

RESOLUTION NO. _____

Resolution Of The City Council Of The City Of Emeryville Authorizing The Mayor To Sign A Letter Opposing SB 649, Wireless Telecommunications Facilities And Proposed Amendments To Install Small Cells By Right

WHEREAS, SB 649 and amendments preempt adopted local land use plans by mandating that “small cells” be allowed in all zones, including residential zones, as a use by-right; and

WHEREAS, the preempting of local authority over public property by requiring local government make available sites they own for the installation of a small cell would give control over city property to private telecommunications companies;

WHEREAS, SB 649 and amendments provide a de facto exemption to the California Environmental Quality Act (CEQA) for the installation of such facilities and preclude consideration by the public of aesthetic, nuisance impacts and other environmental impacts of these facilities; and

WHEREAS, such facilities include equipment such as electric meters, concealments, telecom demarcation boxes, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cables, or conduits in the definition of “small cell;” and

WHEREAS, SB 649 and amendments prohibit discretionary review of small cells wireless antenna, including equipment collocated on existing structures or new poles, structures, or non-pole structures including those within public-right-of-way; now, therefore, be it

RESOLVED, that the City of Emeryville opposes SB 649 and amendments and authorizes the Mayor to sign a letter of opposition.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, April 4 2017, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

MAYOR

ATTEST:

APPROVED AS TO FORM:



CITY CLERK

CITY ATTORNEY