



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11230 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park
<b>FROM:</b>	Parks and Recreation Department

## **RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends the City Council approve Resolution No. 11230 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park.

## **BACKGROUND / ISSUE**

In August 2023, a representative from Dish Wireless, LLC contacted the Folsom Parks & Recreation Department to propose a site license agreement for ground space at B.T. Collins Park, 828 Willow Creek Drive. PG&E owns several towers within B.T. Collins Park, and Dish Network, LLC is collaborating directly with PG&E on a co-locator agreement for the tower space.

The proposed agreement will encompass approximately 151 square feet of ground space that will be used for equipment below the PG&E electrical tower.

## **POLICY / RULE**

In accordance with section 2.02 of the Folsom Municipal Code, all powers of the City shall be vested in the City Council, except as otherwise provided by the City Charter.

## **ANALYSIS**

The major terms and conditions of the proposed agreement are highlighted below:

1. The term will commence on the first day of the month following the commencement of the installation of their facilities.
2. The initial term of the agreement shall be ten years, and shall subsequently renew for five additional five-year terms, running concurrently with the term of the PG&E license.
3. Initial annual sublease rate of \$13,500 with an annual escalator of 3% after the first year.

### **FINANCIAL IMPACT**

The total value of the license agreement, inclusive of renewal option years, would be \$816,238.10 over the 35-year period. The City Attorney's Office has reviewed and approved the license agreement as to form.

### **ENVIRONMENTAL REVIEW**

Environmental review is not required pursuant to section 15301 of the CEQA Guidelines (related to Existing Facilities) and section 15303 of the CEQA Guidelines (related to new construction or conversion of small structures). Based on staff's analysis, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemptions in this case.

### **ATTACHMENT**

Resolution No. 11230 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park.

Submitted,

Kelly Gonzalez, Parks & Recreation Director

**RESOLUTION NO. 11230**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMUNICATIONS SITE LICENSE AGREEMENT WITH DISH WIRELESS, LLC AT B.T. COLLINS PARK**

**WHEREAS**, Dish Wireless, LLC desires to co-locate their cellular communications equipment on a Pacific Gas and Electric Company electrical tower within B.T. Collins Park; and

**WHEREAS**, Dish Wireless, LLC desires to lease ground space consisting of approximately one hundred and fifty-one square feet for its equipment below the PG&E electrical tower; and

**WHEREAS**, the initial term of the Communications Site License Agreement shall be ten years and shall subsequently renew for five additional terms of five years each; and

**WHEREAS**, the total value of the license agreement, inclusive of renewal option years would be \$816,238.10 over the 35-year period; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute a communications site license agreement with Dish Wireless, LLC at B.T. Collins Park.

**PASSED AND ADOPTED** this 9th day of July, 2024, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

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Michael D. Kozlowski, MAYOR

ATTEST:

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Christa Freemantle, CITY CLERK

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and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE