



CITY OF HAYWARD

Hayward City Hall
777 B Street
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Cover Memo

File #: LB 19-002, **Version:** 1

DATE: January 8, 2019

TO: Mayor and City Council

FROM: Deputy City Manager
Director of Information Technology
Interim Director of Public Works

SUBJECT:

Introduction of an Ordinance of the City of Hayward, Adding Article 4 of Chapter 7 to the Hayward Municipal Code for Regulating Wireless Communication Facilities in the Public Right of Way and Adoption of a Resolution Amending the Master Fee Schedule for Related Program Fees.

RECOMMENDATION

That the City Council reviews, comments on, and approves the proposed Public Right of Way Telecommunications Antenna and Facilities Ordinance (“Wireless Ordinance”) and Master Fee Schedule amendment resolution.

SUMMARY

The City’s existing regulations for telecommunications antenna and facilities were passed in July of 1997. Over the past two years, telecommunication companies have signaled their intention to deploy small cell sites to expand 5G coverage. To complicate matters, the State and Federal legislatures have considered legislation that would constrict the ability of the City to regulate and charge lease revenue for small-cell wireless sites within the Public Right of Way.

This item includes a proposed updated Wireless Ordinance (Attachment II) to accommodate the anticipated requests from telecommunication providers as well as a Master License agreement to ensure the City receives fair compensation for use of the Public Right of Way and that said use is done in a consistent and equitable manner across telecommunication providers. It also includes a resolution amending the Master Fee Schedule for related program fees.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Ordinance
Attachment III	Resolution
Attachment IV	FCC Small Cell Order Summary

