

STAFF REPORT

SUBJECT: Proposed AT&T Cell-Site at LAVTA Administration and Maintenance Facility

FROM: Michael Tree, Executive Director

DATE: November 4, 2019

Action Required

Approve the negotiated deal points for the proposed ATTM cell-site and authorize the Executive Director to sign an agreement as approved by the Authority's attorney.

Background

At the February 2019 Project & Services Committee meeting staff provided information regarding the proposed AT&T Mobile cell-site at the LAVTA Administration and Maintenance Facility located at 1362 Rutan Court in Livermore (see Attachment 1). At that meeting the committee members discussed the proposed rent and annual escalator and asked whether the cell-site will be 5G, and if so, what information exists in regard to the safety of 5G technology.

Discussion

Since the February Project & Services Committee meeting staff has continued to work with ATTM on the project. A delay occurred with the change out of the ATTM negotiation team. Updates include a willingness of ATTM to reimburse LAVTA up to \$10,000 for staff time spent in consideration of the project and a review of the proposed Agreement by legal. Finally, ATTM has received it's approvals from the City of Livermore for the project.

In regard to the technology of the cell-site, ATTM mobile confirmed that technology will be 5G. Staff has researched 5G technology in regard to cell-sites and offers a few articles that review and provide opinions:

New York Times

The 5G Health Hazard That Isn't

<https://www.nytimes.com/2019/07/16/science/5g-cellphones-wireless-cancer.html>

Forbes

The Science of Why 5G is (Almost) Certainly Safe for Humans

<https://www.forbes.com/sites/startswithabang/2019/11/01/the-science-of-why-5g-is-almost-certainly-safe-for-humans/#26ad0c6d70e3>

Federal Communications Commission

Human Exposure to Radio Frequency Fields: Guidelines for Cellular Antenna Sites

<https://www.fcc.gov/consumers/guides/human-exposure-radio-frequency-fields-guidelines-cellular-and-pcs-sites>

Staff opinion based on articles is that 5G technology at cell-sites is most likely safe when a buffer of 10 meters is provided that prevents individuals from being directly in front of the cell panel antenna. With the proposed cell-site panel antenna at LAVTA being mounted atop a 50' high monopole that is located at the back of the property staff feels comfortable recommending to the Authority that safety risks are minimal.

The current ATTM deal points are the following for consideration by the Board of Directors:

- Reimbursement of up to \$10,000 for attorney fees and other administrative costs incurred during the approval and implementation phase
- Rental fee of \$3,863 per month
- 3% annual escalator rate
- Initial term of 5-years, with three additional five year renewal terms available

Financial Impact

The initial financial impact of the ATTM rental agreement will be an augmentation of \$45,000 per year in funds for the Authority's budget. This amount would increase 3% annually through the life of the contract.

Recommendation

Receive staff report and consider deal points for the proposed AT&T Mobile cell-site at the LAVTA Administration and Maintenance Facility.

Attachments:

1. February 2019 P&S Staff Report
2. February 2019 P&S Minutes

Submitted: _____

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

STAFF REPORT

SUBJECT: Proposed AT&T Cell-Site at LAVTA Administration and Maintenance Facility

FROM: Michael Tree, Executive Director

DATE: February 25, 2019

Action Required

Information only- Staff is requesting guidance on the deal points for the proposed AT&T Mobile cell-site at LAVTA Administration and Maintenance Facility

Background

In September of 2007, LAVTA approved a proposal to install a T-Mobile cell-site at the LAVTA facility located at 1362 Rutan Court, Livermore, California. The cell-site approved was a telecommunication facility consisting of three antennas on a pole at a total height of 40 feet and ground-mounted equipment cabinets in the LAVTA bus parking lot. The basic deal points of the T-Mobile cell-site agreement were as follows:

- T-Mobile offered to reimburse LAVTA up to \$3,000 for attorney fees and other administrative costs incurred during the implementation phase.
- T-Mobile offered a monthly rental fee of \$1,800 per month (current rate is \$3,078)
- T-Mobile offered a rent escalator of 5% per year
- The initial term was for five (5) years, with three (3) additional five (5) year (renewal) terms available.

