



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: December 10, 2019

SUBJECT: FEDERAL LEGISLATION: S. 2012

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council support S. 2012 (Feinstein) and transmit position statements to Santa Clarita's federal legislative delegation, the Senate Committee on Commerce, Science, Transportation, other appropriate legislative committees, and other Members of Congress, as appropriate.

BACKGROUND

Authored by Senator Dianne Feinstein (D-CA), S. 2012 proposes to repeal recently adopted regulations by the Federal Communications Commission (FCC) that preempt local control related to the installation of small wireless facilities (e.g., telecommunication equipment attached to poles) and leasing of public infrastructure in the public right-of-way.

In fall 2018, the FCC adopted regulations preempting the ability of cities and states to regulate small wireless facilities needed for the deployment of 5G network service.

Specifically, the adopted FCC regulations (1) reduced the time for cities and states to review small wireless facility applications and (2) set a cap on the fees cities and states can charge communication companies on the installation of small wireless facilities and on-going leasing of the attachment to municipally-owned infrastructure.

The City Council sent a letter to the FCC Chair, Ajit Pai, regarding the City Council's concerns and opposition of the adopted FCC regulations during the public comment period in fall 2018. The City of Santa Clarita 2019 Legislative Platform (Legislative Platform) also includes a component related to small wireless facilities. Specifically, component four under the "Federal" section of the Legislative Platform advises that the City Council, "Oppose legislation that limits or eliminates local discretionary review of the installation of small cell wireless equipment or any wireless technology facilities on public infrastructure or in the public right-of-way."

This bill proposes to reverse FCC regulations that limit local discretionary review of the installation of small wireless facilities attached to the public right-of-way, and therefore is consistent with the City's adopted Legislative Platform.

The National League of Cities and the League of California Cities support this bill. S. 2012 was introduced on June 27, 2019, and referred to the Senate Committee on Commerce, Science, and Transportation.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on S. 2012.
2. Adopt an "oppose" position on S. 2012.
3. Take no action on S. 2012.
4. Other action, as determined by the City Council.

FISCAL IMPACT

No additional resources beyond those contained within the adopted Fiscal Year 2019-20 budget are required for implementation of the recommended action.

ATTACHMENTS

S. 2012 - Bill Text