



DATE: July 12, 2017  
 TO: Members of the California State Assembly  
 FROM: A Coalition of California Cities  
 RE: **SB 649 (Hueso) Special Permitting and Mandated Leasing of Public Property for "Small Cell" Wireless Infrastructure**

Over 215 California Cities are on record remaining strongly opposed to SB 649 (Hueso), which would require special permitting and mandated leasing of public property for "Small Cell" wireless infrastructure. This bill represents a major shift in telecommunications policy and law by: requiring local governments to lease out the public's property; placing a cap on attachment rates; eliminating the ability for cities to negotiate public benefits such as free Wi-Fi in public parks; and disregarding the public's input and full discretionary review in all communities in the state except for areas in coastal zones and historic districts.

SB 649 makes key changes to existing law, this measure:

1. Forces cities and counties to lease out their public property for wireless equipment;
2. Eliminates negotiated leases, and places a \$250 cap on what they call an attachment rate instead;
3. Eliminates public input, full local discretion, and ability to reduce equipment blight by using encroachment and building permits instead of discretionary permits;
4. Eliminates any conditional requirements to provide public benefits. This bill specifically prohibits "in-kind" conditions for issuing a permit such as free Wi-Fi in public parks as a condition of the permit; and
5. Eliminates ability to remove equipment that is blighting neighborhoods.

These permitting changes are significant because:

- This bill allows for antennas as large as 6 cubic feet, associated and ground mounted equipment totaling 35 cubic feet, with no size or quantity limitations for a host of "ancillary" equipment;
- This bill is aimed at street lights, traffic lights, and public buildings such as libraries where communities currently have a say. To clarify, the equipment identified in the bill is already permissible on utility poles; and
- This bill gives the wireless industry too much control over public infrastructure without imposing any meaningful requirements that these private, for-profit companies use the facilities appropriately.

Cities have a responsibility to protect public property and to condition fair use over taxpayer assets. Unlike the wireless industry, cities are not driven by profit, but by the public services we strive to deliver – from police, fire, libraries, infrastructure, and parks. Despite promises made by the wireless industry, this bill does nothing to require the technology meet 5G, that there is equitable deployment to unserved/underserved areas, or that whatever cost savings these private companies will benefit from this bill are passed onto their customers.

**SB 649 is the wrong answer for California.**