Discussion

Recently, LAVTA was approached by AT&T Mobile about the prospects of installing an AT&T cell-site in the vicinity of the T-Mobile cell-site at the LAVTA facility. The cell-site is similar to the T-Mobile cell site, but slightly larger with a 50 foot pole and three arms at the top where antennas are mounted. The AT&T Mobile cell-site also includes ground mounted equipment cabinets.

Staff has reviewed the location of the proposed AT&T cell-site and finds that there is sufficient space on three of the parking spaces that were used years ago for the agency's paratransit fleet, but are no longer used. Additionally, staff finds that the proposed cell-site will not interfere with bus operations in the yard. See Attachment 1 for a locator map of the proposed cell-site and a drawing of the pole, antennas and cabinets.

After review of rents and rent escalator information for nearby cell-sites (see Attachment 2), staff and AT&T have tentatively agreed on the following deal points to bring forward for consideration:

- AT&T Mobile offers to reimburse LAVTA up to \$5,000 for attorney fees and other administrative costs incurred during the implementation phase.
- AT&T Mobile offers a monthly rental fee of \$3,750 per month
- AT&T Mobile offers a rent escalator of 3% per year
- The initial term is for five (5) years, with three (3) additional five (5) year (renewal) terms available.

AT&T Mobile is currently in the process of working with the City of Livermore to obtain permits for the proposed cell-site. The City is expected to require enhancements to the appearance of the cell tower. Additionally, legal is reviewing the Agreement that will be used for the project.

Financial Impact

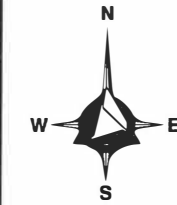
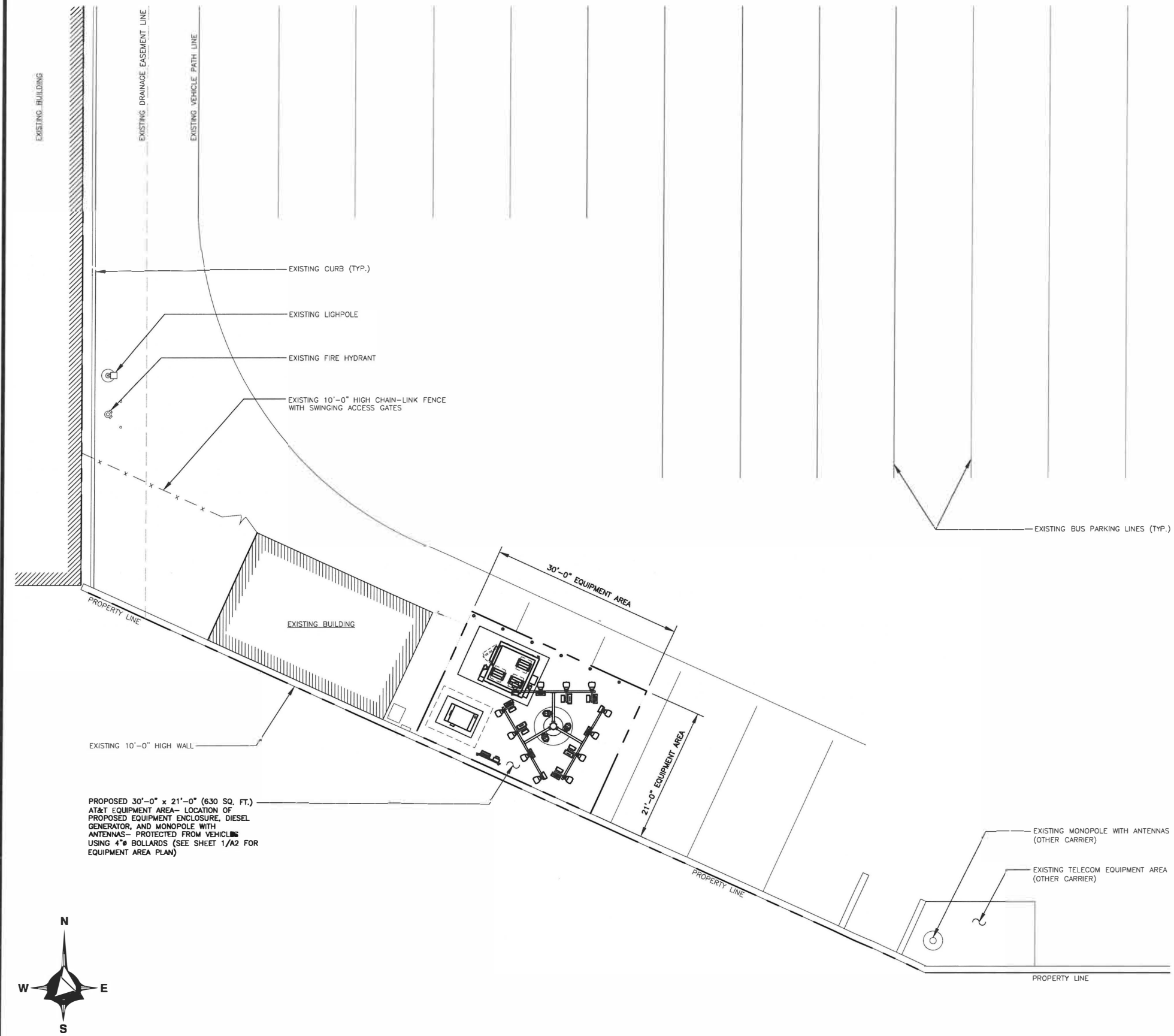
The initial financial impact of the AT&T Mobile cell-site rental agreement will be an augmentation of \$45,000 per year in funds for the agency's operating budget. This amount will increase five (5) percent annually for the term of the agreement.

Recommendation

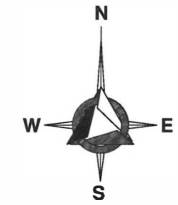
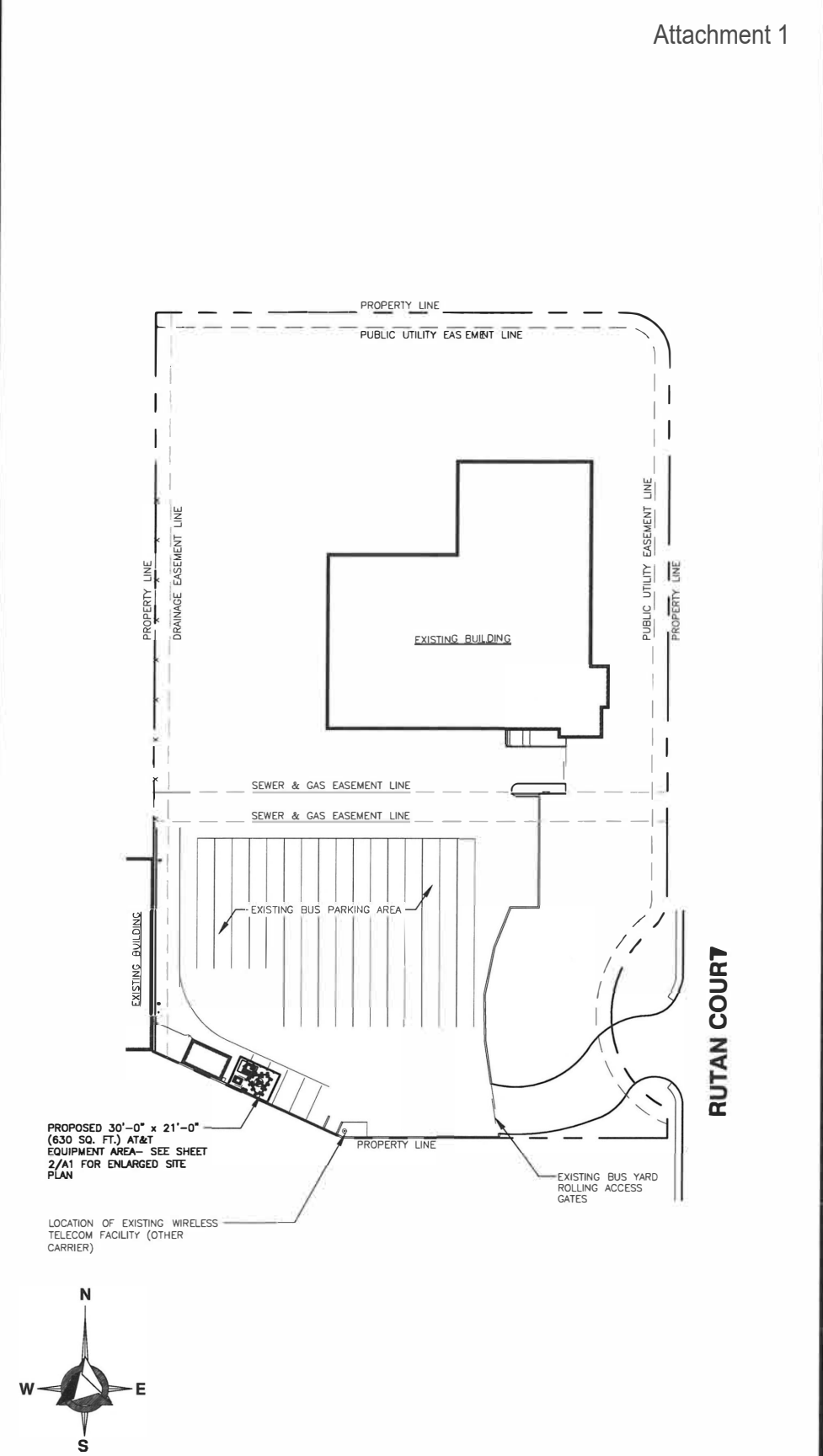
No action required at this time- Staff is requesting guidance on the deal points for the proposed AT&T mobile cell-site at LAVTA Administration and Maintenance Facility.

Attachments:

1. Drawing of cell-site location and appearance
2. Inventory of cell-sites and rents in the area



ENLARGED SITE PLAN



OVERALL SITE PLAN

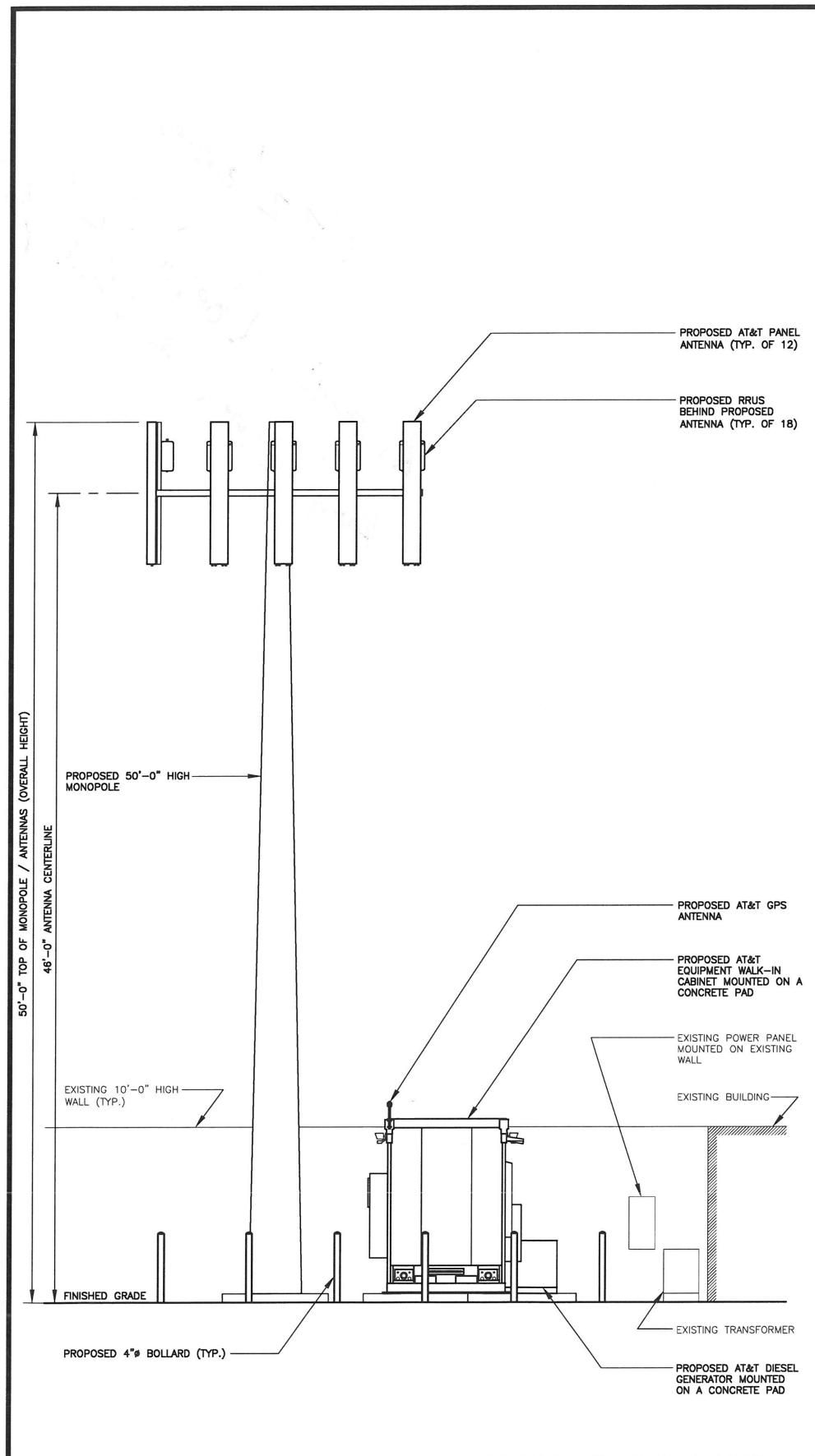

5001 EXECUTIVE PARKWAY, 4W750D
SAN RAMON, CA 94583

WHEELS LAVTA
CCL02511
1362 RUTAN COURT
LIVERMORE, CA 94551

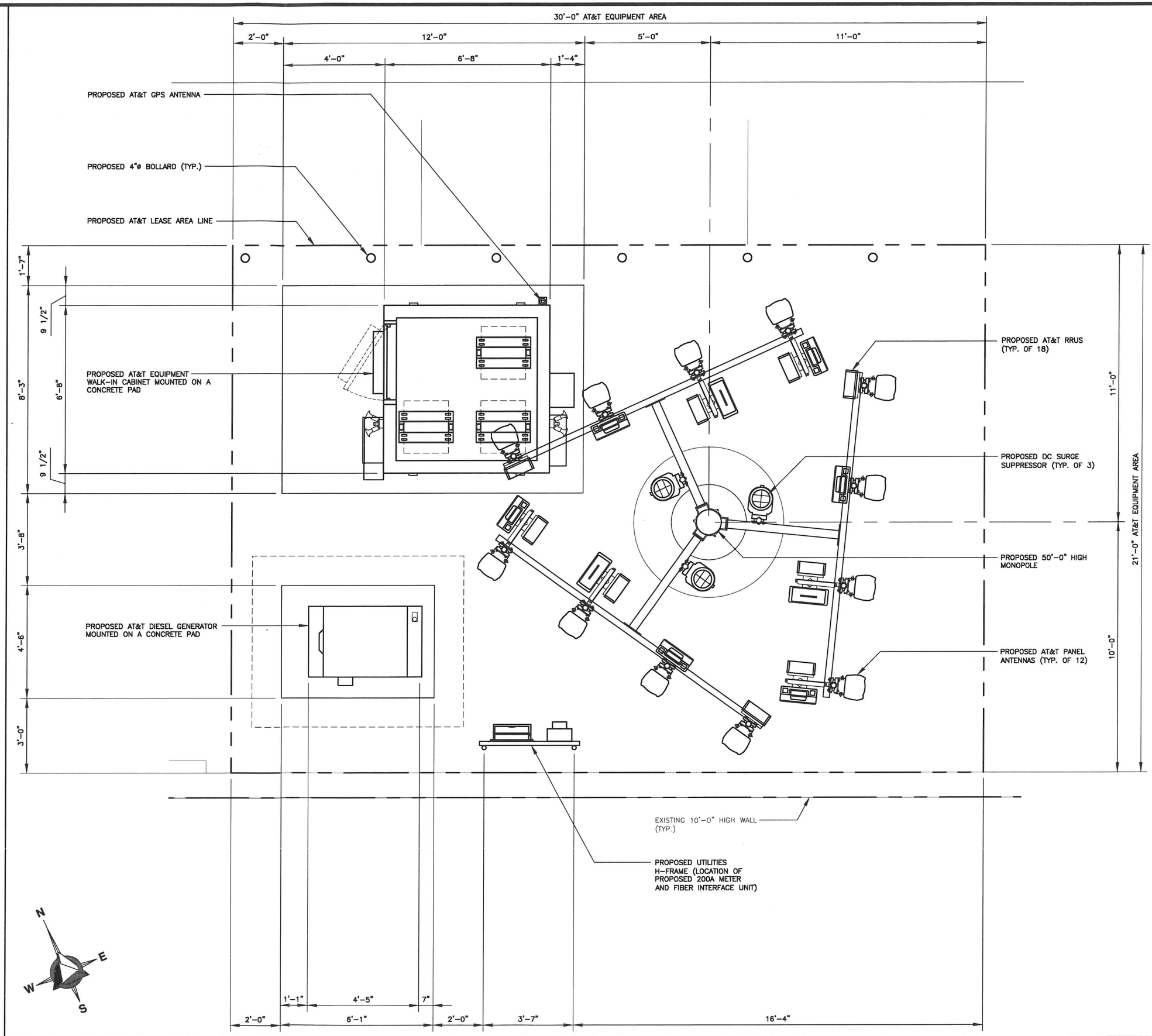
 **DELTA GROUPS**
ENGINEERING, INC.
CONSULTING ENGINEERS
5635 WEST LAS POSITAS, SUITE 403
PLEASANTON, CA 94588
TEL: (925) 468-0115 FAX: (925) 468-0355

REV.	DATE	DESCRIPTION	BY	CHK
1	12/11/17	ISSUED FOR CONCEPT DESIGN	ND	JK
2	1/15/18	ISSUED FOR CONCEPT DESIGN	HT	

SHEET TITLE	
OVERALL & ENLARGED SITE PLANS	
SHEET	DGE NO.
A1	P17AN007
	SITE NAME
