



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 11/16/2018

Agenda Placement: 5B

## Napa County Legislative Subcommittee Board Agenda Letter

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**TO:** Napa County Legislative Subcommittee  
**FROM:** Mary Booher for Minh Tran - County Executive Officer  
County Executive Office  
**REPORT BY:** Molly Rattigan, Deputy County Executive Officer - 253-4112  
**SUBJECT:** S. 3157-STREAMLINE Act

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### **RECOMMENDATION**

County Executive Officer requests discussion and possible direction on S 3157-Streamlining the Rapid Evolution and Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act, a bill that would streamline siting processes for small cell deployment.

### **EXECUTIVE SUMMARY**

Chairman of the Senate Commerce, Science, and Transportation Committee – Senator John Thune (R-SD) – introduced a bill in July regarding small cell deployment. As introduced S 3157 – Streamlining the Rapid Evolution and Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act – would impose restrictions on local government authority to regulate the deployment of wireless communications infrastructure while limiting the ability of localities to raise revenues.

### **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**

Chairman of the Senate Commerce, Science, and Transportation Committee – Senator John Thune (R-SD) – introduced a bill in July regarding small cell deployment. As introduced S 3157 – Streamlining the Rapid Evolution and Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act – would impose restrictions on local government authority to regulate the deployment of wireless communications infrastructure while limiting the ability of localities to raise revenues.

Specifically, the bill would:

- | Cap the amount of fees local governments can charge telecom companies for the placement, construction, or collocation of new wireless facilities. Fees would need to be based on “actual costs and direct costs.”
- | Establish the following shot clocks:
  - | Collocation – In general, applications would need to be acted on no later than 60 days for requests to collocate equipment. Additional time (90 days) would be allowed for jurisdictions with fewer than 50K residents if less than 50 small cell-siting requests were filed in the previous 30 days; if 50 or more requests were filed, small jurisdictions would be given 120 days to act.
  - | Non-collocations – The shot clock would be 90 days for all other requests. Jurisdictions with less than 50K people would be provided additional time as follows: 120 days if fewer than 50 requests were filed and 150 days if 50 or more requests were filed.
  - | If a jurisdiction fails to act within the prescribed timeframes, applications would be “deemed granted.”

The California State Association of Counties and the City of Napa have taken a position of "Oppose." Both agencies are concerned with language in the proposed legislation that preempts local zoning and regulatory authority.

The Rural County Representatives of California (RCRC) has not yet considered action on the legislation.

**SUPPORTING DOCUMENTS**

A . S 3157-Streamline Act

B . CSAC Letter

Recommendation: Approve

Reviewed By: Molly Rattigan