

1093

858

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Department of Facilities Management and
Riverside County Information Technology

SUBMITTAL DATE:
September 29, 2006

SUBJECT: Leasing of County-Owned Real Property for Wireless Service Facilities

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Adopt Board Policy B-26 (attached) outlining procedures for the leasing of County-owned real property by wireless service facilities providers;
- 2) Direct Facilities Management to work with County departments who previously negotiated leases with wireless service facilities in order to ensure compliance with this policy;
- 3) Direct Facilities Management and Riverside County Information Technology to jointly review all lease applications to ensure compatibility with the County's public safety radio communications system;
- 4) Authorize the Department of Facilities Management to enter into lease negotiations for all wireless facilities proposed on County-owned real property or County facilities; and
- 5) Direct that all unrestricted lease revenues for wireless facilities be deposited into a special account to fund the County's public safety radio communications system.

Robert Field
Director, Facilities Management

Matt Frymire
Chief Information Officer

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:
Per Exec. Ofc.:

3000 OCT 11 10:23
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: | District: All | Agenda Number:

3 . 22

BACKGROUND: The proposed policy outlines a procedure to guide the development of future wireless facilities on County-owned property. Currently, wireless service providers contact individual departments to arrange for installation of wireless facilities and enter into lease agreements. There is no centralized oversight of the lease agreements, verification that the facility will not interfere with the County's public safety radio system, or assurance that the County is receiving compensation consistent with the current market value. Centralizing these leases will also enable the County to co-locate County communications on these facilities to serve the County's telephone and radio communications systems.

Wireless service providers are keenly aware of the gaps in their service coverage and they propose facility locations accordingly. The County has an existing planning process in place that addresses wireless facilities proposed on private and County-owned real property. Under the proposed policy, wireless service providers interested in installing wireless service facilities on County property will enter into lease negotiations with Facilities Management as part of the permit process. Facilities Management will ensure the safety and compatibility with existing building components and provide lease administration. Facilities Management, in cooperation with Riverside County Information Technology (RCIT), will also be responsible for providing all plan check and inspection services for installations on County property.

Facilities Management and RCIT will work together to fast-track applications through the approval process, ensuring that all County requirements are met and that all proposed wireless facilities are compatible with the existing and future use of County-owned land and County facilities. In addition, upon approval of this program, Facilities Management will work with those departments that previously negotiated leases with wireless service facilities in order to ensure compliance with this policy. Upon renewal of existing leases, unrestricted revenue would be forwarded to the public safety radio system account.

Because the maintenance and improvement of the County's public safety radio system is a high priority, it is recommended that unrestricted revenue from the lease agreement be deposited into a special fund to upgrade the County's public safety communications system and address communication infrastructure needs. Revenues from wireless facility leases are currently dispersed to various accounts. This has the effect of diluting the revenues and eliminating the benefits that would otherwise result from concentrating the funds for investment in a vital component of the County's public safety infrastructure.

Under the proposed policy, restricted lease revenues (such as revenue generated from Redevelopment Agency property, Parks and Open Space District and Flood Control District property, and restricted Transportation Department property) will continue to be deposited into the respective entity's restricted funds. All other unrestricted revenue generated on County-owned property will be deposited into the public safety communications account and used to fund capital improvements to the public safety communications system.

An annual report on lease revenues generated under this program will be submitted by Facilities Management and included in the department's mid-year budget report.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject:	<u>Policy</u> <u>Number</u>	<u>Page</u>
LEASING OF COUNTY-OWNED REAL PROPERTY FOR WIRELESS SERVICE FACILITIES	B-26	1 of 2

Policy:

Board Policy B-26 specifies procedures for leasing County-owned sites for wireless communications and outlines procedures for the creation of site licenses, leases, subleases, lease amendments, lease renewals and other relevant documents for the use of real property owned by the county for allowable and appropriate uses by personal wireless communication service facilities providers. The policy outlines procedures to protect County owned and/or operated wireless communications and establishes guidelines for the use of fees and revenues from these locations.

**PROCEDURES TO PROVIDE FOR THE USE OF COUNTY-OWNED REAL
PROPERTY FOR THE PURPOSE OF WIRELESS SERVICE FACILITY LEASES**

A. New Leases on County-Owned Real Property

It is the policy of the County of Riverside to allow the use of County-owned lands and buildings by wireless communications providers. Such use improves routine communications services for the County's residents and the traveling public, improves public safety communications during emergencies, and provides incidental income to the County.

The Department of Facilities Management shall serve as lead agency for wireless service facilities on all County land and buildings and will negotiate terms and conditions of all licenses, leases, subleases, lease renewals, and lease amendments. No other County agency may negotiate such leases, and all County agencies are to immediately refer all wireless services inquiries to Facilities Management. All County agencies are to report any such existing leases or facilities on land they manage immediately to Facilities Management. Facilities Management will also negotiate and manage agreements to allow for co-location wireless communications at county public safety radio communications systems sites.

Facilities Management is to work with the agency using the land to ensure that the proposed wireless facility will not unreasonably compromise the agency's use of the site. Facilities Management may recover its costs through an initial application fee and through its standard surcharge for lease administration. Prior to entering into the lease, Facilities Management shall submit the application to Riverside County Information Technology (RCIT), which shall in turn review the proposed installation to ensure that there that it will not interfere with the County's public safety radio system.

Facilities Management shall act as the permit authority and perform all plan check and construction inspection services, and shall ensure compatibility with existing building components and future County use of the real property.

Facilities Management is authorized to offer wireless communications lease management to County affiliated special districts, community facilities districts, joint powers agencies and authorities, and similar organizations. Facilities Management may employ consultants as needed to assist in the administration of wireless communications leases.

RCIT shall be authorized and directed to act on behalf of the County to perform technical review of all wireless services applications for proposed wireless service facilities on County-owned real property. RCIT shall ensure that there will be no interference with the county's public safety radio system as a result of the installation before Facilities Management enters into the lease and issues permits. RCIT may recover its costs through an initial application fee.

All existing leases between wireless service providers and County departments, agencies, and special districts shall comply with this policy upon renewal of the lease.

B. Revenues

Some County lands were purchased with funds which require lease or sale income to be returned to the purpose supporting the original funding. Facilities Management shall work with the appropriate County agency in determining if land income restrictions exist. Restricted lease revenues (such as revenue generated from Redevelopment Agency property, Parks and Open Space District and Flood Control District property, and restricted Transportation Department property) shall continue to be deposited into the respective entity's restricted funds. All other unrestricted revenue generated on County-owned property from wireless service facility leases and licenses shall be deposited into a dedicated public safety communications account and used to fund capital improvements to the County's public safety communications system.

An annual report on lease revenues generated under this program shall be prepared by Facilities Management and included in the department's mid-year budget report.