	WHEELS LAVTA



NORTH ELEVATION



EQUIPMENT AREA PLAN

<p>5001 EXECUTIVE PARKWAY, 4W750D SAN RAMON, CA 94583</p>			<p>WHEELS LAVTA CCL02511 1362 RUTAN COURT LIVERMORE, CA 94551</p>	<p>DELTA GROUPS ENGINEERING, INC. CONSULTING ENGINEERS 5635 WEST LAS POSITAS, SUITE 403 PLEASANTON, CA 94588 TEL: (925) 468-0115 FAX: (925) 468-0355</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHK</th> </tr> <tr> <td>1</td> <td>12/11/17</td> <td>ISSUED FOR CONCEPT DESIGN</td> <td>ND</td> <td>JK</td> </tr> <tr> <td>2</td> <td>1/15/18</td> <td>ISSUED FOR CONCEPT DESIGN</td> <td>HT</td> <td></td> </tr> </table>	REV.	DATE	DESCRIPTION	BY	CHK	1	12/11/17	ISSUED FOR CONCEPT DESIGN	ND	JK	2	1/15/18	ISSUED FOR CONCEPT DESIGN	HT		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">SHEET TITLE</th> </tr> <tr> <td colspan="2" style="text-align: center;">EQUIPMENT AREA PLAN & NORTH ELEVATION</td> </tr> <tr> <td style="width: 50%;">SHEET</td> <td style="width: 50%;">DGE NO.</td> </tr> <tr> <td style="text-align: center;">A2</td> <td style="text-align: center;">P17AN007</td> </tr> <tr> <td colspan="2">SITE NAME</td> </tr> <tr> <td colspan="2" style="text-align: center;">WHEELS LAVTA</td> </tr> </table>	SHEET TITLE		EQUIPMENT AREA PLAN & NORTH ELEVATION		SHEET	DGE NO.	A2	P17AN007	SITE NAME		WHEELS LAVTA	
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Inventory of Cell-Sites in Area

