



# City of Culver City

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## Staff Report Details (With Text)

**File #:** 18-01006      **Version:** 1      **Name:** CC - Adoption of a Resolution Approving an Encroachment Agreement with T-Mobile for Use of the Public Right-of-Way to Install a Concrete Pad for Placement of a Power Pedestal and 6102 Cabinet on the South Side of Zanja Street, West of Glencoe Avenue behind

**Type:** Resolution      **Status:** Consent Agenda

**File created:** 3/9/2018      **In control:** City Council Meeting Agenda

**On agenda:** 3/26/2018      **Final action:**

**Title:** CC - Adoption of a Resolution Approving an Encroachment Agreement with T-Mobile for Use of the Public Right-of-Way to Install a Concrete Pad for Placement of a Power Pedestal and Digital Cabinet on the south side of Zanja Street, 115 feet west of Glencoe Avenue

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2018-03-26 - ATT System Exhibit.pdf, 2. 2018-03-20 ATT Agreement with TMobile.pdf, 3. 2018-3-26 ATT Photo Examples.pdf

Date	Ver.	Action By	Action	Result
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**CC - Adoption of a Resolution Approving an Encroachment Agreement with T-Mobile for Use of the Public Right-of-Way to Install a Concrete Pad for Placement of a Power Pedestal and Digital Cabinet on the south side of Zanja Street, 115 feet west of Glencoe Avenue**

**Meeting Date:** March 26, 2018

**Contact Person/Dept:** Christopher Evans/PW

**Phone Number:** 310-253-5621

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☐      **Action Item:** ☐      **Attachments:** ☒

**Commission Action Required:** Yes ☐ No ☒      **Date:**

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (3/21/18); (E-Mail) T-Mobile (3/15/18)

**Department Approval:** Charles D. Herbertson 3/15/18

## **RECOMMENDATION**

Staff recommends the City Council adopt a resolution approving an encroachment agreement with T-Mobile for use of the public right-of-way to install a concrete pad for placement of a power pedestal and Digital Cabinet on the south side of Zanja Street, 115 feet west of Glencoe Avenue.

## **BACKGROUND/DISCUSSION**

T-Mobile is proposing to install a power pedestal and digital cabinet adjacent to Zanja Street to provide power, a voice traffic monitoring unit and router to service their wireless cellular antenna in the City of Los Angeles via power and fiber optic lines.

The proposed project will install a power pedestal and digital cabinet on a 9 feet long by 2 feet-8 inches wide concrete pad to be placed behind the sidewalk on Zanja Street, in Culver City's 5 feet wide right-of-way/parkway, 115 feet west of Glencoe Avenue. There is a 5 feet wide Culver City right-of-way behind the sidewalk, along the length of Zanja Street between Glencoe Avenue and Walnut Avenue. The total distance of the proposed underground power and fiber optic line conduit installation in Culver City's public right-of-way is 7 linear feet. There are no utility poles proposed along the route. The power pedestal and digital cabinet will both be covered in a "trompe l'oeil" style camouflage.

The proposed conduit continues its run northerly under Zanja Street and entirely within the City of Los Angeles.

### **Legal Framework**

T-Mobile is a telephone corporation within the meaning of that term in Section 7901 of the California Public Utilities Code. Section 7901 authorizes T-Mobile to access cities' rights-of-way for the purpose of constructing and maintaining telecommunication lines along and upon cities' public rights-of-way. The related laws require that municipalities allow the installation of telecommunication facilities by telephone corporations but allow municipalities to impose reasonable time, place and manner regulations pertaining to construction of these telecommunications facilities within the City's rights-of-way.

The City's time, place and manner regulations will be documented in an Encroachment Agreement between the City and T-Mobile. To protect the City's interests, this agreement will contain provisions requiring that T-Mobile repair any damage to City property, carry adequate liability insurance and defend the City if it is sued for damages caused by T-Mobile.

## **FISCAL ANALYSIS**

Per Section 11.20.025B of the Culver City Municipal Code, the City may collect an application fee as compensation for City staff time expended in reviewing telecommunication applications. Based on the City's current fee schedule, a fee in the amount of \$3,927 will be paid by T-Mobile prior to the issuance of a Utility Permit for this project.

## ATTACHMENTS

1. 2018-03-26 - ATT System Exhibit
2. 2018-03-26- ATT Proposed Resolution

## MOTION

That the City Council:

1. Adopt a resolution approving an encroachment agreement with T-Mobile for use of the public right-of-way to install a concrete pad for placement of a power pedestal and Digital Cabinet on the south side of Zanja Street, west of Glencoe Avenue.
2. Authorize the City Attorney to review/prepare the necessary documents; and,
3. Authorize the City Manager to execute the documents on behalf of the City