

RESOLUTION NO. _____ (N.C.S.)

A RESOLUTION APPROVING A LAND LEASE BETWEEN THE CITY OF SALINAS AND GTE MOBILNET OF CALIFORNIA LIMITED PARTNERSHIP, D/B/A VERIZON WIRELESS TO INSTALL A MONO-PINE MAJOR TELECOMMUNICATION FACILITY AND ACCOMPANYING ENCLOSED EQUIPMENT CABINETS LOCATED ON CITY OF SALINAS PROPERTY AT THE SALINAS MUNICIPAL AIRPORT

WHEREAS, GTE Mobilnet of California Limited Partnership, D/B/A Verizon Wireless desires to install a mono-pine Major Telecommunication Facility and accompanying enclosed equipment cabinets located on City of Salinas property under jurisdiction of the Salinas Municipal Airport; and

WHEREAS, the Salinas Municipal Airport Enterprise fund will benefit from rental income (\$17,925/year, plus an annual escalation of 3%) for Verizon's use of the property; and

WHEREAS, at the May 25, 2017 Airport Commission meeting, the Airport Commission recommended City Council approve the Land Lease between the City of Salinas and GTE Mobilnet of California Limited Partnership, D/B/A Verizon Wireless; and

WHEREAS, the City, in accordance with requirements of CEQA and the CEQA Guidelines, prepared a Mitigated Negative Declaration, dated August 2, 2017, for land lease between the City of Salinas and GTE Mobilnet of California Limited Partnership, d/b/a Verizon Wireless to install a mono-pine Major Telecommunication Facility and accompanying enclosed equipment cabinets herein incorporated by reference; and

WHEREAS, the City completed and filed a Notice of Intent to Adopt a Mitigated Negative Declaration with the Monterey County Clerk on August 2, 2017, which commenced a 20-day local public review period starting on August 2, 2017 and ending on August 29, 2017; mailed a Notice of Public Hearing to all property owners located within 300-feet the project sites; and posted the Notice of Intent to Adopt a Mitigated Negative Declaration in locations throughout the City of Salinas City Hall and administrative offices; and

WHEREAS, the City Council held a duly noticed public hearing on October 24, 2017 to consider land lease between the City of Salinas and GTE Mobilnet of California Limited Partnership, d/b/a Verizon Wireless to install a mono-pine Major Telecommunication Facility and accompanying enclosed equipment cabinets located on City of Salinas property under jurisdiction of the Salinas Municipal Airport; and

WHEREAS, the City Council weighed the evidence presented at said public hearing, including the Staff Report which is on file at the City Clerk's office together with the record of environmental review; and

NOW, THEREFORE, BE IT RESOLVED, that the Salinas City Council adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and hereby authorizes and directs the City Manager, for and on behalf of the City of Salinas, to execute the attached Land Lease Agreement by and between the City of Salinas, a municipal corporation, and GTE Mobilnet of California Limited Partnership, D/B/A Verizon Wireless located at 199 Skyway

Blvd., Salinas, CA for the installation and maintenance of a mono-pine communication tower and accompanying enclosed equipment cabinets; and

BE IT FURTHER RESOLVED that the Salinas City Council adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings subject to the conditions of the lease:

For the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program:

1. **The City Council hereby finds that a Mitigated Negative Declaration (MND) has been prepared with respect to the project in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the guidelines promulgated thereunder. Further, this Council has independently reviewed and considered the information contained in the Initial Study and related environmental documents, together with the comments received during the public review process. On the basis of the whole record before it, the Council finds that, with the conditions of approval and the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the Council's independent judgment and analysis. On this basis, the Council adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.**

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Initial Study was prepared to evaluate the potential impacts associated with the project. The attached Initial Study has been prepared for the above project in accordance with CEQA, with the procedures established in the CEQA Guidelines and California Government Code Section 65850.6. Based upon review of the Initial Study, the proposed project will not have a significant effect on the environment because the mitigation measures outlined in the proposed Mitigation Monitoring and Reporting Program have been included in the project (see attached Initial Study and Mitigated Negative Declaration).