Current Monthly Rent	Escalator	Site Name
\$4,275	3%	Cingular Wireless-City of Livermore (premium location on hill)
\$3,887	3%	ATTM-Spectrum (I-580 & Greenville)
\$3,887	3%	ATTM-Crown Castle (south Livermore)
\$3,215	3.5%	GTE-City of Livermore (City Hall)
\$3,078	5%	T-Mobile-LAVTA
\$2,622	3%	ATTM-Dublin Water District
<u>\$2,097</u>	2%	ATTM-CCATT (Vasco Rd)
Avg \$3,294		

MINUTES OF THE FEBRUARY 25, 2019
LAVTA PROJECTS AND SERVICES COMMITTEE MEETING

1. Call to Order and Pledge of Allegiance

Committee Vice Chair Karla Brown called the meeting to order at 4:08pm.

2. Roll Call of Members

Members Present

David Haubert, Mayor, City of Dublin
Karla Brown, Councilmember, City of Pleasanton
Scott Haggerty, Supervisor, Alameda County

Members Not Present

Bob Woerner, Councilmember, City of Livermore

3. Meeting Open to Public

No comments.

4. Minutes of the January 28, 2019 Meeting of the P&S Committee.

Approved: Haggerty/Haubert
Aye: Brown, Haubert, Haggerty
No: None
Abstain: None
Absent: Woerner

5. Proposed AT&T Cell-Site at LAVTA Administration and Maintenance Facility

Executive Director Michael Tree provided the Projects and Services Committee the proposed AT&T Cell-Site at LAVTA Administration and Maintenance Facility. The AT&T cell-site will be located next to the T-Mobile cell-site, but will be 10 feet taller (50' total height). AT&T is in discussion with the City of Livermore to receive approvals for installation and is still in negotiations with LAVTA.

The item was discussed by the Projects and Services Committee and staff. Committee Members asked for information on whether the proposed AT&T cell-site will be 5G, discussed the potential of co-locating the cell-sites, and compared the escalator rate to other cell towers agreements.

This was informational only.

6. Executive Director's Report

Executive Director Michael Tree provided the Projects and Services (P&S)

Committee the Executive Director's Report. Executive Director Michael Tree discussed the Strategic Planning Short Transit Range Plan (SRTP) and Long Range Transit Plan (LRTP). The state awarded LAVTA \$500,000, through the grant tied to the award for the parking garage in Dublin, to conduct the Tri-Valley Hub Network Integration Study. LAVTA will have a Request for Proposal (RFP) in March for Strategic Planning Services with two parts. Part one is the Tri-Valley Hub Network Integration Study and part two is the SRTP and LRTP. The recommendation will come to the Board of Directors this summer.

Executive Director Michael Tree informed that staff is working with BART on the storage and charging infrastructure for the Shared Autonomous Vehicle (SAV) project. Legal Counsel is looking at LAVTA's RFP, so we can procure a firm to assist with the SAV project.

Executive Director Michael Tree highlighted the grant applications for the ParaTaxi program, the implementation of a ParaTaxi debit card, and a potential GoDublin expansion into Pleasanton and Livermore. Also provided was information on the Advanced Intelligent Intersection Project.

This was informational only.

7. Preview of Upcoming P&S Committee Agenda Items

8. Matters Initiated by Committee Members

None.

9. Next Meeting Date is Scheduled for: March 25, 2019

10. Adjourn

Meeting adjourned at 4:48pm.