

REPORT TO THE CITY COUNCIL

City of Salinas, California

DATE: November 1, 2016

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SUBJECT: **COMMUNICATIONS INFRASTRUCTURE IN UNDERGROUND PROJECTS**

RECOMMENDATION

It is recommended that the City Council approve a resolution outlining the City's policy limiting underground digging for communications infrastructure projects beneath the City's rights of way.

DISCUSSION

The City of Salinas, along with jurisdictions across the country, is subject to mandates requiring the approval of telecommunications projects upon the submittal of complete applications with limited exceptions. The Council previously approved a resolution in July 2015 outlining requirements for wireless telecommunication facilities proposed *on* public rights of ways given the direction from the Federal Communications Commission ("FCC") regarding new timeline requirements and public utility standards. The previous guidelines approved by Council effectively preserve aesthetic standards on City sidewalks and utility poles. Staff now seeks direction from Council regarding the City's policy for requests to underground such communications infrastructure *beneath* the City's public rights of way.

The City of Salinas has been long underserved by wireless telecommunications providers. In an effort to now reach this customer base, the City has seen an influx of requests to bring telecommunications infrastructure underneath the City's public rights of way, including streets and sidewalks. While the City is interested in increased connectivity and bringing emerging technology to its residents and businesses, the City also has an interest in preserving its rights of way for their intended purposes. This increase in connectivity will also play a big role as an economic development tool.

The attached resolution attempts a balance between fostering such economic growth and the preservation and the integrity of the City's 340 miles of roadway. The proposed resolution would solidify the City's interest and commitment to reducing interruptions of traffic and the stability

of its city streets with minimal invasion for the purpose of improving connectivity and telecommunication options for its residents and businesses. The proposed resolution would allow excavation for the purpose of installing underground communications infrastructure only after a public noticing and outreach to all known telecommunications providers. This notification period would provide for a limited time period for telecommunications providers to submit documents to the City signifying their intent to join the previously planned-for dig. If, at the close of 60 days, there is no interest from additional telecommunications companies, the project proceeds as proposed, however further excavation for underground projects will not be permitted by the City for a period of five years. The proposed policy also provides for “shadowing,” where the City could opt to install its own underground conduit for future growth opportunities upon a dig initiated by private telecommunication providers. This private-public partnership is mirrored in other California cities, such as Santa Cruz and San Francisco, and has been a White House directive for federal property since June 2012.

Staff now seeks Council approval of the proposed resolution for underground communications infrastructure in the public right of way. The 60-day window to join a proposed underground communications project provides an equal opportunity for telecommunications providers to share in the planned undergrounding, providing greater connectivity for residents. The 5-year limitation at the close of the dig further protects the City’s rights of ways from continuous, ongoing digging, which would otherwise threaten the integrity of the roadway and impede traffic.

ISSUE

Shall the City Council approve the proposed resolution outlining requirements for excavation of City streets for the purpose of communications infrastructure?

FISCAL IMPACT

The proposed resolution allows the City to collect a fee based on the cost engineering plan review, which is set annually by Council. The 60-day window for communications providers to contact the City and place its own underground materials would cause significant cost savings by communications providers to share in the cost to underground infrastructure. Shadow conduit provides a fiscal opportunity for the City in the future. The increase of communications infrastructure may provide for better service options for existing City residents and businesses, as well as providing for a draw for others into the future.

TIME CONSIDERATIONS

Staff recommends immediate action on the proposed resolution so that the 60-day notification window can open without further delay for proposed underground communications projects.

COUNCIL GOALS

Approval of this resolution supports council’s goal of providing for a well-planned City and excellent infrastructure.

ALTERNATIVES

Council may choose to not approve the proposed resolution, or may opt to approve a different policy.

CONCLUSION

As the technology and demand for increased wireless infrastructure change and evolve, staff requests approval of the proposed resolution as a way to balance competing interests involving City streets and communications infrastructure, providing connectivity to City residents while minimizing interruptions to traffic and damage to City streets.

Attachments:
Proposed Resolution