



Agenda Date: 5/16/2006
Agenda Placement: 6H

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Kim Henderson for Robert Peterson - Director
Public Works
REPORT BY: Gladys Coil, Staff Services Analyst II, 259-8603
SUBJECT: Approve Communications Site License Agreement with Metro PCS at Calistoga Fairgrounds

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign a Communications Site License Agreement and a Memorandum of License Agreement with MetroPCS California/Florida, LLC., for a maximum revenue of \$16,800 to the Napa County Fair Association for the term May 16, 2006 through June 30, 2007, with automatic renewal, for MetroPCS' nonexclusive use of a portion of the Calistoga Fairgrounds, to construct and operate a wireless communications site.

EXECUTIVE SUMMARY

MetroPCS has entered into an agreement with the Napa County Fair Association to use a portion of the Calistoga Fairgrounds, Assessor's Parcel Number 001-140-007, to construct and operate a wireless communications site as part of its communications network.

Public Works is processing this license agreement pursuant to direction from the County Executive Office, which provides general oversight of the management agreement between the County and the Fair Association.

This agreement will provide the revenue of \$1,200 per month to the Fair Association. This license agreement has a five year term with automatic 5-year extensions for three additional terms. The fair grounds are operated with no County General Fund revenue.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

MetroPCS is proposing to enter into a site license agreement with the County of Napa to use existing lightpoles at the Calistoga Fairgrounds (Assessor's Parcel Number 001-140-007), for above-ground placement of wireless communications equipment, with related equipment located on a small portion of the Fairgrounds immediately adjacent to the lightpoles.

As a condition of obtaining State funds to support the Fairgrounds, the County has entered into a land tenure agreement with the State which requires the County to obtain the State's approval of any material change in the type of activities conducted on the Fairgrounds. The State has given its written approval of the proposed additional use of the existing lightpoles as communications sites.

The Napa County Fair Association manages the Napa County Fair on behalf of the County of Napa with revenue from State grant funds as well as revenue produced from the operation of the Fair and activities conducted on the Fairgrounds when the Fair is not in session. Because no County General Fund revenues are used to maintain the Fair and the Fairgrounds, the management agreement allows the Fair Association to receive the revenues generated by onsite activities to pay for the Fair Association's costs to manage the Fair and the Fairgrounds.

The proposed site license agreement will provide revenue of \$1,200 per month, to be paid directly to the Fair Association, to fund its obligations under the management agreement between the Fair Association and the County. The site license agreement has a five year term with automatic five year extensions for three additional terms. The license fee will be subject to adjustment every five years.

The proposed MetroPCS communication site involves no new construction and consists of only a fairly unobtrusive use of existing lightpoles and a very small area of ground adjacent to the lightpoles for placement of a small piece of related equipment. This will be a non-exclusive license and will not preclude use of the lightpoles by other similar users in the future. It will not interfere with the lightpoles' normal function or with other operations at the Fairgrounds.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey