



Legislation Text

File #: 2022-0108, **Version:** 1

To: Sonoma County Board of Supervisors
Department or Agency Name(s): General Services
Staff Name and Phone Number: Johannes Hoevertsz - 707-565-3585
Vote Requirement: 4/5th
Supervisory District(s): Countywide

Title:

Telecommunications License with California Highway Patrol (CHP) at Sonoma Mountain

Recommended Action:

- A) Authorize the Interim Director of General Services, or designee, to execute a license agreement with the State of California, acting through Department of General Services with the consent of California Highway Patrol (CHP) for use of the County-owned telecommunications facility located at 2482 Sonoma Mountain Rd., Petaluma, CA (Assessor's Parcel No. APN 136-190-016) substantially in the form of the attached license agreement on the final terms and conditions of which shall be approved by County Counsel. The initial term of the License will be ten (10) years commencing July 1, 2021, with two (2) additional five (5) year extensions for CHPs operation of radio equipment and antennas in the County vault and on the County towers and operation of the existing CHP owned vault and tower for an initial base rent of \$4,891 per month with an annual rent adjustment of 3%.
- B) Adopt findings that (1) the conveyance of interests under the license agreement is in the public interest and (2) that the interest in land conveyed will not substantially conflict or interfere with the use of the property described in the license by the County of Sonoma.
- C) Direct the Clerk of the Board to post any notice of exemption under CEQA if and as recommended by Permit Sonoma.
- D) Adopt a resolution approving budget adjustments to the General Services Fiscal Year 2021/22 budget in the amount of \$37,728 for lease revenue and expenditures.

(4/5th Vote Required)

Executive Summary:

The County's telecommunications system, which includes a network of communications towers and equipment, supports first responder agencies, public safety fire cameras, and other important county-wide radio services. This system is managed by the County's Sheriff's Office Telecommunications Bureau (T-Comm). The main County telecom facility is located at 2482 Sonoma Mountain Rd., Petaluma, CA (Assessor's Parcel No. APN 136-190-016) where the County owns land and has its own 40 ft. microwave tower, 185' main self-supporting tower and vault and accommodates numerous other public agencies in connection with their respective public missions (the "Site"). The General Services Department (GSD) manages the leases and the capital investment projects necessary to support the communications tower infrastructure. The County has licensed premises to CHP for its public safety telecommunications equipment for decades at the Site. The prior agreement between County and CHP expired on its terms on August 31, 2020, and the parties desire to enter into a new agreement that would continue to permit the use of ground space at the Site for the

operation of the CHP owned vault which is about 12' by 30' in size, a generator, propane tank and a three legged 40' tower on an area approximately 2,500 sq. ft. and the operation of approximately nine antennas on the County microwave tower and main tower or elsewhere on the Site, including installation of two new antennas. CHP shall also pay road and site maintenance fees, together with backup generator access fees. In the event CHP modifies its equipment, it shall obtain the consent of County and the rent shall be adjusted accordingly based on the type of component added or removed.

Discussion:

Since approximately 1982, the State Police, which later became CHP, has operated its equipment at the Site for safety purposes and continue to use the premises to support the State of California's "Public Safety Network System". County and CHP executed a license agreement dated September 1, 2000, for an initial 10 year term with one 10 year extension, and a further amendment dated July 1, 2017, which amendment expired August 31, 2020. Under said agreement, County granted CHP a license for approximately 2,500 sq. ft. of premises on which CHP installed its own vault and tower. CHP also installed radio equipment in the County vault, and other antennas on County main 185' tower and the county 40-ft microwave tower. CHP has continued to occupy the premises under a holdover letter agreement while the parties negotiated a new license agreement.

The County is willing to continue to license space at the Site to CHP based on the important public services it provides. CHP has made a request to the County for installation of new equipment including two additional antennas (for a total of 8 antennas) on the County owned towers. CHP has requested that County provide it with discounted rent based on CHP's status as a public safety cooperating agency and the State's agreement to grant County discounted rent based on County's cooperator status at a State of California Department of General Services owned site at the Oakridge Look Out location. CHP shall pay reasonably required fees for site and road maintenance, electricity charges and access to and fuel for an emergency power generator. Operation of the CHP telecommunications equipment at the Site will provide significant benefits for the general public in Sonoma County and surrounding areas, through provision of critical public safety communications.

Staff recommends that the Board delegate authority to the Director of General Services to execute the subject license agreement with CHP to use certain premises at the Site for a telecommunications facility, more particularly described as: (i) approximately 2,500 sq. ft. of ground space premises at the Site for the CHP-owned structures and equipment: a 40' tower, a 12' by 30' vault, 15kw propane generator and 500 propane tank; (ii) rack space in the County Vault for one rack; (iii) one microwave antenna space on the County Microwave Structure; (iv) two ground mounted GPS antennas; (v) 5 existing and 2 additional antennas on the County Tower. The rent for the existing equipment is \$4,981/month or \$59,772 annually for FY 2021-2022 after application of the fifty-percent cooperator status discount. Additional rent will be owed for of the two new additional antennas that CHP has requested approval to install bringing the total monthly rent to \$5,197/month for the FY 2021-2022. The initial term of the License will be ten (10) years commencing July 1, 2021 and expiring June 30, 2032, with two (2) additional five (5) year extensions with an annual rent adjustment of 3%. CHP is also obligated to pay site and road maintenance fees, a vegetation management fee, and generator back up access charges. The operation, repair and maintenance of all CHP equipment is at its expense.

County will prepare and provide to the Clerk of the Board for posting, upon advice of Permit Sonoma, any

required Notice of Exemption recommended to be processed prior to the installation of the new CHP equipment.

Procedural Authority: Pursuant to Gov. Code 25526.6, only one Board of Supervisors approval is required as the County is acting as a licensor to a public entity, and upon approval hereof, has made the findings that the conveyance of the interests under the license agreement is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the County. These findings are supported by the following determinations: the continued use of the premises by State CHP is in public interest as it supports general public safety in the County and surrounding area, and the County does not need the premises used by CHP nor does CHP's use interfere with County uses.

Strategic Plan:

N/A

Prior Board Actions:

None.

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses	\$22,044	\$61,560	\$63,407
Additional Appropriation Requested	\$37,728		
Total Expenditures	\$59,772	\$61,560	\$63,407
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$59,722	\$61,560	\$63,407
Use of Fund Balance			
Contingencies			
Total Sources	\$59,772	\$61,560	\$63,407

Narrative Explanation of Fiscal Impacts:

General Services is requesting budget adjustments to the Fiscal Year 2021/22 Real Estate (\$36,264) and Communication Towers-Leases (\$1,464) budgets for a total of \$37,728. Future year revenues and expenditures will be included during the budget adoption process.

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

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolution

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

1-Proposed Revocable License Agreement between County of Sonoma and State of California CHP dated July 1, 2021