

**THIS PRINT COVERS CALENDAR ITEM NO.: 10.5**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Finance and Information Technology

**BRIEF DESCRIPTION:**

Adopt the Outdoor Distributed Antenna System Pole Selection Policy and Charges for Unpowered and Unmapped Poles that establishes additional pole license review procedures, and approving the assessment of additional proprietary charges for SFMTA staff to review pole license applications; inspect and oversee the modification or replacement of poles; and, as necessary, facilitate the installation of wireless telecommunication equipment on SFMTA poles.

**SUMMARY:**

- On July 15, 2014, the SFMTA Board adopted a form Master Outdoor Distributed Antenna System Pole License Agreement (“Master License Agreement”), which sets out terms and conditions by which wireless telecommunication companies (“Licensees”) may install outdoor distributed antennae and equipment (“ODAS Equipment”) on SFMTA poles. Three wireless telecommunication companies have signed the Master License Agreement.
- Following approval of a Master License Agreement, a Licensee submits a pole license application identifying SFMTA poles on which it wants to install antennae and equipment. The SFMTA charges a \$250 application fee for each pole license and approximately \$4,000 annual rent for each pole on which ODAS Equipment is installed.
- Some of the poles that Licensees want to use do not have a readily available electrical power source, and those poles will require either modification or replacement. Modifying or replacing those poles will require the SFMTA to devote additional staff resources to review pole license applications, supervise and inspect the ODAS Equipment installation, and in some cases, temporarily interrupt transit operations.

**ENCLOSURES:**

1. SFMTAB Resolution
2. ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles

**APPROVALS:**

**DATE**

DIRECTOR \_\_\_\_\_

10/26/15

SECRETARY \_\_\_\_\_

10/26/15

**ASSIGNED SFMTAB CALENDAR DATE:** November 3, 2015

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### **PURPOSE**

Adopt the Outdoor Distributed Antenna System Pole Selection Policy and Charges for Unpowered and Unmapped Poles that establishes additional pole license review procedures, and approving the assessment of additional proprietary charges for SFMTA staff to review pole license applications; inspect and oversee the modification or replacement of poles; and, as necessary facilitate the installation of wireless telecommunication equipment on SFMTA poles.

### **GOAL**

This item will assist the SFMTA in meeting the following goal and objectives:

- Goal 3: Improve the environment and quality of life in San Francisco:
  - Objective 3.3: Allocate capital resources effectively; and
  - Objective 3.5: Reduce capital and operating structural deficits.

### **DESCRIPTION**

The SFMTA owns approximately 10,000 poles that support overhead traction power lines which provide power to trolleys and light rail vehicles, and some that support street light fixtures. On July 15, 2014, the SFMTA Board of Directors adopted a Master License Agreement to establish uniform contract terms and conditions for installation of ODAS Equipment on SFMTA poles. The Master License Agreement protects SFMTA's proprietary interests in its poles through a rigorous design review process, and allows the SFMTA to require a Licensee to remove any ODAS Equipment that interferes with SFMTA transit operations and other SFMTA needs. The SFMTA also receives new revenues from licensing its poles for ODAS Equipment.

Three telecommunication companies, Mobilitie Investments III, Extenet Systems, and GTE Mobilnet/Verizon, have signed the Master License Agreements.

#### Pole License Application Process

Following execution of a Master License Agreement, a Licensee applies for Pole Licenses, which are subordinate agreements under the Master License Agreement. A Pole License identifies the locations of poles the Licensee is authorized to use, describes the ODAS Equipment to be installed, and sets out any other special conditions concerning the licensed poles. SFMTA staff reviews each Pole License application to ensure that the proposed poles have the structural capacity to support the ODAS Equipment and ensure that it will not interfere with transit operations. The City's Planning Department also reviews pole license applications and makes recommendations to the SFMTA as to the appropriateness of the proposed installation locations and appearance of the ODAS Equipment.

Licensees have applied for Pole Licenses for poles that do not have a readily available electrical power source necessary for ODAS Equipment, and that will require either modification of pole foundations or pole replacement to accommodate ODAS Equipment. Modifying or replacing those poles will require the SFMTA to devote additional staff time and resources to review Pole License applications, to supervise and inspect ODAS Equipment installation, and in some cases, temporarily interfere with transit operations during that work.

