



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 11/7/2023

To: Board of Directors, Sonoma County Water Agency

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number: Jennifer Willits 547-1921 and Kevin Booker 521-1865

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

Ground Lease to Public Safety Towers Company, LLC, for a Public Safety Communication Facility at 10290 Westside Road

Recommended Action:

Authorize Sonoma County Water Agency's General Manager to execute a ten-year ground lease agreement, in a form approved by County Counsel, with Public Safety Towers Company, LLC after providing notice pursuant to Government Code section 6060 and 6061.

Executive Summary:

Approval of this item will authorize the General Manager of the Sonoma County Water Agency (Sonoma Water), as Landlord, to execute a ten-year lease agreement with Public Safety Towers Company, LLC (PSTC), and execute permitting or other documents or take other actions needed to advance the project. PSTC as Tenant proposes to build a FirstNet/AT&T public safety communication facility at Sonoma Water's 10290 Westside Road site. Communications coverage in this area is limited, and the surrounding community will benefit from a more reliable public communications network in the area. It is anticipated that Sonoma Water's water transmission facilities and water education facilities in the area will also benefit from enhanced coverage.

Discussion:

BACKGROUND

In 2012, federal legislation created the First Responder Network Authority (FirstNet) within the United States Department of Commerce with the intent of forming a single public safety network that would be reliable under extreme circumstances and prioritize communications during emergencies to keep first responders connected in every state and territory, including in rural areas. FirstNet is an interoperable wireless broadband network organized as a public-private partnership between the Authority and the network contractor, AT&T. Public Safety Towers Company, LLC has proposed to build a FirstNet/AT&T public safety communication facility on Sonoma Water property located at 10290 Westside Road. The area surrounding this location is identified as having a gap in communications coverage. The proposed facility would be equipped with FirstNet bandwidth which will improve voice and data coverage for police, fire, and emergency medical services, and 911 calls. Additionally, the facility will provide AT&T customers with improved service. In the event of an incident, emergency communications take priority and bandwidth is reallocated to accommodate stable emergency communications. It is anticipated that Sonoma Water's water transmission facilities and water education facilities at this location will also benefit from enhanced coverage.

LEASE AGREEMENT

Key terms of the agreement provide that PSTC will lease a 35x35 foot area, together with access to the site, for \$2,250 per month with an annual increase of 2% per year for each year of the agreement term. The payment amount represents fair market value as determined by a February 2023 appraisal. Permitted use of the site includes “transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of communications fixtures and related equipment.” Plans indicate new construction of a 115-foot high monopine tower and related infrastructure enclosed by a chain link fence. PSTC may sublease space on the tower to other compatible communications providers. The agreement also provides that Sonoma Water may co-locate communications, camera, or other compatible equipment on the tower in the future at no cost.

PUBLIC OUTREACH

PSTC notified neighbors in a half-mile radius of the proposed site with a mailing on March 9, 2023, describing the pending zoning submittal, the proposed lease, other details related to the project plans, approval process, and impact on the surrounding area.

PROCEDURAL AUTHORITY

California Government Code § 25537(b) provides that leases or licenses of a duration not exceeding 10 years and having an estimated monthly rental not exceeding a dollar limit that may be established by ordinance of the board, or, if no ordinance is adopted, not exceeding ten thousand dollars (\$10,000), may be excluded from the bidding procedure specified in subdivision (a), except that notice shall be given pursuant to Sections 6060 and 6061, published in a newspaper one time and posted in the office of the clerk of the board of supervisors five (5) days prior to execution. The notice shall describe the property proposed to be leased or licensed, the terms of the lease or license, the location where leases or licenses will be executed, and any county officer authorized to execute the lease or license.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE:

Sonoma Water’s General Manager has determined that the lease agreement and construction, operation, and maintenance of a public safety tower is exempt from CEQA pursuant to Section 15303, New Construction or Conversion of Small Structures, because the project is located at an existing facility, would not impact a scenic or historical resource or degrade the quality of the environment and would not result in any significant or cumulative adverse effect upon the environment. Sonoma Water staff has prepared a Notice of Exemption for the project in accordance with CEQA, the State CEQA Guidelines, and Sonoma Water’s Compliance Procedures under CEQA (on file with the Clerk).

County of Sonoma Strategic Plan Alignment:

N/A

Sonoma Water Strategic Plan Alignment:

Goal: 4. Emergency Preparedness - Build organizational resilience and ensure effective emergency response to extreme weather events, disasters, and security risks.

Strategy: 4.1 Strengthen and ensure a comprehensive emergency response capability through coordinated response programs, resource management, and emergency planning.

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Action Item: 4.1.3 Develop robust, redundant, voice and data communications capabilities to sustain interagency, multi-jurisdictional communication.

It is anticipated that water transmission and water education facilities at this site will benefit from enhanced communication capability.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

None

FISCAL SUMMARY

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	27,000	27,540	27,900
Use of Fund Balance			
Contingencies			
Total Sources	27,000	27,540	27,900

Narrative Explanation of Fiscal Impacts:

Tenant PSTC will lease a 35x35 foot area, together with access to the site, for \$2,250 per month or \$27,000 annually with an annual increase of 2% per year for each year of the agreement term.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

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Attachments:

Attachment 1 Draft Lease Agreement

Attachment 2 Map

Related Items “On File” with the Clerk of the Board:

Notice of Exemption