional new revenues annually.

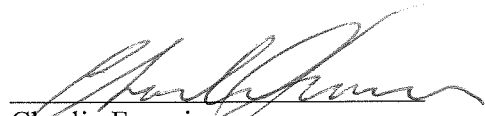
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**STAFF and OMIT RECOMMENDATIONS**

Staff submitted the lease terms and conditions to the City Council OMIT committee for review. After discussion, staff and OMIT recommends that the City Council of the City of Sausalito direct the City Manager to proceed with execution of the lease with AT&T under the above negotiated terms and conditions and subject to approval as to form by the City Attorney

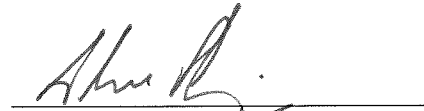
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**SUBMITTED BY:**

  
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