



City Council
311 Vernon Street
Roseville, California 95678

July 31, 2018

Senator Dianne Feinstein
United States Senate
331 Hart Office Building
Washington, D.C. 20510

Senator Kamala Harris
United States Senate
112 Hart Office Building
Washington, D.C. 20510

RE: Opposition to S. 3157 (Thune & Schatz) STREAMLINE Act

Dear Senator Feinstein and Senator Harris,

As Mayor of the City of Roseville, I am writing on behalf of our community to urge that you **oppose S. 3157**, the STREAMLINE Act, which would force local governments to lease out publicly owned infrastructure, eliminate reasonable local environmental and design review, and eliminate the ability for local governments to negotiate fair leases or public benefits for the installation of "small cell" wireless equipment on taxpayer-funded property.

Last year, the wireless industry pursued similar failed legislation here in California that sought to achieve many of the elements present in this draft bill. The City of Roseville was especially concerned with that bill's attempt to shift authority away from our residents, businesses, and communities over to a for-profit industry whose shareholder returns can potentially outweigh their considerations for the safety, aesthetic, health and public benefits of our community.

To be clear, the City of Roseville shares in the goal of ensuring all our residents have access to affordable, reliable high-speed broadband and eagerly welcome installation of wireless infrastructure in collaboration with local governments. However, the plain language in S. 3157 will not help in achieving these goals.

In fact, the City of Roseville has demonstrated its commitment to ensuring our community has access to the most reliable wireless/broadband technology without the need for any preemptive and prescriptive legislation. In September 2017, the City entered into a Wireless Marketing Agreement with XG Communities, LLC to provide wireless consulting, management and development services related to the use of City-owned assets for wireless telecommunications facilities. The XG Communities agreement provides a fair method for wireless companies to reserve site locations and ensures that wireless communication companies are able to do the following: (1) enter into a license or sublicense agreement for use of the City-owned property; (2) obtain a building permit; (3) obtain an encroachment permit; and (4) comply with all other applicable federal, state and local laws, ordinances and regulations all in a predictable and timely manner.

This bill would impose sharply reduced "shot clock" time limits for local governments to process potentially unlimited wireless facility applications for all sizes, "deem granted" applications for facilities when local governments are unable to meet the stringent time limits regardless of its safety impacts or delays caused by incomplete applications. Additionally, the bill does not grandfather any existing agreements between cities and providers or tower companies. The bill would preclude agreements such as those recently approved by the City of Roseville, and other cities in California, working collaboratively with the wireless communication companies to craft agreements that are worthy to both industry and local government.

The draft bill also interferes with the ability for our City to manage our own property and our ability to receive appropriate compensation for its use. The City of Roseville is a full service city that includes our own energy and water utilities. This creates a unique situation the majority of other cities do not experience. Namely, we own the vast majority of vertical infrastructure within the city's rights of way. We actively manage the rights of way to protect our residents' safety, preserve the character of their communities, and maintain the availability of the rights of way for current and future uses.

The bill would stringently limit those factors that we may consider in our own land use decisions, and restricting compensation only to the "actual costs" we incur to process applications. This would limit our ability to adequately serve and protect our residents, and would provide a private benefit of a public facility by allowing for-profit companies the use of government facilities paid for by local tax and rate payers, potentially in violation of Proposition 218, without adequately sharing in the cost of the facility. Furthermore, we have significant concerns that this bill will allow installation of equipment on power poles and traffic signal poles owned by the city and the issues this presents.

It is for these reasons, we ask for your consideration to oppose S. 3157. As Congress considers efforts to improve the rollout of wireless and broadband deployment, we urge you to carefully consider efforts that are more balanced and to reject attempts aimed to undermine input from your constituent residents, businesses, and local governments for this critical infrastructure.

The City of Roseville thanks you for your consideration and we strongly urge you to **OPPOSE S. 3157**. Please contact Government Relations Administrator, Mark Wolinski (916) 774-5179 or mwolinski@roseville.ca.us with any questions.

Sincerely,



Susan Rohan,
Mayor
City of Roseville

cc: The Honorable Diane Feinstein
The Honorable Kamala Harris
The Honorable Tom McClintock
Charles Anderson, League Regional Public Affairs Manager (via email)
Meg Desmond, League of California Cities, mdesmond@cacities.org
Mike Miller, The Ferguson Group