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To compensate for the additional demands on Agency staff and resources, and to mitigate interference with transit operations during installation, staff proposes assessing Licensees one of three proprietary charges, listed below. The charge assessed would be determined by the Agency resources required to review and oversee the ODAS Equipment installation.

Charge 1: Install conduit between the existing foundation and the base plate, if there is sufficient space, for a charge of \$10,000.

Charge 2: Lift up the pole with a crane, install conduit, and reset the existing pole in place, for a charge of \$15,000.

Charge 3: Replace the pole, for a charge of \$20,000.

To determine the work required for ODAS Equipment installation on an unpowered pole, a Licensee must obtain a SFMTA Temporary Access License to inspect the pole and its foundation. The charges described above will be in addition to the \$250 application fee and approximately \$4,000 annual rent per pole currently charged under the Master License Agreement.

SFMTA staff will continue to consult with the City's Planning Department as to the aesthetics of the proposed conduit and ODAS Equipment installation, and whether the installation is appropriate to the pole's surroundings. A Licensee must also seek encroachment permit approval from the City's Department of Public Works, because the installation work would be performed in the City's right-of-way. When a Licensee has received the necessary permits and approvals the SFMTA will authorize the Licensee to install the approved ODAS Equipment. (Replacing a pole may also require access to a foundation that is attached to an adjacent property; if so, it will be the Licensee's responsibility to obtain permission from the property owner.)

### **PUBLIC OUTREACH**

Pursuant to Section 10 of the SFMTA Board of Directors' Rules of Order, advertisements are required to be placed in the City's official newspaper to provide notice that the Board of Directors will hold a public hearing on November 3, 2015 to consider this Resolution. The advertisement ran in the San Francisco Examiner for a five-day period beginning on October 12, 2015 and ending October 16, 2015. SFMTA staff has discussed the proposed policy with the Licensees who confirmed their agreement.

### **ALTERNATIVES CONSIDERED**

The following alternatives were considered: 1) reject all applications for proposed poles without existing conduit, and 2) allow the Licensee to propose alternative installation options (other than those discussed here). Neither of these alternatives is recommended, as the former would not improve wireless service in San Francisco, and the latter would require additional work by SFMTA staff and could lead to transit service interruptions.

**FUNDING IMPACT**

Adoption of the proposed ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles will not have a direct funding impact on SFMTA, but the SFMTA will receive increased Pole License revenues. Licensees currently have applied for approximately 50 poles that require modification or replacement. If those 50 poles are modified or replaced, SFMTA may receive up to \$1,000,000 for charges and \$4,000 annually rent per pole, for approximately \$2,800,000 over nine years.

**ENVIRONMENTAL REVIEW**

The SFMTA's approval of the proposed ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles will be part of the application process under the Master License Agreement. The Master License Agreement authorizes placement of wireless equipment on poles and facilities under SFMTA control and is subject to the California Environment Quality Act (CEQA). Under the authority granted by the Planning Department, SFMTA staff determined on June 24, 2014 that the Master License Agreement is not a project and is exempt from environmental review pursuant to Title 14 of the California Code of Regulations, Section 15060(c)(2) [CEQA Guidelines], because the approval of the Master License Agreement will not result in a direct or reasonably foreseeable indirect physical change in the environment. The placement of wireless equipment on poles and facilities will be considered a project under CEQA Guidelines Section 15378 and each individual installation proposal is subject to review under CEQA. The SFMTA's determination is on file with the Secretary to the SFMTA Board of Directors.

The proposed action is the Approval Action as defined by the S.F. Administrative Code Chapter 31.

**OTHER APPROVALS RECEIVED OR STILL REQUIRED**

The City Attorney has reviewed this report. No other approval is required.

