

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 191015-130

WHEREAS, On July 15, 2014, the SFMTA Board adopted the Policy for Placement of Wireless Facilities on SFMTA Owned and Managed Real Estate Assets (ODAS Policy), outlining the SFMTA's review process and fees for wireless telecommunication companies to install ODAS equipment on the SFMTA poles and a form Master Outdoor Distributed Antenna System Pole License Agreement (Master License Agreement), which establishes the terms and conditions governing such installations; and,

WHEREAS, On November 3, 2015, the SFMTA Board adopted the ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles (Unpowered Pole Policy) regarding charges to licensees to bring power to unpowered poles; and,

WHEREAS, On February 16, 2016, the SFMTA Board adopted the updated ODAS Policy to reflect an updated process for agreements for placement of wireless facilities on the SFMTA owned and managed parking garages; and,

WHEREAS, While the initial purpose for the ODAS Policy was to create structure for the program in its infancy, the program has matured over the last five years with six executed Form Communication Site Lease Agreements, four executed Master License Agreements, and 247 active pole licenses. In addition, given the evolving legal requirements governing this emerging industry, the necessity to delegate authority to the Director of Transportation to modify the program and be responsive to changing needs in the future is the appropriate next step in the program's development; and,

WHEREAS, The amendment of Article 25 of the Public Works Code has resulted in additional approval responsibilities for the SFMTA, including the verification of radiofrequency emissions standards and compliance with CEQA. Proposed Executive Directives would include objective standard designs for ODAS Equipment consistent with the aesthetic criteria as articulated in Article 25 of the Public Works Code and the San Francisco General Plan, along with radio frequency review; and,

WHEREAS, Of the three initial options to bring power to poles under the Unpowered Pole Policy, only one is feasible. With the rising cost of poles and reduction in storage at the pole yard, staff recommends that the SFMTA allow the Licensee to (at Licensee's expense) purchase, store, and install per the SFMTA specifications; and,

WHEREAS, On September 18, 2019, the SFMTA, under authority delegated by the Planning Department, determined that the elimination of the Outdoor Distributed Antenna System Pole Selection Policy and Charges for Unpowered and Unmapped Poles is not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,


WHEREAS, On September 26, 2019 the SFMTA, under authority delegated by the Planning Department, determined that the following two actions are not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b): 1) elimination of the Policy for Placement of Wireless Facilities on SFMTA Owned and Managed Real Estate Assets, and 2) delegation of authority to the Director of Transportation to modify the aforementioned program; and,

WHEREAS, Any installations of wireless equipment on poles and facilities resulting from the policies described above would be subject to CEQA, and would be evaluated and documented as appropriate under CEQA prior to approval; and,

WHEREAS, A copy of the CEQA determinations are on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors rescinds the Policy for Placement of Wireless Facilities on SFMTA Owned and Managed Real Estate Assets; rescinds the ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles; and delegates authority to the Director of Transportation to oversee the program for the leasing and licensing of space on the SFMTA-owned property for installation of communications antennas, and modify application review processes, fees and other aspects of the program as appropriate.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting October 15, 2019.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency