

**Council Meeting: March 1, 2011****SUBJECT: Installation of T-Mobile Facilities in the Public Right-of-way –  
INFORMATION ONLY****BACKGROUND**

T-Mobile has applied for installation of wireless telecommunication facilities located within the public right-of-way in order to expand their service coverage. T-Mobile plans to install a wireless facility onto existing joint utility poles, which includes antennas (an electric meter and micro-cell cabinets) mounted on the same pole. At some locations the equipment is to be mounted on the ground.

Joint utility poles are poles set either within the public right-of-way or a public utility easement that are used by several utility companies. A typical joint utility pole may carry wires for: PG&E's primary and secondary power, AT&T's telephone, and Comcast cable. PG&E verified that the additional load of the wireless telecommunication equipment does not negatively impact the stability of the joint utility poles.

City staff has several concerns about T-Mobile's project, including the visual impact of their facilities (such as the location, height and the look of the antenna, and the size of the cabinet). The City Attorney has advised that the ability of the City to deny such application is constrained by the Federal Telecommunication Act where the purpose of the new equipment is to expand coverage areas. For example, a specific location may be denied if another location can be found that would provide similar coverage. If both locations are in residential neighborhoods, relocation may provide no or limited improvement. However, the City can require that the facilities meet certain community standards. Therefore, a City team (City Attorney's Office, Community Development Department, and Public Works Department) worked with T-Mobile through various discussions. As a result, guidelines and procedures were established for review and approval relating to T-Mobile's encroachment permit applications.

Those guidelines and procedures include, but are not limited to: submittal of simulated photos as part of the permit application; seven feet (7') pedestrian/bicycle path vertical clearance; notification to the property owners within 250' radius; response to questions and concerns from the property owners during a 20-calendar-day response period, to which T-Mobile shall

address and resolve any residents' concerns prior to City's issuance of the permit; execution of a master Encroachment Agreement (to address liability and maintenance responsibility) and a Ground Lease (to address equipment mounted on the ground). All other encroachment permit standards, requirements (such as protecting the City with insurance and indemnification), and permit conditions also apply.

According to T-Mobile, there will be a total of approximately 11 sites spread out within the City of Sunnyvale to be implemented in phases, depending upon their business development. Attachment "A" illustrates an existing T-Mobile facility located on Union Avenue near Logic Drive in San Jose.

To date, T-Mobile has submitted six (6) permit application packages. All six proposed locations are in residential neighborhoods near: 665 Carlisle Way; 198 W. Eaglewood Avenue; 1650 S. Wolfe Road; 822 W. Knickerbocker Drive; 1515 Partridge Avenue; and 977 Reed Avenue. Attachments "B" and "C" are sample applications for both pole-mount (five applications) and ground-mount equipment (one application).

T-Mobile's equipment at 1650 S. Wolfe Road is within the Wolfe Road Underground Utility District formed on November 17, 2009. This equipment, as well as the other co-located utilities, is subject to compliance with Sunnyvale Municipal Code Title 15 Underground Utilities, Section 15.04.150 Prohibited acts, which means utility companies must remove their overhead facilities and poles within the District when required.

The Community Development Department and Public Works Department reviewed and provided comments on these six (6) permit applications and one permit (located at 665 Carlisle) is nearly ready to be issued, pending final design of power and telephone service to the site, results of T-Mobile's public notification, and execution of the master Encroachment Agreement (being finalized by the City Attorney's office). The other five (5) permit applications are being revised by T-Mobile due to undesirable site locations or size of the equipment.

### **FISCAL IMPACT**

No fiscal impact. T-Mobile is required to pay for actual permit review and inspection service fees prior to permit issuance and any ground lease for ground mounted equipment.

Reviewed by:

Marvin Rose, Director, Public Works  
Prepared by: Bennett Chun, Civil Engineer

Reviewed by:

Hanson Hom, Director, Community Development

Approved by:

Gary M. Luebbers  
City Manager

**Attachments**

- Attachment A – Existing T-Mobile facility in San Jose
- Attachment B – Exhibits of a typical T-Mobile application for pole-mount equipment
- Attachment C – Exhibits of a typical T-Mobile application for ground-mount equipment



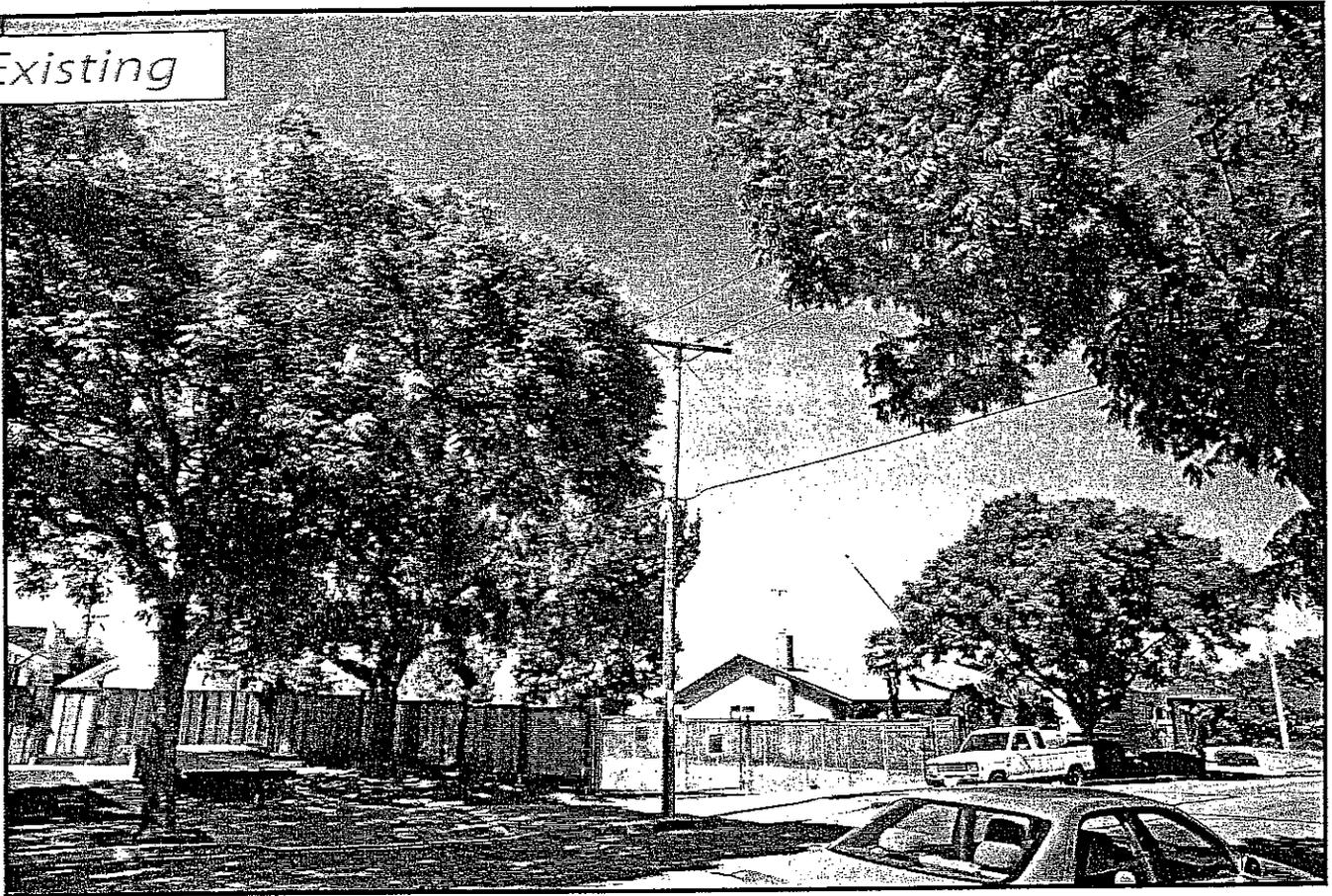
**ATTACHMENT A**



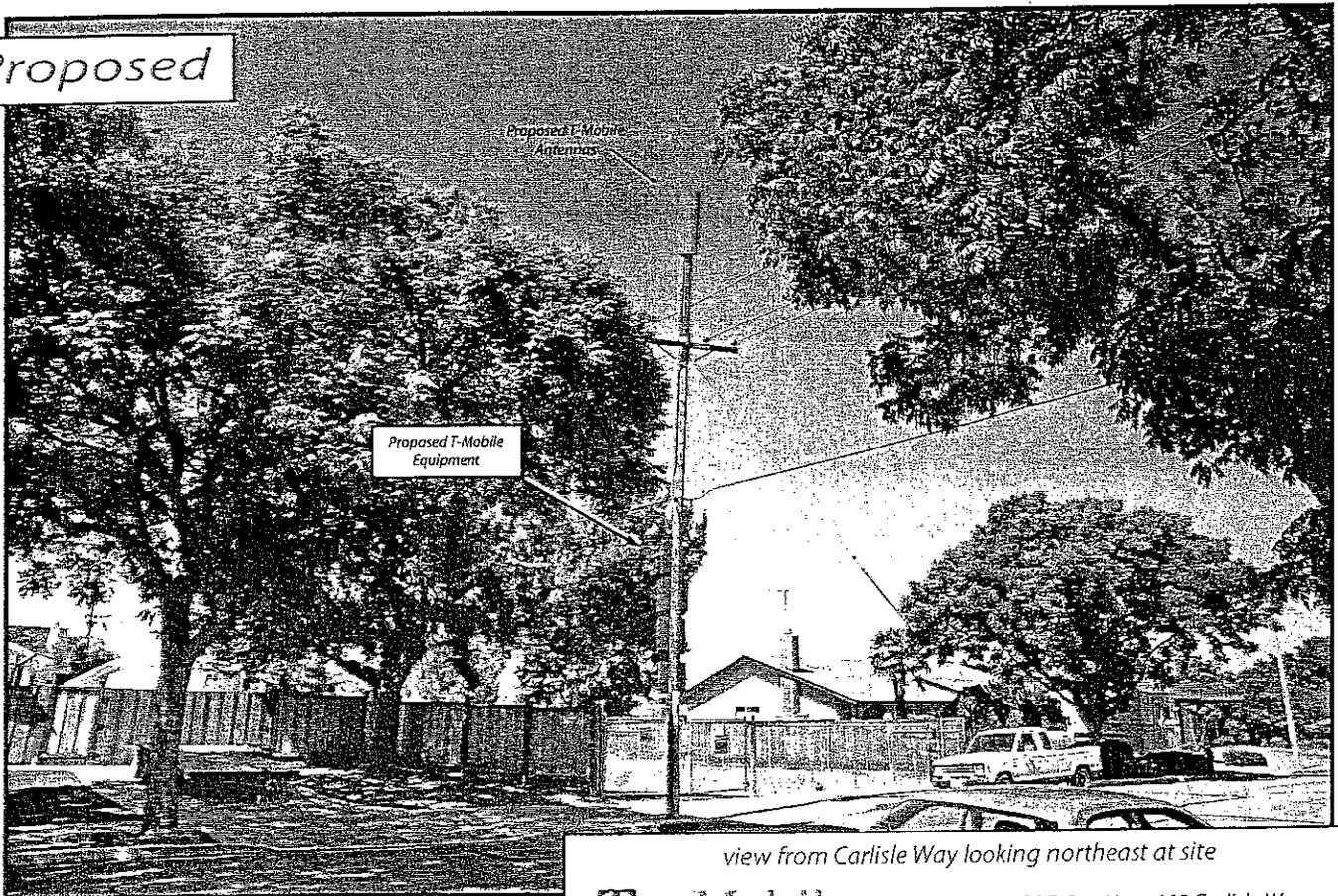




Existing



Proposed



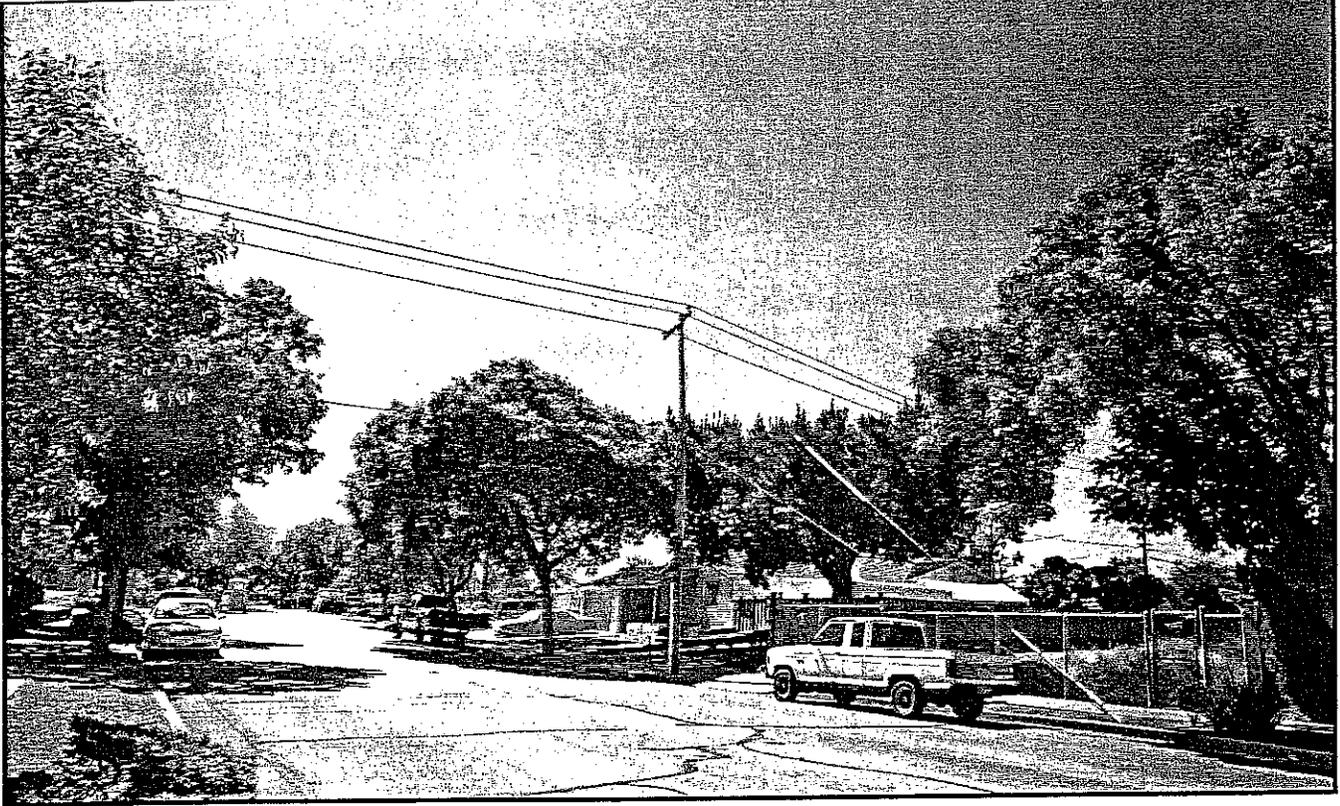
view from Carlisle Way looking northeast at site

Advance Sim   
POWER & TELECOMMUNICATIONS  
CORPORATION  
Lanham, PA 17331-3700

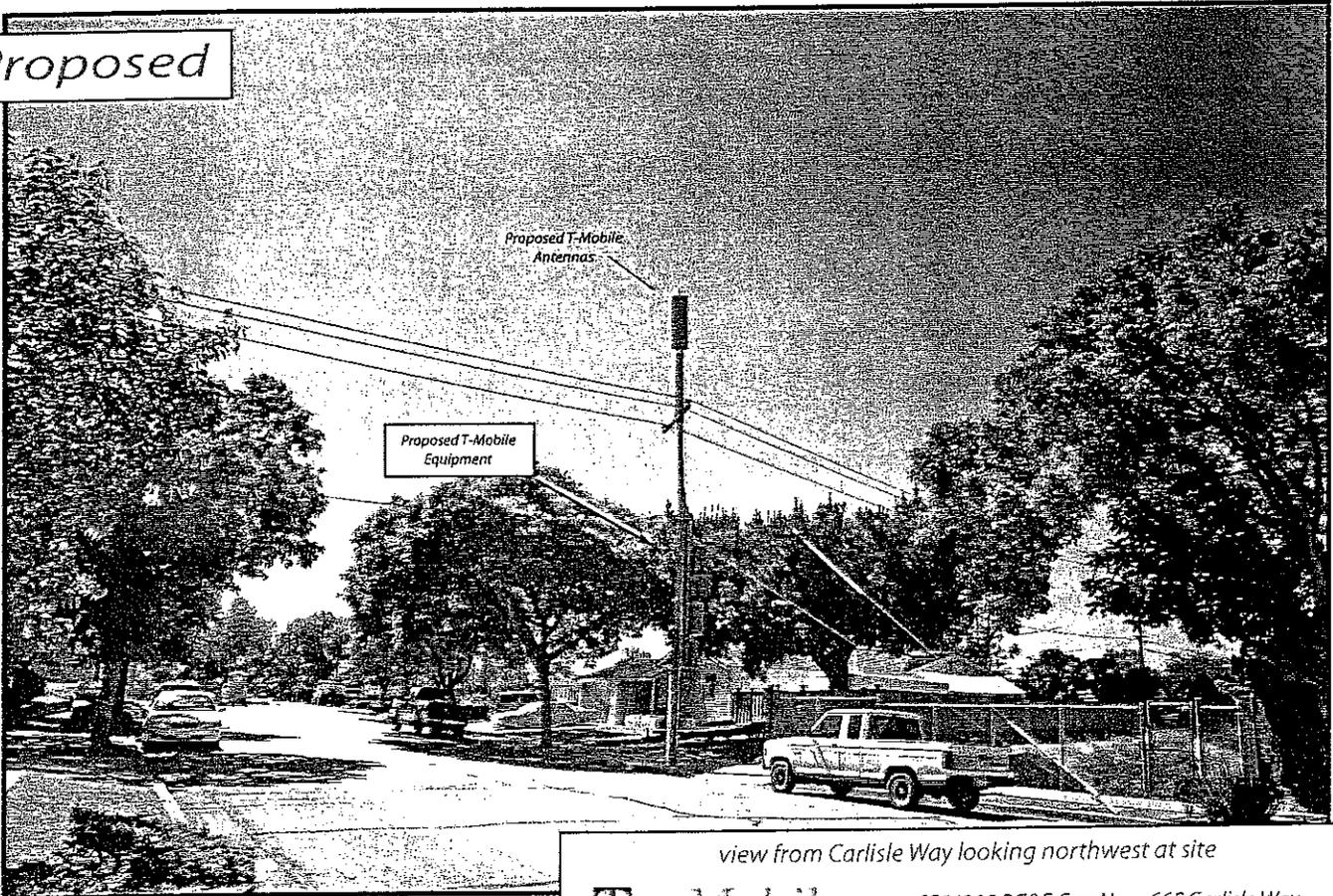
T-Mobile

SF54205 PG&E Cap Near 665 Carlisle Way  
665 Carlisle Way, Sunnyvale, CA

Existing



Proposed



view from Carlisle Way looking northwest at site

T-Mobile

SF54205 PG&E Cap Near 665 Carlisle Way  
665 Carlisle Way, Sunnyvale, CA

AdvanceSim   
PLANS SUBMITTED TO REGULATORY AGENCIES  
CONTACT: 917-212-4747

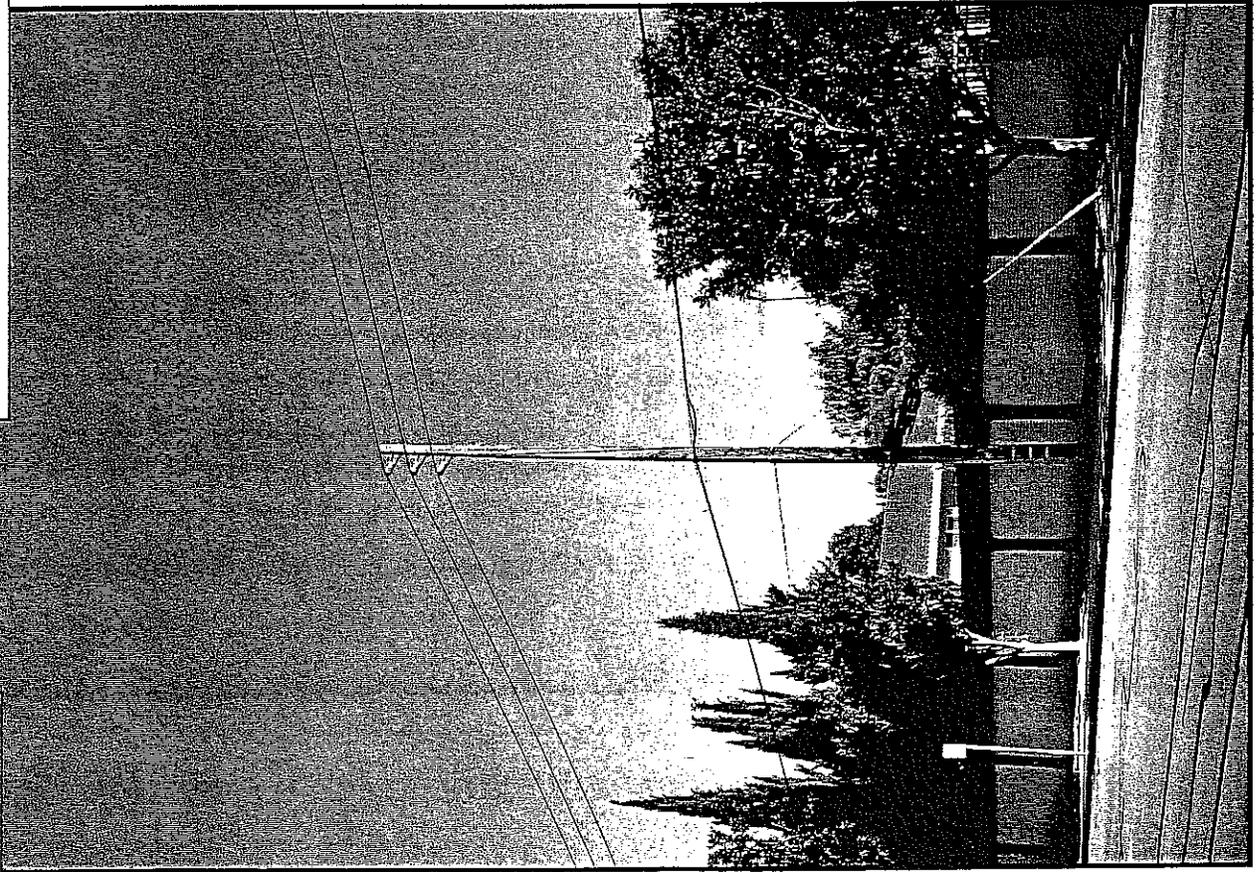


view from Reed Avenue looking southeast at site

T-Mobile

SF14171 Pole Cap Reed  
977 Reed Avenue, Sunnyvale, CA

Existing



Proposed