**RECOMMENDATION**

Staff recommends that the Board of Directors adopt the Outdoor Distributed Antenna System Pole Selection Policy and Charges for Unpowered and Unmapped Poles that establishes additional pole license review procedures, and approving the assessment of additional proprietary charges for SFMTA staff to review pole license applications; inspect and oversee the modification or replacement of poles; and, as necessary, facilitate the installation of wireless telecommunication equipment on SFMTA poles.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, The SFMTA owns approximately 10,000 support poles for overhead traction power lines; and,

WHEREAS, Requests from telecommunication companies to install Outdoor Distributed Antennae System (ODAS) on SFMTA poles have greatly increased as due to rising public demand for wireless data services; and,

WHEREAS, On July 15, 2014, the SFMTA Board adopted a form Master Outdoor Distributed Antenna System Pole License Agreement (Master License Agreement), which establishes the terms and conditions by which wireless telecommunication companies may install ODAS equipment on SFMTA poles; and,

WHEREAS, The proposed ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles establishes requirements, procedures, and appropriate charges for telecommunication companies to install conduit to provide electrical power to unpowered poles; and,

WHEREAS, Adoption of the ODAS Pole Selection Policy and Charges for Unpowered and Unmapped Poles as part of the pole license application process under the Master License Agreement is not a project subject to the California Environmental Quality Act (CEQA) Guidelines as defined under Title 14 of the California Code of Regulations, Section 15060(c)(2), Section 15060(c)(2); now, therefore, be it

RESOLVED, That the SFMTA Board of Directors adopts the Outdoor Distributed Antenna System Pole Selection Policy and Charges for Unpowered and Unmapped Poles, which will establish additional pole license review procedures; and, be it further

RESOLVED, That the SFMTA Board of Directors approves the assessment of additional proprietary charges for SFMTA staff to review pole license applications; inspect and oversee the modification or replacement of poles; and, as necessary, facilitate the installation of outdoor distributed antenna and equipment on SFMTA poles, including the installation of conduit between the existing foundation and the base plate for \$10,000, lifting pole to install conduit and resetting the existing pole in place for \$15,000, and pole replacement for \$20,000.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting November 3, 2015.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

Outdoor Distributed Antenna System (ODAS)  
Pole Selection Policy and Charges  
for Unpowered and Unmapped Poles

Licensees have applied for Pole Licenses for poles that do not have a readily available electrical power source necessary for ODAS operations, and will require either modification of pole foundations or pole replacement for ODAS equipment installation. SFMTA will assess the following charges depending on the work required to install conduit to an unpowered and unmapped pole.

1. Install conduit between the existing foundation and the base plate, if there is sufficient space
  - Requires Temporary Access License for pole exploration
  - Following exploration, Licensee submits conduit detail to SFMTA Engineering for approval
  - Requires SFMTA Overhead Lines on-site supervision for both exploratory work and conduit installation
  - Charge is \$10,000
  
2. Lift up the pole with a crane, install conduit, and reset the existing pole in place
  - Requires Temporary Access License for anchor bolt inspection
  - Following inspection, SFMTA Overhead Lines documents that anchor bolts are suitable for pole resetting, Licensee submits conduit detail to SFMTA Engineering for approval. Must show how newly proposed gap between base plate and foundation will be secured
  - SFMTA Overhead Lines will design a temporary Overhead Contact System (OCS) support for these sites. SFMTA will also provide the pole, subject to availability
  - Licensee's contractor will pick up and reset the pole, with supervision from SFMTA Overhead Lines staff
  - Charge is \$15,000
  
3. Replace the pole
  - Requires Temporary Access License for foundation inspection. Replacing a pole may also require access to a foundation that is physically attached to adjacent private property; it will be the Licensee's responsibility to obtain permission from the property owner. SFMTA Engineering will research as-built and provide it to Licensee, if it is available. SFMTA will also provide replacement pole type (specs), and pole loading requirements.
  - Following inspection, Licensee submits foundation design and conduit detail with a wet stamped engineering drawing to SFMTA Engineering for approval.
  - SFMTA Overhead Lines will design temporary OCS support for these sites. SFMTA will also provide the pole, subject to availability.
  - Licensee's contractor will install the new foundation, install the conduit, and place the pole, with supervision from SFMTA Overhead Lines staff
  - Following Licensee's contractor's completion of work, SFMTA Overhead Lines will reattach the OCS system to the new pole.
  - Charge is \$20,000