The Initial Study and Mitigated Negative Declaration were routed to responsible agencies and posted at the County Clerk's Office on August 2, 2017; the deadline for comments was August 29, 2017.

Correspondence was received from public agencies (see attached). Paraphrased comments from the agencies are shown below:

1. The following comments were received from the Monterey Bay Air Resources District (MBARD) dated August 29, 2017:
 - a. The official name of our air district is Monterey Bay Air Resources District (MBARD), and no longer Monterey Bay Unified Air Pollution Control District (MBUAPCD).

Staff Response: Community Development Department staff has updated the Initial Study/Mitigated Negative Declaration to reflect the official name (see attached Revised Initial Study [Sections 3, 7, and Source List only]).

- b. Please provide quantifiable evidence referencing CalEEMod to support the claims that there will be no construction and operation emissions.

Staff Response: Community Development Department staff was unable to download the requested CalEEMod and notified MBARD of the issue. The development consists of a 60' tall monopine telecommunications facility, 425' of trenching (5' wide) to tie into existing power pole, ground installation of 4 cabinets and a generator, no grading, zero personnel operating it, and the relative short-term air quality impacts during construction will be required to comply with the most recent version of the City's Grading Standards and Stormwater Management Program, which will reduce impacts to air quality to a level of insignificance (see attached Revised Initial Study [Sections 3, 7, and Source List only]).

- c. The Air District recommends using cleaner construction equipment that conforms to ARB's Tier 3 and Tier 4 emission standards. We further recommend that, whenever feasible, construction equipment use alternative fuels such as compressed natural gas (CNG), propane, electricity, or biodiesel.

Staff Response: Community Development Department staff notes the recommendation and will forward recommendation to Verizon contractor.

- d. The Air District Board of Directors adopted the 2012-2015 Air Quality Management Plan in March 2017, which represents the latest edition of the 2012 Triennial Plan. Please note this change and reference the new update instead of the previous version throughout the document.

Staff Response: Community Development Department staff has updated the Initial Study/Mitigated Negative Declaration to reflect the new update (see attached Revised Initial Study [Sections 3, 7, and Source List only]).

- e. What impact may this project have on energy consumption, and therefore electricity production at its power source?

Staff Response: The site is designed for a 200 AMP service and there is no electricity production from the source, strictly consumption.

- f. The proposed UL 220 certified 30kW (40.21 HP) standby diesel generator will not require a permit because the stationary IC engine is less than 50 HP per Rule 201, Section 4.14.1(10/15/14 version of the rule).

Staff Response: Community Development Department staff has updated the Initial Study/Mitigated Negative Declaration to reflect MBARD's determination (see attached Revised Initial Study [Sections 3, 7, and Source List only]).

- g. Please note that AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. Please edit this sentence to make corrections to the dates mentioned.

Staff Response: Community Development Department staff has updated the Initial Study/Mitigated Negative Declaration to reflect the correction (see attached Revised Initial Study [Sections 3, 7, and Source List only]).

2. The following comments were received from the Ohlone/Costanoan-Esselen Nation (OCEN) dated September 1, 2017:

- a. OCEN request consultation on all projects affecting our aboriginal homelands, which include ground disturbance.

Staff Response: Community Development Department staff sent a consultation Notification Pursuant to California Assembly Bill 52 and California Public Resources Code section 21080.3.1 to said tribe on June 9, 2016 and subsequently conducted a consultation meeting on September 20, 2016. As a result of the consultation, Mitigation Measures CR-1 and CR-2 were revised for the Cultural Resources Section of the Initial Study/Mitigated Negative Declaration prior to circulation.

PASSED AND APPROVED this 24th day of October 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk

Attachment: Mitigated Negative Declaration
Initial Study
Revised Initial Study (Sections 3, 7, and Source List only)