

June 12, 2017
Issue #46

120 Cities and Counting Oppose Legislation Stripping Public Input and the Ability for Cities to Negotiate Public Benefits with the Wireless Industry to Install their Equipment

A coalition of California cities sent every member of the Assembly [a letter](#) on Friday, June 9, outlining their strong opposition to [SB 649 \(Hueso\)](#). Under the guise of building a strong 5G network for consumers, this bill effectively gives the wireless industry the keys to the store at the expense of local governments' responsibility to manage their communities. SB 649 moved to the Assembly last week where it is awaiting its first policy committee assignment and hearing date.

This wireless industry sponsored bill restricts the ability of local agencies to control access to their public right-of-ways and caps the ability of local agencies to collect rent related to small cell siting on that public infrastructure. It eliminates public input, full local environmental and design review as well as the ability for local governments to negotiate leases or any public benefit for the installation of "small cell" equipment on taxpayer-funded property. Instead of needing to negotiate with individual local agencies on siting issues and having to pay market-rate rents for the privilege of placing their equipment on public infrastructure, the industry seeks to use legislative preemption to reduce costs on multiple fronts.

While the industry promises that SB 649 will allow them to rapidly deploy 5G technology, the bill fails to specify 5G, 4G, or any technological standard for this special permitting process and fails to include any deployment requirement to hold industry to their promise. Furthermore, 5G standards are still being developed which begs the question why the industry needs this special privilege today, especially when they have been unable to demonstrate any examples of city imposed obstacles. Cities statewide welcome new technology, especially for network and broadband deployment, but only when it's in collaboration with the industry, which SB 649 would eliminate.

The [June 9 letter](#) represents 122 cities, which as of this date, had officially opposed SB 649. In addition, to date, 12 counties and 11 other organizations have opposed the bill.

Next Steps

- Call and meet with your Assembly Member now! Urge them to oppose this giveaway of community control and resources. The wireless industry lobbyists are already working them.
- Schedule this issue for discussion at a community meeting or your next council meeting and invite your Assembly Member to attend to discuss this measure and its impacts. Your community members need to become aware of how this measure will appropriate the use of local infrastructure, affect community aesthetics and reduce revenue that could be used for community services and amenities.
- With your fellow city council members and mayors, make plans to come to Sacramento when this bill gets assigned to a policy committee in the Assembly.